



600 NE Grand Ave.
Portland, OR 97232-2736

Council meeting agenda

Thursday, November 16, 2023

10:30 AM

Metro Regional Center, Council chamber,

[https://www.youtube.com/watch?](https://www.youtube.com/watch?v=Y94uzYNZQsk)

[v=Y94uzYNZQsk,](https://www.youtube.com/watch?v=Y94uzYNZQsk)

[https://zoom.us/j/615079992,](https://zoom.us/j/615079992) or

877-853-5257 (toll free) (Webinar ID:

615079992)

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

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<https://www.youtube.com/watch?v=Y94uzYNZQsk>

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.

Those requesting to comment virtually during the meeting can do so by joining the meeting using this link: <https://zoom.us/j/615079992> (Webinar ID: 615079992) or 888-475-4499 (toll free) and using the "Raise Hand" feature in Zoom or emailing the legislative coordinator at legislativecoordinator@oregonmetro.gov. Individuals will have three minutes to testify unless otherwise stated at the meeting.

3. Presentations

3.1 Parks and Nature Annual Report FY 22/23

[23-5958](#)

Attachments: [Staff report](#)

4. Consent Agenda

- 4.1 Resolution No. 23-5367 For the Purpose of Authorizing Metro to Enter into a Grant Agreement with the State of Oregon for the 82nd Avenue Property Acquisition Fund [RES 23-5367](#)
- Presenter(s): Eryn Kehe (she/her), Urban Policy and Development Manager, Metro
- Attachments: [Resolution 23-5367](#)
[Staff Report](#)
- 4.2 Consideration of the October 12, 2023 Council Meeting Minutes [23-5976](#)
- Attachments: [Minutes](#)
- 4.3 Consideration of the October 19, 2023 Council Meeting Minutes [23-5977](#)
- Attachments: [Minutes](#)
- 4.4 Consideration of the October 26, 2023 Council Meeting Minutes [23-5978](#)
- Attachments: [Minutes](#)

5. Resolutions

- 5.1 Resolution No. 23-5359 For the Purpose of Proclaiming Support for Congressional Legislation to Establish the Truth and Healing Commission on Federal Indian Boarding School Policies Act [RES 23-5359](#)
- Presenter(s): Katie McDonald (she/her), Tribal Liaison, Metro
Andy Shaw (he/him), GAPD Director, Metro
- Attachments: [Resolution No. 23-5359](#)
[Staff Report](#)
[Attachment 1](#)
[Attachment 2](#)

6. Ordinances (Second Reading)

- 6.1 Ordinance No. 23-1502 For the Purpose of Annexing to the Metro District Approximately 23.71 Acres Located on the North Side of NE Evergreen Rd, East of NE 30th Ave, and West of NE Starr Blvd

[ORD 23-1502](#)

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

Attachments: [Ordinance No. 23-1502](#)

[Exhibit A](#)

[Staff Report](#)

[Attachment 1](#)

7. **Chief Operating Officer Communication**
8. **Councilor Communication**
9. **Adjourn**

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ការគោរពសិទ្ធិពលរដ្ឋរបស់ ១ សំរាប់តំក្រីមនអំពីកម្មវិធីសិទ្ធិពលរដ្ឋរបស់ Metro ឬដើម្បីទទួលបានការបណ្តឹងរើសអើងសូមចូលទៅសុំទាញយកទម្រង់ www.oregonmetro.gov/civilrights។ បើលោកអ្នកត្រូវការអ្នកបកប្រែភាសានៅពេលអង្គប្រជុំសាធារណៈ សូមទូរស័ព្ទមកលេខ 503-797-1700 (ម៉ោង 8 ព្រឹកដល់ម៉ោង 5 ល្ងាច ថ្ងៃធ្វើការ) ប្រាំពីរថ្ងៃ ថ្ងៃធ្វើការ មុនថ្ងៃប្រជុំដើម្បីអាចឱ្យគេសម្រួលតាមសំណើរបស់លោកអ្នក ។

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Parks and Nature Annual Report FY 22/23
Presentations

Metro Council Meeting
Thursday, November 16th, 2023

PRESENTATION OF PARKS AND NATURE 2022-23 ANNUAL REPORT

Date: 11/6/2023
Department: Parks and Nature
Meeting Date: 11/16/2023

Prepared by: Cory Eldridge,
cory.eldridge@oregonmetro.gov
Presenter: Jon Blasher, director, Parks
and Nature
Length: 20 minutes

ACTION REQUESTED

Receive the [Parks and Nature 2022-23 Annual Report](#). Share thoughts and questions about Metro's parks and nature work during 2022-2023 fiscal year.

BACKGROUND

Metro Parks and Nature depends on the ongoing support of the voters of the region to further its mission to improve water quality, protect fish and wildlife habitat, and help people connect with nature close to home. Parks and Nature has a strong legacy of reporting regularly on how its work helps deliver on the promises of the voter-approved measures—capital bonds and operating levies—by investing in parks, trails and natural areas across the region.

The [Parks and Nature annual report](#) describes how Metro invests in nature and community well-being across the region. The report is part of the department and agency's commitment to transparency and accountability to the people of greater Portland.

The report explains the department's work on natural area acquisition and restoration, investments to make Metro's portfolio of developed parks and natural areas more safe and welcoming, and investments in community driven projects. The report also highlights the impact of specific examples of programs, purchases or projects that happened during the fiscal year and provides an overview of the department's spending during the 2022-23 fiscal year.

The report is developed by Parks and Nature staff and leadership and is designed and formatted to be accessible to multiple audiences and interested parties across the region. The report is published on Metro News and a shorter version is published in the Our Big Backyard's winter issue.

Parks and Nature presented last year's report to the Metro Council in January 2023.

Parks and Nature uses other tools in addition to describe its progress toward making good on voter-approved investment measures including a dashboard on the Metro website that describe progress on investments from the 2019 parks and nature bond; a quarterly report provided by staff to the Natural Areas and Capital Program Performance Oversight Committee, which is available on the committee's webpage; and monthly email on bond activities to the Metro Council. In addition, Parks and Nature will provide regular updates to the Metro Council on progress in meeting the recommendations from the audit of the 2019 parks and nature bond measure published in summer 2023.

Finally, the Natural Areas and Capital Performance Oversight Committee is responsible for reporting annually to the Metro Council on progress in the implementation of the 2019 parks and nature bond measure as well as provide recommendations, if any, to improve efficiency, administration and performance of the bond programs and review capital expenditures from the parks and natural areas local-option levy expenditures and any remaining bond expenditures from the 2006 natural areas bond.

The committee presented its year two report to the Metro Council in June 2023.

**Resolution No. 23-5367 For the Purpose of
Authorizing Metro to Enter into a Grant
Agreement with the State of Oregon for the
82nd Avenue Property Acquisition Fund**
Consent Agenda

Metro Council Meeting
Thursday, November 16th, 2023

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING THE)	RESOLUTION NO. 23-5367
CHIEF OPERATING OFFICER TO ENTER INTO A)	
GRANT AGREEMENT WITH THE STATE OF)	Introduced by Chief Operating Officer
OREGON FOR THE 82ND AVENUE PROPERTY)	Marissa Madrigal in concurrence with
ACQUISITION FUND)	Council President Lynn Peterson

WHEREAS, Metro Council Resolution No. 08-1204A established Transit Oriented Development (“TOD”) as a “Matter of Metropolitan Concern.”

WHEREAS Metro Council Resolution No. 12-4363 established the 2012 TOD Program Work Plan which, as subsequently amended, establishes an objective, research-based investment framework that directs program funds and activities where they will be most effective in stimulating affordable housing development with moderate to high intensity land use form, physical or functional connection to the transit system, and design features that reinforce pedestrian relationships and scale needed to support the vibrant communities envisioned in the Region’s 2040 Growth Concept.

WHEREAS, the Metro TOD Program’s land acquisition efforts focus on supporting affordable housing near transit by providing financial incentives and acquiring developable land in areas that are well-served by transit, particularly those where communities are at risk of gentrification and displacement.

WHEREAS, pursuant to the Oregon Laws 2023, chapter 605, section 87(50), the Oregon Legislature appropriated \$5,000,000 from the General Fund for a general fund grant to Metro (the “Grant”) for its TOD Program to establish the 82nd Avenue Property Acquisition Fund (the “Fund”).

WHEREAS, the purpose of the Fund is to secure land for affordable housing and affordable commercial spaces in anticipation of transportation infrastructure improvements coming to the 82nd Avenue corridor, and the Fund will be expended by the TOD Program to purchase real property from willing sellers along or near 82nd Avenue within the City of Portland and Clackamas County.

WHEREAS, the state of Oregon requires that the Chief Operating Officer’s execution of the Grant agreement be authorized by a resolution of Metro Council; now therefore

BE IT RESOLVED that the Metro Council hereby authorizes the Chief Operating Officer to enter into the Grant Agreement with the state of Oregon for the 82nd Avenue Acquisition Fund, attached as Exhibit A.

ADOPTED by the Metro Council this ____ day of November, 2023.

Lynn Peterson, Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney

IN CONSIDERATION OF RESOLUTION NO. 23-5367, FOR THE PURPOSE OF
AUTHORIZING THE CHIEF OPERATING OFFICER TO ENTER INTO A GRANT
AGREEMENT WITH THE STATE OF OREGON FOR THE 82ND AVENUE PROPERTY
ACQUISITION FUND

Date: November 2, 2023
Department: Planning, Development and
Research
Meeting Date: November 16, 2023

Prepared by: Eryn Kehe, Urban Policy and
Development Manager
eryn.kehe@oregonmetro.gov
Presenter(s), (if applicable): Malu
Wilkinson (she, her) Eryn Kehe (she, her)

ISSUE STATEMENT

The State of Oregon allocated \$5 million for Metro's Transit-Oriented Development (TOD) Program to establish an 82nd Avenue Property Acquisition Fund. The proposed resolution will allow Metro to enter into a grant agreement with the State of Oregon providing these funds to Metro.

The purpose of the Fund is to secure land for affordable housing and affordable commercial spaces in anticipation of transportation infrastructure improvements coming to the corridor.

The Fund will be reserved for purchasing property from willing sellers within the 82nd Ave. corridor within the City of Portland and Clackamas County. Costs associated with purchasing property, such as due diligence and holding costs may also be an eligible use. Staff anticipate purchasing up to two properties with the initial \$5 million allocation.

As recommended in the adopted 2023 TOD Program Strategic Plan, program staff will attempt to extend the life of the 82nd Avenue Property Acquisition Fund by recapturing the original purchase price from a development partner at the time that the land is transferred to the developer (typically upon the closing of the developer's construction loan). Any recaptured funds would continue to be used for site acquisition within the boundary until the funds are exhausted.

ACTION REQUESTED

Consider a resolution that allows Metro to receive a grant to fund the 82nd Avenue Property Acquisition Fund.

IDENTIFIED POLICY OUTCOMES

Metro's TOD Program implements the 2040 Growth Concept. Since 1998, the program has invested over \$40 million dollars along greater Portland's transit system, supporting the construction of over 6,800 housing units in these areas. The 2010 Council approved TOD Work Plan establishes the program guidance that will implement this acquisition fund.

POLICY QUESTION(S)

82nd Ave has both significant needs and exciting plans for much needed infrastructure investment. The people who live within half a mile of 82nd Avenue are significantly more likely to have lower incomes, be Black, Indigenous, or other people of color, have limited English proficiency, and to commute by transit than much of the rest of the Portland region. At the same time, residents along the corridor face unsafe pedestrian crossings, inadequate street lighting, inconsistent sidewalks, and often crowded or delayed buses. Fortunately, the jurisdictional transfer of 82nd Avenue is bringing much needed investment including wider sidewalks, street trees, improved lighting, new pedestrian crossings, and plans for enhanced transit.

POLICY OPTIONS FOR COUNCIL TO CONSIDER

Site acquisition will help ensure current low-income residents and communities of color benefit from these coming transportation improvements. The City of Portland identified 82nd Avenue as a prime area for gentrification and displacement risk as far back as 2017. With rents rising dramatically along the Corridor, affordable housing is a dire need for the area's residents. Additionally, many small businesses along this corridor are not owner-occupied, meaning that rising land values also run the risk of displacing these community assets.

Metro's TOD program has the flexibility and experience to manage a site acquisition program for the 82nd Avenue Corridor. Metro has regional authority and can deploy funds in both the Portland and Clackamas County portions of the Corridor. In addition, the TOD Program has developed expertise acquiring affordable housing sites, engaging with stakeholders, and partnering with community-based organizations and developers to achieve community priorities. For example, in 2015, Metro's TOD Program acquired the "Furniture Store" building on 82nd Avenue and Division Street and subsequently partnered with the Asian Pacific American Network of Oregon (APANO) and ROSE CDC to develop the Orchards at 82nd Avenue, a 48-unit affordable housing development with ground floor community space and offices owned by APANO. Since the passage of the Regional Affordable Housing Bond in 2018, Metro's TOD Program staff also manage the Affordable Housing Bond Site Acquisition Program (SAP) and have replicated this community driven acquisition and development approach throughout the region. Seven SAP projects are at various stages of acquisition, planning, or construction and staff anticipates establishing a similar approach to site acquisition with the 82nd Avenue Property Acquisition Fund.

The current State of Oregon grant is the only identified funding for the 82nd Avenue Property Acquisition Fund.

STAFF RECOMMENDATIONS

Staff recommends approving a resolution authorizing Metro to enter into a grant agreement with the State of Oregon in the amount of \$5,000,000 for the 82nd Avenue Property Acquisition Fund.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

The establishment of an 82nd Avenue Property Acquisition Fund will help Metro advance goals for the production of affordable housing in the region. By responding to BIPOC community members expressed need for affordable housing along the 82nd Avenue corridor, the Fund will advance the goals of the Strategic Plan to Advance Racial Diversity Equity and Inclusion, specifically goals B (Metro meaningfully engages communities of color), D (Metro creates safe and welcoming services, programs and destinations) and E (Metro resources allocation advances racial equity).

The 82nd Avenue Property Acquisition Fund is included in FY24 Budget Amendments before the Metro Council for consideration.

BACKGROUND

This is the first time that the 82nd Avenue Property Acquisition Fund grant has been before the City Council.

ATTACHMENTS

None.

Consideration of the October 12, 2023 Council Meeting Minutes
Consent Agenda

Metro Council Meeting
Thursday, November 16th, 2023

Metro

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



Metro

Minutes

Thursday, October 12, 2023

10:30 AM

Strategic Targets Town Hall

<https://us06web.zoom.us/j/85669404815>

Council meeting

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

<https://us06web.zoom.us/j/85669404815>

1. Public Communication

2. Call to Order and Roll Call

Present: 6 - Council President Lynn Peterson, Councilor Christine Lewis, Councilor Juan Carlos Gonzalez, Councilor Mary Nolan, Councilor Duncan Hwang, and Councilor Ashton Simpson

Excused: 1 - Councilor Gerritt Rosenthal

**3. Metro Strategic Targets
Town Hall Listening Session**

Council President Peterson thanked the jurisdictional partners, stakeholders, and Metro staff for moving the project forward. Peterson explained that this project was conceived at a budget meeting in November of 2022, which was followed up with a meeting in February of 2023 to clarify direction. Because of the sense of urgency to move forward in a strategic way, council had directed staff to work with stakeholders around the region to develop North Star targets in the areas of environment, housing, and the economy. Peterson then announced to the audience attending the meeting that there would be an opportunity for them to share their thoughts and encouraged those attending to give input.

President Peterson introduced Connor Ayers (he/they), Legislative and Engagement Coordinator, to go over the polling.

Ayers explained to the audience that he would launch a demo poll and shared the voting results.

President Peterson then introduced Val Galstad, Director of Strategic Operations, Metro, Andrea Celentano, Policy Advisor, Metro, and Ina Zucker (she/her) Program Director, Metro, to present on the Metro Strategic Targets presentation.

Summary of presentation:

Galstad gave a brief summary of how the work was put together by stakeholders and staff members from around the region. Galstad then went over phase 2 and noted that 76 stakeholders were involved in 11 visioning sessions, and for phase 3, there were internal and external subject matter workshops along with council briefings. Galstad then went over the list of external stakeholder attendees.

Galstad then introduced Zucker to go over the first draft targets in the area of the environment.

Zucker thanked those who have participated in this project, then went over target development and refinement portion of the presentation, which included the top issues that stakeholders wanted to focus on, such as climate change, resilience for people + nature, ensuring that targets do not duplicate existing Metro plans/work, and increasing food recycling and compost. Zucker then went over staff recommendations and key regional metric goals, which include the reduction of emissions, sustainable communities, and regional resilience.

Zucker then passed the next portion of the presentation to Andrea Celentano.

Celentano went over the venues visioning themes, target development and refinement, which included what stakeholders had voiced.

Ayers mentioned to Celentano to pause as he had to put the voting poll back up for the previous portion of the presentation.

Ayers put the poll up, then let Celentano continue with the rest of the presentation.

Celentano went over the resilience for all staff recommendation slide then went over strategy 1, attracting, retaining, and supporting business growth, strategy 2, development-ready communities, and strategy 3, workforce development training.

Ayers then announced he would put up the voting poll for this portion and gave the audience a minute to do so.

Galstad then went over the housing component of the presentation, and the visioning session's themes. Galstad explained that the focus was on housing location, density, and equality. Galstad then went over the target development and refinement portion of the presentation and mentioned that it aligns with much of the work that Metro is already doing, but it will also help resolve challenges. Galstad then went over the staff recommendations for housing targets and noted that the objective of this target is that the market provides ample housing at all levels critically and, everyone in the region can access housing that meets their needs. Galstad announced they would track area median incomes and concluded the presentation by letting Ayers put up the voting poll.

Ayers put the poll up for the audience and shared the results.

Council President Peterson opened the public comment portion of the meeting to members of the audience and asked Ayers to go over the procedure for public comment.

Ayers went over the procedure for public comment.

Bob Salinger, Conservation Willamette River Keeper, explained that two things he did not hear were that natural areas will be prioritized in this process and acknowledged that Metro is doing a good job and noted that it is a mistake, as they should focus more on natural areas

and that the results from the polls are different from what he hears from the public. Salinger then mentioned the environmental piece of the presentation has no mention of wildlife, which he mentioned should also be included.

Ayers introduced Nancy Hamilton, Executive Director of East Multnomah Soil & Water Conservation District.

Hamilton spoke about expanding the UGB related to housing and mentioned that she believes there has been a real challenge and her district has been keeping that boundary in place to ensure ample farmland is available. Hamilton then explained expanding the urban growth boundary (UGB) where services don't exist will be challenging, and she noted that the amount of green space near houses is important and encouraged staff double down on that matter.

Ayers introduced Ashley Henry. Henry noted that Metro should do further analysis on the type of jobs and companies that are part of the attraction strategy. Yet, if we continue to attract certain types of jobs that can drive unaffordability, then it will continue to create more housing challenges.

Ayers introduced Chair Kathryn Harrington,

Chair Harrington thanked staff for the work they have been doing, and encouraged staff to pursue targets they can control and influence.

Ayers then introduced Paul Philpott. Philpott thanked council for including the carpenters and encouraged council to look at community benefit agreements with housing and ensure that developers will benefit the communities with jobs being created that can be stable enough to let workers provide for families.

Ayers introduced Jana Gastellum, Executive Director for Oregon Environmental Council.

Gastellum encouraged staff to think about this project in an integrated way and mentioned that 25% of people can't drive due to age and disability, so there is a need for a better transportation system that focuses on people's needs in the lowest carbon way possible.

President Peterson thanked staff for all the hard work, then mentioned to the audience they can provide written comments by emailing legislativecoordinator@oregonmetro.gov.

Galstad then announced that after the next work session, there will be a resolution to adopt these targets by the end of October or early November. Following the adoption, there will be implementation planning, and it will include more conversations and learning on how Metro can work with partners.

End of presentation.

4. Adjourn

There being no further business, Council President Peterson adjourned the Metro Council Meeting at 11:23am

Respectfully submitted,

Sermad Mohamad

Sermad Mohamad, Legislative Assistant

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF OCTOBER 12 2023

Item	Topic	Doc. Date	Document Description	Doc. Number
1.0	PowerPoint	10/12/2023	Metro strategic targets Chair Smith 10.9.23) - Testimony	101223c-01
2.0	PowerPoint	10/12/2023	Removing Projects From The RTP That Do Not Meet Goals - Testimony	101223c-02
3.0	Powerpoint	10/12/2023	Tara Wilkinson Testimony	101223c-03
4.0	Powerpoint	10/12/2023	WHC_request to Metro to convene new revenue for affordable housing action_100923 - Testimony	101223c-04

Consideration of the October 19, 2023 Council Meeting Minutes
Consent Agenda

Metro Council Meeting
Thursday, November 16th, 2023

Metro

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



Metro

Minutes

Thursday, October 19, 2023

10:30 AM

**Metro Regional Center, Council chamber,
https://www.youtube.com/watch?v=_kw5u2z_O9o,
<https://zoom.us/j/615079992>, or 877-853-5257 (toll free) (Webinar
ID: 615079992)**

Council meeting

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, Councilor Duncan Hwang, and Councilor Ashton Simpson

2. Public Communication

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

There were none.

Seeing no further discussion on the topic, Council President Peterson moved on to the next agenda item.

Due to technical communication issues, Council President Peterson asked Deputy Council President Lewis to lead the council session until her internet stabilizes.

3. Presentations

3.1. Transfer Station Operating Controls Audit Presentation

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

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

Deputy Council President Lewis introduced Brian Evans (he/him), Metro Auditor to present on the Transfer Station Operating Controls Audit.

Presentation summary:

Auditor Brian Evans introduced himself as well as his colleague, Maggie Muldrew, to present on the Transfer Station Operating Controls Audit. The presenters discussed the two transfer stations that are under Metro's jurisdiction, and their findings of the risks that are present.

Presenters added that there needs to be additional support and management to get the waste disposal sites back on track. The audit found that there were extensive gaps in health and safety, and accountability and transparency found during the investigation of these sites. Items such as lithium batteries, asbestos, and other hazardous waste materials have been dumped in these facilities by the public, which have posed a risk to the health and safety of the employees. However, presenters reported that the risks are not solely due to the public dumping their waste; risks are also due to the lack of training and adequate management that has made the waste disposal sites unequipped to take care of their employees. Workers could be at higher risk of being harmed which puts Metro at a liability. Some training was not completed for workers, including over 90% of employees who did not receive radiation training. The locations where the hazardous waste was taken to was not clear, the point-of-sale system was out of date, and training was not completed, which is likely due to COVID restrictions. The audit also found that Waste Prevention and Environmental Services (WPES) did not document roles and responsibilities. Presenters also noted that the transfer stations face an unknown future, as does Metro's role regarding this matter. The presenters suggested a long-term planner to be in place to maintain safe operations and make progress in the future. The audit included 20 recommendations for the staff.

Waste Prevention and Environmental Services (WPES) staff presented the management response. Marta McGuire and Carrie Stacey responded first. They discussed how the waste disposal sites were open during the pandemic, but due to the restrictions that accompanied the pandemic, they have now needed to spend time recovering from the lack of training and oversight due to the lack of training allowed in

the height of the pandemic. They also noted that there is a clear path forward. They stated that safety is paramount to managing responsibilities. They noted that more than 1600 tons move through these transfer stations, and they have a recorded lack of injuries, as mentioned by the audit. There was a surprise OSHA inspection this summer and they passed that inspection. They added that they must manage risk in everyday operations, which is a difficult task. Materials management, as well as customer behavior, is a very complex and difficult, adding that when a customer brings in inappropriate materials, they must act. Stacey noted that even before audit started, they identified greater need for resources and oversight. They created the Asset Environmental Stewardship (AES) division to address areas of concern, and noted that the staff member in charge of this has nearly fully staffed this division. Presenters also noted that the COVID pandemic hurt the waste management because people were cleaning out their garages and waste management became a greater need, and at the same time, employees could not be trained due to COVID health protocols. Respondents noted that they are actively doing OSHA10, asbestos, radiation, first aid, CPR, and other trainings, and there are many trainings that have been completed. Radiation training has already been completed for all staff. They have days at the sites that will be closed for staff training. There are 80 specialized trainings and those will be completed in the next fiscal year. They are creating yellowjacket repellent gardens, and they are signing a contract by the end of this month or the beginning of next month for a new point-of-sales server. At no time was the public exposed to dangerous levels of radioactivity.

COO Marisa Madrigal noted that they are responding actively to make these changes and expressed support for

Stacey's role in mitigating these concerns brought up in the audit. Managing 40% of the regions waste is a hard and risky job, as the Willamette Weekly noted. Metro leadership takes the trust of the public seriously, and it is important to show where Metro has done well, and where they can do better. Also, Madrigal noted that the safety metrics and the ways trainings take place now, post-pandemic, are giving more opportunities for safety.

Council Discussion

Councilor Rosenthal appreciated the audit's thoroughness. Councilor Rosenthal recognized that there are a lot of variables, and it is a complicated process. He noted that the pandemic was very difficult for the solid waste industry and he thinks that they are on a good track. Councilor Rosenthal asked how the severity of incidences are defined.

Auditor Evans responded that the severity is something that they are trying to categorize, and they want to make sure they are supplying a level of categorization for incidences. They need to ensure that they have the protocol to define the incidences and follow the clear criteria to address the issue.

Councilor Rosenthal asked if the WPES respondents had any suggestions for how they clarify and categorize these incidences.

Courtney Patterson, Asset Environmental Stewardship (AES) division director, responded that it is important to classify incidents and understand trends. There are multiple categories in their new system, and they are creating a system for guidance which will help determine when an after-action report is necessary. The software reporting

system was rolling out in 2022 and had not yet been rolled out at the time of the audit, but they are continuing to work with partners to ensure it is working and trends can be tracked.

Councilor Hwang asked about public education around changes in recycling and waste management, questioning if there will be additional public education on how to prevent dangerous materials at the sites. He recommended that this conversation be followed up in the next fiscal year to ensure that there is enough time to see the progress. Councilor Hwang requested more regular updates and stressed the urgency of safety.

Marta McGuire responded that educating the public is underway and they have started to discuss this. McGuire also added that lithium batteries are a huge priority in educating the public because they cause fires at the disposal sites and are one of the most common needs for public education. She added that helping residents prepare the materials for disposal will be crucial.

Councilor Hwang asked if there will be specific education around radioactive materials.

McGuire responded that this is a very uncommon instance, and radioactive waste often happens when people are going through Chemotherapy treatment, adding that they have sensors that help identify that. Staff will be trained to identify and monitor the materials.

Staff member Kimberlee Ables added that regarding radioactive materials, the best way to deal with it is for the frontline staff to have talking points and tools to respond to the public as much as possible and have protocol in place.

Those are specialized trainings. There are broader campaigns that can be incorporated in this, which will prioritize how important it is to protect the staff.

McGuire added that they would love a follow-up report.

Auditor Evans added that they have a follow-up process, including self-reporting tools to look at the updates, and they can also do the audit again by request.

Stacey added that the recycling information center is a resource to help people determine if they have these hazardous materials.

Councilor Gonzalez noted that he has full faith in McGuire's team to implement the necessary changes, and emphasized that the safety of the employees is paramount and is taken very seriously. He wanted to acknowledge the impact that the pandemic had on these facilities, and the inherent risk of working in garbage and recycling. Councilor Gonzalez added that they cannot expect everyone to know the ins and outs of these sites and expressed gratitude for the workers. He finally remarked that the audit reported that 97% of employees did not receive annual radiation training in 2022. Councilor Gonzalez questioned how many of the employees have never received the radiation training.

Auditor Evans recognized that the pandemic created deviations from the protocol and so they did not want to look too much into the pandemic years due to the unprecedented time it created. Auditor Evans added that the pandemic was a disruptive event and wanted to recognize that they often had to simply keep the sites open, so they did not want to emphasize a harsh lens during that time.

Maggie Muldrew noted that the scope of the review was solely for the 2022 records and only three completed the training in 2022. As far as 2020 and 2021, they would have to look back at the records.

Councilor Gonzalez added that he hopes they can implement the necessary training in that area. For the point-of-sale (POS) system, he asked what resources will be necessary to get that process going.

Stacey responded that many employees likely received radiation training prior to the pandemic. She also noted that for the POS system, they looked at replacing it in 2019, and there was a failed RFP so the POS they currently have is quite old. The IT department worked with staff to find a product that would not hurt the sales, adding that it is a multi-department effort because it will change people's job duties. Stacey added that they need to determine how the software will interact with their scales, and they are hoping to cover all their bases and ensure a smooth transition.

Councilor Gonzalez noted that one day of failure in the system could be very dangerous, recognizing the complexity of this, but also noting the urgency of this issue. Councilor Gonzalez asked how they manage the lack of certification of end-market for hazardous waste.

Stacey responded that there is no regulatory requirement for those certificates, but that they wanted to have them to make sure those materials would be disposed of in an appropriate manner and the new contract adds that those vendors are responsible for monetary repercussions if they do not act accordingly.

Tom Chaimov, the Program Director for Garbage and

Recycling operations, responded that the certificate of disposal and treatment are regulatory tools for hazardous waste. Chaimov added that they ask for the certificates for household hazardous waste as well just to ask the extra step of a certificate to know where the waste goes.

Councilor Gonzalez added that he wants to make sure things get to their intended destination. He asked how long it takes for household hazardous waste to get to its intended destination. Councilor Gonzalez followed up asking if it has been disposed of properly.

Chaimov noted that they will need to get back to him on some of these details, but mentioned that these are generally highly regulated. Chaimov continued that sometimes it takes years for a hazardous waste material to reach its destination. Chaimov recalled that one took approximately 11 months and added that different waste is handled in different ways.

Deputy Council President Lewis gave back the leadership of the meeting to Council President Peterson because Council President Peterson's internet became more stable. Council President Peterson began to lead the rest of the council discussion.

Councilor Nolan thanked the presenters, both the auditor team as well as the WPES team, for owning up to the issues and working to resolve it. Councilor Nolan questioned the lack of access to information from contractors about folks who are on-site doing work that may otherwise be done by Metro employees, asking how much access to information Metro has about their operations, payroll, and training. Councilor Nolan further asked how Metro gets enough information about their operations and finances to

determine if they are performing well.

Auditor Evans asked for clarification.

Councilor Nolan responded that they are asking about the non-Metro employees working at the central station who are on-site doing operations and services.

McGuire clarified that Councilor Nolan is referring to the Recology contract and that there were questions about looking at that contract.

Auditor Evans noted that there are two major contracts, one at the central location and one at the south location. The audit stated that the central contract has been in place for a very long time, while the south contract is relatively new. He added that the south contract requires a fair amount of checking the books. Auditor Evans discussed that as Metro takes on more responsibility, the audit needed to focus a lot on health and safety to ensure the new risks will be mitigated.

Councilor Nolan mentioned the contracts they currently have now, asking how they access the information to make sure people are performing the duties essential to their role with integrity. Councilor Nolan further asked if they have visibility to investigate their records and books to review that.

McGuire noted that these are significant contracts for running their operations and they have added additional conditions to make sure to see things like living wage adjustments. She added that there are conditions within those contracts that provide clarity on the areas Councilor Nolan mentioned, including the capacity for contract

management to make sure that they are fulfilling their duties.

Patterson noted that these contracts are complicated due to environmental, living wage, and other goals in these contracts. They have a monthly joint site meeting, with agenda items of maintenance, safety, statistics of operations, and more, so things can be addressed there. If there are additional issues, there is a maintenance meeting to make sure contracts are being fulfilled. They also have people there to make sure staff are paid correctly, and for each project, they release those funds on a project-by-project basis.

Councilor Nolan noted that they are personally delighted to know that women are in charge of WPES. Councilor Nolan added a comment that they hope there is a productive tension between taking care of business and making sure that things are being done safely and efficiently. Councilor Nolan mentioned that they want to make sure they have the right balance to make sure that the employees and the public are safe.

McGuire noted that she appreciated the comment and they do not have a predetermined outcome about where they should be, and they are looking to Metro for that guidance.

Councilor Simpson thanked the presenters. He also congratulated the WPES team on passing the surprise OSHA inspection because those are not easy to pass. Councilor Simpson mentioned the fuel situation and asked how they are testing the fuel and make sure they are getting the right product and stopping the use of fossil fuels. He agreed with Councilor Hwang about education and lithium batteries. He then asked what they have done to create drop-offs for

batteries, specifically where folks can bring lithium batteries.

Stacy noted that they became aware of the fuel overpayments in 2022 and management informed the auditor and the council of this promptly. Stacey added that this has since been resolved and Metro has been compensated for those overpayments and cost of the accounting. Stacey mentioned that they stopped using that vendor, adding that renewable diesel is the best for reducing emissions, and that they have been receiving that renewable diesel.

McGuire added that they should talk to their sustainability coordinator on this conversation.

Council President Peterson questioned the ways in which the sites have moved compressed waste to the landfill and asked what conversations are going in relation to that work.

Chaimov responded that they have multiple modes of moving freight, and it can be moved in numerous ways. When they look at proposals to move trash, they look at cost, environmental factors, efficiency, and flexibility, which are standards to make sure it is best for the public good. Their freight is the most efficient diesel-powered trucks on the road.

Councilor Lewis thanked the audit team, as well as the AES team's response. Councilor Lewis added that there is a lack of vision for Metro South's future and noted that the Council is aware that Metro South is at a critical juncture due to their lack of space, and they need to consider potential investments in space in that part of the region. Councilor Lewis also mentioned that blood-borne pathogens have not been discussed, and asked if someone would

Speak on that.

Staff member Aaron Sahle responded that for blood borne pathogens, the scope of updating this means that they need to ensure employee safety. They have taken guidance from the OSHA standard to make the standards more specific. They are going to start a curriculum designed for WPES as well as the OSHA10 training. They will be making sure that CPR first aid curriculum is designed, including needle sticks and other materials necessary to address. Sahle added that they will make sure that they can adequately protect their employees and account for all nuances they come across.

Council President Peterson stated that handling that waste safety is important. Council President Peterson noted that training and capital facilities improvements are top priorities. She thanked Madrigal for launching an assessment of Metro's risk and safety programs across the organization and requested updates from the COO on the organization wide risk and safety assessment. She noted that the 30-year waste management plan has not solved all of the needs and the burden of this goes onto the residents. Council President Peterson added that she looks forward to conversations on next steps and figuring out how to pay for it all.

There being no further comments, Council President Peterson moved to the next item.

4. Ordinances (Second Reading)

- 4.1. **Ordinance No. 23-1498**, For the Purpose of Amending Certain Metro Code Chapters in Title V ("Solid Waste") for Housekeeping updates and to Incorporate Plain Language Best Practices

Presenter(s): Shane Abma (he/him), Senior Attorney, Metro

Attachments: [Ordinance No. 23-1498](#)
[Exhibit A](#)
[Exhibit B](#)
[Staff Report](#)
[Attachment 1](#)

Council President Peterson stated that the first reading and public hearing for Ordinance No. 23-1498 took place on Thursday, October 5.

Council President Peterson called on Shane Abma (he/him), Senior Attorney, Metro to present to Council. Amba had no comments prior to the vote.

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

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

- 4.2. **Ordinance No. 23-1499**, For the Purpose of Repealing Metro Code Chapter 2.05 ("Procedure for Contested Cases") and Replacing it with a new, Updated Metro Code Chapter 2.05 ("Contested Cases Procedures")

Presenter(s): Shane Abma (he/him), Senior Attorney, Metro

Attachments: [Ordinance No. 23-1499](#)
[Exhibit A](#)
[Staff Report](#)
[Attachment 1](#)

Council President Peterson stated that the first reading and public hearing for Ordinance No. 23-1499 took place on Thursday, October 5.

Council President Peterson called on Shane Abma (he/him), Senior Attorney, Metro to present to Council. Amba had no comments prior to the vote.

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

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

- 4.3. **Ordinance No. 23-1500**, For the Purpose of Repealing Metro Code Chapter 2.03 (Civil Penalties) and Replacing it with a new Metro Code Chapter 2.03 (Civil Penalties), and Amending Certain Metro Code Chapters to Align with the new Chapter 2.03

Presenter(s): Shane Abma (he/him), Senior Attorney, Metro

Attachments: [Ordinance No. 23-1500](#)

[Exhibit A](#)

[Exhibit B](#)

[Exhibit C](#)

[Staff Report](#)

[Attachment 1](#)

Council President Peterson stated that the first reading and public hearing for Ordinance No. 23-1500 took place on Thursday, October 5.

Council President Peterson called on Shane Abma (he/him), Senior Attorney, Metro to present to Council. Amba had no comments prior to the vote.

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

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

- 4.4. **Ordinance No. 23-1501**, For the Purpose of Amending Metro Code Chapter 5.09 (“Illegal Disposal”) to Align it with the new Metro Code Chapter 2.05 (“Contested Cases”) and Incorporate Plain Language Best Practices

Presenter(s): Shane Abma (he/him), Senior Attorney, Metro

Attachments: [Ordinance No. 23-1501](#)
[Exhibit A](#)
[Exhibit B](#)
[Staff Report](#)
[Attachment 1](#)

Council President Peterson stated that the first reading and public hearing for Ordinance No. 23-1501 took place on Thursday, October 5.

Council President Peterson called on Shane Abma (he/him), Senior Attorney, Metro to present to Council. Amba had no comments prior to the vote.

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

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

5. Other Business

5.1 Strategic Targets Discussion

Presenter(s): Marissa Madrigal (she/her/ella), Chief Operating Officer, Metro
Andrea Celentano (she/her), Policy Advisor, Metro
Val Galstad (they/them), Program Director, Metro
Ina Zucker (she/her), Program Director, Metro

Attachments: [Draft Res. No. 23-5362](#)
[Exhibit A](#)
[Staff Report](#)

Council President Peterson introduced Marissa Madrigal (she/her/ella), Chief Operating Officer, Metro, Andrea Celentano (she/her), Policy Advisor, Metro, Val Galstad (they/them), Program Director, Metro, and Ina Zucker

(she/her), Program Director, Metro to present on the topic.

Staff pulled up the Strategic Targets Presentation to present to Council.

Presentation Summary:

The presenters summarized the October 3rd work session regarding the strategic targets discussion and noted that they are seeking additional advice for their strategic targets work. They provided updates and noted the long-term and short-term spectrum of the project timeline. Presenters also gave updates on the Strategic Targets Town Hall meeting, which showed that the feedback emphasized climate, housing, economic goals, and cooperative partnerships. The presenters highlighted the town hall polling results, which expressed that stakeholders agreed that the targets do address the most pressing issues in economy, environment, and housing. The presenters then asked the Council what changes the councilors wanted to be made, how direct and indirect influences look in relation to the balanced approach, and asked if they have any feedback on the draft resolution.

Council Discussion

Councilor Hwang noted his appreciation for the focus of the indicators. He mentioned the slogan he presented in their previous work session, noting that they are missing a sense of ambition and urgency. Councilor Hwang added that they want to be national leaders and to be ambitious, and wanted to emphasize how much good work the region can do for its residents.

Val Galstad responded that they can find a way to frame it in a way that is inspiring and ambitious but not overly

competitive.

Councilor Rosenthal mentioned that the rollout for cooperation will be important. He added that strategy 3 needs to be changed from “climate related deaths and illnesses” to “natural disaster related illnesses”. He also asked for clarification on strategy 1’s resilient equality, questioning if the term “quality jobs” really means living wage jobs. He added that when they talk about safe and stable housing, they must provide the support for people to stay in housing. Councilor Rosenthal added that they need to make sure diversity, equity, and inclusion is still a primary goal.

Andrea Celentano responded to Councilor Rosenthal’s question regarding the quality jobs definition, stating that the definition was defined by their partners, and that the term “quality jobs” has components of wages, benefits, time off, and more. She added that it is more encompassing than just livable wages.

Councilor Rosenthal asked for clarification that there is a specific definition of that term.

Galstad responded that yes, there is a specific definition, but she does not have it with her today.

Ina Zucker responded to Councilor Rosenthal’s comment about changing the title for strategy 3, noting that changing it to “natural disaster related illnesses” is a great edit.

Galstad assured Councilor Rosenthal that they are looking to have many references to Metro’s supportive housing work and supportive services in the housing section.

Councilor Rosenthal asked about the likelihood that people will read the background information on this, noting that

they need to have a good balance of thoroughness and conciseness so that folks will both read it and understand it clearly.

Councilor Nolan noted that Metro must take advantage of their position to implement and create an environment that others can and want to follow. Councilor Nolan added that the words “ambitious, urgent, and replicable” are needed in the statement along with Councilor Hwang’s suggestions. Councilor Nolan further asked about the timetable for implementation.

Galstad answered that the timetable is 5 years.

Councilor Nolan noted that given that timetable, the agreed upon measurements that highlight the needs must be large, clear, and fixed so that in five years, the strategic targets still apply. Councilor Nolan provided an example that on page three, their goal should be to cut chronic homelessness in half. Councilor Nolan added that they do not want a reduction in the population, they want a reduction in the circumstance of the population of people currently experiencing homelessness. Councilor Nolan added that they do not want multiple interpretations of the targets, so the targets need to be as refined as possible. Councilor Nolan stated that “total” should be added to strategy 2. If they only reduce the per capita waste, that is not enough. Councilor Nolan added that yes, that goal is harder, but it is important to have large goals. They finally added that on the second page regarding the economy for strategy 2, the number of shovel ready sites does not specify exactly where Metro needs to go and suggested that they measure in acres or capacity of jobs.

Zucker responded that the folks who are experts in this area can look at this feedback to determine how to measure

these suggestions and determine how ambitious they should be. Zucker added that the council decisions determine the level of ambition.

Councilor Nolan responded that they would rather come short on an incredibly ambitious goal rather than go above on a smaller goal.

COO Marissa Madrigal noted that they need to make sure there are reaches in the goals but that the goals are not impossible.

Councilor Gonzalez noted that he was impressed by the engagement and participation in the town hall, and the focus of these targets. He added that for the strategies, there is a healthy blend of approach for what Metro can directly influence and where there is indirect influence to help address the problem.

Councilor Simpson noted appreciation for the comments of his colleagues. He then questioned what this will look like when it is rolled out and asked how they will work with stakeholders to get people up to speed, and what funding will look like for these initiatives.

Galstad responded that for the visualization question, they want to look at a visualization strategy and work with communication experts on that, noting that it will likely be a series of graphics.

Councilor Simpson added that people who do not speak English should be represented and be able to know what their lives are being set up to be based on these strategic targets.

Galstad responded that yes, they need to make sure their stakeholders have the tools to communicate this, and they

are keeping that in mind for the next phase. In response to how they are connecting with jurisdictional partners, Galstad mentioned that the aspects of that are not fully fleshed out yet. However, following the adoption of these targets, they would love to network to dig into the details of the work to look at the specific numbers that Councilor Nolan requested. Galstad noted that they expect in-depth discussions in the next six months.

Councilor Simpson also emphasized that they need to think about the funding strategy in order to tangibly see how things will get done.

Galstad responded that the targets need to be identified prior to identifying funding so directors can have a clear idea when making those funding decisions.

Zucker added that they need the departments to have a more comprehensive idea about the targets, rather than just certain sections.

Councilor Lewis stated that they need to make sure these goals are things they can do, and they need to make sure these investments in relation to their budgets are possible.

Councilor Hwang mentioned that for the economy strategy, quality jobs may not be the best indicator because other jobs are being lost due to factors such as AI. He added that having a note about reducing income disparity is important.

Celentano noted that they went through many different drafts of this to capture that the feedback from stakeholders and ensuring they can be imbedded. She added that they will see if there is a better metric instead of quality jobs that fits with that metric. Celentano mentioned that they do not want to oversimplify the indicators.

Councilor Hwang added that quality jobs for some does not mean affordable lives for all.

Council President Peterson stated that some of the stakeholders feel that because there isn't a specific performance metric related to their interests, but it is a core mission of what they do, this has left them and others feeling like Metro does not see them as a part of Metro's core mission. She noted that they need to make it abundantly clear that under the performance metrics, the core interests need to be addressed to meet those goals. She suggested that they need to think about where they can be more specific to ensure that those are not abandoned. Council President Peterson agreed with Councilor Lewis that the next steps should be reflected, and the statements need targets associated with them. She added that they need to be proactive and that they should have a comprehensive spreadsheet that relays the next steps.

Madrigal noted that as they work with subject matter experts to define the actions that they can take to get to the number that they will plan to hit, there may be many actions in some areas, and few actions in others. Madrigal shared an opinion that they should keep these comments in mind as drafts to make sure they have meaningful goals.

Council President Peterson added that these goals should be reflected in the spreadsheet.

There being no further comments, President Council Peterson moved onto the next agenda item.

6. Chief Operating Officer Communication

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

There were none.

7. Councilor Communication

Councilors provided updates on the following meetings and events:

- Councilor Lewis updated folks that the Expo Future Sports and Facilities Committee met for the second time yesterday and a consultant will make a visit in November and they are preparing the analysis they will put into their study.
- Councilor Gonzalez noted that they had a JPAC meeting this morning and discussed a letter that JPAC will send to the Oregon Transportation Commission which is in the meeting packet. They went over some key points of the RTP as JPACT will be voting on a recommendation. The high-capacity transit strategy was discussed as well, and it was a smooth meeting.
- Councilor Hwang noted that this Saturday from 11-1, Metro staff will hold a presentation at Cemetery block 14 for preliminary designs that came up.

8. Adjourn

There being no further business, Council President Peterson adjourned the Metro Council Meeting at 1:01

Respectfully submitted,



Georgia Langer, Legislative Assistant

Consideration of the October 26, 2023 Council Meeting Minutes
Consent Agenda

Metro Council Meeting
Thursday, November 16th, 2023

Metro

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



Metro

Minutes

Thursday, October 26, 2023

10:30 AM

Metro Regional Center, Council Chamber,
[https://www.youtube.com/live/FBFm61oimLk?
si=CMXrzFvkwOJsa7NH](https://www.youtube.com/live/FBFm61oimLk?si=CMXrzFvkwOJsa7NH), <https://zoom.us/j/615079992> Webinar ID:
615 07

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/FBFm61oimLk?si=CMXrzFvkwOJsa7NH>, <https://zoom.us/j/615079992>, or 877-853-5257 (toll free) (Webinar ID: 615079992).

1. Call to Order and Roll Call

Present: 5 - Councilor Christine Lewis, Councilor Mary Nolan, Councilor Gerritt Rosenthal, Councilor Duncan Hwang, and Councilor Ashton Simpson

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

2. Public Comment

Councilor Anthony Martin, city of Hillsboro, spoke about the private transfer rate review topic and expressed his support for the private transfer station rates. Martin mentioned that the private transfer stations play a critical role in the community and noted that the rates in his city of Hillsboro are fair and then explained that Metro has significantly raised the rates with little to no explanation and that it is good governance for the community to be told about the rates being raised and it should be a standard to have fair rate prices.

Matthew Barnett expressed his dissatisfaction with the proposed 2023 regional transit plan and noted that the plan under funded transit and pedestrian projects and that it is not aligning with its promises.

3. Consent Agenda

- 3.1 Resolution No. 23-5364 For the Purpose of Authorizing the Chief Operating Officer to Purchase Property in the Clackamas River Bluffs and Greenway Target Area

Attachments: [Resolution No. 23-5364](#)
[Staff Report](#)

3.2 Consideration of the September 14, 2023 Council Meeting Minutes

Attachments: [091423c Minutes](#)

3.3 Consideration of the September 28, 2023 Council Meeting Minutes

Attachments: [092823c Minutes](#)

3.4 Consideration of the October 5, 2023 Council Meeting Minutes

Attachments: [100523c Minutes](#)

4. Resolutions

4.1 Resolution No. 23-5357 For the Purpose of Accepting the Draft Oregon Zoo Campus Plan Concepts

Attachments: [Resolution No. 23-5357](#)
[Staff Report](#)

Deputy council president Lewis spoke about the significance of Resolution 23-5357 for the future of the zoo, emphasizing its role as a leader in animal conservation. She also highlighted that the zoo is the top tourist attraction in the state of Oregon. Lewis then explained that the zoo's team has collaborated with experts and staff to make substantial improvements, including updating animal habitats and enhancing protection against heat for both staff and visitors.

Following that, Katie McDonald connected to the council through a Zoom video call from the Oregon Zoo, joined by members of the Yakima tribe. Katie McDonald introduced some members from the Yakima Nation Tribe including Casey Mac Walahie, member of tribal Council who announced that they had picked pumpkins the previous day and would be donating them to the zoo. Christopher Walahie expressed appreciation for the bond they share with the zoo and look forward to future relationships. Danella Miller, a Tribal Member, expressed her satisfaction with the efforts being made at the zoo.

Councilor Lewis thanked the staff for their hard work.

Councilor Rosenthal commented on the positive contributions of the tribe members at the zoo.

End of the call.

Councilor Deputy President Lewis then introduced Heidi Rahn (she/her), Oregon Zoo Director, Metro, and Kristin Solomon (she/her), Senior Capital Project Manager, Metro, to present Resolution No. 23-5357, focusing on accepting the Draft Oregon Zoo Campus Plan.

The staff presented a PowerPoint for the council.

Summary of the presentation: Heidi Rahn began her presentation by introducing the zoo's mission and shared a handwritten letter from a visitor highlighting the zoo's positive impact on children. Rahn elaborated on the zoo's core focus areas and its significance in the community, emphasizing its role in wildlife conservation both locally and globally. She proudly announced the successful reintroduction of the California Condor, with over 300 birds now thriving in California thanks to the Oregon Zoo's efforts. Rahn discussed design concepts, including a new outdoor habitat to replace the penguinarium, expanded guest amenities, food options, and outdoor areas. The indoor herpetarium will also be redeveloped, and the African zone will be upgraded to meet future Association of Zoos and Aquariums (AZA) requirements. Rahn mentioned the introduction of a new mission, brand, and logo at the Oregon Zoo and concluded the presentation with a video featuring zoo staff expressing their passion for their work and the importance of the zoo's existence.

Councilor discussion:

Councilor Simpson expressed gratitude to Rahn for considering councilors' thoughts and comments when they visited the zoo.

Councilor Rosenthal noted that the resolution didn't mention the AZA requirements and asked about any other updates in the zoo that weren't mentioned.

Rahn explained that there were specific findings related to penguin and giraffe holdings and mentioned their sponsorship of a PHD student at Portland State University (PSU) who would study best welfare practices for animals and reptiles and incorporate them into habitat designs.

Councilor Hwang asked Rahn to explain the economic benefits the zoo brings to the community.

Rahn explained that the zoo had 700 contractors at one point, contributing to the region's construction careers. She also mentioned the zoo's annual \$80 million revenue impact in the region and its role as a community getaway.

Councilor Hwang then asked if they have a public return on investment.

Rahn explained they don't have those numbers right now, however she noted it costs \$140,000 a day to run the zoo.

Councilor Lewis noted that the work being done is incredibly powerful.

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

Aye: 5 - Councilor Lewis, Councilor Nolan, Councilor Rosenthal, Councilor Hwang, and Councilor Simpson

Excused: 2 - Council President Peterson, and Councilor Gonzalez

5. Ordinances (First Reading and Public Hearing)

5.1 Ordinance No. 23-1503 For the Purpose of Amending Metro Code Chapters 7.05 (Income Tax Administration) and 7.06 (Personal Income Tax) to Add Certain Clarifications and Make Housekeeping Updates

Attachments: [Ordinance No. 23-1503](#)

[Exhibit A](#)

[Exhibit B](#)

[Exhibit C](#)

[Staff Report](#)

Deputy Council President Lewis introduced Josh Harwood, Fiscal Tax Policy Advisor, Metro, and Justin Laubscher, Tax Compliance Program Manager, Metro, to present on the Supportive Housing Services Program and Tax Implementation Ordinance 23-1503.

Harwood passed the conversation to COO Marissa Madrigal for an important announcement. Madrigal shared that this tax will now be included on TurboTax for electronic filers.

Harwood proceeded to discuss three minor changes to the tax codes and then handed over the presentation to Laubscher.

Laubscher provided an overview of the presentation,

focusing on Exhibit A, which includes the E-filing mandate, employer penalties for incorrect withholdings, and chapters 7.05 & 7.06. He highlighted that the current code lacks a penalty to enforce accurate withholdings reporting claims by employers.

Councilor Rosental inquired about the penalties associated with these changes.

Laubscher clarified that the penalty will amount to \$50 per missing W-2, and it will be applied at discretion.

The presentation concluded, and the vote on the matter is scheduled for November 9, 2023.

- 5.2 Ordinance No. 23-1502 For the Purpose of Annexing to the Metro District Approximately 23.71 Acres Located on the North Side of NE Evergreen Rd, East of NE 30th Ave, and West of NE Starr Blvd

Attachments: [Ordinance No. 23-1502](#)
[Exhibit A](#)
[Staff Report](#)
[Attachment 1](#)

Deputy Council President Lewis introduced Glen Hamburg (he/him), regional planner, Metro, to present on Ordinance 23-1502.

Metro Attorney Carrie McLaren provided an overview of the procedural requirements.

Councilor Lewis inquired whether any council members had conflicts of interest to declare.

All council members declared that they did not have any conflicts of interest.

Hamburg then proceeded to highlight the proposal, explaining that it involves annexing a 23.17-acre area in Hillsboro, Oregon, within the Metro district boundary. This area falls within the Hillsboro city limits and is designated for industrial use only. He noted that it is within the urban growth boundary (UGB) boundary and was added in 2005. To prevent urbanization, certain measures need to be applied to the territory. Hamburg also mentioned that they had sent notices of the application to nearby property owners, posted it in newspapers, and received no comments or concerns about the proposal.

Councilor Hwang inquired about potential future land use for the area.

Hamburg explained that it is intended for stack infrastructure, and the specific use will be determined by the property owners and the City of Hillsboro.

The second reading and vote are scheduled for November 16, 2023.

6. Other Business

6.1 Private Facility Rate Transparency

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

Deputy Council President Lewis introduced Jenna Jones, State and Regional Affairs Advisor, and Holly Strinkorb, Principal Planner, to provide an overview of private transfer station rate transparency.

Marta McGuire, Director of Waste Prevention and Services at Metro, outlined the objectives of the private transfer station rates, feedback received from stakeholders, and concerns from private transfer stations. McGuire pointed out that there's a draft resolution in the materials, although no formal action is required during this meeting.

Strinkorb discussed the current policy framework, including the 2030 Regional Waste Plan and the 2016 Transfer System Configuration Policy. She emphasized that while Metro doesn't typically regulate rates at privately owned facilities, they have the authority to do so if it serves the public interest.

Jones explained the necessity of a cost of service study, emphasizing its role in good governance, data enhancement, improved transparency, and better decision-making. She highlighted the importance of keeping commitments to local government partners and impacting both business and residential customers positively.

Strinkorb then informed the council that a third-party entity would be responsible for designing the cost of study, and all six transfer stations would have the opportunity to participate.

Council Discussion:

Councilor Nolan raised concerns about potential conflicts of interest when Metro collaborates with private competitors and asked how this structure aligns with Waste Prevention and Environmental Services (WPES) efforts to reduce long-term waste to landfills.

McGuire explained that they would explore this structure further.

Councilor Nolan inquired about the knowledge of what private transfer stations charge.

McGuire clarified that they are aware of the charges but lack information about the differences in services.

Strinkorb mentioned the variation in charges among transfer stations, with some charging 15% more than others, and the need to understand the reasons behind these discrepancies, which may be due to different business models.

Jones emphasized that Metro can pursue the option that seems more advantageous as long as it is supported by data.

Councilor Nolan questioned the availability of curbside service in every property in the Metro Service District (MSD).

Jones sought clarification on what Councilor Nolan meant by "available."

Councilor Nolan inquired whether, as a property owner in the Metro boundary could have garbage picked up at the curb.

McGuire explained that it is not mandatory, but if the property owner desires the service, it can be provided.

Councilor Nolan asked how Metro accounts for the value of properties and operations in the region, particularly in regions that do not pay property taxes.

CFO Brian Kennedy explained that the land value and potential tax revenue are not part of the public sector rate-setting process and are accounted for through the

community enhancement fee.

Councilor Simpson suggested that Metro should conduct comparative rate analyses alongside the public sector for transparency and expressed a desire to learn more about the third-party experts and their prior government collaborations in this field.

McGuire addressed the first comment, assuring transparency in the process.

Strinkorb explained that the third-party company has relevant experience, and this approach is standard.

Councilor Simpson asked if the study would consider the impact of the COVID-19 pandemic years.

Councilor Lewis expressed hope for disaggregating data between the south and central regions.

Councilor Rosenthal inquired about the potential disaggregation of South Hall.

Strinkorb clarified that the study would only focus on wet waste.

McGuire mentioned that if the council decides to proceed with a cost of service study, they can return with a design that aligns with Metro's needs.

Councilor Hwang asked for an explanation of Metro's role as a regulator and the objectives Metro aims to achieve through the study.

Jones explained that the study's goals would be determined by the council, with the authority to choose the path forward. She emphasized the study's purpose is to gain a

better understanding of what makes sense for Metro.

Council Deputy President Lewis then called for public comment opportunity on the private rate transparency.

6.1.1 Public Comment Opportunity for Agenda Item 6.1

Thomas Eglestan (he/him), Washington County Solid Waste Manager, provided testimony on behalf of Washington County in support of the review of public/private rate stations. Eglestan emphasized the county's reliance on Metro for transparency and encouraged Metro to proceed with the review.

Peter Brandom, Cornelius City Manager, expressed support for the review of public/private stations and raised concerns about the mysterious fees charged by private facilities. He suggested conducting an audit to determine what is fair. Brandom also pointed out that private facilities are a more convenient option for customers due to their proximity, which should be considered in the review.

Kristen Leichner, Vice President of Pride Recycling Company, stressed the need for transparency and offered her company's perspective on efforts to increase revenue.

Ternell Gunn, Greenway Recycling, discussed their higher recovery rate compared to other stations and thanked Metro for its support. Gunn highlighted differences in pricing and urged the council to request a transparent conversion of Metro TIP fees to include real costs paid by private facilities not currently factored into Metro's TIP fees. He argued that private facilities offer the best deal, making an audit unnecessary.

Cindy Rodgers, Manager for Republic Services, pointed out three omissions in goal 14, emphasizing that Metro rates

are subsidized by the regional system fee, making them an inadequate representation of fairness compared to other transfer systems in the region. She also highlighted the variance in fixed and variable cost allocations per ton and the importance of including variable costs for facilities and locations in the tip fee. Rodgers requested that Metro provide information on their real costs.

Evan Polk, City of Portland Solid Waste Manager, expressed the city's support for moving forward with the review.

Council Discussion:

Councilor Nolan asked Polk if the city requests detailed information when gathering bids from construction companies, particularly related to employee compensation and equipment purchase, and inquired about where the city draws the line.

Polk explained that they request detailed information and if the cost is deemed inappropriate, they seek alternative bids.

Madrigal clarified that there are automatic allocations, some allocated based on criteria, and a base tonnage allocation.

McGuire explained that Metro retains 40% of the waste while private stations hold 60%.

Councilor Rosenthal acknowledged the differences in business models between private and Metro facilities and expressed the need for more information.

Strinkorb explained that Metro cannot set costs for private stations until the evaluation is completed due to a lack of cost data.

Councilor Rosenthal followed up regarding a change in how

Metro allocates to reserves and asked about the potential impact on Metro's rate structure.

CFO Brian Kennedy explained that the regional system fee does not directly subsidize transfer station operations, and Metro breaks down costs separately.

Councilor Hwang read a statement on behalf of Councilor Gonzalez, expressing support for a balanced and cost-effective garbage and recycling ecosystem. Gonzalez supported staff moving forward with the study.

Councilor Hwang asked what was insufficient in phase 2 data that prevents Metro from using it and how Metro can balance transparency and privacy goals.

Strinkorb explained that Metro couldn't obtain cost data and acknowledged the study's limitations from the beginning.

Councilor Hwang inquired about aggregated information.

Strinkorb confirmed that the data would be aggregated.

Councilor Hwang asked if the data collected from the third party would be subject to public records requests.

Metro attorney Shane Abma explained that since Metro does not possess the information, it is not subject to public records requests.

Strinkorb addressed the idea that Metro might be seen as a competitor and explained that private stations are located to maintain a noncompetitive environment.

Jones clarified that Metro is not a competitor; rather, it is a regulator allowing private stations to operate and providing some of their tons to create a fair environment.

Councilor Nolan expressed that they are not prepared to move forward.

Councilor Lewis called for another work session on this topic before proceeding.

- 7. **Chief Operating Officer Communication**
- 8. **Councilor Communication**
- 9. **Adjourn**

There being no further business, Deputy Council President Lewis adjourned the Metro Council Meeting at 1:10pm.

Respectfully submitted,

Sermad Mohamad

Sermad Mohamad, Legislative Assistant

**Resolution No. 23-5359 For the Purpose of
Proclaiming Support for Congressional
Legislation to Establish the Truth and Healing
Commission on Federal Indian Boarding School
Policies Act.**
Resolutions

Metro Council Meeting
Thursday, November 16th, 2023

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF PROCLAIMING)	RESOLUTION NO. 23-5359
SUPPORT FOR CONGRESSIONAL)	
LEGISLATION TO ESTABLISH THE TRUTH)	Introduced by Chief Operating Officer
AND HEALING COMMISSION ON INDIAN)	Marissa Madrigal in concurrence with
BOARDING SCHOOL POLICIES ACT)	Council President Lynn Peterson

WHEREAS, assimilation and “civilization” processes against Native Americans, such as the Indian Boarding School Policies, were adopted by the United States to strip American Indian, Alaska Native, and Native Hawaiian children of their Indigenous identities, beliefs, and languages; to assimilate them into non-Native culture through federally funded and controlled Christian-run schools, which had the intent and, in many cases, the effect, of termination, with dire and intentional consequences on the cultures and languages of Indigenous Peoples; and

WHEREAS, as early as 1819 and until 1969, the United States federal government directly or indirectly supported approximately 521 Indian Boarding Schools across 38 states, often church-run, at which assimilation and “civilization” practices were inflicted on those children as part of the federal government’s goal of advancing eradication of Indigenous Peoples in the United States; and,

WHEREAS, the United States Indian Boarding School policy’s deliberate intent was to separate Native American children from their families, cultures, communities, and Tribal Nations through removal and reeducation; and,

WHEREAS, many tribal children were sent to boarding schools that served as a place to experiment on and abuse children medically, physically, psychologically, and sexually; and,

WHEREAS, the 2018 Broken Promises Report published by the U. S. Commission on Civil Rights reported that American Indian and Alaska Native Peoples continue to experience intergenerational trauma resulting from experiences in Indian boarding schools, which divided families, undermined cultural and societal structures, damaged Indigenous identities, and inflicted chronic psychological damage to American Indian and Alaska Native children and families; and,

WHEREAS, Congress introduced legislation titled the Truth and Healing Commission on Indian Boarding School Policies Act to establish the Truth and Healing Commission (Commission) on Indian Boarding School Policies in the United States, conduct a full inquiry into the assimilative policies of U.S. Indian boarding schools, and provide recommendations for justice and healing; and.

WHEREAS, the purposes of the Act are to establish a Truth and Healing Commission on Indian Boarding School Policies in the United States to formally investigate and document, for the first time in history, the attempted termination of cultures and languages of Indigenous Peoples, assimilation practices, and human rights violations that occurred against American Indians, Alaska Natives, and Native Hawaiians through Indian Boarding School Policies in furtherance of the motto to “kill the Indian in him and save the man”; and to formally investigate and document the impacts and ongoing effects of historical and intergenerational trauma in Native communities, including the effects of the attempted cultural and linguistic termination of American Indians,

Alaska Natives, and Native Hawaiians, resulting from Indian Boarding School Policies, among other things; and,

WHEREAS, the Commission's main role is to develop recommendations on actions the federal government can take to adequately hold itself accountable for, and redress and heal, the historical and intergenerational trauma inflicted by the Indian Boarding School Policies and Practices; now therefore,

BE IT RESOLVED that the Metro Council hereby supports congressional efforts to pass legislation approving the Truth and Healing Commission on Indian Boarding School Policies Act and bolstering initiatives, and subsequent recommendations, to hold the federal government accountable for, and redress and heal, the historical and intergenerational trauma inflicted by the Indian Boarding School Policies.

ADOPTED by the Metro Council this sixteenth day of November 2023.

Lynn Peterson, Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney

IN CONSIDERATION OF RESOLUTION NO. 23-5359, FOR THE PURPOSE OF SUPPORTING THE S.1723 TRUTH AND HEALING COMMISSION ON FEDERAL INDIAN BOARDING SCHOOL POLICIES ACT IN THE U.S.

Date: 11/2/23

Department: GAPD

Meeting Date: 11/16/23

Presenters: Katie McDonald, Tribal Liaison, and Andy Shaw, GAPD Director

Length: 25 minutes

Prepared by: Katie McDonald, Tribal Liaison, Betsy Emery, Tribal Affairs Advisor, and Ashley Schofield, Program Coordinator

ISSUE STATEMENT

Boarding schools for American Indians, Alaska Natives, and Native Hawaiians (Indian boarding schools) were established by the U.S. to strip American Indian, Alaska Native, and Native Hawaiian children of their identities, beliefs, and languages, in order to assimilate them into non-Indian culture, through federally funded, denominational schools, which had the effect of cultural genocide. Indian boarding schools employed practices including assimilation, corporeal punishments, and child labor, which were often carried out without law, policy, or oversight.

The deliberate intention of Indian boarding schools was the separation of Native American children from their families, cultures, and Tribal communities through removal, cutting their hair, taking their clothing and issuing uniforms, forbidding them to speak their language or engage in any cultural practices, and carrying out severe and often corporeal punishments constituting, in many cases, physical, emotional, and mental torture for non-compliance. Children suffered sexual, cultural, and spiritual abuse and neglect and experienced treatment that in many cases constituted torture.

Many children never returned home. Recent research led by the U.S. Department of Interior and the National Native American Boarding School and Healing Coalition (NABS) have identified 523 Indian boarding schools that operated in the U.S. since 1801 –across 38 states including Oregon. Many of these boarding schools received federal support from 1819 to 1969. Ten of the recorded Indian boarding schools operated in Oregon, including the Forest Grove Indian Training School. This school was the nation’s second federally funded, off-reservation Indian training school.

To date, there has never been a full accounting of the number of Native children forcibly institutionalized at Indian boarding schools, or were abused, died or went missing while attending boarding schools, or the long-term impacts and generational trauma of boarding schools on Native children and their families.

The Truth and Healing Commission on Indian Boarding School Policies Act (Act), S.1723, would establish a federal commission (Commission) to conduct a full inquiry into the

assimilative policies of U.S. Indian boarding schools. The Commission would: document ongoing impacts from U.S. Indian boarding schools, examine the location of children, locate church and government records, hold culturally appropriate public hearings to collect testimony from survivors and descendants, gather institutional knowledge from subject matter experts, and share these findings publicly through a final report with a list of recommendations for justice and healing. In addition to the search for records, the Commission would bring together boarding school survivors with a broad cross-section of Tribal representatives and experts in education, health, and children and families to fully express and understand the impacts of the federal policy of Indian child removal.

Metro Council desires to establish meaningful and mutually beneficial relationships with Tribes with interests in the greater Portland metropolitan area through its Tribal Affairs program. In this work, Metro seeks to recognize tribal sovereignty, respect tribal rights and explore opportunities to incorporate tribal interests and priorities into Metro's work wherever practicable. The Tribal Affairs program cannot exist without a deep understanding of the historical and contemporary interests of Tribes and identifying how these interests can be advanced within Metro's work. It is critical that Metro dedicate staff time and resources to understand the historical and ongoing interests and priorities of Tribes with connections to the greater Portland area, including legacy connections that may be associated with Indian boarding schools that operated in the greater Portland area or state of Oregon more broadly.

Metro Council's adoption of Resolution No. 23-5359 expressing support for S.1723 will support efforts to establish a more comprehensive account of the historical and contemporary impacts of Indian boarding schools to Native children, their families and communities in the U.S. and in Oregon.

Through its allyship and support of S.1723, Metro Council is advocating for additional federal investigation, resources, collaboration and the future publication of information and recommendations that will help Metro advance opportunities for healing and transformation from the impacts of Indian boarding schools that intersect with Metro's work with interested Tribes.

ACTION REQUESTED

Consideration and vote on Resolution No. 23-5359 expressing support for S.1723.

IDENTIFIED POLICY OUTCOMES

Council adoption of Resolution No. 23-5359 will support multiple goals, principles and priorities identified in Metro's Tribal Affairs agenda. The efforts of a federal Truth and Healing Commission are anticipated to support and publish information that will directly inform Metro's forthcoming Historic and Cultural Resources Protection Program Office, which is currently being developed by Metro's Tribal Affairs, Parks and Nature and Capital Asset Management Division with interested Tribes. The Commission's investigation will

directly inform Metro's efforts to provide culturally specific and trauma informed programming to Indigenous communities and community members who may be navigating the legacy impacts of Indian Boarding Schools.

POLICY QUESTION(S)

Would Council like staff to pursue additional efforts beyond Resolution No. 23-5359 via a regional letter of support for S.1723 to members of Oregon's congressional delegation?

POLICY OPTIONS FOR COUNCIL TO CONSIDER

Council may also consider adding S.1723 as a legislative priority to the forthcoming Government Affairs and Policy Development federal affairs agenda.

STAFF RECOMMENDATIONS

Staff recommends the Metro Council adopt Resolution No. 23-5359.

Note that this resolution accomplishes prior Metro Council direction from the September 28 Council meeting. We plan to come to you again after outreach to interested Tribes with a draft letter of support to share with local jurisdictional partners to consider signing on to before sending to the congressional delegation.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

- Council adoption of this resolution will further the goals identified in Metro's Tribal Affairs agenda including:
 - Building positive relationships with Tribes, Tribal staff and representatives to explore opportunities for partnership and collaboration to address tribal interests wherever practicable in Metro's work.
 - Improving Metro's work through incorporating tribal perspectives and expertise, Traditional Knowledge, Indigenous world views and aboriginal rights. Collaborate with Tribes to provide opportunities to increase the public's understanding of tribal interests, priorities, histories and connections in the greater Portland area, where appropriate.
- Council adoption of this resolution also aligns with the legislative principles outlined in Metro's Tribal Affairs agenda because this issue:
 - Has a nexus with Metro's current work;
 - Is a shared priority advanced by Tribes, tribal leadership and Indigenous legislators;
 - Promotes substantive inclusion of Tribes and Indigenous people in decision making;

- Acknowledges past and ongoing discrimination and/or oppression of Tribes and Indigenous communities and populations; and
- Works to dismantle ongoing systems of oppression and/or work to rectify past harms.
- Council adoption of this resolution will further Metro's commitments to the goals stated in the Strategic Plan to advance Racial Equity, Diversity and Inclusion. It is anticipated the future Commission's efforts will produce and provide research and information that will support regional jurisdictions in advancing equity efforts, preserving sites of historical or ongoing cultural significance, and strengthening relationships with communities of color, in particular Indigenous communities and community members who have been impacted by the legacy of Federal Indian Boarding School policies.
- Known Opposition/Support/Community Feedback:
 - The Affiliated Tribes of Northwest Indians, a tribally-established and led non-profit organization based in Oregon representing American Indians/Alaska Natives and over 50 member Tribes in Oregon, Washington, Idaho, Montana, Nevada, northern California and Alaska support S.1723, as affirmed in Resolution #2023-43 at this year's ATNI Annual Convention held in Grand Mound, WA in September 2023. Additional ATNI resolutions including: #2023-44, #2022-33, #2022-01, #2017-24, #2013-32, and #2011-28, among others, express ATNI's support for and call on the U.S. federal government to acknowledge its role and responsibility for the historical and intergenerational traumas brought by the Boarding School policies and call for a beginning to the process of healing impacted people, families, communities, and Tribal Nations.
 - Other national organizations that have expressed their support for S.1723 include the National Congress of American Indians, the American Bar Association, the National Indian Health Board, and the Native Justice Coalition. Numerous other organizations and Tribes have endorsed the bill across the U.S.
- Anticipated Effects
 - Staff anticipate that adoption of this resolution will further Metro's relationship and partnership development efforts and goals with:
 - Tribes;
 - Tribal-serving organizations including the National Native American Boarding School Healing Coalition;
 - Urban Indigenous communities and community members;
 - Indigenous-identifying Metro staff; and

- Survivors and descendants of children and youth who attended Indian Boarding Schools or forcibly institutionalized in other associated facilities and institutions
- Staff anticipate that adoption of this resolution, Metro’s forthcoming letter of support for S.1723 and the future work of the federal Commission will support future educational opportunities led by NABS and Tribes for Metro and other local government jurisdictions to learn about the Indian Boarding Schools and other associated facilities and institutions which impacted Indigenous Peoples and numerous Tribes in what is now known as present day Portland and the State of Oregon.
- Financial Implications
 - None.

BACKGROUND

Council expressed their support for this type of legislation during the 2022 session by sending a letter of support for the prior versions of this federal legislation, S. 2907 and H.R. 5444, to members Oregon’s congressional delegation.

During Metro’s September 28, 2023 observance of the National Day of Remembrance for Indian Boarding Schools, Council requested the agency’s Tribal Affairs program to bring forward a resolution of support for S.1723 for Council adoption and to draft an updated letter of support which could be signed by Metro Council and other interested local government jurisdiction partners across what is now known as greater Portland to be shared with the region’s congressional delegation.

Today’s staff presentation of Resolution No. 23-5359 accomplishes the first part of this Council direction. The Tribal Affairs program will continue to advance drafting of a letter of support to the congressional delegation for S.1723 to bring to Council at a future date after outreach and coordination with interested Tribes has occurred. Staff plan to share the letter of support with interested local jurisdiction partners after future additional Council action on the matter.

ATTACHMENTS

- Tribal Affairs Agenda
- ATNI Resolution #2023-43 Endorse S. 1723, A Federal Truth and Healing Commission on Indian Boarding School Policies Act

METRO COUNCIL TRIBAL AFFAIRS AGENDA FY 2022 – 2023

Draft current 09.16.2022

Metro Council desires to establish mutually beneficial relationships with interested Tribes to inform the agency's work across the region that is now known as the greater Portland metropolitan area. Creation of the Tribal Affairs program at Metro stemmed from increasing internal and external requests for tribal involvement in Metro's work and appreciation from Metro Council and leadership that Tribes should be engaged in Metro's work in recognition of tribal sovereignty.

Metro seeks to support tribal sovereignty through government-to-government coordination with Tribes, exploring opportunities to incorporate tribal interests and priorities into Metro's work and ensuring agency compliance with pertinent cultural, historic and natural resource protection laws.

Tribal relations is a new and unique body of work in addition to federal, state and local government affairs at Metro; it will take time to build relationships with interested Tribes as well as the internal staff capacity and knowledge to lead these efforts. Success will require coordinated external relationship building, focused policy development and sustained internal support across departments from the staff level to senior leadership all the way to the elected Metro Council.

Through government-to-government outreach and coordination, future policy development and training provided to staff, the Tribal Affairs program will distinguish government-to-government relations with Tribes from Metro's community engagement with urban Indigenous populations and communities in the greater Portland area.

Tribes may be engaged in many aspects of Metro's work. For example, Tribes can be engaged to identify priority focal species for Parks and Nature conservation and restoration efforts, to help develop a program check list to protect historic and cultural resources, or within a particular project to provide input on implementation actions to protect resources (e.g. where to place a hiking trail to avoid disturbance of a cultural resource, or introducing a traditional method for transplanting culturally important plant species).

Tribal Affairs cannot exist without a deep understanding of the historical and contemporary interests of Tribes and how these interests exist and can be advanced within non-tribal colonial government structures. It is critical that Metro dedicate staff time and resources to understand tribal sovereignty and the interests and priorities of Tribes with connections to the greater Portland area to inform this work. A brief overview is included at the end of this agenda. It is also critical that Metro develop productive and trustworthy relationships with the Tribes so that Metro can proactively ask what areas of Metro's work the Tribes would like to engage on.

GOALS

Through its tribal relations work, Metro seeks to accomplish and realize the following goals:

- Respect tribal sovereignty through establishing relationships and engaging in government-to-government relations with Tribes.
- Build positive relationships with Tribes, Tribal staff and representatives to explore opportunities for partnership and collaboration to address tribal interests wherever practicable in Metro's work.
- Enhance opportunities for the pursuit of traditional lifeways of Tribes and Indigenous communities in the greater Portland area.
- Improve Metro's work through incorporating tribal perspectives and expertise, Traditional Knowledge, Indigenous world views and aboriginal rights. Collaborate with Tribes to provide opportunities to increase the public's understanding of tribal interests, priorities, histories and connections in the greater Portland area, where appropriate.

Relationships and partnerships with Tribes will support Metro's efforts to advance the region's six desired outcomes and other goals and priorities of the agency.

METRO TRIBAL AFFAIRS PRINCIPLES

The Metro Tribal Affairs Principles are the key values that will guide Metro's relations, engagement, and informal consultation with Tribes. Metro Council affirms the following principles and recognizes their importance to facilitating successful tribal relations.

- **Support government-to-government relations** - Metro's relationships and engagement with Tribes will draw upon principles of diplomacy. A government-to-government relationship includes mutual recognition of the authority and position of the respective parties as governmental entities. Tribal governments will be engaged in a direct governmental manner which is distinct from community or public engagement approaches and engagement activities with urban Indigenous communities and populations.
- **Foster trust** - Trust is a fundamental element of establishing a good relationship. Honesty and integrity will be maintained by Metro at all times to foster a solid foundation of trust, common understanding and vision.
- **Engage in good faith** - Metro shall listen to and consider tribal comments carefully. Through engaging in good faith and with respect, solutions can be identified which embrace different cultures, values, interests and positions toward mutually beneficial ends. Metro will not engage Tribes on any predetermined outcomes or decisions and will strive to ensure each opportunity has the real potential to make a positive difference for all involved Tribes, Metro and the residents of our region.
- **Early planning** - Metro shall plan to engage and consult with Tribes as early as possible. Planning will include providing ample notice of meetings, multiple meeting opportunities and wherever possible, conducting meetings and engagement at both Metro and tribal locations.

- **Collaboration** - Valuable solutions arise through working together in generating, inventing, and innovating in the co-production of knowledge that will guide Metro's work. Collaboration engenders mutual understanding and respect.
- **Communication** – Continuous communication is critical. Meaningful dialogue is more than just a listening session; it is early, often and involves two-way dialogue and feedback. Metro will conduct its communication in a manner that is mindful of tribal preferences and will strive to provide full and candid project information at all times.
- **Building towards agreement and consensus** - Metro will strive to reach agreement amongst all parties. This includes ensuring all parties are heard and respected, all ideas, concerns and options are explored, best available input and information is utilized, and decisions are made in a transparent manner. Metro will create opportunities where the interests of Tribes and Metro can be shared, discussed and evaluated together, involving technical and policy leadership of all parties as appropriate.
- **Advance conservation and protection** - Metro supports efforts to protect, preserve and restore natural and cultural resources and First Foods which are integral to Tribes, tribal life-ways and historical and ongoing relationships to the landscape to create a better future in Oregon and globally.
- **Advance racial equity** - Metro envisions a region and state where a person's race, place of birth, ethnicity or zip code does not predict their future prospects and where all residents can enjoy economic opportunity and quality of life. Tribes, their communities and urban Indigenous communities and populations are included in Metro's racial equity work.
- **Advance regional coordination** - Many of our region's challenges are big and complex and require coordination between cities, counties and other local forms of government. Metro commits to exploring opportunities to support regional planning and coordination with the involvement of Tribes.
- **Commitment to Resources** – Metro will identify resources at its disposal to provide support to Tribes when limited resources may preclude or prevent their engagement with Metro. This includes providing technical assistance, accessibility assistance and other support services to ensure participation of Tribes and their representatives. When technical or subject matter expertise is provided, Metro will explore available options to provide compensation in recognition of the Tribes' time and efforts to inform Metro's work.
- **Do no harm** – Metro will use best efforts to ensure no harm comes to the Tribes through working with Metro. Exploitation of Tribes, their input, intellectual properties or Traditional Knowledge shall not occur. Metro commits itself to being a good partner who works collaboratively with all parties to productively build toward solutions and outcomes that do not erode trust or relationships.

PRIORITIES

Fiscal year 2022-2023 priorities for Metro's Tribal Affairs are organized into four areas including operational activities, policy development, project support and legislative agenda. In this agenda, Metro Council is providing direction on near-term priorities and efforts that

will support the agency to build longer term capacity to support a broad portfolio of tribal coordination activities. Priorities listed below have been identified through support requests from Metro departments, projects with existing tribal relations or coordination activities and needs, and areas of Metro's work which may intersect with tribal interests. These priorities have also been informed by early relationship development efforts with Tribes and feedback and requests which have been provided to Metro. These priorities will be updated every two years and adaptively managed using a responsive approach which adjusts as relationships with Tribes develop and their input and priorities are shared with Metro.

OPERATIONAL:

Positive contact and relationship building efforts: Metro engages and consults with Tribes through government-to-government relations which foster trust and aid in co-development of relationships, goals and objectives that can be formalized in intergovernmental agreements such as memorandums of understanding. Relationship development and coordination efforts will be supported at the Council-to-Council and staff-to-staff levels.

Annual training calendar: Develop an annual training calendar and curated learning opportunities for Metro Council, leadership and staff to advance their understanding of the tribal relations and priorities, regional history and context, federal and state Indian policy, and topical issues in Indian Country. Learning opportunities and trainings will be developed with input from Tribes and tribal organizations and equip Metro staff with the necessary knowledge, skills and abilities to support tribal coordination activities.

Department-specific Tribal Affairs planning - Support Metro departments in the preparation, planning and development of annual Programs of Work (POW) and strategies which describe how tribal coordination efforts and the Metro Council Tribal Affairs Principles will be integrated into department activities, projects and management strategies. Annual POW are necessary for and will support Council-to-Council and staff-to-staff tribal coordination meetings, identify Metro staff with tribal coordination responsibilities, and identify milestones and structural processes which can be measured to assess progress towards successful tribal relations and outcomes annually.

Government Affairs Tribal Affairs strategy development – The Government Affairs and Policy Development department shall develop and propose a five year strategic plan to advance a robust Tribal Affairs program which includes the necessary agency policies, standard staff practices and staff training to advance meaningful relationships with interested Tribes.

POLICY DEVELOPMENT:

All of Metro's Tribal Affairs policy development efforts will be done in coordination with Tribes, tribal staff and their representatives. Near term policy development efforts will focus on the following matters:

- **Cultural Resources Protection Policy** - Support development of a Metro-wide Historic and Cultural Resources Protection Policy to ensure protection and preservation of resources in Metro projects and on Metro publicly-owned and operated properties and facilities in the greater Portland area.
- **Tribal Consultation Framework** - Support development of a Metro-wide Tribal consultation framework that provides guidance to Metro staff on how to initiate and lead informal consultation and engagement with Tribes in Metro's work. Where appropriate, this work should identify linkages and make recommendations for distinctions and necessary updates to the [Strategic Plan to Advance Racial Equity](#) and the [Public Engagement Guide](#).

PROJECT WORK:

The Tribal Affairs program in GAPD will advise Metro departments and Council Office on relationship development including outreach and interactions with interested Tribes. The Tribal Affairs program is also responsible for responding to requests and inquiries from Tribes regarding engagement with Metro or Metro projects and programs. Advisory support will be provided to Metro projects and programs to help facilitate government-to-government consultation and engagement with interested Tribes. The Tribal Affairs program will prioritize supporting projects and programs that are a priority for Tribes and where there are clear opportunities to advance tribal interests and priorities in alignment with Metro's goals and values.

Metro will make best efforts to engage and consult with Tribes on projects of interest which may include Metro projects, actions, decisions or policy making which have the potential to affect tribal interests, the operation of tribal programs or services, include ground disturbing activities or are proximal to waterways or ESA listed species designated habitat.

Metro understands that tribal interests may include but are not limited to:

- Tribal Lands such as ceded lands or aboriginal homelands;
- Usual and accustomed areas or places;
- Tribal treaty rights such as the right to hunt or fish in usual and accustomed areas and or implied rights such as sufficient availability and health of critical habitat necessary to support productive fisheries for treaty-guaranteed fishing;
- Cultural resources, protection of ancestral remains, sacred sites or areas of cultural interest;
- First Foods;
- Access to areas of cultural or religious importance;
- Access to usual and accustomed areas or places;
- Ability to exercise traditional, cultural, religious or subsistence activities.

Metro departments are responsible for identifying projects, programs or actions within their purview which intersect with tribal interests and for providing necessary resources such as project management, staff and technical resources to support successful

government-to-government consultation and engagement. The Tribal Affairs program can assist departments in identifying projects which may intersect with tribal interests.

LEGISLATIVE:

The Tribal Affairs program will provide support to legislative staff to share and facilitate discussion of Metro's state and federal affairs agendas with interested Tribes.

Metro's legislative and tribal affairs staff will coordinate in order to propose potential priorities that intersect with tribal interests for Metro Council to discuss and possibly add to their agenda. Opportunities that will be explored by staff will include legislation which:

- Has a nexus with Metro's current work;
- Is a shared priority advanced by Tribes, tribal leadership and Indigenous legislators;
- Advances government-to-government relations and strengthen requirements for tribal consultation;
- Promotes substantive inclusion of Tribes and Indigenous people in decision making;
- Acknowledges past and ongoing discrimination and/or oppression of Tribes and Indigenous communities and populations;
- Works to dismantle ongoing system of oppression and/or work to rectify past harms.

Metro will not supplant any Tribe or tribal organization's efforts on legislative priorities and will strive to coordinate with legislative and policy representatives of Tribes, Tribal organizations and Indigenous legislators to determine if Metro's involvement on any legislative priorities is appropriate.

Metro will advance its legislative priorities through a variety of methods including signing onto letters, written and or oral testimony, and lobbying legislators. When advancing tribal affairs legislative priorities, Metro's role will be as an ally, striving to respect the requests of Tribes and tribal organizations on the appropriate method for Metro to express its support.

BACKGROUND:

Tribes are independent sovereigns with inherent powers of self-government and relationships with the U.S. government that derive from treaties, federal law and executive orders. These Federal-Tribal relations are political and do not derive from race or ethnicity. The extent of a Tribe's reserved rights depends significantly on the language of its treaty, statute, or executive order and, potentially, judicial interpretation of meaning of any disputed language.

Treaties are listed among the elements that make up "the supreme law of the land" under Article VI of the U.S. Constitution. Local governments, under this "Supremacy Clause" of the U.S. Constitution, must respect rights created by or reserved in Indian treaties and cannot pass ordinances or laws that interfere with, or are contrary to, those rights.

Throughout the Pacific Northwest, Tribes ceded huge swaths of their aboriginal lands to the United States in exchange for peace, certainty about the terms of non-Indian settlement, and reservation of legal rights and interests in the Euro-American legal system. Some Treaties also included language about reserved rights to hunt, fish and gather, among many other activities.

The lands now known as the greater Portland metropolitan area are part of the aboriginal homelands, traditional use areas and trade networks of numerous Tribes. For millennia, Indian people resided throughout the Willamette Valley and along the Willamette and Columbia Rivers and their tributaries in traditional villages, permanent communities and seasonal encampments. The relationship of Tribes, their lands and interests extend from time immemorial to the present day and beyond. Each Tribe's interests are distinct. These interests may overlap and intersect with the static boundaries of Metro's service area and the urban growth boundary in various ways.



2023 Annual Convention Grand Mound, Washington

RESOLUTION #2023 – 43

“ENDORSE S. 1723, A FEDERAL TRUTH AND HEALING COMMISSION ON INDIAN BOARDING SCHOOL POLICIES ACT”

PREAMBLE

We, the members of the Affiliated Tribes of Northwest Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants rights secured under Indian Treaties, Executive Orders and benefits to which we are entitled under the laws and constitution of the United States and several states, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the welfare of the Indian people, do hereby establish and submit the following resolution:

WHEREAS, the Affiliated Tribes of Northwest Indians (ATNI) are representatives of and advocates for national, regional, and specific tribal concerns; and

WHEREAS, ATNI is a regional organization comprised of American Indians/Alaska Natives and tribes in the states of Washington, Idaho, Oregon, Montana, Nevada, Northern California, and Alaska; and

WHEREAS, the health, safety, welfare, education, economic and employment opportunity, and preservation of cultural and natural resources are primary goals and objectives of ATNI; and

WHEREAS, attempts to destroy Native American cultures, religions, and languages through assimilationist practices and policies can be traced to the early 17th century and the founding charters of some of the oldest educational institutions in the United States; and

WHEREAS, as early as 1819, and until 1969, the Federal Government directly or indirectly supported approximately 521 Indian Boarding Schools across 38 States; and

WHEREAS, American Indian, Alaska Native, and Native Hawaiian children, as young as 3 years old, were forcibly removed from their homes and sent to Indian Boarding Schools located throughout the United States; and

WHEREAS, Indian Boarding Schools used systematic, violent, and militarized identity-altering methods, such as physical, sexual, and psychological abuse and neglect, to attempt to forcibly assimilate Native children and strip them of their languages, cultures, and social connections; and

WHEREAS, the violent methods referred to in subparagraph were carried out for the purpose of:

- Destroying the cultures, languages, and religions of Native peoples;
- Dispossessing Native peoples of their ancestral lands; and

WHEREAS, many of the children who were taken to Indian Boarding Schools did not survive, and of those who did survive, many never returned to their parents, extended families, or communities; and

WHEREAS, many of the children who were taken to Indian Boarding Schools and did not survive were interred in cemeteries and unmarked graves; and

WHEREAS, American Indian, Alaska Native, and Native Hawaiian communities continue to experience intergenerational trauma and cultural and familial disruption from experiences rooted in Indian Boarding Schools Policies, which divided family structures, damaged cultures and individual identities, and inflicted chronic physical and psychological ramifications on American Indian, Alaska Native, and Native Hawaiian children, families, and communities; and

WHEREAS, the ethos and rationale for Indian Boarding Schools is infamously expressed in the following quote from the founder of the Carlisle Indian Industrial School, Richard Henry Pratt: “Kill the Indian in him, and save the man”; and

WHEREAS, the children who perished at Indian Boarding Schools or in neighboring hospitals and other institutions were buried in on-campus and off-campus cemeteries and unmarked graves; and

WHEREAS, parents of children who were forcibly removed from or coerced into leaving their homes and placed in Indian Boarding Schools were prohibited from visiting or engaging in correspondence with their children; and

WHEREAS, parental resistance to compliance with the harsh, no-contact policy of Indian Boarding Schools resulted in parents being incarcerated or losing access to basic human rights, food rations, and clothing; now

THEREFORE, BE IT RESOLVED, the Federal Government has a responsibility to fully investigate its role in, and the lasting effects of, Indian Boarding School Policies; and

BE IT FURTHER RESOLVED, ATNI supports the endorsement of S.1723, a bill


to establish a Truth and Healing Commission on Indian Boarding School Policies in the United States, including other necessary advisory committees and subcommittees:

- to formally investigate, document, and report on the histories of Indian Boarding Schools, Indian Boarding School Policies, and the systematic and long-term effects of those schools and policies on Native American peoples;
- to develop recommendations for Federal action based on the findings of the Commission; and
- to promote healing for survivors of Indian Boarding Schools, the descendants of those survivors, and the communities of those survivors; and


BE IT FINALLY RESOLVED, that ATNI endorses the federal legislation S.1723, a bill to establish a Truth and Healing Commission on Indian Boarding School Policies Act.

CERTIFICATION

The foregoing resolution was adopted at the 2023 Annual Convention of the Affiliated Tribes of Northwest Indians, Great Wolf Lodge, Grand Mound, Washington on September 18 - 21, 2023, with a quorum approving.



Leonard Forsman, President



Norma Jean Louie, Secretary

**Ordinance No. 23-1502 For the Purpose of Annexing to the Metro District
Approximately 23.71 Acres Located on the North Side of NE Evergreen Rd, East
of NE 30th Ave, and West of NE Starr Blvd**
Ordinances (Second Reading)

Metro Council Meeting
Thursday, November 16th, 2023

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ANNEXING TO THE) ORDINANCE NO. 23-1502
METRO DISTRICT BOUNDARY)
APPROXIMATELY 23.71 ACRES LOCATED IN) Introduced by Chief Operating Officer
HILLSBORO ON THE NORTH SIDE OF NE) Marissa Madrigal with the Concurrence of
EVERGREEN RD, EAST OF NE 30TH AVE, AND) Council President Lynn Peterson
WEST OF NE STARR BLVD)

WHEREAS, Mike Casey of STACK Infrastructure has submitted a complete application for annexation of four tax lots (“the territories”) totaling approximately 23.71 acres of Hillsboro to the Metro District; and

WHEREAS, the Metro Council added the territories to the urban growth boundary (UGB) by Ordinance No. 05-1070A adopted on November 17, 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 territories; and

WHEREAS, Metro has received consent to the annexation from the owners of the land in the territories; 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 October 26, 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 October 7, 2023, attached and incorporated into this ordinance.

ADOPTED by the Metro Council this ___ day of November 2023.

Lynn Peterson, Council President

Attest:

Approved as to form:

Connor Ayers, Recording Secretary

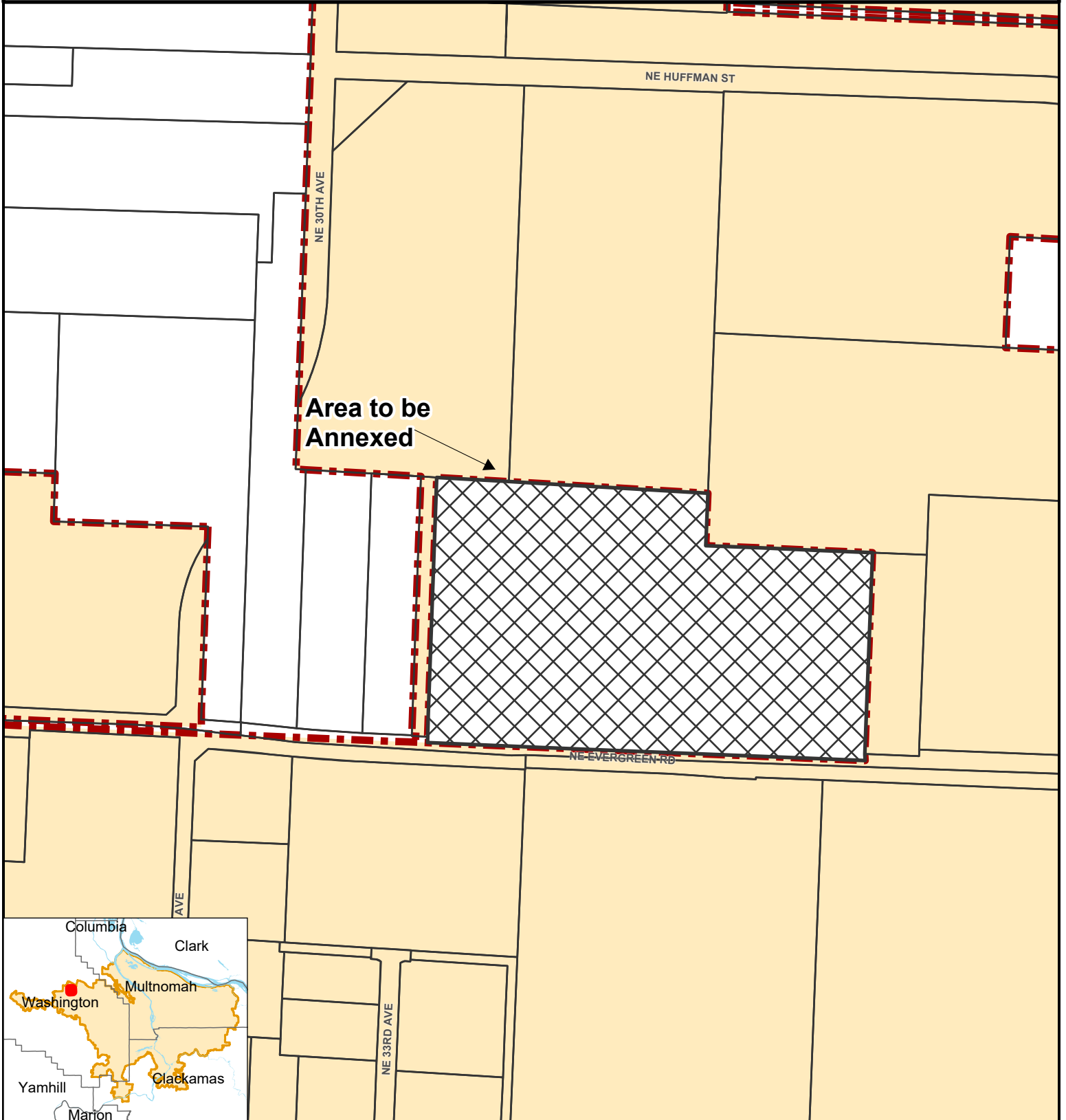
Carrie MacLaren, Metro Attorney

Proposal No. AN0623



1N2W21

Annexation to the Metro Service District

Washington County



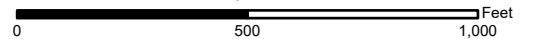
Research Center
 600 NE Grand Ave
 Portland, OR 97232-2736
 (503) 797-1742
<http://www.oregonmetro.gov/drc>

-  Taxlots
-  Metro district boundary

Proposal No. AN0623



1:5,000



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STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 23-1502, FOR THE PURPOSE OF ANNEXING TO THE METRO BOUNDARY APPROXIMATELY 23.71 ACRES LOCATED IN HILLSBORO ON THE NORTH SIDE OF NE EVERGREEN RD, EAST OF NE 30TH AVE, AND WEST OF NE STARR BLVD

Date: October 7, 2023
Department: Planning, Development & Research

Prepared by: Glen Hamburg
Associate Regional Planner

BACKGROUND

CASE: AN-0623, Annexation to Metro District Boundary

PETITIONER: Mike Casey, STACK Infrastructure
3555 NE Evergreen Rd
Hillsboro, OR 97124

PROPOSAL: The petitioner requests annexation of four tax lots in Hillsboro to the Metro District Boundary.

LOCATION: The subject territories include four tax lots on the north side of NE Evergreen Rd, east of NE 30th Ave and west of NE Starr Blvd. The subject territories total approximately 23.71 acres in area and can be seen in Attachment 1.

ZONING: The City of Hillsboro adopted Ordinance No. 6413 on September 20, 2022, to zone the subject territory Industrial Sanctuary (I-S).

The subject territories were added to the urban growth boundary (UGB) in 2005. The territories 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 territories were brought into the UGB in 2005 through the Metro Council's adoption of Ordinance No. 05-1070A. Therefore, the territories are 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 subject territories with approval of Ordinance No. 6412. 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 territories have been approved by the City to be zoned for industrial use and the proposed boundary change would allow for their industrial development. The subject territories are already within the UGB and are 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 23.71 acres to the Metro District. The territories are currently within the UGB and approval of this request will allow for their urbanization consistent with the City of Hillsboro 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

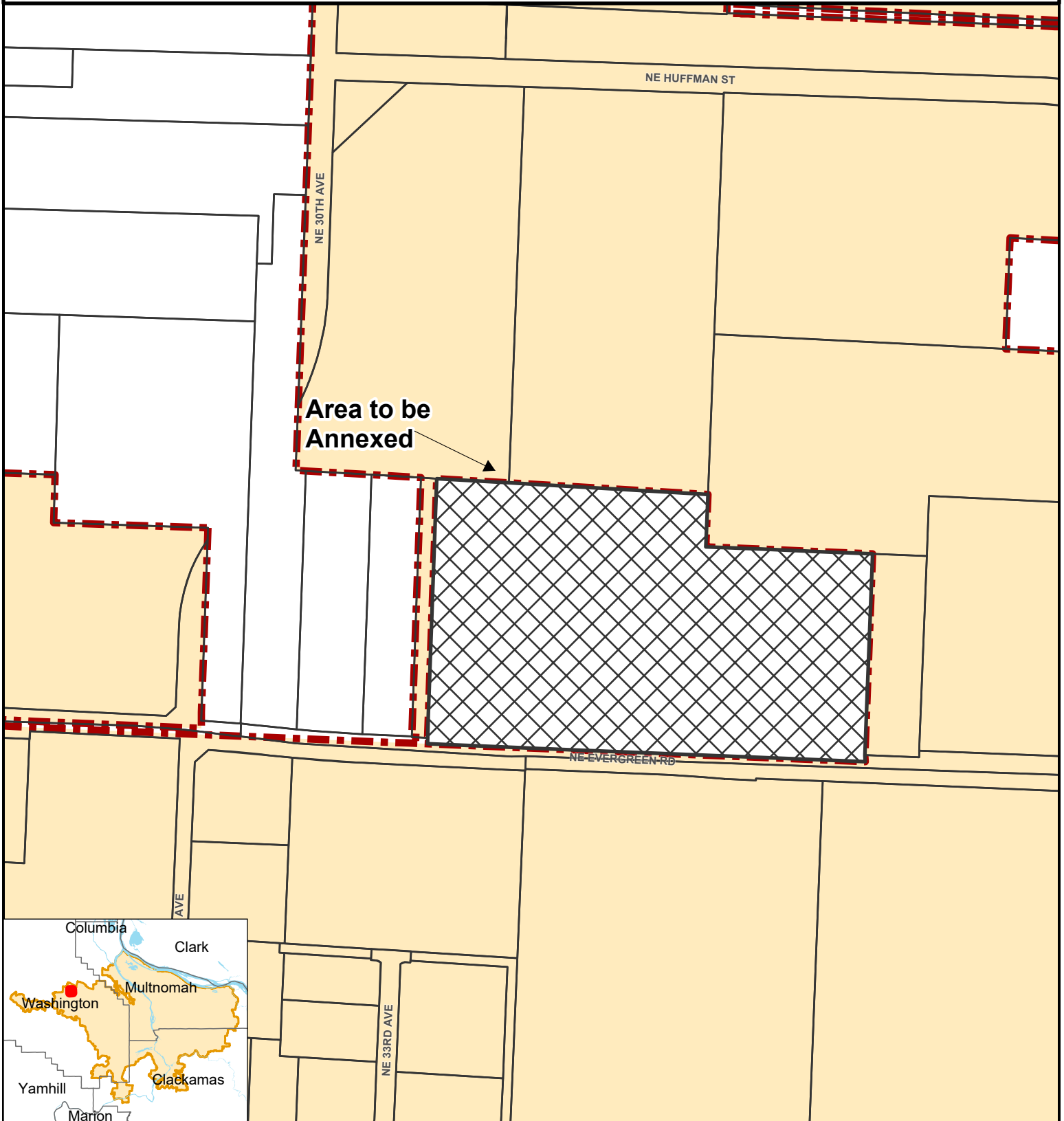
Staff recommends adoption of Ordinance No. 23-1502.

Proposal No. AN0623

1N2W21

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>

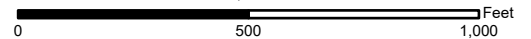
 Taxlots

 Metro district boundary

Proposal No. AN0623



1:5,000



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Metro



Parks and Nature Annual Report

November 2023



Strength from continued investments

Habitat restoration

FY 2023



103

Habitat and water improvement projects

6,751

Acres with restoration projects underway

Plantings and weed control

FY 2023



15

Planting projects

80

Weed treatments

Restoration and maintenance



Park improvements


1,605

Youth participants
in community education
programs


2,495

Adult participants
in community education
programs


15

Sites where nature
education programs
took place

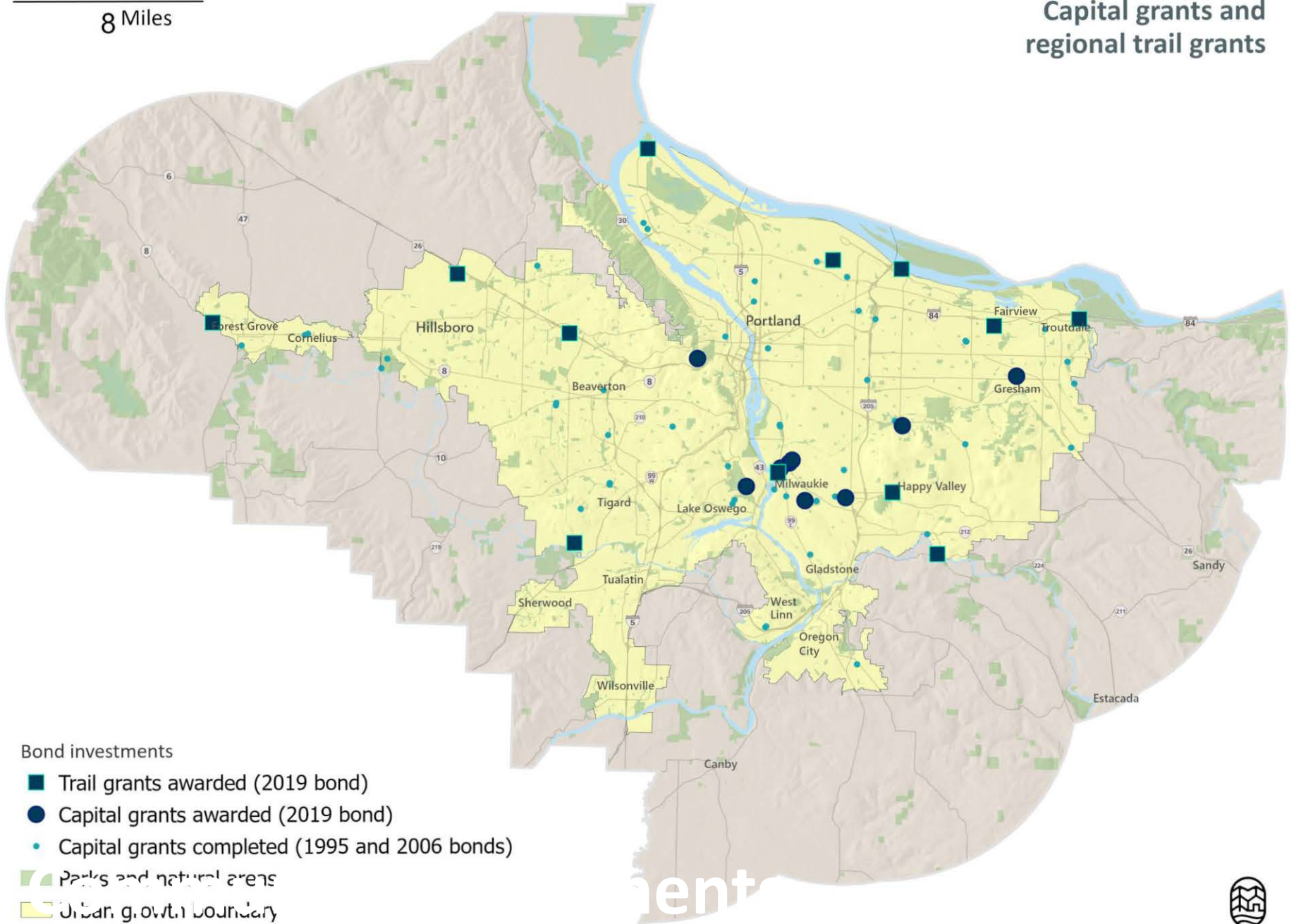
Community education and stewardship



Community investments

8 Miles

Capital grants and regional trail grants

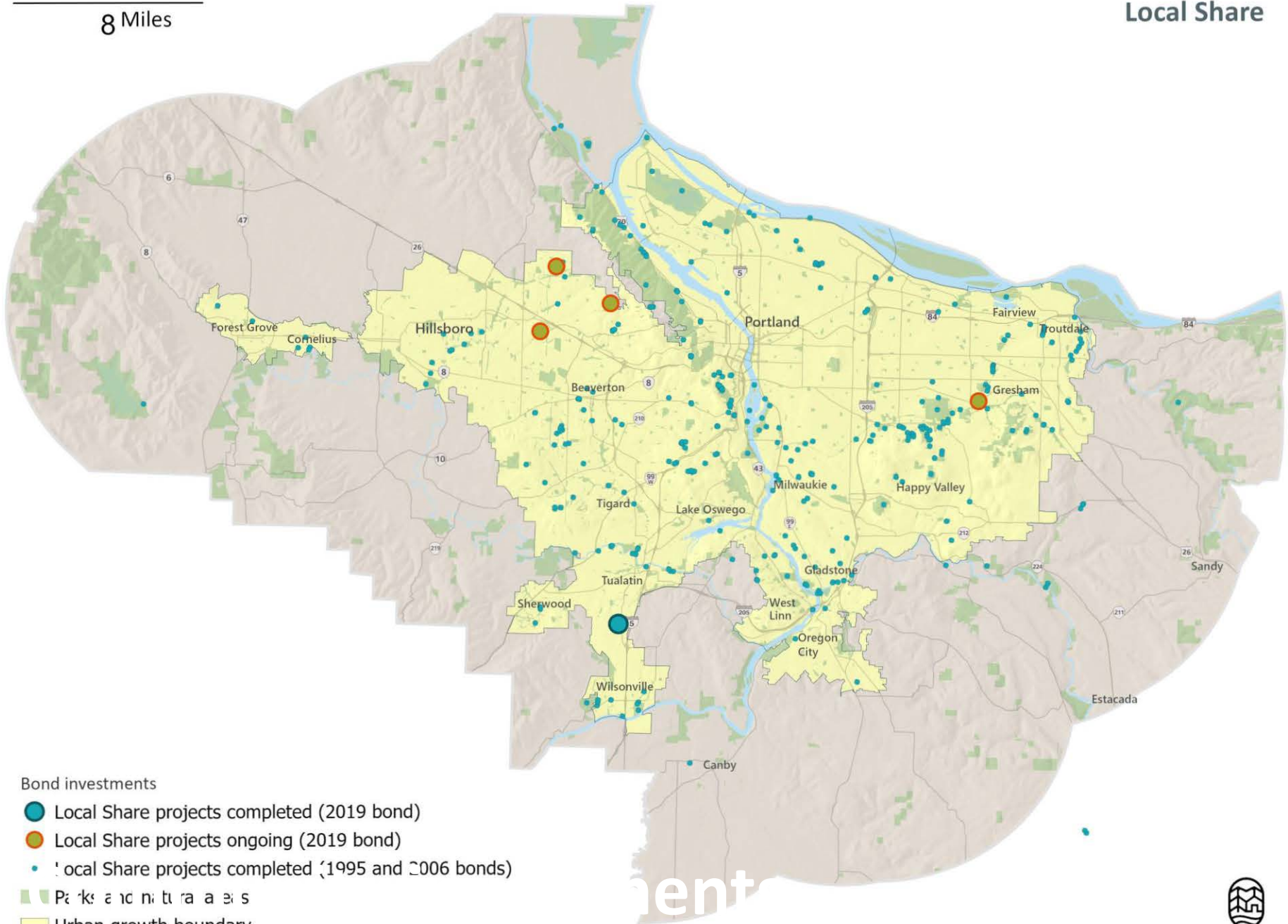


Metrolink

Annual report FY2023

8 Miles

Local Share



Bond investments

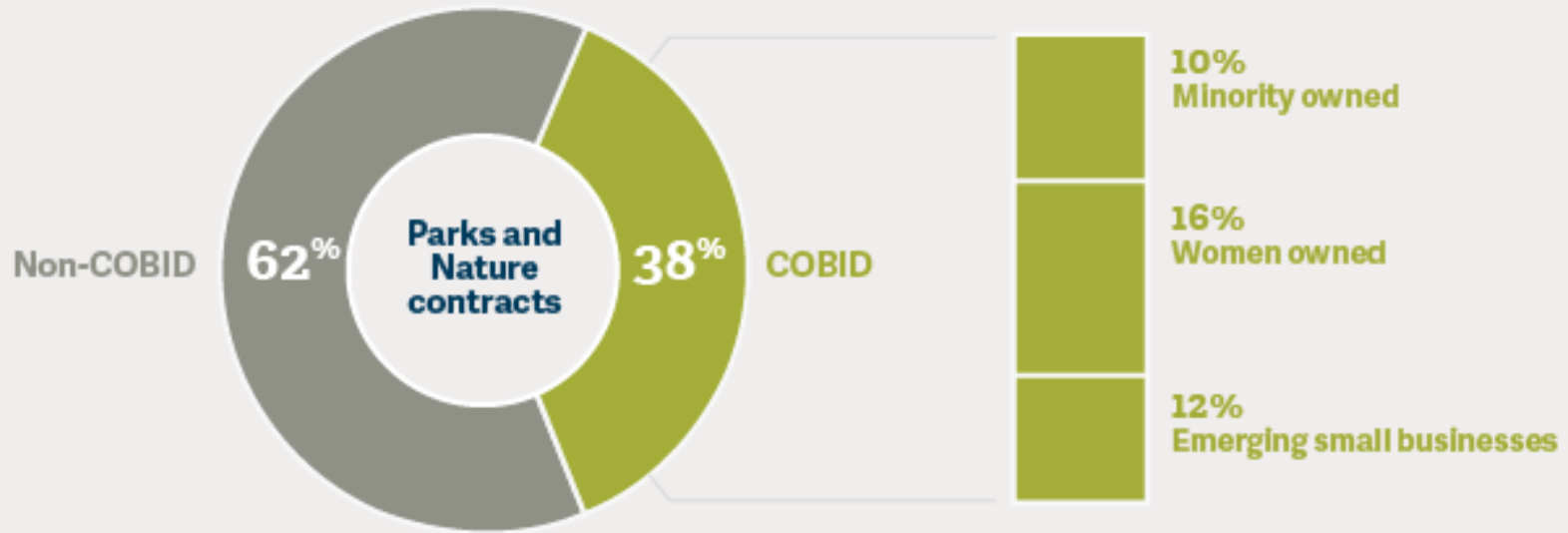
- Local Share projects completed (2019 bond)
- Local Share projects ongoing (2019 bond)
- Local Share projects completed (1995 and 2006 bonds)
- Parks and natural areas
- Urban growth boundary

Investments



Metrolink

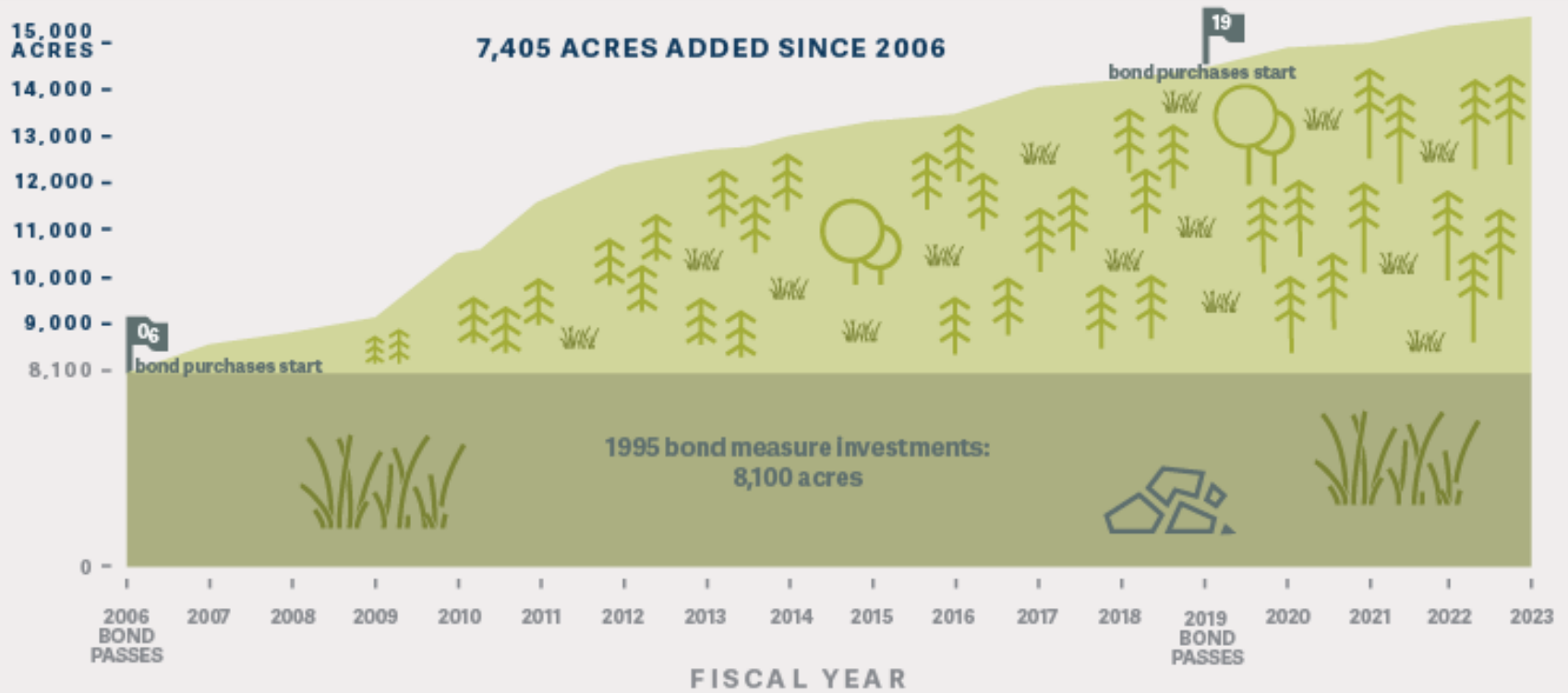
Annual report FY2023



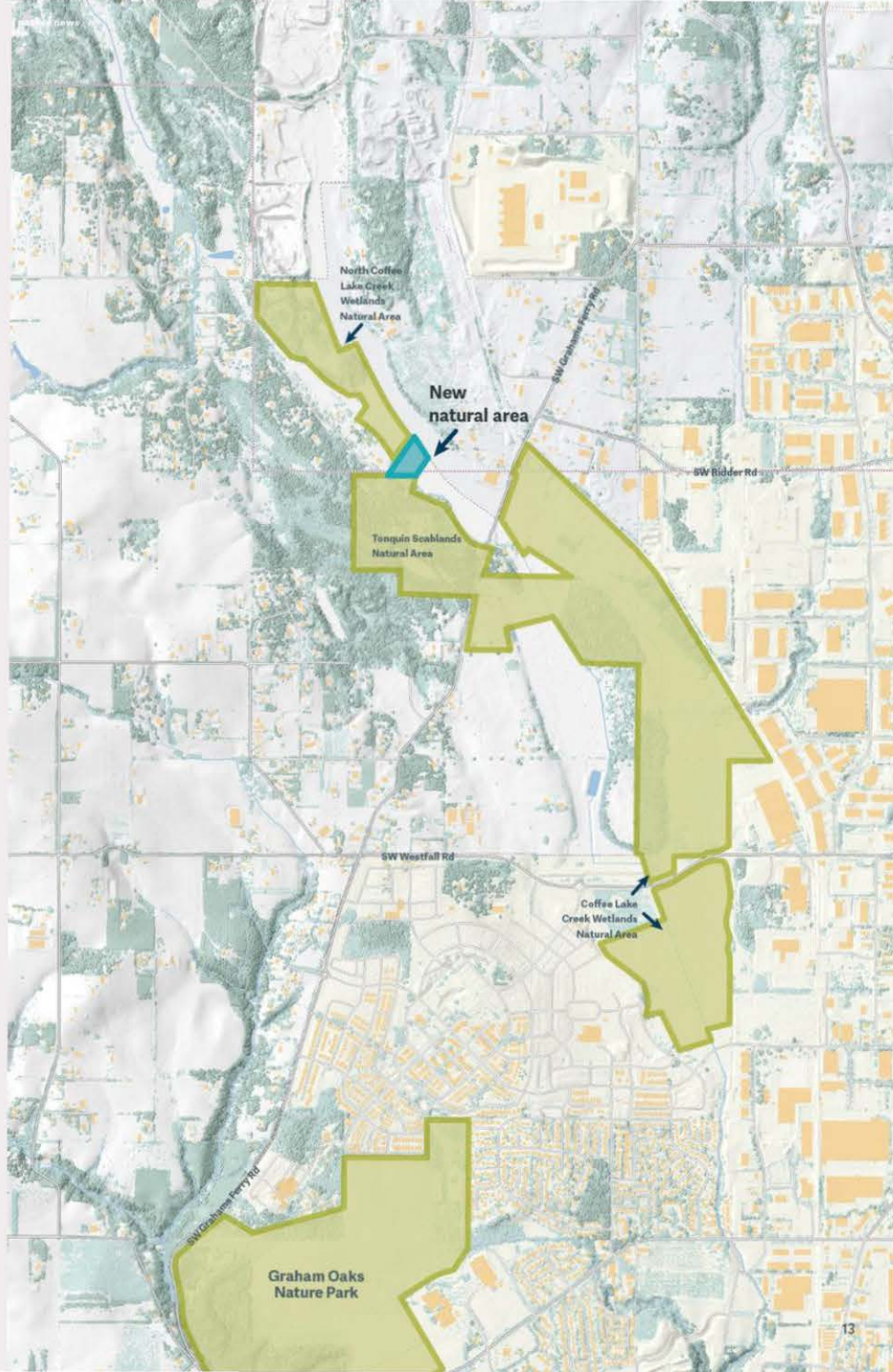
Diversity, equity and inclusion in contracting

Land acquisitions with 2006 and 2019 bond measures

(CUMULATIVE)



Protecting land



Burials

FY 2023



159

Total burials

Burial purchases

FY 2023



66

Advance purchases

Burial rights

Historic cemeteries

	General fund	2018 parks and natural areas levy	2006 natural areas bond	2019 parks and nature bond	Total
Restoration/maintenance of parks and natural areas	\$906,939	\$6,391,840	\$98,583	\$2,619,792	\$10,017,154
Access to nature	\$0	\$463,696	\$0	\$0	\$463,696
Park improvements and operations	\$1,425,907	\$4,449,422	\$0	\$4,019,694	\$9,895,023
Cemeteries	\$768,447	\$0	\$0	\$0	\$768,447
Nature education and volunteer programs	\$94,232	\$788,751	\$0	\$0	\$882,983
Community investments	\$0	\$1,258,792	\$0	\$29,615	\$1,288,407
Land acquisition and associated costs/stabilization	\$0	\$0	\$0	\$7,088,265	\$7,088,265
Administration**	\$638,353	\$5,990,182	\$788,185	\$4,066,750	11,483,470
Total	\$3,833,878	\$19,342,683	\$886,768	\$17,824,116	\$41,887,445

Total spending

Promised to voters



Actual levy spending

THROUGH JUNE 2023



Improving public access to natural areas

Regional park operations

Nature in Neighborhoods grants

Restoring natural areas for wildlife, fish and water quality

Nature education and volunteers

Local-option levy

Audit follow-up

Establish measurable and timebound goals for access, collect data to measure performance and report annually

Refining definitions of access for Council consideration

Creating measurable goals for access and communication tools for reporting on progress to goals

Use performance data to periodically evaluate the effectiveness of strategies to increase access and equitable access in the region.

Finalization of bond evaluation outcomes framework

Expand mapping of bond investments as a connected system

Document how communities of color, Indigenous communities and other historically marginalized communities were engaged in project planning and selection.

Strengthen internal systems for community engagement reporting and tracking

Update the System Plan to clarify how access will be prioritized in conjunction with other goals such as stabilization, restoration, and land acquisition for habitat conservation.

Develop approach for updating elements of the system plan with a focus on articulating standards for amenities, access, facilities and maintenance

Audit response work plan milestones for 2024

Fall-winter
2023

Articulate bodies of work for audit response through development of work plan document



Update to Council and COO
Update to Natural Areas
Oversight Committee

Early 2024

Develop draft products, tools, systems for internal and external review to affirm current approach



Council review and direction

Summer 2024

Finalize products, tools, systems to be in alignment with Council direction



Council review and direction



Looking forward

oregonmetro.gov

