



600 NE Grand Ave.
Portland, OR 97232-2736

Council meeting agenda

Thursday, June 15, 2023

10:30 AM

**Metro Regional Center, Council Chamber,
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1. Call to Order and Roll Call

2. Public Communication

Public comment may be submitted in writing. It will also be heard in person and by electronic communication (video conference or telephone). Written comments should be submitted electronically by emailing legislativecoordinator@oregonmetro.gov. Written comments received by 4:00 p.m. 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 503-813-7591 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. Those wishing to testify in person should fill out a blue card found in the back of the Council Chamber.

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3. Presentations

- 3.1 Year 2 Report from Natural Areas and Capital Program [23-5892](#)
Performance Oversight Committee
- Presenter(s): Jon Blasher (he/him), Metro
Burt Edwards (he/him)
Cary Watters (she/her)
- Attachments: [Staff Report](#)
[Attachment 1](#)
[Year 2 Committee Report](#)

4. Consent Agenda

- 4.1 Resolution No. 23-5341, For the Purpose of Adopting the [RES 23-5341](#)
Smith and Bybee Wetlands Natural Area Interim Plan
- Attachments: [Resolution No. 23-5341](#)
[Staff Report](#)
[Attachment 1](#)
[Attachment 2](#)
[Attachment 3](#)
- 4.2 Consideration of the May 9, 2023 Council Meeting [23-5896](#)
Minutes
- Attachments: [050923c Minutes](#)
- 4.3 Consideration of the May 11, 2023 Council Meeting [23-5897](#)
Minutes
- Attachments: [051123c Minutes](#)
- 4.4 Resolution No. 23-5346, For the Purpose of Declaring [RES 23-5346](#)
Certain Property Surplus and Authorizing a Lease of a
Portion of the Irving Street Garage
- Attachments: [Resolution No. 23-5346](#)
[Exhibit A](#)
[Staff Report](#)
[Attachment 1](#)

5. Resolutions

- 5.1 Resolution No. 23-5337, For the Purpose of Distributing \$18.8 Million of Carbon Reduction Program Funds for the Years 2022-2026, Pending Inclusion in the 2024-2027 MTIP. [RES 23-5337](#)

Presenter(s): Ted Leybold (he/him), Metro
Grace Cho, Metro

Attachments: [Resolution No. 23-5337](#)
[Exhibit A](#)
[Exhibit B](#)
[Staff Report](#)
[Attachment 1](#)

- 5.2 Resolution No. 23-5331, For the Purpose of Adopting Guiding Principles of Meaningful Public Engagement [RES 23-5331](#)

Presenter(s): Gloria Pinzon Marin (She/They), Metro

Attachments: [Resolution No. 23-5331](#)
[Exhibit A](#)
[Staff Report](#)
[Attachment 1](#)

- 5.3 Resolution No. 23-5330, For the Purpose of Amending the FY 2022-23 Budget and Appropriations Schedule and FY 2022-23 Through FY 2026-27 Capital Improvement Plan to Provide for Changes in Operations [RES 23-5330](#)

Presenter(s): Cinnamon Williams (she/her), Metro
Patrick Dennis (he/him), Metro

Attachments: [Resolution No. 23-5330](#)
[Exhibit A](#)
[Staff Report](#)
[Attachment 1](#)
[Attachment 2](#)
[Attachment 3](#)

6. Resolutions (First Reading and Public Hearing)

- 6.1 Resolution No. 23-5333, For the Purpose of Adopting the Annual Budget for Fiscal Year 2023-24, Making Appropriations and Levying Ad Valorem Taxes [RES 23-5333](#)
- Presenter(s): Marissa Madrigal (she/her), Metro
Brian Kennedy (he/him), Metro
- Attachments: [Resolution No. 23-5333](#)
[Staff Report](#)

7. Ordinances (First Reading and Public Hearing)

- 7.1 Ordinance No. 23-1495, For the Purpose of Annexing to the Metro District Boundary approximately 4.86 acres Located in Tigard on the West Side of SW 150th Ave [ORD 23-1495](#)
- Presenter(s): Glen Hamburg (he/him), Metro
- Attachments: [Ordinance No. 23-1495](#)
[Exhibit A](#)
[Staff Report](#)
[Attachment 1](#)

8. Ordinances (Second Reading and Vote)

- 8.1 Ordinance No. 23-1493, For the Purpose of Annexing to the Metro District Approximately 20.27 Acres Located in Hillsboro on the East Side of NE Sewell Ave [ORD 23-1493](#)
- Presenter(s): Glen Hamburg (he/him), Metro
- Attachments: [Ordinance No. 23-1493](#)
[Exhibit A](#)
[Staff Report](#)
[Attachment 1](#)

- 8.2 Ordinance No. 23-1494, For the Purpose of Annexing to the Metro District Approximately 27.41 Acres Located in Hillsboro on the East Side of NE Sewell Ave and the North Side of NE Evergreen Rd

[ORD 23-1494](#)

Presenter(s): Glen Hamburg (he/him), Metro

Attachments: [Ordinance No. 23-1494](#)

[Exhibit A](#)

[Staff Report](#)

[Attachment 1](#)

9. **Chief Operating Officer Communication**
10. **Councilor Communication**
11. **Adjourn**

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**Year 2 Report from Natural Areas and Capital Program
Performance Oversight Committee**
Presentations

Metro Council Meeting
Thursday, June 15th, 2023



Staff report on bond work in calendar year 2022

For the Natural Areas and Capital Program
Performance Oversight Committee

Spring 2023

If you picnic at Blue Lake or take your kids to the Oregon Zoo, enjoy symphonies at the Schnitz or auto shows at the convention center, put out your trash or drive your car – we’ve already crossed paths.

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Date: May 2023

To: Natural Areas and Capital Program Performance Oversight Committee

Re: Staff report on bond work in calendar year 2022

PURPOSE

The Natural Areas and Capital Program Performance Oversight Committee provides independent oversight of the 2019 parks and nature bond, the remainder of the 2006 natural areas bond and capital investments from Metro's parks and nature five-year local option levy, renewed by the region's voters in November 2022.

As part of this charge, the Metro Council has asked the Oversight Committee to monitor how bond implementation activities are meeting the direction in the bond measure, to monitor financial aspects of program administration and to share with the Metro Council related concerns or recommendations to help adjust work moving forward. This report is intended to summarize information for the committee's review by providing:

1. Re-cap of bond program investments completed in calendar year 2022
2. Status update on work complete and underway to address and measure progress towards the three bond criteria
3. Reporting on financial data for the 2019 parks and nature bond, the remaining funds from the 2006 natural areas bond as well as any data on capital investments funded by the Parks and Nature levy.
4. Snapshot of committee requests for information and staff responses to date

BACKGROUND ON METRO PARKS AND NATURE VOTER APPROVED INVESTMENTS

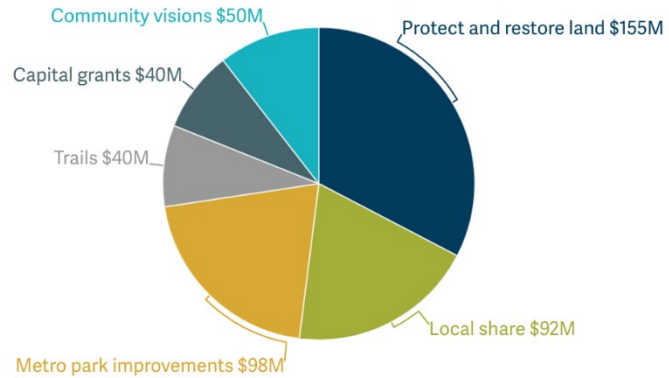
For more than two decades, voters have repeatedly trusted Metro to protect clean water, restore fish and wildlife habitat and provide opportunities for people to connect with nature close to home through the passage of three capital bond measures and a local option levy renewed twice.

The voter approved bond measures and levies are linked together to make the region's system of parks, trails and natural areas possible. The three capital bond measures (1995, 2006 and 2019) have supported the acquisition of more than 15,000 acres of priority habitat, investments in parks, trails and natural areas around the region. Metro's parks and nature operating levy, renewed by the voters in November 2022, supports restoration of fish and wildlife habitat on lands purchased with the bond measure, and invests in park operations and improvements and community education, programming and grants to projects designed by community that strengthen people's connection to nature close to home.

In November 2019, voters in greater Portland approved a \$475 million bond measure to further protect clean water, restore fish and wildlife habitat and provide opportunities for people to connect with nature close to home. The bond measure provides funding across six program areas.

Bond programs

The bond includes six programs. The funding levels were set by the legislation.



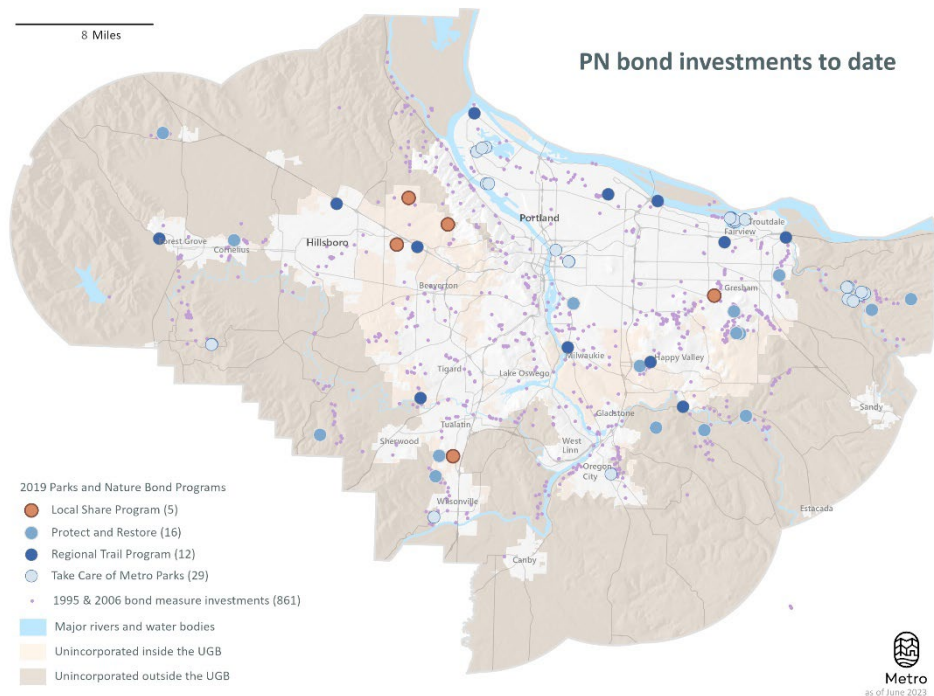
OVERVIEW OF KEY THEMES RELATED TO BOND PROGRESS IN 2022

- Bond refinement is complete; all six bond programs are launched and making investments in the region. Bond investments are ramping up and bond spend is increasing.
- Staff are continuing to utilize and employ innovative community engagement approaches to bond projects and to support local park providers in doing the same.
- The Natural Areas Oversight Committee and Metro staff made significant progress in calendar year 2022 on setting up strategies to report and measure bond progress on the bond criteria. Early reporting on bond investments, awards and activities point to progress on advancing the three bond criteria and identify areas for improvement.
- In the coming year and beyond, staff will be able to provide to the Natural Areas Oversight Committee more information, reporting and mechanisms through which the committee can determine progress towards bond spend and bond program goals.
- Further refinement of tools and frameworks that help the Natural Areas Oversight Committee evaluate the impact of bond investments on strengthening the region's climate resilience, advancing racial equity and whether and how they've been shaped by meaningful community engagement.

SUMMARY OF INVESTMENTS MADE TO DATE AS OF DECEMBER 2022

The following is a snapshot of investments completed to date. More detail about the specific engagement activities across bond programs that occurred in calendar year 2022 can be found in the appendix, [exhibit 4](#).

Figure 1, map of 2019 parks and nature bond investments and awards completed as of December 2022



	Investments made 2020-2022 (if applicable)	Awards made 2020-2022 (if applicable)	Notable projects 2020-2022
Protect and restore land	Over \$11 million invested to support 11 acquisitions for 386 acres and 1 trail gap acquisition (1,500 feet)	Not applicable	Acquisition at the Clackamas River confluence Acquisition by Coffee Creek
Take care of Metro parks	Over \$9 million invested to complete Chehalem Ridge and Newell Creek completion, advance initial Blue Lake Park improvements (water line, building demo) and planning, design and engineering work to advance	Not applicable	Engagement at Lone Fir Cultural Heritage and Healing Garden Preparing for pilot of accessibility

	Investments made 2020-2022 (if applicable)	Awards made 2020-2022 (if applicable)	Notable projects 2020-2022
	readiness of health, safety and accessibility projects across Metro’s portfolio of developed parks		improvements at Graham Oaks Key infrastructure investments at Blue Lake Park
Local share	\$4 million in local share funds invested to help City of Gresham acquire a parcel near SW community park and Tualatin acquire a parcel in the Basalt Creek area	\$5.3 million awarded to THPRD for the Willow Creek Greenway Boardwalk in Beaverton, Heckman Lane Park and Trail in the North Bethany neighborhood, and two accessible play structures in Bonny Slope and Rock Creek.	Gresham acquisition of site next to SW Community park Tualatin’s acquisition of natural areas in Basalt Creek
Trails for walking and biking		\$19.5 million to trail planning and construction projects across the region	Awards included key links in the regional trail system including Marine Drive trail, Clackamas River Trail and Westside Trail

PROTECT AND RESTORE LAND

\$155 million allocated for acquisition and restoration of priority habitat across 24 target areas, <https://www.oregonmetro.gov/protect-and-restore-land>

Program description: The protect and restore land program builds on the successes of the 1995 and 2006 natural areas bond measures in protecting greater Portland’s special places, by purchasing land from willing sellers and restoring it to help preserve regional watersheds, protect some of the region’s rarest habitats, protect culturally important plants and provide opportunities to create future potential access to nature. With funding from the 1995 and 2006 natural areas bond measures, Metro has completed over 500 individual transactions resulting in over 15,000 acres of protected habitat funded. Since many of the opportunities for straightforward land acquisitions in the region have already been completed, staff anticipates that most of the transactions funded by the 2019 bond will be more complicated from a land use or process perspective.

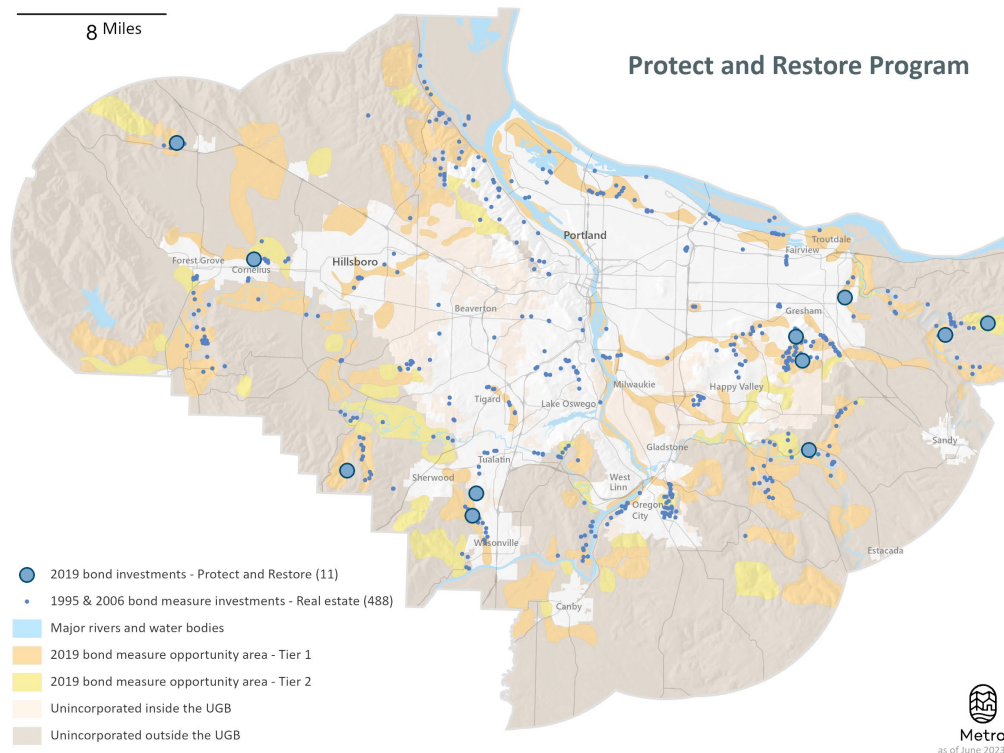
This program will also invest up to \$10 million of the create trails for walking and biking program to buy land where park providers will one day build regional trail connections.

Protect and restore land program milestones completed as of calendar year 2022

- [Council approved land acquisition road maps](#) in April 2022 articulate strategic priorities and goals for land acquisition
- Hired real estate staff with the goal of having four full time employees working on real estate
- Developed real estate strategies for each target area to further identify targets for priority acquisitions
- From 2020 through December 2022, completed a total of 11 acquisitions across 8 of the 24 target areas, protecting 386 acres and spending a little over \$6 million on the properties
- Developing measures of success for land acquisitions, especially related to the bond measure’s climate resilience criteria
- Refined reporting on land acquisition activities to the Natural Areas Oversight Committee including updating memos to Council and the oversight committee summarizing how individual property purchases meet bond goals and criteria
- Conducted outreach to over 100 landowners about acquisition opportunities
- Conducted community engagement activities to shape land acquisition road maps including: affinity group roundtables, in English and Spanish, for BIPOC and people with disabilities, engagement sessions for all community members, continuous engagement with members of the urban Indigenous community and an online survey on land acquisition priorities translated into 5 languages received over 1,700 responses
- Conducted interviews and surveys with community members who helped shape the development of the land acquisition road maps to understand experience of participating in that process

Protect and restore land program milestones complete (by the numbers) during calendar year 2022

Category	During calendar year 2022
Number of acquisitions made	5
Acres purchased	115
Total trail gap feet purchased	0 feet
Number of landowners contacted by Metro staff (including some we have existed conversations with and some who are new)	100
Number of detailed real estate strategies completed for each of the 24 target areas in the Council approved land acquisition road maps	23 out of 24 target areas



Looking ahead

With the Council approved refinement plans setting direction on acquisition and near completion of real estate strategies for each of the 24 target areas, the protect and restore land program has built the tools needed to effectively and efficiently conduct land acquisition through a willing seller program. The team will continue ramping up outreach to landowners across the region to create a pipeline of opportunities for acquisition in alignment with the targets and goals approved by the Metro Council this past spring.

Staff anticipate being at full capacity by fall 2023 with a team of four real estate negotiators, along with the expansion and maturation of the acquisition pipeline. While the size of the pipeline helps expand the number of deals moving through each phase of negotiation towards completion, the fact

that this is a willing seller program, that the acquisition opportunities have been absorbed by previous measures and the reality of current market dynamics may all increase the amount of time it takes to fully ramp up the anticipated pace of acquisitions.

The real estate market continues to be dynamic and challenging. The largest challenges in the market on willing selling cultivate are still related to timelines and seller expectations of and real estate staff are now also seeing the impacts of low inventory and high interest rates.

As the portfolio of land acquisitions continues to grow, the protect and restore land team will refine a framework that measures success by connecting the features of individual properties acquired to the bond's climate resilience criteria. The team will also explore opportunities to identify community partners to pilot the community led acquisition included in the protect and restore land program definition in the bond measure.

Markers on progress for protect and restore land in 2023 and beyond

- Number of acquisitions made in each of the 24 target areas (status below as of December 2022)
- Number of trail gap acquisitions across the region
- Status and balance of acquisitions focusing on key habitat types
- Status and balance of acquisitions focusing on primary climate resilience strategies
- Bond criteria met by acquisitions

Figure 1

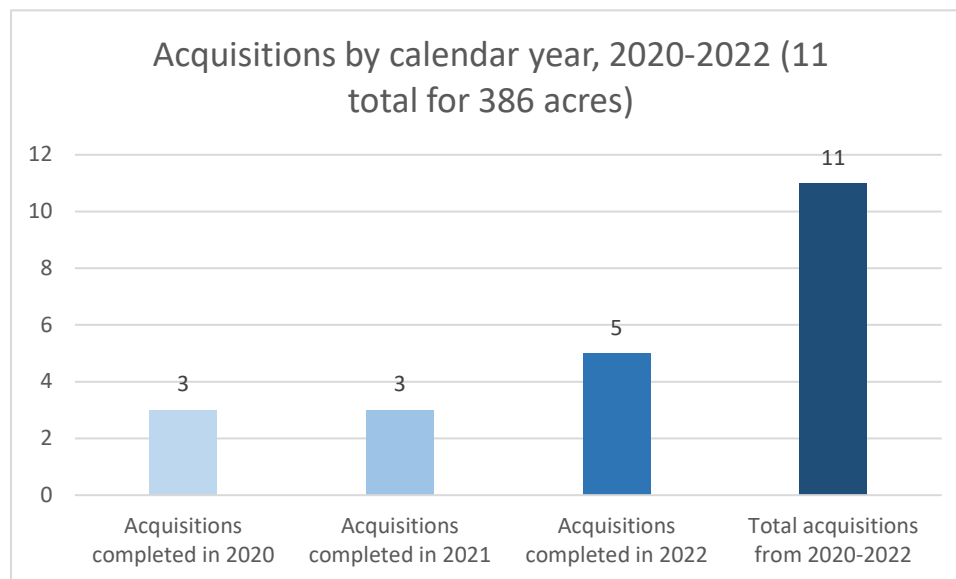


Figure 2

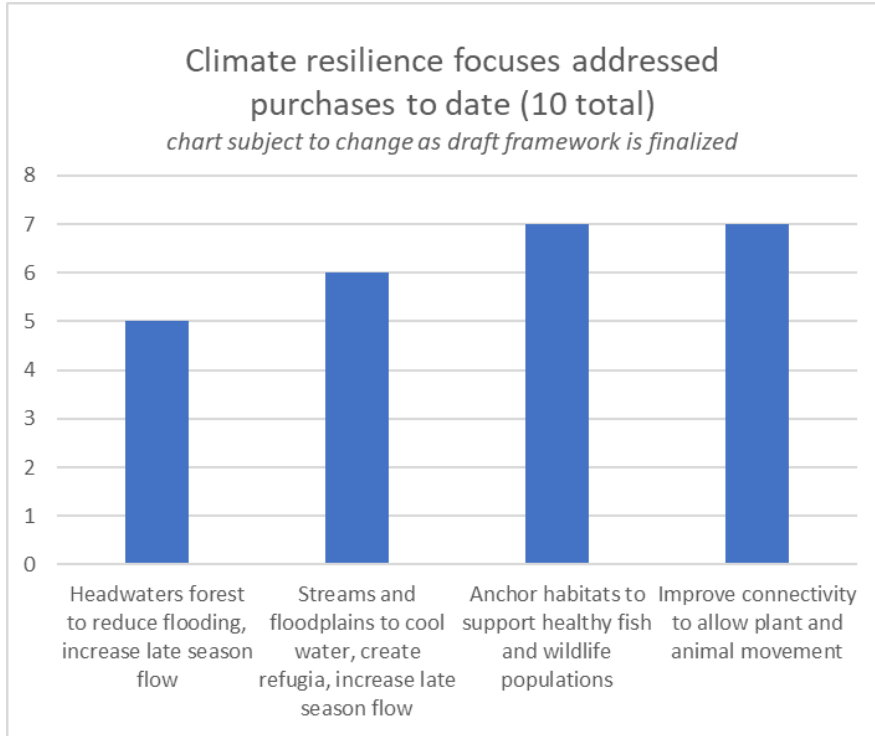
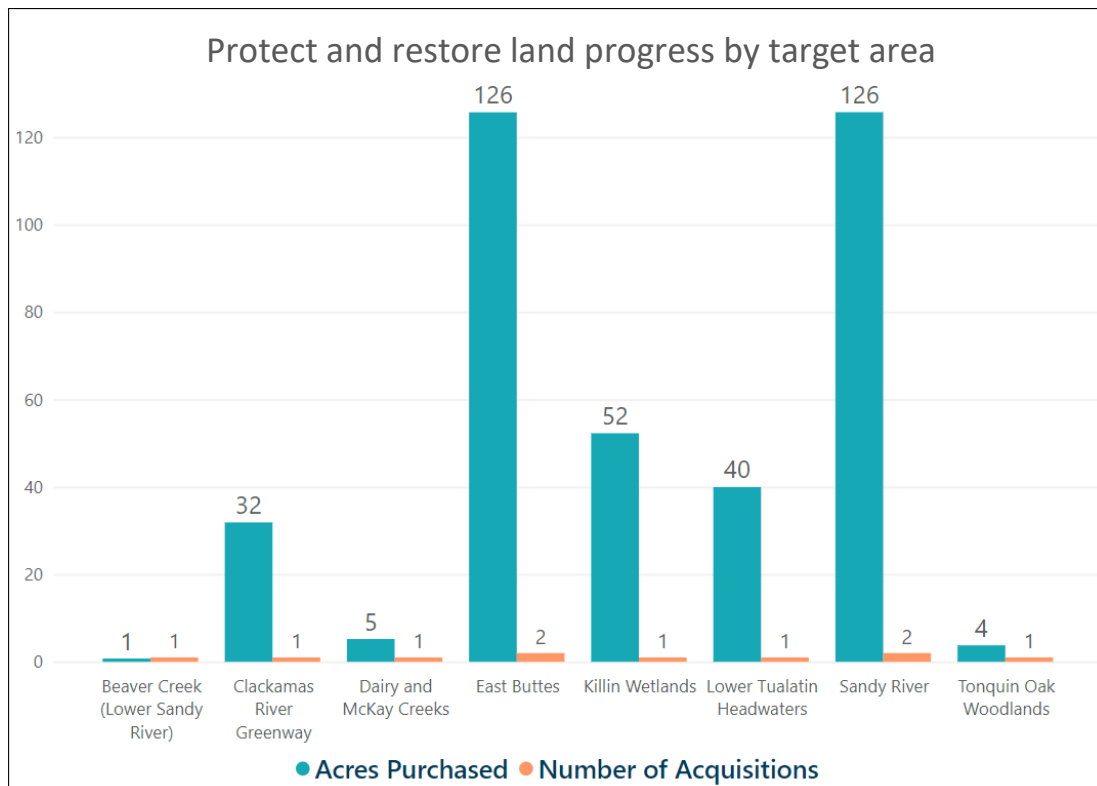


Figure 3



Stabilization activities

Each property acquired through the protect and restore land program has some stabilization needs that involve land management activities undertaken during the first approximately 5 years that ensure the values of the subject property are not lost during the development of long-term restoration and stewardship plans. These actions include infrastructure removal or improvement, replacing invasive species with natives and reducing stream erosion. From 2020 to December 2022, \$563,000 of 2019 parks and nature bond funding was spent on 13 stabilization projects including the 11 properties acquired with the 2019 parks and nature bond. The other two stabilization projects occurred on properties acquired with the 2006 natural areas bond.

During stabilization Metro uses bond funds to address threats that would otherwise compromise the values for which a new natural area is acquired. Metro focuses on actions that protect high ecological function and shift currently degrading conditions to a positive trend leading to Metro to meeting the conservation objectives for which the property was purchased. Common stabilization actions include natural resource enhancement and property management and security actions. Important ecological functions addressed include key features such as: soil erosion control, habitat quality and trend, temperature and flow modification of streams, and public safety.

Figure 4

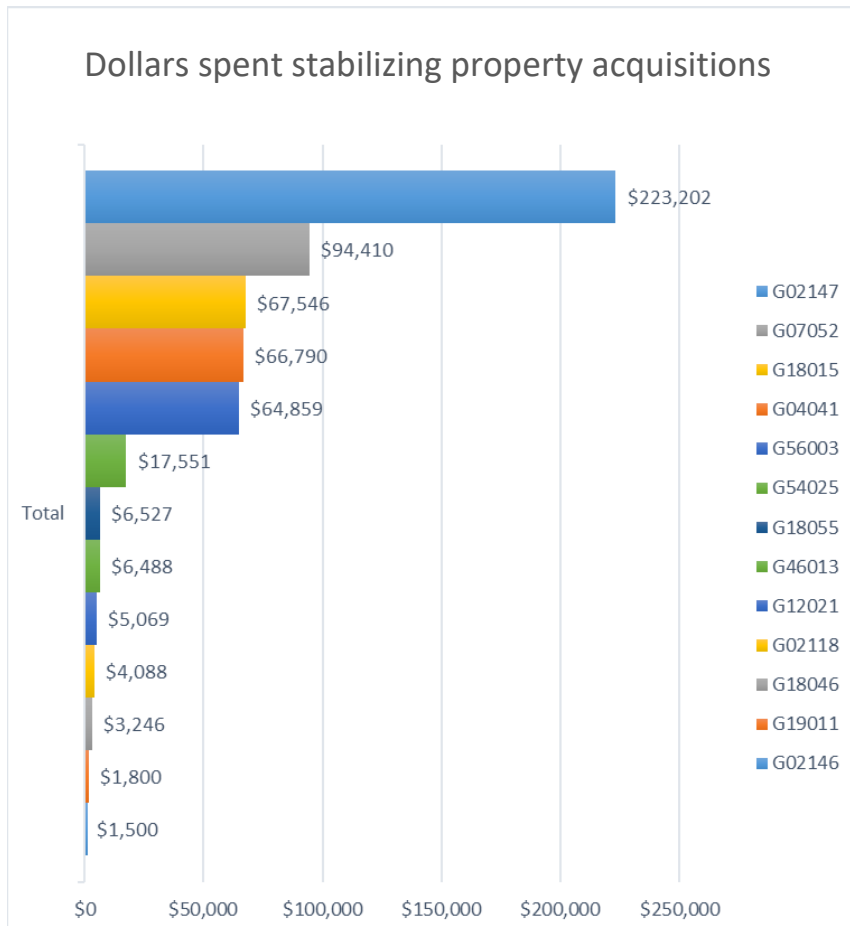


Figure 5, list of properties acquired with the 2019 parks and nature bond as of December 2022

Target Area	Close Date	Acres	Purchase Price
Ice Age Tonquin Trail 2019 (22-5250)	06/29/2020	0.88	\$113,500.00
Sandy River 2019 (22-5250)	09/08/2020	86.76	\$350,000.00
East Buttes 2019 (22-5250)	12/08/2020	8.59	\$340,000.00
Dairy and McKay Creeks 2019 (22-5250)	02/10/2021	5.21	\$9,000.00
Killin Wetlands 2019 (22-5250)	11/24/2021	52.28	\$465,000.00
East Buttes 2019 (22-5250)	12/09/2021	117.09	\$1,422,000.00
Clackamas River Greenway 2019 (22-5250)	01/26/2022	31.88	\$1,681,485.00
Sandy River 2019 (22-5250)	05/12/2022	38.95	\$75,000.00
Lower Tualatin Headwaters 2019 (22-5250)	08/08/2022	39.95	\$1,000,000.00
Beaver Creek (Lower Sandy River) 2019 (22-5250)	10/06/2022	0.75	\$475,000.00
Tonquin Oak Woodlands 2019 (22-5250)	11/30/2022	3.77	\$110,000.00

LOCAL SHARE

\$92 million allocated to local governments for park improvement projects and locally important acquisitions, www.oregonmetro.gov/localshare

Local share program description

The local share program distributes \$92 million to 27 park providers (23 cities, 2 counties and 2 park districts) across the greater Portland region to invest in their community's parks and nature projects including land acquisition, habitat restoration and connectivity, facilities at public parks and natural areas, local and regional trails and interpretive or environmental education facilities.

Once park providers submit a project, Metro staff review and approve it and the two governments negotiate an agreement that governs the disbursement of local share funding.

Local share program milestones completed as of 2022

The local share team is working to support park providers of all sizes to identify projects that meet bond criteria and community priorities including the following projects:

- Awarded \$10.3 million in funds to 5 projects including the City of Gresham for acquisition of a [parcel adjacent to Southwest Community Park](#), the City of Tualatin for [acquisition of a parcel near Basalt Creek](#) and Tualatin Hills Park and Recreation for [three projects that retrofit and expand access to nature across the district](#)
- Submission of 7 additional projects for review and intergovernmental agreement execution

Local share

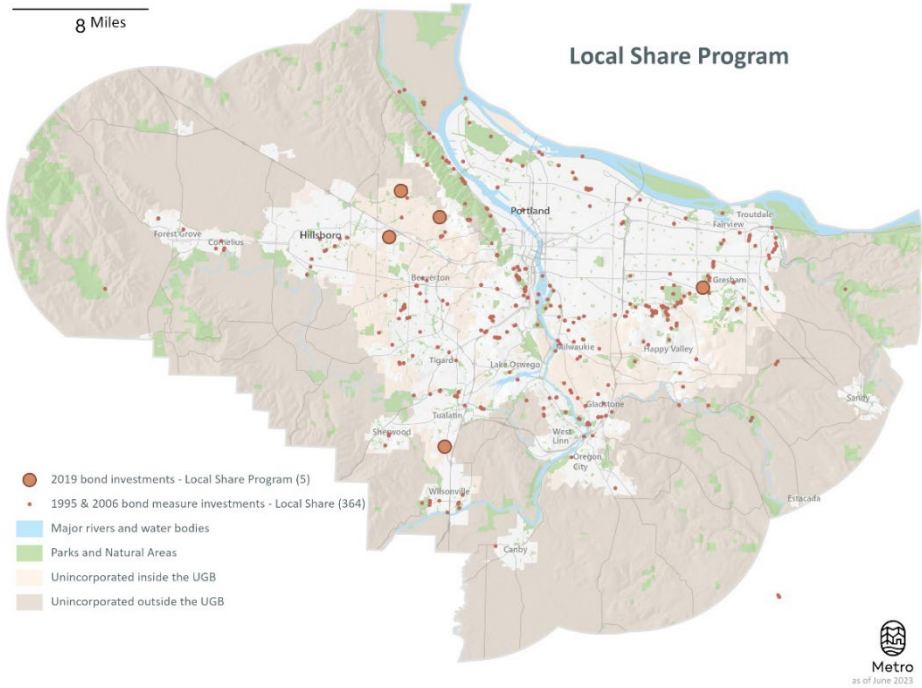
Local share distributes funds to the region's 27 park providers to build projects and purchase natural areas that are important to their communities.

Projects funded
5
totaling
\$10.3 million

- Portland Parks and Recreation has five projects: Whitaker Ponds Natural Area, Wilkes Headwaters Natural Area, Hoyt Arboretum Bristlecone Pine Trail ADA improvements, Park Pathway Lighting Renovation, and Rose City Golf Trails.
- Forest Grove's Stites Park, which will build a nature park with a community garden, picnic, and play areas.
- Wilsonville's Frog Pond West property acquisition, which will protect natural park land within a neighborhood that is currently being developed.
- Interviewed 24 representatives and surveyed 9 representatives from the region's park providers on experience of participating in program to date

Category	During calendar year 2022
Number of projects awarded funds	4
Number of executed IGAs with park providers	2
Number of projects submitted but not yet awarded funds	7 (PPR, Wilsonville and Forest Grove)
Dollars awarded through executed IGAs	\$6.8 million
Dollars spent through completed projects	\$1.5 million
Contacts with park providers to support in the project submittal process	20-plus
Number of roundtables to support learning on bond criteria	2 (community engagement and accessibility), 8 total since 2021 on tribal government engagement, workforce and contract equity, anti-displacement, community engagement)

Figure 1, map of local share project awards as of December 2022



Looking ahead

The local share team will continue to work with the region’s park providers to identify, submit and approve priority projects for bond local share funding. The team has reviewed projects submitted by Portland Parks and Recreation, Forest Grove and Wilsonville and is preparing to finalize intergovernmental agreements to formalize funding awards for these seven projects. The team will continue to identify resources and strategies as well as findings from interviews and surveys of park providers to support the region’s park providers in identifying priority projects that address the bond criteria including roundtables, one on one meetings and site visits.

The team anticipates that the pace of local share project submittal will increase in 2023 and beyond. As additional park providers submit priority projects, the team will work with park providers to capture and report on progress made in addressing of bond criteria related to engagement, contracting and other areas.

Markers for progress on local share in 2023 and beyond

- Total number of park providers that have submitted a project or projects for review
- Total number of executed intergovernmental agreements finalized for approved projects
- Map of location and type of local share projects that have been awarded bond funds to date
- Reporting from park providers on how they're advancing bond criteria in project selection, development and activation, which will begin in summer of 2024
- Interviews and surveys of park provider staff to understand the impact of advancing local share projects and implementing bond criteria

WALKING AND BIKING TRAILS

\$40 million for building out the regional trails network, oregonmetro.gov/regional-trails-and-greenways-system

Walking and biking trails program description: This program provides \$40 million to plan and build out trails that close gaps in the regional trails system via \$10 million for acquisition of trail gaps where park providers will one day build regional trails from willing sellers and roughly \$20 million for competitive grants to local governments to plan, design and build regional trails.

Walking and biking trails program milestones completed as of 2022

- Developed solicitation process for the competitive trail grants in 2021, which involved collaboration with the region’s park providers and transportation agencies
- Convened a working group of park provider representatives and community members to help design the solicitation and evaluation process for trail grants,
- In spring 2022, conducted online survey on potential trail projects translated into five languages and elicited 1500 unique responses.
- In September 2022, Council approved 12 trail grant awards for \$19.5 million across the region from the Clackamas River trail to the Gresham Fairview trail to the Westside trail to Marine Drive trail, taking a huge step forward in advancing the region’s goals for a more equitable and resilient transportation system.
- In fall 2022, Parks and Nature staff hosted a training for grant recipients on conducting cultural resource assessments for inadvertent discoveries during ground disturbing activities.

Walking and biking trails program milestones completed in 2022 (by the numbers)

Category	During calendar year 2022
Number of projects that applied for trail grant funds	15
Number of projects awarded trail grants	12
Dollars awarded	\$19.5 million
Number of onboarding/trainings with grant recipients	3 (2 onboarding and one training on cultural resources)
Number of unique respondents to online survey on trail grant projects in summer 2022	1500

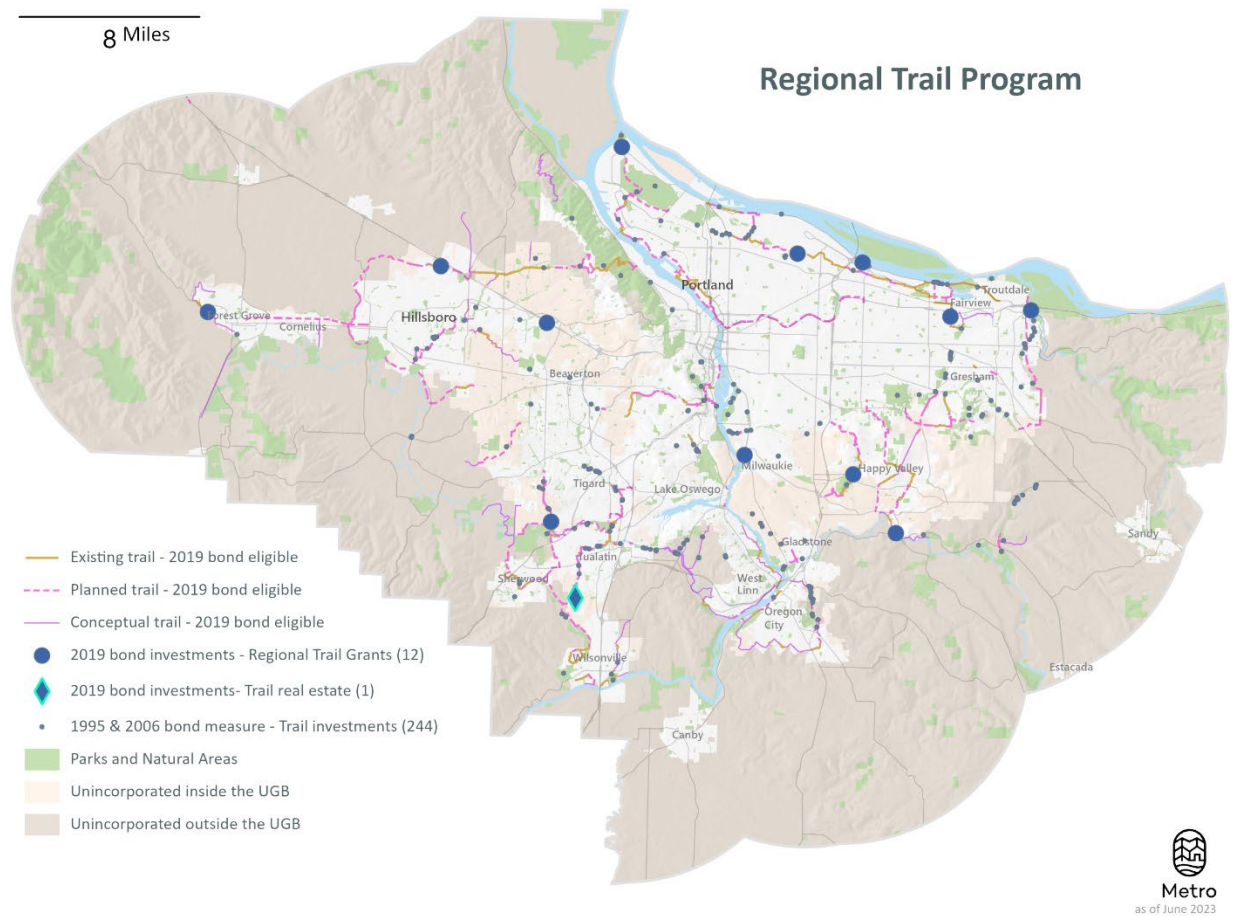
Looking ahead

The team anticipates that many, if not all of the intergovernmental agreements (IGAs) with the grant recipients for the 12 projects will be executed by March 2023. Doing so, will allow the grant recipients to continue advancing their trail planning and construction projects, begin requesting reimbursements from Metro and reporting on progress to Metro. It is important to note that the timing of the projects will be driven primarily by the grant recipients themselves.

Markers to determine progress for walking and biking trails in 2023 and beyond

- Number of executed intergovernmental agreements with park providers for trail projects out of 12 grant awards
- Number of trail projects at any given time progressing from one stage of project readiness to another
- Reporting from park providers on how they're advancing bond criteria through their trail projects (community engagement activities, COBID participation and other)

Figure 1, map of walking and biking trail investments and awards as of December 2022



NATURE IN NEIGHBORHOODS CAPITAL GRANTS

\$40 million to community groups, non-profits and local governments for projects that “re-green” or “re-nature” neighborhoods, <https://www.oregonmetro.gov/tools-partners/grants-and-resources/nature-grants>

Nature in Neighborhoods capital grants program description: The Nature in Neighborhoods capital grants program supports community-led projects that benefit historically marginalized communities, protect, and improve water quality and fish and wildlife habitat, support climate resilience and increase people’s experience of nature at the community scale. The capital grants program from the 2006 natural areas bond has helped support some of the region’s most beloved places and spaces including Gresham’s Nadaka Nature Park, Portland’s Cully Park, Milwaukie’s Riverfront Park, Tigard’s Bull Mountain Park and countless others. As with the capital grants program from the 2006 natural areas bond, this program will include several rounds of grant solicitations in future years.

Nature in Neighborhoods capital grants are available to fund land acquisitions, urban transformations, restoration projects and neighborhood livability. The resulting capital asset (park, property, building, habitat, etc.) must be publicly owned, however partnerships and collaboration are key to successful projects and non-government organizations can apply for funding.

To date, this program also includes the Nature in Neighborhoods [Community Choice grants](#), which is piloting a participatory process to recommend up to \$2 million in grant funding to Metro Council to invest in projects selected by the community in Metro Council District 4 (Western Washington County) and that benefit BIPOC and other historically marginalized communities.

Nature in Neighborhoods capital grants program milestones completed as of December 2022

- Creation of the program design and review committee of community members to advise on the development of the solicitation guidebook for the community choice grants pilot round including a broad recruitment for committee members, resulting in 44 applications. 6 members initially started on the committee, and in fall 2022, an additional 5 individuals joined.
- Since winter 2022, 16 meetings of the community choice grants program design and review committee to help shape the [community choice grants guidebook for project solicitation](#).
- Ongoing work with a community engagement consultant team to help develop the community choice grants pilot community engagement approach and activities with a focus on ensuring as many community members as possible in Metro Council District 4 have a chance to get engaged and weigh in on which projects will receive funding.
- Collaboration with park providers in Western Washington County including Tualatin Hills Park and Recreation District, Washington County and the cities of Beaverton, Forest Grove, Hillsboro and Cornelius.

Nature in Neighborhoods capital grants program milestones completed in 2022 (by the numbers)

Category	During calendar year 2022
Number of community members participated on the program design and review committee	11
Number of meetings of program design and review committee	16
Number of meetings with park providers in Metro Council District 4 about the community choice grants	~25

Looking ahead

In early 2023, the team finalized a program handbook and launched an initial solicitation for the bond's Nature in Neighborhoods capital grants program. Parks and Nature staff aims to have a funding recommendation for Metro Council consideration and approval by summer 2023. After this initial funding round, the capital grants team plans to compile lessons learned and update the program handbook as needed before subsequent solicitations.

The Nature in Neighborhoods Community Choice grants officially launched in March 2023 with information sessions and idea generating events.

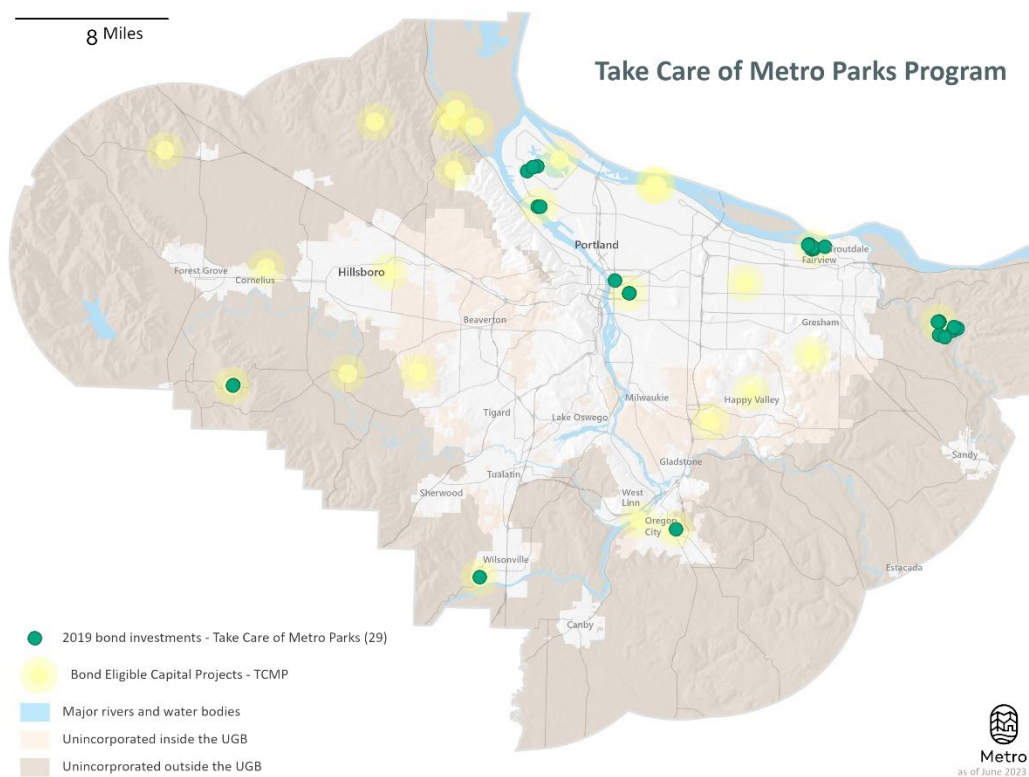
TAKE CARE OF METRO PARKS

\$98 million for safety and accessibility improvements at Metro parks and facilities across the region

Take care of Metro parks program description: Metro’s regional parks, boat launches and cemeteries welcome visitors each year to enjoy nature, exercise, and cultural gatherings. The take care of Metro parks program funding is a promise to take care of Metro’s existing sites by addressing capital maintenance, repair and improvement needs at Metro facilities and completing nature parks with adopted master plans.

Since 2020, the take care of Metro parks program has invested over \$9 million in bond funding to complete projects that advance capital improvements at Blue Lake, Oxbow, Lone Fir, helped to complete Newell Creek Canyon and Chehalem Ridge and is pioneering some of Metro’s most recent policy commitments around accessibility, sustainability and workforce equity.

Figure 1, map of take care of Metro parks projects, as of December 2022



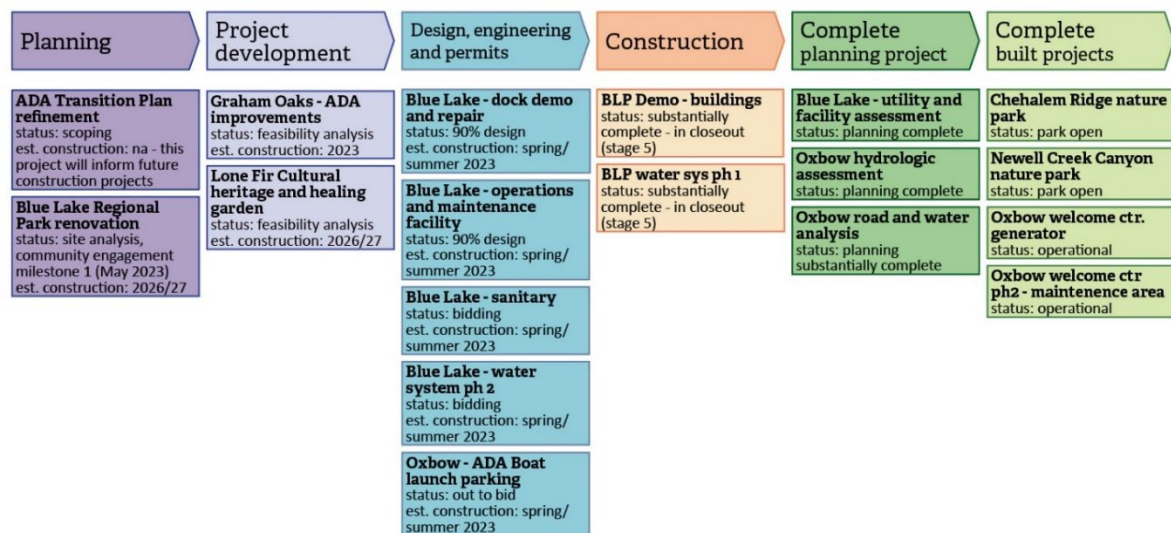
Take care of Metro parks program milestones completed as of December 2022:

- Completed Chehalem Ridge and Newell Creek Canyon nature parks.
- Completed Oxbow Hydrologic Study, Oxbow Welcome Center Phase Two Maintenance Area Improvements, Oxbow Welcome Center Generator.

- Continued progress on addressing health, safety and accessibility improvements at Blue Lake and Oxbow.
 - At Blue Lake Regional Park, construction for the first phase of utility improvements and removal of defunct buildings was completed.
 - At Oxbow Regional Park, the Oxbow Potable Water and Road Analysis project developed a construction work plan for repair of the aging potable water system and road to correct drainage and asphalt shifting.
- Progress on implementing ADA accessibility improvements
 - Work to increase ADA parking at the Oxbow boat launch is kicking off with the creation of two accessible parking spaces.
 - Planning for ADA accessibility pilot at Graham Oaks Nature Park to support the removal of barriers to access in accordance with the Parks and Nature ADA Transition Plan.
- Launched engagement activities for the Lone Fir Cemetery Cultural Heritage and Healing Garden with members of Chinese and Chinese American communities.
- A contract for the Blue Lake Park Curry Building project became the first at Metro to implement the regional workforce agreement goals.

Take care of Metro parks projects

Project status as of December 2022



Looking ahead

In 2023 and beyond, improvements and activity around improvements at Blue Lake Park are ramping up. In addition, community engagement around the park renovation and master plan are beginning. 2023 will also see the completion of the ADA improvements to the Oxbow Boat Launch parking lot.

Markers to demonstrate progress on take care of Metro parks in 2023 and beyond

- Number of projects out of priority list substantially complete
- Project status for each of the take care of Metro parks projects over time

- Number and status of projects related to increasing accessibility across Metro’s portfolio (ADA pilot at Graham Oaks Nature Park and improvements at Oxbow boat launch parking)
- Number and participation in engagement activities for Blue Lake Park renovation and Lone Fir Cultural Healing and Heritage Garden; feedback on participation from community members

LARGE SCALE COMMUNITY VISIONS

\$30 million for green investments in regional transformative projects,

<https://www.oregonmetro.gov/tools-partners/grants-and-resources/large-scale-community-visions>

Large scale community visions program description: The Metro Council created the large scale community visions program to fund regionally significant catalytic investments that re-green communities and connect parks and nature with other community assets such as transportation and affordable housing. Large scale community visions projects must be capital projects (including real estate acquisitions) owned by a public agency, meaning a building, facility, property or large natural area restoration and must meaningfully engage with communities of color, Indigenous communities, people with low incomes and other historically marginalized communities in planning and development.

In spring 2022, the Metro Council approved a [pilot program handbook](#) to launch a pilot round of up to \$10 million for projects that cost at least \$6 million and are devoting at least \$2 million of that to habitat restoration. The Metro Council and staff are planning to conduct two future solicitations and will compile lessons learned from this pilot round to identify potential adjustments to the program handbook as needed.

Large scale community visions program milestones complete as of December 2022

- Launched pilot solicitation of up to \$10 million.
- Broad outreach about solicitation through Metro’s website, bond newsletter and sharing with interested parties list as well as meetings with 10 potential partners around the region to solicit interest and assess project compatibility.
- Received four letters of intent in fall 2022 and met with each entity:
 - Trust for Public Lands/Oregon State University for a land acquisition in the Tualatin Mountains area
 - Portland Botanical Gardens – Site acquisition on the Willamette River near Willamette Cove
 - Oregon Museum of Science and Industry/Columbia River Intertribal Fish Commission and Prosper Portland for Waterfront Education Park and OMSI district catalyst on the Willamette River
 - Albina Vision Trust for development of site acquisition adjunct to Willamette River

Looking ahead

Each of the four projects that submitted a letter of intent has provided a presentation about their project to a team of Metro staff to help the Parks and Nature team establish a deeper context about the project proposals and a clearer understanding of how each applicant thinks the projects match to the overall 2019 bond criteria and program goals as outlined in the program handbook as well as bond requirements.

Three of the projects submitted detailed applications Council consideration and approval of an initial funding round in spring 2023.

Markers to determine progress on large scale community visions in 2023 and beyond

- Number of award designations made by the Metro Council in the pilot round
- Status of completed funding agreements for awardees from the pilot round
- Outreach to solicit letters of interest for future rounds
- Reporting from large scale community visions program grant recipients on how they're advancing bond criteria in project development, advancement and activation
- Feedback from entities that submitted letters of intent and applications on the experience of participating in the pilot round

ADDRESSING THE BOND CRITERIA

This section provides detailed examples of progress to date related to the three bond criteria that govern bond programs: racial equity, climate resilience and community engagement. While it will take time to fully evaluate progress on the bond criteria, early results point to:

- Continued utilization of community engagement approaches to increase participation and build trust with BIPOC communities that build on feedback received to date, incorporate lessons learned from previous engagement activities and feature focused engagement opportunities.
- Completion of land acquisitions that demonstrate alignment with the bond’s climate resilience criteria and have been informed by community feedback on priorities for land protection.
- Early feedback from park providers around the region that underline the impact of engagement in the local share and trails programs on building capacity around community engagement and racial equity related approaches to investments in parks, trails and natural areas.
- Development of reporting tools and frameworks to evaluate the impact of bond investments and activities over the life of the bond on the well-being of people and place across the region.
- Preparation to invest bond funds on Americans with Disabilities Act (ADA) improvements across Metro’s portfolio and to leverage bond funded projects to track and improve participation of women and Black, Indigenous, and people of color in the construction trades.

Moving ahead, increased bond investments and activities will allow for deeper evaluation:

- More data is needed to understand how community members experience participating in bond related engagement activities and how they continue to participate in bond related engagement.
- Increased volume of land acquisitions will allow for deeper analysis of impact on key pillars of climate resilience including habitat connectivity, anchor habitats and water quality and quantity
- Initial results from tracking workforce participation on Parks and Nature bond funded projects, along with more detailed analysis of COBID participation will deepen understanding of the bond’s economic impact on businesses and workers across the region.

List of parks and nature bond community engagement and racial equity criteria

• Meaningfully engage with communities of color, Indigenous communities, people with low incomes and other historically marginalized communities in planning, development and selection of projects.
• Prioritize projects and needs identified by communities of color, Indigenous communities, low income and other historically marginalized groups.
• Demonstrate accountability for tracking outcomes and reporting impacts, particularly as they relate to communities of color, Indigenous communities, people with low incomes and other historically marginalized communities.
• Improve the accessibility and inclusiveness of developed parks.
• Include strategies to prevent or mitigate displacement and/or gentrification resulting from bond investments.

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

Figure 1, Snapshot of community engagement activities completed in 2022

More detailed information about engagement activities can be found in appendix [exhibit 4](#).

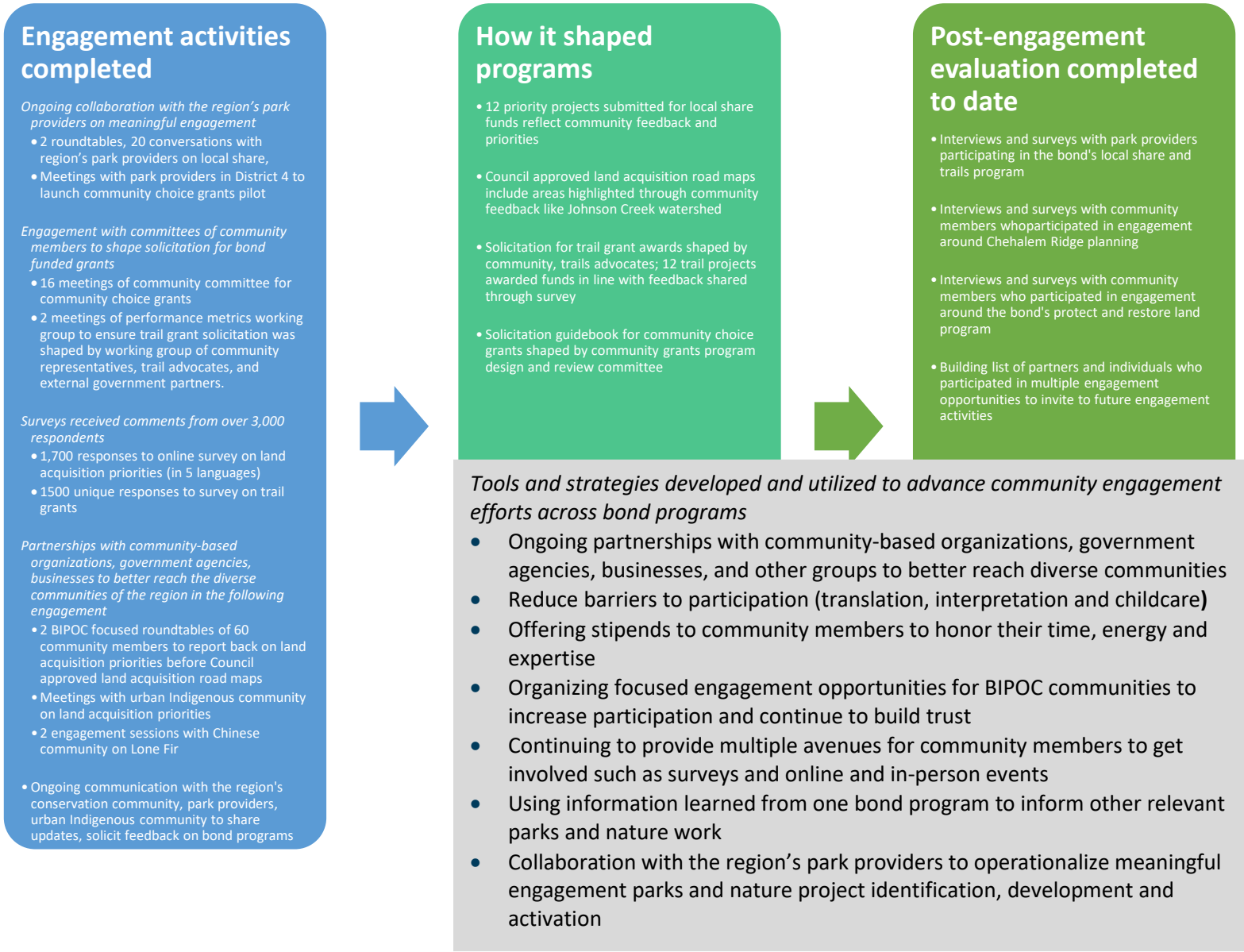


Figure 2, Community engagement case study: launching [Community Choice grants](#)

This snapshot describes work completed in 2021 and 2022 to launch the community choice grant program, which puts community members in the lead to imagine, design and choose parks and nature projects

Fall 2021-Spring 2022: Pre-launch/program design and review community work: Staff partnered with a community committee, the program design and review committee on the development of the solicitation guidebook. Staff conducted a broad recruitment for committee members in fall and winter 2021. 44 people applied and 6 were chosen to be on the program design and review committee. The committee has met 16 times since winter of 2022 to help shape the community choice grants guidebook for project solicitation. Staff shared the recruitment opportunity with the following partners to share with their networks.

East Portland Action Plan, Q Center, North Clackamas Urban Watershed Council, 1000 Friends of Oregon, Friends of Trees, Audubon Society of Portland, Oregon Trails Coalition, East Portland Parks Coalition, Urban Greenspaces Institute, NW Trail Alliance, PSU Center for Public Service, PSU Nat'l Policy Consensus Center, PSU Hatfield Fellowship Program, PSU Student Inclusion Coordinator, PSU College of Urban & Public Affairs, Momentum Alliance, OPAL, Centro Cultural, Lara Media, Kairos PDX, Latino Network, Rosewood Initiative, Historic Parkrose, Getting There Together Coalition, Oregon Walks, NAYA, Utopia PDX, APANO, CETI, Community Cycling Center, Immigrant and Refugee Community Organization (IRCO), Depave, Urban League of Portland, Adelante Mujeres, Unite Oregon, Betties 360, Wild Diversity, Verde, POC Hikes, People of color outdoors, Black Community of Portland, Black Food Sovereignty Coalition

Winter-Spring 2023: Idea collection phase: In anticipation of March 2023 information sessions and April 2023 idea generating events to get people interested in the process and ready to submit project ideas, staff reached out to the following organizations with a focus on the Elmonica and Aloha communities to attend and share with their networks.

- Schools and youth focused organizations (*Merlo Station High School, Meadow Park Middle School, Beaver Acres Elementary School, Chinmaya Mission, Rock Creek Community Association, Westview High School, Raymond Arthur Brown Middle School, McKinley Elementary, 4 Youth, Beaverton High School, Multilingual Department, Beaverton School District, APANO, International School of Beaverton, Quatama Elementary School, Orenco Elementary School, Family Justice Center of Wa. Co, Hillsboro High School, Poynter Middle School, Lincoln Street Elementary School, Eastwood Elementary School, Neil Armstrong Middle School, Cornelius Elementary School, Forest Grove Community School, Forest Grove High School, BSD Black Parent Union*)
- Organizations focused on the disability community (*People with Disabilities, CACA*)
- Cultural organizations (*Ka'Aha Lahui O 'Olekona Hawaiian Civic Club of Oregon, Asian Health and Services Center, Center for African Immigrants, Latino Network, Centro Cultural, Adelante Mujeres, Muslim Education Trust, Bilal Masjid, Southwest Somali Community, Wisdom of the Elders*)
- Community services organizations (*Homeplate, Beaverton Resource Center, School, Lifeworks NW, Community Action Family Shelter, Bienestar, Vision Action Network, Unite Oregon, Virginia Garcia*)
- Conservation organizations (*Tualatin River Watershed Council*)
- Advocacy organizations/alliances (*National Alliance on Mental Illness (NAMI)*)

Demonstrate accountability for tracking outcomes and reporting impacts, particularly as they relate to communities of color, Indigenous communities, people with low incomes and other historically marginalized communities.

Tools and strategies developed in 2022 to advance accountability in reporting

- Working with a consultant, Dialogues in Action, Parks and Nature staff made significant progress in developing and piloting an evaluation framework to articulate and measure outcomes for the bond that builds upon and broadens current efforts to report on specific investments in parks, trails, and natural areas. Staff worked to articulate long term impacts for bond investments and activities meant to align with the bond criteria and launched a data collection pilot to test the framework developed and to collect preliminary findings that pointed to impact and identified areas for improvement. Staff also worked to keep the oversight committee updated on this effort.
- [Dashboard on bond progress on website](#)
- Quarterly reports to oversight committee on bond investments and activities completed
- Memos to Council and the oversight committee that summarize key features and bond criteria met for each property purchased

Improve the accessibility and inclusiveness of developed parks.

Tools and strategies developed in 2022 to advance accessibility and inclusiveness of developed parks

- Developing the long-term framework to support Americans with Disabilities Act (ADA) improvements across the Metro portfolio, which includes a pilot at Graham Oaks Nature Park to address barriers to access and inform next steps with a focus on scaling up the work and determining the applicable accessibility standards at one site and apply to the entire portfolio.
- Planning for [ADA improvements to Oxbow boat launch](#) in 2023
- Several projects submitted by the region's park providers for local share funding are designed to advance accessibility at parks and natural areas across the region. One example is THPRD's project to upgrade a section of the boardwalk on the Waterhouse Trail in the Willow Creek Greenery, part of the Five Oaks Triple Creek neighborhood in Beaverton to be in alignment with ADA accessibility guidelines.

Include strategies to prevent or mitigate displacement and/or gentrification resulting from bond investments.

Tools and strategies developed in 2022 to advance understanding of strategies for mitigating displacement.

- While this criteria is one that extends beyond the Parks and Nature sphere of responsibility, Parks and Nature staff have identified markers to demonstrate progress including bond investments that provide opportunities for community members to truly help shape projects in

their own communities and to benefit economically through workforce and contracting opportunities.

- In 2022, significant progress has been made on programs or processes that allow community to shape investments directly. The [Community Choice grants pilot](#) in Metro Council District 4 will provide an opportunity for a specific community to help identify, shape and select project priorities through piloting participatory budgeting principles. The pilot round of solicitation for the large scale community visions program, intended to support community driven catalytic projects, launched in 2022.

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

Tools and strategies developed in 2022 to advance contract and workforce equity

- Metro continues to identify, implement and evaluate strategies to increase the participation of COBID contractors for parks and nature bond funded contracts in alignment with agency-wide priorities and protocol and to exceed the floor of 20 percent COBID participation across bond funded projects. The current COBID participation rate for bond funded projects is 38 percent. Parks and Nature staff working on several bond programs have encouraged prime contractors to partner with COBID certified firms as sub-contractors.
- In 2022 Metro officially signed the [Regional Workforce Equity Agreement](#), which covers projects undertaken in the next five years by Metro, Multnomah County and the City of Portland. It implements Metro's [Construction Career Pathways Regional Framework](#) and will be a key tool in creating and sustaining construction careers for women and people of color across the Portland region. The contract for the Blue Lake Park Curry Building, finalized in May 2022, was the first to incorporate workforce requirements in alignment with this agreement and will allow for setting and meeting specific workforce participation goals once this project begins construction.
- Parks and Nature staff are working with other teams at Metro to develop guidance documents and technical assistance and access to resources for park providers advancing local share projects that meet construction costs thresholds established by the Construction Career Pathways Regional Framework that require tracking workforce participation and advancing specific goals for participation of people of color, women and apprentices.

BOND CLIMATE RESILIENCE CRITERIA

List of parks and nature bond's climate resilience criteria

<ul style="list-style-type: none">• Protect, connect and restore habitat to support strong populations of native plants, fish and wildlife that can adapt to a changing climate
<ul style="list-style-type: none">• Protect and restore floodplains, headwaters, streams and wetlands to increase their capacity to handle stormwater to protect vulnerable communities from flooding.
<ul style="list-style-type: none">• Increase tree canopy in developed areas to reduce heat island effects.
<ul style="list-style-type: none">• Use low-impact development practices and green infrastructure in project design and
<ul style="list-style-type: none">• Invest in segments of the regional trail system to expand active transportation opportunities for commuting, recreation and other travel.

Tools and strategies developed in 2022 that help advance climate resilience criteria listed above

- Evaluating the bond's progress on climate resilience is complicated and challenging as each of the six bond programs addresses the climate resilience criteria differently. Climate resilience is complex and many factors across the region interact together to build it and detract from it.
- The protect and restore land's acquisition activities, which represent significant investment with benefits to regional climate resilience, is built on key scientific assumptions about relationships between the act of protecting and restoring land and ripple benefits that may have across the region on factors that underpin climate resilience such as habitat connectivity, water quality and quantity and preserving anchor habitats.
- Metro is a piece of the larger puzzle. Science tells us that specific actions can have ripple impacts in the region, but it's hard to isolate, measure and quantify Metro's specific impact on regional climate resilience.
- In 2022, staff developed and reviewed with the oversight committee a framework and results chain that connects bond funded land acquisition activities to the bond's climate resilience criteria by evaluating each land acquisition's alignment with one or more of climate resilience factors (figure 3 and exhibit 7 in the [appendix](#)) as well as the data used by staff to screen each potential land acquisition for alignment with bond climate resilience criteria. The committee began to engage and advise staff on strategies to effectively communicate these connections.
- All built projects managed by Metro or occurring on property stewarded by Metro must apply Metro's green building policy, which has identified the Sustainable SITES Initiative's Gold standard as the parks development standard. Key tenets of this goal include application of a systems thinking approach and life-cycle analyses in design, materials selection, and ongoing operations.
- In September 2022, Council approved 12 trail grant awards for \$19.5 million across the region from the Clackamas River trail to the Gresham Fairview trail to the Westside trail to Marine Drive trail, taking a huge step forward in advancing the region's goals for a more equitable and resilient transportation system.

Figure 2, 2019 parks and nature bond funded land acquisition by habitat types protected

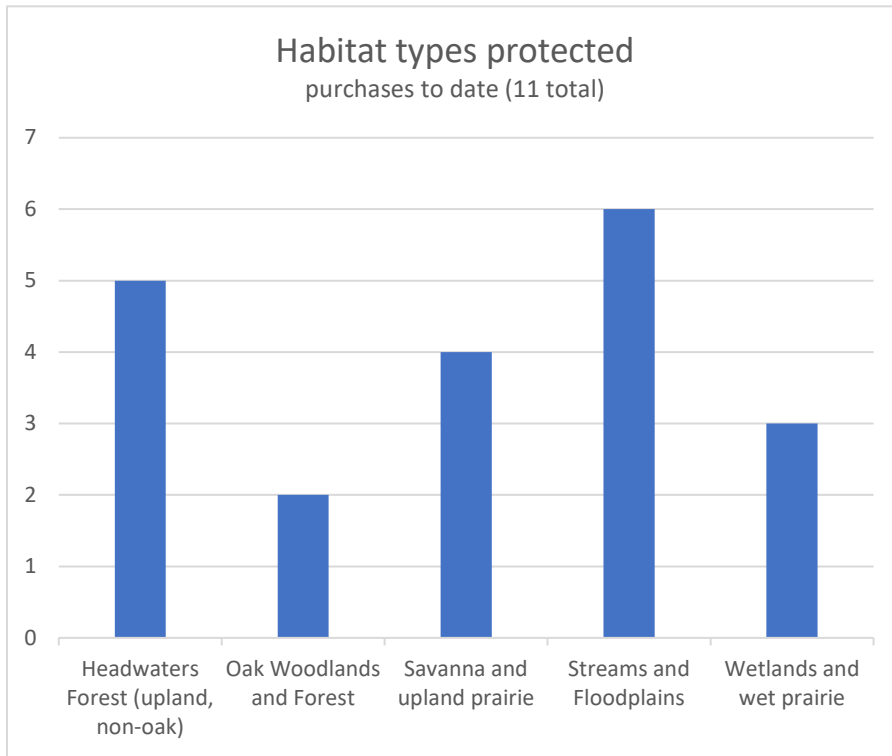
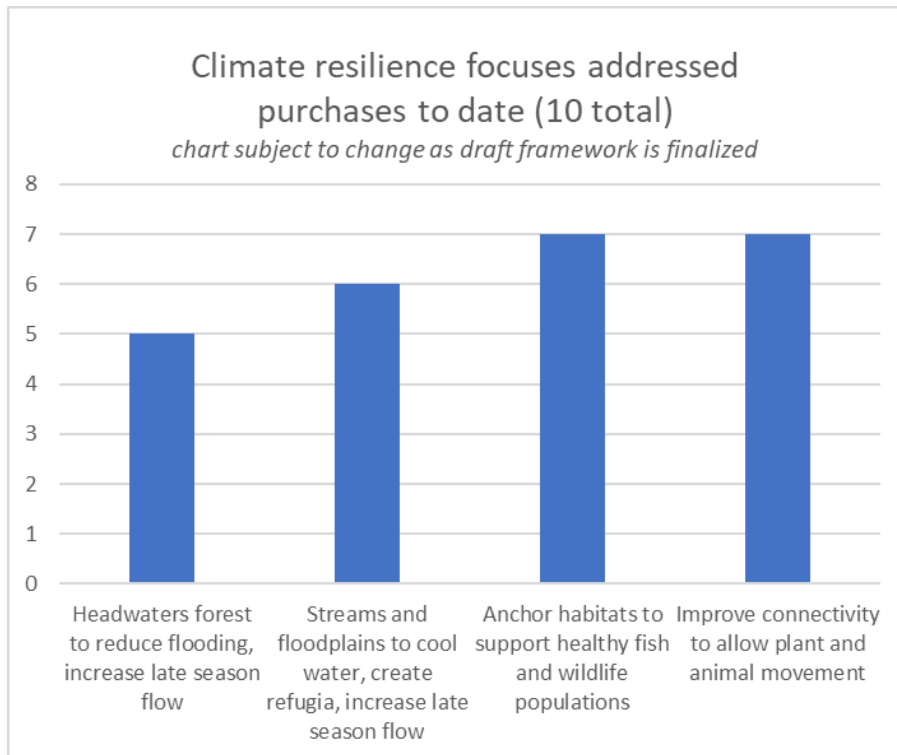


Figure 3, 2019 parks and nature bond funded land acquisitions by impact on climate resilience criteria factors



BOND FINANCIAL REPORTING

The committee regularly reviews financial reporting for the limited remaining money from the 2006 natural areas bond, capital investments from the parks and nature levy, and the 2019 parks and nature bond. Financial data is tracked by Metro’s fiscal year, which goes from July 1 through June 30.

Metro issued the first round of bonds in April 2020. So far, Metro has issued \$200 million in bonds for the start of what may be a 16-year program. At the time of the bond sale, Metro was able to take advantage of historically low interest rates and earn a return while preparing to spend in the form of a bond premium.

As of early May 2023, Metro has spent \$42.2 million of bond proceeds available and has awarded \$24.8 million through trail grants and local share with a current administrative rate of about 23.6 percent of total bond spending to date or about \$9.9 million. The administrative rate covers a portion of overhead expenditures that cannot be tied directly to an action related to the bond’s capital investments. Some of these services include, but are not limited to, legal costs and financial support that do not correspond directly to a single project but are essential to delivering on the bond’s objectives and outcomes.

Figure 1, FY 2023 bond spending by quarter

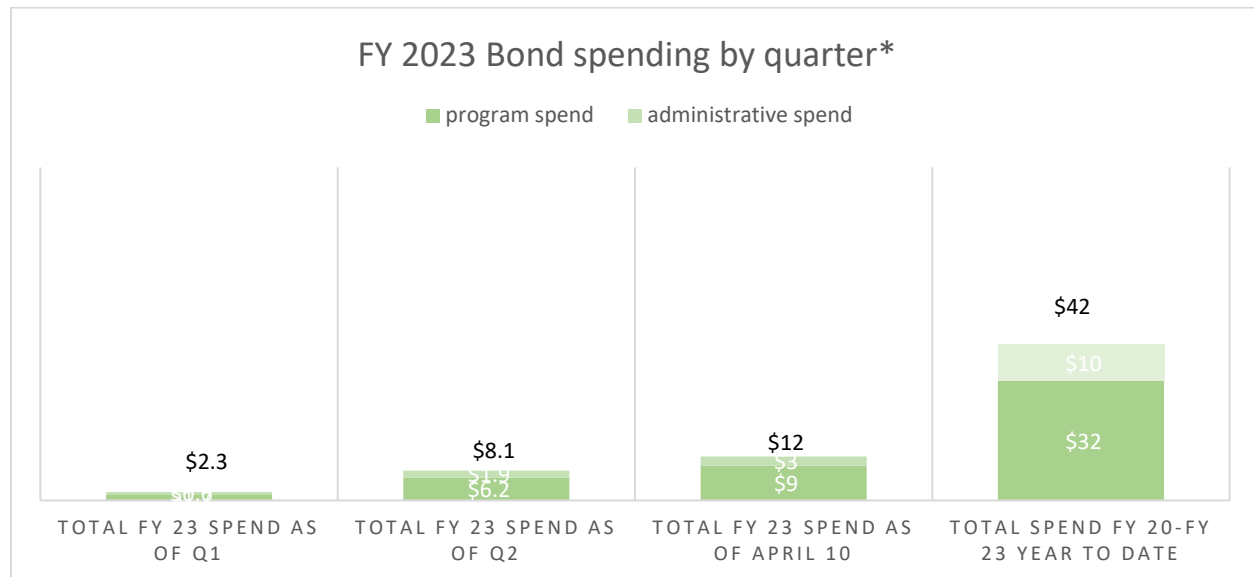
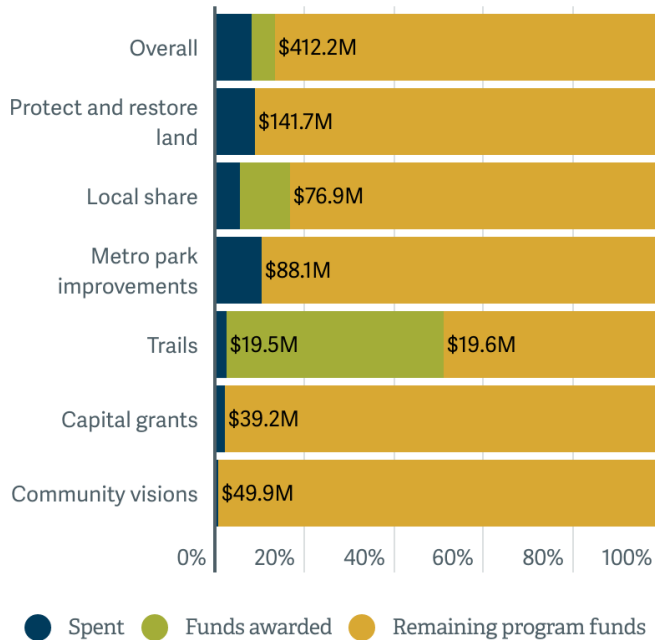


Figure 2, bond spend by program area as of March 2023

Bond spending

\$62.8 million had been spent or awarded to projects by March 31, 2023.



As with other voter investments, administrative expenses tend to be highest in the first few years as new programs are being built. Once the programs are up and running, the administrative expenses as a percentage of total spending decreases significantly, before a small uptick in the last few years of the life of a bond measure. We fully expect administrative expenses with the 2019 parks and nature bond measure to have a similar trajectory.

Looking ahead

As staff has shared with the committee, there is the anticipation that bond spending and bond funded awards will increase significantly beginning in fiscal year 2024 (starting in summer 2023) due to:

- Continued ramp up of land acquisition activities due to building pipeline through steady landowner outreach in 2022
- Ramp up of construction projects at Blue Lake Park

In addition, in the next 1-2 years, staff anticipate that bond spending on local share and trail grant projects will increase significantly as awarded projects commence and begin to request

reimbursements. By FY 2026, there will be a large amount of reimbursement requests for the local share and trails projects.

Contract equity

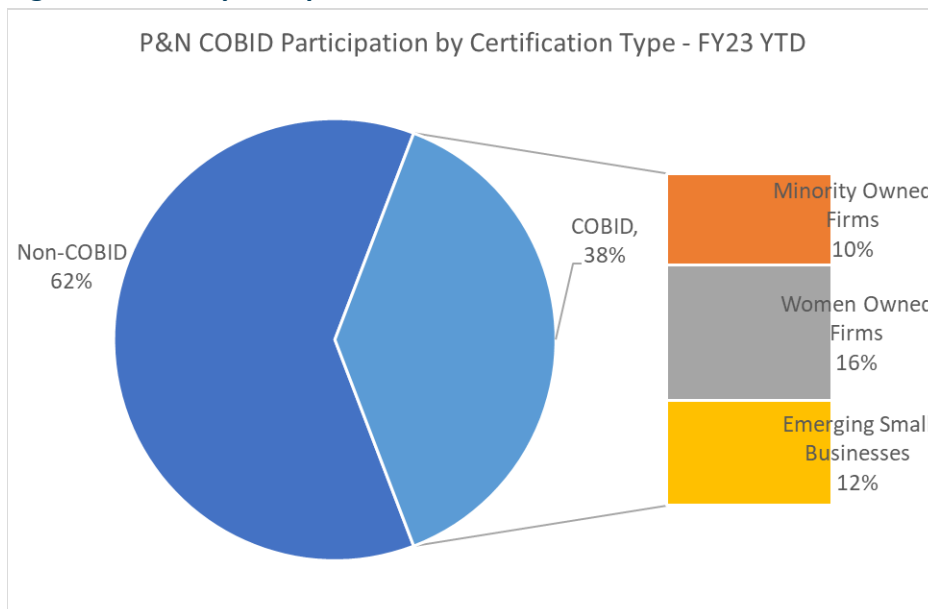
Metro tracks the percentage of bond spending with minority owned, women owned and emerging small businesses that are certified with [Oregon’s Certification Office for Business Inclusion and Diversity \(COBID\)](#). In addition, Metro tracks the spending percentage with each type of COBID certification (minority owned, women owned and emerging small businesses, service-disabled veteran-owned).

Metro’s participation reporting method removes work that cannot reasonably be performed by a COBID-certified firms from the participation rate calculation. Metro excludes the following types of contracts and payments from the calculation:

- Services provided by another public agency that do not compete with the private sector
- Services for which there is a single or limited group of businesses, none of which are COBID-certified
- Services mandated by Oregon Law (Oregon Revised Statutes) to be provided by qualified rehabilitation facilities

Metro continues to identify, implement and evaluate strategies to increase the participation of COBID contractors for bond funded contracts in alignment with agency-wide priorities and protocol. In addition, staff will continue to explore ways for Metro and Parks and Nature to analyze and understand the COBID participation figures on a more granular basis including racial and other identity groups. Currently Metro may not have the tools to do so, but could learn from what other agencies are doing.

Figure 3, COBID participation for 2019 Parks and Nature bond as of May 2023



Looking ahead

In 2023 and beyond, staff will continue to track COBID participation rates to the 20% COBID participation floor across the bond for prime and sub-contractors. Staff will also explore opportunities to increase the nuance and granularity with which we're tracking COBID participation across all large contracts for the 2019 Parks and Nature bond.

In addition, in future years, staff will begin to track workforce participation on bond funded construction projects like Blue Lake Park Curry Building that are part of the [Regional Workforce Equity Agreement](#), meaning there will be opportunities to report to the Natural Areas Oversight Committee on participation in specific construction projects of people of color, women and apprentices and training and support strategies to ensure participation in alignment with the goals of the regional workforce equity agreement.

2006 natural areas bond measure

Metro sold the remaining 2006 natural areas bonds in spring 2018. Remaining funds from the 2006 bond measure are close to being spent or are dedicated to upcoming projects or acquisitions. Staff will continue to provide the 2006 natural areas bond spending report to the oversight committee until funds are completely spent and the bond is closed out.

Local option levy

Metro's parks and nature local option levy protects clean water, restores fish and wildlife habitat at natural areas across the region and connects people with nature across 18,000 acres of parks, trails and natural areas through investments in capital projects and programs. In November 2022, the voters of the region approved a five-year renewal of the parks and nature levy. The Natural Areas Oversight Committee will review any capital investments supported by the levy. In the last calendar year, the levy did not fund any capital investments, but in future years, the committee can expect to review levy-funded capital projects at Metro's parks, trails and natural areas.

2019 Parks and Nature Bond - Spend by Program Area

	FY20	FY21	FY22	FY23YTD	Total Spend	Percent of All 2019 Bond Spend
Protect/Restore						
Personnel	8,897	1,027,574	1,318,586	1,554,304	3,909,361	
M&S or Capital	120,063	843,385	5,104,935	4,885,760	10,954,143	
Total	128,960	1,870,959	6,423,521	6,440,064	14,863,504	35.20%
Take Care of Metro Parks						
Personnel	8,897	642,133	1,334,500	1,031,837	3,017,367	
M&S or Capital	221,847	3,051,112	2,279,728	2,108,813	7,661,501	
Total	230,744	3,693,245	3,614,228	3,140,651	10,678,868	25.29%
Local Share						
Personnel	29,397	213,678	240,033	203,101	686,209	
M&S or Capital	-	2,464	2,492,200	1,582,157	4,076,821	
Total	29,397	216,142	2,732,233	1,785,258	4,763,030	11.28%
Grants						
Personnel	12,847	184,414	240,528	318,618	756,407	
M&S or Capital	-	2,061	85,755	37,107	124,923	
Total	12,847	186,475	326,283	355,725	881,330	2.09%
Trails						
Personnel	8,489	243,278	233,358	270,596	755,721	
M&S or Capital	3,825	818	148,071	17,049	169,763	
Total	12,314	244,096	381,429	287,645	925,484	2.19%
Community Visions						
Personnel	-	3,480	121,359	16,779	141,618	
M&S or Capital	-	-	-	434	434	
Total	-	3,480	121,359	17,213	142,052	0.34%
Total Program Spend	414,262	6,214,397	13,599,053	12,026,557	32,254,269	76.39%
Admin						
Personnel	100,702	556,026	592,328	563,050	1,812,106	
M&S or Capital or Transfer	711,826	1,017,825	3,479,284	2,946,559	8,155,494	
Total	812,528	1,573,851	4,071,612	3,509,609	9,967,600	23.61%
Total Bond Spend	1,226,790	7,788,248	17,670,665	15,536,166	42,221,870	
Administrative Spending as a % of Total Bond Spend	66.23%	20.21%	23.04%	23%		23.61%

	FY07 through FY21	FY22 YTD	Total Spend	Percent of All 2006 Bond Spend
Land Acquisition, Due Diligence and Stabilization				
Total	156,432,555	278,152	156,710,707	56.97%
Local Share				
Total	43,751,359	(2,716)	43,748,643	15.90%
Capital Grants				
Total	16,371,476	(212)	16,371,264	5.95%
Construction				
Total	31,191,964	118,414	31,310,378	11.38%
Total Program	<u>247,747,354</u>	<u>393,638</u>	<u>248,140,992</u>	<u>90.20%</u>
Admin				
Total	26,492,684	460,842	26,953,526	9.80%
Total Bond	<u>274,240,038</u>	<u>854,480</u>	<u>275,094,518</u>	
Administrative Spending as a % of Total Bond Spend	9.66%	53.93%		9.80%

APPENDIX

EXHIBIT 1

Parks and nature bond community engagement and racial equity criteria

Investments in all program areas must satisfy all of the following community engagement and racial equity criteria:

- Meaningfully engage with communities of color, Indigenous communities, people with low incomes and other historically marginalized communities in planning, development and selection of projects.
- Prioritize projects and needs identified by communities of color, Indigenous communities, low-income and other historically marginalized groups.
- Demonstrate accountability for tracking outcomes and reporting impacts, particularly as they relate to communities of color, Indigenous communities, people with low incomes and other historically marginalized communities.
- Improve the accessibility and inclusiveness of developed parks.
- Include strategies to prevent or mitigate displacement and/or gentrification resulting from bond investments.
- Set aspirational goals for workforce diversity and use of COBID contractors and work to reduce barriers to achieving these goals; demonstrate accountability by tracking outcomes and reporting impacts.

EXHIBIT 2

Parks and nature bond climate Resilience Criteria

All projects funded by the bond must identify at least one climate resilience criterion that the project will satisfy from among the following:

- Protect, connect and restore habitat to support strong populations of native plants, fish and wildlife that can adapt to a changing climate.
- Protect and restore floodplains, headwaters, streams and wetlands to increase their capacity to handle stormwater to protect vulnerable communities from flooding.
- Increase tree canopy in developed areas to reduce heat island effects.
- Use low-impact development practices and green infrastructure in project design and development.
- Invest in segments of the regional trail system to expand active transportation opportunities for commuting, recreation and other travel.

EXHIBIT 3

Glossary

BIPOC: Abbreviation for Black, Indigenous, and people of color

COBID: [Oregon's Certification Office for Business Inclusion and Diversity](#). The primary goal of certification is to level the playing field by providing certified firms a fair opportunity to compete for government contracts regardless of owner ethnicity, gender, disability or firm size.

Construction Career Pathways: Regional effort of public agencies teaming up with stakeholders from private industry, apprenticeship programs, unions and community-based organizations to provide reliable career pathways for women and Black, Indigenous, and people of color in the construction trades.

Refinement plans: Formal [publicly adopted road maps](#) outlining strategies for land acquisition that reflect Council direction, community input and give Metro staff the guidance to protect habitat and land for future trails.

Bond refinement: The work to turn the 2019 parks and nature bond measure language into programs ready to invest in parks, trails and natural areas across the region.

EXHIBIT 4

Summary of bond related engagement activities from 2018-2022

Community engagement activity (listed by date in ascending order)	Who was engaged	How feedback was used	Was there continuity from previous and subsequent bond engagement activities?	Use of post-activity evaluation to determine impact
2018-2019: forums and focus groups on bond development, stakeholder table convened to advise Metro on the development of the 2019 parks and nature bond	Park providers, community organizations, conservations organizations	Feedback captured during these events and activities helped to shape focus for specific programs, the three bond criteria and focal areas in the bond measure approved by voters in 2019	Yes, participants included many who have engaged in previous Parks and Nature activities and have been invited to participate in engagement once the bond passed	No
2020-2022: engagement with urban Indigenous community members on priorities for bond funded land acquisition	Members of the urban Indigenous community, members of the Native American Community Advisory Committee and Portland Indian Leaders Roundtable	Reviewed and shaped data collected on each of the 24 target areas for the protect and restore land program; affirmed priorities for acquisition/restoration that benefitted salmon; prioritized specific geographies for acquisition	Yes, cohort of urban Indigenous community members have been engaging with Metro on multiple projects before and after	Yes; evaluation of experience of members of urban Indigenous community of participating in engagement activities around bond land acquisition (2 interviews, 13 survey responses)
2021-present: Community Choice grants program design and review committee meeting ongoing	Individuals that applied to be on the Community Choice grants design and review pilot committee	To shape the community choice grants solicitation guidebook and project selection project	6 members were appointed in 2021; 4 have continued on into 2022 and an additional 5 have joined the committee	2 interviews conducted of members on their experience; future evaluation planned
Spring 2021: BIPOC-focused engagement sessions to shape priorities for trail gap acquisition.	Focused engagement session with 100 BIPOC community members who were invited to attend	Feedback shared informed how to prioritize factors in the acquisition of future trail segments; like safety, connections to work or access to nature	Participants were invited to attend other engagement opportunities through bond refinement	no post event evaluation

Community engagement activity (listed by date in ascending order)	Who was engaged	How feedback was used	Was there continuity from previous and subsequent bond engagement activities?	Use of post-activity evaluation to determine impact
	through partnering with community organizations across the region			
Fall 2021: Report back/general community engagement sessions to shape priorities for trail gap acquisition	Individuals who participated in spring 2021	Report back on work completed to evaluate trail segments for prioritization and how feedback from the spring shaped staff work on prioritizing trail gaps	Yes, participants from the spring trail acquisition engagement events were invited	no post activity evaluation
Fall 2021-spring 2022: Performance measures working group	Representatives from the region's park providers, community organizations and trail advocates	Worked with staff to develop the solicitation for the bond funded trails grant and evaluation framework for applications	Yes, working group members were comprised of organizations working closely with Metro	No post activity evaluation
2021-2022: Groundtables for BIPOC and people with disabilities in fall 2021 and 2 follow up sessions in winter 2022 to help shape priorities for bond funded land acquisition (protect and restore land)	BIPOC community members, people with disabilities (160 attendees between fall and winter events); consultant conducted outreach across the region to invite individuals to attend	Feedback shared helped identify priorities for land acquisition and restoration based on lived experience	Same individuals invited to participate in fall and winter focus groups; also have been invited to other engagement activities	No post activity evaluation
Winter 2022: Survey on priorities for land acquisition translated into five languages	Survey shared with individuals across the region; on Metro's website and shared on social media; 1700 unique responses received	Feedback shared helped affirm priorities for land acquisition road maps; shared with Council as they considered and approved final target area refinement plans	Not determined, though it is likely that many individuals already engaged took the survey	No post activity evaluation

Community engagement activity (listed by date in ascending order)	Who was engaged	How feedback was used	Was there continuity from previous and subsequent bond engagement activities?	Use of post-activity evaluation to determine impact
Summer 2022: Survey on priorities for trail grants translated into 5 languages	Survey shared with individuals across the region; on Metro's website and shared on social media; 1500 responses received	Feedback shared was an input considered by the Metro Council as they reviewed and considered trail projects for grant funding	Not determined, though it is likely that many individuals already engaged took the survey	No post activity evaluation
Fall 2022: two engagement activities in November 2022 on Lone Fir Cultural Heritage and Healing Garden	Members of Chinese and Chinese American communities. The focus group sessions were designed and assembled with input from partners with the Oregon Chinese Consolidated Benevolent Association, the Chinese American Citizen's Alliance, the Lone Fir Cemetery Foundation, and a contracted engagement professional. PN staff have been connecting separately and individually with advocates for people with mental illness.	Participants shared initial thoughts about overall project concept	A small work group has recently been assembled to provide input on project issues moving forward.	No post activity evaluation

EXHIBIT 5

Detailed snapshot of progress on community engagement and accessibility by bond program in 2022

	Community engagement efforts completed to date	Community engagement outcomes measured to date	Community engagement reporting efforts to come
Protect and restore land	<p>2020-2022: Several meetings with cohort of urban Indigenous community members, focusing on influence over decision points</p> <p>2021-2022: 6 affinity group roundtables, in English and Spanish, for BIPOC and people with disabilities in fall 2021 (with over 100 participants) and 2 report back sessions with Spanish translation in winter 2022 (with 60 participants)</p> <p>2022: survey on land acquisition priorities translated into 5 languages received over 1,700 responses</p>	<p>Engagement shaped the key themes and priorities for acquisition including the addition of areas inside the urban area target area like Johnson Creek and also the trail segments that will be prioritized for acquisition through our willing seller program.</p> <p>Bond evaluation outcomes project pilot data collection surveyed urban Indigenous community members on participating in engagement on land acquisition activities</p>	<p>Revised land acquisition closing memo: more thoroughly describing how each purchase meets bond criteria and priorities heard through community engagement</p> <p>Mapping of land acquisitions made to date</p>
Take care of Metro parks	<p>2022: Initial engagement around Lone Fir Cultural Heritage and Healing Garden</p> <p>Planning work for ADA improvements to Oxbow boat launch parking complete with construction beginning in 2023</p>	<p>Bond evaluation outcomes project captured feedback from participants in Chehalem Ridge planning prior to 2019 now that the nature park is open (12 qualitative interviews, 14 quantitative survey)</p>	<p>Interviews and surveys of individuals who will engage in upcoming activities around the Blue Lake Park renovation project</p>
Local share	<p>Ongoing: Metro staff continue to provide support to park providers working to engage marginalized communities in project selection, development or site</p>	<p>Bond evaluation outcomes project interviewing park providers on impact of community engagement efforts to date (24 qualitative interviews, 9 quantitative survey)</p>	<p>Metro requires local share recipients to conduct community engagement as part of their projects and their annual reports will summarize efforts on engagement and accessibility.</p>

	Community engagement efforts completed to date	Community engagement outcomes measured to date	Community engagement reporting efforts to come
	activation both through roundtables and one on one conversations	Local share projects funded to date reflect focus on community engagement and accessibility (acquisition of site near Gresham’s SW community park, THPRD projects)	Follow up with park providers on community engagement efforts related to local share projects in future years
Trails	<p>Fall 2021-spring 2022: Trail grant solicitation was shaped by performance metrics working group of community representatives, trail advocates, and external government partners.</p> <p>Summer 2022: Online survey (translated into 5 languages) on trail projects for funding received 1,798 project-specific comments from 1,551 unique respondents.</p>	<p>Survey responses were considered in trail grant project selection.</p> <p>Performance metrics working group membership and participation from community-based organizations helped shape grant solicitation process</p> <p>Bond evaluation outcomes project interviewing park providers on impact of participating in trail grants program to date (24 qualitative interviews, 9 quantitative survey)</p>	<p>Metro requires grantees to conduct community engagement as part of their projects. Grantees’ annual reports will summarize engagement efforts.</p> <p>Follow up with park providers on community engagement efforts related to trail grant projects in future years</p>
Capital grants	<p>Fall 2021: outreach to recruit community members to join the community choice grants program design and review committee (see community choice grants case study)</p> <p>Winter 2021-spring 2022: deep engagement with community choice grants program design and review committee to develop the program</p>	Community choice grants program handbook reflects the values and priorities of the program design and review committee and is aligned with bond and program criteria	<p>Interviews/surveys of individuals participating in community choice grants process in 2023 and beyond</p> <p>Projects (type, location) selected through the community choice grants in 2023</p>

	Community engagement efforts completed to date	Community engagement outcomes measured to date	Community engagement reporting efforts to come
	handbook for the community choice grants		
Large scale community visions	Fall 2022: during the solicitation period for the large scale community visions pilot involved talking to over 10 community organizations, park providers		Projects will be required to report annually on community engagement efforts Feedback from applicants during the pilot round will help staff refine and adjust future solicitations

EXHIBIT 6

Snapshot of progress made on bond racial equity criteria by bond program in 2022

	Efforts completed to date	Outcomes measured to date	Reporting efforts to come
Protect and restore land	<p>Themes heard through community engagement with BIPOC communities in 2021 and 2022 are prioritized in land acquisition road maps that direct which parcels are acquired</p> <p>Initial analysis conducted in 2021 and 2022</p>	<p>Description in memos to Council and the oversight committee how each land acquisition aligns with bond and program criteria and community priorities</p> <p>COBID participation rate across the bond (currently at 39 percent)</p>	<p>Exploring more fine grained COBID participation tracking and strategies to increase COBID participation for prime and sub-contractors</p>
Take care of Metro parks	<p>Incorporating Metro’s Construction Career Pathways Framework requirements for diverse workforce participation in Metro’s own projects</p>	<p>COBID participation rate across the bond</p>	<p>Tracking on workforce participation for Metro’s construction projects (likely to begin when construction kicks off in fiscal year 2024)</p>
Local share	<p>COBID contracting requirements and Construction Career Pathways Framework requirements for diverse workforce participation apply to local share projects</p>	<p>Bond evaluation outcomes project interviewing and surveying park providers working on local share on efforts related to advancing racial equity through investments in parks, trails and natural areas</p>	<p>Mapping of local share projects over time with other data layers (equity focal areas)</p> <p>Follow up with park providers on efforts related to advancing racial equity through investments in parks, trails and natural areas in future years</p>
Trails	<p>Match requirements for trail grants prioritized equity focal</p>	<p>Bond evaluation outcomes project interviewing and surveying park providers working on trail grants</p>	<p>Mapping of trail projects awarded across the region overlaid with equity focal areas</p>

	Efforts completed to date	Outcomes measured to date	Reporting efforts to come
	<p>areas¹ within a mile of the project</p> <p>COBID contracting requirements and Construction Career Pathways Framework requirements for diverse workforce participation apply to construction projects funded by trail grants</p>	<p>on efforts related to advancing racial equity through investments in parks, trails and natural areas</p>	<p>Projects that receive funding will be asked to report on activities related to advancing racial equity</p> <p>Follow up with park providers on efforts related to advancing racial equity through investments in parks, trails and natural areas in future years</p>
Nature in Neighborhoods (Community Choice grants and capital grants)	<p>Focus of community choice grants in underserved neighborhoods of District 4</p>		<p>Reporting on projects (location and type) selected through community choice grants process</p> <p>Interviews and surveys of community choice grant participants</p>
Large scale community visions	<p>Projects that submitted a letter of intent (especially OMSI's waterfront education park and Albina Vision Trust) have centered advancing racial equity as key to the overall project vision and concept</p>		<p>Projects that receive funding will be asked to report on activities related to advancing racial equity</p>

¹ Defined as census tracts that represent communities where the rate of Black, Indigenous, or People of Color (BIPOC), people with limited English proficiency (LEP), or people with low income (LI) is greater than the regional average. Additionally the density (persons per acre) of one or more of these populations must be double the regional average.

EXHIBIT 7

Example results chain of land protection and restoration to the bond's climate resilience criteria on water quality

- Criteria: Improve water quality, improve late season flow, enhance habitat for Salmon, Steelhead, Trout and Lamprey, reduce flooding downstream

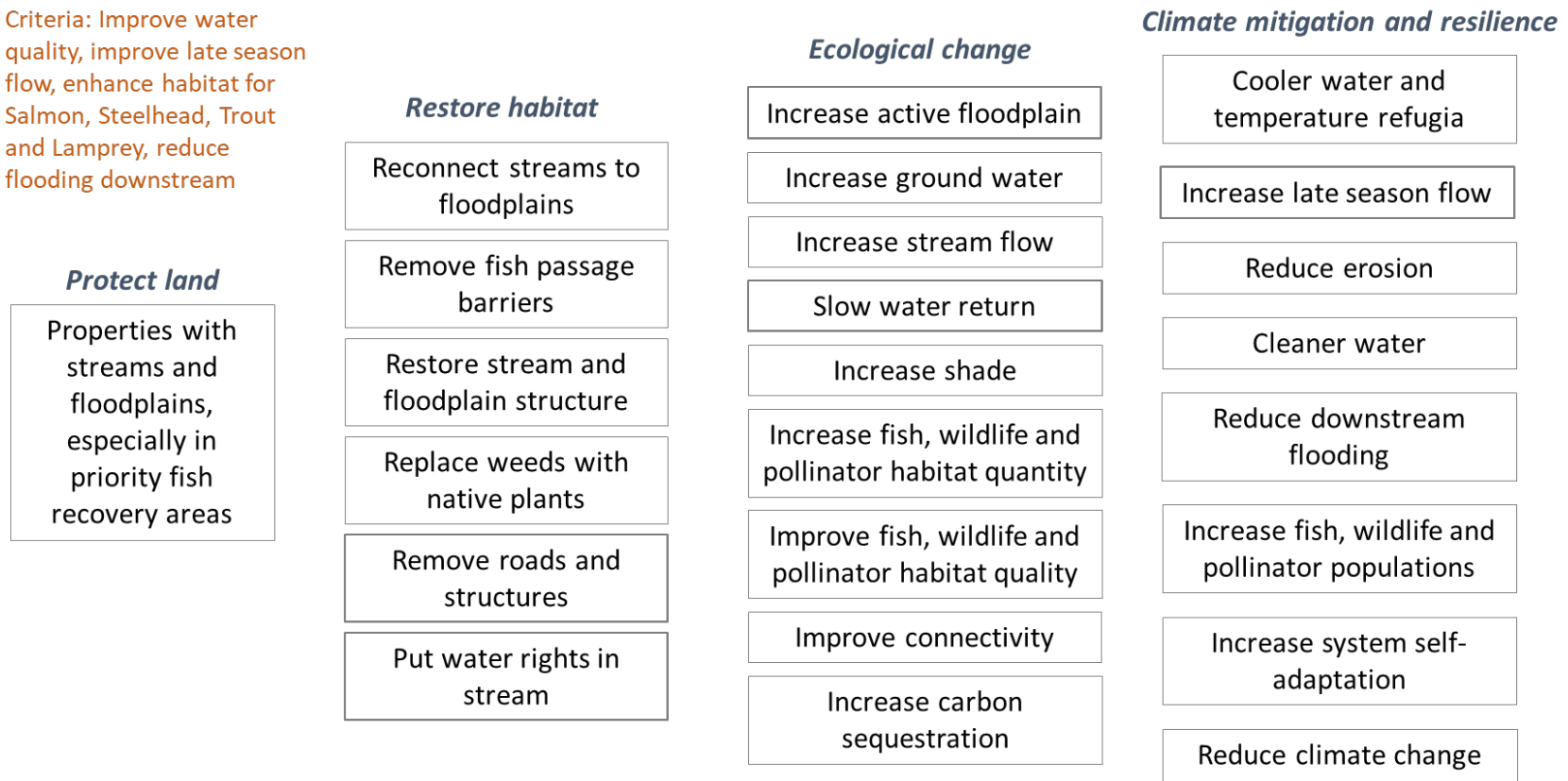


EXHIBIT 8

Overview of oversight committee discussions and requests for information in calendar year 2022

As part of its regular oversight and reviewing role, the Natural Areas Oversight Committee continues to raise issues for further discussion and presentation from staff. Below is a summary list of topics, issues and questions that committee members have raised over the last year and a description of how staff has responded. To date, staff have provided initial responses and information on almost all of these topics and many of the issues require ongoing updates and information from staff, which is denoted as “in progress” in the status column.

Overall bond and committee work

Question/topic/request for information	Date of request	Status or next steps	Staff response to date
How have tribal governments be engaged in bond activities to date?	February 2022	Partially complete; staff will plan to share more information at a future meeting	Staff shared a description from Metro’s tribal affairs liaison about the overall approach to tribal engagement, how we choose the tribes we engage with and who we’ve engaged with thus far.
Accessibility has come up as a major concern, and there’s a strong desire to make sure that parks are welcoming to all people.	Ongoing	Partially complete; will be an issue staff will continue to update committee	Will Cortez, Parks and Nature’s ADA accessibility manager, presented to the community engagement working group on the work he is doing across the department, and also share how we’re applying disability justice lens to work.
Can staff provide more information about how bond activities are advancing racial equity and community engagement? Racial equity and accessibility as part of bond measure. Can this be reflected as a measurable?	Spring 2022, February 2023	Will be ongoing	This is a big question and requires ongoing evaluation and examination; February 23 meeting focused on community engagement activities planned for Blue Lake Park renovation

			See bond criteria section in staff report reflects progress on racial equity and accessibility criteria
Create more space for discussion at oversight committee meetings	September 2022	Many adjustments are complete, goal is to improve at each meeting	Reserve more space at committee meetings for discussion, not staff presentation. Send out materials more in advance to allow for deeper committee review before meetings and share brief explainer videos about topics coming to committee
Utilize committee working groups	December 2022	Complete	Committee is meeting in three working groups—land acquisition, community engagement and bond finance
Provide easy to access summaries of complex information, dashboards, one-pagers	February 2023	Partially complete (incorporate into materials for 2022 staff report in spring 2023)	Have created online dashboard and bond quarterly reporting Creating 1-2 pagers from 2022 staff report to committee and will keep working to identify opportunities for summary documents
How are bond investments advancing climate resilience?	September 2022	Partially complete and will require ongoing review from the committee	Committee deep dive on climate resilience criteria at December 2022 meeting; See bond criteria section in this report.

Land acquisition

Question/topic/request for information	Date	Status or next steps	Staff response to date
Is the focus for land acquisition on enlarging existing areas for large habitats, or small properties in a checkerboard?	December 2021	Complete	It's both. In some new target areas, purchase an anchor piece to build around and in other target areas focus on connecting with already existing anchor sites.
Regarding refinement plans, how frequently do staff reevaluate acquisition plans?	December 2021	Complete	After Council approves the refinement plans, they are typically not amended during the life of the bond. In future years, the real estate team may struggle with success within target areas and then ask the committee for advice for approach within specific acquisition areas.
Does and how does Metro acquire farmland?	March 2022	Complete	Staff provided clarification and background that Metro is not pursuing farmland specifically and is targeting land that meets conservation objectives for the bond measure. Though land important for ecological values near floodplains, adjacent to creeks, etc. can sometimes be in farm use. After acquiring this land, Metro can take immediate stabilization or improvement measures as appropriate, but cannot do everything at once. Typically when Metro purchases a property it comes with a lease that Metro will honor. Metro is not buying non-farmed property and creating new farm leases.

Question/topic/request for information	Date	Status or next steps	Staff response to date
Can staff quantify which land acquisitions meet which climate resilience goals?	December 2022	Complete	Staff developed graphs showing an analysis of acquisitions meeting climate resilience criteria
Is there a way we can track the prices that we're paying, market vs. actual cost?	May 2022	Complete	Information included in quarterly reports to committee
Can staff provide information about stabilization costs per acquisition?	May 2022	Complete	Information is included in quarterly reports to committee
How long is the timeline for bond funded land acquisition?	February 2023	Staff provided context on bond spend timeline at the February 2023 working group	We are working on 8-10 total spend down – staff is conscious of the slower that previous pace due to pandemic and are working to accelerate where possible to keep the spend range as short as possible. Other context is that it's important to remember that we are building on legacy of previous bond measures— Metro completed 500 individual transactions dating back to 1995. Low hanging fruit has been achieved. The transactions now are more complicated or time consuming (require land use or other more involved process)
Add connectivity as a consideration in the closing memos?	February 2023	Partially complete	Closing memos currently discuss connectivity throughout. Parks and Nature staff continue to refine closing memo and can consider how

Question/topic/request for information	Date	Status or next steps	Staff response to date
			to add a more explicit component on connectivity
Can staff provide information about restoration costs are estimated?	February 2023	In progress; staff can provide more information on this topic	In the past, staff have pulled together a summary of restoration cost by major habitat type (stream restoration excluded) divided into easy, typical and difficult, which could provide a sense of costs, but it's probably a bit outdated.

Bond finance

Question/topic/request for information	Date of request/question	Status or next steps	Staff response to date
Continue to review existing and potential strategies to increase participation for contracting with minority, women-owned and emerging small businesses.	Winter 2021/Spring 2022 (year 1 report development)	Ongoing; staff provide information on COBID participation quarterly	Staff will provide more information about strategies to increase COBID participation over the life of the bond
What does it mean to have a 20% floor for the bond? How do you set targets for these goals?	Winter 2021/Spring 2022 (year 1 report development)	Complete	What we are intending by saying COBID participation floor is that at a bare minimum the total bond capital expenditure should be 20% on COBID firms
How do get data that tells us how many qualified suppliers are in a certain area? Is that something we have access to now or is it something we have to buy? How do we go about getting that information?	Winter 2021/Spring 2022 (year 1 report development)	Partially complete	Metro staff knows the number of COBID firms by type of firm (like masonry), but don't know how to measure the larger market share analysis overall. We are lacking both access to the information and an understanding of how to

			connect COBID data and market share data. This would likely be a project that needs to happen at the agency level, not something that Parks and Nature would be able to do on our own.
Does Metro's COBID participation reporting just apply to contractors or sub-contractors?	February 2023	Complete for now, but staff will continue to update committee on this topic	Staff clarified that right now we have capacity only to track COBID participation for contractors, not sub-contractors
Does Metro's COBID reporting disaggregate by type of contractor? Explore ways for Metro and Parks and Nature to analyze and understand the COBID participation figures on a more granular basis including racial and other identity groups.	February 2023	Complete for now, but staff will continue to update committee on this topic	Staff clarified that currently Metro does not have the tools to do this, but could learn from what jurisdictional partners like city of Portland are doing
Can staff provide more context around bond administrative spend and mile markers that show progress and provide context about bond spend?	February 2022 and February 2023	In progress; staff will provide more information April/May	Staff can provide more detail about what the administrative rate captures (beyond personnel costs to cover a range of professional services and time to facilitate bond investments) and what it does not.
Information about bond spend anticipated in the future	February 2023	In progress; staff will provide more information April/May	Staff are working on projecting out bond spend to future fiscal years. But projections may change over time depending on global variables and unforeseen events.

Do real estate staff anticipate opportunities to accelerate pace of land acquisition with changing market conditions (intersect with land acquisition topics)? What is reasonable to expect?	February 2023	Complete; staff provided an answer and will continue to provide updates to committee	Based on previous trends in real estate market, it takes time when the market changes for it to impact how landowners think about price and selling
What is the relationship between Metro's construction career pathways project and the Regional Workforce Labor Agreement ?	February 2023	Staff plan to provide more information in April 2023	Regional Workforce Equity Agreement implements Metro's Construction Career Pathways Regional Framework As one of the nation's first multi-jurisdictional workforce agreements, it covers specified projects undertaken by Metro, Multnomah County and the City of Portland over the next five years. For Metro, all capital projects of more than \$5 million will be subject to the terms of the agreement.

Community engagement

Question/topic/request for information	Date of request/question	Status or next steps	Staff response to date
Add more detail and information about where community input had feedback on programs, and how that feedback influenced outcomes and activities to engage different audiences, and why we did some of these CE activities, and tell the story of how they link to the bond criteria	Winter 2021/Spring 2022 (year 1 report development)	Partially complete	Staff included more detail about community engagement activities and how it shaped programs in the 2021 staff report and in the 2022 staff report
Is there a community engagement plan in place for the bond?	Winter 2021/Spring 2022 (year 1 report development)	Complete; staff provided an overview of	Parks and Nature bond has a community engagement framework, which

		the community engagement framework	<p>informs each bond program’s community engagement plan.</p> <p>Each bond area has a different point where an impact can be made on decisions. For programs like local share, where we’re passing money over to jurisdictions, we’ve provided best practices and frameworks, while recognizing that the variety of providers we work with also means a variety of tools and capacity for doing this work.</p>
What community organizations are engaged in parks and nature bond projects?	February 2023	Partially complete: staff included information in 2022 staff report	Staff will continue to provide case study examples of specific organizations and individuals who are helping shape bond programs and projects
Does Parks and Nature do post-engagement event evaluation?	February 2023	Partially complete; staff included information in 2022 staff report	<p>Through the bond evaluation outcomes project, we have conducted a small pilot post-engagement effort.</p> <p>In addition, post-engagement evaluation efforts are being planned for Blue Lake Park engagement activities</p>

			in spring/summer of 2023
<p>Can staff provide more detail on how feedback from community engagement has been used and how individuals are being engaged from bond program to program?</p> <p>Doing so helps determine if there is effective engagement if folks involved early on are continuing to be re-engaged.</p>	February 2023	Partially complete; staff included information in 2022 staff report	<p>Staff provided information showing continuity of individuals participating in multiple bond related engagement activities.</p> <p>Staff have not tracked what percent of individuals are engaging activity to activity yet, but that is something we can plan for the future</p>

EXHIBIT 9

Initial evaluation framework for the bond, developed and refined in 2022



Evaluation framework - Executive summary

Parks and Nature Bond

In November, 2019, voters across greater Portland approved Metro's 2019 bond measure to further protect clean water, restore fish and wildlife habitat and provide opportunities for people to connect with nature close to home. The bond measure is comprised of six program areas:

1. Protect and restore land, \$155 million
2. Local parks and nature projects (local share), \$92 million
3. Nature in Neighborhoods capital grants, \$40 million
4. Metro park improvements, \$98 million
5. Walking and biking trails, \$40 million
6. Large-scale community visions, \$50 million

Metro will work closely with a range of partners — local park providers, tribal governments, conservation partners, urban Indigenous community and other community members — to plan and advance bond investments. These investments, made throughout the life of the bond, will include improvements at beloved places such as Oxbow and Blue Lake regional parks, acquisition of natural areas, and restoration of habitat and local parks, trails, and natural areas close to where people live. Investment decisions will be shaped by the people of greater Portland, particularly people of color and other historically marginalized communities who have not benefited equitably from past investments. This work will strengthen Metro's unique parks and nature system, advance racial equity and improve regional climate resilience while centering nature.

Racial equity and climate resiliency criteria

To ensure that bond investments advance racial equity and make communities and natural areas more resilient to climate change, the Metro Council established a set of requirements in the bond measure for the program areas to address. These requirements are called the bond criteria and include a mix of actions and desired outcomes.

To monitor progress toward satisfaction of each criterion, Metro's Parks and Nature Department has initiated an evaluation process that will build upon and broaden current efforts to report on specific investments in parks, trails and natural areas. This process will clarify what satisfaction of each criterion may entail, determine data that will indicate whether each program area is on track to address each

criterion, gather data to determine progression, and analyze the data to understand the wider impacts that the bond has had in the region beyond the criteria.

For example, to understand how bond funded investments help improve the accessibility and inclusiveness of Metro's developed parks such as Blue Lake and Oxbow Regional Park, this project will help staff collect data about both the investments made to meet or exceed ADA accessibility standards, interview community members who help shape site investments to understand how they see themselves reflected in the work and survey and interview users of Metro's parks to understand if investments made do help increase accessibility in all its dimensions.

Impact evaluation

Evaluation goes beyond data collection; it is an effort to learn, to discover, and to respond. The value of the parks and nature bond measure is seen most clearly in the effects on natural spaces

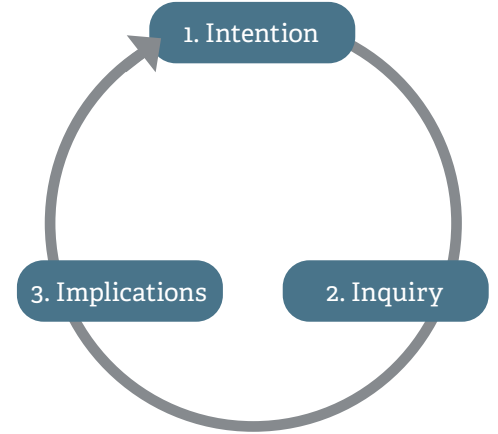
and communities. To reveal the true value of the bond requires an evaluation of impact and progress toward that impact – not just the investments made, but the difference made through the investments and programs. It also requires a clear understanding as to why we believe the effort (what we do) will ultimately lead to the desired impact. This is known as a theory of change.

Therefore, the multi-year and ongoing evaluation process focuses on impact and involves three phases (Image to the right):

Phase 1: Intention* – Clarify the intention and Theory of Change for the bond criteria, and build an impact framework (this document) that guides each program area to develop indicators and metrics.

Phase 2: Inquiry** – Finalize indicators and metrics to measure intention, develop approaches and instruments to gather data, analyze data, and identify the themes and findings from the data.

3 phases of the evaluation process



Phase 3: Implications – Consider the ramifications of the data and determine, in dialogue with the community, how the discoveries of the evaluation should inform steps forward.

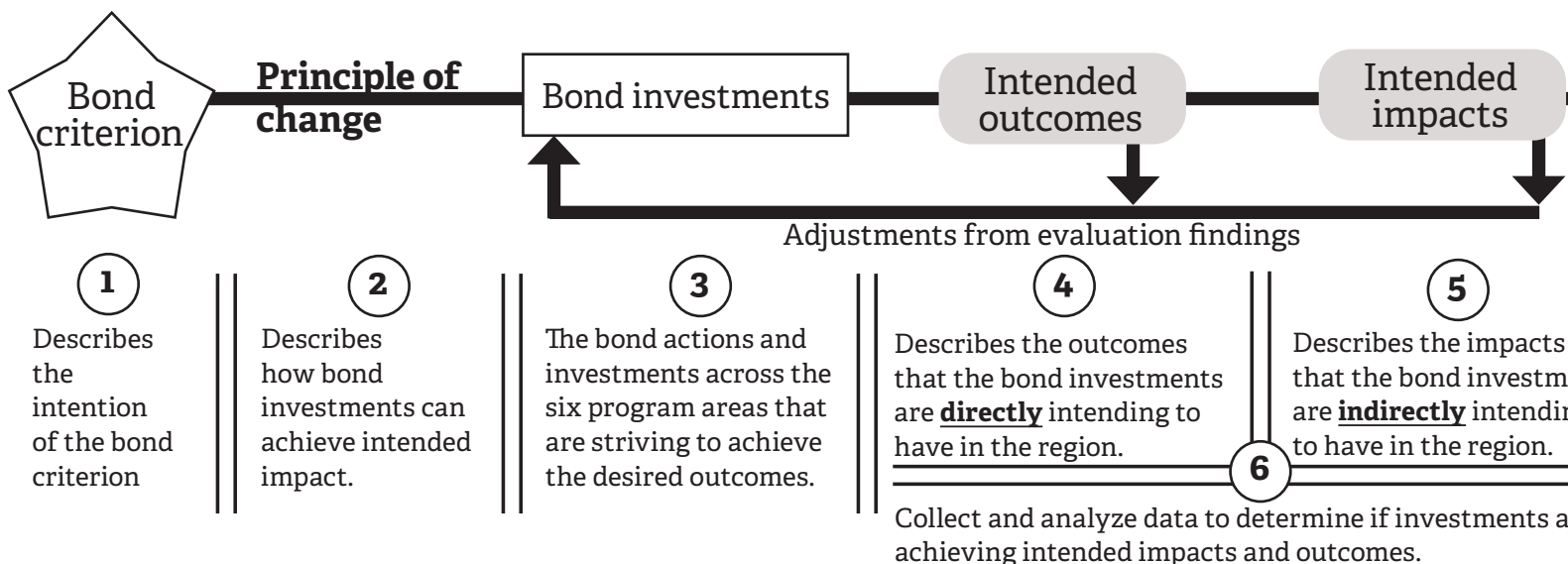
*Parks and Nature staff completed Phase 1 in late 2021.

** Phase 2 will occur between January and September 2022.

Evaluation framework

Effort

Monitor progress



Community engagement and racial equity criteria

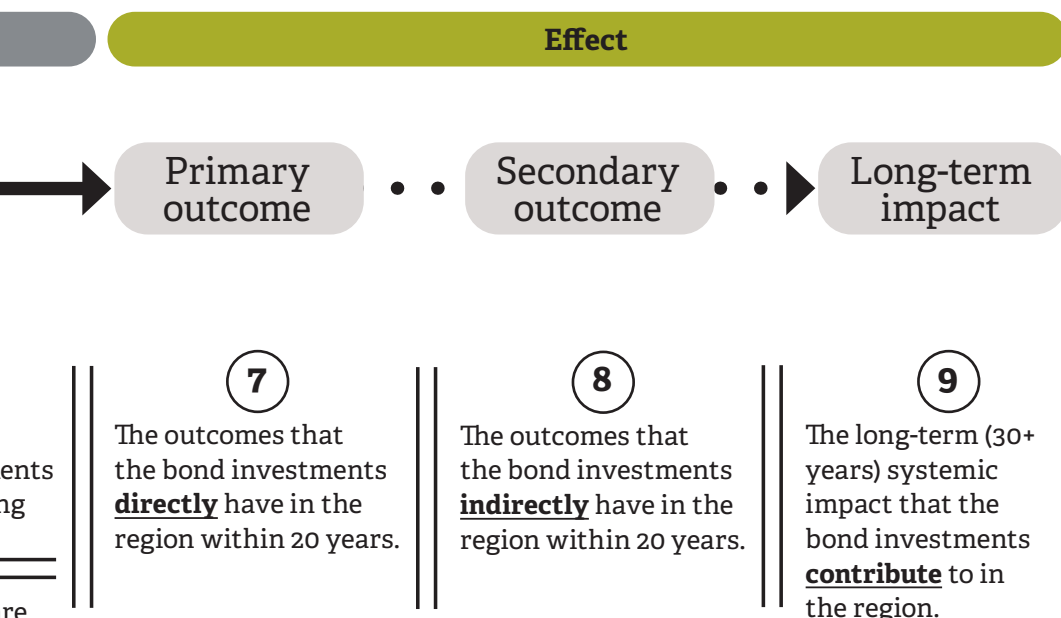
Program areas must address all of the following:

- Meaningfully engage with communities of color, Indigenous communities, people with low incomes and other historically marginalized communities in planning, development and selection of projects.
- Prioritize projects and needs identified by communities of color, Indigenous communities, low-income and other historically marginalized groups.
- Demonstrate accountability for tracking outcomes and reporting impacts, particularly as they relate to communities of color, Indigenous communities, people with low incomes and other historically marginalized communities.
- Improve the accessibility and inclusiveness of developed parks.
- Include strategies to prevent or mitigate displacement and/or gentrification resulting from bond investments.
- Set aspirational goals for workforce diversity and use of COBID contractors and work to reduce barriers to achieving these goals; demonstrate accountability by tracking outcomes and reporting impacts.

Climate resilience criteria

Projects must address one of the following:

- Protect, connect and restore habitat to support strong populations of native plants, fish and wildlife that can adapt to a changing climate.
- Protect and restore floodplains, headwaters, streams and wetlands to increase their capacity to handle stormwater to protect vulnerable communities from flooding.
- Increase tree canopy in developed areas to reduce heat island effects.
- Use low-impact development practices and green infrastructure in project design and development.
- Invest in segments of the regional trail system to expand active transportation opportunities for commuting, recreation and other travel.



Evaluation Framework

The image to the left outlines the evaluation framework for Metro's parks and nature bond measure. It provides a high level overview of the relationship between the bond program areas and their investments to satisfy each bond criterion (effort). It also highlights the importance of clearly articulating the intended outcomes and impacts (effects) from the bond investments in order to monitor and adjust bond investments so that they continually progress toward satisfaction of the criteria.

Essential elements

The table below outlines the principles of change, bond outcomes, and long-term impacts for the 2019 Parks and Nature bond. These elements are the essential building-blocks for the evaluation of Metro's successful satisfaction of the bond

Bond Criteria	Principle of Change	Primary Outcomes
Description of how bond investments should be made to advance racial equity and make the region more resilient to climate change.	Description of how and why intended outcomes and impact is expected to happen through the work outlined in the criterion.	These are the direct effects investments on people, community, and environment. We expect to see these outcomes in the region.
Meaningfully engage with communities of color, Indigenous communities, people with low incomes and other historically marginalized communities in planning, development and selection of projects.	Meaningful engagement leads to co-creation.	Protected lands establish the habitat for prioritized plants and improved hydrologic function and improved habitat connectivity and resiliency. (PRL)
Prioritize projects and needs identified by communities of color, Indigenous communities, low-income and other historically marginalized groups.	Prioritizing historically marginalized communities addresses historic disinvestment and entrenched barriers to provide all communities with the opportunity to enjoy full benefit of an investment.	Community members, especially Black, and other people of color have not been served equitably. (PRL)
Demonstrate accountability for tracking outcomes and reporting impacts, particularly as they relate to communities of color, Indigenous communities, people with low incomes and other historically marginalized communities.	Accountability to outcomes leads to greater trust in government from community.	Communities and partners excluded from government decisions have not been served equitably. Investments are engaged and funded decisions. (PRL, CG)
Improve the accessibility and inclusiveness of developed parks.	Accessibility and inclusiveness lead to increased use of the region's parks and natural spaces and a greater sense of community ownership.	Local jurisdictions strengthen engagement capacity so that partners who have been excluded from decisions and who have not benefited equitably by past bond investments are engaged and influential in bond funding decisions. (Trails)
Include strategies to prevent or mitigate displacement and/or gentrification resulting from bond investments.	Meaningfully engaged communities leads to better informed decisions at Metro that account for and address community conditions.	Park visitors' expectations are met and they feel welcome and valued.
Set aspirational goals for workforce diversity and use of COBID contractors and work to reduce barriers to achieving these goals; demonstrate accountability by tracking outcomes and reporting impacts.	Prioritizing workforce and contractor equity leads to prosperity of BIPOC contractors, workers and communities, while also enhancing how parks and natural spaces are managed.	Community members care for their neighborhoods and stewardship habits. (CG)
Protect, connect and restore habitat to support strong populations of native plants, fish and wildlife that can adapt to a changing climate.	Protecting, connecting, and restoring habitat and natural processes on priority lands leads to increased ability of species to self-adapt to changing environmental conditions.	Certification Office for Business and Diversity (COBID)-certified non-profit organizations and workforce benefit from economic development contracted for bond project.

criteria. The progress toward the bond outcomes are what will be measured by Metro staff because these outcomes are anticipated to occur as a result of the criteria-directed bond investments and if achieved, together they will contribute to the set of long-term impacts.

	Secondary Outcomes	Bond Long-term Impact
<p>of the bond communities, and the to see evidence of on within 20 years.</p>	<p>This is what happens as the primary outcomes take hold and begin to influence and change people and contexts. We expect to see evidence of these outcomes in the region within 20 years.</p>	<p>Description of the intended long-term (30+ years) systemic impacts that the bond outcomes contribute to in the region.</p>
<p>the basis for improved s and animals, im- and water quality, ectivity and climate</p> <p>cially of Indigenous, olor, have more in- ss to land and water</p> <p>who have been al decisions and who ably by past bond nd influential in bond TCMP)</p> <p>en their community t communities and eluded from govern- ave not been served stments are engaged ded decisions. (LS,</p> <p>and basic needs are and safe. (TCMP)</p> <p>for natural areas develop long-term</p> <p>ness Inclusion ified contractors, d a diverse work- c opportunities when s. (PRL, CG, TCMP)</p>	<p>Improved habitat for organisms, improved water quality and watershed function, increased connectivity and resiliency at multiple scales. (PRL, LS, CG)</p> <p>The climate and ecosystem impacts of construction, capital improvements and repair at Metro parks is reduced. (TCMP)</p> <p>Indigenous communities experience opportunities to enhance and pursue traditional lifeways. (PRL)</p> <p>Communities are connected to the heritage, traditions, and history of the natural land where they live, work, and play. (PRL)</p> <p>Historically marginalized communities experience a sense of ownership and agency by guiding the selection, design, implementation, and management practices of bond funded parks, nature-based projects, and natural areas. (PRL, LS, CG)</p> <p>Community members see their culture, traditions, and values affirmed and reinforced in their trail network. (Trails)</p> <p>Members of historically marginalized communities experience public investments in parks and nature in their own communities. (LS)</p> <p>Members of historically marginalized communities see value in supporting public bonds. (LS)</p> <p>Local partner agencies and community partners use investments in parks and natural areas to address long-standing disparities for historically marginalized groups. (LS, Trails, CG)</p>	<p>Historically marginalized communities are co-creators of the evolving regional parks and nature system.</p> <p>Everyone in the region experiences the full health benefit from Metro’s parks and natural areas.</p> <p>Historically marginalized communities experience a reduction in systemic barriers through their relationship with Metro.</p> <p>Metro park users of all cultures, ages and abilities can access a variety of nature experiences to strengthen their relationship to the natural world.</p> <p>The region’s parks and nature projects are community and neighborhood anchors that attract other amenities and help keep a community in place.</p> <p>People of color and women experience economic and occupational prosperity through the conservation and outdoor recreation economies.</p> <p>Native plants, fish and wildlife in the Metro region can self-adapt to a changing climate.</p>

Essential elements

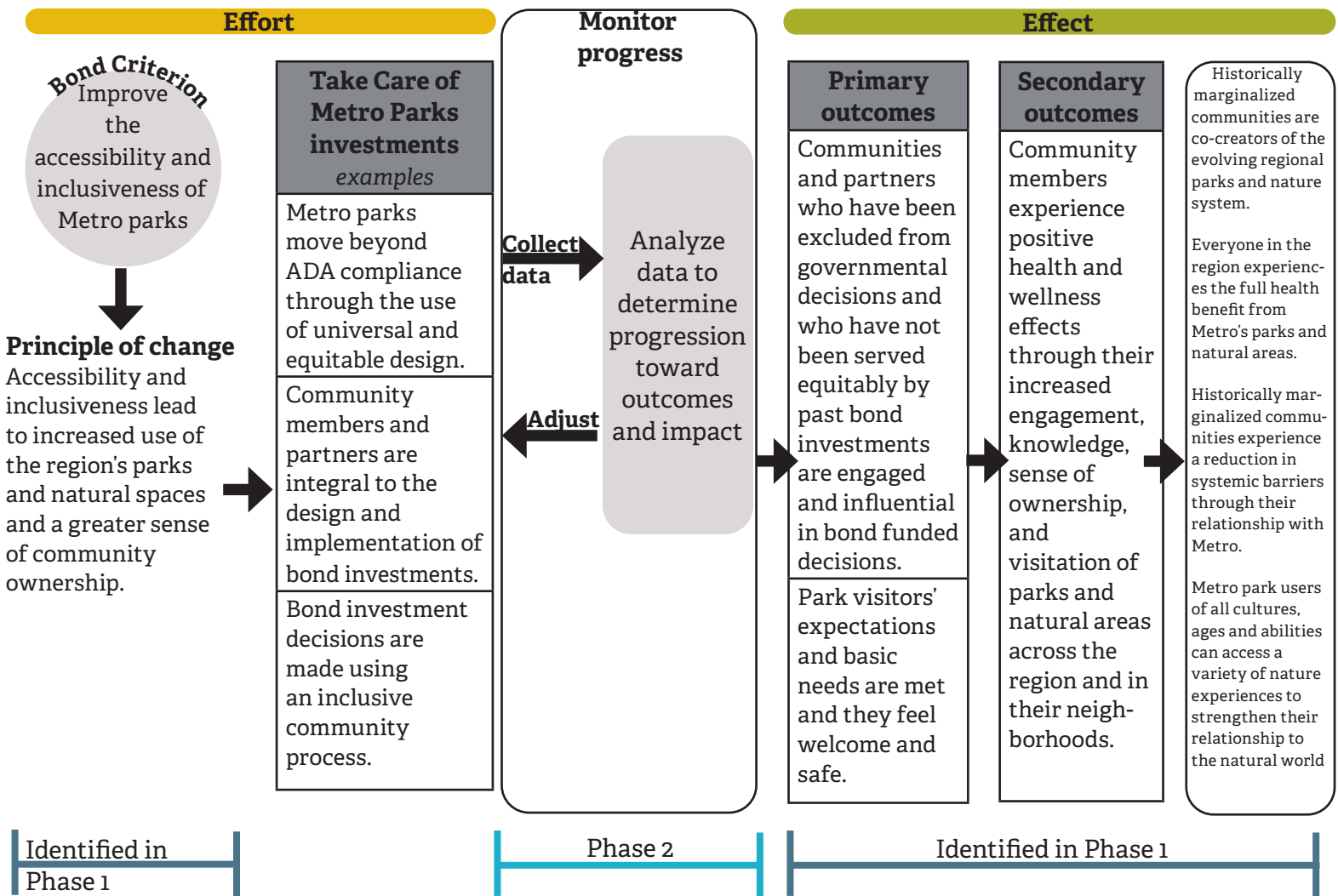
The table below outlines the principles of change, bond outcomes, and long-term impacts for the 2019 Parks and Nature bond. These elements are the essential building-blocks for the evaluation of Metro's successful satisfaction of the bond

Bond Criteria	Principle of Change	Primary Outcomes
Description of how bond investments should be made to advance racial equity and make the region more resilient to climate change.	Description of how and why intended outcomes and impact is expected to happen through the work outlined in the criterion.	Description of the intended outcomes that will occur in the region within the region as a result of bond investments.
Protect and restore floodplains, headwaters, streams and wetlands to increase their capacity to handle stormwater to protect vulnerable communities from flooding.	Improving watershed health and removing impervious surfaces from floodplains vulnerable to flooding leads to improved natural management of flooding and a reduction in flood impact on people.	Local jurisdictions create opportunities for Certification Office (CO) and Diversity (COBID)- and a diverse workforce to hire local contractors and other bond-funded projects. (LS, Trails)
Increase tree canopy in developed areas to reduce heat island effects.	Planting trees leads to a reduction in heat islands.	Community members in particular neighborhoods experience increased access to natural areas. (CG)
Use low-impact development practices and green infrastructure in project design and development.	Integrating elements into developed structures that uplift and enhance the natural environment at the region's parks and natural areas can lessen the climate impact of these buildings and reduce harm to surrounding wildlife	Construction, capital improvements and other projects at Metro parks advance climate resilience and promote best practices. (TC)
Invest in segments of the regional trail system to expand active transportation opportunities for commuting, recreation and other travel.	Increased use of an expanded trail system leads to decreased vehicular trips and improved health and well-being of trail users.	Local partner agencies and Metro build the capacity to improve active transportation systems in alignment with local strategies and best practices.
		<p>Local jurisdictions and partner agencies invest in parks and natural areas. (CG)</p> <p>Community members use a regional system of walking and biking modes of transportation. (TC)</p> <p>Local park agencies are continuing to learn from a variety of opportunities in advancing and supporting projects. (LS, Trails)</p> <p>Local jurisdictions benefit from land acquisition negotiations. (Trails)</p>

criteria. The progress toward the bond outcomes are what will be measured by Metro staff because these outcomes are anticipated to occur as a result of the criteria-directed bond investments and if achieved, together they will contribute to the set of long-term impacts.

	Secondary Outcomes	Bond Long-term Impact
<p>and outcomes that will occur within 20 years as a direct result of the bond investments.</p>	<p>This is what happens as the primary outcomes take hold and begin to influence and change people and contexts. We expect to see evidence of these outcomes in the region within 20 years.</p>	<p>Description of the intended long-term (30+ years) systemic impacts that the bond outcomes contribute to in the region.</p>
<p>Economic opportunities for Business Inclusion and Diversity (BID)-certified contractors benefit from park investments.</p> <p>Workforce-deficient neighborhoods gain access to nearby parks and recreation facilities.</p> <p>Investments in parks and recreation facilities improve community resilience and health.</p> <p>Community groups and organizations benefit from their local natural areas and parks.</p> <p>Community members strengthen their sense of place and connection to natural areas.</p> <p>Community members benefit from an interconnected system of walking and biking trails as modes of transportation and recreation.</p> <p>Community members benefit from connected with and access to parks and natural areas supporting bond investments.</p> <p>Community members benefit from Metro's strategic investments for public benefit.</p>	<p>All visitors to parks and natural areas in local jurisdictions feel welcomed, safe, and have their basic needs met. (LS)</p> <p>More Certification Office for Business Inclusion and Diversity (COBID)-certified contractors, non-profit organizations, and contractors that intentionally recruit, track and employ a diverse workforce see Metro as a viable potential client and are awarded more parks contract. (PRL, LS, Trails, CG, TCMP)</p> <p>The workforce that designs, engineers, improves, builds and maintains parks and natural areas, including Metro staff and those employed by contractors, reflects the diversity of the region and people who use the parks. (LS, Trails, TCMP)</p> <p>Community members depend on the interconnected regional system of walking and biking trails for transportation and connecting with nature. (Trails)</p> <p>Community members have more non-auto oriented modes of travel. (Trails)</p> <p>Community members experience positive health and wellness effects through their increased engagement, knowledge, sense of ownership, and visitation of parks and natural areas across the region and in their neighborhoods. (TCMP, CG)</p>	<p>Communities in the Metro region are less vulnerable to flooding.</p> <p>Urban heat islands in the Metro region are reduced.</p> <p>Developed investments in the region's parks and natural areas integrate and strengthen ecosystem function and integrity.</p> <p>Community members experience improved health and well-being through an increase use of active modes of travel.</p>

Framework in action (example) - Take Care of Metro Parks



The image above shows the application of the “improve the accessibility and inclusiveness of Metro parks” bond criterion using the evaluative framework, focused on the Take Care of Metro Parks bond program area. Employing the theory of change, identified during phase 1, the Take Care of Metro Parks program area will invest funds to advance accessibility and inclusiveness to best reach the desired direct impacts (also identified during phase 1).

Phase 2 will involve the identification, collection and analysis of data to determine whether the bond investments are progressing toward the identified primary bond outcomes.

Phase 3 will then involve the determination, in dialogue with the community, of how the discoveries of the evaluation should inform future investments to more effectively reach the desired primary outcomes.

Ultimately, achieving the primary outcomes will lead to several secondary outcomes as well contribute to the long-term regional outcome that all people receive value and benefit from Metro parks.



Council Worksheet

Agenda Item Title: Natural Areas and Capital Program Performance Oversight Committee year two report back

Presenters, (titles): Jon Blasher, director, Parks and Nature, Burt Edwards and Cary Watters, Natural Areas and Capital Program Performance Committee Co-Chairs

Contact for this worksheet/presentation: Beth Cohen, Parks and Nature, beth.cohen@oregonmetro.gov

Purpose/Objective:

Receive the Natural Areas and Capital Program Performance Oversight Committee year two report back. Share thoughts and questions about the report back directly with the co-chairs presenting.

Background

For more than two decades, voters have repeatedly trusted Metro to protect clean water, restore fish and wildlife habitat and provide opportunities for people to connect with nature close to home through the passage of three capital bond measures and a local option levy renewed twice by the region's voters.

In early 2021, the Metro Council appointed the Natural Areas and Capital Program Performance Oversight Committee to provide independent oversight of the 2019 parks and nature bond, the remainder of funding from the 2006 natural areas bond and capital investments from Metro's parks and nature five-year local option levy. As part of this charge, the Oversight Committee reports annually to the Metro Council on how bond implementation activities are meeting the direction in the bond measure and financial aspects of program administration.

The committee's year two report back shares with the Metro Council and the region the committee's understanding of progress to date on the 2019 parks and nature bond, committee work to date and potential focal areas for the committee and Parks and Nature staff for the coming year. To develop this report back, the committee reviewed staff reporting on parks and nature bond investments, awards and activities compiled in a staff report for calendar year 2022, information shared with the committee through quarterly reporting as well as information and storytelling about bond investments and activities posted on Metro's website.

The committee presented its year one report to the Metro Council in May 2022. This year two report back, one of several methods through which the Metro communicates with the public about the impact of voter approved investments in nature, is separate from the Parks and Nature annual report, last presented to the Council in January 2023.

What packet material do you plan to include, if any?

- The Natural Areas and Capital Program Performance Oversight Committee year two report back
- Staff report for Parks and Nature bond for calendar year 2022



A report from the Natural Areas and Capital Program Performance Oversight Committee

May 2023

If you picnic at Blue Lake or take your kids to the Oregon Zoo, enjoy symphonies at the Schnitz or auto shows at the convention center, put out your trash or drive your car – we’ve already crossed paths.

So, hello. We’re Metro – nice to meet you.

In a metropolitan area as big as Portland, we can do a lot of things better together. Join us to help the region prepare for a happy, healthy future.

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The 2019 parks and nature bond is a promise to build on the region’s legacy to protect clean water, restore fish and wildlife habitat, and provide opportunities for people to connect with nature close to home. In 2019, the voters of the region chose to invest \$475 million to continue to protect clean water, restore fish and wildlife habitat and provide opportunities to connect with nature close to home across six program areas.



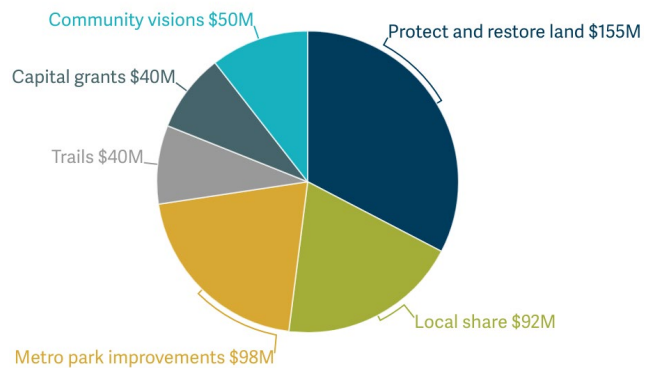
INTRODUCTION

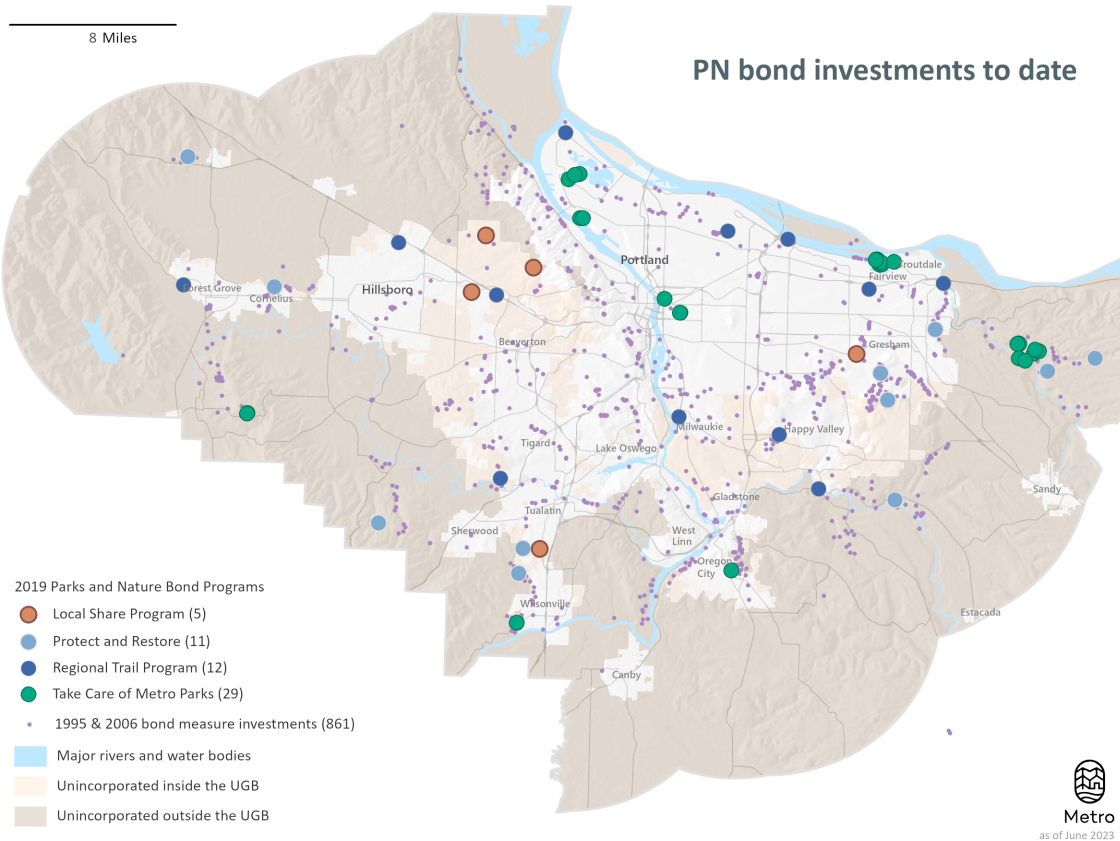
Committee purpose

The 2019 parks and nature bond measure calls for creation of an independent oversight committee to provide review to Metro Council and community members of the 2019 parks and nature bond, the remainder of the 2006 natural areas bond, and capital investments from Metro’s parks and nature five-year local option levy. The members of the Natural Areas and Capital Program Performance Oversight Committee believe that natural areas are integral to the wellbeing of everyone in the region are focused on determining and sharing progress made on the parks and nature bond in terms of management, expenditures and addressing the three bond criteria of racial equity, community engagement and climate resilience.

Bond programs

The bond includes six programs. The funding levels were set by the legislation.





A sample snapshot of an online map tool showing the Metro region and projects currently funded by the 2019 parks and nature bond.

What we found

The committee and Metro staff made progress in calendar year 2022 on reviewing and refining tools to report on and measure bond progress. The committee finds that staff has conducted the primary components of the bond work in a transparent and accountable way.

- All six bond programs are launched and advancing investments in the region. Bond investments are ramping up and bond programs anticipate even more activity, investment and spend in calendar year 2023 and beyond.
- Early reporting on community engagement activities, how land acquisitions to date align with factors that underpin climate resilience as well as efforts underway to increase accessibility at Metro sites and to ensure bond investments benefit businesses owned by and workers who are women and Black, Indigenous, and people of color demonstrates early progress on advancing the bond criteria.
- However, determining the impact of bond investments on advancing the bond criteria will take more time and a larger volume of bond investments to analyze.

As bond investments continue to ramp up, the committee recommends staff focus on the following items this year and beyond:

- Providing additional information about bond investments to the committee will allow the committee to better measure progress and underline impact
 - Maps of bond investments overlaid with relevant spatial data that feature opportunities for storytelling about individual investments and the entire portfolio of bond investments to date
 - Anticipated milestones for bond investments and spend by fiscal year
 - Information and frameworks used to evaluate each potential land acquisition opportunity for alignment with the bond’s climate resilience criteria
 - Additional case studies of bond related community engagement activities
 - More interviews and surveys with partners and community members to understand the impact of bond investments and participating in community engagement activities
- Continuing to ensure information about bond programs and investments can be accessible by all members of the public should remain a high priority
- Exploring feasibility of more nuanced analysis on COBID (Oregon Certification Office for Business Inclusion and Diversity) participation for bond investments will allow for better understanding of current and potential economic impact of bond investments on firms and workers underrepresented in parks and nature and related industries.

Process

This report covers the committee’s work through the end of calendar year 2022, which involved reviewing details of the six bond programs and case studies of the bond criteria in action and meeting regularly in working groups on land acquisition, community engagement and bond finance. The committee and staff worked together to refine the following tools to help track and assess progress of the 2019 Parks and Nature bond:

- Memo to Council and the committee for individual land acquisitions
- Reporting on additional information about land acquisition including properties acquired by target area and bond funds spent on stabilization activities
- Staff development of a framework that connects land acquisition activities to the bond measure’s climate resilience criteria and program criteria
- Staff reports on bond finance and COBID participation
- Initial map of bond investments completed to date
- Brief summaries of program status to date that will be accessible to the general public

The Committee also reviewed the following resources to prepare for the year 2 report back:

- Parks and Nature annual report for FY 2022
- The staff report on bond investments and activities for calendar year 2022
- Quarterly reports on bond progress to the committee



An adult holds hands and walks with two children down a trail at Newell Creek Nature Park, which was created with Metro bond funds.



Three adaptive mountain bikers stopped on a dirt trail to chat in Newell Creek Canyon Nature Park.

LAND ACQUISITION

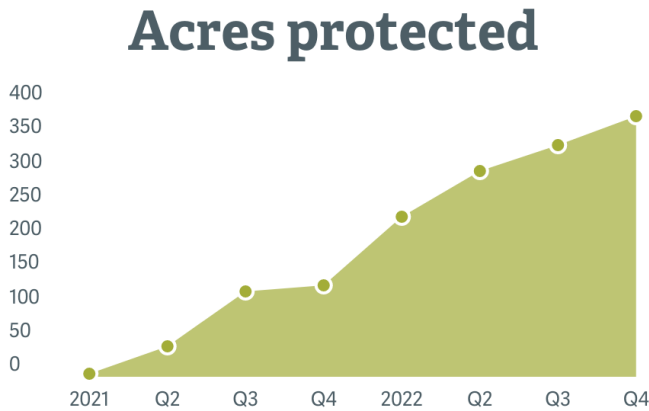
[Protect and restore land program snapshot](#)

The protect and restore land program makes up a significant part of bond investments, spending and impact to date. The committee has reviewed how current land acquisition protocol builds on the foundation set by the 1995 and 2006 natural areas measures to protect over 15,000 acres of priority habitat through 500 individual transactions. The Metro Council approved [road maps for land acquisition across 24 target areas](#) in 2022 allows the team to complete real-estate strategies for each of the target areas, hire additional staff and begin to increase outreach to willing sellers around priority properties.

In calendar year 2022, Parks and Nature completed 5 acquisitions. From 2020 through December 2022, Parks and Nature completed a total of 11 acquisitions across 8 of the 24 target areas, spending a little over \$6 million on the properties. The properties acquired in calendar year 2022 are located in priority habitat across the region including the Clackamas River Greenway, Sandy River, Lower Tualatin Headwaters, Beaver Creek and Tonquin Oak

Protect and restore land

This program buys high-priority natural areas and funds major restoration projects. The 1995 and 2006 bonds helped Metro purchase 15,000 acres of natural areas.

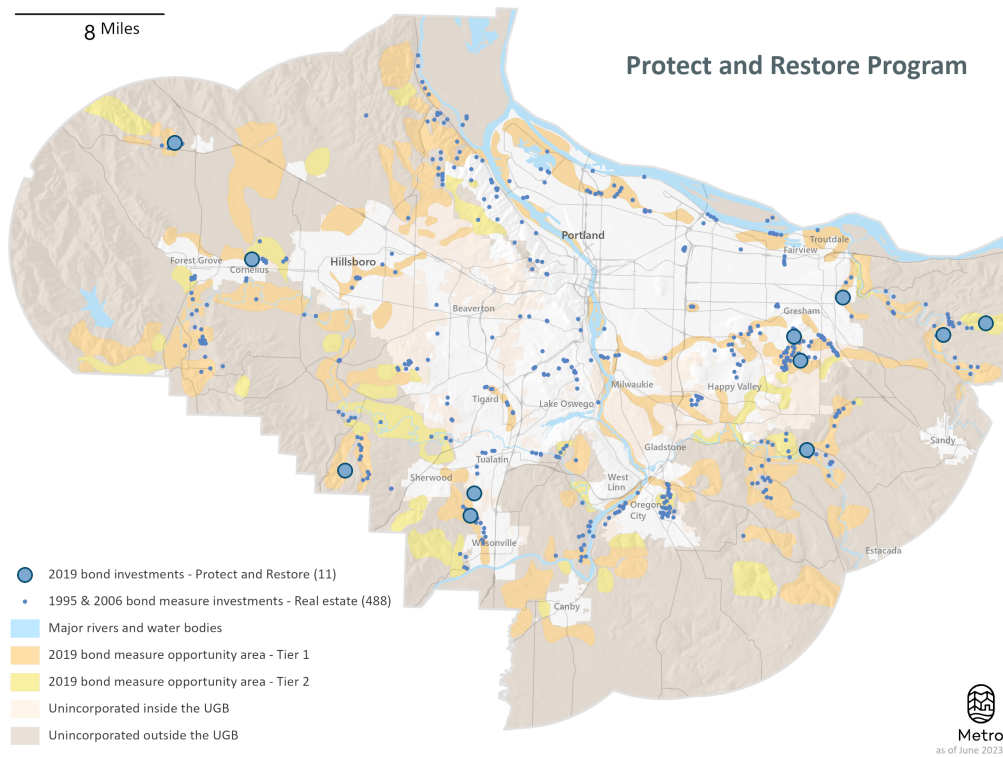


Properties purchased

11

Woodlands and were identified as tier 1 acquisition opportunities.

As of December 2022, Parks and Nature has conducted outreach to over 100 landowners across the region to create a more robust pipeline of potential acquisition opportunities. The size of the pipeline helps expand the number of deals moving through each phase of negotiation towards completion, though the fact that this is a willing seller program, the fact that the most straightforward acquisition opportunities have been absorbed by previous bond measures and current market dynamics may all increase the amount of time it takes to fully ramp up the anticipated pace of acquisitions.



From the committee:

We've reviewed how properties are targeted and evaluated for acquisition using information compiled in the memos to Council and the oversight committee summarizing how individual property purchases meet bond criteria as well as portfolio level evaluation of acquisitions to date. We find that the properties acquired as of December 2022 meet the bond goals and criteria, reflect community feedback and demonstrate alignment with key pillars of climate resilience including connectivity, anchor habitat and water quality and quantity.

Moving forward, the anticipated increase in the volume of land acquisitions will provide a more significant sample size to further to understand whether and how land acquisition activities advance priorities identified in the land acquisition road maps and align with goals for the 24 target areas. Comparing completed land acquisitions with ongoing efforts to build and grow a pipeline of land acquisition opportunities will help the committee also understand progress in achieving balanced efforts across target areas.

We look forward to working with staff to review data used to evaluate potential acquisitions and continue to refine the information collected about each acquisition. We also look forward to working with staff on strengthening tools to support evaluation of the entire land acquisition portfolio including mapping and spatial analysis to tell a stronger story about how land acquisitions increase habitat and wildlife connectivity and comparison with data collected from the 2006 natural areas bond.

COMMUNITY ENGAGEMENT

[Community engagement snapshot \(excerpts from the 2022 calendar year staff report\)](#)

When voters approved the 2019 parks and nature bond, they called on Metro to meaningfully engage communities of color, Indigenous communities, people with low income and other historically marginalized groups, and prioritize the projects and needs they identify. In this context, Metro has defined meaningful community engagement as providing community members who will be affected by a program or project opportunities to influence how they run and what they create. In pursuing bond related engagement activities, Parks and Nature continues to employ a community engagement approach that builds on feedback received to date, incorporate lessons learned from previous engagement activities and creates focused opportunities for BIPOC¹ communities to increase participation and continue to build trust.

The engagement activities completed in calendar year 2022, which range from BIPOC focused roundtables to online surveys translated into multiple languages and convening external committees to help shape grant solicitations, utilized strategies to build trust with communities and reduce existing barriers to participation. In 2022, these activities and strategies helped shape the following bond program and project outcomes:

- The priority projects submitted as of December 2022 for local share funds reflect and have been shaped community feedback
- Metro Council approved land acquisition road maps include areas highlighted for protection by the community like the Johnson Creek watershed
- The solicitation for the bond funded trail grants was shaped by community, trails advocates and community feedback collected through an online survey ensured that the trail projects funded are important to community
- The guidebook for the Community Choice grants pilot was shaped by the community choice grants program design and review committee made up of community members

The parks and nature bond measure's community engagement criteria directs Metro to prioritize community goals and needs during the development of the six bond program areas completed in 2022. With all six bond programs are launched, community engagement is focused on specific bond funded projects and will continue to evolve in future years.



¹ Abbreviation for Black, Indigenous, and people of color

From the committee:

We believe that the type of meaningful community engagement defined by the parks and nature bond measure goes beyond counting who has been engaged to understanding who has been able to participate in engagement activities and what their feedback has helped shape. It also extends to the experience community members had in sharing their feedback to shape bond programs.

In our review, we've seen that Parks and Nature works to ensure community feedback is guiding bond programs and projects and to use engagement activities to build and strengthen relationships with community members over time. We appreciate Parks and Nature's ability to be thoughtful about incorporating best practices and lessons learned and being innovative in conducting engagement.

We've reviewed information about who Metro engages with and how bond engagement has informed existing work. Reviewing specific examples of engagement for bond projects such as the community choice grants and upcoming engagement planned for the Blue Lake Park renovation project has helped us understand specific engagement strategies and tactics.

We encourage Parks and Nature staff to continue reflecting and identifying opportunities for improvement to meet this standard of meaningful engagement set by the bond measure. To do so, we encourage Parks and Nature to collect additional information from community engagement activities that speaks more to the expansive definition of meaningful engagement. Specifically, we encourage tracking whether community members are staying engaged through multiple projects and using post-engagement evaluation to understand the experiences of people and organizations who have participated in engagement activities as these opportunities will allow staff to continue to reflect on what engagement strategies and tactics have been most effective.

Finally, we believe that meaningful engagement includes ensuring that everyone can see themselves in Metro Parks and Nature spaces, engagement activities and materials. We appreciate learning about initial work underway to engage community members around accessibility improvements being piloted and planned at Metro sites and will look to hear more about those efforts. We also review Parks and Nature materials summarizing efforts on the bond measure with a close eye towards ensuring the maps, photos and written information is as accessible as possible.



FINANCE

The committee regularly reviews financial reporting for 2019 parks and nature bond as well the limited remaining money from the 2006 natural areas bond and any capital investments from the parks and nature levy. Financial data is tracked by Metro's fiscal year, which runs from July 1 through June 30.

As of May 2023, Metro has spent \$42.2 million of bond proceeds available and has awarded \$24.8 million through trail grants and local share program awards. The current administrative rate is about 23.6 percent of total bond spending to date or \$9.9 million.

As part of efforts to better understand the needs of administering this type of bond, the committee has discussed with staff the reasons and dynamics behind the current administrative rate, which covers a portion of overhead expenditures that cannot be tied directly to an action related to the bond's capital investments. Some of these services include, but are not limited to, legal costs and financial support that do not correspond directly to a single project, but are essential to delivering on the bond's objectives and outcomes.

As bond funded investments in parks, trails and natural areas increase due to building a pipeline through steady landowner outreach and a ramp up of construction projects at Blue Lake Park in fall of 2023 and 2024 and more local share and grant awards request funding through reimbursements, the committee anticipates having more projects and program progress to review and evaluate.

the portion of overall bond spend that is used for capital outlays in relation to indirect costs will increase, which should impact the administrative rate over time.

In addition, as of May 2023, the COBID participation rate across all bond investments is 38 percent, well over the floor of 20 percent set for COBID participation for prime and sub-contractors on bond funded projects. The rate of COBID participation for this current fiscal year tracks closely to the COBID participation rate from the previous fiscal year.



From the committee:

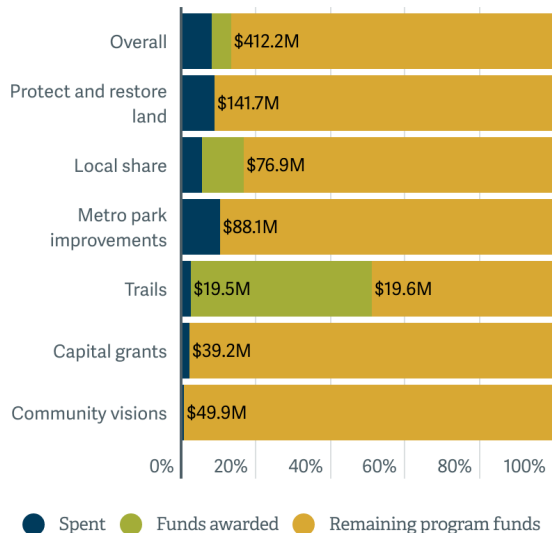
As a committee and finance working group, we care that bond money is being spent and also how the money is spent. This bond measure is focused on goals around engagement and accessibility and we believe it's important for us as a committee to work with Metro to break down spending in relation to how much is spent to support each of the goals.

We feel that the bond spend to date and anticipated spend is in line with bond goals. We understand that administrative cost is based on the pace of overall bond spending. The committee will continue to ask staff for detailed explanations and broader context about overall spend as well as trendlines quarter to quarter and year over year. We find Metro's administrative expenditures to be acceptable in light of resources required to staff and manage a measure of this size and complexity and the expectation that the administrative spend will diminish as a percentage of overall bond spending moving forward.

While the current COBID participation rate exceeds the floor established for the bond measure, we recommend that in 2023 and beyond, staff explore the feasibility of disaggregating participation rates by type of contractor as the first step towards building a better understanding of the impact of bond investments on specific communities as well as the feasibility of analyzing COBID participation rates for both prime and sub-contractors on bond funded projects.

Bond spending

\$62.8 million had been spent or awarded to projects by March 31, 2023.



Two deer graze in the oak savanna at Graham Oaks Nature Park.

LOOKING TO THE YEAR AHEAD

In the coming year, the committee anticipates being able to review additional information and tools that add nuance towards understanding of progress on bond investments and activities.

To date, the committee has identified additional topics to review in 2023 and beyond as a full committee or through working groups:

- Build on initial mapping to further analyze bond investments as connected systems and measure progress on advancing accessibility and climate resilience through parks, trails and natural areas across the region
- Review information on Metro’s tribal government engagement related to the parks and nature bond
- Conduct an analysis of acquisitions from 2006 bond to understand how 2019 acquisitions are comparing especially on climate resilience factors
- Review evaluation of ongoing bond related community engagement processes and projects

2022 OVERSIGHT COMMITTEE MEMBERS

Burt Edwards, Co-chair	Director of Programs, ReThink Media
Cary Watters, Co-chair	Contracts Supervisor, Portland Bureau of Transportation
Lisa Freedman ²	Former US Forest Service Executive and Budgeting Director
Tana Atchley Culbertson	Co-Director, Willamette River Network
John Ferguson	Former geotechnical engineer
Shantae Johnson	Owner, Mudbone Grown LLC
Michelle Lin	Strategist, Oregon Food Bank
Martita Meier	Digital strategist and project manager, Nike
PK Melethil	Environmental Scientist, TCM physician
Bryan Mercier ²	NW Regional Director, Bureau of Indian Affairs
Georgena Moran	Accessibility specialist, ACCESS recreation
Tabitha Palmer DuPrau	Underwriting Counsel, Fidelity National Title Group
Vivek Shandas	Professor, Portland State University
Shannon Shoul	Director, Procurement Sustainability, Nike
Erin Upton	Environmental social scientist and landscape architect
Owen Wozniak	Land Transactions Program Manager, the Land Trust Alliance

² Former committee co-chair through fall 2022

² Former committee member through winter 2023

**Resolution No. 23-5341, For the Purpose of Adopting the
Smith and Bybee Wetlands Natural Area Interim Plan**
Consent Agenda

Metro Council Meeting
Thursday, June 15th, 2023

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPROVING THE) RESOLUTION NO. 23-5341
SMITH AND BYBEE WETLANDS NATURAL)
AREA INTERIM PLAN) Introduced by Chief Operating Officer
) Marissa Madrigal in concurrence with
) Council President Lynn Peterson

WHEREAS, Smith and Bybee Wetlands Natural Area provides essential habitat for rare plants and a diversity of wildlife, as well as critical off-channel refugia to listed state and federal endangered fish species; and

WHEREAS, Metro’s St. Johns Landfill (also referred to as the St. Johns Prairie) is included in the Smith and Bybee Wetlands Natural Area, providing important upland prairie habitat supporting rare birds, mammals, reptiles, butterflies, and plants; and

WHEREAS, since 1990, the greater Smith and Bybee Wetlands area has been restored and managed pursuant to adopted vision statements and management plans with the assistance of the Smith and Bybee Wetlands Advisory Committee; and

WHEREAS, in 2013 the original 1990 Natural Resource Management Plan transitioned into the Smith and Bybee Wetlands Comprehensive Natural Resource Plan (CNRP) as the guiding plan for the area; and

WHEREAS, the CNRP was adopted as a conditional use master plan approved by the City of Portland involving multiple property owners obtaining pre-approvals of land use actions for a 10-year period; and

WHEREAS, the CNRP expires on June 17, 2023; and

WHEREAS, to prevent a gap in management guidance, Metro, with the assistance of the Smith and Bybee Wetlands Advisory Committee, created the 2023 Smith and Bybee Wetlands Natural Area Interim Plan (Interim Plan) to take the place of the CNRP; and

WHEREAS, the Interim Plan updates the CNRP, continues the same vision and goals for the natural area, and will guide Metro’s actions to protect, enhance, and restore the natural area, as well as support and manage access to nature on land Metro owns and manages; and

WHEREAS, the Interim Plan will remain in effect until Metro undertakes a formal master planning process; now therefore,

BE IT RESOLVED that the Metro Council approves the Smith and Bybee Wetlands Natural Area Interim Plan.

ADOPTED by the Metro Council this 15th day of June, 2023.

Lynn Peterson, Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney

IN CONSIDERATION OF RESOLUTION NO. 23-5341, FOR THE PURPOSE OF
APPROVING THE SMITH AND BYBEE WETLANDS NATURAL AREA INTERIM PLAN

Date: May 25, 2023
Department: Parks and Nature
Meeting Date: June 15, 2023

Prepared by: Andrea Berkley, Gary
Shepherd
Presenters: Dan Moeller, Andrea Berkley
Length: 20 minutes

ISSUE STATEMENT

Since 2013, the Smith and Bybee Wetlands Comprehensive Natural Resource Plan (CNRP) has served as the guiding management plan for the natural area. The CNRP was adopted as a conditional use master plan approved by the City of Portland, involving multiple property owners obtaining pre-approvals of land use actions for a 10-year period. The CNRP expires on June 17, 2023. To prevent a gap in management guidance, Metro, with the assistance of the Smith and Bybee Wetlands Advisory Committee (SBWAC), created the 2023 Smith and Bybee Wetlands Natural Area Interim Plan (Interim Plan) to take the place of the CNRP. The Interim Plan makes minor updates to the CNRP, continues the same vision and goals for the natural area, and will guide Metro's actions to protect, enhance, and restore the natural area and provide access to nature for local communities. The Interim Plan will remain in effect until Metro undertakes a formal master planning process for the natural area. The Interim Plan is presented for Council consideration.

ACTION REQUESTED

Staff requests that Council approve the Smith and Bybee Wetlands Natural Area Interim Plan.

IDENTIFIED POLICY OUTCOMES

Management of the Smith and Bybee Wetlands Natural Area has been guided by formally adopted plans since 1990. Approving the Interim Plan will reflect Council's desire to continue management guidance protecting, enhancing, and restoring the nature area while providing access to nature for local communities.

POLICY QUESTION(S)

Does Council support an interim plan to continue the goals and objectives of the CNRP as they relate to managing fish and wildlife, water quality, and access to nature at Smith and Bybee Wetlands Natural Area, until such time that a formal master planning process can be completed?

POLICY OPTIONS FOR COUNCIL TO CONSIDER

In advance of the CNRP expiring, Metro staff worked with the SBWAC to identify and evaluate options for replacement.

The four options explored were:

1. Creating an updated CNRP and submitting a land use application to the City of Portland for master plan conditional use review and adoption.
2. Allowing the CNRP to expire without a replacement plan in place.
3. Creating a Metro Site Conservation Plan and/or Master Plan prior to CNRP expiration.
4. Interim Plan (“hybrid option”): Metro Council adopting the current CNRP with minor updates and adjustments. After adoption, Metro and Advisory Committee would work together to determine when Metro can start a planning process to create a Master Plan and Site Conservation Plan in partnership with the Advisory Committee and other community members and stakeholders.

Each option was evaluated based on its impact, if any, to:

- the existing natural area management goals and objectives
- parcels within the CNRP management zone
- public involvement in management decisions at the natural area
- land use and project review of future development projects in the natural area
- the Smith and Bybee Fund
- existing rules around dogs in the natural area
- implementation costs

Please see attached Management Alternatives Table, Jan 2022, for a detailed discussion of each alternative.

STAFF RECOMMENDATIONS

Staff recommends approval of the Smith and Bybee Wetlands Natural Area Interim Plan.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

Since 1990, the greater Smith and Bybee Lakes Wetlands area has been restored and managed pursuant to adopted vision statements and management plans with the assistance of the SBWAC, a committee created to ensure local government and community interest representation. In 2013, the original 1990 Natural Resource Management Plan was replaced by the Smith and Bybee Wetlands CNRP as the guiding plan for the area.

The CNRP contains policy statements that have been revised in the Interim Plan. Minor updates and changes necessary to clarify management authority were made. Upon expiration of the CNRP and adoption of the Interim Plan, the following changes will go into effect:

- Metro management authority (Policy 2, Policy 14) will change from lands included in the CNRP owned by 8 different landowners and totaling 1,959 acres to lands

owned by Metro or managed by Metro under a management agreement. This is currently 1,543 acres. An additional 129 acres of City of Portland-owned land is expected to be under a management agreement by the end of 2023.

- The CNRP was approved as a master plan through a Type III Land-Use Review by the City of Portland Hearings Officer. It was intended to be used by the City of Portland Bureau of Development Services to review proposed actions within the natural area and potentially reduce permitting requirements. Upon CNRP expiration, Metro will be subject to the base zoning for access or infrastructure projects.
- Management responsibilities of Metro will not change (Policy 4). However, language was added to acknowledge Metro's responsibility to "Operate and maintain the closed St. Johns Landfill in compliance with regulatory requirements." Clarifying language was added to a policy statement regarding management of St. Johns Landfill (Policy 10).
- In Policy 16, the CNRP's prohibition of new, untreated stormwater entering the natural area is removed. Regulations regarding stormwater are overseen by the City of Portland and Department of Environmental Quality.

No change will occur to the management goals and objectives for conservation, restoration, or access to nature at Smith and Bybee Wetlands Natural Area. No changes will occur to the regional context of SBWNA (Policy 1). No change will occur to use of the Smith and Bybee Fund (Policy 3) or review of the fund budgeting by SBWAC. Representation on and roles of the SBWAC will not change (Policy 5). Policies related to biodiversity (Policy 7), adaptive management (Policy 6), adjacent land purchase (Policy 8), monitoring (Policy 9), management for conservation (Policy 13), mitigation (Policy 15), infrastructure maintenance (Policy 17) and climate change (Policy 6) will not change. Minor clarifying updates were made to policies regarding trails and dogs (Policy 12) and access projects (Policy 11).

BACKGROUND

Staff discussed options for maintaining a plan to guide management of the natural area with the SBWAC. The SBWAC advises Metro on management of the natural area and has provided guidance, partnership, and assistance in implementing the CNRP. The SBWAC is comprised of representatives from North Portland Neighbors, the City of Portland, Port of Portland, Columbia Slough Watershed Council, Friends of Smith and Bybee, and others. The SBWAC assisted in developing the Interim Plan and endorses the adoption of the Interim Plan as the preferred course of action upon expiration of the CNRP.

The plan will provide guidance to staff on management goals and priorities, thereby guiding spending of Natural Area Levy dollars for habitat restoration and spending of the Smith and Bybee Fund, a dedicated endowment fund for development and management of the Smith and Bybee Wetlands Natural Area.

Having a plan in place to guide management of the natural area is important for several reasons. The plan goals and objectives guide decision making and budgeting. In addition,

section 3.3.6 of the Regional Framework Plan directs Metro to “[i]nsure that public use is compatible with natural and cultural resource protection for components of the Regional System by creating Master/Management plans that strive to achieve that objective prior to formal public use.”

The CNRP was developed with public input and implementation has been overseen by the SBWAC, comprised of community groups and local governments.

Community engagement for this project was achieved through engagement with the SBWAC. This level of community engagement was suitable given the minor scope of changes being made to the CNRP. A formal master planning process will include a broader and more rigorous community engagement effort.

ATTACHMENTS

- Letter from Smith and Bybee Wetlands Advisory Committee endorsing the Interim Plan as a replacement for the CNRP
- Management Alternatives Table, Jan 2022, describing options for management guidance for SBWNA after expiration of the CNRP
- 2023 Smith and Bybee Wetlands Interim Plan (Interim Plan), clean copy

Smith and Bybee Advisory Committee

Coordinated by:
Metro
600 NE Grand Ave.
Portland, OR 97232

March 31, 2022

Jon Blasher, Director, Parks and Nature
Metro Regional Center
600 NE Grand Ave.
Portland, Oregon 97232-2736

RE: Expiration of Smith and Bybee Wetlands Natural Area's Comprehensive Natural Resource Management Plan in June 2023 – SBAC's preference for replacement

Dear Mr. Blasher,

Considering the imminent expiration of the Smith and Bybee Wetlands Natural Area Comprehensive Natural Resource Management Plan in June 2023, the Smith and Bybee Advisory Committee (Advisory Committee) wishes to express our support to Metro for the Hybrid Model management alternative for Smith and Bybee Wetlands Natural Area. Our understanding of this alternative is that the existing CNRP, with minor necessary modifications while maintaining management goals and objectives, would be adopted as a council-approved Metro Master Plan. It is also understood that Metro will work with the Advisory Committee to begin developing next steps for conservation. For context, please see the attached Smith and Bybee Wetlands Natural Area – Management Alternatives.

The Advisory Committee was established in the original Natural Resource Management Plan (1990) for Smith and Bybee Wetlands Natural Area and carried over to the CNRP in 2013. The committee is made up of community members interested in preserving and enhancing the ecological health of the natural area and ensuring the allowed recreation is compatible with this valuable habitat. With that in mind, the Advisory Committee looks forward to partnering with Metro to develop a new Master Plan based on the framework of the CNRP. Over the coming year, as the new Master Plan is developed, the Advisory Committee may endeavor to engage Metro in further discussions around issues directly related to the preservation and ecological health of the natural area. Some issues of concern that must be addressed in the new Master Plan include the Trust Fund balance, the negative impact of dogs in the natural area, and the degradation of habitat from intense human use.

Thank you for keeping the Advisory Committee informed and for presenting a practical solution to the sunseting of the CNRP. We look forward to hearing further guidance from Metro Council.

Sincerely,

Carrie Butler

Carrie Butler, Chair
Smith and Bybee Advisory Committee

Attachment: Smith and Bybee Wetlands Natural Area – Management Alternatives, January 12, 2022

Smith and Bybee Wetland Natural Area - Management Alternatives

Jan 12, 2022 Draft

Note: This document was co-produced by Emily Roth and Metro staff for the purpose of stimulating discussing between Metro and the Smith and Bybee Advisory Committee about possible management paths for the future. Ms. Roth provided an initial draft, but did not review the final document.

Policies/Projects/Descriptions	Comprehensive Natural Resource Plan (CNRP)	Base Zoning: Open Space (OS) with Environmental Protection (p) or Environmental Conservation (c), and Aircraft Landing (h)	Metro Site Conservation / Stewardship Plan and Master Plan	Hybrid Model: Convert existing CNRP to Council Approved Metro "Master Plan"
Definition/explanation	Initially the work of the City of Portland and Port of Portland and identified as a Natural Resource Management Plan (1990), and upon expiration, transitioned to the existing CNRP, which was developed and processed by Metro and other property owners within the natural area, with the Advisory Committee, members of the public and stakeholders. Approved as a master plan through a Type III Land-Use Review by the City of Portland Hearings Officer. Used by the City of Portland Bureau of Development Services to review proposed actions within the natural area as shown in the plan. The CNRP (LU 12-167334 CN) is due to expire on June 17, 2023, ten years after it was approved. If not renewed, projects will be reviewed per base zoning.	Zoning assigned to the area by the City of Portland Bureau of Planning will be used by the City of Portland Bureau of Development Services to review proposed projects in the natural area. Smith and Bybee Wetlands NA is zoned Open Space with overlays of Environmental Protection (highest level of protection) or Environmental Conservation (more uses allowed with mitigation), and Aircraft Landing Zone (h). Level of review for individual projects is detailed in the zoning code, Type I (allowed or has minimum requirements; least amount of review), Type II - reviewed and approved at the staff level, Type III - approved by the Hearings Officer and Type IV - final approval by Portland City Council. Restoration projects do not require permits from Portland.	Developed by Metro Parks and Nature in collaboration with other Metro departments such as WPES with public input including the Advisory Committee. The plans clearly state the goals, objectives and planned actions for the site ranging from natural resource management, trail development, environmental education and other site features. They do not contain implementation plans of design details. Metro uses both as a guiding documents. Master Plans typically are Council approved, SCPs not, but there is no reason an SCP could not go to Council. For all projects requiring permits within the natural area, the City of Portland will review them based on the base zoning and overlays.	Metro Council formally adopts the current CNRP with minor adjustments to fit our framework, ownership and management authority. Keeps existing CNRP as land management guiding document, but under Metro's jurisdictional umbrella, rather than the City of Portland's. Portland base zoning applies for permitting. After adoption, Metro and Advisory Committee work together to determine when Metro can start a planning process to create a Master Plan and Site Conservation Plan in partnership with the Advisory Committee and other community members and stakeholders. In the interim period Metro will work with Advisory Committee to begin developing next steps for conservation.
Management Goals and Objectives	Clearly articulated in the plan - for the ecology, recreation, access and coordination	Zoning code contains review criteria for protection and conservation of resources for trail and structure development.	Ecology and limited recreation are clearly articulated in Site Conservation Plans, with recreation covered in more detail in Master Plans. There can be detailed maps showing proposed trails and projects in either, but design details are usually not included. Zoning code contains review criteria for protection and conservation of resources for trail and structure development.	Same as for CNRP with shift to SCP + Master Plan over time Zoning code contains review criteria for protection and conservation of resources for trail and structure development.
Dogs	Not allowed in current CNRP. City of Portland is an enforcement authority in the current management structure.	City of Portland does not regulate dogs through its Code. This decision is made by the managing entity.	Metro Title 10 rules give Council and Metro management discretion, including the decision on dogs on Metro property and Regional Trails.	Same as for CNRP (dogs not allowed) with shift to Metro Council making final decision.

Smith and Bybee Wetland Natural Area - Management Alternatives

Jan 12, 2022 Draft

Note: This document was co-produced by Emily Roth and Metro staff for the purpose of stimulating discussing between Metro and the Smith and Bybee Advisory Committee about possible management paths for the future. Ms. Roth provided an initial draft, but did not review the final document.

Policies/Projects/Descriptions	Comprehensive Natural Resource Plan (CNRP)	Base Zoning: Open Space (OS) with Environmental Protection (p) or Environmental Conservation (c), and Aircraft Landing (h)	Metro Site Conservation / Stewardship Plan and Master Plan	Hybrid Model: Convert existing CNRP to Council Approved Metro "Master Plan"
	<p>The Metro Council is unlikely to approve submitting another CNRP to Portland that is inconsistent with Metro Title 10 rules that give Council and Metro management discretion, including the decision on dogs on Metro property and Regional Trails.</p>		<p>Metro Title 10 policy currently allows dogs on leash on regional trails. Current plan is for a regional trail on the St. Johns Prairie, crossing the Slough and continuing on through City of Portland managed land. Issue only becomes relevant when the Regional Trail is completed. Very unlikely to occur within 5 years.</p>	
Multiple Property Owners	<p>CNRP applies to multiple property owners, including City of Portland, Port of Portland, and private land owners who consented to the master plan application. Public agencies manage property held in fee and/or properties over which management easements or other agreements have been executed.</p>	Zoning is for all properties.	<p>The plan would detail the coordination requirements, as well as the methods to be used.</p> <p>Public agencies manage property held in fee and/or properties over which management easements or other agreements have been executed.</p>	<p>CNRP applies to multiple property owners, including City of Portland, Port of Portland, and private land owners who consented to the master plan application. Public agencies manage property held in fee and/or properties over which management easements or other agreements have been executed. Any new Master Plan or SCP would only apply to Metro properties on those lands covered by an Inter-Governmental Agreement.</p>
Funding/Trust Fund	<p>The Smith and Bybee Lakes Trust Fund was created through the City's 1990 Natural Resource Management Plan with funds already collected and reserved to implement the St. Johns Landfill End Use Plan. Under the CNRP, Metro is the Fund's fiscal agent, with Advisory Committee providing advice. Additional funding comes from Metro as budgeted and available.</p> <p>Restrictions on the use of the fund are found in the 1990 NRMP. Not currently aware of limits on spending that are relevant to our choices (research action item).</p> <p>Expect to end FY22 with fund balance = \$1,500,000.</p>	Not applicable.	<p>Metro cannot make any commitments to maintaining a positive Fund balance.</p> <p>Most likely the Fund would be spent down over 5-10 years to cover some of cost of managing the natural area. Metro would continue leveraging the fund to achieve goals of the plan.</p>	<p>Trust Fund would continue to operate as provided for in CNRP.</p> <p>As with all the alternatives, Metro cannot make any commitments to maintaining a positive Fund balance. However, Metro can commit to a conversation about what the next 10 years of restoration and management should look like and how to pay for those activities.</p> <p>No other Metro site has a committed fund for its management.</p>

Smith and Bybee Wetland Natural Area - Management Alternatives

Jan 12, 2022 Draft

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	<p>Metro cannot make any commitments to maintaining a positive Fund balance.</p> <p>Most likely the Fund would be spent down over 5-10 years to cover some of the cost of managing the natural area.</p>			
Public Involvement	<p>Smith and Bybee Wetlands NA Advisory Committee continues to provide guidance on the management, including the budget priorities and expenditures. Metro would continue to do public involvement for specific projects and is committed to an approach that centers the voice of historically marginalized communities.</p>	<p>Level of review (Type I, II, III, IV) determines the required public review of projects through land-use notices and comment review. Metro as the applicant would respond to and resolve comments and concerns. As in the CNRP field, Metro is committed to community engagement that centers the voices of historically marginalized communities.</p>	<p>Public involvement during the development of the plan. SCPs have typically been done internally, but CAN, and sometimes have involved significant public involvement, Master Plans are public processes with extensive community engagement and Council approval. Project (not Plan) review as required by the City of Portland (see previous column). Metro is committed to engaging the Advisory Committee on shaping conservation and recreation priorities for the next phase of work.</p>	<p>Metro willing to continue to support an Advisory Committee as constituted or reformed to have broader representation to engage the community in conversation about SBWNA. This can be decoupled from the SB Fund.</p>
Projects Review	<p>Outlined in the CNRP. Level of detail depends on the information included at the time of CNRP development. Reviewed according to process stated in the CNRP. If not listed in the CNRP then a Type III or IV review is required.</p> <p>Functionally, the CNRP has not reduced the level of review needed for projects at the time of implementation. So despite the CNRP, project review has effectively been Base Zoning.</p> <p>The CNRP creates administrative and procedural obligations that can and will increase the cost of public projects.</p>	<p>Metro would complete a land-use application for each relevant project and the level of review would be determined by the City of Portland Bureau of Development Services. Depending on the base zoning and overlay zones, some projects are allowed without review. Restoration projects are generally allowed except for/when cutting native trees.</p>	<p>Metro describes restoration projects in Site Conservation Plans, but only addresses recreation at a high level in most cases. There is often an approximate timeline for projects.</p> <p>Master plans provide more detail on public access projects. When funding becomes available, projects would be designed and submitted to the City of Portland Bureau of Development Services for review based on zoning.</p> <p>Reverts to Base Zoning for access or infrastructure projects.</p>	<p>Metro describes projects in the plan. There is often an approximate timeline for projects. When funding becomes available, projects would be designed and submitted to the City of Portland Bureau of Development Services for review based on zoning.</p> <p>Reverts to Base Zoning for access or infrastructure projects.</p>

Smith and Bybee Wetland Natural Area - Management Alternatives

Jan 12, 2022 Draft

Note: This document was co-produced by Emily Roth and Metro staff for the purpose of stimulating discussing between Metro and the Smith and Bybee Advisory Committee about possible management paths for the future. Ms. Roth provided an initial draft, but did not review the final document.

Policies/Projects/Descriptions	Comprehensive Natural Resource Plan (CNRP)	Base Zoning: Open Space (OS) with Environmental Protection (p) or Environmental Conservation (c), and Aircraft Landing (h)	Metro Site Conservation / Stewardship Plan and Master Plan	Hybrid Model: Convert existing CNRP to Council Approved Metro “Master Plan”
History/Historical Context	City of Portland’s 1990 Natural Resource Management Plan as described in the CNRP	The City of Portland Bureau of Development Services reviews past permits to ensure all conditions are met before issuing new permits.	Metro SCPs and Master Plans include context as an important part of the narrative. It’s also important to set the stage for looking ahead. Permitting is Base Zoning.	Metro SCPs and Master Plans include context as an important part of the narrative. It’s also important to set the stage for looking ahead. Permitting is Base Zoning.
Approximate Costs	<p>CNRP and City code requires a City approved plan amendment for any project not identified in the CNRP or that has increased disturbances. Amendment process results in substantial and additional administrative and procedural costs for Metro projects.</p> <p>Approximately \$100,000 (+/-) (in City fees and professional costs) to update and approve the present or amended plan. Plan may need to be amended multiple times during its term.</p> <p>As there is no “extension” option, reapproving the plan “as is” is not effective or efficient. An “as is” plan may require multiple amendments to implement Metro projects. Especially since WPES may have project needs. This means likely more costs.</p>	Cost is determined by the City of Portland Bureau of Development Services based on the type of Land Use review required.	Potential consultant costs to support engagement and plan writing, depending on staff capacity. Permit costs for projects as per base zoning.	No cost for taking existing CNRP through our Council. Potential consultant costs to support engagement and plan writing for any future planning efforts, depending on staff capacity. Permit costs for projects as per base zoning.

INTERIM PLAN

Smith and Bybee Wetlands Natural Area

Portland, Oregon



APRIL 2023



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Appendix B: Recreation and access

Appendix C: Coordination

Appendix D: St. Johns Landfill typical slope repair environmental review

Appendix E: References

¹ Appendices from the 2012 CNRP are available as a separate PDF upon request. The appendices have not been updated for this plan. Contents of the appendices will be updated when a formal master planning process is completed.



Smith and Bybee Wetlands Natural Area Vicinity



INTRODUCTION

CONTEXT

Not very long ago, as human history is measured, the Columbia River was an untamed and dynamic waterway that exerted a powerful force within its floodplain. The bottomlands adjacent to this great river were a maze of channels and sloughs, shallow lakes, ponds, marshes, and forests. The configuration of this complex landscape changed with the seasonal fluctuations of the river and with major flood events. Large and small mammals, waterfowl, birds of prey and numerous other species were very abundant in this productive habitat. Resident and migratory fish thrived in the river, its side channels and wetland habitats.

This dynamic system changed dramatically in the historical blink of an eye when major settlement began in the mid-1880s. Dredging, diking, filling, land clearing, dams and other impacts resulted in a very different landscape. Few semi-natural remnants of the once extensive Columbia River bottomlands remain in the Portland area and Smith and Bybee Wetlands Natural Area is one of the largest of these. The “greater Smith and Bybee Wetlands area” (which includes all natural habitats in and surrounding Metro’s Smith and Bybee Wetlands Natural Area) occupies approximately 2,000 acres along the Columbia Slough near the confluence of the Willamette and Columbia rivers. The greater Smith and Bybee Wetlands area spans multiple ownership interests, including land owned by Metro, the City of Portland, the Port of Portland, and private parties. This area includes the remnants of two large, shallow lakes and a complex of sloughs and marshes.

The greater Smith and Bybee Wetlands area is a hidden jewel. Surrounded on all sides by industrial development, the area continues to provide essential habitat for rare plants and a diversity of wildlife, from less common species such as the western painted turtle, bald eagle and neotropical migrating songbirds, to ubiquitous species such as raccoons, striped skunks and robins. Pulses of wildlife enter and exit as the seasons and water levels change over the course of the year. During winter when water levels are high, Smith Lake and Bybee Lake provide critical off-channel refugia to steelhead trout, Chinook and coho salmon, listed under both state and federal Endangered Species Acts. During the spring and summer, bald eagles and neotropical migrating songbirds’ nest and fledge their young. As

water levels recede, autumnal mudflats are exposed, and a suite of wading birds and shorebirds enter the site. Egrets and sand pipers can be found during this time, either stopping over during their fall migration or preparing for an extended stay and overwinter at Smith and Bybee Wetlands Natural Area. Peregrine falcons have been observed hunting these shorebirds. With the onset of winter rains, the lakes begin to fill, and the cycle begins anew.

Continuing restoration of the St. Johns Landfill (referred to more recently as St. Johns Prairie) provided an exceptional opportunity to create rare Willamette Valley upland prairie habitat. Much of the historic expanse of Willamette Valley upland prairie has been converted to other uses. Upland prairies are home to a suite of rare birds, mammals, reptiles, butterflies and plants. The nearness of St. Johns Prairie to Smith and Bybee Wetlands Natural Area only enhances its ecological value. For example, decommissioned ground around the perimeter of the prairie may provide additional nesting sites for western painted turtle, and the forested areas adjacent provide habitat for cavity nesting birds such as American kestrels, which forage over the prairie.

Metro's Smith and Bybee Wetlands Natural Area Interim Plan is a tool for protecting and enhancing this opportunity. First developed in 1988 (adopted in 1990), the original plan implemented a management framework, provided the funding and instituted the processes needed to begin restoration of the wetlands. The 1990 Natural Resources Management Plan was first developed as a consensus of property owners, neighborhood organizations and residents, environmental interest groups and governmental agencies. The common vision shared by this diverse group included a natural area reserved for fish and wildlife habitat and no-impact or low-impact recreational uses. The adoption of the 1990 plan was the first joint session of Portland City Council and Metro Council. Metro Council President Tanya Collier and Portland Mayor Bud Clark presided. The major outcome was a binding document that:

- Preserved Smith and Bybee Wetlands Natural Area and incorporated the landfill into the management area
- Formed the Smith and Bybee Lakes Advisory Committee to coordinate the vision with landowners and the community
- Opened the door for Metro's role as land manager
- Approved the use of the landfill's "end use fund" for the entire management area
- Established a vision for the area and a set of initial policies and actions.

The advisory committee has convened consistently over the past several decades, but their title has changed. The original name was the Smith and Bybee Lakes Advisory Committee, then a change was made to "management committee." In the late '90s, "lakes" was changed to "wetlands." Unless the reference is to the past, this document will use the current name of Smith and Bybee Wetlands Advisory Committee, rather than Smith and Bybee Lakes Advisory Committee.

In 2012 (adopted in 2013), the original Natural Resources Management Plan transitioned into the Smith and Bybee Wetlands Comprehensive Natural Resources Plan (CNRP) as the guiding plan for the area. The CNRP represented a new vision that built on the legacy of the past several decades, with an emphasis on restoration of wildlife habitat. The CNRP also recognized the importance of integrating human experiences into the Smith and Bybee Wetlands Natural Area. Through those experiences, the area has continued to garner support and provide educational assets within an urban setting.

Uniquely, the CNRP was adopted through a City of Portland conditional use master planning process, resulting in a land use decision that “pre-approved” sixteen restoration, recreational, infrastructure and landfill management projects. The CNRP regulatory review process was established through changes to the Portland Zoning Code in 2011. A CNRP is similar to a conditional use master plan in that multiple property owners may collectively seek approval for land use actions expected to be implemented during the 10-year term of the proposed plan. Some of the projects were completed. The CNRP expires in June 2023. When the CNRP expires, this 2023 Metro Smith and Bybee Wetlands Natural Area Interim Plan (Interim Plan) will take its place and guide Metro’s actions to protect, enhance and restore the natural area, as well as support and manage human experiences in the natural area.

This Interim Plan includes only minor updates to the 2012 CNRP made by Metro and the Smith and Bybee Wetlands Advisory Committee. The Interim Plan is intended to continue the same vision and goals for the natural area, but only applies to those lands owned and managed by Metro or managed by Metro through a management agreement. The Interim Plan will remain in effect until such time that Metro undertakes a formal master planning process.

GOAL AND OBJECTIVES

This Interim Plan is specific to property owned or managed by Metro in the greater Smith and Bybee Wetlands area. The goal of this plan is to describe a course of action that will protect and enhance the area as an environmental and recreational resource for the region. The greater Smith and Bybee Wetlands area is preserved as a historical remnant of the Columbia River riparian and wetlands system, providing an ecological showcase of native habitats and wildlife. The areas under Metro ownership or management will be maintained and enhanced, to the extent possible, in a manner that is faithful to their original natural condition. Upland habitats of St. Johns Prairie will be functionally linked into the wetlands area, adding diverse habitats that support a greater assemblage of wildlife. Only those recreational uses that are compatible with environmental objectives of the plan will be encouraged. Smith Lake and adjacent uplands will be the principal location for recreational activities. Bybee Lake will be less accessible. Its primary use will be as an environmental preserve.

To achieve this goal, the plan establishes a series of objectives that are consistent with the 1990 and 2012 plan objectives.

1. Control water levels in order to manage the wetlands' environmental system.
2. Provide for and maintain habitat diversity representative of lower Columbia River floodplain wetlands.
3. Maintain and enhance water quality in the wetlands.
4. Implement a monitoring program to ensure early detection of potential environmental problems, and to quantify outcomes of management programs.
5. Provide access to Smith and Bybee Wetlands Natural Area that supports appropriate types and levels of recreation.
6. Encourage appropriate types and levels of recreational activities that are compatible with environmental objectives and requirements.
7. Incorporate Smith and Bybee Wetlands Natural Area into the Regional Conservation Strategy, the Oregon Conservation Strategy, the 40-Mile Loop recreation trail system and the region's network of parks, trails and natural areas.
8. Develop upland areas in a manner that is compatible with the preservation and use of the wetlands for passive recreation.
9. Provide opportunities for wetland and environmental system research and education, as well as volunteer stewardship.
10. Develop appropriate funding strategies to implement environmental and recreational improvement projects.
11. Continue to collaborate with property owners within the greater Smith and Bybee Wetlands area, including but not limited to the Port of Portland and City of Portland, to manage the wetlands as a single management unit to promote plan goals and objectives.
12. Integrate management of the wetland habitats with management of the upland prairie habitat at the landfill.

The development of this plan involved many people. Special effort was made by the Smith and Bybee Wetlands Advisory Committee. This plan sets the course for:

- Restoration of seven significant conservation target areas
- Construction of the regional trail and bridge around St. Johns Prairie
- Leveraging the Wetlands Fund with substantial grants and other funding sources to accomplish the goals of the plan
- Continuing the transformation of landfill to upland prairie while fulfilling regulatory requirements.



I can't think of any city in the United States that has such a large wetland ecosystem as ideally situated for wildlife as Smith and Bybee Wetlands, which is in the Pacific Flyway and adjacent to the confluence of the Columbia and Willamette Rivers, yet within Portland, Oregon's major population center. The residents of the region have access to this incredible natural resource, which ensures it will meet its objective forever: to provide a sanctuary for a diverse array of plants and animals. **Larry Devroy, formerly with Port of Portland.**

HISTORY AT THE SMITH AND BYBEE WETLANDS

People have interacted with the greater Smith and Bybee Wetlands area in many ways over the years, and there are many stories to tell. It is through these stories that we begin to weave together a rich and dynamic experience, one in which we are connected not only to a complex natural system but to our ancestors. We could talk about Indigenous Peoples and their relationship to Smith and Bybee Wetlands since time immemorial, or the preservation views of John Charles Olmsted in 1903. But this update to the 1990 plan is the story of the near-past and the present. The following sections recount recent history of the 20th and 21st centuries, leading to the adoption of the 1990 NRMP for Smith and Bybee Lakes and conservation efforts since that time. In the past 80 years we've changed our relationship to the greater Smith and Bybee Wetlands area from a city dump and hunting ground to a place where we consciously preserve wildlife, learn about the place, and experience nature in a subtle, nonintrusive manner. Just as the landfill was a utilitarian function that reflected the views of the 1930s, today's conservation ethic reflects who we are in relation to the greater Smith and Bybee Wetlands area.

1930 to 1970: urban refuse, leisure, and disaster

For more than half a century, wetlands surrounding Smith Lake and Bybee Lake served as a landfill. In 1932 the City of Portland opened a waste incinerator at the site we know today as Chimney Park. For the rest of the 1930s, ash was disposed between Columbia Boulevard and the Columbia Slough. A bridge was constructed over the slough to what became the St. Johns Landfill, where by 1940 incinerator ash and residential and commercial waste were being buried.

Next to the landfill, Smith Lake and Bybee Lake were popular for hunting, fishing and camping. The land around the lakes was privately owned, with a hunting lodge and popular camping area – and a substantial city. Vanport was the second largest city in Oregon, with a multi-cultural population of approximately 40,000 people, including many who worked in the nearby shipyards.

Heavy rains and high snow melt in 1948 caused a massive flood of the Columbia River and the lake lowlands

On the morning of Memorial Day in 1948, the Housing Authority of Portland issued the following statement: “Remember: Dikes are safe at present. You will be warned if necessary. You will have time to leave. Don’t get excited.”

At 4:17 p.m., the western railroad dike burst, sending a 10-foot wall of water from Smith Lake into the area of Vanport College. Numerous sloughs and backwaters in the area delayed the flood’s progress about 30 minutes, giving residents some time to escape. Because of the holiday, many were away from their homes. These factors helped save many lives: there were 15 deaths reported. Nonetheless, Vanport was a complete loss and never recovered.

After the flood, the greater Smith and Bybee Lakes area was more isolated from people and continued as a place for hunting, camping, swimming and horseback riding. One family on Smith Lake operated a hunting lodge, and many people hunted ducks and other waterfowl.

1980s and 1990s: transitions and regulations

In 1980, the City of Portland transferred management of the St. Johns Landfill to Metro and the area was included in the urban growth boundary. Soon afterward, hunting was prohibited in the natural area, and fishing and boating were greatly reduced. After assuming responsibility for the property in the early 1990s, Metro limited public access to help enhance the natural resources that made the lakes so valuable.

Over the years there have been many dams in various locations. In 1983 a dam was installed to keep water levels high and reduce the potential of an avian botulism outbreak at Smith and Bybee Wetlands Natural Area. Unable to leave the lakes, the remaining fish grew plentiful and large. The state record largemouth bass was caught, and the lakes became an important warm water fishery.



In 1985, 55 acres were added to the landfill, but its days were numbered. The City of Portland drafted a Landfill End Use Plan in 1987. People at the time envisioned the landfill as a place for open meadows and recreation. There were plans made for parking areas, model airplane and archery areas, boat ramps and storage. Plans changed again in 1989, when the Department of Environmental Quality required Metro to construct a multi-layer cover for the entire landfill and install a system to collect gas from decomposing wastes. These features were designed to protect air and water quality from the effects of buried waste. As a result, the focus for the landfill shifted from waste collection to environmental protection and conservation.

Over the next two years, a group of community members and public agency representatives developed the Natural Resources Management Plan (NRMP), which was a significant catalyst for change. Adopted by the Portland City Council and Metro in 1990, the NRMP superseded the Landfill End Use Plan, and established a blueprint for landowners and public agencies to take action. At this time, Metro assumed ownership for the landfill itself, although the surrounding wetlands area included many owners. Preparing the 1990 plan brought together diverse parties with a strong vision.

The goal...is to protect and manage the Smith and Bybee Lakes as an environmental and recreational resource for the Portland region. The lakes will be preserved as historical remnants of the Columbia River riparian and wetlands system...they will be maintained and enhanced, to the extent possible, in a manner that is faithful to their original natural condition. Only those recreational uses that are compatible with environmental objectives...will be encouraged.

(1990 NRMP, page 9)

As kids in the 1960s and early '70s, Terri Smith-Weller and her friends used to water ski on Smith Lake. West of the boat ramp on the south side of the lake there was a cabin with a wood stove and kitchen. The Smith-Weller family ran a riding academy that rented and broke horses in the late 1940s, probably until the Vanport Flood. The barn was in the area between the diked area and the Columbia Slough.

In the 1960s a private boat club, the 21 Skeeters, had a dock near the boat ramp on the south side of Smith Lake. A raft was anchored near the north tree line, where the water was smoother, drawing as many as 10 families on sunny Sundays.

Smith Lake was considered a better place to water ski than the Columbia River because the trees around the lake blocked the wind. The water on the north side of the lake was beautifully smooth. The water in Smith Lake was about as turbid as it is now. Mosquitoes weren't a problem, likely because the lake was sprayed. Terri remembers that planes would fly over in the early morning spraying the lake – probably with DDT.

On days too cold to water ski, the family took their boat to explore the Columbia Slough. If they went east they reached an area where the Swift meat packing plant dumped liquid animal waste – blood, probably – into the slough. They knew the slough was much more polluted than the lake and avoided touching its water. **As told by Terri Smith-Weller**

In 1991, the landfill closed and the process to cap and cover the landfill began. The Smith and Bybee Lakes Fund was created, with the Smith and Bybee Lakes Advisory Committee providing oversight with Metro serving as fiscal agent. This structure set the course for conservation of the wetlands as the top priority for the next 30 years.

1990 to 2023: ecology, restoration and education

During the past 70 years, community perspective on the greater Smith and Bybee Wetlands area has evolved. The days of hunting, garbage disposal, and water skiing are long gone, but people are still discussing the appropriate level of human interaction with nature. The 1990 NRMP called for a significant environmental education center and trails around all edges of the lakes. However, a major flood in 1996 changed people’s perspective on the area. Waters extended over the landfill road, covering it in eight feet of water, and continuous water joined both lakes and the slough. After the flood, the wetlands were viewed even more than before as a watery, changeable environment. Plans for an environmental education center faded, and the earthen dam between the slough and Bybee Lake was replaced with a water control structure, allowing the hydrology to be altered seasonally.



Children were watching a cottontail rabbit cross their path on the Interlakes Trail. It was very close as it hopped from the trail into the shrubbery. Soon afterward, a weasel crossed the trail right in front of the group. They were amazed to see it so near. Suddenly, the squeal of a dying bunny was heard, and the weasel came out of the shrubs with a ball of fur in its mouth. It crossed the trail for the second time, right in front of the group. I was surprised the students did not react negatively to the experience. They were excited at the opportunity to witness a “secret” of nature. The teacher was moved by the experience and very happy the children experienced nature in such a dramatic way. **James Davis, former Metro Naturalist**

In 2001 the City of Portland planned the realignment of Marine Drive, initially infringing on significant habitat for western painted turtles. Many partners came together to protect them, including neighboring landowners who sacrificed some of their land to shift the road location. Parking at Smith and Bybee Wetlands Natural Area was relocated, and a new canoe launch, picnic tables and a restroom were constructed. The action to protect the turtles was a significant demonstration of the growing interest in habitat protection.

In 2004 the community engaged in a difficult discussion about the relationship between people, trails, and habitat preservation. Participants in a feasibility study eliminated planned trails along the east edge of Smith Lake and debated the route of a regional east-west trail connecting the North Portland neighborhood with the trail to Kelly Point Park and Marine Drive. Eagle and blue heron nesting sites were at odds with the regional trail, which would provide important nature experiences and neighborhood and regional connections. The debate was at times heated. Ultimately, the Trail Feasibility Committee summarized the issues and left the decision to the Metro Council. Councilors decided to locate the trail away from the lake's sensitive south side, if a route on the other side of the slough proved feasible. This decision again reflected a growing conservation ethic at Smith and Bybee Wetlands Natural Area and showed caution in putting people too close to wildlife.

Meanwhile, environmental education was growing at Smith and Bybee Wetlands Natural Area, even without the previously planned education center. From 2002 to 2021, the Smith and Bybee Wetlands Natural Area hosted over 500 school field trips, public events and group programs. Tens of thousands of people, including many school groups, have experienced nature and learned about wetland ecosystems here. The primary location for teaching and exploring has been the Interlakes Trail, a paved, accessible trail with two viewing platforms, which was used by 20 to 30 people daily at the time the 2012 CNRP was completed and is now used by 70-80 people per day.

With its transformation to an upland prairie, the former landfill has attracted wildlife. The flora and fauna that use Smith and Bybee Wetlands Natural Area as a home or refuge show that wildlife can survive in cities, if given habitat that can support them. Deer, coyote, river otter, beaver, mink, long tail and short tail weasel, nesting Western meadowlark, streaked horned lark and the western painted turtle have all been seen on St. Johns Prairie. As the methane production decreases, there will be more opportunities for wildlife viewing and education.

The wetlands are identified as an Important Bird Area (IBA) in the state of Oregon, part of an international system of sites that have been inventoried for exceptional avian habitat values. The IBA program is managed by the Audubon Society of Portland and the National Audubon Society.



Having community partners helps Metro do more than we could alone and do it better. Broad perspectives help produce better decisions and partners create capacity to do things that would otherwise be left undone.

Dave Helzer, City of Portland

The IBA program has identified the wetlands for supporting tens of thousands of migratory ducks and geese, plus annual concentrations of well hundreds of egrets and herons. Rare species like American white pelicans and willow flycatchers utilize habitats in the natural area. Grassland birds species that are experiencing serious population declines nest or stopover on the upland prairie habitat. Large migratory flocks of sandpipers and plovers forage on emerging mudflats in late summer. Sustaining habitats for these myriad avian species is a major component of the plan.

The 2012 plan described several habitat restoration priorities for a variety of habitat types throughout the greater Smith and Bybee Wetlands area. Many of these priorities have been addressed, with hundreds of thousands of woody plants installed, thousands of pounds of native grass and flower seed applied, and water flows adaptively managed over time to hone an approach to water management that benefits various species that depend on the wetlands seasonally. Careful water management has resulted in a precipitous decrease in dominance of invasive species such as reed canarygrass, while new harmful invasive weeds have arrived and brought new challenges. Metro is tracking progress using a mix of qualitative observation and quantitative measurement of “key ecological attributes” (see next section).

Today, Smith and Bybee Wetlands Natural Area is a beloved area for canoeists and kayakers. The area is large enough to provide a tranquil day trip of navigating Smith and Bybee Wetlands Natural Area. The best time for paddling is during high water; after about June, the water levels are too low. Many describe the paddling experience as peaceful and surprising. Some say that thanks to the screen of vegetation, they feel as if they have left the city and entered a wilderness area.

Smith and Bybee Wetlands Natural Area has become a hub for scientific research and discovery. Over the past few decades, hundreds of examples can be found where researchers, science classes and others have collected data and performed studies of Smith and Bybee Wetlands Natural Area flora, fauna, soils, water, and other natural resources, including graduate theses that have directly informed management of the site. For example, graduate thesis studies have documented significant reductions in reed canarygrass (*Phalaris arundinacea*, an invasive wetland grass) due to a water management strategy that holds water over the grass for the correct length of time in the spring to suppress its growth. Another example is a study underway to estimate the population size and abundance of Western painted turtles. This work will inform how Metro manages Smith and Bybee Wetlands Natural Area to meet the needs of this species.

The ways people can experience Smith and Bybee Wetlands Natural Area are limited and have become more limited over the past 30 years. But the value is clear. The stories that people tell about the area’s past and present reflect our appreciation of natural habitats and wildlife.

The conservation of this landscape was achieved, in part, through the 1903 Olmsted Land Legacy report. As stated in the Olmsted Land Legacy report, “John Charles Olmsted

envisioned a great meadow preserve along the Columbia Slough reaching to Vancouver that would protect the beautiful bottom land scenery.” Smith and Bybee Wetlands Natural Area today is a microcosm of this vision. It has beautiful wetlands and the upland prairie covering the St. Johns Landfill. The area’s vast natural resources provide Portland metropolitan area residents with opportunities to experience this rare remnant of the Columbia River and slough wetland system. This plan’s vision for Smith and Bybee Wetlands Natural Area will continue to coordinate the area’s complex wetland ecological system, provide educational and recreational opportunities, and create memories to pass along to future generations.



For birders the winter may be the best time to paddle across the lakes. Some of the best experiences you can have are early on a light, drizzling weekend morning because there is less noise from the nearby freeway and you can hear the surrounding wildlife. On days like these, you can spend time watching and recognizing birds — familiar and unfamiliar. There are frequent sightings of resident bald eagles flying overhead and occasional sightings of white pelicans. Bird activity can be tremendous in the winter and quite breathtaking. Many urbanites would never imagine having the opportunity of seeing these birds in the city, but you can at Smith and Bybee. **An enthusiastic birder**

Smith and Bybee Wetlands brief time line

Native Americans lived near and navigated the waterways of the lower Columbia River and Slough as they had since time immemorial.



Hunting lodge operated by the Smith family on the lake.

Smith and Bybee Lakes were a popular camping area.

Smith Lake floods and devastates the Vanport area.



The natural area moves from a semi-private hunting area to a popular recreation area with hunting, fishing, boating, waterskiing and hiking activities.

Time Immemorial to 1800

1900

1950

1960

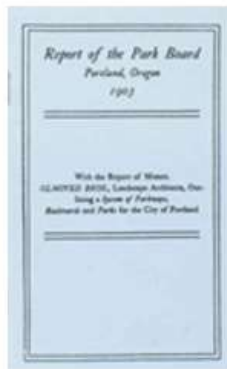
Abundance

Lewis and Clark Expedition in spring of 1806 – journals detail landscape and Native American life.



Wildlife and habitat degradation

1903 report to the Park Board. The Olmsted brothers inspire a vision to preserve areas like Smith and Bybee for future generations.



St. Johns Landfill opens to public as the City Dump.



Earthen dam installed on North Slough - trap fish species within the lakes.

1996 Floods - Smith and Bybee Lakes are indistinguishable and flow into one large water body.

Interlakes Trail is constructed.



1970

1980

1990

2000

2010

2023

Legislative change

Conservation

The nation's first environmental protection legislation emerges - a new focus on water quality monitoring and restoration and conservation.

Metro's Smith and Bybee Wetlands Natural Area education program begins.

Smith and Bybee Lakes Wildlife Area Rec. Facilities Plan (1999) - reassessment of natural area after 1996 floods. The plans for the Interpretive Center and many proposed trails are cancelled.

Smith and Bybee Comprehensive Natural Resource Plan focuses on conservation targets and access for people to experience nature. In 2023 the CNRP transitions to an Interim Master Plan.

Metro is given the responsibility for the closing of the St. Johns Landfill.

Smith and Bybee Lakes Natural Resources Management Plan is adopted (1990) and establishes conservation as the top priority.

The water control structure replaces earthen dam on the North Slough. It allows hydrology to mimic historic levels.

Oregon State Legislature stopped expansion of landfill. Began to protect wetlands.

St. Johns Landfill closed to the public and covered. The gas system precludes active recreation plans.

Canoe launch, picnic area and restrooms built based on preserving western painted turtle habitat near Marine Drive.



Smith and Bybee Wetlands Trail Feasibility Study completed - establishes priority for nesting birds on the south side of Smith Lake.





PLANNING PROCESS SUMMARY

MANAGEMENT AREA

The greater Smith and Bybee Wetlands Area, as defined by the 2012 CNRP, is approximately 2,000 acres; bounded by North Portland Road, Columbia Slough and the Rivergate Industrial District and including the Columbia Slough, Ramsey Lake wetland mitigation area, and St. Johns Prairie. This 2023 Interim Plan applies to the land and wetlands area that is managed by Metro either through ownership or contractual agreement with other property owners. The Interim Plan applies to approximately 1,760 acres.

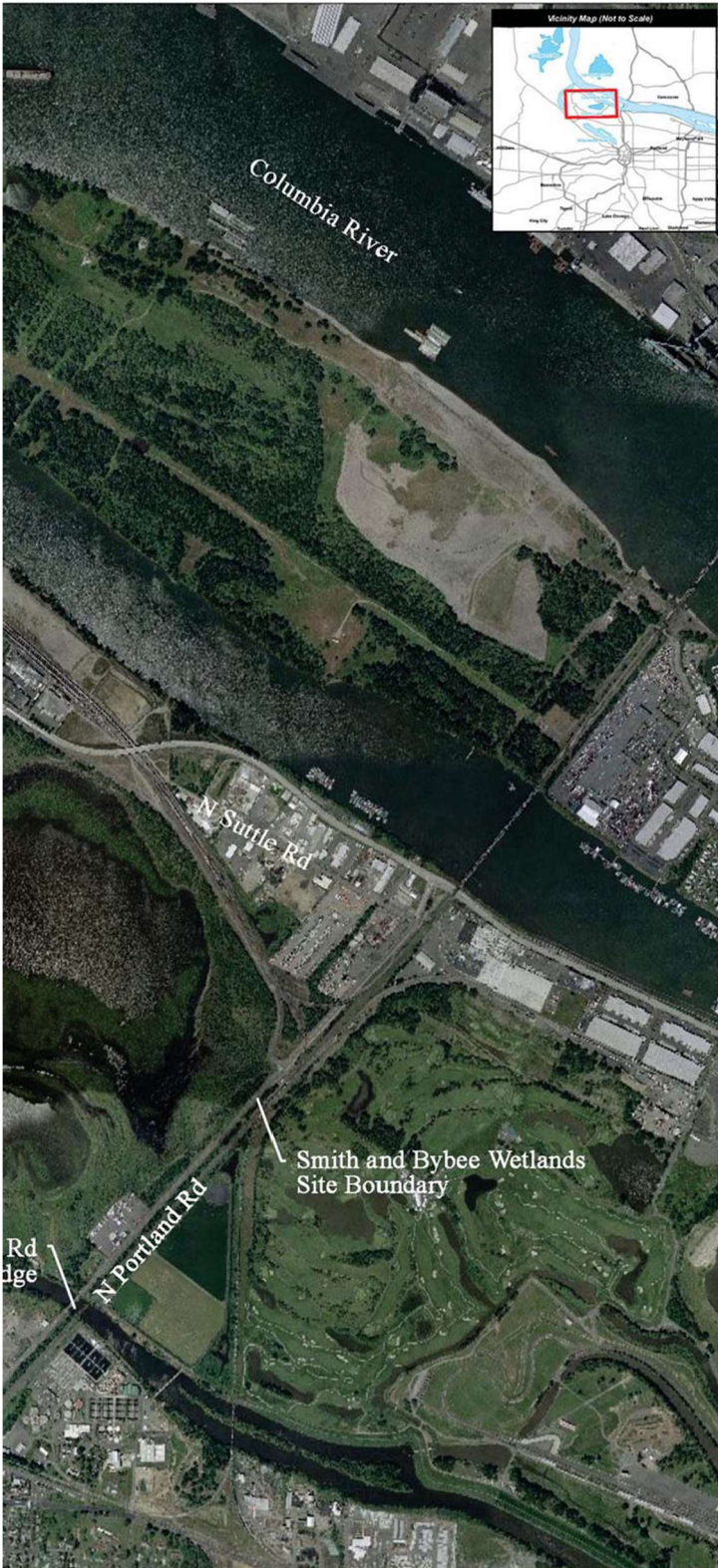
Smith and Bybee Wetlands site map

Biological features – habitat

- Two shallow lakes, including permanent open water, emergent wetlands with smartweed and willow
- Forested wetlands, primarily willow, with some areas of Oregon ash and black cottonwood
- Sedge meadow wetlands
- Seasonal ponds
- Upland grassland, riparian forest and woodlands.

Biological features – fish and wildlife

- 17 species of fish identified, including resident warm water game species, nongame species and migratory salmonids
- More than 150 bird species
- Numerous species of reptiles, amphibians, mammals, insects, and aquatic invertebrates.



PLANNING PROCESS

2012 Comprehensive Natural Resource Plan

The 2012 Comprehensive Natural Resource Plan (CNRP) built upon a long and distinguished history of planning at the greater Smith and Bybee Wetlands area. Highlights include the 1972 North Portland Peninsula Plan that recognized the wetlands as a viable natural asset for the Rivergate District and was the first plan to establish a balance between development and preservation of natural resources. This was followed by environmental studies by the Port of Portland and the City of Portland's Bureau of Environmental Services in 1987. The findings from these studies led to the development of the 1990 Natural Resource Management Plan.

As work began on the 2012 CNRP, the accomplishments from the 1990 NRMP were readily apparent:

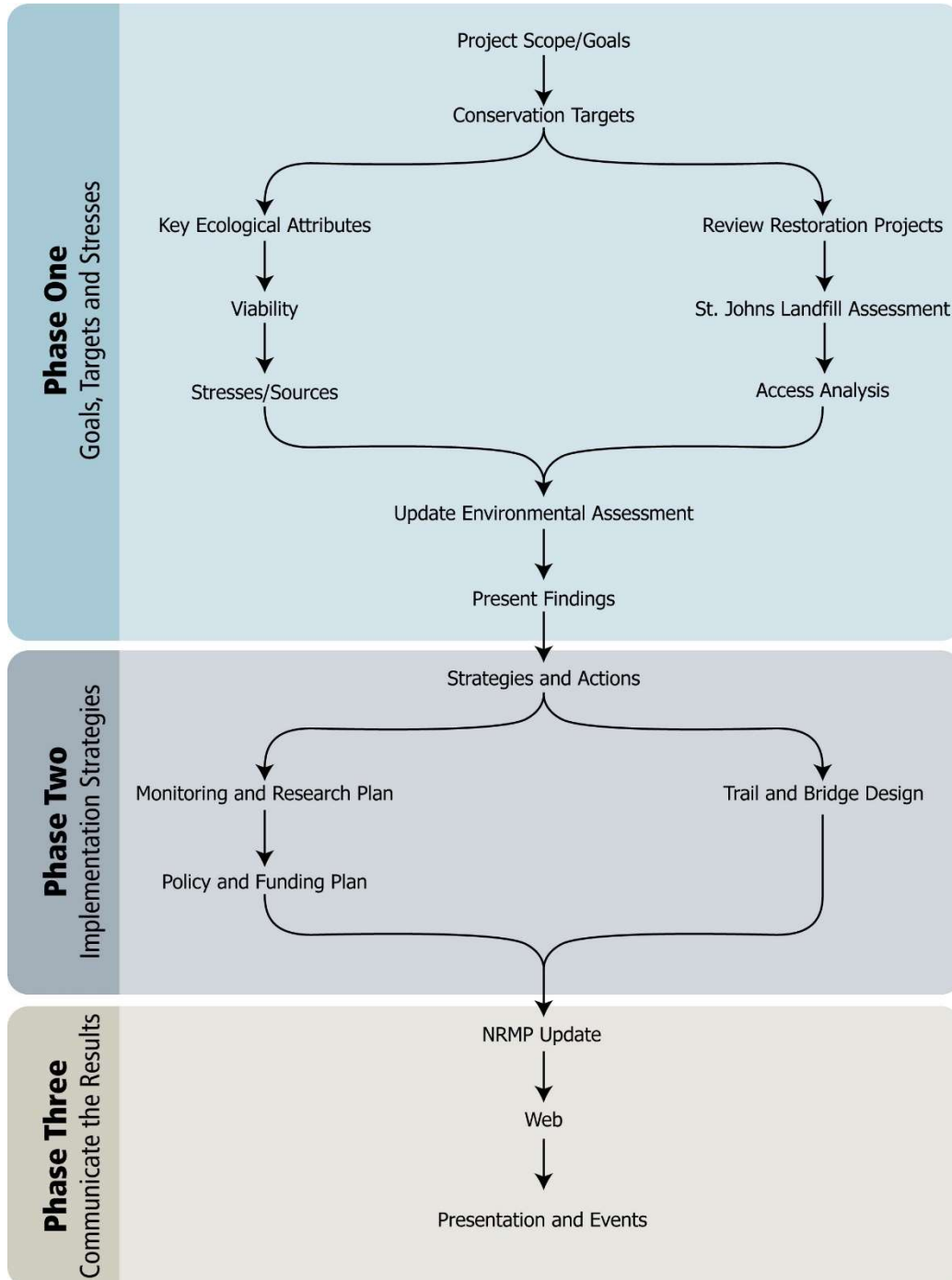
- The establishment of the Smith and Bybee Wetlands Fund, which provides ongoing support for restoration within the management area by Metro staff
- The Smith Bybee Management Committee was established to safeguard the vision
- Property acquisition largely consolidated property into public ownership
- Construction of an effective water control structure
- Habitat restoration projects on more than 100 acres of land dominated by invasive species such as reed canarygrass
- Construction of recreational facilities, including a parking lot, restrooms, trail access and canoe launch
- Hosting environmental education at the site
- Covering the St. Johns Landfill and implementing effective environmental controls.

Building on these accomplishments, the 2012 CNRP updated the 1990 plan. After 20 years of management, there was a new set of objectives. It had become particularly important to establish specific, measurable objectives and strategies that clearly linked to ecological stressors affecting the identified conservation targets for the wetlands. This would allow tracking progress, learning and reporting on the value of funds expended. It was also important to revisit and confirm or modify the vision.

Finally, since the 1990 NRMP was adopted, the St. Johns Landfill was transformed from a site typically associated with environmental and public liability to a community asset with significant potential. The site is still heavily regulated and will need to be actively managed for at least the next 50 years - an estimated 15 million tons of garbage were dumped there. However, there is now ample opportunity to develop a diverse and resilient landscape at the site. Incorporating this thinking into the plan was timely, along with consideration for the regional trail on the landfill, which would offer the community new opportunities for hiking, bicycling and wildlife viewing.

The CNRP planning process began in the summer of 2009 with a discussion of the key topics to address and who should be involved. The Smith and Bybee Wetlands Advisory Committee provided the forum and direction for the planning process, led by Metro and David Evans and Associates. Meetings were open to the public and interested people were invited to each meeting. Meetings were held approximately every other month through May 2011. A public open house and landfill tour was held in October 2010 and presentations were made to interested organizations throughout the planning process.

2012 CNRP PLANNING PROCESS DIAGRAM



The planning process was based on a two-tiered approach to improve conservation and integrate meaningful human experiences through physical and visual access. The CNRP recognized that the conservation of species, habitat and natural features must occur simultaneously with the provision for human access to these natural systems. Education and exposure are the cornerstones for protecting the natural area for decades to come. This two-tiered approach also recognized that conservation and access generally have different stakeholders, different funding sources, and different strategic approaches.

Initially stakeholders reviewed the overarching project goals and objectives common to both conservation and access. The project then developed conservation and access strategies independently. The conservation planning followed a methodology established by The Nature Conservancy and the planning for access built on the 2005 Trail Feasibility Study.

Along with the technical discussions around conservation and recreation, the committee reviewed and revised many components of the management of the wetlands. In 1990 there were many landowners and the designated manager, Metro, had no experience managing natural areas.

After 20 years that picture had changed. As a result, the committee reflected on several aspects of management. Early in the planning process the committee joined Metro in recommending that a new type of document be used for the vision. The 1990 NRMP was adopted into Portland's zoning code and proved unwieldy to modify. As a result, the 2012 plan became the Comprehensive Natural Resource Plan, which was adopted through a land use process. Other management aspects reviewed and revised included use of the Smith and Bybee Wetlands Fund, the roles of the committee and Metro in management decision-making, and the policies that guide actions to increase wetland protection and appreciation by the community.

This 2012 CNRP was anticipated to be a plan for 10 years. During that time, the strategies and actions were carried out, measured, evaluated and adjusted as necessary to achieve plan goals and objectives. Success was measured against the goals and objectives that were largely established in the 1990 NRMP and carefully brought up-to-date with the 2012 plan.





2023 Interim Plan

As the 2012 CNRP began to near its expiration date, Metro and the Smith and Bybee Wetlands Advisory Committee began exploring options for replacement. Options considered included writing a new plan, allowing the CNRP to expire without replacement, and adopting a modified version of the CNRP specific to Metro and only applicable to lands Metro owns or manages under agreement. The option selected by Metro and the Advisory Committee was preparation of a minimally updated version of the 2012 CNRP to be reviewed by Metro Council as an Interim Plan for Smith and Bybee Wetlands Natural Area. This Plan is an interim one, extending the conservation vision, goals, and plans for access established in the 2012 CNRP until such time a new formal planning process is initiated.

This transition from 2012 CNRP to 2023 Interim Plan will:

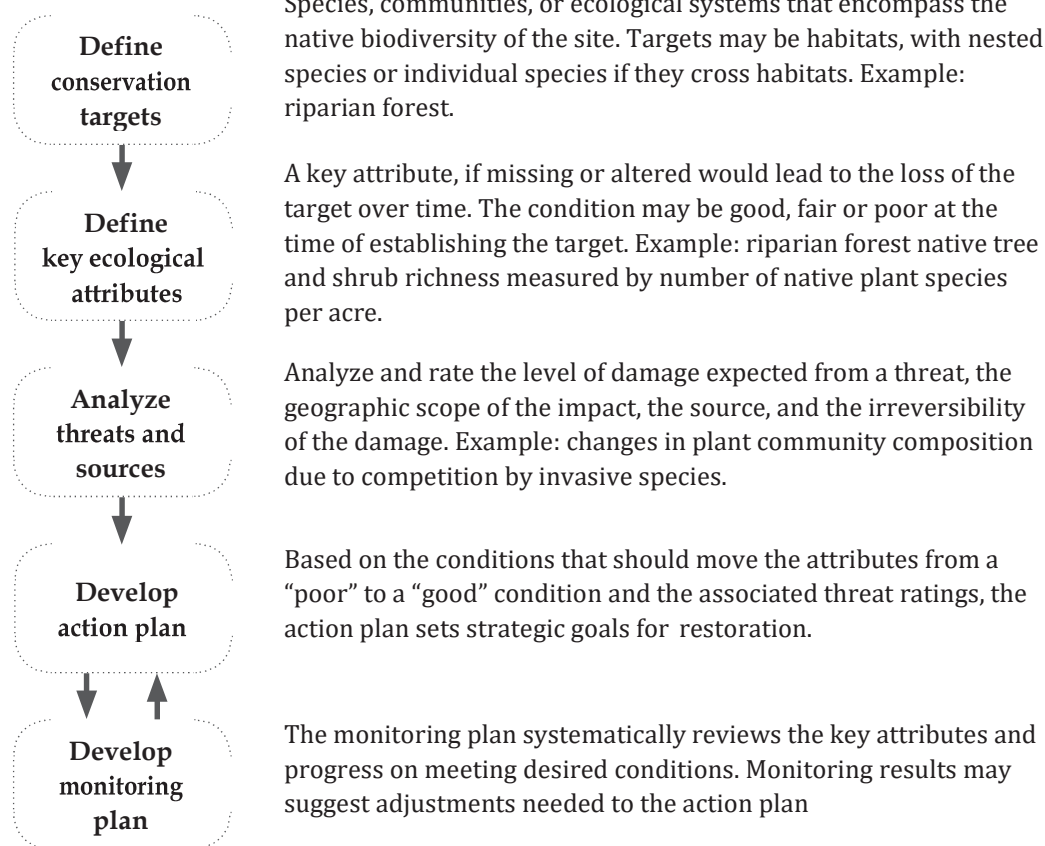
- Make the guiding document for Smith and Bybee Wetlands Natural Area consistent with all other Metro sites that have a planned and formal recreation component and have Master Plans.
- Allow for updating when resources, Metro Council priorities and community interests align.
- Keep the current management vision, including plans for habitat management, access planning and infrastructure development, that was developed in partnership with the community, including the Smith and Bybee Wetlands Advisory Committee, in place until a thorough process can be completed to replace it.
- Allow for the continued advisory relationship between the Advisory Committee and Metro Parks and Nature to remain in place.

The minor updates made to the 2012 CNRP included:

- Addition of language explaining the intent and scope of this plan.
- Updating of existing planned projects to reflect current efforts.
- Documentation of changes in landownership since 2012 and limiting coverage of the plan to Metro owned and managed property.
- Addition of any new actions anticipated by Metro to have a high likelihood of occurring during the near- to moderate-term future.

CONSERVATION

Conservation has been a priority at Smith and Bybee Wetlands Natural Area for the past 30 years. After pursuing restoration during this period, one of the fundamental questions is “Are the conservation strategies that we are using having their intended impact?” This question is important to the practitioners implementing the strategies, the advisory committee, as well as the stakeholders and donors that support them. This section of the plan provides a framework for conservation in the Smith and Bybee Wetlands Natural Area and sets the stage to answer that question during future management. This framework follows the Conservation Action Planning template (The Nature Conservancy 2007) and includes:



CONSERVATION TARGETS

Conservation targets are species, communities or ecosystems that, when conserved, ensure the conservation of all native biodiversity at a site. They reflect local and regional conservation goals and are viable or at least feasibly restorable. One example is upland prairie: A healthy prairie has diverse flowering plants that provide food and habitat for pollinating insects. The upland prairie conservation target, when fulfilled, “brings along” a full array of biodiversity.

The complexity of habitats and species at Smith and Bybee Wetlands Natural Area could be characterized in many different ways. In order to be manageable, between five and 10 targets were discussed, starting with habitats present at the site. Each habitat represents the numerous species that are affiliated with the habitat and depend on its health. For example, healthy riparian forest in the Columbia River bottomland should have large trees. Large trees provide nest sites for a variety of wildlife including bald eagles. Bald eagles are not considered a conservation target themselves, but are considered a “nested target” within the riparian forest habitat conservation target. All wildlife are considered nested targets with two exceptions: Western painted turtles became a conservation target because they cross habitat types, requiring special conditions for nesting, basking, etc.; and the Streaked Horned Lark because they have been observed within the management area, were known to occur on adjacent parcels and are a threatened species under the Federal ESA.

The conservation target methodology and the associated ecological attributes are discussed in detail in Appendix A-2, Conservation Targets Background, and Appendix A-3 through A-3.7, Key Ecological Attributes. Using on-site habitat types and regional conservation planning efforts as guides, conservation targets were selected that encompass the site’s biodiversity values and regional conservation targets. These conservation targets are:



Upland prairie

The grassland at the 250-acre St. Johns Prairie now incorporates many elements of native Willamette Valley upland prairie. About 97 percent of the historical expanse of Willamette Valley upland prairie has been converted to other uses. Metro and many other organizations are actively engaged in upland prairie restoration activities at sites throughout the valley. Streaked horned Lark and Western meadowlark are both Oregon Conservation Strategy species that are associated with upland prairie habitat. Metro has begun restoration of upland prairie on the landfill with three phases underway and a fourth planned to begin within the next few years. Phase 1 of St Johns Prairie restoration is a 17-acre initial pilot area began in 2015 on the northwest corner of the landfill. Phase 2 of prairie work expanded the Phase 1 area to include an additional 45 acres along the western side of the landfill. Work on Phase 2 began in 2016. Phase 3, in the middle of the landfill, covers a 70-acre area and has been undergoing restoration since 2018. Portions of these areas were set aside and managed with low-stature vegetation, vocal playbacks and decoys

to attract streaked horned lark. The final 80 acres of the landfill will be restored as part of a future Phase 4 along the eastern side of the landfill.



Emergent wetlands and open water

Emergent wetlands occupy approximately 823 acres of the greater Smith and Bybee Wetlands area. Nested conservation targets included with emergent wetlands are Columbia sedge (*Carex aperta*) meadows and mudflats. The Columbia sedge plant community is listed as “critically imperiled” both globally and in Oregon by the Oregon Biodiversity Information Center.

Metro has been working to enhance naturally occurring Columbia sedge meadows and create new Columbia sedge meadows since 2015. These meadows are sensitive to drier flood years and require periodic maintenance to address threats from invasive species and woody plant growth in the meadows.

Permanent open water habitats across the greater Smith and Bybee Wetlands area include ponds and Columbia Slough as well as Bybee and Smith Wetlands; they cover approximately 300 acres at drawdown (low water). Mudflats become exposed as the water is drawn down over the summer, providing valuable habitat for migrating shorebirds.

Seasonally high open water covers more than 1000 acres in the winter and spring prior to drawdown, although this varies year to year based on climate fluctuations and water management using the water control structure. Juvenile salmonids, including Chinook, coho and steelhead, feed and grow in the wetlands and are a nested target within the emergent/open water conservation target. During high flows, these off-channel habitats provide critical refugia for the young fish. High flows also have been shown to suppress reed canarygrass, a major threat to emergent wetland habitat, if held at the right time and the right depth in the spring. Upgrades have been made to the water control structure, located at the confluence of the Smith Lake channel and Bybee Lake, to permit fish passage and safe operation. Additional upgrades to the earthen berm on either side of the water control structure are planned within the next few years to strengthen the berm and help address animal burrowing.



Shrub wetlands

Shrub wetlands occupy approximately 363 acres of the greater Smith and Bybee Wetlands area. Little Willow Flycatcher, an Oregon Conservation Strategy species for the Willamette Valley, is closely linked with this habitat. Shrub wetlands dominated by Pacific willow have recently been expanding in response to water management by Metro as well as water fluctuations driven by climate change.



Bottomland hardwood forests

Bottomland hardwood forests (also called forested wetlands) cover approximately 260 acres of the greater Smith and Bybee Wetlands area. Existing stands of Oregon ash include mature trees that are more than 200 years old. Oregon ash is under threat from the recent arrival in Oregon of the emerald ash borer, and Metro is formulating plans for monitoring, detection and response to emerald ash borer when it reaches Smith and Bybee Wetlands. These forests are frequently inundated and provide valuable habitat for neotropical migrants, such as Swainson's thrush and Yellow warbler, and sensitive bat species that may include hoary bat and Yuma myotis. Metro has three phases of restoration of forested wetlands completed or in progress in Smith and Bybee Wetlands Natural Area. Phase 1 consisted of planting and maintenance of ash, willow and other flood-tolerant woody wetland plants across 80 acres beginning in 2015 along the southern edge of Smith Lake and Bybee Lake. Phase 2 consisted of similar planting, aiming to fill in gaps in the existing bottomland hardwood forest canopy, on 55 acres on the east side of Smith Lake. Phase 3 began in 2020 had the final round of planting completed in early 2023 and includes work on 85 acres around the north, east and south sides of Smith Lake. No additional planting phases are planned at this time.



Riparian forests

Riparian forests are gallery-type forests dominated by black cottonwood that line the sloughs throughout the site. These narrow bands of forest provide nesting sites for bald eagle and rookery sites for great blue heron. The bald eagle is a nested conservation target of this habitat type. This habitat occupies approximately 175 acres across the greater Smith and Bybee Wetlands area. Work by Metro and other landowners in this area has included control of invasive species like blackberry and ivy and small-scale planting projects.



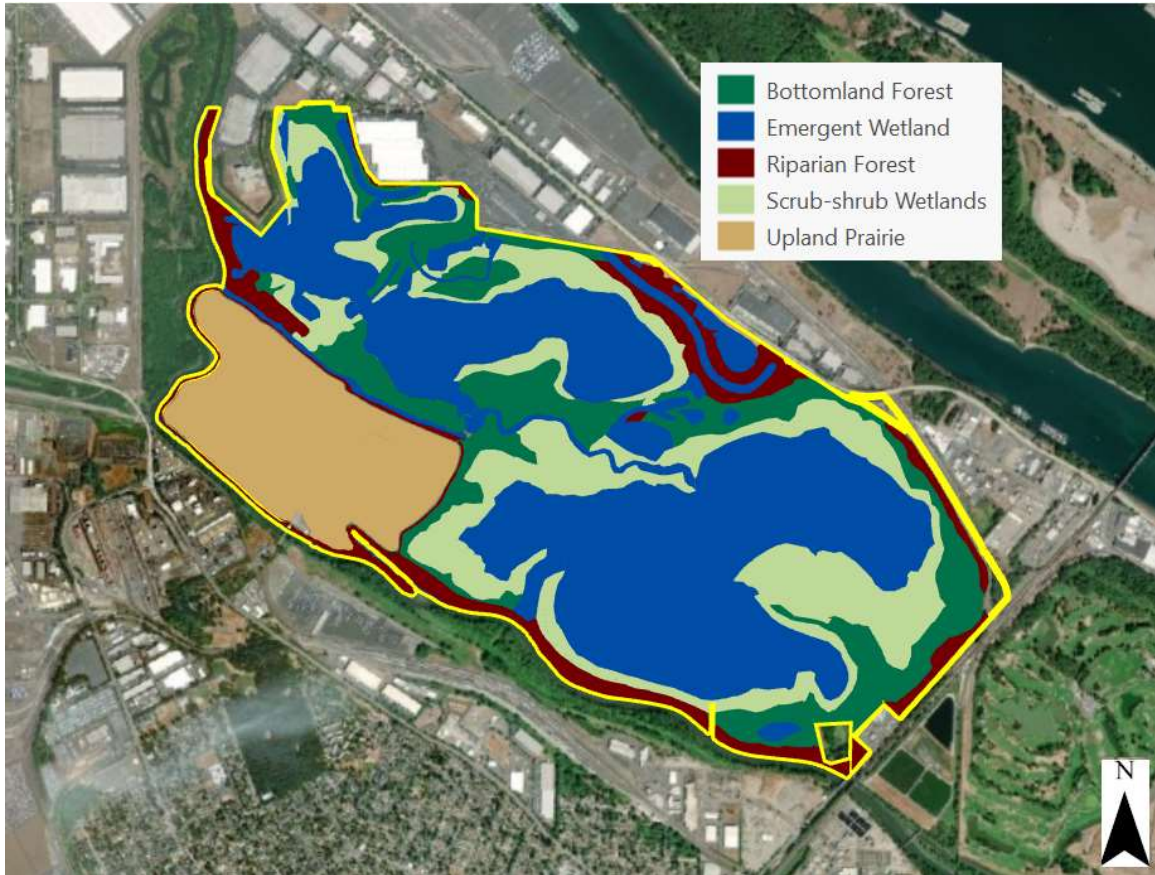
Western painted turtle

Western painted turtles are residents of the open water habitats in the greater Smith and Bybee Wetlands area, but they also rely on other habitats for basking and nesting, including St. Johns Prairie. The western painted turtle is an Oregon Conservation Strategy species and the population at the greater Smith and Bybee Wetlands area is the largest known remaining population in the state. Work by Metro at Smith and Bybee Wetlands Natural Area and by partners on adjacent lands to support Western painted turtle include supporting research and monitoring studies, periodic population monitoring, and management of vegetation to provide ideal conditions in nesting areas.



Streaked Horned Lark

The Streaked Horned Lark is declining throughout its range, including the Portland metropolitan area. Experiments aimed at creating breeding habitat are ongoing at St. Johns Prairie, and as of 2022 have succeeded in use by Streaked Horned Lark for stopover habitat but not for nesting. While pairs have yet to breed at the site, pairs have historically bred at the nearby Rivergate Industrial District and have been observed scouting the newly established habitat at the prairie. The Streaked Horned Lark is listed as a threatened species under the Federal ESA, is an Oregon Conservation Strategy species, and is a focal species in other conservation plans for the Willamette Valley.



Conservation targets

KEY ECOLOGICAL ATTRIBUTES

Once a conservation target is identified, key ecological attributes (KEAs or attributes) are used to measure its health or viability. They are:

- Aspects of a target’s biology or ecology that, if missing or altered, would lead to the loss of that target over time
- The biological or ecological components that most clearly define or characterize the conservation target, limit its distribution, or determine its variation over space and time
- The most critical components of biological composition, structure, interactions and processes, and landscape configuration that sustain a target’s viability or ecological integrity.

These concepts of targets and attributes are translated into specific indicators that can be measured. By evaluating and rating the attributes’ indicators, the foundation is built for establishing restoration goals, tracking progress and measuring success. Below is an example of attributes and indicators for the bottomland hardwood forest target.

Conservation target: Bottomland forest

Type	Key ecological attribute	Indicator
Size	Extent of bottomland forest including Oregon ash forest	Acres of bottomland forest
Condition	Vegetative structure: tree layer	Percent native tree canopy cover
Condition	Mature Oregon ash	Number and size of mature Oregon ash per acre
Condition	Native tree recruitment	Number of Oregon ash saplings per acre
Condition	Key habitat feature presence: snags	Number of snags per acre

KEAs and indicators are fully described in Appendix A-3, Key Ecological Attributes.

At the time of writing the 2012 CNRP, Metro mapped the conservation targets across the greater Smith and Bybee Wetlands area and provided a preliminary assessment of the overall status of the KEAs for that plan. There were 100 individual polygons representing the conservation target habitat types split between those patches where the KEAs are generally in good or very good condition, or those in poor or fair condition. At the time of writing the 2012 CNRP, all of the bottomland hardwood forest was in poor to fair condition, as was much of the upland prairie target (see table below). A total of 719.8 acres were in poor to fair condition at that time.

2012 CNRP conservation target conditions across the greater Smith and Bybee Wetlands area	GOOD OR VERY GOOD CONDITION		POOR OR FAIR CONDITION	
	Acreage	Number of units (polygons)	Acreage	Number of units (polygons)
Open water/emergent wetland	778.5	14	45.2	13
Shrub wetland	177.6	3	185.6	14
Bottomland forest	0.0	0	259.9	13
Riparian forest	159.8	19	15.6	6
Upland prairie	18.1	6	213.5	2
Totals	1,134.0	52	719.8	48

Beginning in 2021 Metro began efforts to re-assess KEAs for each of the conservation targets. A summary of current conditions is being prepared and an assessment report will be added to this plan as an addendum when completed in mid-2023.

THREATS AND SOURCES

An effective conservation strategy requires an understanding of threats to targets and the sources of those threats. Adjacent development and subsequent disruption of natural systems place stress on the resource and its inhabitants and threaten the health of the greater ecosystem. More specifically, the following threats are evident:

- Disruption to natural water regimes
- Invasive plants and animals
- Disruption in habitat connectivity
- Human disturbance.

Each conservation target was evaluated for threats. Below is a sample from the open water/emergent wetlands conservation target :

Stress	Stress rank	Source	Source rank	Comment
Native herbaceous species competition for space, water, light, nutrients	Very high	Invasive species; reed canarygrass	Very high	Related to vegetative structure KEA
Decreased fish and amphibian fitness	High	Pollutants in storm-water outfalls	High	Related to water quality KEA
Altered hydrograph	High	Water releases, held by dams	High	Related to native forb and graminoid KEAs
Reduced food supply for ducks, shorebirds	Medium	Invasive species; carp	High	

The methodology is described in more detail in Appendix A-4, Threats and sources.



Even though the landfill prairie is artificial, I love standing on the open grassland, envisioning a time when it will be filled with the spring song of grassland birds; while looking out across the vast expanse of old ash trees, willows and open water.

Jonathan Soll, Science and Stewardship manager, Metro

CONSERVATION TARGET GOALS AND STRATEGIC ACTIONS

Based on the above methodology, the plan outlines strategic actions to be carried out at Smith and Bybee Wetlands Natural Area until such time that an updated Site Conservation Plan or a formal master planning process is initiated. They are based on the short- and long-term goals for the conservation targets and enhancing the visitor experience. The strategic actions described here are general courses of action to achieve these objectives and not highly prescriptive courses of action. Specific prescriptions will be developed by Metro staff to address site-specific conditions encountered in the targeted action areas. Note that these actions were originally identified in the 2012 CNRP and are being continued in this Interim Plan, but the actions now only apply to those locations owned and managed by Metro.

By applying the conservation action planning template, hundreds of acres of habitat are prioritized for restoration . This includes upland prairie at St. Johns Prairie. Because of the large size of the restoration effort that is needed and the constraints of the current budget, actions were prioritized for the 2012 CNRP into one of three categories:

- Priority 1 – These actions would provide significant ecological, educational or visitor experience benefits and are planned to be implemented, first.
- Priority 2 – These actions, although important to the ecological health of Smith and Bybee Wetlands Natural Area and when completed would improve the visitor experience, are less important than Priority 1 actions. Implementation of Priority 2 actions would be dependent on completion of Priority 1 actions. These actions may also be supplanted by the need to address new threats, such as the need to control a new invasive species. The priority rating may also change depending on what Metro learns through monitoring the effects of the Priority 1 actions (an adaptive management approach).
- Priority 3 – These actions, while beneficial to implement, are not likely to occur during the plan period, given current budgetary limitations (personnel and money).

Conservation target: emergent wetland/open water

2012 CNRP Short-term goal

By 2021, increase the extent of Columbia sedge meadow with greater than 40 percent Columbia sedge cover by 22 acres; manage hydrologic conditions that will allow increased distribution of Columbia sedge throughout emergent wetland habitat; and maintain ovipositing habitat for breeding amphibians and fish passage for anadromous salmonids.

2012 CNRP Long-term goal

The desired future condition is to have all key ecological attributes functioning at the good to very good levels, thereby maintaining and restoring habitat suitable for sensitive species such as the tricolored blackbird, dusky Canada goose and migrating and overwintering shorebirds, and providing off-channel refugia for ESA-listed anadromous salmonids.

2023 Interim Plan goal

Maintain natural and restored Columbia sedge meadows that have been enhanced or expanded since 2012 and that are within the plan boundary. Continue work toward 2012 CNRP long-term goal stated above.

Strategic actions

Restoration actions have been concentrated where Columbia sedge meadows had an established presence and we undertaken to allow Columbia sedge to spread, either through natural recruitment, direct seeding with site-collected seed, or planting of plugs grown from site- collected Columbia sedge seed. Encroaching reed canarygrass and woody vegetation will be controlled to maintain and open meadow structure dominated by Columbia sedge.

EMERGENT WETLANDS AND OPEN WATER

The long-term goals include restoring habitat suitable for sensitive species such as the tricolored blackbird, dusky Canada goose and migrating and overwintering shorebirds. The open water rises and falls from 300 to 1,000 acres and provides off-channel habitat for ESA-listed salmon juveniles.



Conservation target: shrub wetland

2012 CNRP Short-term goal

By 2021, restore 31 acres of degraded shrub wetland habitat to good condition for native shrub richness and canopy cover KEAs. These actions will link shrub wetland habitats that are in good condition but currently separated from other habitats by reed canarygrass monocultures.

2012 CNRP Long-term goal

The long-term desired future condition is to have all KEAs functioning at good to very good levels and providing suitable habitat for special status species such as the Little Willow Flycatcher and ovipositing native amphibians.

2023 Interim Plan goal

Maintain shrub wetlands that have been enhanced or expanded since 2012 and that are within the plan boundary. Continue work toward 2012 CNRP long-term goal above.

Strategic actions

Restoration has been initiated to establish a native shrub plant community in areas previously dominated by reed canarygrass. Water management has reduced reed canarygrass dominance by suppressing the plant during early spring growth. Weed control, water management, and natural periods of shrub wetland expansion and contraction will continue.

SHRUB WETLAND

With 550 potential acres at Smith and Bybee Wetlands Natural Area, the shrub habitat is one of the largest habitats.

The long-term goal is to provide high quality habitat for species such as the Little Willow Flycatcher and the red-legged frog.



Conservation target: bottomland forest (forested wetlands)

2012 CNRP Short-term goal

By 2021, restore 117 acres of degraded bottomland forest to fair condition including consideration of native tree cover and sapling presence by planting Oregon ash where reed canarygrass monocultures currently fragment the bottomland forest habitats.

2012 CNRP Long-term goal

The long-term desired future condition is to have all KEAs functioning at very good levels, thus creating future interior habitat suitable for special status species such as purple martin, yellow-breasted chat, northern red-legged frog, and two bat species, California myotis and Yuma myotis.

2023 Interim Plan goal

Complete third and final phase of bottomland forest planting, maintain plantings in phases one and two, and monitor health of Oregon ash considering threats like emerald ash borer, on acres within the plan boundary. Continue work toward 2012 CNRP long term goal above.

Strategic actions

Restoration was initiated to establish a bottomland forest plant community in areas previously dominated by reed canarygrass. These actions will link fragmented forested communities and by doing so will reduce edge effect while increasing interior habitat patch size. A combination of aggressive site preparation, planting, caging and annual maintenance will continue as needed in the three phased planting areas.

BOTTOMLAND FOREST

Bottomland forests include willow and Oregon ash forests, with trees over 100 years old present. These forests are frequently inundated and provide valuable habitat for neotropical migrant birds, bats and native amphibians.



Conservation target: riparian forest

2012 CNRP Short-term goal

By 2021, protect large trees from beaver damage in 79 acres of riparian forest.

2012 CNRP Long-term goal

The long-term desired future condition is one where forested and shrub habitats are continuous, not fragmented by reed canarygrass monocultures, thereby greatly increasing the extent of interior habitat at Smith and Bybee Wetlands. All KEAs will be functioning at good to very good levels. Note that existing industrial development and accompanying infrastructure will continue to limit our ability to improve the wildlife movement corridor KEA to very good condition.

2023 Interim Plan goal

Continue efforts to achieve the 2012 CNRP long-term goal above on acres within the plan boundary.

Strategic actions

Areas of riparian forest formerly functioning in a poor to fair condition were found in the Interlake Area and in the area that forms the outside edge of Smith and Bybee Wetlands along North Portland Road. Restoration actions have included a combination of aggressive site preparation, planting, caging, and annual maintenance. Periodic weed control for species such as English ivy and blackberry will maintain these areas.

RIPARIAN FOREST

These narrow bands of forest that line the sloughs are dominated by black cottonwood and provide nesting sites for bald eagles and rookeries for great blue herons.



Conservation target: upland prairie

2012 CNRP Short-term goal

By 2021, restore 140 acres of degraded upland prairie to fair condition for native forb and graminoid cover and availability of natural perches.

2012 CNRP Long-term goal

The long-term desired future condition is to have up to 210 acres of contiguous upland prairie with all KEAs functioning at good to very good levels, thus creating up to ten male meadowlark territories and habitat suitable for other grassland associated species such as Grasshopper Sparrow, Oregon Vesper Sparrow, Western Bluebird, Common Nighthawk, Northern Harrier, Streaked Horned Lark, and Short-eared Owl. Additionally, suitable conditions for nesting western painted turtles will be maintained along the perimeter of St. Johns Prairie.

2023 Interim Plan goal

Continue efforts to achieve the 2012 CNRP long-term goal above on acres within the plan boundary.

Strategic actions

Three phases of upland prairie restoration are underway. Aggressive site preparation using a variety of techniques to reduce non-native, rhizomatous grass cover and to prepare a seedbed that will allow native grasses and forbs to be successfully established. Native seed, bulbs and other plant materials are planted, and competing weeds are controlled during establishment. Monitoring of pollinators, birds and the plant community informs future work via adaptive management.

UPLAND PRAIRIE

About 97% of the historic Willamette Valley upland prairie has been converted to other uses.

The long-term goal at the St. Johns Landfill site is to have up to 210 acres of contiguous upland prairie with a majority of native plants. Because of the dominant non-native grass, this is perhaps the most ambitious goal in the plan.



Conservation target: western painted turtle

2012 CNRP Short-term goal

By 2021, increase the number and distribution of suitable nesting area KEAs for western painted turtle to very good condition by establishing new suitable nest sites. Increase the basking site availability KEA from fair to good condition by importing basking logs into areas that currently have insufficient basking sites available.

2012 CNRP Long-term goal

The long-term desired future condition is to maintain conditions that will support a viable population of western painted turtles by having all key ecological attributes functioning at good to very good levels. Existing industrial development and accompanying infrastructure will continue to limit our ability to improve nest site connectivity to open water and dispersal corridor KEAs to very good condition.

2023 Interim Plan goal

Continue efforts to achieve the 2012 CNRP long-term goal above on acres within the plan boundary.

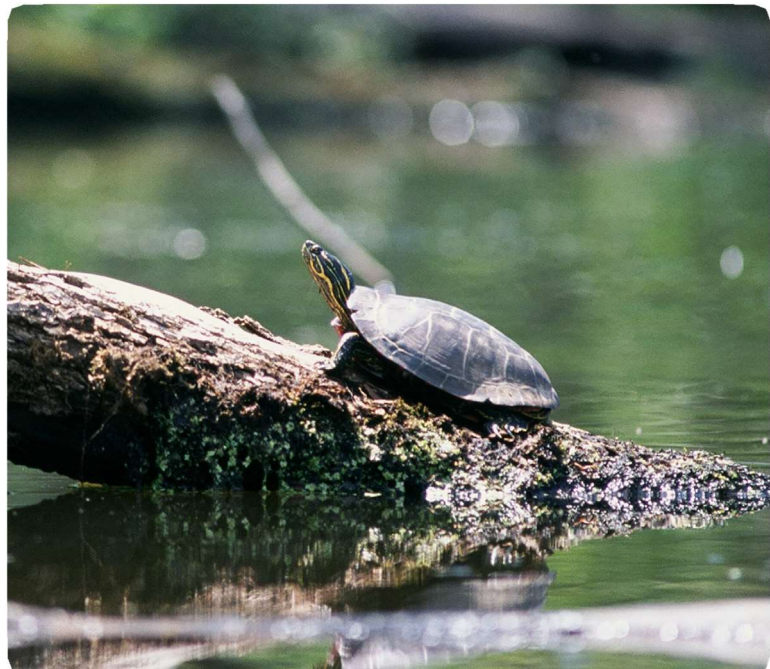
Strategic actions

Install basking logs along the perimeter of ponds, lakes and sloughs that lack sufficient material. Locate suitable upland nesting locations, create bare and sparsely vegetated area and limit disturbance. Utilize data from recent turtle studies to inform management

WESTERN PAINTED TURTLE

Western painted turtles are residents of the open water, moving to other habitats for nesting and basking.

The surrounding industrial development limits the movement of this Oregon Conservation Strategy species and the long-term goal is to maintain conditions that will support a viable population of these turtles.



Top photo: The invasive red-eared slider (second from right) asks with native painted turtles.

Conservation target: Streaked Horned Lark

2012 CNRP Short-term goal

By 2021, attract nesting pairs and successfully fledge Streaked Horned Lark at St. Johns Prairie by creating and maintaining ten acres of sparsely vegetated or bare ground nesting habitat with KEAs for graminoid height, woody vegetation cover, and rhizomatous grass dominance functioning at very good to good levels.

2012 CNRP Long-term goal

The long-term desired future condition is to have successful annual nesting by maintaining key ecological attributes for nesting and foraging that function at good to very good levels. The challenge presented by rhizomatous grass dominance will continue to compromise these ecological attributes.

2023 Interim Plan goal

Continue to monitor the prairie for Streaked Horned Lark. Extensive efforts to attract nesting Streaked Horned Lark (soil and vegetation management, use of bird song playback and decoys) has been unsuccessful but the site has been used for stopover habitat.

Strategic actions

In the absence of natural disturbance regime (fire), cultural activities must be conducted annually to maintain KEAs at good or very good condition. These actions may include importing soil, using chemical and/or mechanical methods to maintain bare ground, and experimental habitat configurations (shape and size). Monitor Streaked Horned Lark presence and activities.

**STREAKED
HORNED LARK**

Streaked Horned Larks are declining throughout their range. Their habitat includes gravelly nesting areas that are relatively rare along with areas for foraging. The goal is to have successful annual nesting at St. Johns Prairie.



The following actions represent ongoing systems or programs that are in place and practices that will be continued and/or enhanced.

Habitat restoration

Strategic habitat restoration actions focus on abating threats and restoring attributes in areas where the overall habitat is functioning in the poor to fair range. In the wetlands and forests of the Smith and Bybee Wetlands Natural Area, this poor to fair range of function is a result of invasive plant species altering the structure and composition of the plant communities by maintaining conditions unfavorable for the natural regeneration of native tree and shrub species. This situation, combined with herbivory by beaver, changes in natural hydrology, and natural aging and decay processes, has left these areas almost void of native trees and shrubs. These voids fragment habitats at Smith and Bybee Wetlands. Strategic actions will restore these voids with native trees and shrubs and link habitats currently functioning in good to very good condition. Linking these habitats will reduce the edge effect and create habitat that is more favorable to habitat specialists, which tend to be the more sensitive or at-risk species (Hennings 2010).

Other restoration actions will increase species diversity within forested and shrub habitats by planting native trees and shrubs and protecting trees from beaver herbivory.

At St. Johns Prairie, the plant community structure and diversity attributes began by functioning at poor to fair levels. This was a result of the non-native seed mix originally sown over the landfill. Perennial ryegrass, birdsfoot trefoil, New Zealand white clover, and other perennial and annual grasses were included in the mix (Metro 1997). Efforts to establish native grasses on the landfill cover were initially unsuccessful, however, the grasses appear to be faring better since the mowing regime was changed from annual mowing to more targeted mowing over smaller areas. Additional native seed and other native plant materials have since been introduced, whether on areas left bare from various landfill closure activities or made bare by habitat management.



Water management

Water management is a critical management action with significant long-reaching implications. The current water management strategy is to inundate the greatest extent of emergent and shrub wetlands and bottomland forest as possible and maintain high water levels until June, when water is drawn down and allowed to reach equilibrium with the low water levels of the Columbia River. This active manipulation of water levels through the water control structure is intended to mimic the historical annual cycle of flooding and drawdown to the extent possible. It will be continued unless monitoring uncovers unanticipated negative effects of this management strategy. Maintenance of the water control structure will be an ongoing annual task .

This water management strategy provides a number of benefits:

- Maintains emergent wetlands by creating conditions unfavorable to tree and shrub colonization
- Reduces reed canarygrass cover in emergent and shrub wetlands
- Provides access to off-channel refugia to ESA-listed salmonids
- Enhances the Columbia River estuary food web by exporting macrodetrital plant material
- Maintains favorable habitat conditions for ovipositing native amphibians
- Creates favorable conditions for the growth and spread of native forbs and graminoids including Columbia sedge
- Mitigates impacts to the natural hydrologic cycle created by water control structures (dams) in and along the Columbia River and the anticipated impacts related to climate change
- Exposes autumnal mudflats that provide vital habitat for native plants and migrating and overwintering wading birds and shorebirds
- Provides recreational bird-watching opportunities.



INVASIVE SPECIES FRAMEWORK

More than 100 non-native plants and numerous non-native vertebrates inhabit Smith and Bybee Wetlands. Not all of the non-native species are problematic; however, some are invasive. The Oregon Invasive Species Council defines an invasive species as “a non-native species whose introduction does, or is likely to, cause economic or environmental harm or harm to human health. An invasive species can be a plant, animal, or any other biologically viable species that enters an ecosystem beyond its native range.” At Smith and Bybee Wetlands, invasive species can transmit disease, compete for resources and modify habitats needed by native plants and animals.

Many of the conservation goals identified for Smith and Bybee Wetlands cannot be reached without managing invasive species. The following diagram demonstrates how invasive species management fits within a conservation planning framework. As potential sources of stress on conservation targets, invasive species must be evaluated and, where needed, controlled.

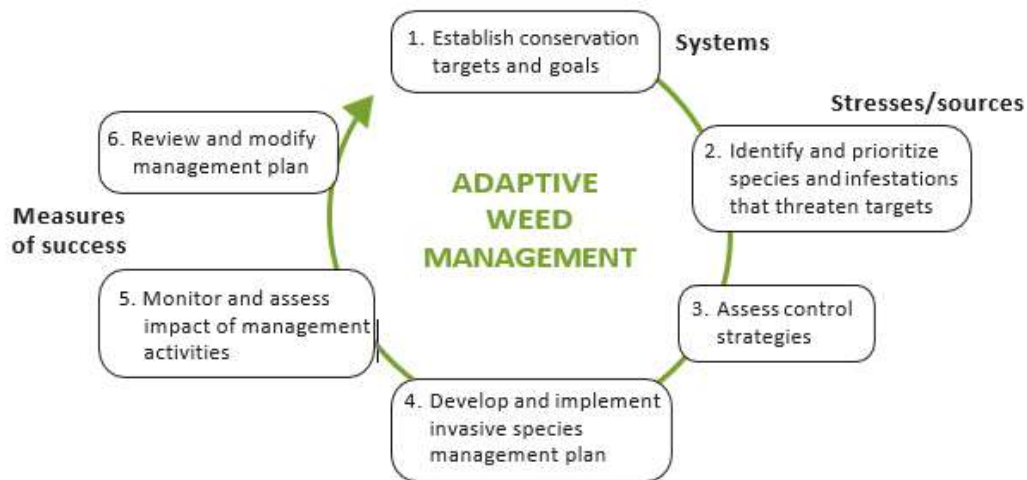


Figure 1: weed management in the context of conservation action planning

Prevention is the first line of defense against invaders and can be the most cost-effective approach. Metro staff implements best management practices such as brushing boots and other gear before and after visits to Smith and Bybee Wetlands to avoid spreading seeds and other propagules. These practices are updated as new information becomes available.

Early detection and rapid response (EDRR) works to prevent establishment of new invaders. As shown in Figure 2, the earlier that an invasive species is detected, the better the chance of eradication. This is especially important for species that can have big impacts on conservation targets. Once an invasive species becomes established in multiple locations, control costs increase substantially, and it is necessary to prioritize sensitive areas and species that are placed at risk by the invader.

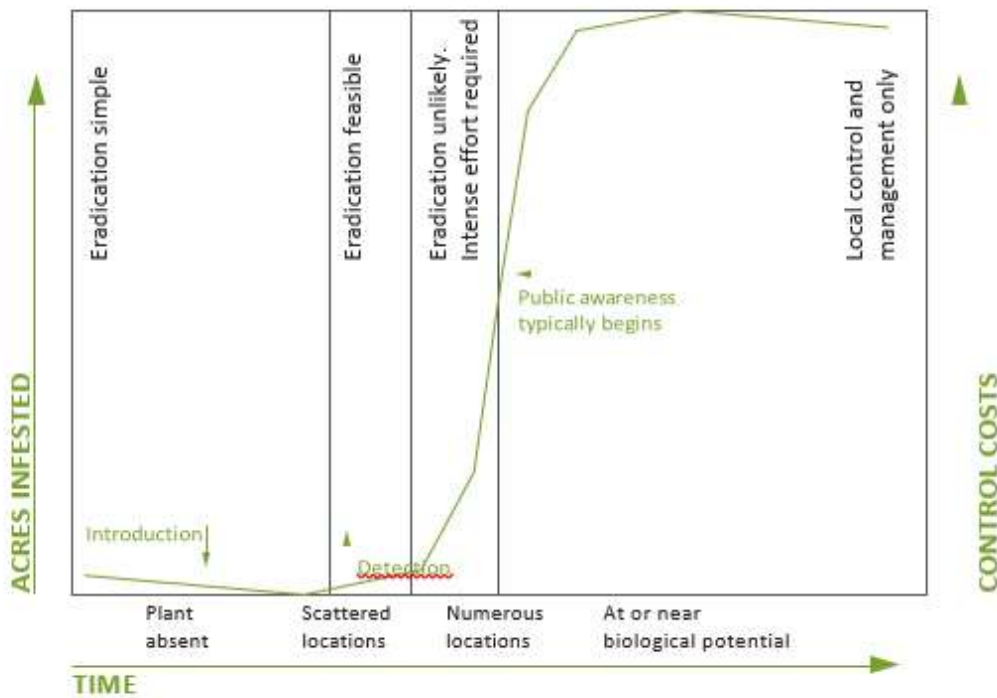


Figure 2: the invasion process. As an invasive species becomes more widespread, control costs increase along with difficulty of control.

Plants

Exotic plants at Smith and Bybee Wetlands vary in their invasiveness and potential to interfere with native plant communities. To determine the ecological importance and priority for management action for exotic plants at Smith and Bybee Wetlands, Metro used a three-step process:

1. Develop a list of exotic plants of concern based on site knowledge, the species' presence on Oregon Department of Agriculture's noxious weed list (A or B), and professional judgment of the staff scientist. In evaluating species that are not listed by ODA, the scientist considered input from other Natural Areas Program staff, colleagues in other organizations, informal lists used by organizations such as the 4-County Cooperative Weed Management Area partnership and the City of Portland, and other resources such as Cal-IPC and King County Noxious Weed Program web sites.
2. Evaluate these species using the Alien Plants Ranking System (APRS Implementation Team, 2001), or an equivalent ranking system, in three areas:
 - Significance of impact or threat (site characteristics)
 - Innate ability to be a pest (species characteristics)
 - Difficulty of control
3. Consider additional factors that influence the urgency and need for control, such as:

- Potential to control or eradicate the species via early detection and rapid response (EDRR), avoiding the need for more resources later
- Toxicity of species and presence in publicly accessible areas
- Presence of species in areas of Smith and Bybee Wetlands where it could be picked up by visitors and spread to other sites
- Relative sensitivity of the habitat where the species is found (e.g., Columbia sedge meadows vs. reed canarygrass monoculture).

A complete list of known exotic plants at Smith and Bybee Wetlands is in Appendix A-9. Additional species have been noted since this list was generated. Metro selected 20 species from the list to evaluate with APRS. These species were expected to produce a range of results.

Although it proved a useful exercise to evaluate exotic species at Smith and Bybee Wetlands with an independent program, the APRS produced no surprises. The two species identified as serious threats are reed canarygrass and invasive *Ludwigia* (water primrose). The EDRR species in Appendix A-8, Figure 1 are old man's beard (*Clematis vitalba*), diffuse knapweed, purple loosestrife and Canada thistle. The latter two species really cannot be considered EDRR at this point, since they are established in most of the suitable habitat; every model and ranking system has its limitations.

Animals

Many exotic animals inhabit Smith and Bybee Wetlands, including aquatic and terrestrial organisms representing every major taxonomic group. Control options are more limited for animals than plants, and the three main components for working on exotic animals are:

1. **Habitat management:** Some invasive animals thrive where habitats have been disturbed. An example is the European starling that invades fragmented forest patches and out-competes native birds for nesting sites. Planting projects that re-connect forest fragments into larger patches will provide interior habitat for native birds; this interior habitat is not used by starlings and is a KEA identified elsewhere in this plan.
2. **Work with partners:** Red-eared sliders are established at Smith and Bybee Wetlands, where they compete with native painted turtles for nesting, basking and other resources. Metro can work with Oregon Department of Fish and Wildlife to capture and remove sliders. Another example is cooperative work with Oregon Department of Agriculture; ODA conducts surveys for emerald ash borers. These insects pose a serious threat to the Oregon ash in bottomland hardwood wetlands. By working with ODA to place survey traps at Smith and Bybee's ash forests, Metro can learn about any invasions soon after they occur and work with ODA to control them. Similarly, working with state agencies and regional partners on major threats, such as the emerald ash borer, will result in more effective action on a regional scale than working alone. Other examples include periodic monitoring and control of nutria in partnership with USDA Animal Plant Health Inspection Service.

3. Support other efforts: By actively supporting efforts such as the City of Portland's and Oregon Invasive Species Council's Invasive Animal Assessment, Metro can leverage its work and interests.

Invasive species present threats that appear and change quickly. The framework presented in this chapter is intended to be flexible and adaptable. As knowledge and techniques for managing invasive species evolve, new methods will be applied at Smith and Bybee Wetlands Natural Area. The Conservation Target Planning framework for this master plan provides a context for viewing invasive species by evaluating their threat to identified conservation targets. The power of this framework lies in its ability to incorporate new knowledge and changing conditions posed by invasives as Metro monitors progress toward targets' identified goals.



RECREATION AND ACCESS

The opportunities for people to experience this rare remnant of the Columbia River and slough wetland system are limited and important. The water skiing, camping, and hunting of past decades will not reappear over the next decades. However, it is important for people to enjoy the beauty and wildlife of the natural area while we continue to be responsible stewards and apply the latest scientific understanding of how people and nature interact. The vision for people at Smith and Bybee Wetlands Natural Area is to continue to provide access, in fact to increase it, but in a subtle manner consistent with the conservation goals described in section three and ongoing environmental protection requirements with the closed St. Johns Landfill.

The St. Johns Prairie perimeter road presents an opportunity to build a new regional trail link – the St Johns Prairie Trail. This trail will provide people with a new way to view Smith and Bybee Wetlands Natural Area and the associated wildlife. As a segment of the 40-Mile Loop Trail and North Portland Greenway, the trail will link downtown Portland with the confluence of the Willamette and Columbia rivers, and will provide incredible views to Smith and Bybee Wetlands Natural Area that were previously unavailable.

Beginning with the development of the conservation targets, which led to the process of establishing the key ecological attributes, the planning team was able to understand potential stresses and threats placed on the system. It was verified that not only were some of the stresses and threats naturally occurring, but many were based on human interactions. The prairie trail alignment is carefully considered to both provide access and also have the most limited impacts.

In the fall of 2010 and via a web survey in preparation of the 2012 CNRP, the community was asked: “Which statement best reflects your sense of balance between the preservation

of natural resources and people experiencing nature at Smith and Bybee?” Over half, 55.2 percent of the 30 respondents, selected the following:

The region continues to become more and more developed. Wildlife and habitat preservation is a top priority for Smith and Bybee Wetlands; access by people needs to be subtle and not at the expense of wildlife.

It is with this balance in mind that we carefully embark on the integration of humans into this system. This plan identifies and prioritizes the ways in which people will experience Smith and Bybee Wetlands Natural Area.

Physical access and recreation



Physical access to Smith and Bybee Wetlands Natural Area is limited but workable, and most people arrive by car or bike. If you look for a way to get to Smith Lake by car, you’ll discover the entry off North Marine Drive leading to the visitor area and parking lot. On foot or by bicycle, the Peninsula Crossing Trail is also a good way to arrive at the Smith and Bybee Wetlands Natural Area visitor parking lot. Bus service also brings visitors to the site. From this point you can walk to the Interlakes Trail or launch a canoe at the boat launch. The parking lot and restroom in the visitors area were constructed in 2005 and, with space for 39 cars in the parking lot, the amount of access is deemed sufficient.



The Interlakes Trail and the future St Johns Prairie Trail will be the only trails serving the Smith and Bybee Wetlands Natural Area. Interlakes Trail is a paved loop with two viewing platforms for wildlife viewing. The trail provides an experience of riparian forest habitat with views to mudflats, the wetlands and the associated wildlife. A spur trail from the Bybee Lake viewing platform approaches the channel that separates Smith Lake from Bybee Lake. This portion of the trail is soft surface.



One of the most fun experiences that the public can have at Smith and Bybee Wetlands Natural Area is paddling or boating. The Smith Lake canoe launch is .25 miles east of the visitor area. A gravel path leads to the shore of Smith Lake, where you can place your boat in the water, wade to the side and get in.

During the best paddling seasons, winter and spring, many people use this launch site. Although the idea of adding a dock for boaters’ convenience has been discussed, it has subsequently been dismissed. The current configuration works well during high water and becomes more unworkable as the water level declines. When water levels are lower, paddling is more intrusive to the wetlands; therefore, the current launch discourages access appropriately.

Field trips, Stewardship and Volunteers

One of the ways many people experience Smith and Bybee Wetlands Natural Area is through educational field trips. There are two types of educational programs, school programs and public field trips. Environmental education through school trips is available year-round, but primarily occurs in the spring and fall. These programs revolve around what the students, ranging from elementary to college students, are learning in school as well as topics like wildlife watching, tracking, and wetland ecology.

Public field trips happen on weekdays or weekends during the year. Public trips are organized by youth groups, church groups, treatment programs, college classes, and others. Although these field trips are focused on nature observation skills, topics vary and include advanced topics such as management practices, water quality testing, and teaching techniques for environmental education.

There are public events throughout the year, including bird-watching walks, turtle walks, planting events and others. Over the past several years, Metro has worked on a new approach to its community nature activities, with the goal of making them more inclusive. Working with communities of color, Metro co-creates culturally specific and relevant education and stewardship activities. Through hands-on activities like planting and caring for trees and native plants, understanding invasive species, community science projects and plant gatherings, these experiences provide opportunities to connect to each other, build reciprocal relationships with the land, create a sense of belonging and learn about plants, wildlife, and history in the region's parks, trails, natural areas and historic cemeteries. The community education and stewardship program began a strong return after COVID shuttered many of its programs in 2020-2021.

From 2002 to present there have been hundreds of school field trips, public programs and group programs at Smith and Bybee Wetlands Natural Area. The success of the education program has resulted in tens of thousands of individuals learning about wetland ecosystems and experiencing nature.

In addition to the educational opportunities, there are currently volunteer events at Smith and Bybee Wetlands Natural Area, most of which are well attended. Events are permitted or hosted by Metro staff. The role these events play in the care and management of the site is critical, as are the partnerships for monitoring. Activities range from guided bird counts to planting to academic research. There will continue to be opportunities for volunteers at Smith and Bybee Wetlands Natural Area. With priorities established by this plan, volunteers play an important role in reaching the conservation goals.

Finally, the site is a popular location for scientific research. These activities are reviewed and permitted through Metros' Special Use Permit process. Between 2014 and 2022 there were over 40 Special Use Permits issued for scientific research or related activities at Smith and Bybee Wetlands Natural Area.



To volunteer at Smith and Bybee Wetlands Natural Area or sponsor a work party, contact Metro at 503-220-2782 or e-mail pneducationandstewardship@oregonmetro.gov.

Management

Similar to the management of the natural resources at Smith and Bybee Wetlands Natural Area, the facilities such as restrooms and parking are managed by Metro staff. The site management issues that have been identified include increased use, aging infrastructure, vandalism, off-trail use, unauthorized camping, management of willows at the viewing platform locations and continued management of dogs on-site and after the St. Johns Prairie Trail is constructed.

The signage system at Smith and Bybee Wetlands Natural Area has evolved over several years, and as such it is somewhat inconsistent. Naming standards and sign types vary from area to area. Way-finding is often difficult and inconsistent, with a variety of sign types. Upgrades are currently proposed to develop a signage system that is consistent with Metro's Signage Standards Manual, provides clear messaging, and reduces the number and types of signs.

One of the most detrimental impacts to Smith and Bybee Wetlands Natural Area and the associated natural resources has been the introduction of dogs by visitors. As part of the initial study to determine stresses and threats to selected conservation targets, humans were identified as a primary threat, in part because they often bring dogs. Research shows that even if dogs stay on the trails, they are perceived as predators by wildlife and their zone of influence can be several hundred feet on either side of a trail. (See Policy 12, page 73.) Dogs will be especially hazardous after the St. Johns Prairie Trail is constructed, because dogs can damage the landfill cap and cover, and their excrement could be carried in stormwater outflows to Smith and Bybee Wetlands Natural Area. Metro's pet policy is also detailed at <https://www.oregonmetro.gov/parks/pets-policy>.

THE FUTURE: PROPOSED LINKS AND IMPROVEMENTS

The approach to improvements for access to Smith and Bybee Wetlands Natural Area was developed from several sources in preparation of the 2012 CNRP. First, in 2005, Metro began the development of a Trails Feasibility Study with MacLeod Reckord consultants. The results of that study are incorporated in this plan. Second, a web survey asked people:

“What would you like to see more of at Smith and Bybee Wetlands?” They responded as follows:

- Habitat restoration and protection (74.1%)
- Trails (40.7%)
- Wildlife viewing stations (40.7%)
- Education programs (37.0%).

Third, the approach for improvements to access was developed based on recommendations from the staff who work at Smith and Bybee Wetlands Natural Area. They understand the visitors and have experience with the visitors’ needs. Finally, the advisory committee discussed options for access and reached consensus on the following links and improvements.

Physical access

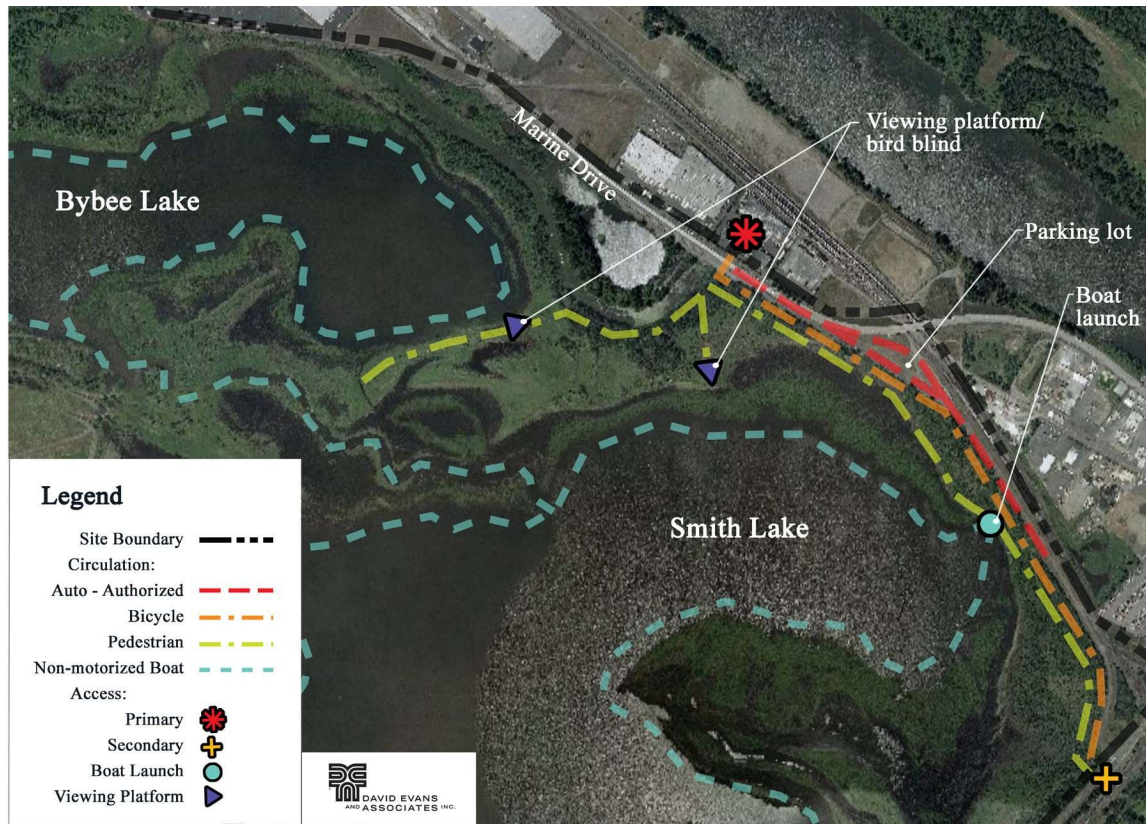
With education, recreation and advocacy in mind, thoughtful and innovative strategies for human integration balanced with the habitat and wildlife requirements is paramount. Incorporating the 2005 feasibility study for the St. John’s Prairie Trail and the North Slough bridge crossing, and more recent feasibility and design work, strategies have been developed that provide responsible access to the area. Careful consideration of the human and natural interface will foster new and continued stewardship of the Smith and Bybee Wetlands Natural Area.

Proposed links and improvements to physical access at Smith and Bybee Wetlands Natural Area are grouped into several major topic areas, as discussed below. These are: the Interlakes Trail, viewing platforms, the St Johns Prairie Trail, the development of viewpoints and portage at the water control structure.

The St. Johns Prairie

One of the most exciting aspects of the plan is the development of a trail system with new access to Smith and Bybee Wetlands Natural Area via the Willamette Greenway Regional Trail (part of the 40-Mile Loop) from Chimney Park. The creation of links to the 40-Mile Loop Trail via St. Johns Prairie will afford visitors previously unavailable access to this unique natural resource. The trail will provide bicyclists, hikers, joggers and nature enthusiasts continuous, non- motorized access within the site with views from St. Johns Prairie to the wetlands, which are unmatched elsewhere on the site.

The need to maintain separation from gas infrastructure on the landfill will require the integration of wildlife friendly fencing adjacent to the trail. Careful integration of the fencing will attempt to maintain views while providing for the security of the exhaust systems and the safety of the visitors. See Appendix B-6 for a discussion on this issue.



Interlakes trail area

The Interlakes Trail

This trail system currently offers the best dry land access to the site. The majority of the trail is paved, with the exception of the segment beyond the viewing platform on Bybee Lake. The 2012 CNRP identified improvements to this trail including clearer signage and the addition of seating at the Turtle Turnout. Improvements are also proposed for the soft surface trail beyond the Bybee Lake viewing platform to better delineate it, establish the route and to encourage users to remain on the trail and out of adjacent sensitive areas. Options for the extension and improvement of this segment of the trail include raising the grade of the trail above seasonal inundation either by adding base material to lift the grade or by constructing a raised metal grated walkway similar to the walkway at the Smith Lake viewing platform. The improvements would extend from the end of the paved path to the channel that connects Smith and Bybee lakes, providing outstanding views of the wetlands.



Viewing platforms

There are currently two viewing platforms located at Smith and Bybee Wetlands Natural Area. Both are located along the Interlakes Trail. The viewing platform at Smith Lake is accessed via a raised walkway that crosses seasonally wet terrain and offers views across Smith Lake. These views are, however, partially obscured by tall vegetation. The second one is located on the shores of Bybee Lake and offers views to the west across the lake. Additionally, a viewing area of the long slough (Turtle Turnout) provides a third location for wildlife viewing.



Portage and relationship to Bureau of Environmental Services canoe launch

There is currently an unimproved, non-motorized watercraft launch located on the Columbia Slough on the west side of the St. Johns Prairie bridge on property owned by the City of Portland. Popular with boaters, this launch site provides access to the slough system around the prairie and into the North Slough that separates the prairie from Bybee Lake. The North Slough terminates at the Metro-owned water control structure adjacent to the channel between Smith Lake and Bybee Lake. A formal portage has been proposed at this location to provide easier access for boaters but was determined to be a low priority and may be unfeasible.

Viewpoints

The development of strategically located viewpoints and interpretive signage on the prairie will afford visitors with unique views of the entire site and to the Cascade Mountains in the distance. These areas will provide opportunities for visitors to stop, rest and enjoy the site. Interpretive signage will provide educational opportunities with regards to the function and value of the system, further enhancing the visitor experience.

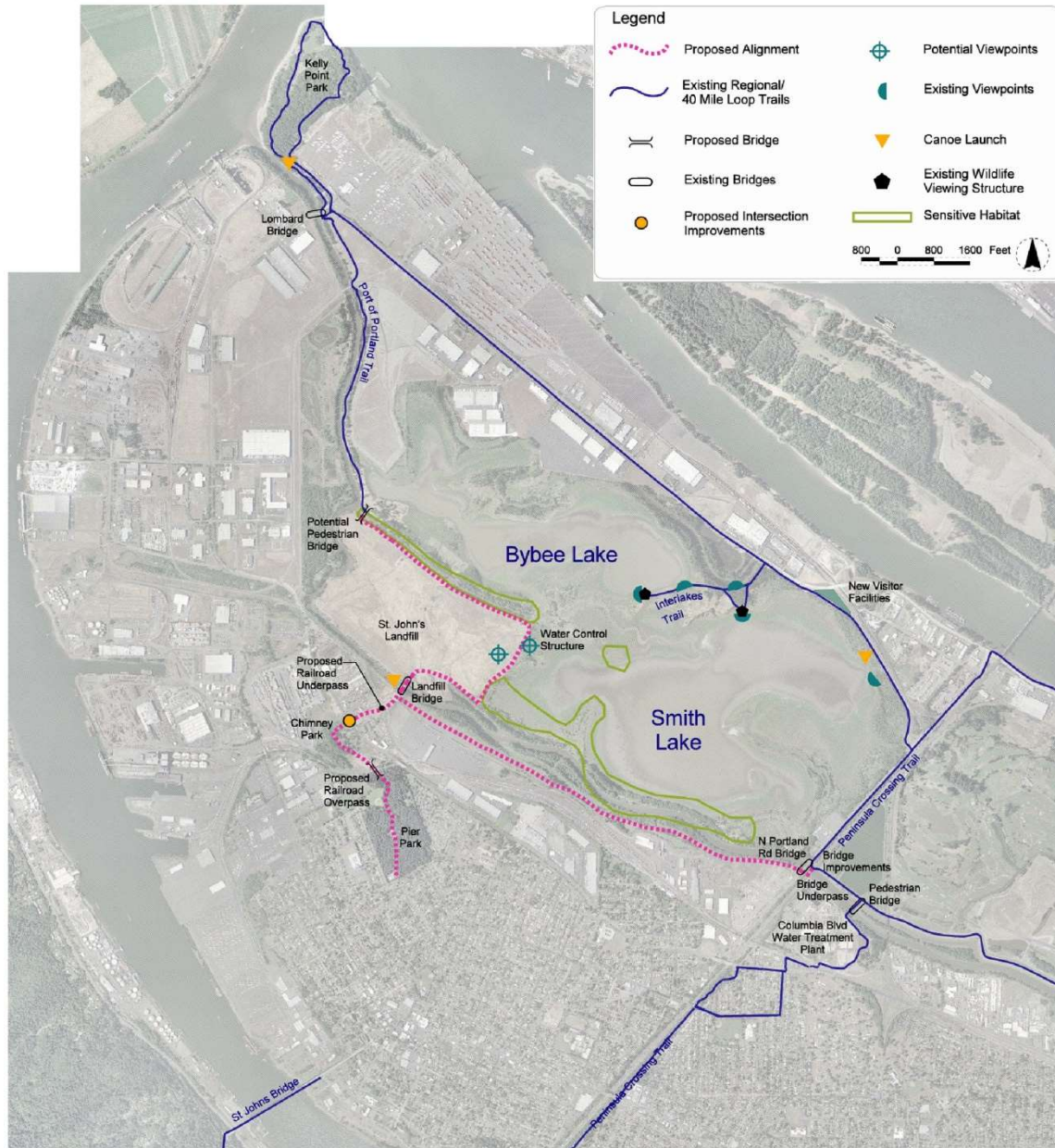
Management

Water Control Structure

In 2023 Metro will install vertical sheet pile walls to address leakage and risk of piping in the berm on either side of the water control structure.

Willows

The two viewing platform viewing areas are partially obstructed by the growth of willows along the shores of the lakes. In order to maintain existing and proposed views, the plan calls for periodic trimming of willows at Smith Lake. This function has in the past been performed by Metro staff or volunteer work parties.



Planned trail on St. Johns Prairie connects St. Johns neighborhood with Kelly Point Park and the Columbia River

Dogs

Because many wildlife species are negatively affected by dogs, including ground nesting birds and turtles, it is the intent of this plan to keep dogs out of Smith and Bybee Wetlands Natural Area, in accordance with Metro-wide policies, including the regional trail on St. Johns Prairie. Signage and enforcement will be key components to the success of such an endeavor. Additionally, it is thought that through education, visitors will understand and accept that dogs are particularly stressful to wildlife and native habitats, and that visitors will provide the self-policing necessary to eliminate the presence of dogs. Some resources devoted to enforcement may be necessary.

Signage

The integration of people into the system requires regulatory, way-finding, and interpretive signage. This signage system will be updated as development occurs. As other physical aspects of the system, such as trails, overlooks and viewing platforms, are implemented, the signage can be added on a project-by-project basis. It is critical that the system remain simple and, to the extent possible, subtle. Without proper planning it is possible for the landscape to become cluttered with redundant or unnecessary information. It should be the goal of the signage system to be beneficial and informative to the visitor without dominating the visual experience.

Metro's Signage Standards Manual establishes a graphic standard that will be integrated into the entire system based on three types of signs – regulatory, way-finding and interpretive. The name of the facility, the key agency, contact numbers and hours of operation will also be standardized.

The desired access and circulation through the site has been determined, and the appropriate signage designated. Acceptable standards with regards to icons and messages will be applied. The content and message for the interpretive signage is arguably the most important element of the system and will need to be carefully considered. All visitors to Smith and Bybee Wetlands Natural Area are potential future stewards of this important resource and, as such, the messages conveyed in the signage will be critical to helping visitors learn about and appreciate the sensitive nature of Smith and Bybee Wetlands Natural Area and the importance it plays in our community.

The following table describes the proposed improvements over the life of this plan.

Projects identified in 2012 CNRP with 2023 updates to provide access to visitors	Priority	
	1	2
St. Johns Prairie regional trail and bridge Construct the trail in St. Johns Prairie including a bridge over the Columbia Slough, an overlook, two overlooks adjacent to the trail, and interpretive signage.	■	
North Slough/Bybee Lake portage Improve the portage between the North Slough and Bybee Lake.		■
Improve access to Interlakes Trail (COMPLETED) Facilitate access to the Interlakes Trail by adding bus parking and parking for people with disabilities at the trailhead. Improve the walk from the parking lot to the trailhead by separating the trail from the road.	■	
Viewing platform renovation Remove the siding on the Bybee Lake viewing platform (COMPLETED). Add a second level to Bybee and Smith Lakes viewing platforms.	■	
Interlakes Trail extension Clarify the need for trail delineation at the end of the paved section of the Interlakes Trail. If needed, validate the seasonal extension with signage and increase the path width to two feet, with bark mulch surface, boardwalk or metal grating.	■	
Continued Signage upgrade (COMPLETED) Create consistent signage and upgrade regulatory signage and interpretive signage.	■	
Seating (COMPLETED) Provide seating at selected viewing areas, including the turtle-viewing area. Could include benches or walls.	■	

As with the capital projects, this list should be revisited periodically for additions and updates.

Over time we will see a change in people’s interaction with Smith and Bybee Wetlands Natural Area. The trail at the St. Johns Prairie will attract more people to and through the area. People from North Portland neighborhoods, as well as from neighborhoods with access to the regional trail system, will benefit from the healthy exercise and experience of nature at Smith and Bybee Wetlands Natural Area.

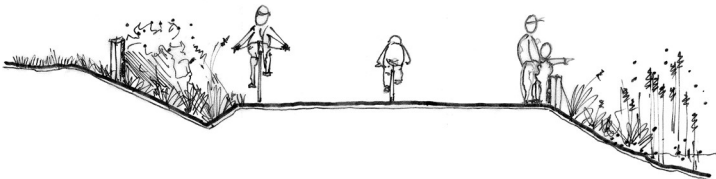
It is anticipated that the public experience on the trail will increase demand for public field trips and environmental education. During development of the 2012 CNRP, the advisory committee reviewed levels of environmental education and felt that they were adequate for

the demand at that time. However, with increased access, the committee anticipates that demand will increase over the life of this plan and, as a result, educational opportunities will need to be increased. With the addition of the St. Johns Prairie Trail to the system, new programs will be developed that highlight the upland prairie habitat.

Adaptive management may be needed in order to keep trail use in line with conservation objectives, minimize risks to public health and safety, and ensure closed landfill operations comply with regulatory requirements. The monitoring plan, described in section five below, will help measure the impact of trail users on Smith and Bybee Wetlands. Adjustments to the physical place and to the management may be needed.

Trail and overlook at St. Johns Prairie

Careful integration of users is vital to the long-term health and support for the Smith and Bybee Wetlands Natural Area. It is critical to foster understanding of the sensitive nature of the resource while providing recreational opportunities for Metro residents. As methane collection decreases, parts of the St. Johns Prairie will be made accessible to the public. In addition to the cultivation of upland prairie and bird habitat, the intent is to develop overlooks to provide visitors panoramic views of the area. The opportunity to provide users unique perspectives of the resource accompanied with educational outreach will help develop stewardship and advocacy for Smith and Bybee Wetlands Natural Area.



Trail cross section

Closed Landfill Projects

Metro will operate, monitor, and maintain the closed St. Johns Landfill well into the future per regulatory requirements.

In 2022 Metro completed an assessment of the bridge over Columbia Slough that provides staff access to the closed landfill and the south side of the wetlands complex. The assessment concluded that a new bridge is needed at this location to continue to maintain landfill operations and meet future needs for St. Johns Prairie Trail public access. It is anticipated that design, permitting and construction will take at least four years.

Prior to public access, Metro will undertake projects to separate the closed landfill methane gas infrastructure from the public while allowing wildlife movement.

An assessment of the stormwater system, gas system and landfill liner is being initiated in 2023 and will identify additional repair, replacement, and upgrade projects needed at the landfill. In addition, Metro is also exploring improvements to the landfill to serve Metro staff and visitor needs, including a bathroom, running water, and firefighting capabilities.

Metro may need to build an operations building at the landfill property to house employees that operate, monitor, and maintain the closed landfill.



Phil Gaddis banding a Yellow Rumped Warbler

COORDINATION

The plan has laid out the history and context of the greater Smith and Bybee Wetlands area, along with the conservation and recreation projects for the future at Smith and Bybee Wetlands Natural Area. For those projects to be realized, coordination will be needed on a number of fronts. Important coordination points include:

- Monitoring of the restoration efforts to track effectiveness and making changes to the priorities as needed
- Policies guiding decision-making by the advisory committee as situations arise that may impact the wetlands
- Balancing public access goals with closed landfill regulatory requirements
- Funding to realize the priorities of this plan.

With these tools, it is expected that priorities established by this plan will be realized.

MONITORING

Monitoring at Smith and Bybee Wetlands Natural Area is an integral part of an adaptive management approach to restoration and maintenance. Based on the monitoring plan developed by Metro, a feedback loop is created between monitoring and management decisions. Monitoring will be done to evaluate habitat and local responses to management actions, as well as progress toward achieving habitat and conservation target objectives.

The monitoring strategy is based on threats and key ecological attributes associated with conservation targets. Generally, the greatest threats to Smith and Bybee Wetlands Natural Area are traced to:

- Invasive plants

- Altered wetland hydrology
- Isolation from other natural areas on the larger landscape
- Habitat fragmentation and associated edge effect
- Human disturbance.

The monitoring plan, Appendix A-7, addresses threats directly and indirectly, by tracking changes in certain ecological attributes. It implements techniques that are well-established and continues many monitoring efforts already in place. The Smith and Bybee Wetlands Advisory Committee reviewed the monitoring approach during development of this plan. The monitoring plan is likely to change over time, however, this is a worthwhile starting point and a useful tool for focusing staff efforts.

Techniques

Some monitoring techniques are used to monitor more than one conservation target. This discussion is intended to provide a general introduction but not detailed methods and does not include all monitoring methods to be used. In addition to the quantitative monitoring described, qualitative (informal) monitoring by observation also provides useful information to inform management.

Aerial inspections/GIS: Several metrics for health of conservation targets relate to their size. Where a desired condition is a minimum acreage, it can be estimated with GIS software using current aerial photography. Similarly, important connections within the natural area and to off-site habitat can be inspected with aerial photographs and mapping of vegetation and other features can be accomplished using unmanned aerial vehicles (UAVs).

Transects: These are lines or strips of ground, along which measurements made at regular intervals. Permanent transects will be revisited over the years to track progress toward goals. They are useful in tracking the abundance and composition of native plants and invasive species.





Point counts: Avian (bird) surveys during breeding season follow an established and widely used protocol that allows data sharing with other scientists. By tracking changes in the bird community, Metro can detect changes in habitat function as restoration projects mature. The species present can indicate whether excessive edge effect is occurring as well as whether suitable habitat structure for sensitive species is present.

Conservation targets

Riparian forest: A combination of transects, point counts and GIS work is used for this target. Because forests develop slowly, the detailed plant surveys along transects will occur in approximately 5-year intervals.

Bottomland hardwood wetland: Metro previously conducted several years of avian point counts and established a baseline for the bird community when habitat restoration was initiated. Point counts will be repeated in the future, but immediate monitoring work will focus on habitat patch size and quality. Plant survival in newly planted areas will be monitored visually.

Shrub wetland: Rather than transects, this target can be tracked with less-formal surveys than the riparian forest while still providing information on the native plant community development. Much of the shrub habitat at Smith and Bybee Wetlands Natural Area was planted with a variety of species.

Visual inspections while walking through the habitat can confirm they remain present and established. Because shrubs serve as important attachment sites for amphibian eggs, Metro will monitor water levels during the breeding season for red-legged frogs and other natives to ensure the shrubs are flooded properly. GIS methods can also allow monitoring of expansion or retraction of shrub wetland communities over time.

Open water: This habitat occupies the most acreage at Smith and Bybee Wetlands Natural Area, has the highest overall threat rank and is the most complex to manage; it includes emergent wetlands as well as permanent water. More time and resources are devoted to

monitoring and adapting management for open water than for any other target. Focused monitoring on the extent and health of Columbia sedge meadows and frequent attention to the water control structure and hydrologic management are necessary. To track effectiveness of water level management, intensive monitoring will be implemented at regular intervals. This plan calls for two years of detailed vegetation monitoring and data analysis every five years as the native plant community develops and reed canary grass and water primrose is controlled.

Upland prairie: Existing point counts, transects photo points, and bird monitoring will be embellished with periodic informal surveys to track the presence and general abundance of birds, native plants and invasives on the prairie.

Streaked Horned Lark: Metro works with the Streaked Horned Lark Working Group and key partners to establish habitat for this species on the prairie. Habitat and predator monitoring are necessary each year as this project develops. Standard techniques developed by The Nature Conservancy and Washington Department of Fish and Wildlife are used so data can be compared with other projects and sites. Currently, Streaked Horned Lark monitoring is part of general bird monitoring efforts.

Western painted turtle: Metro, researchers and partners have surveyed painted turtles in the greater Smith and Bybee Wetlands area for decades and is an active member of the Oregon Native Turtle Working Group. Work is coordinated with other agencies and in partnership with the research community.

See Appendix A-2 for details about each conservation target and the associated monitoring from the 2012 CNRP. When completed an assessment report of monitoring results for the KEAs in this plan will be added as an addendum.

POLICY

The 1990 plan was adopted during a time of change. People anticipated the landfill closing; environmental regulations were new and substantial; and property ownership at the greater Smith and Bybee Wetlands area was fragmented. At that time, Metro was not a natural resource land manager.

The 1990 plan responded to these circumstances with 28 policy statements that were carefully crafted to support the future coordination and management within the greater Smith and Bybee Wetlands area. Policy statements addressed land consolidation, the respective roles of Metro and the City of Portland, and very prominently the intention and use of the Smith and Bybee Wetlands Fund.

The original policies have provided strong guidance when land use decisions or practices were in question. The 1990 plan was adopted as part of Portland's Zoning Code and, as such, the policies were the basis for land use approvals.

After over 30 years the situation has changed. The advisory committee has a history of accomplishments; Metro is well-established as a natural resource and parks agency; and the Fund has been used judiciously. The policies in the 2012 plan, and now the 2023 Interim Plan, bring forward many of the 1990 plan policies, leaving some behind and also address today's issues. Notably, the policies have been changed so as to apply to Metro owned and managed lands (the Smith and Bybee Wetlands Natural Area) rather than the greater Smith and Bybee Wetlands area as a whole as the 2012 CNRP did.

Updated policies for this 2023 Interim Plan are listed below and will be adopted by Metro Council. The following policies provide the basis for implementation of this plan and management of the area.

Policy 1

The plan recognizes that the Smith and Bybee Wetlands Natural Area exists within a regional context. The Oregon Department of Fish and Wildlife's Oregon Conservation Strategy (OCS), the Intertwine Alliance's Greater Portland-Vancouver Area Regional Conservation Strategy (RCS), and other regional plans help set that context. The OCS is Oregon's framework for conserving Oregon's natural resources in a manner that maintains or improves those resources for current and future generations. The OCS identifies priority habitats and associated species of highest conservation concern, describes key issues affecting habitats and species, and recommends conservation actions to address key limiting factors. Smith and Bybee Wetlands Natural Area is identified in the OCS as a "Conservation Opportunity Area." The RCS builds on the OCS and provides greater regional specificity while supporting the overall framework of the state's effort. The plan is aimed at contributing toward the goals and objectives of the state and regional strategies through the management and habitat restoration of the Smith and Bybee Wetlands Natural Area.

Policy 2

There were eight property owners in the 2012 CNRP's defined Smith and Bybee Wetland management area, with the majority of that land owned by the Port of Portland, Metro and the City of Portland. This 2023 Interim Plan applies to those lands owned or managed through contractual agreement by Metro. Additional landowners in the greater Smith and Bybee Wetlands area will be welcome to join in similar agreements as needed.

Policy 3

Metro is the manager of the Smith and Bybee Wetlands Fund for acquisition of land from willing sellers in the greater Smith and Bybee Wetlands area, and for restoration of land under Metro ownership and management; and for the development, operation and ongoing maintenance of the recreational, educational, and environmental facilities and programs proposed by this plan.

Metro will effectively manage the budget for the fund so that it serves the purposes outlined in this plan and maintain the fund in perpetuity. Metro will draft an annual budget for review, discussion and advice from the Smith and Bybee Wetlands Advisory Committee. The committee will recommend a budget. Final approval of annual budgets and final determination on use of the fund is by Metro Council. The fund amount may rise and fall with fluctuations in interest and expenditures.

Policy 4

Metro manages Smith and Bybee Wetlands Natural Area, including St. Johns Prairie. The primary responsibility is to fulfill the vision and goals established by this plan. This responsibility includes, but is not limited to:

- A. Manage restoration activities that fulfill the conservation target goals in this plan, monitor results and adjust restoration activities as needed
- B. Provide community outreach and environmental education at Smith and Bybee Wetlands Natural Area, as allowed by available funding
- C. Provide ongoing maintenance
- D. Develop the regional trails, in partnership with the City of Portland and the Port of Portland, in the management area as indicated by the Metro Council
- E. Partner and coordinate with the Smith and Bybee Wetlands Advisory Committee to fulfill the goals of this plan
- F. Draft an annual fund budget, annual work plan and work plan budget proposal for review, discussion and recommendation from the Smith and Bybee Wetlands Advisory Committee.
- G. Operate and maintain the closed St. Johns Landfill in compliance with regulatory requirements.

Policy 5

The Smith and Bybee Wetlands Advisory Committee, formed by Metro in 1990, shall continue to oversee implementation of this plan and provide guidance, partnership, and assistance on implementing the plan. The Smith and Bybee Wetlands Advisory Committee will include, but not be limited to, representatives of the following organizations:

- City of Portland, Portland Parks and Recreation
- City of Portland, Bureau of Environmental Services
- Port of Portland
- Oregon Department of Fish and Wildlife
- Metro
- Friends of Smith and Bybee Lakes
- 40-Mile Loop Land Trust

- Audubon Society of Portland
- A representative of private landowners adjacent to the site
- North Portland Neighborhood Services
- St. Johns Neighborhood Association
- Columbia Slough Watershed Council
- Representatives of adjacent industries.

The Smith and Bybee Wetlands Advisory Committee is the principal advisory body to Metro for Smith and Bybee Wetlands Natural Area.

The primary responsibility of the Smith and Bybee Wetlands Advisory Committee is to keep the vision established by the Natural Resource Management Plan, updated by the 2012 plan, and now the 2023 Interim Plan. This responsibility includes, but is not limited to:

- Provide leadership and response to area land use actions that may have an effect on the greater Smith and Bybee Wetlands area
- Support the financial strategy by developing partnerships, advocating for grants and otherwise leveraging the Smith and Bybee Wetlands Fund
- Communicate and serve as a liaison to adjacent property owners and stakeholders to strengthen community investment in the greater Smith and Bybee Wetlands area
- Review project monitoring results and correlate to stated objectives
- Recommend and/or review properties to be added to the Smith and Bybee Wetlands Natural Area based on their environmental, educational or recreational value
- Support educational and community outreach events promoting Smith and Bybee Wetlands Natural Area as a unique community resource
- Review, discuss and advise Metro on the annual budget for the Fund and the annual work plan and work plan budget
- Serve as a sounding board for management actions that are outside the annual work plan and have an impact on either conservation goals or visitor experience
- Designate the chair and vice-chair of the committee or the process through which the chair will be determined.



Policy 6

This plan lays out strategies for habitat restoration with the assumption that climate change will require adaptive management techniques, especially for rare species protection. Management tools will include the best available knowledge and may include fire, hydrologic alteration, manual, mechanical and chemical vegetation management approaches.



Policy 7

Smith and Bybee Wetlands Natural Area provide food and shelter for diverse plant, fish and wildlife communities, many of which are declining or already rare in the region. As demonstrated by the number of conservation targets, multiple objectives exist for the Smith and Bybee Wetlands Natural Area. This plan acknowledges that other entities (e.g., Multnomah County Vector and Nuisance Control) may have a single focus; however, the Smith and Bybee Wetlands Natural Area shall be managed to maintain healthy ecological systems, including an intact food web.



Policy 8

Metro may negotiate with owners of land adjacent to the Smith and Bybee Wetlands Natural Area for the purpose of acquiring such land in order to better achieve the goals and objectives of the plan. Such negotiations shall proceed only if such owners are willing sellers.

Policy 9

Metro, in coordination with the Smith and Bybee Wetlands Advisory Committee, will implement monitoring efforts in a way that is consistent with the goals described in this plan.

Policy 10

The following policy statements shall apply to the St. Johns landfill.

Regulatory environment: Management of the landfill site is subject to the terms and conditions of any permit, license, plan or agreement required for post-closure care operations, as required by the U.S. Environmental Protection Agency, State of Oregon, City of Portland, or other agency responsible for regulating any aspect of such operations.

Regulatory compliance: Compliance with any in-force regulation, regulatory permits or plans of site post-closure care operations takes precedence over implementing any action established by this plan to support conservation target goals or public access objectives relevant to the landfill.

Land uses: Beyond landfill management, the primary use of the landfill site shall be upland prairie and riparian forest habitats, developed and managed consistent with this plan, with consideration of the surrounding wetland habitat, and of public access objectives. Public access to the site shall be limited to trail use, organized tours and educational events.

Project review: New projects at the St. Johns landfill that are designed to meet or support post-closure care objectives are subject to land use review under City of Portland zoning code. The Oregon Department of Environmental Quality may also need to review and

approve new project designs if the project could impact site environmental infrastructure and effectiveness of controls.

Trail guidance: Trail development on St. Johns landfill, consistent with this plan, shall include design features that are accessible and minimize risks to public health and safety; are protective of the site cover system and other infrastructure; and allow Metro staff to efficiently perform post-closure care operations. Existing landfill infrastructure accessible to trail users shall be armored or otherwise protected or modified to avoid damage or injury to trail users prior to trail opening. Trail construction and maintenance and built trail facilities at the site shall similarly abide by these guidelines.

Operations definition: Post-closure care operations at the landfill site shall be conducted in conformance with all applicable regulations and will include, but not necessarily be limited to: maintenance of the integrity of the landfill cover and perimeter banks; management of the landfill gas collection system; and environmental monitoring, environmental investigation and construction and management of remediation facilities stemming from such investigation.

Operations funding: Post-closure care operations at the landfill site shall be funded through a financial assurance mechanism approved by the Oregon Department of Environmental Quality under terms of the Solid Waste Disposal Site Closure Permit.

Policy 11

As a large natural area in Portland, Smith and Bybee Wetlands Natural Area has value for recreational and educational use. Although its primary value is as fish and wildlife habitat, many forms of public use are compatible and encouraged. This plan recognizes the importance of access to nature and people's need to experience nature.

Smith Lake will be the principal area for water-related recreational activities such as canoeing, rowing, fishing and bird watching. Bybee Lake and surrounding wetlands will be managed primarily as an environmental preserve. Bybee Lake will be available for recreational use, although access by foot and boat will be more difficult than to Smith Lake.

As a wetland system, most of the management area is aquatic and the boat launch onto Smith Lake provides access for paddlers to experience the wetlands. Nearby launches at Kelley Point Park and the Columbia Slough near St. Johns Prairie also provide boat access. Additional launch facilities are not anticipated, and boat access is confined to manual and electric propulsion. A portage facility from the North Slough to Bybee Wetland near the water control structure is included in this plan, pending analysis of feasibility and cost.

Opportunities for terrestrial access are limited due to the narrow configuration and flood-prone nature of most land within the management area. The 40-Mile Loop Trail and Interlakes Trail provide access around and into Smith and Bybee Wetlands Natural Area. Additional trails based on the North Slough Bridge and South Slough Trail Alignment feasibility studies are incorporated into this plan.

Policy 12

The regional trail(s) described in this plan will make important pedestrian/biking connections between the St. Johns neighborhood and downtown Portland with Smith and Bybee Wetlands Natural Area, Kelly Point Park, and the Marine Drive trail. The trail(s) will provide people a high-quality experience of nature accessible by biking and walking and including viewpoints to observe wildlife.

Because of the potential disturbance to wildlife and wildlife habitat, dogs are not allowed within the Smith and Bybee Wetlands Natural Area.

Policy 13

All terrestrial areas not specifically identified for trails or other facilities shall be designated as habitat restoration and conservation areas. Use shall be limited to habitat management, site maintenance, educational programs, and research and monitoring projects.

Policy 14

No longer applicable.

Policy 15

Mitigation projects may be proposed for Smith and Bybee Wetlands Natural Area. These projects typically aim to compensate for wetland impacts elsewhere in the watershed and/or generate ecosystem services credits for off-site impacts. The Plan does not outright prohibit or allow these types of mitigation projects at Smith and Bybee Wetlands Natural Area. The Advisory Committee will review any proposed mitigation project and make a recommendation on whether or not to allow the project. Metro's adopted Mitigation Policy Framework will service as an essential tool in evaluating potential projects.

Policy 16

Clean water is vital to supporting the fish and wildlife at Smith and Bybee Wetlands Natural Area. Stormwater runoff that enters the wetlands from off-site outfalls must meet requirements in the Portland Stormwater Manual. The Advisory Committee may elect to review any proposed outfall project and make a recommendation to property owners and the City. Committee recommendations will be based on water quality, quantity and appropriate design of the outfall. Outfalls that are not permitted, no longer needed or not properly maintained should be eliminated.

Policy 17

Infrastructure in the plan area such as streets, water lines, stormwater facilities, power lines, sewers and pump stations protect public health and safety. The plan recognizes this and allows for ongoing maintenance and improvements of public infrastructure to ensure

proper function. Maintenance of these facilities may involve unavoidable negative impacts to native vegetation and wildlife in order to support the long-term functionality of the infrastructure. All impacts that cannot be avoided will be minimized, or otherwise will be mitigated on site.

Further, Smith and Bybee Wetlands Natural Area is surrounded by private industrial uses that are vital to metropolitan Portland’s economy. The plan acknowledges the need for growth of industrial infrastructure on private property. The Smith and Bybee Wetlands Advisory Committee will receive notice and work with industrial partners to make sure that growth is supported and, at the same time, that the wetlands within the management area are protected from impacts.



FUNDING

Smith and Bybee Wetlands Natural Area has the somewhat unusual advantage of a dedicated endowment fund. The fund was established with the City of Portland’s adoption of the St. Johns Landfill End Use Plan in 1987. Sources of income for the fund included a grant from the City of Portland’s Refuse Disposal Fund, a portion of tipping fees collected by Metro at the St. Johns Landfill and Metro lease payments to the City of Portland. The 1990 plan designated Metro as the lead agency managing the fund and implementing the plan (Metro ordinance No. 91-370A).



Appropriate use of the fund was described in the 1990 plan as “...acquisition of land within the Smith Bybee Lakes Management Area; and for the development, operation and ongoing maintenance of the recreational, educational and environmental facilities and programs proposed by the Smith and Bybee Lakes Management Plan (Policy 4, 1990 NRMP).” The 2012 CNRP and this plan adopts similar language. The original fund balance was approximately \$2.6 million, and at that time it was understood that the fund would be insufficient to fully fund all current and long-term needs.



Fund use in 2023

Current revenues include a small amount from fees collected from educational program users. Interest is earned on the unused portion of the fund balance. Earnings are based on the current rates of Metro’s average investment portfolio. For comparison’s sake, the 2010-11 fund balance was \$3,987,047 and the fund balance as of February 2023 was \$1,312,951. The fund reimburses Metro for the costs associated with management and oversight of the Smith and Bybee Wetlands Natural Area and has included

a portion of salary for an environmental educator, one natural resource scientist and one ranger. Typically, annual use of the fund includes contracted property services for restoration activities.

As established by the 1990 plan and continued in the 2012 CNRP, decisions for use of the fund are made by Metro as the fund manager, and the advisory committee is the principal advisory body to the fund manager. Metro has an annual budget cycle, with a proposed budget drafted by January and adoption typically by May. The 2012 CNRP established the protocol of annual budget reports from Metro to the advisory committee for their review and recommendation when the budget proposal is in draft form.

Strategy for use of the fund

The program of restoration first outlined in the 2012 CNRP was estimated to cost approximately \$1.5 million over 10 years. The costs ranged from \$1,000/acre to over \$8,000/acre, depending on the challenges posed by the conservation target. Much of this work has been completed using a mix of the Smith and Bybee Fund and Metro's 2013 Parks and Nature Levy. The construction estimates for the regional trail and bridge on St. Johns Prairie will be created and refined through the different design efforts. The cost of these projects will be in the millions based on similar Metro efforts. There are other projects anticipated by this plan, but the projects mentioned above and their estimated costs make the point that the fund alone will not be sufficient.

The general approach for funding includes five key strategies:

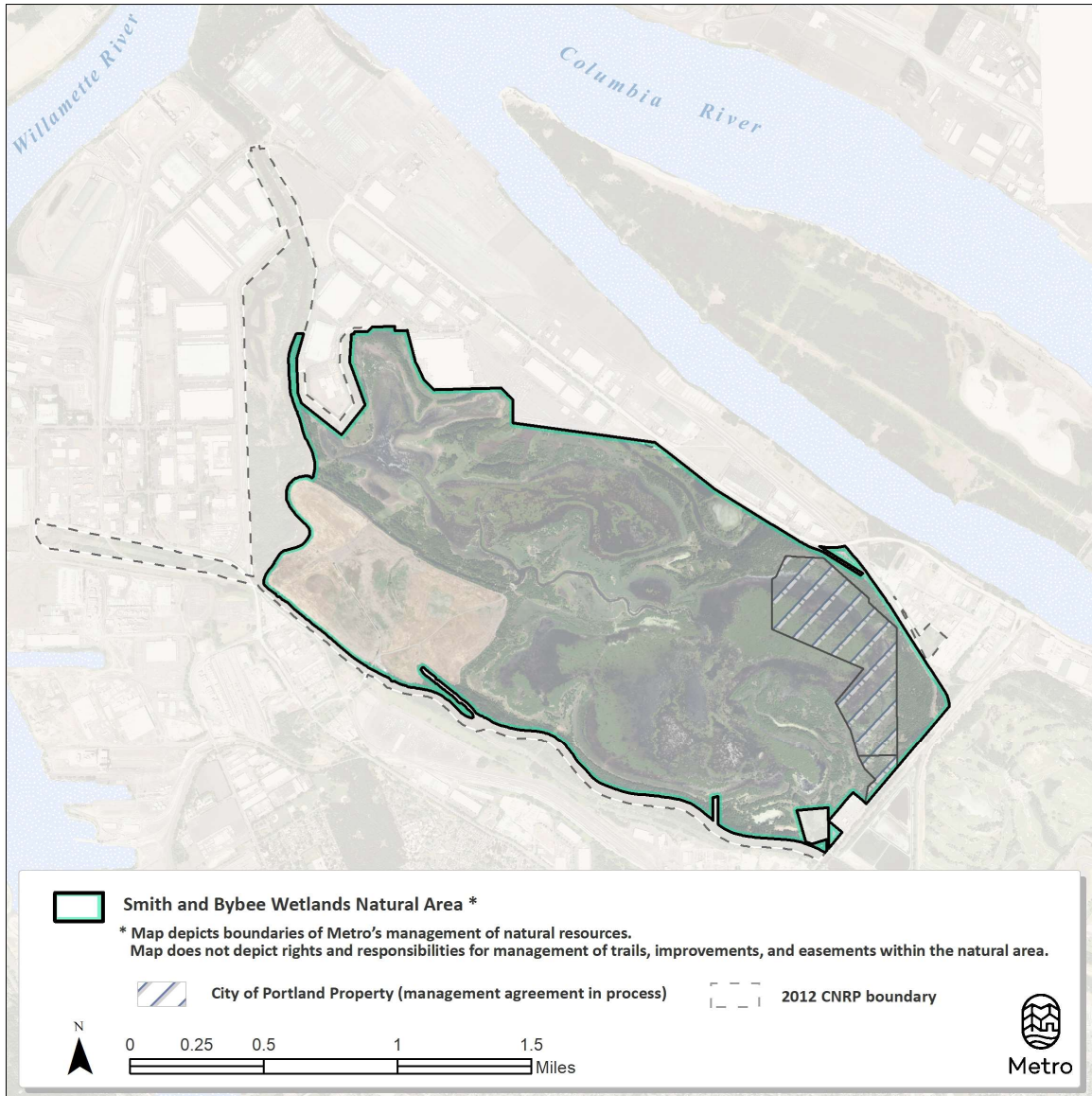
- Use the fund to attract significant grants. The aspiration for restoration is to match the fund one to one with grants. Thus far, pursuit of grants has been unsuccessful, but future opportunities remain. For recreation, the aspiration is to contribute to a match for the regional trail and other access-related projects.
- Bring additional resources to the project work. For example, the Landfill Fund has contributed to vegetation management on the prairie, and grant funding has been sought for prairie work.
- Draw down the fund to achieve high priority goals of the plan. Bring the proposed project work and budget to the advisory committee annually for review and recommendation. Note that grant funding cycles will have schedules that do not coincide with Metro's budget process. Discussions with the advisory committee will factor in grant timing.
- Continue to fund the basic staff positions needed to manage the day-to-day work, as well as the restoration of Smith and Bybee Wetlands Natural Area.
- Enlist the advisory committee's support leveraging funds through community support for grants.

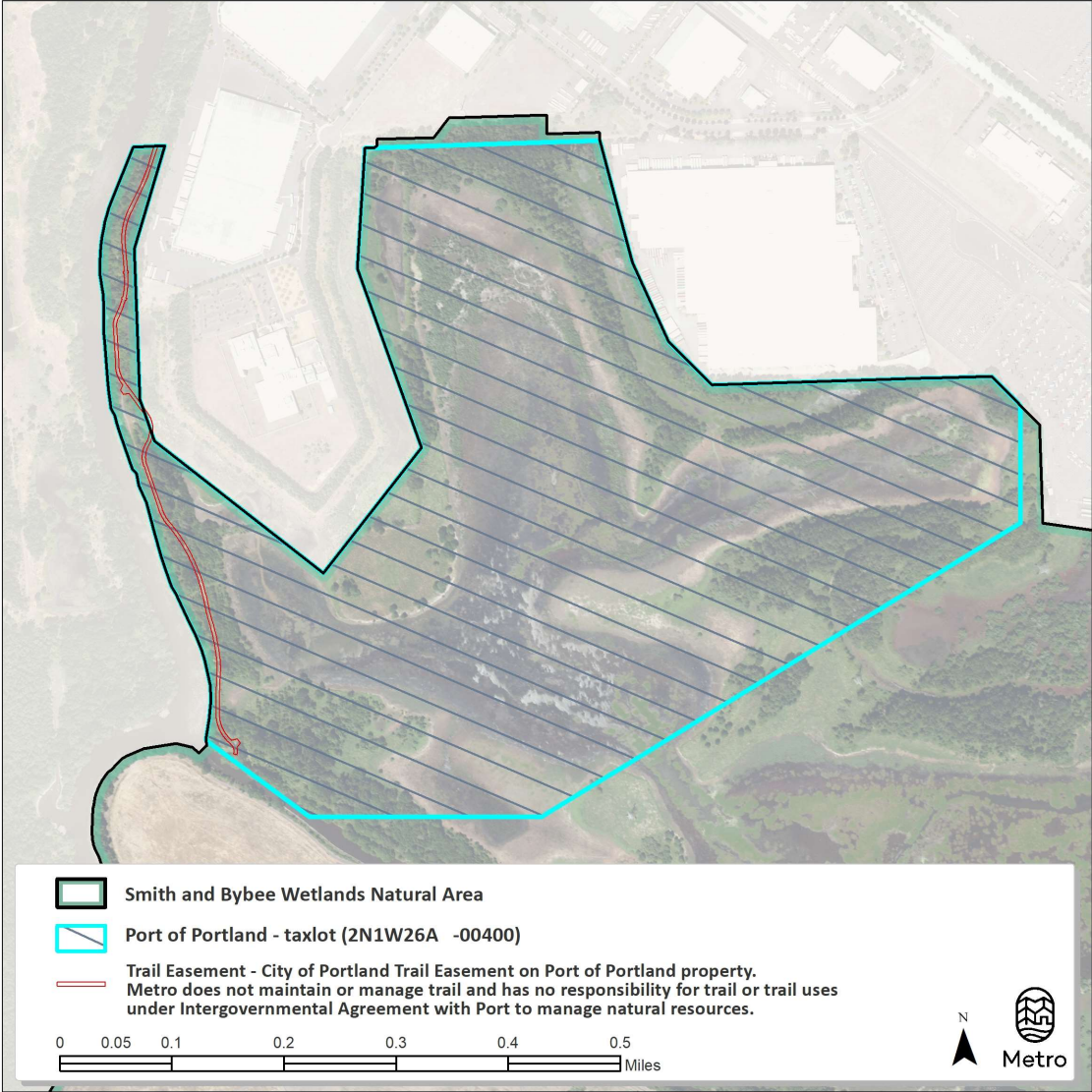
The beginning of the plan referenced the accomplishments of the past thirty years and indicated that the place is vital but the work is not done. The successful accomplishment of

this plan's priorities will rely on coordination between many people. The monitoring program will coordinate on-the-ground actions, the science staff and the key stakeholders. Based on the facts, adjustments and adaptations can be made as needed. Realization of the plan's priorities will also rely on strong coordination between the advisory committee, the community and Metro. The policies set forth here will help facilitate that coordination and will be drawn upon as unexpected circumstances arise. Finally, the plan's priorities will be realized as funding is coordinated. The expectations in this plan are high. To fulfill those expectations, more investment and targeted investment will be needed. Through coordination of the advisory committee, Metro Council and granting agencies the priorities will be sufficiently funded and fully realized.



SMITH AND BYBEE WETLANDS OFFICIAL BOUNDARY MAP





GLOSSARY

GREATER SMITH AND BYBEE WETLANDS AREA

The land Metro owns and manages as well as adjacent lands that were once subject to the 1990 Natural Resource Management Plan and the 2012 Comprehensive Natural Resource Management Plan, totaling approximately 2,000 acres.

SMITH AND BYBEE WETLANDS NATURAL AREA

The lands owned and managed by Metro, and lands managed by Metro through management agreement, totaling approximately 1,760 acres. This is the area subject to this Interim Plan.

NRMP

Natural Resources Management Plan This plan was adopted in 1990 by City of Portland and Metro. It established the Smith and Bybee Wetlands Advisory Committee, Metro as land manager, and parameters for use of the Wetlands Fund. It was authorized by Portland Zoning Code 33.430.310. The NRMP is typically referred to as the 1990 Plan.

CNRP

Comprehensive Natural Resources Plan This plan is a new land use review type authorized by Portland Zoning Code 33.809. Similar to the NRMP, the CNRP allow long-term management for large ecosystems. However, the CNRP does not supersede the Zoning Code but must comply with current zoning regulations.

INTERIM PLAN

This plan, which applies to Smith and Bybee Wetlands Natural Area, and replaces the 2012 CNRP. The plan will remain in effect until such time as a formal master planning process for Smith and Bybee Wetlands Natural Area is completed.

CONSERVATION TARGET

Species, communities or ecological systems that encompass the native biodiversity of the site. Targets may be habitats with nested species or individual species if they cross habitats.

KEA

Key ecological attribute A key attribute that if missing or altered would lead to the loss of the conservation target over time. For example, one of the key ecological attributes of riparian forest is native tree and shrub richness.

THREAT

Any element that places stress on the resource and its inhabitants and threaten the health of the greater ecosystem. Examples of threats include invasive plants and animals, disruption in habitat connectivity and human disturbance.

LAKE VS. WETLAND

The convention used in this plan is to use “wetland” when describing the overall area and the combination of Smith and Bybee Lakes. “Lake” is used when referring to either Smith Lake or Bybee Lake individually. This convention is based on common usage.

EXOTIC

A species occurring outside its native range; it is not necessarily invasive.

WEED

A common term for plants growing where they are not wanted, weeds can be native depending on the context.

NON-NATIVE

Synonymous with “exotic,” it is a species occurring outside its native range and may or may not be invasive.

ACKNOWLEDGEMENTS

2012 COMPREHENSIVE NATURAL RESOURCE PLAN

Smith and Bybee Wetlands Advisory Committee

The Committee met regularly and made content decisions about the plan development process.

Dave Helzer, Chair, Portland Bureau of Environmental Services Pam Arden, 40-Mile Loop Land Trust

Lynn Barlow, Portland Parks and Recreation

Susan Barnes, Oregon Department of Fish and Wildlife Troy Clark, Vice Chair, Audubon Society of Portland

Larry Devroy, Port of Portland

Sara Henderson, St. Johns Neighborhood Association Dan Kromer and Dan Moeller, Metro

Patt Opdyke, North Portland Neighborhoods Dale Svart, Friends of Smith & Bybee Lakes

Metro Council

Tom Hughes, Metro Council President

Rex Burkholder, Councilor

Carlotta Colette, Councilor

Shirley Craddick, Councilor

Kathryn Harrington, Councilor

Carl Hosticka, Councilor

Barbara Roberts, Councilor

Metro

Metro is the Smith and Bybee Wetlands Fund manager and convened the CNRP planning process.

Jim Desmond, Sustainability Center director

Jonathan Soll, science and stewardship manager

Elaine Stewart, senior natural resources scientist

Janet Bebb, principal regional planner and project manager

Paul Ehinger, Solid Waste Operations director

Paul Vandenberg, St. Johns Landfill program planner

Heather Coston, communications associate

Resa Thomason, graphic design and production coordinator

Consultant Team

David Evans and Associates: Gill Williams, Kevin O'Hara, Ethan Rosenthal, Brookley Duke, Bob Marshall, Suzanne Carey, Christine Immroth and Kelly Rogers

City of Portland

The change from NRMP to CNRP was facilitated by Chris Scarzello and Roberta Jortner, City of Portland.

ACKNOWLEDGEMENTS

2023 INTERIM PLAN

Smith and Bybee Wetlands Advisory Committee

The Committee met regularly and made content decisions about the plan development process.

Carrie Butler, Chair, Port of Portland

Daryl Houtman, City of Portland, Bureau of Environmental Services

Eric Stern, Friends of Smith and Bybee Lakes

Eugenia Tam, North Portland Neighbors

Jonathan Soll, Metro

Max Samuelson, Vice Chair, Columbia Slough Watershed Council

Pat Jewett, 40-Mile Loop Land Trust

Troy Clark, Audubon Society of Portland

Metro Council

Lynn Peterson, Metro Council President

Ashton Simpson, Councilor

Christine Lewis, Councilor

Gerritt Rosenthal, Councilor

Juan Carlos González, Councilor

Mary Nolan, Councilor

Duncan Hwang, Councilor

Metro

Metro is the Smith and Bybee Wetlands Fund manager and convened the Interim Plan planning process.

Andrea Berkley, senior natural resource scientist

Elaine Stewart, senior natural resource scientist (retired)

Jonathan Soll, science and stewardship manager

Gary Shepherd, Metro legal counsel

Dan Moeller, conservation program director

Allan Schmidt, senior park planner

Katy Weil, senior natural resource scientist

Adrienne St. Clair, associate natural resource scientist

Courtney Patterson, program director, Waste Prevention and Environmental Services

Kelly Sherbo, Metro legal counsel

Sebrina Nelson, construction project manager, Waste Prevention and Environmental Services

Jason O'Donnell, environmental compliance manager, Waste Prevention and Environmental Services

Consideration of the May 9, 2023 Council Meeting Minutes
Consent Agenda

Metro Council Meeting
Thursday, June 15th, 2023

Metro

600 NE Grand Ave.
Portland, OR 97232-2736
oregonmetro.gov



Metro

Minutes

Tuesday, May 9, 2023

10:30 AM

Happy Valley City Hall (16000 SE Misty Dr, Happy Valley, OR
97086) <https://zoom.us/j/615079992> Webinar ID: 615 079 992
888-475-4499 (toll free)

Council meeting

1. Call to order and Roll Call

Council President Lynn Peterson called the Metro Council Meeting to order at 10:30am

Present: Council President Lynn Peterson, Council Deputy Christine Lewis, Councilor Juan Carlos Gonzalez, Councilor Mary Nolan, Councilor Gerritt Rosenthal Councilor Duncan Hwang, and Councilor Ashton Simpson

2. Public Communication

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

There was one member of the public that testified:

- Councilor Sherman, Happy Valley, OR

Councilor Sherman explained he commenting as a resident and not as a Councilor. He explains that as they expand the city, it is drawing others from outside of Happy Valley and wanted to express how proud he is of the progress being made. He then explained they need help with transportation to align the same goals with the state.

Happy Valley Presentation

Council President Lynn Peterson called on Councilor Sherman and Jason Tuck to present the *Happy Valley Presentation*

Staff pulled up the *happy Valley Presentation* to present to Council.

Summary of the Presentation:

The Presentation went over a new downtown vision, community center, library expansion, then went over the parks and recreation progress and programs

Council discussion:

Councilor Rosenthal asked if the acres the city bought are listed as an overlay zone.

Jason Tuck explained they need more planning to refine what it will be

Councilor Rosenthal then asked if the density in the town is 60 acres

Jason Tuck explained it is 30 acres and then explained there is no concrete plan.

Councilor Hwang asked how they are financing for the plan.

Jason Tuck explained it is coming from urban renewal and parks SDC's.

Councilor Sherman explained the library expansion is coming from the savings they have had over the years.

Councilor Simpson asked to get walked through the community envisioning to make the plan happen.

Jason Tuck explained they held 18 meetings with technical people and residents that included a consultant to lead the plan.

Councilor Sherman explained they went to every community event and asked people what they want to see at the parks.

Councilor Gonzales asked what the biggest transportation goals the city has and how council can support

Jason Tuck explained the 2 main priorities are Sunrise

corridor C2C Corridor.

Councilor Nolan asked what the council can do to help with the transportation opportunities and investments and if there is a way to collaborate with Metro.

Jason Tuck explained the city would be open to partnering up with Metro and explained they are open to having more discussion how to proceed.

Councilor Sherman explained they need the infrastructure for the land to keep the community together in order to decrease the transportation rates of residents travelling to work outside of the city.

Council President Peterson asked if they need a regional town center for the new downtown.

Jason Tuck explained that may not be necessary but will investigate it.

Council President Peterson then asked if they took a position on the UGB exchange.

Jason Tuck explained they did take a position on the UGB exchange and are in support of it.

End of Presentation.

3. Presentations

3.1 Central Services Budget Presentation

Attachments: [Staff Report](#)

Council President Lynn Peterson called on Andrew Scott and Holly Calhoun to present on the Central Services FY 2023-24

Proposed Budget

Staff pulled up the Central Services FY 2023-24 Proposed Budget Presentation.

Holly Calhoun explained the presentation will go over the finance and regulatory services, capital asset management, communications, human resources, and information technology.

She then introduced Deputy CFO Caleb Ford & Ryan Kinsella to go over the budget overview.

Summary of presentation:

The presentation went over the General and Risk fund, Equity Metrics, and budget modification.

Council Discussion:

Council Deputy Lewis asked if they are in the process of buying a new database to track subcontracts then asked how to find the cost of space not being used in at Metro.

Caleb Ford explained they are using a historical space of the building and then Ryan Kinsella answered the first question by explaining that the measure they are using the COBID measure.

Councilor Simpson asked how they would increase the number of hours of POC doing work.

Ryan Kinsella explained they have some direct control in some things they can do with the contracts and opportunities to make improvements related to that.

Councilor Simpson then asked how people can reach out.

Ryan Kinsella explained continued outreach is what they are doing.

Councilor Nolan asked about the \$1.9M budget for the parking garage at Metro

Ryan Kinsella then explained it is for improvements to the structure of the parking garage.

Councilor Nolan then asked how that will be affected as less people are coming to the office and using the garage.

Ryan Kinsella then explained the money needs to be spent regardless as it is necessary to address the structural issues.

Councilor Hwang asked about SHS and asked if they are subsidizing the SHS general fund in term of admin or if the funds are coming from the administrative funds.

Caleb Ford explained it is from tax levies and potential bond measures. He then explained that SHS is the main fund.

Councilor Rosenthal asked if Metro is planning on taking any authority away from the city of Portland and then asked about the FTE for the Oregon Convention Center and expressed that the Keller and the expo need construction and if it something they will look into in future years

Ryan Kinsella explained they will need 6-12 months and the Keller will need more time.

Caleb Ford explained they are not looking to take away responsibility from the city of Portland and they will need more staff time to handle responses and questions.

End of presentation.

Council President Lynn Peterson called on Julio Garcia and Lia Waiwaiole to present on the Communications Budget

Staff pulled up the Communications Presentation.

Summary of presentation:

The presentation went over the communications budget, equity metrics, engaging with communities, completion of qualitative findings and key findings, investments in target areas.

Council Discussion:

Council Deputy Lewis asked for the presenters to explain the strategies related to Metros goals.

Lia Waiwaiole explained that the department is a way for people to find answers related to waste and recycling and is a way for others to be aware of metros efforts.

Council Deputy Lewis then asked if they have the budget for what they need.

Julio Garcia explained they do have the budget currently and want to hire a full-time investigator.

Councilor Hwang asked for an explanation of the key equity metrics and made a comment about having more content put up in more languages to get the message out better.

Lia Waiwaiole explained they will add more support to

media coordinator and explained the key equity metrics is the input from the community.

Councilor Simpson asked if the budget modifications reflect the need to do coms outreach on a general daily way for everyone in the region and stakeholders.

Lia Waiwaiole explained that they have a new position to look at community engagement and they have a position on the proposed GAPD Budget

Councilor Rosenthal asked about the \$150k allocation and asked if it an FTE, then asked how it will possible to find a media coordinator who will understand all of Metro's goals and needs.

Lia Waiwaiole explained the media and social media experts will focus on bringing people together and help with media marketing/messaging. She then explained the \$150K is for participants, surveys, paid advertising and explained It is a M&S not FTE.

Councilor Gonzales gave some feedback about what he has been hearing and explained that there are certain groups in the region that feel they are being excluded by Metro and they feel they aren't being communicate to. Councilor Gonzales explained they need to communicate with everyone in the region.

Council President Peterson explained she wants the communication department should think more about how will Metro communicate to all the regions and communities and make sure that there is a standard.

End of Presentation.

Council President Lynn Peterson called on Rachell Tull to present on the Information Technology Presentation.

Staff pulled up the Information Technology Presentation.

Summary of presentation:

The presentation went over the budget within the IT department which includes desktop and enterprise software, data storage, web support and desktop support and maintain servers and systems.

The budget modifications included Manager for Project Management office 1.0 FTE, Systems Analyst 1.0 FTE, Enhanced Microsoft Licensing, Data center modernization.

Investments in target areas: Move the Data Center to an outside location with better cooling and heating to help with carbon emissions.

Council Discussion:

Councilor Rosenthal asked if they are doing to identify areas where they can apply Artificial Intelligence.

Rachell Tull explained they will be looking into ways they use AI for people to get answers from Metros website.

Council Deputy Lewis spoke about the modernization efforts and explained to Rachel to ask for additional investments ahead of time.

End of Presentation.

3.2 Council, COO, GAPD budget presentation

Attachments: [Staff Report](#)

Council President Lynn Peterson called on Andrew Scott to present on the Council, COO, GAPD FY 2023-24 Proposed Budget Presentation.

Staff pulled up the *Presentation*.

Summary of presentation:

The presentation went over the budget overview which includes \$8,070,860 for the person services FTE count and \$2,125,307 for the materials and services. The presentation also goes over two key equity metrics.

Council Discussion:

Council President Peterson asked who has the decision making power

COO Marissa Madrigal explained they have good models in the organizations

End of Presentation.

4. Other Business

4.1

Attachments: [Staff Report](#)
[Attachment 1 to Staff Report](#)

Council President Lynn Peterson called COO Marissa Madrigal to present on the Amendments to the FY 2023-24 Budget from proposed to approved Presentation.

Staff pulled up the Presentation.

Summary of presentation:

Marissa Madrigal introduced Caleb ford to explain the presentation.

The presentation went over 2 proposed amendments.

Amendment 1 is an increase of \$3,500,750 for the general obligation debt service fund.

Amendment 2 Transfer \$295,000 from the general fund contingency to the COO budget to fund additional scope related to the Expo Future Phase 2 Project.

End of presentation.

5. Chief Operating Officer Communications

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

- Marissa Madrigal gave an update on a fire at Metro South transfer station and will launch an investigation into what caused it.

6. Councilor Communications

Councilors provided updates on the following meetings and

events:

- Council Deputy Lewis wanted to recognize the efforts of the Zoo Staff for raising money for the wild life conservation.
- Councilor Nolan gave an update on the senate bill 6-11 is up for a work session on senate rules but will be impacted by the walk out if it were to advance any further.
- Councilor Gonzales spoke about the OMPOC meeting and gave an update on the Oregon Transportation plan and explained the draft is ready for review.
- Councilor Simpson spoke about the how great the Sundays parkways event was and it had a good turnout.
- Councilor Rosenthal spoke about two bills and another bill to advance a trail underneath highway 99 in Sherwood

7. Adjourn

There being no further business, Council President Lynn Peterson adjourned the Metro Council Meeting at 1:09pm

Sermad Mohamad

Respectfully submitted,

Consideration of the May 11, 2023 Council Meeting Minutes
Consent Agenda

Metro Council Meeting
Thursday, June 15th, 2023

Metro

600 NE Grand Ave.
Portland, OR 97232-2736
oregonmetro.gov



Metro

Minutes

Thursday, May 11, 2023

10:30 AM

Metro Regional Center, Council chamber,
<https://www.youtube.com/live/0ChRrn6UviM?feature=share>,
<https://zoom.us/j/615079992> Webinar ID: 615 079 992

888-475-4199 (toll free)

Council meeting

This meeting will be held electronically and in person at the Metro Regional Center Council Chamber.

You can join the meeting on your computer or other device by using this link:

<https://www.youtube.com/live/OChRrn6UviM?feature=share>,

1. Call to Order and Roll Call

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

2. Public Communication

3. Consent Agenda

3.1 **Resolution No. 23-5325**, For the Purpose of Amending the 2021-24 MTIP to Add Three New Projects to the MTIP Allowing Them to Initiate Preliminary Engineering and Meet Future Federal Delivery Requirements

Attachments: [Resolution 23-5325](#)
[Exhibit A](#)
[Staff Report](#)

Deputy Council President Peterson introduced Brian Kennedy to present on the FY-2023-23 Budget

Staff pulled up FY-2023-25 Budget to present to Council.

Summary of presentation:

Brian Kennedy explained resolution 23-5321 budget by funds, property tax levy's, important dates regarding the proposed budget.

Council discussion:

There was no council discussion.

A motion was made by Councilor Nolan, seconded by Councilor Gonzalez, that this item be amended. The motion passed by the following vote:

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

4. Resolutions

- 4.1 **Resolution 23-5321** For the Purpose of Approving the FY 2023-24 Budget, Setting Property Tax Levies and Transmitting the Approved Budget to the Multnomah County Tax Supervising and Conservation Commission (TSCC)

Attachments: [Resolution No. 23-5321](#)
[Exhibit A](#)
[Exhibit B](#)
[Staff Report](#)

A motion was made by Council President Peterson, seconded by Councilor Gonzalez, that this item be amended. The motion passed by the following vote:

Aye: 6 - Council President Peterson, Councilor Lewis, Councilor Gonzalez, Councilor Rosenthal, Hwang, and Simpson

Nay: 1 - Councilor Nolan

- 4.2 Resolution No. 23-5320 For the purpose of adopting solid waste fees at the metro transfer stations and the regional system fee for FY 2023-24

Attachments: [Resolution No. 23-5320](#)
[Exhibit A to Resolution No. 23-5320](#)
[Staff Report](#)
[Attachment 1 to Staff Report](#)
[Attachment 2 to Staff Report](#)
[Attachment 3 to Staff Report](#)
[Attachment 4 to Staff Report](#)

Deputy Council President Peterson introduced Brian Kennedy to present on Resolution 23-5320: Solid Waste fees

Staff pulled up Resolution 23-5320: Solid Waste fees to present to Council.

Summary of presentation:

Brian Kennedy explained the engagement activities, staff recommendations which will increase 8%, and council consideration for option 3b for an 11% increase

Council Discussion

Councilor Gonzales asked Brian Kennedy "What steps Metro can take to divide the regional system fee and the tip fee and provide more clarity and transparency to our partners?"

Brian Kennedy explained the fees for mixed solid waste and the regional system are not blended but kept separate. However, stakeholders may perceive a lack of transparency due to how reserves are tracked. The reserves generated are primarily used for capital expenditures related to transfer stations and regional system activities. To address transparency concerns, the council plans to separate transfer station operations and regional fee operations for better tracking of reserves.

Councilor Gonzales asked Brian Kennedy another question: "Can Metro be a lienor? How would you respond? What efforts can we take to be more efficient and lean while being respectful of public resources?"

Brian Kennedy explained Metro has already undergone reductions and reimagined programs to become leaner over the past three years due to the economic and financial impacts of the pandemic. The organization has made efforts to cut costs, such as holding vacant positions. However, the budget increases are related to investments aligned with Metro's values, including paying workers fair wages and benefits. If further budget reductions were necessary, it would require making difficult choices and doing fewer things rather than maintaining the same level of work with less revenue.

Councilor Nolan asked Does this package include anything that is setting a rate or a practice that will be executed in future years?

Brian Kennedy explained he does not believe so. He then explained There is a case to be made for strategic spending within the environmental services department.

End of presentation.

Council President Peterson asked for a second to amend Exhibit A from Resolution 23-5320. Councilor Simpson seconded.

Councilor Nolan expressed her appreciation for the staff's accessibility and acknowledged the importance of involving stakeholders in the decision-making process. She commended the leadership of the President in focusing on defining the vision and policy around the rate structure and services of the WPEZ. However, she expressed concerns about an amendment that contradicted the recent commitment to capping increases at 8%. Councilor Nolan suggested an alternative approach of freezing or minimally increasing the regional system fee to align with the

commitment. She emphasized her willingness to contribute to future efforts to rationalize and clarify policies and implementations.

Councilor Gonzales expressed his appreciation for President Peterson's leadership and acknowledged their limited experience in the matter, having missed previous discussions. He highlighted the tension between the commitment made to cap increases at 8% and the importance of operating at a cost of service. Councilor González emphasized the value of a diverse industry landscape and expressed concerns about potential consolidation by larger companies if cost recovery is not achieved. He recognized the challenges and changing circumstances, such as the impact of inflation and the need for further conversation. Councilor González supported the amendment and continued the conversation and stressed the importance of communication, transparency, and conveying a vision for the system amidst changing variables. He then acknowledged the inherent tension in rate setting but expressed support for previous decisions to improve employee conditions and enhance services.

Councilor Simpson expressed gratitude to the haulers and stakeholders for providing insights. He emphasized concern for small local haulers, particularly family businesses, and highlighted the challenges posed by inflation, labor costs, fuel costs, and the uncertainty of budget issues at the national level. He then questioned the potential impact of freezing the regional systems fee, as suggested by Councilor Nolan, and how it would affect the agency. Councilor

Simpson acknowledged the need for further discussions with stakeholders, emphasizing the importance of clear communication and transparency. He ended his comments with raised concerns about the potential consequences of freezing the fee and going with an 11% increase.

Brian Kennedy came to answer Councilor Simpson and explained that Freezing the current system fee at \$29.37 would result in budget reductions of approximately \$2 million, potentially more depending on tonnage forecasts. In actuality, the decrease would be around \$3 million, considering a \$2 per ton reduction and an expected 1.5 million tons in the region. To avoid depleting reserves below policy levels, budget reductions in services and programs would be necessary.

Council Deputy Lewis expressed gratitude towards Metro staff for their patience and engagement with stakeholders and community members. She emphasized the importance of transparency and being out in the community to discuss the services provided by the agency. Councilor Lewis reflected on past efforts to study rate setting and transparency, acknowledging the diverse nature of the waste industry and the need for continued conversations. She then expressed her appreciation for the constructive discussion among colleagues and recognized the imperfect nature of the compromise but considered it a way forward given the unpredictable circumstances.

Council President Peterson expressed discomfort with making a late shift, she then explained she will be supporting the amendment. She acknowledged the challenges of being a partner when decisions are made quickly and emphasize the need to address real issues raised during the process. She also acknowledged the concerns of businesses and the

need to balance affordability with service provision.

Council President Peterson then called motion to approve Resolution 23-5320 for the purpose of adopting solid waste fees at the Metro transfer stations and the regional system fee for fiscal year 2023-24 as amended.

Councilor Nolan explained that the overall measure does not meet their objective, as a cap is a cap and 8.4% is not 8%. She then emphasized the importance of considering communication that goes beyond trying to persuade people to take a specific point of view. She then highlights the significance of listening to local business owners who have brought their expertise to the discussions. She then explained that she hopes in the, the voices of these business owners are included and valued.

A motion was made by Councilor Gonzalez, seconded by Councilor Rosenthal, that this item be amended. The motion passed by the following vote:

Aye: 6 - Council President Peterson, Councilor Lewis, Councilor Gonzalez, Councilor Rosenthal, Hwang, and Simpson

Nay: 1 - Councilor Nolan

4.2.1 Public Comment Opportunity for Resolution No. 23-5320

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

Evan Polk, the solid waste recycling manager for the bureau of planning and sustainability: Evan Polk explained that Metro's delayed decision on disposal fees may result in the need for two rate increases in a short period of time. He then spoke about the proposed 8.4% increase, along with the potential 11.2% increase, raises concerns about the overall fees for garbage and recycling services, impacting residents.

He then went over the Regional System Fee and explained how the framework for the regional system fee needs further discussion to ensure clarity, understandability, and consensus-driven priorities and that private transfer stations evaluate fees, but the regional disposal system lacks the same accountability, which should be addressed for a fair and reliable funding process.

Kristin Likener, with pride recycling company:

Kristin expressed concerns about the blending of reserve funds from the Regional System Fee (RSF) and operating costs, which creates an uneven playing field for private facilities. She also points out the unequal treatment between private and Metro facilities, where private facilities have tonnage limitations and Metro facilities can build reserves. They advocate for an operational proposal that aligns more closely with the cost of service model and emphasizes the need for cost-based charging.

Alondo Simpson, City of Rose disposal and recycling: During the meeting, the speaker summarized the brand's evolution towards embracing the circular economy and transitioning the solid-waste system for future generations. They highlighted option 3B, which aimed to cost recover operational deficiencies and address unaccounted costs. The speaker expressed gratitude for the fruitful discussions and emphasized the need for transparency in this evolving system due to the impacts of the pandemic on costs. They

urged the elected leaders and agency staff to be accountable and push for necessary changes to avoid remaining in a detrimental status quo. The speaker reaffirmed their commitment to working alongside stakeholders to create a transformative solid waste and recycling ecosystem that leads the country and the planet.

5. Chief Operating Officer Communication

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

there are two main points discussed. Firstly, Marissa reminds everyone to be aware of heat-related illnesses as the weather gets warmer, emphasizing the importance of recognizing symptoms and following Metro's heat illness prevention policy. Secondly, she expresses excitement about Metro parks and nature's outreach efforts on water safety, including partnerships with sports teams like the Timbers and the Hops.

6. Councilor Communication

Councilors provided updates on the following meetings and events:

- Council President Peterson thanked Margi for all the work she has done at Metro.
- Councilor Gonzales wished everybody a happy Mexican mother day.
- Council Deputy Lewis, Councilors Gonzales, Hwang and Rosenthal all expressed their gratitude for Margi and all the work she had done for Metro.

7. Adjourn

There being no further business, Deputy Council President Lewis adjourned the Metro Council Meeting at 11:58am

Respectfully submitted,

Sermad Mohamad

Sermad, Mohamad Legislative Assistant

**Resolution No. 23-5346, For the Purpose of Declaring Certain Property Surplus and
Authorizing a Lease of a Portion of the Irving Street Garage**
Consent Agenda

Metro Council Meeting
Thursday, June 15th, 2023

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF DECLARING CERTAIN)	RESOLUTION NO. 23-5346
PROPERTY SURPLUS AND AUTHORIZING A)	
LEASE OF A PORTION OF THE IRVING)	Introduced by Chief Operating Officer
STREET GARAGE)	Marissa Madrigal in concurrence with
	Council President Lynn Peterson

WHEREAS, Metro owns and occupies the Metro Regional Center campus, located at 600 NE Grand Avenue, Portland, Oregon 97232-2736 (the “MRC”), which includes a four-level parking garage situated in the northeast corner of the MRC known as the “Irving Street Garage”; and

WHEREAS, the Irving Street Garage has 460 parking stalls, available to both Metro employees and the general public on a monthly or daily basis; and

WHEREAS, Boyland Auto Portland, LLC, owns and will shortly be opening a Kia dealership across the street from the MRC; and

WHEREAS, Boyland Auto Portland, LLC, desires to lease the 2nd, 3rd and 4th Floors of the Irving Street Garage (the “Premises”) at a rate that exceeds the revenue Metro currently generates from the 349 parking stalls located therein; and

WHEREAS, Metro does not currently use the Premises for its operations and desires to lease the Premises to Boyland Auto Portland, LLC; now therefore,

BE IT RESOLVED that the Metro Council hereby:

1. Declares the Premises surplus property as it is not needed for public use during the term of the proposed lease; and
2. Authorizes the Chief Operating Officer to negotiate and execute a lease for the Premises with Boyland Auto Portland, LLC, provided the terms are substantially similar to those described on Exhibit A and the form of agreement is approved by the Office of Metro Attorney.

ADOPTED by the Metro Council this 15th day of June 2023.

Lynn Peterson, Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney

Exhibit A to Resolution No. 23-5346

BASIC LEASE TERMS FOR PREMISES

1. **PERMITTED USE.** The Premises may only be used and occupied solely for parking lot purposes to provide parking of automobiles that Tenant sells, leases, loans, or services as part of Tenant's car dealership business.
2. **LEASE DURATION:** The initial term of the Lease will be 4 years.
3. **EXTENSION RIGHTS:** Tenant will have the right to extend the Lease for five additional three-year periods by providing written notice to Metro prior to the expiration of the current term. However, Metro will have the right to reject any such extension by providing Tenant with written notice of its rejection. If Landlord rejects any extension, the Lease will thereafter expire at the end of the current term.
4. **BASE MONTHLY RENT.** The base monthly rent shall be \$21,000. Beginning on July 1, 2024, and on each succeeding July 1st thereafter during the initial term (including any extensions thereof), the Base Monthly Rent will increase 3% per annum over the rate charged for the immediately preceding twelve-month period.
5. **TENANT EARLY TERMINATION RIGHT.** If, during the first property tax year that property taxes are assessed against the Tenant's leasehold interest, the amount of such taxes exceeds \$69,600 (which equates to \$5,800 per month), Tenant will have the one-time right to terminate the Lease prior to the expiration of the initial 4-year term.
6. **SECURITY AND MAINTENANCE RESPONSIBILITIES FOR ENTIRE GARAGE.** Tenant will at its expense, maintain in good order, condition and repair both the Premises and the remaining one floor of the Irving Street Garage. Among other things, Tenant's responsibilities will include daily cleaning and refuse (including biohazardous materials) removal, graffiti removal, and providing consistent and regular (i.e., daily, if needed) janitorial services to the entire Irving Street Garage. Tenant will also be responsible for providing reasonable safety and security for the entire Irving Street Garage, which includes removing vandalism, securing access to all water and utility lines, addressing camping of individuals, loitering, and all other unauthorized uses.

FOR THE PURPOSE OF DECLARING CERTAIN PROPERTY SURPLUS AND AUTHORIZING A LEASE OF A PORTION OF THE IRVING STREET GARAGE

Date: June 1, 2023
Department: Capital Asset Management
Meeting Date:

Prepared by: Rory Greenfield,
rory.greenfield@oregonmetro.gov
Presenter(s), (if applicable): N/A
Length:

ISSUE STATEMENT

Boyland Auto Portland, LLC has proposed to lease three floors of the Irving Street Garage (adjacent to the Metro Regional Center), in which they would house inventory for the Kia car dealership across the street. The proposed four-year lease would be at a rate of \$21,000 per month – or \$1.01 million over the initial four-year term. Metro would retain one floor of the garage for its continued use.

Per State law and the Metro code, Council action is needed to declare the garage as surplus and authorize the COO to enter into the lease.

ACTION REQUESTED

As per the resolution attached, two actions are requested:

1. Declare the Premises surplus property because it is not needed for public use during the term of the proposed lease.
2. Authorize the Chief Executive Officer to enter into a lease agreement with Boyland on terms substantially similar to those attached to the resolution.

IDENTIFIED POLICY OUTCOMES

This resolution generates additional revenue, supports employee safety, and provides flexibility for future uses:

- The additional \$1.01 million in General Fund discretionary revenue can be used to support MRC operations and capital needs, along with other Metro priorities;
- Boyland will secure and maintain the entire garage, relieving MRC campus operations staff of having to deal with potentially unsafe conditions;
- The initial four-year lease period gives Metro flexibility to reevaluate the garage for future uses and opportunities. Although Boyland has options to renew, Metro may reject such options should it desire the lease to expire at the end of the term.

POLICY QUESTION(S)

Should Metro enter into the lease with Boyland Auto Group for the next four years or explore other uses of this parking structure?

POLICY OPTIONS FOR COUNCIL TO CONSIDER

If Metro does not lease the garage, Metro could either (1) retain the current use of the garage, or (2) explore other uses of the garage.

1. Retain current use of the garage. Under this scenario, Metro would continue to operate the garage at a loss of \$40,000/year (inclusive parking management agreement, pressure washing, and biohazard expensive; exclusive of staff time and vandalism costs). Safety, cleaning, and vandalism issues would remain a concern.
2. Explore other uses of the garage. The primary purpose of the garage is to house vehicles. Currently, there is no demand for parking in the Lloyd District as a result of the dramatic shift in employees working from home in neighboring businesses. Due to the location to the inner city and transit, the location of the Irving Street Garage likely has better purposes that would be more consistent with Metro values, such as affordable housing. This type of project would take multiple years to advance prior to construction in order to secure land use, financing, partnerships etc. The current lease terms provide Metro with the flexibility to develop options for other uses by not committing to a longer-term lease.

STAFF RECOMMENDATIONS

Staff recommends taking the actions listed above. Doing so will bring revenue to Metro and make the MRC a safer campus.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

Beginning in FY 19-20 with the onset of the pandemic, annual revenue from the Irving Street garage fell to \$590,000, with total net revenue for the past two years of \$8,700. Average parking collections per month are about \$4,300, while average expenses are approximately \$5,000, equating to a roughly \$700/month loss.

The annual revenue from this lease is \$252,000. This is a significant revenue increase for Metro compared to current day trends and has been confirmed to be a fair current market price by our broker. The 4-year lease requires Boyland to keep the structure maintained and secure, and provides us flexibility to decide whether or not to extend the lease at the end of the term.

This agreement will also address cleaning/maintenance and safety needs of garage.

Cleaning and Maintenance Needs. Currently, Metro's MRC Campus Operations team cannot keep up with the cleanup needs of the vacant garage. Several times a week the garage is vandalized, experiences vehicle break-ins, has people camping in it, finds its stairwells littered with human waste and drug paraphernalia, and has water lines and electrical outlets broken to gain access to these resources. Rapid Response, Metro's biohazard clean-up contractor, is onsite Sun – Thursday when they clean human waste, trash and drug paraphernalia; Metro pays \$2100 per month for this service. Additionally, Metro pays \$550 per visit for monthly pressure washing of the garage stairwells, primarily to address human waste.

Safety Needs. Current conditions are a safety issue for MRC Campus Operations staff and other staff coming to the MRC to work. Employee vehicles have been broken into and many of the individuals encountered in the garage have been verbally abusive and physically threatening to Campus Operations staff.

As part of the lease, the Boyland will secure, clean, and provide day-to-day maintenance of the entire garage, including the one floor retained by Metro. This lease should ensure better management of the garage/property, bring revenue back to the agency and address the safety issues it poses.

BACKGROUND

Adjacent to the Metro Regional Center is a 4-level, 460 stall public parking garage referred to as the “Irving Street Garage”. Metro has owned and contracted out the operation of this garage since the agency occupied the MRC in 1992. Pre-pandemic, the garage catered to customers seeking monthly and daily parking and was used by visitors to the Lloyd District and the MRC, employees of businesses and agencies within the Lloyd District, and by Metro employees. Annual average revenues from the Irving Street garage were \$802,000 on average.

The property immediately to the north of the MRC (720 NE Grand Ave) has been acquired by an affiliate of Boyland Auto Group. The site is currently undergoing a million-dollar renovation to open a Kia dealership but requires additional parking to house their inventory. Boyland has requested to lease the 2nd, 3rd and 4th floors of the Irving Street Garage, which consists of 360 parking spaces.

If this lease is implemented, the first floor of the Irving garage will remain open to Metro staff and visitors at the current daily rate of \$10. This lease does not affect the underground garage in the MRC. Metro will continue to maintain employee parking in the MRC underground garage.

ATTACHMENTS

[For work session:]

- Is legislation required for Council action? Yes No
- If yes, is draft legislation attached? Yes No
- What other materials are you presenting today? [INSERT]

PARKING LOT LEASE

This Parking Lease ("Lease") is made and entered into effective as of July 2, 2023 (the "Effective Date"), by and between Metro, a municipal corporation and political subdivision of the state of Oregon, organized under ORS 268 and the Metro Charter ("Landlord"), and Boyland Auto Portland, LLC, an Oregon limited liability company ("Tenant").

RECITALS

WHEREAS, Landlord is the owner of a parking structure located at 600 NE Grand Avenue, Portland, Oregon (the "Parking Garage") and desires to lease the 2nd, 3rd, and 4th Floors of the Parking Garage (the "Premises") to Tenant.

WHEREAS, Tenant is the owner of improved real property adjacent to the Premises, and desires to lease the Premises from Landlord, pursuant to terms of this Lease.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

AGREEMENT

1. **Agreement**: Landlord hereby leases to Tenant, and Tenant leases from Landlord, the Premises for the duration of the Term (defined in Section 2, below), at the rental rate set forth in Section 3, and upon the conditions set forth in this Lease.

2. **Term**:

(a) **Initial Term**. The initial term of this Lease shall commence on July 2, 2023 (the "Commencement Date") shall expire on June 30, 2027 (the "Initial Lease Term"). Landlord will deliver possession of the Premises to Tenant on the Commencement Date.

(b) **Extension Terms**. As long as Tenant is not in default, Tenant shall have the right to extend the Lease for five additional three-year periods (each referred to as an "Extension Term") by providing written notice (the "Exercise Notice") to Landlord no less than one hundred twenty (120) days prior to the expiration of the current term; provided, however, that Landlord shall have the right to reject each extension by providing Tenant with written notice of the same (the "Rejection Notice") within forty-five (45) days after Landlord's receipt of an Exercise Notice. If Landlord timely provides the Rejection Notice, this Lease shall expire as of the expiration of then-current term. If Landlord does not timely provide the Rejection Notice, Tenant shall be entitled to use and occupy the Premises for the entire Extension Term, subject to all of the same terms as provided in this Lease. The Initial Lease Term together with any exercised Extension Term are sometimes referred to herein, collectively, as the "Term."

(c) **Tenant Early Termination Right**. The parties acknowledge that as of the Effective Date, the property taxes that may result from Tenant leasing the Premises are unknown. If, during the first property tax year that property taxes are assessed against the leasehold interest, the amount of such taxes exceeds \$69,600 (which equates to \$5,800 per month), then Tenant shall have the one-time right to terminate this Lease ("Termination Right") which termination will be effective as of the Early Termination Date (as defined below). To effectively exercise its Termination Right, Tenant must (i) provide Landlord a written notice of its election to exercise its Termination Right, along with supporting tax assessment documentation from Multnomah County (the "Termination Notice") (ii)

deliver the Termination Notice to Landlord at any time during the Initial Lease Term, but not less than two months prior to the termination date specified in the Termination Notice (the “Early Termination Date”), and (iii) concurrent with Tenant’s delivery of the Termination Notice, deliver to Landlord an early termination payment in an amount equal to the unamortized broker commissions Landlord will have paid in accordance with Section 24 of this Lease (as determined using monthly straight line amortization computed based on the Initial Lease Term) (the “Early Termination Payment”). Tenant will pay directly (i.e., not through Landlord) all property taxes attributable to the leasehold interest for the entirety of the real property tax year that includes the Early Termination Date. If Tenant timely and properly exercises the Termination Right, Tenant shall thereafter vacate and return possession of the Premises to Landlord in the condition required by the terms of this Lease on or before the Early Termination Date, after which Tenant shall have no further obligations under this Lease except for those accruing prior to the Early Termination Date and those which, pursuant to the terms of this Lease, survive the expiration or early termination of this Lease. Notwithstanding the foregoing, in accordance with Section 6 below, Tenant shall be responsible for any and all real property taxes levied or assessed against the Premises during the term of this Lease.

3. **Base Rent:** Tenant shall pay to Landlord rent, without notice or demand and without abatement, deduction or setoff except as otherwise expressly provided herein, in equal monthly installments of \$21,000.00, in advance on the first day of each month at the office of Landlord or such other place as Landlord may designate. Upon the full execution of this Lease, Tenant shall promptly delivery to Landlord prepaid rent in the amount of \$21,000.00, which will be the Base Monthly Rent due for the first month of the Initial Lease Term. Beginning on July 1, 2024 and on each succeeding July 1st thereafter during the Term (including any extensions thereof), the Base Monthly Rent for the Leased Premises shall increase 3% per annum over the rate charged for the immediately preceding twelve-month period. Payments for partial months shall be prorated based on a 30-day month.

4. **Permitted Use, Condition and Maintenance Responsibilities:**

(a) The Premises shall be used and occupied solely for parking lot purposes to provide parking of automobiles that Tenant sells, leases, loans, or services as part of Tenant's car dealership business. The parties acknowledge that currently the Premises has ~~349232~~ parking spaces. If Tenant desires to increase the parking capacity and park more than ~~349240~~ cars on the Premises, Tenant must first obtain a structural engineering study demonstrating that the Parking Garage structure will safely support the weight of additional vehicles. After providing Landlord with a copy of such study, Tenant may park as many vehicles on the Premises as the space safely allows (subject to applicable laws) and in any location within the Premises, without regard to painted lines or other parking space designations, and including without limitation, the right to stack cars vertically on top of each other. Tenant may not use the Premises for any other purpose without the prior written consent of Landlord, which consent may be withheld or delayed in Landlord's sole and absolute discretion.

(b) Tenant hereby accepts the Premises “as-is”, in its condition existing as of the Effective Date, subject to all applicable zoning, municipal, county and state laws, ordinances and regulation governing and regulating the use of the Premises, and any covenants or restrictions of record.

(c) Tenant agrees to, at its expense, maintain in good order, condition and repair both the Premises and remainder of the Parking Garage. Without limiting the above, Tenant shall be responsible for cleaning, power washing, snow and ice removal, and annual leaf removal and annual drain clean outs for the entire Parking Garage, including all stairwells, driveways and parking areas not located within the Premises. Tenant shall be responsible for painting, lighting replacement, daily cleaning and refuse (including biohazardous materials) removal, graffiti removal, and providing

consistent and regular (i.e. daily, if needed) janitorial services to the Parking Garage. Tenant will also be responsible for providing reasonable safety and security for the entire Garage, which includes removing vandalism, securing access to all water and utility lines, addressing camping of individuals, loitering, and all other unauthorized uses within the Parking Garage. Tenant's willingness to take responsibility for these general maintenance, janitorial, and security items for the entire Parking Garage has been factored in to the agreed upon rental rate agreed upon by the parties. Furthermore, the parties acknowledge that having Tenant be the single provider of all maintenance, janitorial, and security measures for the Parking Garage is the most efficient way to ensure that the entire Parking Garage is managed and operated at a level satisfactory to both parties. If, to carry out its Parking Garage maintenance responsibilities, Tenant needs to coordinate with Landlord to access portions of the Parking Garage not within Tenant's control, Tenant will provide Landlord with not less than forty-eight (48) hours' prior written notice of its access needs and both parties will make reasonable efforts to facilitate Tenant's access while minimizing the scope and duration of any interference with Landlord's use.

(d) Landlord shall repair, maintain and replace the structural elements of the Parking Garage (including the Premises) to keep the same in good repair and safe condition. In addition, Landlord will be obligated to arrange regular elevator, fire system and back flow device maintenance. Landlord shall have the right, but not the obligation, to access the Premises and perform any other repairs, alterations, replacements, and improvements it reasonably deems necessary to keep the Premises and the Parking Garage in good repair and condition provided (a) it gives Tenant not less than forty-eight (48) hours' prior written notice of its intent to access the Premises (except that, in the event of an emergency, it shall only be required to give such prior notice, if any, as may be reasonable under the circumstances) and (b) it uses reasonable efforts to minimize the scope and duration of any interference with Tenant's use. Except as specifically set forth in this Lease to the contrary, Landlord shall not be required to furnish any services or facilities or to make any repairs, replacements, or maintenance of any kind in or on the Premises or the Parking Garage.

5. Alterations:

(a) Tenant shall not make or permit to be made any alterations, additions or improvements ("Alterations") to the Premises without the prior written consent of Landlord, which consent may be withheld in Landlord's sole and absolute discretion; provided, however, that Tenant may, without the consent of Landlord, make non-structural Alterations that cost less than \$25,000 and do not require any governmental approvals or permits. Together with any request for consent to any Alterations, Tenant shall submit to Landlord plans and specifications for the proposed work and the name of the general contractor and/or subcontractors that will be performing the work. Landlord may grant or withhold its consent or may impose as conditions to its consent as Landlord deems necessary, in its sole judgment, to protect its interests and to make the proposed Alterations compatible and comparable with the quality, design and structural characteristics of the Parking Garage. All Alterations shall be constructed in a good and workmanlike manner and in compliance with all applicable laws and all other provisions of this Lease.

(b) All Alterations constructed and installed by Tenant shall, when made, become the property of Landlord, and at the expiration or termination of this Lease shall be surrendered to Landlord in as good order as when installed, ordinary wear and tear, casualty and condemnation excepted. Notwithstanding the forgoing, Landlord may, at its option, notify Tenant at any time that Tenant will be required to remove some or all of its Alterations from the Premises upon the expiration or termination of this Lease, and in that event, Tenant shall remove those Alterations from the Premises upon the expiration or termination of the Lease and shall repair or restore the Premises to their original condition prior to the installation of such Alterations, ordinary wear and tear, casualty and condemnation excepted.

Commented [A1]: Rory/Ryan, did you decide you are OK with this?

6. Taxes; Utilities:

(a) Tenant shall pay when due all personal property taxes assessed against its personal property or equipment on the Premises. In the event any real property taxes are assessed against the Premises as a result of this Lease, Tenant shall pay such taxes assessed when due.

(b) Except as allocated to Tenant above, Landlord shall pay when due any other taxes and assessments assessed against the Parking Garage, and all charges for water and electricity utility services. Utilities for the Premises are not separately metered and Landlord's estimate of utility costs attributable to the Premises has been included in the Base Monthly Rent referenced in Section 3. However, to the extent that the monthly utility charges which Landlord reasonably attributes to Tenant's use of the Premises (or failure to secure the Parking Garage in accordance with Section 4) exceed \$300.00 per month during the Term, Landlord shall notify Tenant and Tenant shall pay any such excess charges within thirty (30) days following Tenant's receipt of an invoice therefor (and reasonable supporting documentation for the invoice). Interruption of utilities shall not be deemed an eviction or disturbance of Tenant's use and possession of the Premises, render Landlord liable to Tenant for damages, or relieve Tenant from performance of Tenant's obligations under this Lease. Landlord will, however, take all reasonable steps to correct any interruption in service caused by defects in the utility systems within Landlord's reasonable control.

7. Tenant Insurance; Indemnity:

(a) During the term of this Lease, Landlord shall maintain in full force a policy or policies of standard multi-peril insurance covering the Premises for the perils of fire, lightning, windstorm, and other perils commonly covered in such policies.

(b) Tenant shall at its own expense during the Term carry in full force and effect (i) the most recently approved ISO commercial general liability insurance policy, its equivalent, or a Garagekeepers policy written on an occurrence basis, with limits not less than One Million Dollars (\$1,000,000) per occurrence. The policy will include coverage for bodily injury, property damage, personal injury, contractual liability, and premises. Tenant's coverage will be primary as respects Landlord; (ii) a business automobile liability insurance covering owned, non-owned, and hired vehicles with a limit of not less than One Million Dollars (\$1,000,000); (iii) workers' compensation insurance meeting Oregon statutory requirements; and (iv) Two Million Dollars (\$2,000,000) excess or umbrella insurance. Landlord, its elected officials, departments, employees, and agents shall be named as additional insureds on the commercial general liability, automobile, and excess policies. Tenant shall provide to Landlord thirty (30) days' notice of any material change or policy cancellation (only ten (10) days' notice shall be required in the event of cancellation due to non-payment of the premium). On or before the Commencement Date, Tenant shall furnish Landlord with a certificate of insurance complying with the requirements of this Section 7. Tenant shall provide updated certificates of insurance annually.

(c) Subject to the waivers in Section 7(f) below, Tenant shall indemnify, defend, and save harmless Landlord from any and all liability, damage, expenses, attorneys' fees, causes of actions, suits, claims, or judgments, arising out of or connected with (i) the negligence or willful misconduct of Tenant or Tenant's agents, invitees, employees or contractors within the Premises, and (ii) any failure of Tenant to comply with the terms of this Lease; provided, however, that Tenant shall not be liable for claims to the extent caused by the negligence or willful misconduct of Landlord or Landlord's agents,

employees or contractors. Tenant shall, at its own cost and expense, defend any and all suits that may be brought against Landlord either alone or in conjunction with others upon any such above mentioned cause or claim, and shall satisfy, pay, and discharge any and all settlements paid by or judgments that may be entered against Landlord, regardless of whether a lawsuit is actually filed.

(d) Subject to the waivers in Section 7(f) below, and subject to the maximum liability limits provided for under the Oregon Tort Claims Act and the Oregon Constitution, Landlord shall indemnify, defend, and save harmless Tenant from any and all liability, damage, expenses, attorneys' fees, causes of actions, suits, claims, or judgments, arising out of or connected with (i) the negligence or willful misconduct of Landlord's or Landlord's agents, invitees, employees, contractors, and (ii) any failure of Landlord to comply with the terms of this Lease; provided, however, that Landlord shall not be liable for claims to the extent caused by the negligence or willful misconduct of Tenant or Tenant's agents, employees or contractors. Landlord shall, at its own cost and expense, defend any and all suits that may be brought against Tenant either alone or in conjunction with others upon any such above mentioned cause or claim, and shall satisfy, pay, and discharge any and all settlements paid by or judgments that may be entered against Tenant, regardless of whether a lawsuit is actually filed.

(e) Any contract between Tenant and a contractor for work on behalf of Tenant at the Premises shall require (i) the contractor to indemnify, save and hold Landlord and Tenant harmless from and against and free and clear of all claims, suits, actions, and damages which may arise, occur or result from work performed by said contractor; and (ii) the contractor to name Landlord and Tenant as additional insureds on contractor's policy of insurance and furnish Landlord and Tenant with a certificate of insurance evidencing such coverage.

(f) Any policy or policies of property insurance which either party obtains in connection with the Premises or Tenant's personal property therein shall include a clause or endorsement denying the insurer any rights of subrogation against the other party for damages, injuries or losses caused by such other party that are covered to by such insurance policies, regardless of any negligence on the part of such other party. Landlord and Tenant waive any rights of recovery against the other for damage to such party's property arising from any occurrence that would be covered by a special form policy of property insurance for the full replacement cost of the applicable item, whether or not such insurance is actually carried by such party.

8. Tenant's Obligations:

(a) Tenant agrees to fully comply, at its expense, with all applicable zoning, laws, regulations, ordinances and requirements of any public authority governing and regulating the use and occupancy of the Premises, and all conditions, covenants and restrictions of record now or hereafter in force; provided that Landlord will not voluntarily encumber or permit the Premises to be encumbered, or modify or permit modification of any existing encumbrances, in a manner that would materially affect Tenant's use or operations or increase Tenant's costs or other obligations hereunder, without Tenant's prior written consent. Landlord represents and warrants to Tenant that there are no existing agreements, covenants, conditions, restrictions, or other encumbrances affecting the Premises that would materially and adversely affect Tenant's ability to use the Premises for the purposes contemplated herein.

(b) Tenant shall refrain from any activity that would be unreasonably offensive to Landlord or to owners or users of the adjoining premises, or that would tend to create a nuisance or damage the reputation of the Premises or of any such buildings. Without limiting the generality of the foregoing, Tenant shall not permit any unreasonable noise or odor given Tenant's permitted use to

escape or be emitted from the Premises, nor permit the use of flashing (strobe) lights, nor permit the sale or display of offensive materials as reasonably determined by Landlord.

(c) Tenant shall refrain from making any marks on or attaching any sign, insignia, antenna, window covering, aerial, or other device to the exterior or interior walls, windows, or roof of the Premises without the written consent of Landlord, which consent may will not be unreasonably withheld.

(c) Tenant shall pay as due all claims for work done on or for services rendered or material furnished to the Premises on the Tenant's behalf, and shall keep the Premises free from any liens based on services rendered or material furnished to the Premises on Tenant's behalf. If Tenant fails to pay such claim or to discharge any lien created or suffered by Tenant, Landlord may do so and collect such amount as additional rent; provided, however, that Tenant shall have the right to contest such lien, as long as such contest prevents foreclosure of the lien, before being obligated to pay Landlord therefor. Such payment by Landlord shall not constitute a waiver of any right or remedy Landlord may have because of Tenant's default.

(d) Tenant shall comply with any reasonable rules respecting the use of the Premises, which may be promulgated by Landlord from time to time, and communicated to Tenant in writing, provided that such rules do not materially affect Tenant's access to and use of the Premises for the purposes contemplated hereunder, increase Tenant's operating costs or materially increase Tenant's obligations under this Lease, or conflict with the terms and provisions of this Lease.

(e) Tenant shall not generate, release, store, or deposit on the Premises any environmentally hazardous or toxic substances, materials, wastes, pollutants, oils, or contaminants, as defined or regulated by any federal, state, or local law or regulation or any other Law (collectively, "Hazardous Substances"). If Tenant knows, or has reasonable cause to believe, that any Hazardous Materials have come to be located on or beneath the Premises or adjacent lands, Tenant must immediately give written notice of that condition to Landlord. Tenant shall indemnify, defend, and hold Landlord harmless from and against any and all claims, losses, damages, response costs, and expenses of any nature whatsoever (including without limitation attorneys', experts', and paralegals' fees) arising out of or in any way related to the generation, release, storage, or deposit of Hazardous Substances on the Premises or on Landlord's property by Tenant in violation of this Lease or applicable laws. Landlord acknowledges, however, that a variety of Hazardous Substances are present in automobiles and that small quantities of such Hazardous Substances leaking from automobiles will not be deemed to violate this Lease.

Landlord shall, at its sole cost, comply with, and cause the Premises and the Parking Garage to comply with, all environmental laws, regulations, ordinances and requirements ("Environmental Laws") of any public authority governing and regulating the use and occupancy of the Parking Garage during the Term. Without limiting the foregoing, Landlord shall, at its sole cost, promptly and diligently (i) investigate, remove, monitor, mitigate, and/or remediate any and all Hazardous Substances located in, on, and under the Premises (other than those for which Tenant is responsible under this Section 8(f)) to the extent required by Environmental Laws; and (ii) obtain, maintain, and comply with any and all permits required with respect to the Premises under applicable Environmental Laws. Landlord shall indemnify, defend, and hold Tenant harmless from and against any and all claims, losses, damages, response costs, and expenses of any nature whatsoever (including without limitation attorneys', experts', and paralegals' fees) arising out of or in any way related to arising from (x) any environmental condition existing prior to Tenant's occupancy of the Premises; (y) the release of Hazardous Substances by Landlord or its employees, agents, representatives or other users of the Parking Garage; or (z) any other breach of the requirements under this Section 8(f) by Landlord, except to the extent caused by the negligence or willful misconduct of Tenant.

9. Default by Tenant: The following shall be events of default by Tenant:

(a) Payment Default. Failure of Tenant to make any rent or other payment under this Lease within five (5) days after it is due. Rent not paid when due shall bear interest at the rate of one and one-half percent (1 ½%) per month, or if less, the maximum applicable rate of interest permitted by law, until paid. For Rent payments made more than ten (10) days late, Landlord may impose a late charge of five percent (5%) of the Rent past due in lieu of interest for the first month of delinquency. Tenant acknowledges that late payment of any Rent will cause Landlord to incur costs not contemplated by this Lease, the exact amount of such costs being extremely difficult and impracticable to ascertain, and that such late charge represents a fair and reasonable estimate of the costs that Landlord will incur by reason of any such late payment and is not a penalty. Neither imposition or collection nor failure to impose or collect a late charge shall be considered a waiver of any other remedies available for default.

(b) Unauthorized Transfer. Tenant makes any assignment or sublease of all or part of the Premises in violation of Section 15, below.

(c) Abandonment of Property. Tenant abandons the Premises, for which purpose "abandons" means a failure by Tenant to occupy and use the Premises for one or more of the purposes permitted under this Parking Lot Lease for a total of thirty (30) days or more during the Term.

(d) Default in Other Covenants. Failure of Tenant to comply with any other term or conditions or to fulfill any other obligations of this Lease within thirty (30) days after written notice by Landlord specifying the nature of the default with reasonable particularity. However, if the nature of Tenant's obligation is such that more than thirty (30) days are reasonably required for performance then Tenant shall not be in default if Tenant commences performance within such 30-day period and thereafter diligently prosecutes the same to completion within a reasonable period.

10. Default by Landlord: Landlord shall not be in default unless Landlord fails to perform obligations required of Landlord within a reasonable time. However, Landlord shall perform its obligations within thirty (30) days after receiving written notice from Tenant specifying with reasonable particularity where and how Landlord has failed to perform its obligations. However, if the nature of Landlord's obligation is such that more than thirty (30) days are reasonably required for performance then Landlord shall not be in default if Landlord commences performance within such 30-day period and thereafter diligently prosecutes the same to completion. Notwithstanding anything in the foregoing to the contrary, in the event Tenant's ability to access or use the Premises is prevented or diminished due to Landlord's failure to perform its obligations hereunder, Rent shall be abated for the period of time commencing when such access and/or use is prevented or diminished until Landlord cures its failure to perform.

11. Remedies on Default: Upon default of Tenant beyond applicable grace, notice and cure periods, Landlord may terminate this Lease and exercise any one or more of the following remedies, as well as any other remedy available under applicable law:

(a) Landlord may reenter and retake possession of the Premises either by summary proceedings, force, any other applicable action or proceeding, or otherwise, all without notice to Tenant except as may be required by law or this Lease. Landlord may use the Premises for Landlord's own purposes or relet it upon any reasonable terms without prejudice to any other remedies that Landlord may have by reason of Tenant's default. None of these actions will be deemed an acceptance of surrender by Tenant.

(b) Whether or not Landlord retakes possession or relets the Premises, Landlord may recover all damages caused by the default (including but not limited to unpaid rent, reasonable attorneys' fees relating to the default, and reasonable costs of reletting). Landlord may sue periodically to recover damages as they accrue during the remainder of the lease term without barring a later action for further damages. Landlord may at any time bring an action for accrued damages, plus damages for the remaining lease term equal to the difference between the rent specified in this Lease and the reasonable rental value of the Premises for the remainder of the term, together with interest thereon at the interest rate discounted to the time of judgment at the rate of 1 percent per annum over the discount rate of the Federal Reserve Bank of San Francisco as of the date of such judgment.

(c) Without prejudice to any other remedy for default, Landlord may perform any obligation or make any payment required to cure a default by Tenant. The cost of cure, including reasonable attorney's fees and all disbursements, shall immediately be repaid by Tenant upon demand.

12. Loss or Damage to Premises; Injury to Tenant Property:

(a) In case of any material loss of or damage to the Premises as the result of fire, storm or other casualty, Tenant may abandon the operation and terminate this Lease by giving at least thirty (30) days' prior written notice to Landlord. Landlord shall be entitled to receive its rent for the period prior to such termination; provided, however, that rent shall be pro-rated and owed only for the portion of the Premises that are suitable for parking. To the extent Tenant does not terminate this Lease following a loss of or damage to the Premises, Tenant's rent shall be equitably adjusted to account for any diminished access to the Premises and any portion of the Premises not reasonably capable of being used for the parking of automobiles.

(b) Landlord shall not be liable for any injury to the goods, stock, merchandise, or any other property of Tenant or to any person in or upon the Premises or to the leasehold improvements in the Premises resulting from fire or collapse of the Building or any portion thereof or any other cause, including but not limited to damage by water or gas, or by reason of any electrical apparatus in or about the Premises. Tenant shall carry adequate insurance coverage at its sole cost and expense to cover the risks described in this Section 12.

13. Surrender at Expiration:

(a) Condition of Premises. Upon expiration or sooner termination of the Term, Tenant shall surrender the Premises in the condition that existed as of the Commencement Date. Depreciation and wear from ordinary use for the purpose for which the Premises was let and damage due to casualty need not be restored, but all repair for which Tenant is responsible shall be completed to the latest practical date prior to such surrender.

(b) Personal Property. Upon expiration of the Lease, Tenant shall remove all of its personal property from the Premises and restore any damage caused by such removal. If Tenant fails to do so, Landlord may effect a removal and place the property in storage for Tenant's account. Tenant shall be liable to Landlord for the cost of removal, restoration, transportation to storage, and storage, with interest on all such expenses.

(c) Holdover. If Tenant does not vacate the Premises at the time required, Landlord shall treat Tenant as a tenant from month to month, subject to all of the provisions of this Lease (except that the term will be month to month and monthly rent will be 125 percent of the amount of rent then being paid by Tenant). Failure of Tenant to remove equipment or personal property which Tenant is required to remove under this Lease shall constitute a failure to vacate to which this paragraph shall apply if the

property not removed substantially interferes with occupancy of the Premises by another tenant or with occupancy by Landlord for any purpose including preparation for a new tenant. If a month-to-month tenancy results from a holdover by Tenant, the tenancy shall be terminable at the end of any monthly rental period on written notice from Landlord given not less than ten (10) days prior to the termination date which shall be specified in the notice. Tenant waives any notice which would otherwise be provided by law with respect to month-to-month tenancy.

- 14. Quiet Enjoyment; Landlord's Temporary Relocation Right:** So long as there is not then an event of default by Tenant under this Lease beyond applicable cure periods, Tenant shall peaceably and quietly have, hold and enjoy the Premises without hindrance, ejection or interference by Landlord or any person lawfully claiming through or under Landlord, subject however to the provisions of this Lease. Notwithstanding the foregoing, the parties recognize that Landlord intends to install solar panels on the 4th floor of the Premises at some point during the Term. To facilitate this installation, Landlord hereby reserves the one-time right to temporarily relocate Tenant to space elsewhere in the Parking Garage comparable to the Premises with respect to size (which to be comparable must contain the same amount of parking spaces) for a period of not longer than 120 days; provided, however, that if the solar panels are installed in a location that includes a portion of the Premises or otherwise permanently interferes with Tenant's use of a portion of the Premises, then the relocation will be permanent. Landlord may exercise this relocation right by giving Tenant sixty (60) days prior written notice of Landlord's intention to relocate. The exercise of Landlord's rights pursuant to this Section 14 shall not give rise to any increase or decrease in Rent.
- 15. No Assignment; Successors:** Tenant shall not assign this Lease or sublet all or part of the Premises without the prior written consent of Landlord which may be withheld in Landlord's sole and absolute discretion except that Landlord's consent shall not be required in connection with Tenant's assignment of this Lease to (i) an entity that acquires all or substantially all of the assets of Tenant, (ii) any entity controlling, controlled by, or under common control with Tenant (an "Affiliated Entity"); or (iii) any entity resulting from the merger or consolidation of or with Tenant or an Affiliated Entity. Subject to the foregoing, this Lease shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, legal representatives, successors and permitted assigns.
- 16. SNDA; Estoppels:** Tenant agrees to subordinate its rights under this Lease in writing to the lien of any future deed of trust encumbering the Premises, within twenty (20) days of request, provided the form of the agreement is commercially reasonable and lender agrees not to disturb Tenant's rights hereunder so long as Tenant is not in default under this Lease beyond applicable cure periods. Within ten (10) days after written request of either party, the receiving party agrees to execute and deliver to the requesting party (or its current or prospective lender or a prospective purchaser of its property), an estoppel certificate stating (a) whether this Lease is in full force and effect, (b) any modifications to this Lease, (c) whether any defaults exist under the terms of this Lease, and (d) such other information as may be reasonably requested. If the Property is sold or otherwise transferred by Landlord or any successor to Landlord, Tenant shall attorn to the purchaser or transferee and recognize it as the landlord under this Lease.
- 17. Relationship of the Parties:** No partnership, joint venture, or employment relationship between the parties is created by this Lease.
- 18. Force Majeure:** Neither party shall be in violation of this Lease for failure to perform any of its obligations by reason of strikes, boycotts, labor disputes, embargoes, shortages of materials, acts of God, acts of the public enemy, acts of public authority, weather conditions, riots, rebellion, accidents, sabotage, pandemics or epidemics, governmental shutdowns, restrictions or similar orders, or any other circumstances for which it is not responsible and which are not within its control. No rent shall be due

to Landlord if Tenant suspends operation for any such cause or event and provides Landlord five-days' notice of such suspension. Notwithstanding anything to the contrary contained in this Section 18, in the event a force majeure event occurs and continues for sixty consecutive days, either party may terminate this Lease effective immediately upon written notice to the other party.

19. Governing Law: The Lease shall be governed by and construed in accordance with the laws of the State of Oregon.

20. Waivers: No waiver of default by either party of any term, covenant or condition hereof.

21. Severability: If any provision hereof is held to be invalid by a court of competent jurisdiction, such invalidity shall not affect any other provision hereof, provided such invalidity does not materially prejudice either party in its rights and obligations contained in the valid provisions of this Lease.

22. Notices: Any notice or communication to either party shall be given by personal service or by express delivery, or by mailing the same, postage prepaid, by United States registered or certified mail, return receipt requested, to the following addresses and shall be deemed properly delivered, given or served as follows: (a) the next business day when deposited with FedEx or other overnight delivery service with all delivery charges paid or accounted for, provided such notice is deposited with the courier service in time for delivery by no later than 5:00 p.m. on the next business day; or (b) two (2) business days after being mailed by certified or registered mail, postage prepaid. As used herein, "business day" means Monday through Friday, excluding federal or state holidays.

TO TENANT: Boyland Auto Portland, LLC
c/o Vierck & Rakoski, CPAs, P.C
606 S.E. 117th Avenue, Suite 100
Vancouver, Washington 98683
Attn: Mark Vierck

WITH A COPY TO: Foster Garvey PC
121 SW Morrison St., 11th Floor
Portland, OR 97204
Attn: Kelly Meltzer

TO LANDLORD: Metro
Marissa Madrigal, Chief Operating Officer
600 NE Grand Ave.
Portland, OR 97232

WITH A COPY TO: Office of Metro Attorney
600 NE Grand Ave.
Portland, OR 97232
Attn: Ashley McCarron

Either party may designate a substitute address at any time hereafter by written notice to the other party.

23. Entire Agreement: This Lease, together with all exhibits hereto, constitutes the entire agreement between the parties, and supersedes all representations, statements or prior agreements and understandings both written and oral with respect to the matters contained in this Lease and exhibits

hereto. No person has been authorized to give any information or make any representation not contained in this Lease. This Lease may be amended only by written agreement of the parties.

- 24. Brokers:** The following real estate brokers were involved with this Lease: Matt Johnson, Cushman & Wakefield (Landlord's Broker) and George Diamond, Capacity Commercial (Tenant's Broker). Landlord will pay a leasing commission to Landlord's Broker in accordance with a separate agreement between Landlord and Landlord's Broker. The parties agree that Landlord's Broker will share the leasing commission in accordance with a separate agreement between Landlord's Broker and the Tenant's Broker.
- 25. Subordination of Landlord's Lien:** Within ten (10) business days of written request by Tenant, Landlord shall execute and deliver to Tenant a written subordination of Landlord's lien rights (if any) against the personal property of Tenant to the rights of any lender of Tenant, in a commercially reasonable form; provided, however, that in the event Landlord fails to timely deliver such written subordination, the subordination provided in this Section 25 shall be self-operative and shall not require the execution of any further instrument or document.

The parties hereto have executed this Lease as of the Effective Date.

LANDLORD:

Metro, an Oregon municipal corporation

By: _____
Name: _____
Its: _____

TENANT:

Boylard Auto Portland, LLC,
an Oregon limited liability company

By: _____
Name: _____
Its: _____

**Resolution No. 23-5337, For the Purpose of Distributing \$18.8 Million of Carbon Reduction
Program Funds for the Years 2022-2026, Pending Inclusion in the 2024-2027 MTIP**

Resolutions

Metro Council Meeting
Thursday, June 15th, 2023

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF DISTRIBUTING \$18.8	)	RESOLUTION NO. 23-5337
MILLION OF CARBON REDUCTION)	
PROGRAM FUNDS FOR THE YEARS 2022-	)	Introduced by Chief Operating Officer
2026, PENDING INCLUSION IN THE 2024-2027	)	Marissa Madrigal in concurrence with
MTIP	)	Council President Lynn Peterson

WHEREAS, Metro is the regional government responsible for regional land use and transportation planning under state law and the federally-designated metropolitan planning organization (MPO) for the Portland metropolitan area; and

WHEREAS, the Bipartisan Infrastructure Law (BIL) created a new federal transportation funding program called the Carbon Reduction Program (CRP) with the explicit purposes to reduce transportation emissions through the development of carbon reduction strategies and to fund projects designed to reduce transportation emissions; and

WHEREAS, the BIL distributes CRP funds to states and MPOs through formulas that factor in aspects such as population; and

WHEREAS, based on this formula, the forecast anticipates distribution of approximately \$18.8 million in CRP funds to the metropolitan region for federal fiscal years 2022 through 2026; and

WHEREAS, federal regulation 23 CFR 450.324 authorizes Metro, acting with the Joint Policy Advisory Committee on Transportation (JPACT), to distribute CRP funds to eligible projects and programs in the metropolitan region; and

WHEREAS, the Portland metropolitan region worked collaboratively to develop the Climate Smart Strategy, adopted by Metro in Ordinance No. 14-1346B, to define actions for the region to meet state mandated greenhouse gas emissions reduction targets; and

WHEREAS, CRP project selection included consideration of the Climate Smart Strategy, federal eligibility requirements, project delivery, complimentary investments by state agency partners, and stakeholder feedback; and

WHEREAS, Transportation Policy Advisory Committee considered project and program options for funding and recommended JPACT forward a list of investments to the Metro Council for adoption; and

WHEREAS, JPACT considered the list of transportation projects and programs recommended by TPAC and voted to recommend the list, attached as Exhibit A, to the Metro Council for adoption; and

WHEREAS, receipt of these funds is conditioned on completion of requirements listed in Exhibit B attached; now therefore

BE IT RESOLVED that the Metro Council adopts the recommendation of JPACT on the proposed CRP programs and projects, attached as Exhibit A.

ADOPTED by the Metro Council this 15th day of June, 2023.

Lynn Peterson, Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney

**Exhibit A to Staff Report of Resolution 23-5337
Project Allocation List and Project Descriptions**

TPAC Recommended Investment Package	
Tualatin Valley Highway Bus Rapid Transit	\$5,000,000
82 nd Avenue Bus Rapid Transit	\$5,000,000
Line 33 McLoughlin Transit Signal Priority	\$4,000,000
Climate Smart Implementation Program	\$1,800,000
Transportation System Management & Operations	\$3,000,000
Subtotal:	\$18,800,000

Description of Package Element Options

Tualatin Valley Highway Bus Rapid Transit (BRT): A \$5 million allocation for BRT project development funding for the TV Highway corridor to be matched by TriMet and with participation by local agencies toward a total of about \$20 million needed to complete the Project Development phase of the Federal Transit Administration’s Capital Investment Grant (FTA CIG) Small Starts program. This work includes design, addressing National Environmental Protection Act (NEPA) requirements, development of FTA rating materials and other activities needed to get to a Small Starts Grant Agreement. The project lead agency will confirm the obligation of these funds or confirm a commitment by JPACT and the Metro Council to pursue an FTA CIG Small Starts application for future spending of these funds, by July 2026. If the region decided to not pursue an FTA CIG Small Starts application, remaining funds could be repurposed to safe access to transit or other transit elements in the corridor.

82nd Avenue Bus Rapid Transit: A \$5 million allocation for BRT project development funding for the 82nd Avenue corridor to be matched by TriMet and with participation by local agencies toward a total of about \$20 million needed to complete the Project Development phase of the Federal Transit Administration’s Capital Investment Grant (FTA CIG) Small Starts program. This work includes design, addressing National Environmental Protection Act (NEPA) requirements, development of FTA rating materials and other activities needed to get to a Small Starts Grant Agreement. The project lead agency will confirm the obligation of these funds or confirm a commitment by JPACT and the Metro Council to pursue an FTA CIG Small Starts application for future spending of these funds, by July 2026. If the region decided to not pursue an FTA CIG Small Starts application, remaining funds could be repurposed to safe access to transit or other transit elements in the corridor.

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Climate Smart Implementation Program: Resources to support implementation of the Climate Smart Strategy (CSS). This includes elements such as:

- monitoring and evaluation of CSS implementation (including analysis and reporting on progress in reducing emissions to meet federal CRP reporting requirements),
- development of improved emissions and Vehicle Miles Traveled forecasting and monitoring tools, including at the sub-area/corridor and project levels,
- update to the Climate Smart Strategy,
- communicating what the CSS is, how it is being implemented locally, what reductions are being achieving by implementation of the current strategy in public friendly formats to develop understanding, acceptance, and support for continued implementation of the strategy,
- technical support for incorporation of climate emission reduction policy and strategies into development of related transportation plans and policy
 - including regional coordination and support for local agency implementation of the new Climate Friendly & Equitable Communities update to state Transportation Planning Rule requirements

Approximately half of the allocation would be for work for tool development such as improvements to the state required Vision Eval forecasting tool, the regional travel demand model, tools to forecast emissions impacts of project level investments, and a best implementation practices toolkit. The other approximate half of the allocation would support a new Metro staff person to undertake the monitoring and evaluation work, communication of progress and benefits of Climate Smart Strategy implementation, coordination with state and local agencies, meeting federal reporting requirements, support of a Metro team in the update of the Climate Smart Strategy, and to provide local agencies with technical support for local implementation.

Transportation System Management & Operations (TSMO): Transportation system management and operations investments that improve the efficiency and safety of the existing transportation network and infrastructure. The Transport sub-committee of TPAC would be utilized to identify priority projects for funding with direction to prioritize TSMO investments that are eligible for federal carbon reduction program funds, have the greatest potential to reduce carbon emissions, and also reduce the impact of climate change on marginalized communities. TSMO projects that provide safer access to transit and schools are eligible and encouraged for consideration.

Exhibit B to Staff Report of Resolution 23-5337

Conditions of Approval to Allocation of Carbon Reduction Program Funds

RECOMMENDED CARBON REDUCTION PROGRAM AWARDEE CONDITIONS OF APPROVAL

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Conditions applied to all projects and programs:

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2. The award amount is the total amount of Carbon Reduction Program funds provided to deliver the awarded project as it is defined in the award scope and as approved by JPACT and Metro Council. The project sponsor/local jurisdiction is expected to resolve any cost overruns or unexpected costs to emerge. It is understood by the project sponsor/local jurisdiction that Metro does not have any further financial commitment/responsibility beyond providing the amount awarded.
3. Project scopes will include what is written in the narrative project description outlined in Exhibit A of Resolution 23-5337 and project refinements in response to comments. Changes in project scopes, schedules, and budget must be requested and made in writing to the MTIP Project Manager utilizing the amendment procedures adopted in the MTIP (Please see 2024-2027 MTIP Administration section.) Changes in project scopes must be approved by Metro to ensure federal eligibility requirements and the original intent of the project is still being delivered.
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7. All projects implementing Transportation System Management and Operations (TSMO) elements will provide information to Metro on the TSMO elements for inventory purposes. Metro will provide guidelines on how to provide TSMO data submissions.
8. All local jurisdiction/project sponsors shall acknowledge Metro as a funding partner. Acknowledgement will attribute credit to Metro on all project materials (print or electronic), such as reports, newsletters, booklets, brochures, web pages, and social media posts. Attribution on materials must read "Made possible with support from Metro." If marketing is done with audio only, spoken attribution language must be "This project is made possible with support from Metro." The local jurisdiction/sponsor delivering the project will include the Metro logo on all print ads, banners, flyers, posters, signage, and videos. Grantee will include the Metro logo on all marketing and advertising materials, both print and online (size permitting). Metro will provide partners with Metro logos and usage guidelines. Lastly, the local jurisdiction/project sponsor will extend invitations to Metro Councilors to attend events or engagements pertaining to the project.
9. All projects will carry out public involvement processes that meet federal Title VI and environmental justice requirements. As appropriate, local data and knowledge shall be used to supplement analysis and inform public involvement. Metro guidelines for public involvement can be found in the [Public Engagement Guide Appendix G: Local Engagement and Non-Discrimination Checklist](#).⁴
10. All projects are expected to measure the progress and performance of the Carbon Reduction Program-funded project. Local jurisdictions/project sponsors will identify a set of indicators for data collection and pre-and post-project monitoring. Metro will provide input and feedback into the indicators and datasets, especially to help respond to regional transportation performance measures. Indicators can be determined during the pre-implementation phase of the project.
11. Carbon Reduction Program funds awarded to projects which are not flex transferred to the Federal Transit Administration (FTA) will follow the Federal Highway Administration (FHWA) project delivery process. For non-certified agencies receiving Carbon Reduction

² <https://www.oregonmetro.gov/sites/default/files/2018/01/05/2017-Intertwine-Trail-sign-guidelines.pdf>.

³ <https://www.oregon.gov/odot/Maintenance/Documents/ITS-QualityPlan.pdf>

⁴ http://www.oregonmetro.gov/sites/default/files/final_draft_public_engagement_guide_112113.pdf

Program to deliver a project will be expected to work directly with a certified agency or ODOT to determine the administration and delivery of the project. Such agencies will comply with ODOT Local Agency Liaison (LAL) project pre-implementation requirements (e.g. completion of detailed scope of work, budget, project prospectus, etc.). The ODOT LAL requirements are expected to be in the proper format as part of the federal delivery process to facilitate MTIP & STIP programming, initiate development and execution of the Intergovernmental Agreement (IGA), and obligate and expend awarded federal funds for the project.

The awarded lead agency is required to complete or participate in the following project delivery & monitoring activities:

- Kick-off Meeting Coordination.
- MTIP/STIP programming to a realistic project delivery schedule that accounts for meeting funding obligation targets.
- Participate in project coordination meetings and reviews as called for and scheduled.
- Completing project pre-implementation (Pre-Preliminary Engineering or Planning phase obligation) actions and milestones to ensure project proceeds on schedule, including completing a project scoping document with a thorough scope, schedule and budget with milestones and deliverables.
- Complete and execute a project IGA in time to obligate funds as programmed
- Participation in Project Delivery Actions, including attending Project Development Team (PDT) review meetings, completing and submitting project Milestone Reports and Progress Updates, providing any performance measurement project data, providing project delivery status updates, and addressing questions raised by the Metro advisory committees.
- Providing project close-out/final reports and billings.

Conditions applied to specific projects and programs:

1. Transportation System Management and Operations – TransPort:

- TransPort, a subcommittee of the Transportation Policy Alternatives Committee (TPAC) will lead the allocation of \$3 million in Carbon Reduction Program funds.
- Allocation of Carbon Reduction Program funds must meet federal eligibility requirements pertaining to the Carbon Reduction Program. Due to the nature and intent of the Carbon Reduction Program, certain activities are not eligible, and TransPort cannot allocate funding towards those type of activities, even if they are consistent with the Regional TSMO Strategic Plan.
- The primary direction is to allocate funds to projects that maximize the reduction of carbon emissions.
- Additional direction for the allocation of Carbon Reduction Program funds is outlined as follows:
 - i. Fund projects throughout the region or to projects which have clear region-wide benefits.
 - ii. The selection of projects prioritizes those technologies and strategies which reduce the disproportionate impacts of climate change and air pollution on marginalized communities.

- iii. The selection of projects prioritizes those technologies and strategies which promote or support safe access to schools and transit, by means other than driving and ultimately reduce vehicle miles traveled.
 - Additionally, any TSMO-related activities funded with Carbon Reduction Program funds must be consistent with the Oregon Carbon Reduction Strategy.
2. **82nd Avenue Bus Rapid Transit (BRT) – TriMet and Metro:**
 - The Carbon Reduction Program awards are to advance project development activities for the 82nd Avenue Bus Rapid Transit project and prepare the project for the Federal Transit Administration (FTA) Capital Investment Grant (CIG) application cycle. As outlined in the project description in Exhibit A, the project lead agency will confirm the obligation of these funds, or commitment by JPACT and the Metro Council to pursue an FTA CIG Small Starts application for future spending of these funds, by July 2026. If the region decides to not pursue an FTA CIG Small Starts application, remaining funds could be repurposed to safe access to transit or other transit elements in the corridor.
3. **Tualatin Valley Highway Bus Rapid Transit (BRT)– TriMet and Metro:**
 - The Carbon Reduction Program awards are to advance project development activities for the Tualatin Valley Highway Bus Rapid Transit project and prepare the project for the Federal Transit Administration (FTA) Capital Investment Grant (CIG) application cycle. As outlined in the project description in Exhibit A, the project lead agency will confirm the obligation and spending of these funds, or commitment by JPACT and the Metro Council to pursue an FTA CIG Small Starts application for future spending of these funds, by July 2026. If the region decides to not pursue an FTA CIG Small Starts application, remaining funds could be repurposed to safe access to transit or other transit elements in the corridor.
4. **McLoughlin Avenue Transit Signal Priority (TSP) – TriMet and Clackamas County:**
 - As outlined in the project description in Exhibit A, any remaining funds after the delivery of the projects may also be used on systemic TSP needs to make the Line 33 elements perform optimally or on small capital stop amenities or safe transit access elements in the corridor. Additionally, if other potential sources such as Congressionally directed spending or tolling mitigation funding emerge to fund the TSP project, the project scope and funding would be coordinated with, and not displace, funding.
5. **Climate Smart Strategy Implementation – Metro**
 - Metro will coordinate the tool development work and implementation work program with other planning activities in the region and state during the development of the annual Unified Planning Work Program (UPWP).

IN CONSIDERATION OF RESOLUTION NO. 23-5337, FOR THE PURPOSE OF DISTRIBUTING \$18.8 MILLION OF CARBON REDUCTION PROGRAM TRANSPORTATION FUNDING, PENDING INCORPORATION INTO THE 2024-2027 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM

Date: May 9, 2023

Department: Planning, Development, and Research

Meeting Date: June 15, 2023

Prepared by:

Ted Leybold,

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Grace Cho, Grace.Cho@oregonmetro.gov

ISSUE STATEMENT

The Carbon Reduction Program is a new transportation funding program established by the Bipartisan Infrastructure Law (BIL) and administered through the Federal Highway Administration (FHWA). Oregon is to receive an estimated \$82.5 million in Carbon Reduction Program funding. Metro, as the metropolitan planning organization (MPO) for the Portland region, allocates a portion of these funds, approximately \$18.8 million total, over five federal fiscal years. This resolution proposes the allocation of these funds to transportation projects and programs in the metropolitan region for Metro Council consideration.

ACTION REQUESTED

Approve and adopt Resolution No. 23-5337, allocating funding to regional investments as recommended by the Joint Policy Advisory Committee on Transportation (JPACT), and detailed in Exhibit A.

IDENTIFIED POLICY OUTCOMES

The federal policy direction of the newly created Carbon Reduction Program is “to reduce transportation emissions through the development of State carbon reduction strategies and by funding projects designed to reduce transportation emissions.”

The State of Oregon, with whom Metro is coordinating the investment of Carbon Reduction Program funds, is guided by the Statewide Transportation Strategy: 2050 Greenhouse Gas (GHG) Vision. Through direction outlined as part of CRP federal legislation, ODOT convened a group of stakeholders to provide input on program specific direction for CRP funds. With the Statewide Transportation Strategy as a starting point the stakeholder group further program direction was developed to prioritize efforts and investments related to: vehicle and fuel technology, transportation options (demand management activities), system and agency operations, and system pricing.

Metro is guided on transportation investments for reduction in carbon emissions by the Climate Smart Strategy. There are nine strategies for reducing emissions, several of which are priority types of transportation investments that should be made to meet emission reduction targets. The Regional Transportation Plan also guides transportation investments in the region and priorities the following investment outcomes: Equity, Safety, Climate Smart Strategy implementation, and Mobility.

The package of projects funded through this resolution were recommended by JPACT based foremost on their ability to implement the region's Climate Smart Strategy, with a focus on high carbon emissions reduction and to progress the remaining three transportation investment priorities of equity, safety, and mobility.

In addition to their merit based on advancing the Climate Smart Strategy and regional transportation investment priorities, the package follows additional direction provided by JPACT and Metro Council members to invest in projects throughout the region, to support projects which reduce the disproportionate impact of climate and air pollution on marginalized communities, promote projects which increases safe walking and bicycling access to transit and schools, to support "transformative" projects in reducing emissions, and to use them to leverage additional funding.

Lastly, the package of projects funded through this resolution meet federal eligibility requirements outlined for the Carbon Reduction Program as well as consistency with the state program direction for the Carbon Reduction Program funds.

POLICY QUESTION(S)

Should the Metro Council approve the resolution and direct staff to move forward with programming funding to the selected projects as recommended by JPACT?

POLICY OPTIONS FOR COUNCIL TO CONSIDER

Policy options for Metro Council to consider include:

1. Approve the resolution thereby approving the funding allocations and project funding awards as outlined in Exhibit A, and conditions of approval as outlined in Exhibit B.
2. Remand the resolution back to JPACT with direction on desired changes or conditions.

STAFF RECOMMENDATIONS

Staff recommends Metro Council approval of Resolution 23-5337.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

The recommended allocation of Carbon Reduction Program funds follows transportation policy direction established in the development of the 2018 RTP and the region's Climate Smart Strategy. The investments will advance the priority types of investments recommended by those plans and position the region to leverage significant new funding to make progress toward the priority plan outcomes.

How does this advance Metro's racial equity goals?

While reducing carbon emissions is the primary policy objective of these funds due to federal policy and regulatory direction, the allocation process also incorporates the RTP investment policy priority areas of equity, safety, and mobility. Advancing racial equity goals are demonstrated with this proposed allocation by the inclusion of the three largest investments to projects located in and benefiting Equity Focus Areas. Transit investments in the 82nd Avenue, Tualatin Valley Highway, and McLoughlin corridors were also identified as high priority investments during the extensive outreach process with marginalized communities conducted as a part of the 2020 Transportation Funding Measure process to improve access to jobs and community services by marginalized populations, particularly communities of color, and to improve safety of travel in their communities. Additionally, TPAC further directed Transport, in the allocation carbon reduction programs funds to transportation system management and operations, to select projects which serve marginalized communities disproportionately exposed to the impacts of climate change. Lastly investment in Climate Smart Strategy implementation will provide the tools and resources needed to update strategies, analyze potential investments, and reduce the impacts of emissions on marginalized communities.

How does this advance Metro's climate action goals?

Consistent with the Carbon Reduction Program federal policy objective and regulations, the primary policy objective of this funding allocation is to advance the region's Climate Smart Strategy. Recommended projects were identified based on their consistency with the priority investment types identified by the Climate Smart Strategy that will have the greatest potential to reduce greenhouse gas emissions. The allocations recommended also have the potential to leverage significant additional funding for implementation of projects that will reduce carbon emissions and contribute to meeting Metro's climate action goals.

Known Opposition/Support/Community Feedback

TPAC community representatives voted in opposition or abstained from the supporting the recommended option as they supported a similar option but one that invested \$3 million in active transportation projects rather than transportation system management projects.

Legal Antecedents

This resolution allocates transportation funds in accordance with the federal transportation authorizing legislation (currently known as Bipartisan Infrastructure Law or BIL) as implemented through the Code of Federal Regulations Title 23, Part 450, Subparts A and C and relevant rules issued by the USDOT.

The Regional Transportation Plan, adopted by JPACT and Metro Council in December 2018 (Ordinance 18-1421) provides transportation investment priority areas.

The Climate Smart Strategy, adopted by JPACT and Metro Council in December 2014 (Ordinance 14-1346B), provides priority investment categories to achieve emission reduction goals.

The allocation utilizes relevant portions of the 2025-2027 Regional Flexible Fund Allocation program direction as defined by Metro Resolution No. 21-5194, For the Purpose of Adopting the 2025-2027 Regional Flexible Funds Program Direction for the Portland Metropolitan Area, adopted September 9, 2021, related to direction on allocation of federal transportation funds.

Anticipated Effects

Adoption of this resolution would direct staff to program funding in the amounts specified to the identified transportation programs and projects into the upcoming 2024-2027 MTIP so they may become eligible to receive those federal transportation funds.

Financial Implications (current year and ongoing)

Adoption of the resolution would commit a portion of the funding to Metro Transportation Planning activities. These funds are administered on a cost reimbursement basis, requiring Metro to incur costs associated with the planning activities prior to receiving reimbursement thereby incurring carrying costs. Furthermore, the funds require a minimum match from Metro of 10.27% of total costs incurred. Funding will be available through Federal Fiscal Year 2026.

BACKGROUND

In November 2021, the Bipartisan Infrastructure Law (BIL) was approved. As part of BIL, several new funding programs were created and existing funding programs received increased funding.

The Carbon Reduction Program is a new funding program established by the BIL and administered through the Federal Highway Administration (FHWA). Oregon is to receive an estimated \$82.5 million total in Carbon Reduction Program funding. The Oregon Department of Transportation (ODOT) ODOT will administered approximately \$53.9 million, \$26.8 million of which will be targeted to smaller cities and rural areas and \$29.8 million of which will be allocated across the entire state, including the Metro area.

The three large metropolitan organizations in Oregon – Portland, Eugene, and Salem - receive a direct suballocation of the Carbon Reduction Program funds based on formula. Metro's portion of the Carbon Reduction Program funding is approximately \$18.8 million total for the five federal fiscal years of BIL.

Due to requirements outlined in BIL, the allocation of Carbon Reduction Program funds must be completed and submitted to FHWA no later than November 2023. Due to this compressed timeline Metro will award all five years of funding in one allocation process. Metro staff briefed TPAC, JPACT and the Metro Council in January of 2023 regarding the availability of funding, the federal policy and rules associated with the funds, and to receive guidance on the allocation of these funds to projects.

The federal policy and regulatory direction, regional policies and strategies, and additional input received during the January outreach was summarized in Exhibit B - Policy and Program Factors to Inform Carbon Reduction Program Investment Proposals. This document guided the consideration of investments by TPAC and JPACT in their recommendation to Metro Council.

The process to gather and incorporate stakeholder input into the development of the JPACT recommendation is summarized in Exhibit D.

A final recommendation for the allocation of the funds was made at the May JPACT meeting. At the May JPACT meeting, members asked further questions about how TPAC got to the recommended allocation before JPACT. Upon further understanding about the multiple factors considered, including policy direction from the Climate Smart Strategy, federal eligibility requirements, and potential program start up JPACT supported TPAC's recommended allocation of Carbon Reduction Program funds without any changes.

The adopted funding allocation will be submitted to ODOT for incorporation into the statewide planning and funding allocation submission to the Federal Highway Administration. Individual project allocations will also be amended into the Metropolitan Transportation Improvement Program before they may be spent by the lead agency awarded funding.

ATTACHMENTS

Exhibit A: Project Allocation List and Project Descriptions

Exhibit B: Conditions of Approval to Allocation of Carbon Reduction Program Funds

Exhibit C: Policy and Program Factors Summary to Inform the Carbon Reduction Allocation Recommendation

Exhibit D: Stakeholder Feedback to Inform Final Allocation Recommendations

**Exhibit A to Staff Report of Resolution 23-5337
Project Allocation List and Project Descriptions**

TPAC Recommended Investment Package	
Tualatin Valley Highway Bus Rapid Transit	\$5,000,000
82 nd Avenue Bus Rapid Transit	\$5,000,000
Line 33 McLoughlin Transit Signal Priority	\$4,000,000
Climate Smart Implementation Program	\$1,800,000
Transportation System Management & Operations	\$3,000,000
Subtotal:	\$18,800,000

Description of Package Element Options

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6. All projects with ITS elements will be consistent with National ITS Architecture and Standards and Final Rule (23 CFR Section 940) and Regional ITS Architecture. This includes completing a systems engineering process during project development to be documented through the systems engineering form and submitted to Metro for inventory purposes. For further guidance, consult [ODOT's ITS compliance checklist](#).³
7. All projects implementing Transportation System Management and Operations (TSMO) elements will provide information to Metro on the TSMO elements for inventory purposes. Metro will provide guidelines on how to provide TSMO data submissions.
8. All local jurisdiction/project sponsors shall acknowledge Metro as a funding partner. Acknowledgement will attribute credit to Metro on all project materials (print or electronic), such as reports, newsletters, booklets, brochures, web pages, and social media posts. Attribution on materials must read "Made possible with support from Metro." If marketing is done with audio only, spoken attribution language must be "This project is made possible with support from Metro." The local jurisdiction/sponsor delivering the project will include the Metro logo on all print ads, banners, flyers, posters, signage, and videos. Grantee will include the Metro logo on all marketing and advertising materials, both print and online (size permitting). Metro will provide partners with Metro logos and usage guidelines. Lastly, the local jurisdiction/project sponsor will extend invitations to Metro Councilors to attend events or engagements pertaining to the project.
9. All projects will carry out public involvement processes that meet federal Title VI and environmental justice requirements. As appropriate, local data and knowledge shall be used to supplement analysis and inform public involvement. Metro guidelines for public involvement can be found in the [Public Engagement Guide Appendix G: Local Engagement and Non-Discrimination Checklist](#).⁴
10. All projects are expected to measure the progress and performance of the Carbon Reduction Program-funded project. Local jurisdictions/project sponsors will identify a set of indicators for data collection and pre-and post-project monitoring. Metro will provide input and feedback into the indicators and datasets, especially to help respond to regional transportation performance measures. Indicators can be determined during the pre-implementation phase of the project.

² <https://www.oregonmetro.gov/sites/default/files/2018/01/05/2017-Intertwine-Trail-sign-guidelines.pdf>.

³ <https://www.oregon.gov/odot/Maintenance/Documents/ITS-QualityPlan.pdf>

⁴ http://www.oregonmetro.gov/sites/default/files/final_draft_public_engagement_guide_112113.pdf

11. Carbon Reduction Program funds awarded to projects which are not flex transferred to the Federal Transit Administration (FTA) will follow the Federal Highway Administration (FHWA) project delivery process. For non-certified agencies receiving Carbon Reduction Program to deliver a project will be expected to work directly with a certified agency or ODOT to determine the administration and delivery of the project. Such agencies will comply with ODOT Local Agency Liaison (LAL) project pre-implementation requirements (e.g. completion of detailed scope of work, budget, project prospectus, etc.). The ODOT LAL requirements are expected to be in the proper format as part of the federal delivery process to facilitate MTIP & STIP programming, initiate development and execution of the Intergovernmental Agreement (IGA), and obligate and expend awarded federal funds for the project.

The awarded lead agency is required to complete or participate in the following project delivery & monitoring activities:

- Kick-off Meeting Coordination.
- MTIP/STIP programming to a realistic project delivery schedule that accounts for meeting funding obligation targets.
- Participate in project coordination meetings and reviews as called for and scheduled.
- Completing project pre-implementation (Pre-Preliminary Engineering or Planning phase obligation) actions and milestones to ensure project proceeds on schedule, including completing a project scoping document with a thorough scope, schedule and budget with milestones and deliverables.
- Complete and execute a project IGA in time to obligate funds as programmed
- Participation in Project Delivery Actions, including attending Project Development Team (PDT) review meetings, completing and submitting project Milestone Reports and Progress Updates, providing any performance measurement project data, providing project delivery status updates, and addressing questions raised by the Metro advisory committees.
- Providing project close-out/final reports and billings.

Conditions applied to specific projects and programs:

1. Transportation System Management and Operations – TransPort:

- TransPort, a subcommittee of the Transportation Policy Alternatives Committee (TPAC) will lead the allocation of \$3 million in Carbon Reduction Program funds.
- Allocation of Carbon Reduction Program funds must meet federal eligibility requirements pertaining to the Carbon Reduction Program. Due to the nature and intent of the Carbon Reduction Program, certain activities are not eligible, and TransPort cannot allocate funding towards those type of activities, even if they are consistent with the Regional TSMO Strategic Plan.
- The primary direction is to allocate funds to projects that maximize the reduction of carbon emissions.
- Additional direction for the allocation of Carbon Reduction Program funds is outlined as follows:

- i. Fund projects throughout the region or to projects which have clear region-wide benefits.
 - ii. The selection of projects prioritizes those technologies and strategies which reduce the disproportionate impacts of climate change and air pollution on marginalized communities.
 - iii. The selection of projects prioritizes those technologies and strategies which promote or support safe access to schools and transit, by means other than driving and ultimately reduce vehicle miles traveled.
- Additionally, any TSMO-related activities funded with Carbon Reduction Program funds must be consistent with the Oregon Carbon Reduction Strategy.
- 2. **82nd Avenue Bus Rapid Transit (BRT) – TriMet and Metro:**
 - The Carbon Reduction Program awards are to advance project development activities for the 82nd Avenue Bus Rapid Transit project and prepare the project for the Federal Transit Administration (FTA) Capital Investment Grant (CIG) application cycle. As outlined in the project description in Exhibit A, the project lead agency will confirm the obligation of these funds, or commitment by JPACT and the Metro Council to pursue an FTA CIG Small Starts application for future spending of these funds, by July 2026. If the region decides to not pursue an FTA CIG Small Starts application, remaining funds could be repurposed to safe access to transit or other transit elements in the corridor.
- 3. **Tualatin Valley Highway Bus Rapid Transit (BRT)– TriMet and Metro:**
 - The Carbon Reduction Program awards are to advance project development activities for the Tualatin Valley Highway Bus Rapid Transit project and prepare the project for the Federal Transit Administration (FTA) Capital Investment Grant (CIG) application cycle. As outlined in the project description in Exhibit A, the project lead agency will confirm the obligation and spending of these funds, or commitment by JPACT and the Metro Council to pursue an FTA CIG Small Starts application for future spending of these funds, by July 2026. If the region decides to not pursue an FTA CIG Small Starts application, remaining funds could be repurposed to safe access to transit or other transit elements in the corridor.
- 4. **McLoughlin Avenue Transit Signal Priority (TSP) – TriMet and Clackamas County:**
 - As outlined in the project description in Exhibit A, any remaining funds after the delivery of the projects may also be used on systemic TSP needs to make the Line 33 elements perform optimally or on small capital stop amenities or safe transit access elements in the corridor. Additionally, if other potential sources such as Congressionally directed spending or tolling mitigation funding emerge to fund the TSP project, the project scope and funding would be coordinated with, and not displace, funding.
- 5. **Climate Smart Strategy Implementation – Metro**
 - Metro will coordinate the tool development work and implementation work program with other planning activities in the region and state during the development of the annual Unified Planning Work Program (UPWP).

Exhibit C to Staff Report of Resolution 23-5337 Policy and Program Factors to Inform Carbon Reduction Program Investment Proposals

The federal aim of the newly created Carbon Reduction Program is “to reduce transportation emissions through the development of State carbon reduction strategies and fund projects designed to reduce transportation emissions.” Because of the region’s effort to develop and adopt the Climate Smart Strategy in 2014, the region already has a developed action plan to reduce greenhouse gas emissions from light duty trucks and passenger vehicles through a combination of land use and transportation efforts. The development of this strategy was informed by the best technical analysis available regarding transportation investments to reduce carbon emissions from the transportation sector.

The newly created federal Carbon Reduction Program is a limited opportunity to implement the Climate Smart Strategy by investing into one or more of the investment areas identified.⁵ The varied mix of strategies outlined in Climate Smart provides a wide span of options to invest CRP funds on the regional transportation system. Based on regional discussions of priority elements of the Climate Smart Strategy and a review of the federal Carbon Reduction Program funding policy objectives and eligible projects and activities, the following three Climate Smart Strategy elements have been prioritized for the development of the draft packages of projects for CRP funds.

- Make transit convenient, frequent, accessible, and affordable
- Make biking and walking safe and convenient
- Use technology to actively manage the transportation system

In addition, since providing an overview of the Carbon Reduction Program in January, members of TPAC, JPACT, and the Metro Council have weighed in with suggestions and ideas for the CRP allocation. This included identifying and prioritizing projects from the Climate Smart Strategy that could be most impactful and/or transformative in reducing emissions, as well as some specific project proposals. Metro staff has taken these suggestions and ideas into consideration as well as the following factors in identifying the elements of the package options.

Policy Direction

- Priority Climate Smart Strategy investment areas
 - Potential for greenhouse gas emissions reduction
- Opportunity to advance additional Regional Transportation Plan objectives, including Equity, Safety, and Mobility in addition to Climate
- Ability to address Climate Friendly Equitable Communities and other state, regional, or local climate change related objectives
- Consistency with state Carbon Reduction Plan priorities
- Provide funding across multiple areas of the region

Administrative

- Federal funding eligibility requirements
 - Including those specific to the Carbon Reduction Program
- Carbon Reduction Program requirements
 - Submission deadlines, timing of obligation of funding, and other limitations

⁵ After considering federal funding eligibility requirements, state Carbon Reduction Plan priorities, regional opportunities, and other factors

- Program implementation needs
 - Evaluation tools and capacity, reporting, communications, policy refinement

Other

- ODOT's allocation process and priorities for Carbon Reduction Program funds and other investments in reducing carbon emissions
- Funding leverage opportunities
 - Especially funding opportunities presented by the Bipartisan Infrastructure Law
- Implement projects with the potential for a significant or transformative impact on reducing transportation emissions

**Exhibit D to Staff Report of Resolution 23-5337
Stakeholder Feedback to Inform Final Allocation Recommendations
Summary of Stakeholder Input – November 2022 – January 2023**

The following section summarizes the feedback provided during the initial introductions of the Carbon Reduction Program fund and the allocation process through the TPAC recommendation to JPACT.

2023 RTP Workshop

At the November 10 Metro Council and JPACT workshop on the 2023 RTP, Metro staff provided a refresher on the Climate Smart Strategy. Since the Climate Smart Strategy has been integrated into subsequent regional transportation plans (2014 RTP, 2018 RTP) after its adoption, the 2023 RTP presents an opportunity to update related policies in the Plan and develop a long-term transportation investment strategy which will bring the region back on track to meet the greenhouse gas emissions reduction target set forth by the state.

At the workshop, regional leaders participated in a set of exercises ranking the different Climate Smart investment areas for: 1) further implementation; 2) greatest benefit to people living in the Portland metropolitan region; and 3) preference on ambitiousness in pursuing. Under the three different ranking exercises, the following three ranked in the top in each exercise. Across all three exercises, “Making transit convenient, frequent, accessible, and affordable,” was the top ranked Climate Smart investment area in each.

- Make transit convenient, frequent, accessible, and affordable – through increased transit service, including high-capacity transit
- Make biking and walking safe and convenient – through new active transportation connections
- Use technology to actively manage the transportation system – through system management and operations

These non-binding results indicate that the region’s leaders are interested in advancing Climate Smart Strategies/investment areas for implementation.

Metro Council Work Session

Following the 2023 RTP workshop, Metro and ODOT Climate Office staff jointly presented information about the federal Carbon Reduction program at the Metro Council work session. The presentation outlined the new program and provided insight into the priority investment areas for ODOT’s allocation. ODOT emphasized the need for partnerships to achieve Oregon’s greenhouse gas emissions reduction goal and making complementary investments. Metro staff outlined three potential Climate Smart Strategy investment areas to emphasize with CRP funds. These three areas include:

- Transit
 - Capital transit investments
 - Improvements in the right-of-way to increase speed and reliability of buses and MAX
- Active Transportation
 - New biking and walking connections to schools, downtowns, jobs, and other community places

- Completes the regional active transportation network and supports the 2040 growth concept
- System Management and Operations
 - Variable message signs and speed limits
 - Transit signal priority, bus pullouts
 - Signal timing and ramp metering

The Metro Council were asked to provide feedback and direction on the potential Climate Smart Strategy investment areas as well as other wishes the Council would like to see as part of the allocation of CRP funds. Feedback from the Metro Council included:

- Continue to support and leverage the planning work undertaken as part of the Transportation Funding Measure in 2020, in areas that would be eligible for CRP funds
- Invest into our current corridor projects, including Tualatin Valley Highway and 82nd Avenue
- Make a regional investment with the limited dollars presented with CRP, but also be context sensitive to the different counties in the region
- Accelerate implementing community plans that seek to reduce greenhouse gas emissions
- Leverage other funding opportunities presented with the BIL and with other partners
- Support microtransit and transit services which better serve communities not well reached by traditional transit providers.

TPAC

Metro staff in conjunction with ODOT Climate Office staff provided an overview of the Carbon Reduction Program at the January 6, 2023, TPAC meeting. In the presentation, Metro staff outlined the details of the new federal funding program and the staff proposed Climate Smart Strategy investment areas to shape allocation proposals for discussion. The following is feedback from TPAC to help shape and inform the next steps for staff to develop Carbon Reduction Fund allocation proposals for discussion.

- Agree with leveraging the work and consensus building undertaken as part of the transportation funding measure in 2020, but not constrained by what was included in the package which went before voters. Consider some of the corridors/candidate projects which did not make the final package put forward to voters.
- Have the allocation proposal reflect regional balance
- Consider those projects which can meet eligibility requirements from the 25-27 Regional Flexible Fund cycle which were not awarded grant funds
- Consider adding the Climate Smart Strategy - Provide information and incentives to expand the use of travel options – or transportation demand management (TDM) as part of the CRP allocation proposal
- Work actively with local jurisdictions on identifying candidate projects for the allocation proposal developed by Metro staff. Following a process similar to the earmark process would be positive.
- Consider quantifying greenhouse gas emissions reduction for candidate projects and have it inform the final allocation proposal. At a minimum, have allocation efforts be informed by emissions reduction potential.
- Prioritize allocating Carbon Reduction Program funds to projects and programs which do not have other sources of funding. For example, while electric vehicles and infrastructure are an eligible activity for new funding program, there is also another federal funding program exclusively available for electrification.

- Focus on “doable” projects that can show off the success of the Carbon Reduction Program. This can help support the program’s continuation into the future.
- In considering potential transportation system management and operations (TSMO) project candidates, work with the Transport sub-committee of TPAC to identify a project or technology update which would have wide reaching regional or systemic benefit in lieu of smaller site-specific project(s).
- Consider focusing Carbon Reduction Program funds on projects in areas with high vehicle miles traveled and a lack of transportation options.
- Consider adding to the allocation proposal projects which accelerate the transition of transit fleet vehicles to alternative fuels
- While the Carbon Reduction Program funds focus on greenhouse gas emissions reduction, consider candidate projects in the allocation proposal which result in greater safety. In particular, projects which complete the pedestrian and bicycle network in areas of high crashes provide the dual benefit of emissions reduction and safety.
- Use updated information from efforts like the City of Portland’s VisionEval work to help inform which types of projects will be an effective use of Carbon Reduction Program funds and get the most emissions reduction cost-benefit.
 - Consider investing funds to advance the region’s capabilities in understanding, measuring, and advancing how to best reduce carbon emissions.
- Provide additional information/details on use of the \$1.8 million proposed for Climate Smart implementation.
- Have ODOT’s climate office to keep the MPO table (i.e., TPAC, JPACT, Metro Council) and the R1ACT informed on the allocation process for the state Carbon Reduction Program funding as there is interest in knowing more about providing input to the state allocation process.

JPACT

Metro staff in conjunction with ODOT Climate Office staff provided an overview of the Carbon Reduction Program at the January 19, 2023, JPACT meeting. In the presentation, Metro staff outlined the details of the new federal funding program and the staff proposed Climate Smart Strategy investment areas to shape allocation proposals for discussion. The following is feedback from JPACT to help shape and inform the next steps for staff to develop Carbon Reduction Fund allocation proposals for discussion. Feedback included: implement the region’s Climate Smart Strategy priority projects and programs, and investments that could have significant or transformative impacts on reducing transportation emissions.

- Support development of bus capital improvements in the 82nd Avenue and Tualatin Valley highway corridors,
- Support transit signal priority (TSP) for the Line 33 McLoughlin bus,
- Support the advancement of Electric Bikes usage
- Support electrification of the TriMet bus fleet,
- Support for specific active transportation projects unfunded from the previous Regional Flexible Fund Allocation cycle,
- Support for system management and Intelligent Transportation System (ITS) projects, and safe routes to schools projects.

Summary of Stakeholder Input on Allocation Proposal Package Options – April 2023

Since providing TPAC, JPACT, and Metro Council an overview of the Carbon Reduction Program funding at the end of 2022 and in early 2023, Metro staff develop a set of allocation proposal package options which were presented to TPAC and JPACT in April 2023. Feedback on the allocation proposal package options included:

TPAC comments

- Preference for the corridor elements included in Packages A, B, and C, over the funding of Regional Flexible Fund Allocation projects represented by Package D.
- Safe bicycling infrastructure a priority over electric bike program.
- Question the ability to effectively administer and implement Electric Bike, Safe Routes to Schools, or Active Transportation capital projects with small amount of federal funds. Request to investigate the possibility of a fund exchange of federal CRP funds for local funds to make implementation of small capital projects more feasible was made.
- Support for a Transportation System Management and Operations (TSMO) allocation element administered through the Transport sub-committee, with policy direction to prioritize carbon reduction projects such as expansion of Transit Signal Priority (TSP).
- Desire for clarification on what happens to corridor project funding if projects do not proceed or get funded from other sources, with requests for funding to stay in a corridor on other project elements.
- Consideration of not setting a precedent of funding project elements that are identified for potential mitigation of tolling impacts (such as elements of Line 33 TSP).
- Need further description of recommended project elements, including the Metro led Climate Smart Implementation program element.

JPACT comments.

- Washington County Coordinating Committee discussions favored Package Option E that included an \$3 million allocation to System Management and Operations projects to be recommended by the Transport sub-committee of TPAC.
- Safe access to schools be clarified as a potential part of System Management & Operations or Active Transportation options should those options move forward.

Development of TPAC Recommendation on Allocation of Carbon Reduction Program Funds – May 2023

At the May 5th TPAC meeting, Metro staff presented two Carbon Reduction Program allocation options for considerations. The two allocation options were based on the input received from TPAC and JPACT members on the draft investment package options at their April meetings. The allocation options were:

Carbon Reduction Program Allocation Package Descriptions Considered by TPAC

Package C – Transit Corridors and Active Transportation		
	TV Hwy BRT	\$5,000,000
	82 nd Ave BRT	\$5,000,000
	Line 33 McLoughlin Transit Signal Priority	\$4,000,000
	Climate Smart Implementation Program	\$1,800,000
	Active Transportation	\$3,000,000
	Subtotal:	\$18,800,000

Package E - Transit Corridors and Transportation System Management & Operations		
	TV Hwy BRT	\$5,000,000
	82 nd Ave BRT	\$5,000,000
	Line 33 McLoughlin Transit Signal Priority	\$4,000,000
	Climate Smart Implementation Program	\$1,800,000
	Transportation System Management & Ops	\$3,000,000
	Subtotal:	\$18,800,000

Allocation Package Options - Description of Elements

Recommended by TPAC: Tualatin Valley Highway Bus Rapid Transit (BRT): Funding to undertake bus rapid transit project development for the Tualatin Valley Highway BRT corridor. The \$5 million allocation to be matched by TriMet and with participation by local agencies toward a total of about \$20 million needed to complete the Project Development phase of the FTA CIG Small Starts program. This work includes design, NEPA, development of rating materials and other activities needed to get to a Small Starts Grant Agreement. If the region decided to not pursue an FTA CIG Small Starts application, remaining funds could be repurposed to safe access to transit or other transit elements in the corridor.

Recommended by TPAC: 82nd Avenue Bus Rapid Transit (BRT): Funding to undertake bus rapid transit project development for the 82nd Avenue corridor. The \$5 million allocation to be matched by TriMet and with participation by local agencies toward a total of about \$20 million needed to complete the Project Development phase of the FTA CIG Small Starts program. This work includes design, NEPA, development of rating materials and other activities needed to get to a Small Starts Grant Agreement. If the region decided to not pursue an FTA CIG Small Starts application, remaining funds could be repurposed to safe access to transit or other transit elements in the corridor.

Recommended by TPAC: Line 33 - McLoughlin Corridor Transit Signal Priority (TSP): Expansion of next generation transit signal priority first implemented in the Division Transit corridor to improve reliability of transit service. Expands capability of TriMet to implement TSP with new project partners and independent of a Bus Rapid Transit project in anticipation of implementing additional TSP projects across the region. Any remaining funds may also be used on systemic TSP needs to make the Line 33 elements perform optimally or on small capital stop amenities or safe transit access elements in the corridor. Project scope and funding would be coordinated with, and not displace, funding from other potential sources such as Congressionally directed spending or Tolling mitigation funding.

Recommended by TPAC: Climate Smart Implementation Program: Resources to support implementation of the Climate Smart Strategy (CSS). This includes elements such as:

- monitoring and evaluation of CSS implementation (including analysis and reporting on progress in reducing emissions to meet federal CRP reporting requirements),
- development of improved emissions and Vehicle Miles Traveled forecasting and monitoring tools, including at the sub-area/corridor and project levels,
- update to the Climate Smart Strategy,
- communicating what the CSS is, how it is being implemented locally, what reductions are being achieving by implementation of the current strategy in public

friendly formats to develop understanding, acceptance, and support for continued implementation of the strategy,

- technical support for incorporation of climate emission reduction policy and strategies into development of related transportation plans and policy
 - including regional coordination and support for local agency implementation of the new Climate Friendly & Equitable Communities update to state Transportation Planning Rule requirements

Approximately half of the allocation would be for work for tool development such as improvements to the state required Vision Eval forecasting tool, the regional travel demand model, tools to forecast emissions impacts of project level investments, and a best implementation practices toolkit. The other approximate half of the allocation would support a new Metro staff person to undertake the monitoring and evaluation work, communication of progress and benefits of Climate Smart Strategy implementation, coordination with state and local agencies, meeting federal reporting requirements, support of a Metro team in the update of the Climate Smart Strategy, and to provide local agencies with technical support for local implementation.

Recommended by TPAC: Transportation System Management & Operations (TSMO):

Transportation system management and operations investments that improve the efficiency and safety of the existing transportation network and infrastructure. The Transport sub-committee of TPAC would be utilized to identify priority projects for funding with direction to prioritize TSMO investments that have the greatest potential to reduce carbon emissions. TSMO projects that also provide safer access to schools are eligible and encouraged for consideration.

Active Transportation: Pedestrian, bicycle and transit access capital projects. Project scale would be smaller than typical RFFA and state funded projects. Projects that are expected to perform best to increase walk and bike trips would be encouraged as a priority to maximize reductions in carbon emissions. Active transportation projects that also provide safer access to schools are eligible and encouraged for consideration. TriMet has agreed to investigate their capacity to fund exchange CRP funds for local funding to facilitate improved delivery of these projects. It has not yet been determined whether they have an eligible project and local fund capacity, but if ultimately feasible, the exchanged funds could not be made available until late in FY 2025 after TriMet had received equivalent CRP funds. If fund exchange is determined infeasible, projects would need to proceed through the standard federal-aid delivery process

Both package C and E were modified slightly prior to the May 5th TPAC meeting to reflect input provided on the draft packages. Modifications included:

- Language to address the uncertainty for the three corridor candidates to allow for repurposing excess or remaining funds for activities within the corridor including safe access to transit or other transit elements, as long as federal eligibility requirements are met.
- Further project description to outline the activities Metro will undertake for Climate Smart Implementation activities.
- Refinements and clarification to fund projects with the \$3 million going towards either Active Transportation (Package C) or Transportation System Management (Package E) which would support/induce shifting to walking, biking, or transit and have high carbon emissions reduction

At the time of the TPAC meeting, Metro staff had begun an inquiry with TriMet on possible fund exchange of \$3 million dollars with TriMet, in recognizing the interest in the Package C was highly predicated on the ability to defederalize those funds. TriMet was unable to provide a response in time for the May TPAC meeting but expects to have a response about the fund exchange prior to the May 18th JPACT meeting. Information on the fund exchange possibility will be brought forward at the JPACT meeting.

TPAC members voted to recommend Package E: Transit Corridors and System Management and Operations option as the preferred allocation option for carbon reduction program funds. Of the 19 TPAC voting members, ten members voted in favor of package E, six voted against the recommendation of Package E because of their preference for Package C: Transit Corridors and Active Transportation, and there were three abstentions, reflecting the difficult decision TPAC had choosing between the options.

As part of the recommendation of Package E, TPAC recommended the following refinements be reflected in the recommended allocation package for the carbon reduction program funds. These include:

- An obligation date and/or a confirmation decision to pursue the Federal Transit Administration (FTA) Capital Investment Grant (CIG) Small Starts discretionary grant program for the funds allocated to the 82nd Avenue and Tualatin Valley Highway corridor projects.
- Additional guidance to Transport in the allocation of the \$3 million to transportation system management technologies/projects to prioritize in addition to, but secondary to carbon emission reduction benefits:
 - reducing the impact of climate change and air pollution on marginalized communities
 - safe access to transit and schools
 - funding projects around the region and/or that have regionwide benefits

The refinements are incorporated into Exhibits A and C of the staff report to Resolution 23-5337.

Metro Council Worksheet

Agenda Item Title: Carbon Reduction Program – Recommended Allocation

Presenters: Ted Leybold, Grace Cho

Contact for this worksheet/presentation: Grace Cho, Ted Leybold

Purpose/Objective

Provide Metro Council members an overview of the recommended allocation for the Carbon Reduction Program (CRP) funds and request Metro Council adoption of the Carbon Reduction Program funds allocation.

Outcome

The Metro Council have understanding of the following:

- The basic premise and details of the Carbon Reduction Program
- The recommended allocation of Carbon Reduction Program funds in the Portland metropolitan area
- The information which shaped and informed the development of the recommended allocation

What has changed since Metro Council last considered this issue/item?

Since the Metro Council was briefed on the CRP allocation in December 2022, Metro staff has undertaken a process and engaged with TPAC and JPACT to inform the development of the Carbon Reduction Program funds allocation. After consideration of the input and feedback given balanced against other considerations such as federal eligibility requirements and project delivery, the recommended allocation brought forward reflects these considerations and recommended by both TPAC and JPACT in May 2023.

What packet material do you plan to include?

- Resolution 23-5337 For the Purpose of Distributing \$18.8 Million of Carbon Reduction Program Funds for the years 2022-2026, Pending Inclusion in the 2024-2027 MTIP
- Staff Report for Resolution 23-5337 with Exhibits A-D.

**Resolution No. 23-5331, For the Purpose of Adopting Guiding Principles of
Meaningful Public Engagement**
Resolutions

Metro Council Meeting
Thursday, June 15th, 2023

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING GUIDING) RESOLUTION NO. 23-5331
PRINCIPLES OF MEANINGFUL PUBLIC)
ENGAGEMENT) Introduced by Operating Officer Marissa
) Madrigal in concurrence with Council
) President Lynn Peterson

WHEREAS, Metro is committed to promoting and sustaining effective public engagement, which is an essential component of good government; and

WHEREAS, the Metro Council adopted Metro’s current Principles of Citizen Involvement in 1997 via Resolution No. 97-2433; and

WHEREAS, the Metro Council adopted an updated Public Engagement Guide in 2013 via Resolution No. 13-4476, which relied in part on the Principles of Citizen Involvement that were adopted in 1997; and

WHEREAS, in 2020 the Metro Chief Operating Officer adopted a COVID 19 Policy on Community Engagement, which applied modern best practices for community engagement during a period of a global pandemic; and

WHEREAS, the Metro Council has identified a need to update both the Principles of Citizen Involvement and the Public Engagement Guide to bring them into alignment with Metro’s Strategic Framework, Metro’s Strategic Plan to Advance Racial Equity, Diversity and Inclusion, current best practices for meaningful public engagement, and modern Metro values; and

WHEREAS, earlier this year the Metro project team and engagement specialists prepared an initial draft of 13 updated guiding principles, which were then reviewed, revised and shortened to eight guiding principles by the Metro Public Engagement Review Committee, Metro staff and the Metro Council; and

WHEREAS, after two meetings of the Metro Public Engagement Review Committee in April and May of this year, the committee voted to approve the updated guiding principles and forward them to the Metro Council for final review; and

WHEREAS, the Metro Council reviewed the proposed guiding principles at a work session on May 30, 2023 and endorsed the eight proposed guiding principles with minor revisions; and

WHEREAS, the new guiding principles will provide an important foundation for updating Metro’s Public Engagement Guide later this year; now therefore,

BE IT RESOLVED that:

1. The Metro Council hereby adopts the new Guiding Principles for Meaningful Public Engagement attached as Exhibit A to this resolution, replacing the previously adopted Principles of Citizen Involvement.

2. The Metro Council directs Metro staff to proceed with updating Metro's Public Engagement Guide, consistent with the new guiding principles adopted by this resolution.

ADOPTED by the Metro Council this 15th day of June 2023.

Lynn Peterson, Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney

METRO GUIDING PRINCIPLES OF MEANINGFUL PUBLIC ENGAGEMENT

1. Public participation is an essential part of Metro's decision-making.
2. Transparency in decision-making is fundamental to successful public service and includes communication about project outcomes and impact of community contributions to the process.
3. Meaningful public engagement processes apply equity, diversity and inclusion strategies and tools to help identify and address the needs of impacted, underserved, and historically excluded communities.
4. Engagement and communications are accessible, informative, timely and inclusive of a rich diversity of lived experiences and perspectives.
5. Collaboration and capacity-building efforts with community-based organizations, programs, initiatives and individuals that are impacted, underserved, or historically excluded are essential to address regional issues equitably.
6. Intergovernmental collaboration, coordination, and consultation are essential to address regional issues holistically and efficiently.
7. Evaluation of engagement activities during and after a project encourages responsiveness, growth and process improvement.
8. Adaptive project timelines allow for meaningful engagement with the most impacted audiences early and throughout the project.

STAFF REPORT FOR COUNCIL MEETING

IN CONSIDERATION OF RESOLUTION NO. 23-5331, FOR THE PURPOSE OF
ADOPTING GUIDING PRINCIPLES OF MEANINGFUL PUBLIC ENGAGEMENT.

Date: 05/31/2023
Department: Communications
Meeting Date: June 15, 2023

Prepared by: Gloria Pinzón Marin,
gloria.pinzon@oregonmetro.gov
Presenter(s): Gloria Pinzón Marin, Lia
Waiwaiole
Length: 3 pages

ISSUE STATEMENT

Metro's current Principles of Citizen Involvement were adopted in 1997 by Resolution No. 97-2433. Metro staff is proposing to update the guiding principles to bring them into alignment with Metro's Strategic Plan to Advance Racial Equity, current best practices for meaningful engagement and Metro values. These guiding principles for meaningful public engagement create a foundation to sustain an equitable and democratic culture of collaboration and accountability at Metro. The adopted guiding principles will help provide a foundation to update Metro's public engagement guide.

ACTION REQUESTED

Adopt Metro's Guiding Principles of Meaningful Public Engagement. All proposed engagement activities whether virtual or in-person should meet one or more of the following principles when planning and implementing engagement processes for Metro decision-making on policies, programs, investments or implementation of such Metro Council actions.

History of review for the updated guiding principles for meaningful public engagement:

March/April

- The first draft of thirteen proposed guiding principles were adapted from:
 - Principles of Citizen Involvement adopted 1997
 - COVID 19 Community Engagement Policy, adopted in 2020
 - Public Engagement Guide, adopted in 2013
- Draft one with thirteen updated guiding principles reviewed by:
 - Staff: project steering team, project team, engagement specialists
 - Public Engagement Review Committee (includes local government staff, residents, community-based organizations)
 - Metro Council provided guidance on first draft during briefings.

May

- Staff produced a second draft of seven guiding principles based on all feedback received.
- Public Engagement Review Committee reviewed second draft and voted for approval.
- Committee on Racial Equity reviews second draft of guiding principles.
- Staff makes updates to guiding principles based on all input resulting in eight guiding principles.
- May 30 - Metro Council reviews updated draft of guiding principles at Work Session.

June

- Staff makes updates to the guiding principle language, description or expected implementation based on Metro Council feedback.
- Metro Council considers adoption of Metro's Guiding Principles for Meaningful Public Engagement.
- Staff begins to update Public Engagement Guide in support of Metro's new guiding principles for meaningful public engagement.

IDENTIFIED POLICY OUTCOMES

The implementation of the Guiding Principles for Meaningful Public Engagement reflect Metro's Strategic Framework including the advancement of Racial Justice, Climate Justice and Resilience, Shared Prosperity.

Adoption of updated Metro's Guiding Principles for Meaningful Public Engagement will:

- replace Principles of Citizen Involvement adopted in 1997 by Resolution No. 97-2433
- provide a path for updating Metro's Public Engagement Guide
- support Metro Council in making decisions that are well informed, sustainable and address the needs and priorities of the diverse communities in the greater Portland region.

POLICY QUESTION(S)

None

POLICY OPTIONS FOR COUNCIL TO CONSIDER

Option 1: Approve the updated Guiding Principles for Meaningful Public Engagement as-is. Honors input and role of Public Engagement Review Committee, Committee on Racial Equity and Metro engagement staff. Also provides a foundation to update the Public Engagement Guide.

Option 2: Do not approve, make recommendations for further development. Would delay timeline for Public Engagement Guide update.

STAFF RECOMMENDATION

Adopt Metro’s Guiding Principles for Meaningful Public Engagement as they are. The updated version includes Metro Council feedback.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

These guiding principles for meaningful public engagement create a foundation to sustain an equitable and democratic culture of collaboration and accountability at Metro. The adopted guiding principles will help provide a foundation to update Metro’s public engagement guide.

The proposed guiding principles for meaningful public engagement were voted on and approved by the Public Engagement Review Committee, who is charged with advising Metro Council on public engagement best practices.

The implementation of the Guiding Principles for Meaningful Public Engagement will support the advancement of Metro’s Strategic Framework including Racial Justice, Climate Justice and Resilience, Shared Prosperity

And finally, the implementation of the updated Guiding Principles for Meaningful Public Engagement will support the advancement of Metro’s Strategic Plan to Advance Racial Equity, Diversity and Inclusion:

- a. Goal A: Metro convenes and supports regional partners to advance racial equity.
- b. Goal B: Metro meaningfully engages communities of color.
- c. Goal D: Metro creates safe and welcoming services, programs and destinations.
- d. Goal E: Metro's resource allocation advances racial equity.

BACKGROUND

Metro Council had not reviewed or adopted guiding principles for public engagement or involvement since 1997. The guiding principles from 1997 were relied upon by the Metro Council when it adopted the 2013 Public Engagement Guide, which included a slightly updated version of guiding principles.

In 2023, Metro Council reviewed two different drafts of updated guiding principles for meaningful public engagement and provided feedback and direction. Feedback was either applied to the language of the guiding principles or will be considered during the development of an updated Public Engagement Guide and could impact processes improvements for communication and engagement processes.

ATTACHMENTS

Attachment 1: Input summary on guiding principles for meaningful engagement



Guiding Principles for Meaningful Public Engagement

Summary of input received through May 30, 2023

Metro is updating the Public Engagement Guide in 2023. The first step is to refresh the guiding principles to bring them up to current best practices with input from the Public Engagement Review Committee, Committee on Racial Equity, Metro staff and the Metro Council.

Input from Public Engagement Review Committee

The committee advised on two drafts of the updated guiding principles. Their input includes comments about language and best practices for engagement:

- Public input should impact decision-making.
- Accessibility and inclusion for people living with disabilities and people of diverse cultures should be a priority.
- Evaluation is important and should be done with participants.
- Adaptive timelines, restoration of past harms and accountability are important.
- Communities are not a monolith, be specific about who we mean.
- Benefits to the public should be prioritized in decision-making.
- Trauma informed practices should be used and provide a space for healing when repair is needed.
- Support for removal of “citizen”
- Changing staff often can harm relationships with partners.
- Support use of Equity Framework tool, suggest sharing with public.
- Be aspirational, avoid overpromising.
- Engage businesses based on sector.
- Expand on “community-based organizations” to include programs.
- Metro should apply the final guiding principles during the development of the Public Engagement Guide.



Public Engagement Review Committee will oversee the update of the Public Engagement Guide.

Input from Committee on Racial Equity

The committee advises Metro Council on the Strategic Plan to Advance Racial Equity, Diversity, and Inclusion. They advised on the second draft of the updated guiding principles. Their input includes comments about language and best practices for engagement:

- Consider Cultural Humility values in engagement practices.
- Support for repair and accountability.
- Consider engagement during emergencies like natural disasters or another pandemic.
- Does “public” include everyone?
- Evaluation should include communities.
- Add “responsiveness” to principle 7.
- Some small businesses serve as a cultural, community hub.
- Consider how this guide will be shared across all Metro departments.
- Avoid transactional engagement practices.

Both committees will advise on the update the Public Engagement Guide.

Questions?

Gloria.pinzon@oregonmetro.gov

Input received from Metro Council:

The Council advised staff on two drafts of the updated guiding principles. Their input varied among each councilor. It includes comments related to the language, Council concerns and expectations about engagement or communication practices:

- Appreciate seeing a reflection of years of best practices in guiding principles.
- Shorten the list and clarify language.
- Add capacity building for partners.
- Work to develop civic leadership among participants of engagement processes.
- Support for acknowledgement of accountability.
- Support consideration of impacts of projects within engagement planning.
- Consider being more specific than “public” since our work is often community based.
- Metro needs to improve digital engagement practices.
- Appreciation for past work advancing racial equity
- Desire for staff to reach out to more businesses, environmental and labor organizations, people living on the edges of the greater Portland region.
- Include risk assessment during engagement process.
- It’s important to stay accountable to voters.
- Want more connection to residents and staff in work sessions or briefings.
- Communications messaging should be inclusive of the diversity in lived experiences of the region.
- Ensure follow up with participants after a project ends.
- Reduce barriers of participation by addressing needs of participants, through stipends, childcare, etc.
- Consider translating principles to different languages.
- Desire to understand more about the decision-making process for planning projects with engagement.
- Desire to set minimum expectations for all projects in terms of communications with interested parties.
- Need to create shared understanding between staff and Council about who has access to Metro Council.
- Metro needs to continue growing in how we do engagement outside of committees, outside of expecting people to come to MRC.
- Need to identify needs for specific communities and include that information in community engagement plans – not a one-size-fits-all approach to engagement.

The Metro Council expressed support for an updated set of eight Guiding Principles for Meaningful Public Engagement with minimal updates during a Worksession on May 30th.

Metro’s Guiding Principles for Meaningful Public Engagement

(Draft to be adopted on June 15, 2023)

1. Public participation is an essential part of Metro’s decision-making.
2. Transparency in decision-making is fundamental to successful public service and includes communicating about project outcomes and impact of community contributions to the process.
3. Meaningful public engagement processes apply equity, diversity and inclusion strategies and tools to help identify and address the needs of impacted, underserved, and historically excluded communities.
4. Engagement and communications are accessible, informative, timely and inclusive of a rich diversity of lived experiences and perspectives.
5. Collaboration and capacity-building efforts with community-based organizations, programs, initiatives and individuals that are impacted, underserved, or historically excluded are essential to address regional issues equitably.
6. Intergovernmental collaboration, coordination, and consultation are essential to address regional issues holistically and efficiently.
7. Evaluation of engagement activities during and after a project encourages responsiveness, growth and process improvement.
8. Adaptive project timelines allow for meaningful engagement with the most impacted audiences early and throughout the project.

**Resolution No. 23-5330, For the Purpose of Amending the FY 2022-23 Budget and
Appropriations Schedule and FY 2022-23 Through FY 2026-27 Capital
Improvement Plan to Provide for Changes in Operations**
Resolutions

Metro Council Meeting
Thursday, June 15th, 2023

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE FY 2022-) RESOLUTION NO 23-5330
23 BUDGET AND APPROPRIATIONS SCHEDULE) Introduced by Marissa Madrigal, Chief
AND FY 2022-23 THROUGH FY 2026-27 CAPITAL) Operating Officer, with the concurrence of
IMPROVEMENT PLAN TO PROVIDE FOR) Council President Lynn Peterson
CHANGES IN OPERATIONS)

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 positions 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 294.338(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

WHEREAS, ORS 294.471(a) allows for the governing body to add appropriation categories to align organizational efficiencies, changes that were not ascertained when preparing the budget; now therefore

BE IT RESOLVED,

1. That the FY 2022-23 Budget and Schedule of Appropriations are hereby amended as shown in the column entitled "June Amendment" of Exhibit A to this Resolution for the purpose of modifying revenues and expenditures and transferring funds to and from contingency.
2. That the FY 2022-23 through FY 2026-27 Capital Improvement Plan is hereby amended accordingly.

ADOPTED by the Metro Council this 15th day of June, 2023.

Lynn Peterson, Council President

APPROVED AS TO FORM:

Carrie MacLaren, Metro Attorney

Exhibit A
Resolution 23-5330
Schedule of Appropriations

	Budget	June Amendment	Amended Budget
GENERAL FUND			
Council	9,374,294	-	9,374,294
Office of the Auditor	1,030,373	-	1,030,373
Diversity, Equity and Inclusion	2,612,766	-	2,612,766
Office of Metro Attorney	3,620,375	-	3,620,375
Information Technology and Records Management	7,468,815	-	7,468,815
Communications	5,788,972	-	5,788,972
Finance and Regulatory Services	10,763,925	-	10,763,925
Human Resources	5,769,995	-	5,769,995
Capital Asset Management	5,474,155	-	5,474,155
Planning, Development and Research Department	38,071,763	-	38,071,763
Parks and Nature	3,227,423	400,000	3,627,423
Special Appropriations	1,961,161	-	1,961,161
Non-Departmental			
Debt Service	14,482,097	-	14,482,097
Interfund Transfers	25,919,836	-	25,919,836
Contingency	24,224,885	-	24,224,885
<i>Total Appropriations</i>	159,790,835	400,000	160,190,835
Unappropriated Balance	27,288,839	-	27,288,839
Total Fund Requirements	187,079,674	400,000	187,479,674
GENERAL OBLIGATION DEBT SERVICE FUND			
Special Appropriations	-	100,000	100,000
Non-Departmental			
Debt Service	76,584,398	-	76,584,398
<i>Total Appropriations</i>	76,584,398	100,000	76,684,398
Total Fund Requirements	76,584,398	100,000	76,684,398
MERC FUND			
MERC	61,583,821	400,000	61,983,821
Non-Departmental			
Interfund Transfers	9,750,358	-	9,750,358
Contingency	16,457,381	(400,000)	16,057,381
<i>Total Appropriations</i>	87,791,560	-	87,791,560
Total Fund Requirements	87,791,560	-	87,791,560
OREGON ZOO ASSET MANAGEMENT FUND			
Visitor Venues - Oregon Zoo	10,585,712	1,100,000	11,685,712
Non-Departmental			
Interfund Transfers	865,889	-	865,889
Contingency	-	-	-
<i>Total Appropriations</i>	11,451,601	1,100,000	12,551,601
Total Fund Requirements	11,451,601	1,100,000	12,551,601

OREGON ZOO OPERATING FUND

Visitor Venues - Oregon Zoo	38,835,130	-	38,835,130
Non-Departmental			
Interfund Transfers	8,123,918	1,100,000	9,223,918
Contingency	12,362,408	(1,100,000)	11,262,408
	<i>Total Appropriations</i>		
	59,321,456	-	59,321,456
Total Fund Requirements	59,321,456	-	59,321,456

SMITH AND BYBEE WETLANDS FUND

Parks and Nature	175,000	17,500	192,500
Non-Departmental			
Interfund Transfers	89,295	-	89,295
Contingency	500,000	(17,500)	482,500
	<i>Total Appropriations</i>		
	764,295	-	764,295
Unappropriated Balance	604,205	-	604,205
Total Fund Requirements	1,368,500	-	1,368,500

Total Appropriations	1,273,859,366	1,600,000	1,275,459,366
Total Unappropriated Balance	359,199,958	-	359,199,958
TOTAL BUDGET	1,633,059,324	1,600,000	1,634,659,324

** All other funds remain unchanged

STAFF REPORT

IN CONSIDERATION OF RESOLUTION 23-5330 FOR THE PURPOSE OF AMENDING THE FY 2022-23 BUDGET AND APPROPRIATIONS SCHEDULE AND FY 2022-23 THROUGH FY 2026-27 CAPITAL IMPROVEMENT PLAN TO PROVIDE FOR CHANGES IN OPERATIONS

Date: May 31, 2023

Prepared by:
Patrick Dennis, Budget Coordinator

Department: Finance and Regulatory Services

Presented by:
Cinnamon Williams, Financial Planning Director
Patrick Dennis, Budget Coordinator

Meeting date: June 15, 2023

Length: 15 minutes

ISSUE STATEMENT

Resolution 23-5330 will authorize changes in appropriations for FY 2022-23 and approve changes to the FY 2022-23 through FY 2026-27 Capital Improvement Plan.

ACTION REQUESTED

Council adoption of Resolution 23-5330.

IDENTIFIED POLICY OUTCOMES

Council approval will authorize changes in appropriations requested by departments for FY 2022-23 and approve requested changes to the FY 2022-23 through FY 2026-27 Capital Improvement Plan.

POLICY QUESTION

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

POLICY OPTIONS FOR COUNCIL TO CONSIDER

Adoption of Resolution 23-5330 will provide sufficient appropriations to accommodate the changes in operations outlined by departments. Adoption will allow for changes to capital projects due to operational factors.

Disapproval of the Resolution will require departments to reevaluate their proposed changes to operations and capital plans.

STAFF RECOMMENDATIONS

The Chief Operating Officer and Chief Financial Officer recommend adoption of Resolution 23-5330.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

Relationship to Metro's Strategic Plan, racial equity, and climate action goals

By funding additional materials and services expenditures for operations, the Agency will more efficiently be able to focus on programming related to our guiding principles of racial justice, climate justice and resiliency, and shared prosperity.

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. 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. 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. 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. ORS 294.463 (4) provides that public testimony be allowed if any funds are changing by more than 10 percent of a fund's expenditures. Metro code chapter 2.02.040 requires the Metro Council to approve the addition of any position to the budget. Metro's adopted financial policies require any project exceeding \$100,000 or an existing CIP project increasing greater than 20 percent to receive Council approval. ORS 294.471 allows for pressing and necessary changes, by supplemental budget, that could not be reasonably foreseen during budget development.

Anticipated Effects: This action provides for changes in operations and capital improvement plans as described below.

Budget Impacts: This action has a net increase of \$1,600,000 in expenditure appropriations. The new total appropriation will be \$1,634,659,324 with 1,102.10 FTE. This action has the following impacts on the FY 2022-23 budget and FY 2022-23 through FY 2026-27 Capital Improvement Plan (CIP):

- **General Fund: Increase of \$400,000 to the total fund appropriations.**
 - Increase Parks and Nature appropriations in the General Fund to account for better-than-expected revenue and associated requirements at Glendoveer Golf Course.
- **General Obligation Debt Service Fund: Increase of \$100,000 to the total fund appropriations.**
 - Increase appropriations related to the various expenses from the General Obligations Refunding Bonds issuance.
- **MERC Fund: Net zero impact to the total fund appropriations.**
 - Transfer \$400,000 from MERC Fund contingency to fund the Arlene Schnitzer Concert Hall cooling tower replacement project, for CIP details see Attachment 1.

- **Oregon Zoo Asset Management Fund: Increase of \$1,100,000 to the total fund appropriations.**
 - Transfer \$1,100,000 from Oregon Zoo Operating Fund to the Oregon Zoo Asset Management Fund to fund the increased costs related to the boardwalk project, for CIP details see [Attachment 2](#).
- **Oregon Zoo Operating Fund: Net zero impact on the total fund appropriations.**
 - Transfer \$1,100,000 from Oregon Zoo Operating Fund contingency to the Oregon Zoo Asset Management Fund, see above for details.
- **Smith and Bybee Wetlands Fund: Net zero impact on the total fund appropriations.**
 - Transfer \$17,500 from contingency for increased contracted services costs.
- **Solid Waste Fund: Net zero impact on the total fund appropriations.**
 - Adjust two project funding schedules in the CIP due to a coding error in the March 2023 Amendment. Council approved a change to the capital project SMS029 in the CIP, but the capital project needing a change in the CIP was SMC029, for CIP details see [Attachment 3](#).

Below is a list of all the proposed changes from Resolution 23-5330:

Appropriation Changes:

- **Total Appropriations** increase: \$1,600,000
 - **General Fund** increase by \$400,000
 - **General Obligation Debt Service Fund** increase by \$100,000
 - **Oregon Zoo Asset Management Fund** increase by \$1,100,000

Capital Improvement Plan (CIP):

The following proposed changes to the Capital Improvement Plan (CIP) for FY 2022-23 are:

- **Portland’5** increase of \$400,000 for the Arlene Schnitzer Concert Hall cooling tower replacement (Attachment 1)
- **Oregon Zoo** increase of \$1,100,000 for the boardwalk resurface project (Attachment 2)
- **Waste Prevention and Environmental Services** net zero change, realigning CIP due to a coding error in the March 2023 amendment (Attachment 3)

ATTACHMENTS

- Resolution 23-5330
- Exhibit A – Schedule of Appropriations
- Attachments 1-3 - Capital Improvement Plan changes

Mid-Year Budget Amendment for FY2022-23
 Capital Improvement Plan (CIP) Detail Changes
 Visitor Venue - P5

Financial Planning Use

Attachment 1
 Resolution 23-5330

New? Y/N	Project ID	Project Title	GL Acct	Fund ID	Dept ID	FY 2022-23			FY 2023-24			FY 2024-25	FY 2025-26	FY 2026-27	Notes (i.e delay/cancel other projects, contingency)
						CIP	Change Request*	CIP Amended	CIP	Change Request	CIP Amended	CIP Amended	CIP Amended	CIP Amended	
Y	8R316	ASCH Cooling Tower Replacement	579000	554	58999	-	400,000	400,000	-	1,600,000	1,600,000	-	-	-	
								-		-	-	-	-	-	

Mid-Year Budget Amendment for FY2022-23
 Capital Improvement Plan (CIP) Detail Changes
 Visitor Venue - Oregon Zoo

Financial Planning Use

Attachment 2

Resolution 23-5330

New? Y/N	Project ID	Project Title	GL Acct	Fund ID	Dept ID	FY 2022-23			FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	Notes (i.e delay/cancel other projects, contingency)
						CIP	Change Request*	CIP Amended	CIP Amended	CIP Amended	CIP Amended	CIP Amended	
N	ZOO142/ZOO152	Boardwalk Resurface	526100	326	20000	1,000,000	1,100,000	2,100,000	-	-	-	-	
								-	-	-	-	-	

Mid-Year Budget Amendment for FY2022-23
 Capital Improvement Plan (CIP) Detail Changes
 Waste Prevention & Environ. Services

Financial Planning Use

Attachment 3
 Resolution 23-5330

New? Y/N	Project ID	Project Title	GL Acct	Fund ID	Dept ID	FY 2022-23			FY 2023-24			FY 2024-25			FY 2025-26	FY 2026-27	Notes (i.e delay/cancel other projects, contingency)
						CIP	Change Request*	CIP Amended	CIP	Change Request	CIP Amended	CIP	Change Request	CIP Amended	CIP Amended	CIP Amended	
N	SMS029	MSS e-asbestos removal form	579000	536	31100	782,500	(720,000)	62,500	(3,500,000)	3,500,000	-	(2,000,000)	2,000,000	-	-	-	
N	SMC029	MCS - Station Operations Fleet	579000	536	31100	-	720,000	720,000	6,000,000	(3,500,000)	2,500,000	2,000,000	(2,000,000)	-	-	-	

**Resolution No. 23-5333, For the Purpose of Adopting the Annual Budget for Fiscal Year
2023-24, Making Appropriations and Levying Ad Valorem Taxes**
Resolutions (First Reading and Public Hearing)

Metro Council Meeting
Thursday, June 15th, 2023

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING THE ANNUAL	)	RESOLUTION NO 23-5333
BUDGET FOR FISCAL YEAR 2023-24, MAKING)	
APPROPRIATIONS AND LEVYING AD VALOREM	)	Introduced by Marissa Madrigal, Chief
TAXES	)	Operating Officer, with the concurrence
	)	of Council President Lynn Peterson

WHEREAS, the Multnomah County Tax Supervising and Conservation Commission held its public hearing on the annual Metro budget for the fiscal year beginning July 1, 2023, and ending June 30, 2024; and

WHEREAS, the Multnomah County Tax Supervising and Conservation Commission certified the annual Metro budget with no recommendations or objections (Exhibit A); now, therefore,

BE IT RESOLVED,

1. The “Fiscal Year 2023-24 Metro Budget,” in the total amount of ONE BILLION SEVEN HUNDRED NINETY FOUR MILLION EIGHT HUNDRED THIRTY FOUR THOUSAND NINE HUNDRED SIXTY EIGHT DOLLARS (\$1,794,834,968), attached hereto as Exhibit B, and the Schedule of Appropriations, attached hereto as Exhibit C, are hereby adopted.

2. The Metro Council does hereby levy ad valorem taxes, as provided in the budget adopted by Section 1 of this Resolution, at the rate of \$0.0966 per ONE THOUSAND DOLLARS (\$1,000) of assessed value for operating rate levy; at the rate of \$0.0960 per ONE THOUSAND DOLLARS (\$1,000) of assessed values for local option rate levy and in the amount of EIGHTY FOUR MILLION THREE THOUSAND ONE HUNDRED FOURTY SIX DOLLARS (\$84,003,146) for general obligation bond debt, said taxes to be levied upon taxable properties within the Metro District for the fiscal year 2023-24. The following allocation and categorization subject to the limits of Section 11b, Article XI of the Oregon Constitution constitute the above aggregate levy.

SUMMARY OF AD VALOREM TAX LEVY

	Subject to the General Government <u>Limitation</u>	Excluded from <u>the Limitation</u>
Operating Tax Rate Levy	\$0.0966/\$1,000	
Local Option Tax Rate Levy	\$0.0960/\$1,000	
General Obligation Bond Levy		\$84,003,146

3. In accordance with Section 2.02.040 of the Metro Code, the Metro Council hereby authorizes positions and expenditures in accordance with the Annual Budget adopted by Section 1 of this Resolution, and hereby appropriates funds for the fiscal year beginning July 1, 2023, from the funds and for the purposes listed in the Schedule of Appropriations, Exhibit C.

4. The Chief Operating Officer shall make the filings as required by ORS 294.458 and ORS 310.060, or as requested by the Assessor’s Office of Clackamas, Multnomah, and Washington Counties.

ADOPTED by the Metro Council on this 22nd day of June 2023.

Lynn Peterson, Council President

APPROVED AS TO FORM:

Carrie MacLaren, Metro Attorney

STAFF REPORT

FOR THE PURPOSE OF THE COUNCIL TO CONSIDER AND VOTE ON BUDGET AMENDMENTS AND BUDGET NOTES TO BE INCORPORATED INTO THE FY 2023-24 BUDGET; FIRST READING OF RESOLUTION 23-5333 AND FINAL PUBLIC HEARING PRIOR TO BUDGET ADOPTION

Date: June 8, 2023

Prepared by:
Patrick Dennis, Budget Coordinator

Department: Office of the Chief Operating Officer

Presented by:
Marissa Madrigal, Chief Operating Officer
Brian Kennedy, Chief Financial Officer

Meeting date: June 15, 2023

Length: 20 minutes

ISSUE STATEMENT

On June 15, 2023, Council will vote on budget amendments and budget notes to be incorporated into the FY 2023-24 budget.

This will be the first reading of Resolution 23-5333, for the purpose of adopting the FY 2023-24 budget. Additionally, this will be the final public hearing and opportunity for public comment on the budget, prior to June 22, 2023, when Council will vote to approve Resolution 23-5333-A, as amended on June 15, 2023. Metro's budget must be adopted prior to June 30, 2023.

ACTIONS REQUESTED

- First reading of Resolution 23-5333.
- Council consideration and vote for approval of the proposed budget amendments and budget notes to be incorporated into the FY 2023-24 budget.
- Council consideration of any comments during the final Public Hearing for the FY 2023-24 budget adoption process.

IDENTIFIED POLICY OUTCOMES

Budget amendments and budget notes approved on June 15, 2023, will be incorporated into the FY 2023-24 budget prior to Council's vote to adopt the budget on June 22, 2023.

POLICY QUESTIONS

Which proposed budget amendments and budget notes reflect Council priorities, policies and goals?

POLICY OPTIONS FOR COUNCIL TO CONSIDER

Council may approve all, some, or none of the proposed budget amendments and budget notes for the FY 2023-24 budget.

STAFF RECOMMENDATIONS

The Chief Operating Officer and Chief Financial Officer recommend that Council consider and approve all budget amendments and budget notes that align with Council priorities.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

After considerable deliberation of the FY 2023-24 Proposed Budget, Council adopted Resolution 23-5321, approving the FY 2023-24 budget, setting property tax levies and authorizing transmission of the approved budget to the Multnomah County Tax Supervising and Conservation Commission.

After the budget was approved by Council on May 11, 2023, Metro departments submitted budget amendments that Council discussed on June 13, 2023. Council will vote to include budget amendments into the FY 2023-24 adopted budget on June 15, 2023.

Council also discussed and considered Councilor-proposed budget notes on June 13, 2023 and will vote to include the budget notes in the FY 2023-24 Adopted Budget on June 15, 2023.

If Council decides to approve budget changes on June 15, 2023, they will be incorporated into Resolution 23-5333, resulting in the amended Resolution 23-5333-A, which will be voted on at the June 22, 2023 Council meeting.

Additionally, the Multnomah County Tax Supervising Conservation Commission's letter certifying the FY 2023-24 Approved Budget, from the June 1, 2023 Budget Hearing, will be attached to Resolution 23-5333-A, as an exhibit.

Council Adoption of the FY 2023-24 budget is scheduled for June 22, 2023.

1. Known Opposition – None known at this time.

2. Legal Antecedents – The preparation, review and adoption of Metro's annual budget is subject to the requirements of Oregon Budget Law, ORS Chapter 294. Oregon Revised Statutes 294.635 required that Metro prepare and submit its approved budget to the Multnomah County Tax Supervising and Conservation Commission by May 15th, 2023. The Commission conducted a hearing on June 1, 2023.

3. Anticipated Effects – Approved budget amendments will be effective as of July 1, 2023. Approved budget notes will be included in the FY 2023-24 Adopted budget document.

4. Budget Impacts – The total appropriations of the FY 2023-24 Approved Budget are \$1,794,834,968 and 1,130.75 FTE.

Budget amendments and budget notes, approved on June 15, 2023, will be incorporated into the FY 2023-24 budget, amending Resolution 23-5333 to Resolution 23-5333-A, prior to Council adoption, set for June 22, 2023.

BACKGROUND

Oregon Budget Law requires local governments to prepare their annual budgets in three legislatively defined stages; Proposed, Approved and Adopted. The agency's current processes and calendar allow the agency to meet this requirement.

ATTACHMENT

Resolution #23-5333 – For the Purpose of Adopting the Annual Budget for Fiscal Year 2023-24,
Making Appropriations and Levying Ad Valorem Taxes

**Ordinance No. 23-1495, For the Purpose of Annexing to the Metro District Boundary
approximately 4.86 acres Located in Tigard on the West Side of SW 150th Ave**
Ordinances (First Reading and Public Hearing)

Metro Council Meeting
Thursday, June 15th, 2023

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ANNEXING TO THE) ORDINANCE NO. 23-1495
METRO DISTRICT BOUNDARY)
APPROXIMATELY 4.86 ACRES LOCATED IN) Introduced by Chief Operating Officer
TIGARD ON THE WEST SIDE OF SW 150th) Marissa Madrigal with the Concurrence of
AVE) Council President Lynn Peterson

WHEREAS, CTH Investments LLC has submitted a complete application for annexation of 4.86 acres of Tigard (“the territory”) to the Metro District; and

WHEREAS, the Metro Council added the territory to the urban growth boundary (UGB) by Ordinance No. 02-969B adopted on December 4, 2002; and

WHEREAS, Title 11 (Planning for New Urban Areas) of the Urban Growth Management Functional Plan requires annexation to the district prior to application of land use regulations intended to allow urbanization of the territory; and

WHEREAS, Metro has received consent to the annexation from the owners of the land in the territory; and

WHEREAS, the proposed annexation complies with Metro Code 3.09.070; and

WHEREAS, the Council held a public hearing on the proposed amendment on June 15, 2023; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The Metro District Boundary Map is hereby amended, as indicated in Exhibit A, attached and incorporated into this ordinance.
2. The proposed annexation meets the criteria in section 3.09.070 of the Metro Code, as demonstrated in the Staff Report dated May 19, 2023, attached and incorporated into this ordinance.

ADOPTED by the Metro Council this ___ day of June 2023.

Lynn Peterson, Council President

Attest:

Approved as to form:

Connor Ayers, Recording Secretary

Carrie MacLaren, Metro Attorney

Proposal No. AN0423

2S1W08

Annexation to the Metro Service District




Washington County



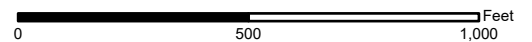
Area to be Annexed



Research Center
600 NE Grand Ave
Portland, OR 97232-2736
(503) 797-1742
<http://www.oregonmetro.gov/drc>

-  Taxlots
-  Urban growth boundary
-  Metro district boundary

Proposal No. AN0423



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STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 23-1495, FOR THE PURPOSE OF ANNEXING TO THE METRO BOUNDARY APPROXIMATELY 4.86 ACRES LOCATED IN TIGARD ON THE WEST SIDE OF SW 150th AVE

Date: May 19, 2023
Department: Planning, Development & Research

Prepared by: Glen Hamburg
Associate Regional Planner

BACKGROUND

CASE: AN-0423, Annexation to Metro District Boundary

PETITIONER: CTH Investments LLC
14787 SW Millikan Way
Beaverton, OR 97003

PROPOSAL: The petitioner requests annexation of land in Tigard to the Metro District Boundary.

LOCATION: The subject territory includes two tax lots and right-of-way on the west side of SW 150th Ave, between SW Huntwood St to the north and SW Beef Bend Rd to the south. The subject territory is approximately 4.86 acres in area and can be seen in Attachment 1.

ZONING: The territory is zoned Residential-C (RES-C) by the City of Tigard.

The subject territory was added to the urban growth boundary (UGB) in 2002. The territory must be annexed into the Metro District for urbanization to occur.

APPLICABLE REVIEW CRITERIA

The criteria for an expedited annexation to the Metro District Boundary are contained in Metro Code (MC) Section 3.09.070.

3.09.070 Changes to Metro's Boundary

(E) The following criteria shall apply in lieu of the criteria set forth in subsection (d) of section 3.09.050. The Metro Council's final decision on a boundary change shall include findings and conclusions to demonstrate that:

- 1. The affected territory lies within the UGB;*

Staff Response:

The subject territory was brought into the UGB in 2002 through the Metro Council's adoption of Ordinance No. 02-969B. Therefore, the territory is within the UGB and the application meets the criteria of MC Subsection 3.09.070(E)(1).

- 2. The territory is subject to measures that prevent urbanization until the territory is annexed to a city or to service districts that will provide necessary urban services; and*

Staff Response:

The City of Tigard has already annexed the subject territory with approval of City File No. ZCA2012-00003. The application meets the criteria of MC Subsection 3.09.070(E)(2).

3. *The proposed change is consistent with any applicable cooperative or urban service agreements adopted pursuant to ORS Chapter 195 and any concept plan.*

Staff Response:

The subject territory is zoned for residential use by the City of Tigard. The proposed boundary change would allow for residential development of the subject territory. The subject territory is already within the UGB and is not in an urban reserve with a concept plan. Urban services will be provided by the City of Tigard and Clean Water Services (CWS). The application meets the criteria in MC Subsection 3.09.070(E)(3).

ANALYSIS/INFORMATION

Known Opposition: There is no known opposition to this application.

Legal Antecedents: Metro Code 3.09.070 allows for annexation to the Metro District boundary.

Anticipated Effects: This amendment will add approximately 4.86 acres to the Metro District. The territory is currently within the UGB and approval of this request will allow for the urbanization of the territory to occur consistent with the City of Tigard Comprehensive Plan and Community Development Code.

Budget Impacts: The applicant was required to file an application fee to cover all costs of processing this annexation request. Therefore, there is no budget impact.

RECOMMENDED ACTION

Staff recommends adoption of Ordinance No. 23-1495.

Proposal No. AN0423

2S1W08

Annexation to the Metro Service District




Washington County



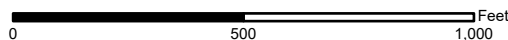
Area to be Annexed



Research Center
 600 NE Grand Ave
 Portland, OR 97232-2736
 (503) 797-1742
<http://www.oregonmetro.gov/drc>

-  Taxlots
-  Urban growth boundary
-  Metro district boundary

Proposal No. AN0423



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**Ordinance No. 23-1493, For the Purpose of Annexing to the Metro District Approximately
20.27 Acres Located in Hillsboro on the East Side of NE Sewell Ave**
Ordinances (Second Reading and Vote)

Metro Council Meeting
Thursday, June 15th, 2023

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ANNEXING TO THE) ORDINANCE NO. 23-1493
METRO DISTRICT BOUNDARY)
APPROXIMATELY 20.27 ACRES LOCATED IN) Introduced by Chief Operating Officer
HILLSBORO ON THE EAST SIDE OF NE) Marissa Madrigal with the Concurrence of
SEWELL AVE) Council President Lynn Peterson

WHEREAS, Harper Houf Peterson Righellis, Inc. has submitted a complete application for annexation of 20.27 acres of Hillsboro (“the territory”) to the Metro District; and

WHEREAS, the Metro Council added the territory to the urban growth boundary (UGB) by Ordinance No. 05-1070A adopted on November 16, 2005; and

WHEREAS, Title 11 (Planning for New Urban Areas) of the Urban Growth Management Functional Plan requires annexation to the district prior to application of land use regulations intended to allow urbanization of the territory; and

WHEREAS, Metro has received consent to the annexation from the owners of the land in the territory; and

WHEREAS, the proposed annexation complies with Metro Code 3.09.070; and

WHEREAS, the Council held a public hearing on the proposed amendment on May 18, 2023; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The Metro District Boundary Map is hereby amended, as indicated in Exhibit A, attached and incorporated into this ordinance.
2. The proposed annexation meets the criteria in section 3.09.070 of the Metro Code, as demonstrated in the Staff Report dated May 11, 2023, attached and incorporated into this ordinance.

ADOPTED by the Metro Council this 15th day of June 2023.

Lynn Peterson, Council President

Attest:

Approved as to form:

Connor Ayers, Recording Secretary

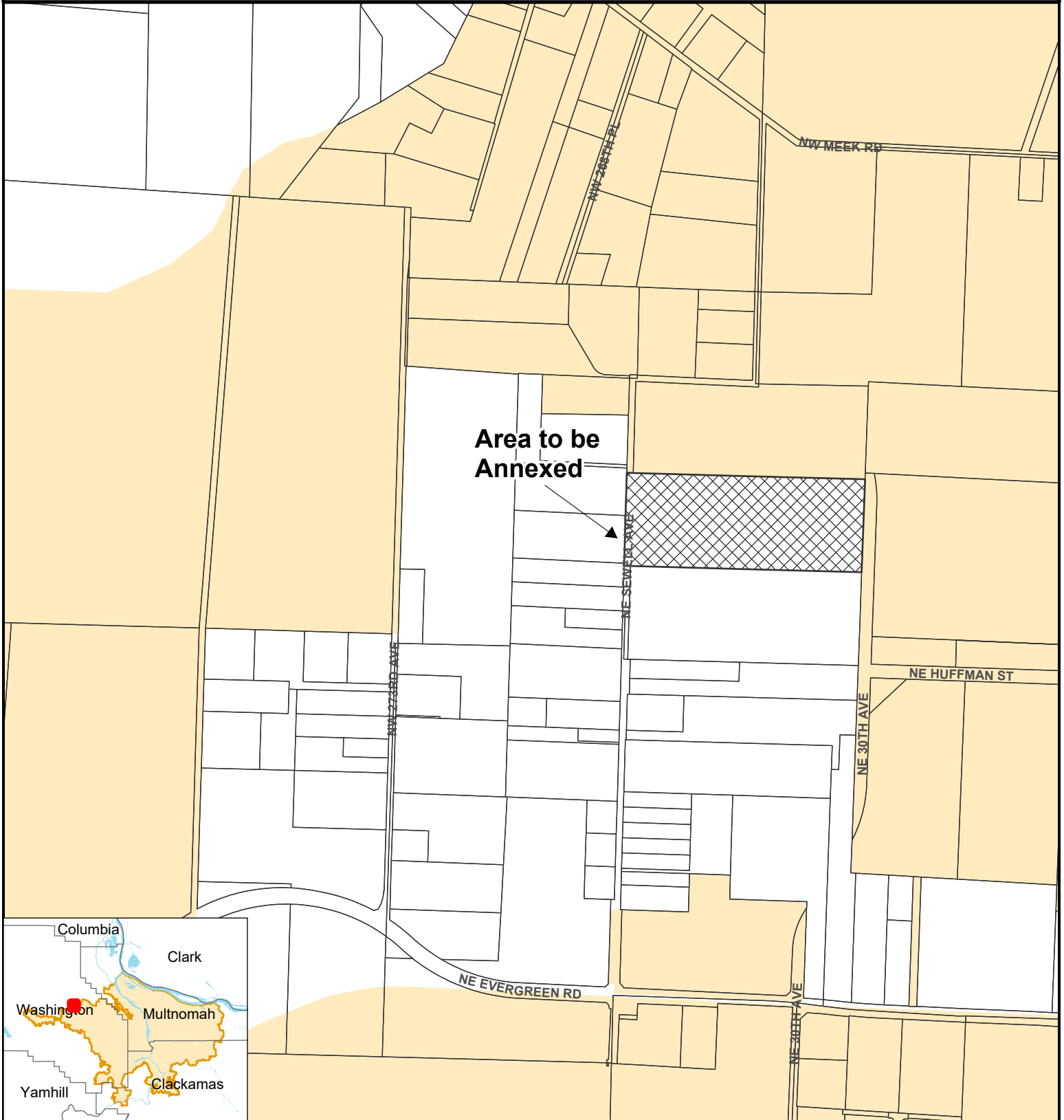
Carrie MacLaren, Metro Attorney

Proposal No. AN0223



1N2W20/21

Annexation to the Metro Service District

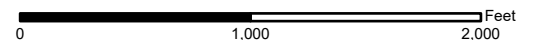
Washington County



Research Center
 600 NE Grand Ave
 Portland, OR 97232-2736
 (503) 797-1742
<http://www.oregonmetro.gov/drc>

-  Metro district boundary
-  Taxlots

Proposal No. AN0223



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STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 23-1493, FOR THE PURPOSE OF ANNEXING TO THE METRO BOUNDARY APPROXIMATELY 20.27 ACRES LOCATED IN HILLSBORO ON THE EAST SIDE OF NE SEWELL AVE

Date: May 11, 2023
Department: Planning, Development & Research

Prepared by: Glen Hamburg
Associate Regional Planner

BACKGROUND

CASE: AN-0223, Annexation to Metro District Boundary

PETITIONER: Harper Houf Peterson Righellis, Inc.
205 SE Spokane Street, Suite 200
Portland, OR 97202

PROPOSAL: The petitioner requests annexation of land in Hillsboro to the Metro District Boundary.

LOCATION: The parcel is located on the east side of NE Sewell Ave, approximately 950 feet north of NE Evergreen Rd. The parcel is approximately 20.27 acres in area and can be seen in Attachment 1.

ZONING: The land is zoned Industrial Sanctuary (I-S) by the City of Hillsboro.

The parcel was added to the urban growth boundary (UGB) in 2005. The territory must be annexed into the Metro District for urbanization to occur.

APPLICABLE REVIEW CRITERIA

The criteria for an expedited annexation to the Metro District Boundary are contained in Metro Code (MC) Section 3.09.070.

3.09.070 Changes to Metro's Boundary

(E) The following criteria shall apply in lieu of the criteria set forth in subsection (d) of section 3.09.050. The Metro Council's final decision on a boundary change shall include findings and conclusions to demonstrate that:

- 1. The affected territory lies within the UGB;*

Staff Response:

The parcel was brought into the UGB in 2005 through the Metro Council's adoption of Ordinance No. 05-1070A. Therefore, the affected territory is within the UGB and the application meets the criteria of MC Subsection 3.09.070(E)(1).

- 2. The territory is subject to measures that prevent urbanization until the territory is annexed to a city or to service districts that will provide necessary urban services; and*

Staff Response:

The City of Hillsboro has already annexed the affected territory with approval of City File No. AN-006-22. The application meets the criteria of MC Subsection 3.09.070(E)(2).

3. *The proposed change is consistent with any applicable cooperative or urban service agreements adopted pursuant to ORS Chapter 195 and any concept plan.*

Staff Response:

The subject territory has land use plan designations of “Industrial” in the City of Hillsboro’s March 2023 Comprehensive Plan Map. The proposed boundary change would allow for industrial development of the subject territory. The subject territory is already within the UGB and is not in an urban reserve with a concept plan. Urban services will be provided by the City of Hillsboro and Clean Water Services (CWS). The application meets the criteria in MC Subsection 3.09.070(E)(3).

ANALYSIS/INFORMATION

Known Opposition: There is no known opposition to this application.

Legal Antecedents: Metro Code 3.09.070 allows for annexation to the Metro District boundary.

Anticipated Effects: This amendment will add approximately 20.27 acres to the Metro District. The land is currently within the UGB and approval of this request will allow for the urbanization of the land to occur consistent with the City of Hillsboro Comprehensive Plan.

Budget Impacts: The applicant was required to file an application fee to cover all costs of processing this annexation request. Therefore, there is no budget impact.

RECOMMENDED ACTION

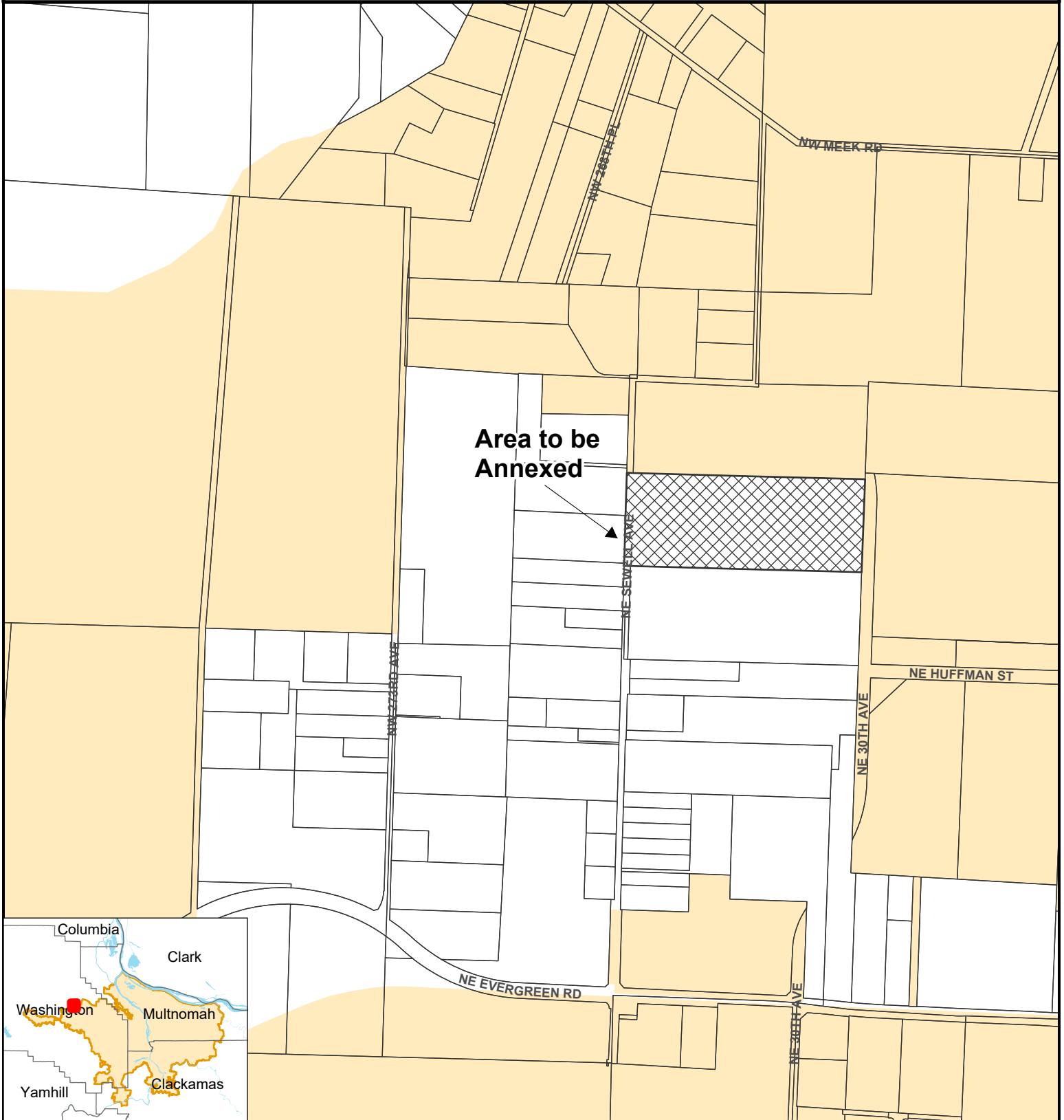
Staff recommends adoption of Ordinance No. 23-1493.

Proposal No. AN0223



1N2W20/21

Annexation to the Metro Service District

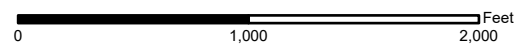
Washington County



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 600 NE Grand Ave
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 (503) 797-1742
<http://www.oregonmetro.gov/drc>

-  Metro district boundary
-  Taxlots

Proposal No. AN0223



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**Ordinance No. 23-1494, For the Purpose of Annexing to the Metro District Approximately
27.41 Acres Located in Hillsboro on the East Side of NE
Sewell Ave and the North Side of NE Evergreen Rd**
Ordinances (Second Reading and Vote)

Metro Council Meeting
Thursday, June 15th, 2023

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ANNEXING TO THE	)	ORDINANCE NO. 23-1494
METRO DISTRICT BOUNDARY)	
APPROXIMATELY 27.41 ACRES LOCATED	)	Introduced by Chief Operating Officer
IN HILLSBORO ON THE EAST SIDE OF NE	)	Marissa Madrigal with the Concurrence of
SEWELL AVE AND THE NORTH SIDE OF NE	)	Council President Lynn Peterson
EVERGREEN RD)	

WHEREAS, Harper Houf Peterson Righellis, Inc. has submitted a complete application for annexation of 27.41 acres of Hillsboro (“the territory”) to the Metro District; and

WHEREAS, the Metro Council added the territory to the urban growth boundary (UGB) by Ordinance No. 05-1070A adopted on November 16, 2005; and

WHEREAS, Title 11 (Planning for New Urban Areas) of the Urban Growth Management Functional Plan requires annexation to the district prior to application of land use regulations intended to allow urbanization of the territory; and

WHEREAS, Metro has received consent to the annexation from the owners of the land in the territory; and

WHEREAS, the proposed annexation complies with Metro Code 3.09.070; and

WHEREAS, the Council held a public hearing on the proposed amendment on May 18, 2023; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The Metro District Boundary Map is hereby amended, as indicated in Exhibit A, attached and incorporated into this ordinance.
2. The proposed annexation meets the criteria in section 3.09.070 of the Metro Code, as demonstrated in the Staff Report dated May 11, 2023, attached and incorporated into this ordinance.

ADOPTED by the Metro Council this 15th day of June 2023.

Lynn Peterson, Council President

Attest:

Approved as to form:

Connor Ayers, Recording Secretary

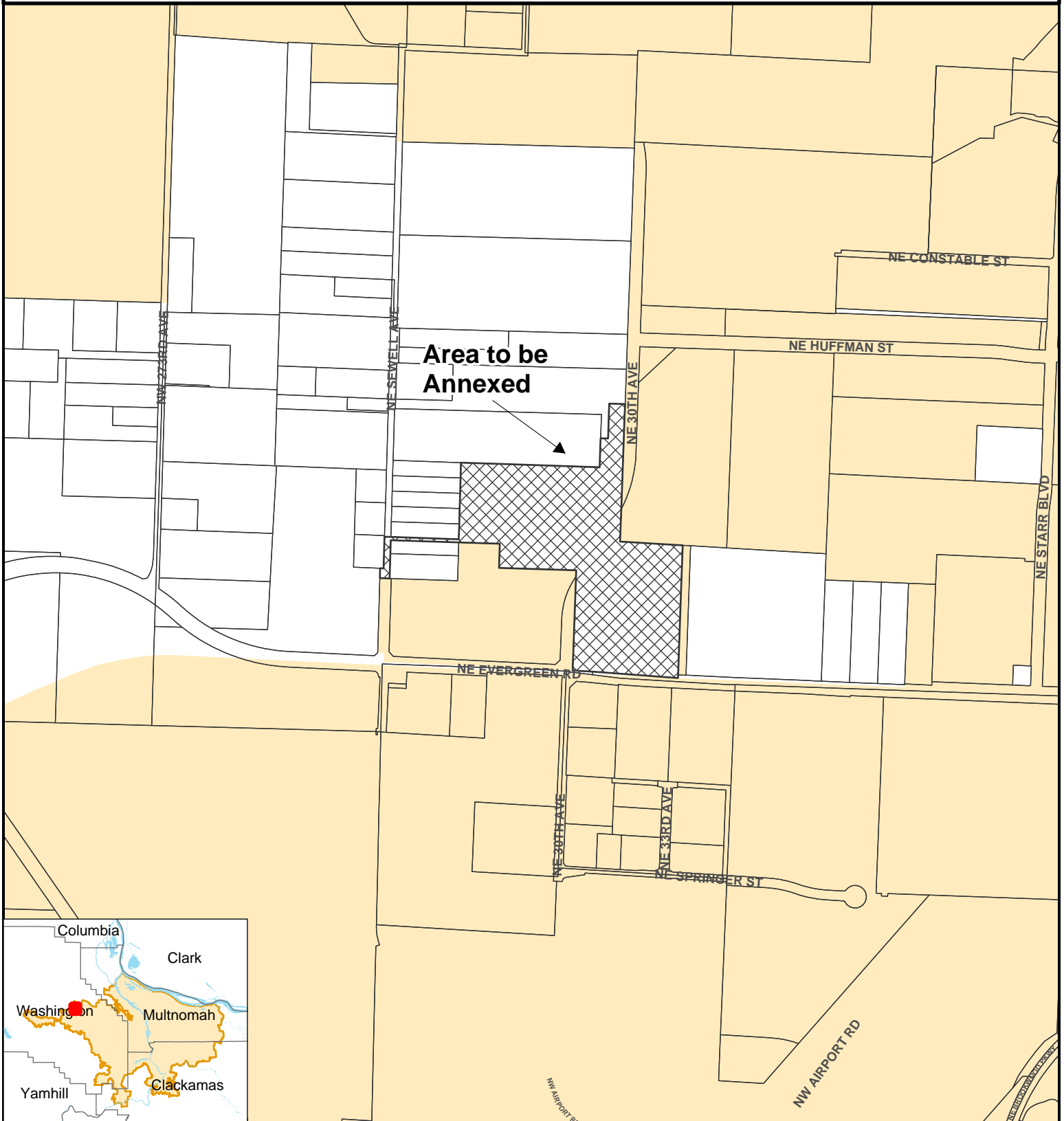
Carrie MacLaren, Metro Attorney

Proposal No. AN0323

1N2W20/21

Annexation to the Metro Service District

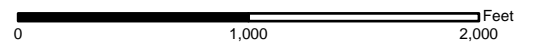
Washington County



Research Center
 600 NE Grand Ave
 Portland, OR 97232-2736
 (503) 797-1742
<http://www.oregonmetro.gov/drc>

- Metro district boundary
- Taxlots

Proposal No. AN0323



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STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 23-1494, FOR THE PURPOSE OF ANNEXING TO THE METRO BOUNDARY APPROXIMATELY 27.41 ACRES LOCATED IN HILLSBORO ON THE EAST SIDE OF NE SEWELL AVE AND THE NORTH SIDE OF NE EVERGREEN RD

Date: May 11, 2023
Department: Planning, Development & Research

Prepared by: Glen Hamburg
Associate Regional Planner

BACKGROUND

CASE: AN-0323, Annexation to Metro District Boundary

PETITIONER: Harper Houf Peterson Righellis, Inc.
205 SE Spokane Street, Suite 200
Portland, OR 97202

PROPOSAL: The petitioner requests annexation of land in Hillsboro to the Metro District Boundary.

LOCATION: The parcels are located on the east side of NE Sewell Ave and the north side of NE Evergreen Rd, west of NE Starr Blvd. The parcels total approximately 27.41 acres in area and can be seen in Attachment 1.

ZONING: The land is zoned Industrial Sanctuary (I-S) by the City of Hillsboro.

The parcels were added to the urban growth boundary (UGB) in 2005. The territory must be annexed into the Metro District for urbanization to occur.

APPLICABLE REVIEW CRITERIA

The criteria for an expedited annexation to the Metro District Boundary are contained in Metro Code (MC) Section 3.09.070.

3.09.070 Changes to Metro's Boundary

(E) The following criteria shall apply in lieu of the criteria set forth in subsection (d) of section 3.09.050. The Metro Council's final decision on a boundary change shall include findings and conclusions to demonstrate that:

- 1. The affected territory lies within the UGB;*

Staff Response:

The parcels were brought into the UGB in 2005 through the Metro Council's adoption of Ordinance No. 05-1070A. Therefore, the affected territory is within the UGB and the application meets the criteria of MC Subsection 3.09.070(E)(1).

2. *The territory is subject to measures that prevent urbanization until the territory is annexed to a city or to service districts that will provide necessary urban services; and*

Staff Response:

The City of Hillsboro has already annexed the affected territory with approval of City File Nos. AN-002-22, AN-005-22, and AN-010-22. The application meets the criteria of MC Subsection 3.09.070(E)(2).

3. *The proposed change is consistent with any applicable cooperative or urban service agreements adopted pursuant to ORS Chapter 195 and any concept plan.*

Staff Response:

The subject territory has land use plan designations of “Industrial” in the City of Hillsboro’s March 2023 Comprehensive Plan Map. The proposed boundary change would allow for industrial development of the subject territory. The subject territory is already within the UGB and is not in an urban reserve with a concept plan. Urban services will be provided by the City of Hillsboro and Clean Water Services (CWS). The application meets the criteria in MC Subsection 3.09.070(E)(3).

ANALYSIS/INFORMATION

Known Opposition: There is no known opposition to this application.

Legal Antecedents: Metro Code 3.09.070 allows for annexation to the Metro District boundary.

Anticipated Effects: This amendment will add approximately 27.41 acres to the Metro District. The land is currently within the UGB and approval of this request will allow for the urbanization of the land to occur consistent with the City of Hillsboro Comprehensive Plan.

Budget Impacts: The applicant was required to file an application fee to cover all costs of processing this annexation request. Therefore, there is no budget impact.

RECOMMENDED ACTION

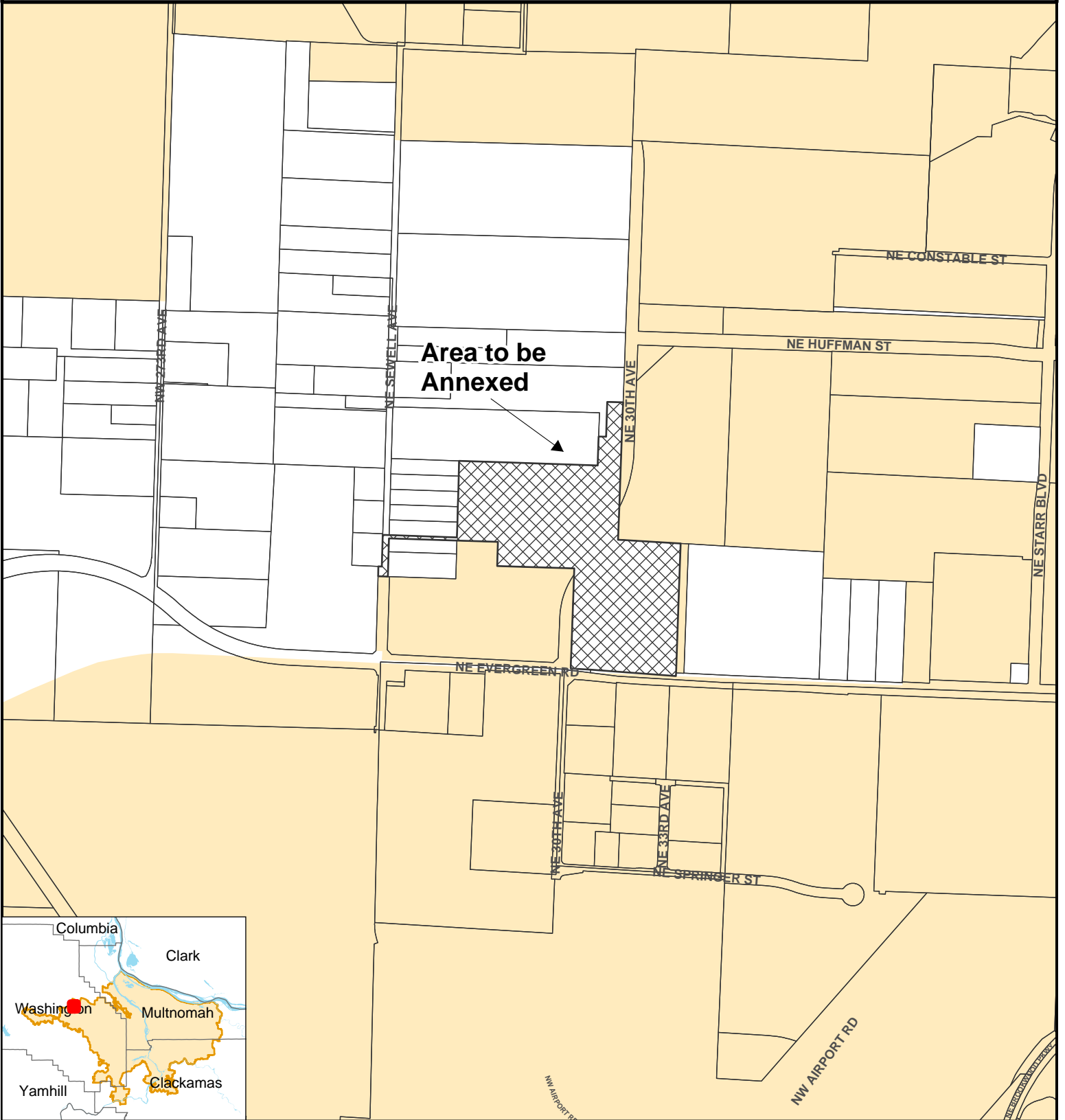
Staff recommends adoption of Ordinance No. 23-1494.

Proposal No. AN0323

1N2W20/21

Annexation to the Metro Service District

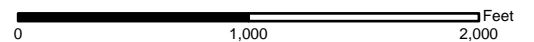
Washington County



Research Center
 600 NE Grand Ave
 Portland, OR 97232-2736
 (503) 797-1742
<http://www.oregonmetro.gov/drc>

- Metro district boundary
- Taxlots

Proposal No. AN0323



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Materials following this page were distributed at the meeting.

Metro Councilors Must Be Held Accountable To Voters For Their FAILED NONEXISTENT
REGIONAL Public Housing/Homeless Policy

The Metro regional government asserted, rightly, that Public Housing was a regional issue and that it would provide a regional Public Housing policy, execute that plan and enforce it. Metro asked the voters to endorse its pronouncement and they did, giving Metro millions of dollars to carry out its *regional* Public Housing policy.

The Metro regional government has authority over more than a majority of Public Housing units in the state of Oregon, 54%, and an estimated 30% of homeless persons. Metro cannot be allowed by other elected officials and constituents to neglect, deny or abandon its enormous *self-asserted* and *voter granted responsibility*.

The Metro regional government has failed the taxpayers. It has *failed to establish a regional Public Housing policy*. It has *failed to execute a regional Public Housing policy*. It has *failed to enforce a regional Public Housing policy*.

To regain the trust of Metro voters, Metro councilors **must** immediately do the following:

1. Establish **Equitable Distribution of Public Housing** as Metro’s regional Public Housing policy.
2. Stop all payments to Multnomah, Clackamas and Washington county Public Housing authorities and governments from Public Housing funds collected from Metro taxpayers.
3. Execute Metro’s regional Public Housing policy of **Equitable Distribution of Public Housing** under councilor and staff control.
4. Establish the **Metro Housing Bureau** to enforce Metro’s regional Public Housing policy of **Equitable Distribution of Public Housing**. The main task of the **Metro Housing Bureau** will be to remove all tents, personal belongings etc. and persons using public property as a campsite from *any public property within Metro’s sphere of authority* and, in accordance with the ninth circuit court of appeals decision that requires a public jurisdiction to have an alternative place to be in order to remove them from public spaces, provide an alternative camp site or other suitable housing accommodation in Clackamas county which has a mere 3.5% Public Housing units compared to Washington county with 5.% and Multnomah with 11.4%. See the [Metro/Oregon Public Housing Location Maps](#) for details.

Percentage Public Housing Units by Oregon County August 2021

County	NonSection8 Units	Section8 Project	Section 8 Voucher	PH Units	Housing Units	% PH Units
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Multnomah	26136	4619	10738	41493	363995	11.40%
Union	330	223	468	1021	11649	8.76%
Wasco	453	92	458	1003	11992	8.36%
Malheur	407	160	323	890	11615	7.66%
Yamhill	1087	87	1405	2579	40061	6.44%
Morrow	251	0	33	284	4717	6.02%
Umatilla	1167	339	293	1799	31098	5.78%
Marion	2373	993	4013	7379	128590	5.74%
Jackson	2463	674	2254	5391	96239	5.60%
Linn	934	202	1755	2891	51928	5.57%
Baker	162	20	281	463	8606	5.38%
Hood River	355	88	101	544	10126	5.37%
Polk	819	42	914	1775	33828	5.25%
Washington	8051	933	2885	11869	236678	5.01%
Lane	4025	1122	3051	8198	166226	4.93%
Columbia	423	33	614	1070	21697	4.93%
Wallowa	123	28	58	209	4326	4.83%
Douglas	1202	437	753	2392	49774	4.81%
Harney	82	48	47	177	3694	4.79%
Lincoln	821	181	505	1507	32066	4.70%
Coos	396	286	696	1378	31378	4.39%
Josephine	601	171	838	1610	38748	4.16%
Clatsop	445	150	361	956	23017	4.15%
Klamath	403	145	788	1336	32730	4.08%
Curry	329	36	137	502	13018	3.86%
Jefferson	270	43	68	381	10250	3.72%
Grant	49	55	40	144	4112	3.50%
Clackamas	3470	733	1753	5956	170106	3.50%
Crook	266	28	96	390	11159	3.49%
Deschutes	1766	257	1093	3116	94110	3.31%
Benton	291	299	730	1320	40145	3.29%
Sherman	12	0	16	28	920	3.04%
Tillamook	366	0	163	529	18919	2.80%
Lake	50	0	43	93	4195	2.22%
Gilliam	8	0	6	14	1096	1.28%
Wheeler	0	0	1	1	935	0.11%
	60386	12524	37778	110688	1813743	6.10%

5. Metro Councilors for Districts 5 and 1, i.e. Mary Nolan and Shirley Craddick, must publicly announce that they recognize that their districts are **disproportionally overloaded** with Public Housing and will *actively reject* any and all new Public Housing funding from Metro and other sources aimed at their districts.

6. Metro Councilors for District 2, 3, 4 and 6, i.e. Christine Lewis, Gerritt Rosenthal, Juan Carlos Gonzalez and Duncan Hwang must publicly announce that they recognize that their

districts are **disproportionally underserved** with Public Housing and will *actively encourage* any and all new Public Housing funding from Metro and other sources aimed at their districts.

Metro Districts 2022

Oregon Metro District	Section 8 Project Units	Non-Section 8 Units	Section 8 Voucher Units	Total Public Housing	Total Housing	% Public Housing to Total Housing	% Total Public Housing / 57888
District 5	2297	15597	4733	22627	139189	16.26%	39.09%
District 1	848	5643	3328	9819	98855	9.93%	16.96%
District 6	1474	5035	2621	9130	124967	7.31%	15.77%
District 4	524	5047	1326	6897	99893	6.90%	11.91%
District 3	566	3292	1344	5202	106858	4.87%	8.99%
District 2	423	2324	1466	4213	108201	3.89%	7.28%
Totals	6132	36938	14818	57888	677963	8.54%	

7. Last, but not least, Metro Council President, Lynn Peterson, needs to address Metro’s *regional* Public Housing policy failures and what she intends to do to correct them.

Multnomah County Commissioner Sharon Meieran says the Joint Office of Homeless Services has “no plan to address homelessness”. Why should it? Neither the JOHS nor Multnomah county nor the city of Portland nor any other government within Metro’s boundaries are responsible for dealing with the homeless. **Regional Public Housing policy, which includes the homeless, is Metro’s responsibility.** Cooperating with Metro’s *regional* plan is the only obligation of other governments within Metro’s boundaries.

Portland Mayor Ted Wheeler and Multnomah County Chair Jessica Vega Pederson must *stop playing political gamesmanship*. They must:

1. Immediately dismantle the failed, dysfunctional and **unaccountable** Joint Office of Homeless Services.
2. Acknowledge that the Metro Regional Government is the **rightful authority** over *Regional Public Housing SUPERSEDING* Portland, Multnomah, Clackamas and Washington county.
3. Hold Metro **publicly accountable daily** until it establishes, executes and enforces an **equitable Regional Public Housing Plan**.
4. Direct all citizen complaints regarding homeless camping on public property to the *Metro Housing Bureau* for **resolution and enforcement**.

If you are an elected official serving within Metro’s purview, your *constituents* and *future political competitors* will want to know **your** position on adopting the actions stated above as of early June 2023. Issuing an immediate press release, with a copy to me, will help assure that you will not be labeled as **denying** Metro’s role as *the authority over regional Public Housing policy, execution and enforcement*.

I shall report to your colleagues, constituents and the Press your views in the near future. Looking forward to your response. Thank you.

Richard Ellmyer
 Author of more stories on the politics, players and policies of Public Housing in Oregon over

the last twenty-one years than all other journalists and elected officials combined.

Project Champion and Data Wrangler - *Metro/Oregon Public Housing Location Maps*

<https://www.goodgrowthnw.org/maps>

GIS for Activism conference, May 23, 2022, Portland State University, Portland, Oregon

Richard Ellmyer - How I, A Citizen Activist, Used GIS To Effectively Tell A Necessary Yet Unavailable Truth About Public Housing

30 minute Video https://media.pdx.edu/media/t/1_2vrzokta

LET KNOWLEDGE SERVE THE CITY

[https://psucollegeofed.wordpress.com/2022/09/23/lifelong-learning-at-psu/?](https://psucollegeofed.wordpress.com/2022/09/23/lifelong-learning-at-psu/?fbclid=IwAR3S9Pff0mBGeT6Ha8dQeAqL0nAqU7QzZ-0pJC_oTQJxBW1Ab2fdXzdE0w4)

[fbclid=IwAR3S9Pff0mBGeT6Ha8dQeAqL0nAqU7QzZ-0pJC_oTQJxBW1Ab2fdXzdE0w4](https://psucollegeofed.wordpress.com/2022/09/23/lifelong-learning-at-psu/?fbclid=IwAR3S9Pff0mBGeT6Ha8dQeAqL0nAqU7QzZ-0pJC_oTQJxBW1Ab2fdXzdE0w4)

Author of *The Ellmyer Report*, a newsletter that informs, educates and influences on public policy. Occasionally distributed to more than a quarter of million readers in Oregon and beyond. Facebook, [Portland Politics Plus](#) . Contributor: [Patch news](#)

Carbon Reduction Program – Recommended Allocation

Metro Council

June 15, 2023



Carbon Reduction Program (CRP)

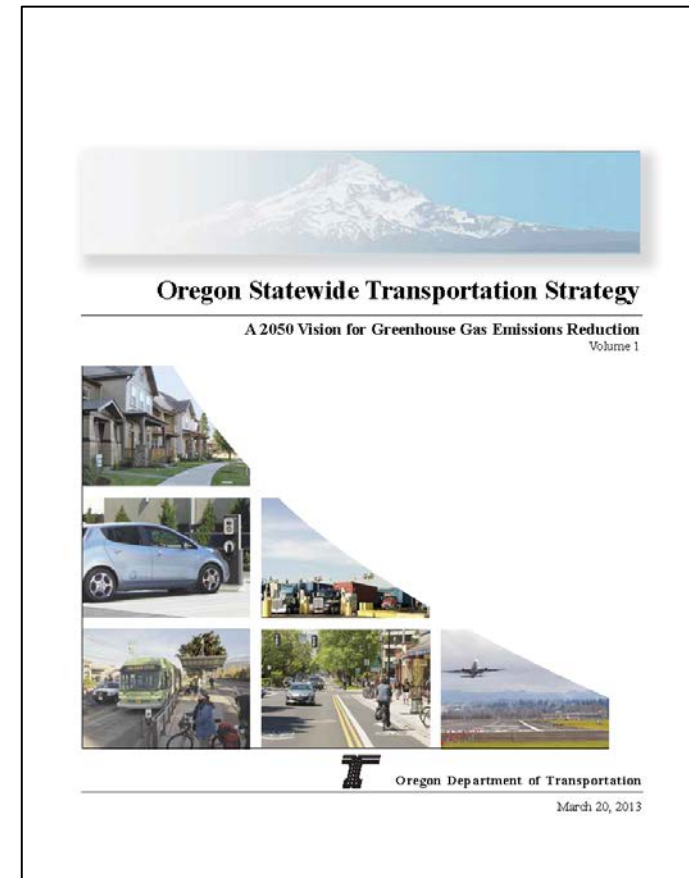
Federal Objective: “to reduce transportation emissions through the development of State carbon reduction strategies and fund projects designed to reduce transportation emissions.”

Federal Requirements

- Develop statewide carbon reduction plan/strategy
 - consult with MPOs and stakeholders
- Fund projects and programs that implement the strategy and reduce greenhouse gas emissions

Oregon – Carbon Reduction Program

- Existing *Statewide Transportation Strategy: 2050 GHG Vision (STS)*
- Prioritize *STS* actions to CRP Strategy
 - Vehicle and Fuel Technology
 - Transportation Options
 - System & Agency Operations
 - Pricing
- Partnerships to getting there



Portland Region – Carbon Reduction Program

Forecasted direct sub-allocation:

- \$18.8 million (5-year total)

Policy Direction and Strategy:

- Climate Smart Strategy
- State CRP strategy consistency



CRP Policy Framework: Climate Smart Strategy & Prioritized Investment Areas

Focus on 3 strategies with highest carbon reduction



Transit (Investment)

- Expanded transit coverage
- Expanded frequency of service
- Improvements in right-of-way to increase speed and reliability of buses and MAX



Active Transportation (Investment)

- New biking and walking connections to schools, jobs, downtowns and other community places



System Management and Operations (Investment)

- Variable message signs and speed limits
- Signal timing and ramp metering
- Transit signal priority, bus-only lanes, bus pull-outs
- Incident response detection and clearance

Council Input & Considerations for Investment Package Options

Council Participation

- December 2022 – May 2023
 - 1-on-1 overviews w/Councilors (Dec. 2022)
 - Metro Council work session (Dec. 2022)
 - Joint presentation with ODOT Climate Office
 - Process updates at work session and prep-JPACT
- Council Input
 - Leverage previous planning work; accelerate implementation of local climate plans
 - Leverage other funding opportunities

Stakeholder Input & Considerations for Investment Package Options

- Federal policy and administrative direction
- Climate Smart investment priorities

January – April 2023

- Stakeholder input
 - Transformative
 - Leverage other funding
 - Specific project/program ideas

Development and Narrowing of Investment Options

- Five investment package options considered
- TPAC and JPACT provided direction on narrowing options
- TPAC further considered two favored options and then made a recommendation



TPAC Recommendation



82nd Avenue Bus Rapid Transit development (\$5M)

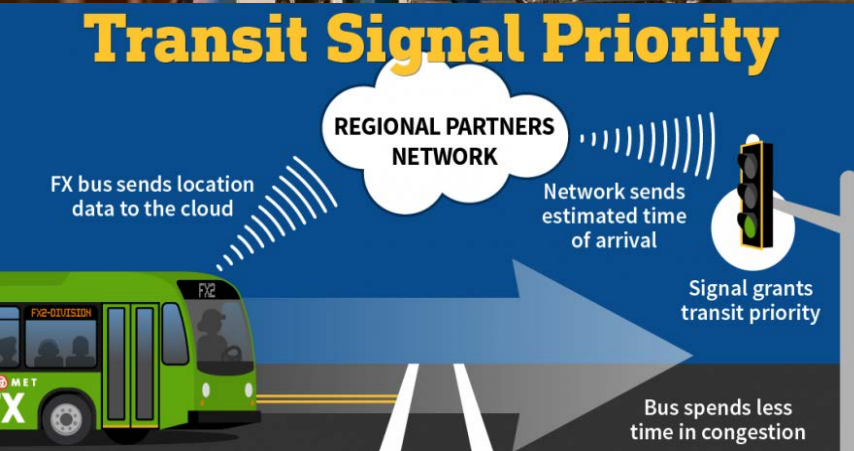


TV Highway Bus Rapid Transit development (\$5M)

Line 33 McLoughlin Transit Signal Priority (\$4M)

Climate Smart Implementation (\$1.8 M)

System Management & Operations (\$3M)



Next Steps

If Metro Council Adopts:

- Coordinate with State to package submission to U.S. DOT
- Program investments amended into 2024-2027 MTIP and STIP

Requested Action:

Metro Council
adoption of
Resolution 23-5337





Guiding principles for meaningful public engagement and Public Engagement Guide

Metro Council Business Meeting

Thursday, June 15, 2023

Gloria Pinzon Marin, Principal Community Engagement Lead

Kimberlee Ables, Strategic Communications Manager



Public Engagement Guide

About the 2023 update

- Last full update was 2013
- Expected adoption Winter 2023
- Update tool for

Members of the public | Metro staff | Metro Council

Considerations

- Metro decision-making processes
- Shared language and best practices for meaningful engagement
- Community Partnerships
- Identifying organizational challenges

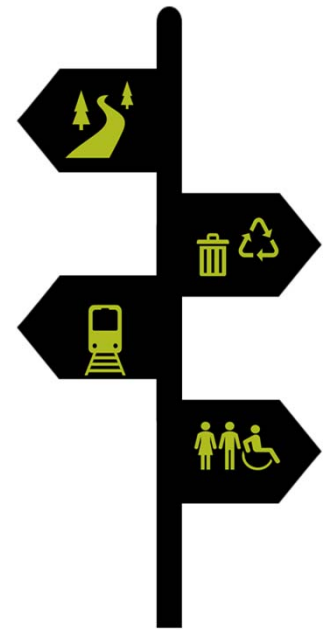


Words matter: key terms

Metro's guiding principles for meaningful public engagement will strengthen our engagement practices.

A **guiding principle** is a values-based idea that influences behavior and decisions.

Meaningful public engagement can impact decision-making, is inclusive of all potentially impacted perspectives, relationship-based, trauma informed, responsive and considerate of the communication and engagement needs of participants.



1. Public participation is an essential part of Metro’s decision-making.
2. Transparency about decision-making is fundamental to successful public service and includes communicating about project outcomes and the impact of community contributions to the process.
3. Meaningful public engagement processes apply equity, diversity and inclusion strategies and tools to help identify and address the needs of impacted, underserved, and historically excluded communities.
4. Engagement and communications are accessible, informative, timely and inclusive of a rich diversity of lived experiences and perspectives.
5. Collaboration and capacity-building efforts with community-based organizations, programs, initiatives and individuals that are impacted, underserved, or historically excluded are essential to address regional issues equitably.
6. Intergovernmental collaboration, coordination, and consultation are essential to address regional issues holistically and efficiently.
7. Evaluation of engagement activities during and after a project encourages responsiveness, growth and process improvement.
8. Adaptive project timelines allow for meaningful engagement with the most impacted audiences early and throughout the project.

Proposed Metro’s guiding principles for meaningful public engagement

June 2023

Review by:



- Public Engagement Review Committee
- Committee on Racial Equity
- Metro Council
- Engagement professionals

What we heard from Metro Council May 30, 2023

	<u>Related to:</u>
<ul style="list-style-type: none"> • More robust online engagement • Expand engagement options (beyond legacy committees and participants coming to the Metro Regional Center) 	Principle 3, 4, 6
<ul style="list-style-type: none"> • Follow up with participants after engagements • Engage to build civic leadership 	Principle 2, 5, 7
<ul style="list-style-type: none"> • Reduce barriers to participation (stipends, language) 	Principle 2, 3, 4
<ul style="list-style-type: none"> • Ensure communications with interested parties, even outside of department key audiences • Set minimum expectations for communications and engagement planning 	Principle 1, 2, 4
<ul style="list-style-type: none"> • Be responsive to unique community needs in planning • Name community-based engagement, rather than "public" 	Principle 2, 3, 4



What we heard from Metro Council continued...

Comments	Application	Considerations
<ul style="list-style-type: none"> • Responsiveness to unique community needs • Engagement beyond committees and Metro Regional Center 		<ul style="list-style-type: none"> • <i>Welcoming spaces (inclusion)</i> • <i>Increases participation</i> • <i>Adaptive communication</i> • <i>Adaptive project timeliness required</i>
<ul style="list-style-type: none"> • Set minimum expectations for communications and engagement planning • More robust online engagement 		<ul style="list-style-type: none"> • Transparency, informing • Consistency in practices • Impact to staff and resources • Unique departments and projects • Avoid information overload (opt-in)



Public Engagement Guide
2023 update

Questions?
Gloria.pinzon@oregonmetro.gov

oregonmetro.gov





Metro

Resolution 23-5330

FY 2022-23 Budget Amendment

June 15, 2023



Agenda

- June Budget Amendments
 - GO Refunding Bonds Fees
 - Glendoveer Golf Course
 - Smith & Bybee Wetlands
 - Oregon Zoo Transfer
 - Arlene Schnitzer Cooling Tower
- Capital Improvement Plan Amendments

GO Refunding Bonds Fees

- **General Obligation Debt Service Fund – Appropriation**
Increase of \$100,000
 - To pay for fees related to the General Obligation Refunding Bonds issuance from May 2023

Glendoveer Golf Course

- **General Fund** - Appropriation Increase of \$400,000
 - Stronger than expected attendance resulting in increased revenue and related expenses

Smith & Bybee Wetlands

- **Smith & Bybee Wetlands Fund** – No Appropriation Change
 - Transfer \$17,500 from the fund's Contingency to pay for additional contracted professional services

Oregon Zoo Transfer

- **Oregon Zoo Asset Management Fund** – Appropriation Increase of \$1,100,000
 - Transfer \$1,100,000 from the Oregon Zoo Operating Fund to the Oregon Zoo Asset Management Fund to support zoo campus capital project funding

Arlene Schnitzer Cooling Tower

- **MERC Fund** – No Appropriation Change
 - Transfer \$400,000 from the fund's Contingency to pay to the Arlene Schnitzer Concert Hall cooling tower replacement

Appropriation Changes by Fund

	Amended as of June 2023	New Proposed Amendment	Variance
General Obligation Debt Service Fund	\$76,584,398	\$76,684,398	\$100,000
General Fund	\$187,079,674	\$187,479,674	\$400,000
Oregon Zoo Asset Management Fund	\$11,451,601	\$12,551,601	\$1,100,000

Capital Improvement Plan Amendments

- **Portland'5** – attachment 1
 - Arlene Schnitzer Concert Hall cooling tower replacement
 - Funded from \$400,000 Contingency transfer
- **Oregon Zoo** – attachment 2
 - Boardwalk resurfacing project
 - Funded from transfer of \$1,100,000 from Oregon Zoo Operating Fund to Oregon Zoo Asset Management Fund
- **Waste Prevention and Environmental Services** – attachment 3
 - Coding discrepancy correction; no project or appropriation changes

Questions & Comments



Metro

Arts and events

Garbage and recycling

Land and transportation

Oregon Zoo

Parks and nature

oregonmetro.gov



Metro

FY 2023-24 Proposed Budget Amendments & Budget Notes

June 15, 2023

Budget Amendments

- No Changes Since June 13, 2023, Council Work Session:
 - 18.2 FTE Increase
 - \$5,334,078 Appropriation Increase
 - CIP Changes to: IT and Parks & Nature

Budget Notes

- Updated Budget Notes from Council Work Session Discussion
 - Changes made to Budget Notes 1 and 4
 - Added Budget Notes 5, 6, and 7

Budget Note Changes

- Budget Note #1 (Councilor Gonzalez)
 - Specified that this Budget Note has been incorporated into FY24 Adopted Budget by way of budget amendment
- Budget Notes #4 (Councilor Rosenthal)
 - Added “unincorporated areas” and “community planning organizations”; removed suggestion of allocation 0.25FTE in the first year to address proposal

Budget Note Changes (cont'd)

- Budget Notes #5, 6 and 7
(Council President Peterson)
 - Added three Budget Notes that Council President Peterson introduced at the June 13, 2023, Council Work Session

Questions?



Metro

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