

Council meeting agenda

Thursday, December 9, 2021

10:30 AM

**<https://zoom.us/j/615079992> (Webinar ID:
615079992) or 888-475-4499 (toll free)**

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1. Call to Order and Roll Call

2. Public Communication

Public comment may be submitted in writing and will also be heard by electronic communication (video conference or telephone). Written comments should be submitted electronically by emailing legislativecoordinator@oregonmetro.gov. Written comments received by noon on the day of the meeting will be provided to the council prior to the meeting.

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

3. Presentations

- 3.1 Diversity, Equity, and Inclusion Program Audit [21-5624](#)
Presentation

Presenter(s): Brian Evans (he/him), Metro
Simone Rede (she/her), Metro
Nicole Pexton (she/her), Metro

- 3.2 Parks and Nature Presentation on Annual Report [21-5625](#)

Presenter(s): Jon Blasher (he/him), Metro

4. Consent Agenda

- 4.1 Consideration of the Council Meeting Minutes for October 14, 2021 [21-5636](#)
- 4.2 Resolution No. 21-2223, For the Purpose of Authorizing the Chief Operating Officer to issue a renewed Non-System License jointly to Willamette Resources Inc. AND Republic Services of Clackamas and Washington Counties to transport food waste to the pacific region compost facility located in Benton county, Oregon [RES 21-2223](#)
- 4.3 Resolution No. 21-5226, For the Purpose of Confirming Appointments to the Metro Committee on Racial Equity [RES 21-5226](#)
- 4.4 Resolution No. 21-5224, For the Purpose of Confirming the Council President's Appointments of Omar Qutub as Public Member and Elizabeth Amaira Streeter as Alternate Public Member of Multnomah County to the Metro Policy Advisory Committee (MPAC) [RES 21-5224](#)
- 4.5 Resolution No. 21-5227, For the Purpose of Reappointing Members to the Metro Supportive Housing Services Regional Oversight Committee [RES 21-5227](#)

5. Ordinances (Second Reading)

- 5.1 Ordinance No. 21-1466, For the Purpose of Repealing Metro Code Chapter 7.03 [ORD 21-1466](#)
- Presenter(s): Caleb Ford (he/him), Metro

6. Resolutions

- 6.1 Resolution No. 21-5207, For the Purpose of Adopting the Metro Investment Policy for Fiscal Year 2021-22 [RES 21-5207](#)
- Presenter(s): Caleb Ford (he/him), Metro
- 6.2 Resolution No. 21-5214, For the Purpose of Confirming the Council President's Appointment of 3 Commissioners to the Metropolitan Exposition Recreation Commission [RES 21-5214](#)
- Presenter(s): Kristin Dennis (she/her), Metro
Steve Faulstick, Metro
Nathan Sykes (he/him), Metro

- 6.3 Resolution No. 21-5231, For the Purpose of Authorizing the Chief Operating Officer to Extend the Short-Term Intergovernmental Revenue Sharing Agreement with Multnomah, Washington, and Clackamas Counties to Implement the Metro Supportive Housing Services Program

[RES 21-5231](#)

Presenter(s): Kristin Dennis (she/her), Metro
Shane Abma (he/him), Metro

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

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ការការពារសិទ្ធិពលរដ្ឋរបស់ ១ សំរាប់ព័ត៌មានអំពីកម្មវិធីសិទ្ធិពលរដ្ឋរបស់ Metro ឬស្នើសុំទទួលបានកាតបណ្តឹងរើសអើងសូមចូលទស្សនាគេហទំព័រ www.oregonmetro.gov/civilrights។ បើលោកអ្នកត្រូវការអ្នកបកប្រែភាសានៅពេលអង្គប្រជុំសាធារណៈ សូមទូរស័ព្ទមកលេខ 503-797-1700 (ម៉ោង 8 ព្រឹកដល់ម៉ោង 5 ល្ងាច ថ្ងៃធ្វើការ) ប្រាំពីរថ្ងៃ ថ្ងៃធ្វើការ មុនថ្ងៃប្រជុំស្នើសុំអាចឲ្យគេសម្រួលតាមសំណើរបស់លោកអ្នក។

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Agenda Item No. 3.1

Diversity, Equity, and Inclusion Program Audit Presentation

Presentations

Metro Council Meeting
Thursday, December 9, 2021



Diversity, Equity, and Inclusion Program:

Clarify actions and evaluate results to advance racial equity

November 2021
A Report by the Office of the Auditor

Brian Evans
Metro Auditor

Simone Rede
Principal Management Auditor

Nicole Pexton
Senior Management Auditor

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File an online report at www.metroaccountability.org



Brian Evans
Metro Auditor

600 NE Grand Ave
Portland, OR 97232-2736
TEL 503 797 1892, FAX 503 797 1831

MEMORANDUM

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

From: Brian Evans, Metro Auditor

Re: Audit of Metro's Diversity, Equity, and Inclusion Program

This report covers the audit of the Diversity, Equity, and Inclusion (DEI) program. The purpose was to determine if coordination was effective to implement Metro's Strategic Plan to Advance Racial Equity, Diversity, and Inclusion and if there were practices Metro should strengthen to report on, measure, and implement its workforce diversity objective.

The audit found that Metro made progress on most of the strategic plan's actions. Efforts were underway across departments, including the DEI Program, to implement the strategic plan. However, there were gaps in Metro's implementation process. We also found that Metro's workforce diversity reports would benefit from additional detail. Reviewing detailed results could help Metro target strategies to advance racial equity within its workforce and the region.

We have discussed our findings and recommendations with Marissa Madrigal, COO; Raahi Reddy, DEI Program Director; Sebrina Owens-Wilson, Regional Impact Program Manager; and Cassie Salinas, Organizational Impact Program Manager. A formal follow-up to this audit will be scheduled within five years. We would like to acknowledge and thank all of the employees who assisted us in completing this audit.

Summary

Metro Council adopted the Strategic Plan to Advance Racial Equity, Diversity, and Inclusion (the Plan) in 2016. It had several elements, including five goals, several objectives per goal, and several actions per objective. Each objective was to be achieved within a five-year horizon.

Metro made progress on most of the Plan's actions. Efforts were underway across departments, including the Diversity, Equity, and Inclusion Program, to implement the Plan. However, there were gaps in Metro's implementation process.

We found actions were vague and some responsibilities were not clearly assigned. As a result, actions had not been completed and related objectives had not been achieved. Most in-progress actions lacked detail, which made them difficult to analyze. Teams were not established to implement some actions in our sample. This made it hard to know who was supposed to do what.

Inconsistent monitoring limited Metro's ability to know what resources (time and money) were devoted to each action. As a result, it was difficult to determine what had been achieved with available resources. When conducted consistently, financial monitoring can provide information to determine which efforts are cost-effective.

Evaluation of the Plan's impact had not occurred, which meant reports to Council were the primary source of information about Plan implementation. These reports did not contain sufficient information to assess results for some actions.

We analyzed data from multiple sources to determine whether Metro's workforce resembled the region's diversity. We found a mix of positive results and areas where Metro could improve its workforce diversity. Metro could use this type of analysis to target strategies to underrepresented groups. In general, additional actions to meet Metro's workforce diversity objective would benefit from more focus on performance measures, analysis, and assessment. Reviewing results could help Metro reassess the Plan overall.

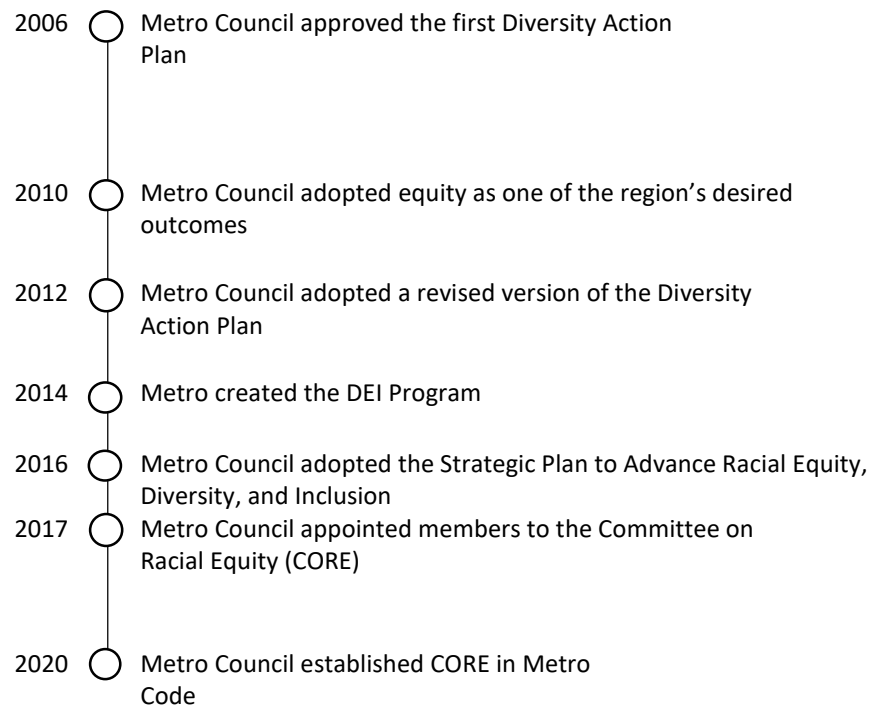
This report includes recommendations to continue progress on implementing the Plan by assigning responsibilities for actions, defining when actions are complete, and monitoring resources. We also made recommendations to increase accountability and comply with Metro Code requirements for oversight of the Plan.

Background

In recent years, employers have focused on diversity, equity, and inclusion (DEI) in the workplace. Diversity refers to differences among people. Those include differences in race, ethnicity, nationality, sex, age, language spoken, income level, disability status, sexual orientation, gender identity, and others. Equity acknowledges that different groups of people require different levels of service to meet their needs. Inclusion refers to the degree to which diverse individuals can participate in an activity.

The DEI Program seeks to change conditions within Metro's workplace and the region, so that everyone can take part in and enjoy the area's benefits. Those include clean air and water, quality jobs and living wages, and stable and affordable housing.

Exhibit 1 DEI milestones



Source: Auditor's Office analysis of Metro records.

Metro's DEI efforts started over 15 years ago. Metro Council (Council) approved Metro's Diversity Action Plan (DAP) in 2006. The DAP was focused on addressing issues like racism at the interpersonal level, or between individuals. In 2010, Council adopted equity as one of the region's six desired outcomes. It adopted a revised version of the DAP in 2012.

Council also launched the effort to develop a strategic approach to incorporating equity into policy, decision-making, and programs in 2012. The effort culminated in the Strategic Plan to Advance Racial Equity, Diversity, and Inclusion (the Plan). Metro created the DEI Program in September 2014. DEI Program staff gathered input from local leaders and Metro staff to inform the Plan. It was adopted by Council in 2016.

Compared to the DAP, the Plan had a narrower and more explicit focus on racial equity. It had several elements, including five goals, several objectives per goal, and several actions per objective. Each objective was to be achieved within a five-year horizon. The Plan also called for each department and venue to develop its own specific equity plan.

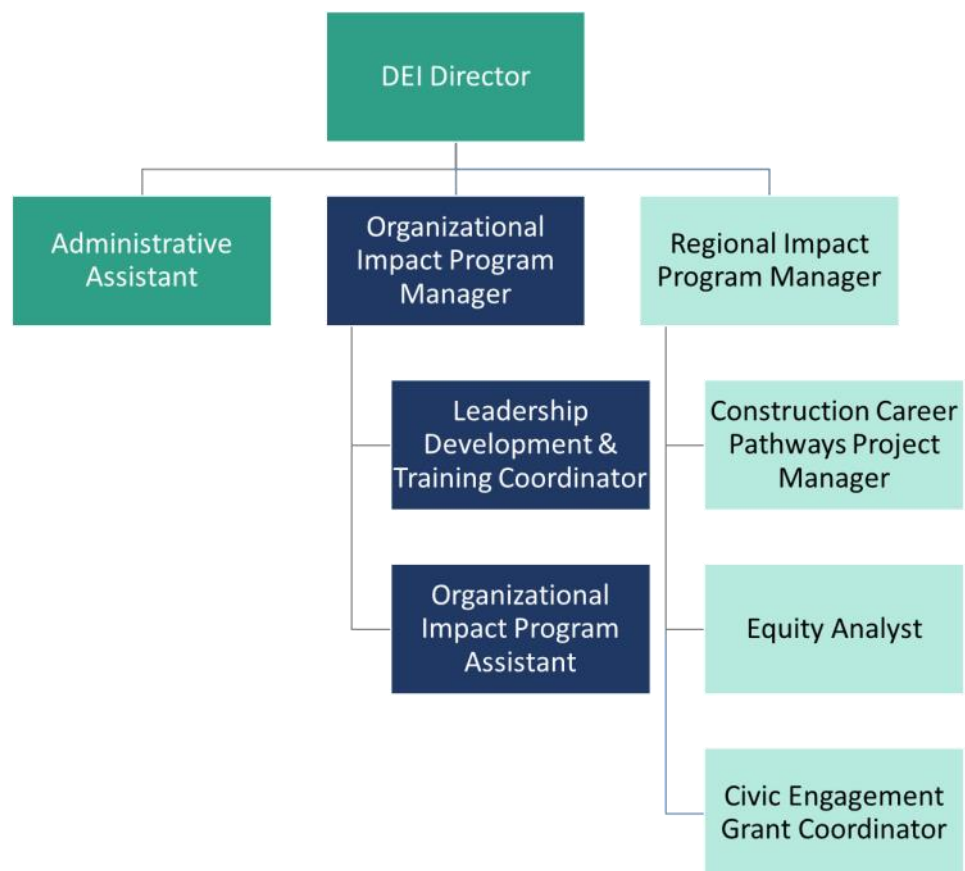
Exhibit 2 The Plan had five goals, several objectives, and many related actions to advance racial equity

Objectives	Number of Actions
Goal A: Metro convenes and supports regional partners to advance racial equity	
<ol style="list-style-type: none"> 1. Convene regional partners to advance coordinated regional equity efforts 2. Provide technical support to regional jurisdictions to advance equity efforts 3. Produce and provide research and information to support regional jurisdictions in advancing equity efforts 4. Work with regional partners to increase the utilization of local minority, women, and emerging small businesses and the number of skilled construction tradespeople of color 	7
Goal B: Metro meaningfully engages communities of color	
<ol style="list-style-type: none"> 1. Establish and strengthen relationships with communities of color 2. Increase accountability by ensuring community involvement in the evaluation and implementation efforts 3. Increase participation of communities of color in Metro decision-making 	18
Goal C: Metro hires, trains, and promotes a racially diverse workforce	
<ol style="list-style-type: none"> 1. Metro's culture supports staff's ability to advance regional equity 2. Increase the skills of staff in advancing regional equity 3. Racial makeup of Metro staff at every level more closely resembles the demographics of the region 	29
Goal D: Metro creates safe and welcoming services, programs, and destinations	
<ol style="list-style-type: none"> 1. Increase the number of individuals of color who access Metro services and facilities 2. Metro's properties are more welcoming and reflective of all cultures 3. Increase the accessibility and relevance of Metro's programs and services to communities of color 	10
Goal E: Metro's resource allocation advances racial equity	
<ol style="list-style-type: none"> 1. Increase the utilization of equity criteria in resource allocation 2. Advance social equity contracting at Metro 	13

Source: Auditor's Office summary of Metro's Strategic Plan to Advance Racial Equity, Diversity, and Inclusion (June 2016).

The DEI Program was in the Chief Operating Officer (COO)’s Office. DEI Program staff were organized into two teams: an organizational impact team and a regional impact team. The organizational impact team focused on internal workforce diversity and training. It also supported employee resource groups (ERGs) for people of color and LGBTQ+ employees. ERGs provided paid time and space for employees with shared life experiences to connect with each other. The regional impact team focused on diversifying the region’s construction workforce, applying a racial equity lens to Metro policy, and managing grants to build the capacity of community-based organizations for civic engagement. A director and administrative assistant supported both teams.

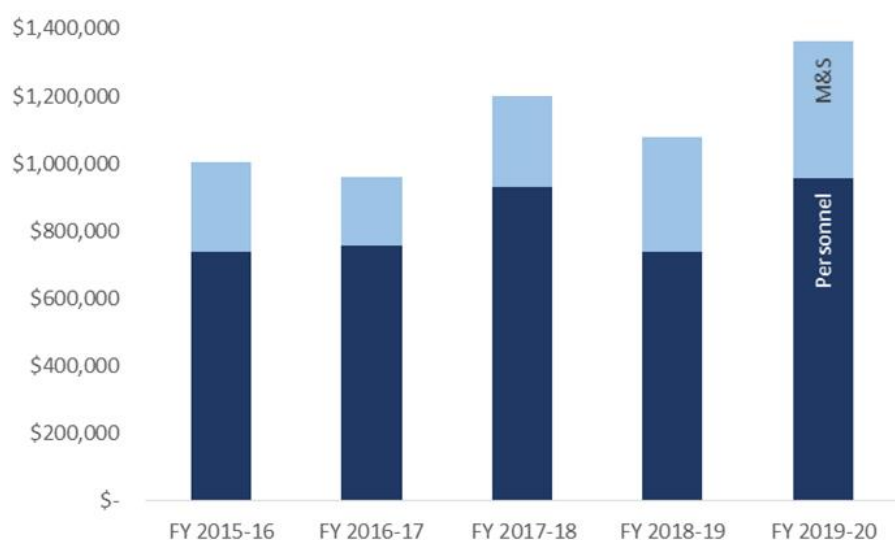
Exhibit 3 The DEI Program included a director and eight staff



Source: Auditor’s Office visualization of Metro’s organizational chart.

Metro’s budget provided funding for programs and activities to support DEI across departments in addition to funding for the DEI Program itself. The DEI Program’s expenditures totaled \$1.4 million in fiscal year (FY) 2019-20. Personnel costs accounted for about 70% of the total. Other expenditures included things like awareness events and training contractors. They did not include spending on DEI efforts by other departments, such as Partners in Nature and Access to Nature programs. Those programs were designed to connect communities of color to Metro’s parks, trails, and natural areas, and make them more welcoming to diverse communities.

Exhibit 4 DEI Program expenditures increased by 36% from FY 2015-16 to 2019-20



Source: Auditor's Office analysis of expenditure data in Metro's financial system (PeopleSoft).

The Committee on Racial Equity (CORE) was created in 2017 to provide community oversight on implementation of the Plan. Council established CORE in Metro Code in 2020 to formalize its role and allow it to continue its work indefinitely. It included up to 15 volunteer members, including two co-chairs, two Council liaisons and one Metropolitan Exposition Recreation Commission liaison.

CORE was required to make at least one presentation to Council per year. It was also required to provide written and oral reports to Council about:

- Implementation of Plan goals, objectives, and action items.
- Successes, challenges, and adjustments in the implementation of the Plan and department- and venue-specific action plans.
- Development and implementation of evaluation measures for the Plan at the goal, objective, and action item levels.

In recent years, several changes resulted in a series of additional DEI-related commitments. In March 2020, the COVID-19 pandemic forced closure of Metro's visitor venues and spurred a series of budget cuts to keep critical operations intact. The DEI Program analyzed the equity impact of employee layoffs. After the murder of George Floyd in May 2020, Councilors began participating in Reimagine Oregon, an initiative focused on dismantling systemic racism. The agency also started to reexamine its relationship with policing, security, and incarcerated labor. Metro leadership also called for a Black ERG to be started that summer.

These changes, plus the development of an agency-wide strategic framework, present the opportunity for Metro to reassess the agency's DEI goals. The COO proposed a strategic framework in 2021 to inform department planning and decision-making. The framework identified racial justice as a guiding principle. As Metro begins to rebuild its operations, agency leadership can also seize the opportunity to rethink the strategic approach to advancing racial equity.

Results

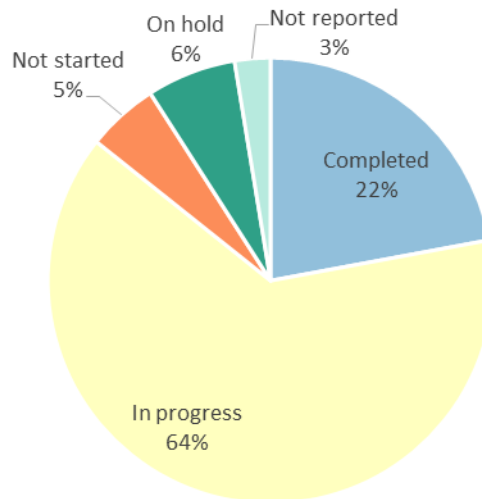
Metro made progress on most of the Plan's actions. Efforts were underway across departments, including the DEI Program to implement the Plan. However, there were gaps in Metro's implementation process. We found:

- Actions were vague and some responsibilities were not clearly assigned
- Monitoring resources to complete actions was inconsistent
- Information was limited to assess some results

We also found that Metro's workforce diversity reports would benefit from additional detail. Reviewing detailed results could help Metro target strategies to advance racial equity within its workforce and the region.

According to information reported to Council through May 2021, 17 of the Plan's 77 actions were completed. Four actions were not started. Five actions were put on hold and another two actions were not reported, which left 49 actions that were in progress.

Exhibit 5 64% of the Plan's actions were in progress



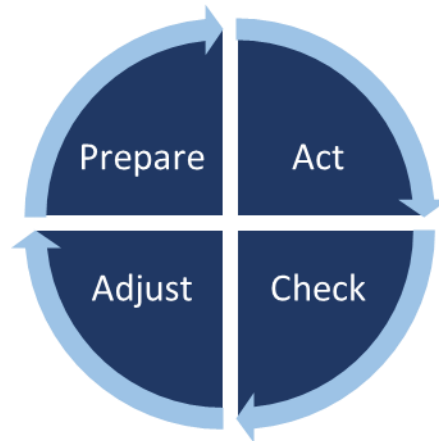
Source: Auditor's Office analysis of Metro's Strategic Plan to Advance Racial Equity, Diversity, and Inclusion and progress reports.

Metro's implementation process for the Plan had four steps:

1. **Prepare:** Identify and assign resources to complete actions
2. **Act:** Take actions
3. **Check:** Evaluate goals, objectives, and actions
4. **Adjust:** Assess findings and create recommendations for improvement

The Check step was supposed to culminate in an evaluation report, which would restart the process at the Prepare step. The agency committed to update its Plan within five years of implementation.

Exhibit 6 The implementation process outlined in the Plan



Source: Auditor's Office visualization based on Metro's Strategic Plan to Advance Racial Equity, Diversity, and Inclusion (June 2016).

There were gaps in the Prepare and Check steps, which posed barriers to the Act and Adjust steps. Actions were difficult to complete because they lacked detail and responsibilities were not clearly assigned for some of them. Metro also lacked information about the time and money it invested in completing some actions. Evaluation of the Plan's impact had not occurred, which meant reports to Council were the primary source of information about Plan implementation. These reports did not contain sufficient information to assess results for some actions.

We analyzed a sample of action items across the Plan's goals. We also focused our work on Metro's objective to improve workforce diversity (Objective 3 of Goal C). We chose this objective for further analysis because implementation had not progressed as far as some others. We also recognized that diversifying Metro's workforce could make it easier to achieve other Plan goals.

Because information was lacking on Metro's objective to improve workforce diversity, we used other data sources to analyze results. We compared the racial and ethnic composition of Metro's workforce in 2016 and 2020 to the region's population in 2019. Our analysis showed a mix of positive results and areas where Metro could improve its workforce diversity. Metro could use this type of analysis to target strategies to underrepresented groups. We also identified best practices that could inform these strategies.

**Actions were
vague and some
responsibilities
were not clearly
assigned**

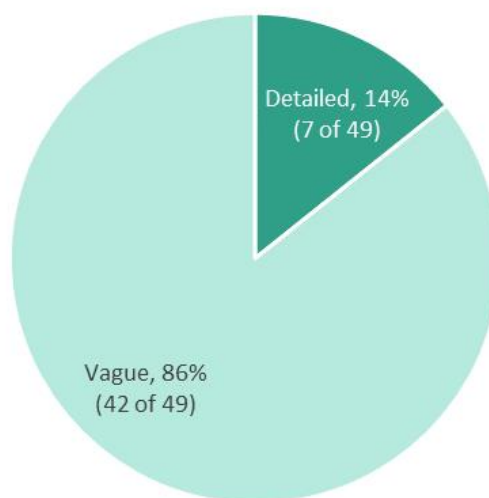
Two weaknesses kept Metro from moving forward to the Act step of the implementation process. As a result, actions had not been completed and related objectives had not been achieved.

First, most of the actions we planned to analyze were vague. Their descriptions lacked sufficient detail to know when they were completed and to clarify what was supposed to be done. For example, one action read: "Identify and propose new opportunities for staff across Metro to develop

and deepen relationships in formal and informal settings.” This action was related to Metro’s objective to improve staff’s ability to advance regional equity (Objective 1 of Goal C). The description did not mention which staff to focus on, nor explain what the settings were. Specifying a department and providing an example of each setting would help those responsible understand where to start.

Most in-progress actions lacked detail, which made them difficult to analyze. Lack of detail reduced clarity about whether actions would be ongoing or onetime efforts. In addition, the way some actions were described made it difficult to know what was supposed to be done. That meant seven actions were suitable for our analysis.

Exhibit 7 Only 14% of the Plan’s in-progress actions were detailed enough to know if they were completed










Source: Auditor’s Office analysis of the Plan’s actions, based on information reported to Council in May 2021.

Second, responsibilities were not clearly assigned for some actions in our analysis. We found responsibilities were unclear for four of them. In those cases, there was not an understanding of responsibility to complete the action. For example, it was unclear who was accountable for completing the project to create a system to better coordinate engagement with communities of color. That project had not been completed, despite two years of work. Those in key roles indicated that accountability for the project would have helped it move forward.

Metro was unable to complete another action in our sample: “Develop an internal and external communication strategy to convey Metro’s leadership commitment to diversity, equity, and inclusion.” This happened, in part, because there was not a shared understanding of it. Clear language and assignment of responsibility would have helped Metro begin the action.

Exhibit 8 There were gaps in assignment and, as a result, objectives had not been achieved

Objective	Action	Assignment
Goal B: Metro meaningfully engages communities of color		
1) Establish and strengthen relationships with communities of color.	Create a system to better coordinate engagement with communities of color across Metro departments. This system should include the maintaining of a record of community-based organizations' involvement with Metro to support relationship continuity.	
2) Increase accountability by ensuring community involvement in the evaluation and implementation efforts.	Utilize the racial equity analysis and decision-support tool on four pilot projects representing each of Metro's four lines of business: garbage and recycling, land use and transportation, parks and nature, and venues.	
	Develop equity performance measures to include within Metro's balanced scorecard.	
Goal C: Metro hires, trains, and promotes a racially diverse workforce		
1) Metro's culture supports staff's ability to advance regional equity.	Adopt policy that Metro management positions must attend required DEI related trainings.	
	Develop an internal and external communication strategy to convey Metro's leadership commitment to diversity, equity and inclusion.	
3) Racial makeup of Metro staff at every level more closely resembles the demographics of the region.	Create agency-wide policies regarding intern diversity and compensation.	
Goal D: Metro creates safe and welcoming services, programs, and destinations		
3) Increase the accessibility and relevance of Metro's programs and services to communities of color.	With the direct support of the DEI program, expand the pilot for developing a specific plan of action to advance equity within the programs, services, plans, and policies of each remaining department and venue within 12 months.	



Clearly assigned



Somewhat clearly assigned



Not clearly assigned

Source: Auditor's Office analysis of interviews and supporting documentation.

Teams were not established to implement some actions in our sample, so responsibilities were not clearly assigned. This made it hard to know who was supposed to do what. During the Prepare step, members of Metro’s senior management were supposed to identify teams to complete actions. The senior management group was also supposed to assign a senior management sponsor to ensure accountability for its completion. These practices were consistent with research on local governments that excel in advancing DEI.

In two instances, pairs of departments were identified to complete an action. However, teams were not clearly created to bring them together. For example, Communications and Information Services were responsible for creating a system to better coordinate engagement with communities of color. Human Resources and the DEI Program were responsible for developing DEI-related trainings.

In the other two instances, single departments were identified, but subunits within them were not chosen. This was the case for developing specific equity plans within Communications and Portland’s Centers for the Arts. Internal control standards require that management assign responsibilities to discrete units, such as divisions or offices, to achieve its objectives.

By contrast, a work group was assembled to create an agency-wide racial equity analysis and decision-support tool. Its members included an executive sponsor and project manager from the DEI Program, as well as representatives from departments and venues. This helped ensure accountability for the project. As a result, the tool was developed in 2021.

Monitoring resources to complete actions was inconsistent

Inconsistent monitoring limited Metro’s ability to know what resources (time and money) were devoted to each action. As a result, it was difficult to determine what had been achieved with available resources, or if they were sufficient to complete actions. We found that:

- resources were not always invested in completing actions in our sample;
- resources to complete actions in our sample were rarely monitored; and
- when resources were monitored, different methods were used.

Resources were not spent on one of the actions in our sample: “Develop an internal and external communication strategy to convey Metro’s leadership commitment to diversity, equity, and inclusion.” We learned that resources for developing it were dedicated to efforts that were not included in the Plan.

Resources for completing most of the remaining actions in our sample were not monitored. Expenditures were not tracked for:

- the racial equity analysis and decision-support tool;
- equity performance measures;
- the policy that Metro management positions must attend required DEI-related trainings
- agency-wide policies regarding intern diversity and compensation; and
- specific plans to advance equity within most departments and venues.

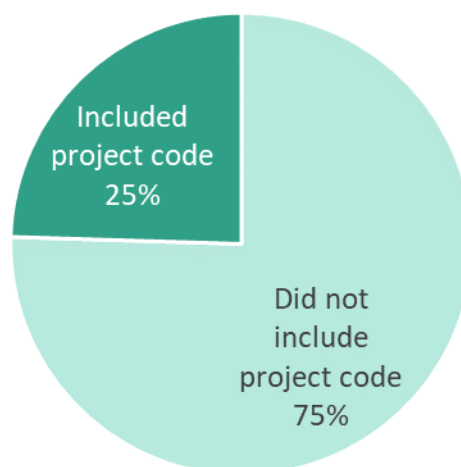
Expenditures were tracked on the tool to improve engagement with communities of color and the Research Center’s plan to advance equity. However, each was monitored differently.

Metro reported that it had spent about \$235,000 on the project to develop a tool. However, it was terminated in 2018. That meant resources were used but results were not delivered.

Communications used Metro’s financial management system to track spending on the tool to improve engagement with communities of color. This made expenditure information readily available for analysis. In comparison, the Research Center used a spreadsheet to estimate expenditures on its equity plan. The spreadsheet contained the number of hours and estimated costs associated with developing the plan. Consistent information could allow costs to be analyzed more accurately and efficiently across departments. This would make financial information easier to share with internal and external stakeholders.

We found project codes were not used for most of the DEI Program’s expenditure line items in FY 2019-20. This made it difficult to quantify expenditures across departments. Without tracking, the level of spending could not be determined. We estimated that expenditures across departments, including the DEI Program, totaled about \$2.7 million in FY 2019-20. The estimate indicated about half of the total was spent by the DEI Program and the other half was spent by other parts of the organization that year.

Exhibit 9 In FY 2019-20, only 25% of DEI Program expenditure line items used project codes



Source: Auditor’s Office analysis of expenditure data in PeopleSoft.

We learned that expectations for tracking resources had not been established. Some departments considered their assignments a way of focusing the work they were already doing. In other words, equity was viewed as embedded in existing work, rather than a separate project. That meant separate accounting

Information was limited to assess some results

codes would not be needed to track spending. Others worried that tracking spending would get in the way of producing results.

When conducted consistently, financial monitoring can provide information to determine which efforts are cost-effective. The Plan committed Metro to identify and track equity actions and investments to be more accountable to the community. It also indicated that financial requirements and staff support to complete each action would be determined during the Prepare step. Doing so would help Metro implement the Plan by aligning actions with available resources.

Metro's efforts to assess the Plan's results did not go as expected. The Check step included the evaluation of every goal, objective, and action. The Plan anticipated a participatory evaluation approach to assess impacts. That approach would provide ways for community members and staff to be involved. The evaluation was intended to produce a report that included findings and recommendations for improvement.

The evaluation did not progress beyond the initial phases, which meant there was limited information to assess results. The evaluation process started in 2017, when staff, a CORE subcommittee, and community members came together to develop performance metrics. We were told the evaluation was put on hold after participants raised concerns about its approach, and that it was slated to restart in 2021.

In the absence of evaluation data, reports to Council were the primary source of information about Plan implementation. We found these reports did not contain sufficient information to assess results. Our review focused on a sample of seven measurable actions related to Metro's objective to improve workforce diversity. We chose this objective because implementation was not as far along as some others. In addition, having a diverse workforce may help Metro accomplish other Plan goals, such as Goal B: "Metro meaningfully engages communities of color."

The Government Alliance on Race and Equity (GARE) reported that evaluating racial equity requires developing measures of quantity, quality, and outcomes. GARE recommended that government agencies start by defining their desired outcomes, then determine the work necessary to achieve them. Organizations can measure the quantity and quality of that work to assess progress toward their racial equity outcomes.

Exhibit 10 Effective racial equity measures answer questions about quantity, quality, and outcomes



Source: Auditor's Office visualization of Erika Bernabei's "Racial Equity: Getting to Results" (Government Alliance on Race and Equity, July 2017).

Reports to Council were required to focus on implementation and evaluation measures for Plan goals, objectives, and actions, as well as successes, challenges, and adjustments to the Plan. We reviewed three years (2018-2021) of oral and written reports to Council, as well as CORE meeting minutes. The reports we reviewed did not contain information to answer questions about quantity, quality, or outcomes.

We found weaknesses with some of the reports we reviewed. For example, some reports mentioned Metro's use of diverse hiring committees, including one that listed it as a best practice. However, those reports did not quantify the number of recruitments with diverse hiring committees or evaluate whether the use of those committees led to improved outcomes for underrepresented groups. If diverse hiring committees are considered an agency best practice, then measures of quantity could help Metro gauge how frequently they are used across departments. Outcome measures would also help Metro determine what additional strategies might be necessary to achieve its goals.

The reports we reviewed focused on the implementation status of each action, but lacked data about the outcomes of these actions. Written reports to Council provided the most detail on specific actions. These reports rated each action as either not started, in progress, or complete. They also included a brief narrative summary of work done for each action. Understanding the status of actions is important, but it does not provide enough information to evaluate whether actions are achieving the desired results.

A lack of outcome data and limited time for review made it difficult for CORE to recommend adjustments to the Plan. CORE subcommittee meetings appeared to stop in 2019. These meetings provided an important opportunity for CORE members to engage with the Plan in greater detail. Without them, there was limited time available to review Plan progress during general meetings. For example, in 2020 less than 40% of general meetings focused on specific Plan objectives or actions. Ensuring CORE has sufficient time and information to review results would help Metro fulfill its promise to be accountable to the community.

Reviewing detailed results could help target Metro's workforce diversity strategies

Other reports on Metro's workforce diversity covered some areas of best practice, but would benefit from additional detail. We compared Metro's workforce diversity at multiple levels to the regional population. Our analysis showed how Metro could analyze data in greater detail to target workforce diversity strategies.

We analyzed reports and data to demonstrate how Metro could implement the Check and Adjust steps for its objective to improve workforce diversity (Objective 3 of Goal C). This objective stated: "Racial makeup of Metro staff at every level more closely resembles the demographics of the region."

Reports to Council lacked data, in part, because Metro had not clearly defined how to measure results for this objective. For example, it was not clear what "at every level" meant, or at what point the workforce would be considered to more closely resemble the region. We consulted best practices to determine how Metro could improve how it measures workforce diversity. Those practices included:

- Comparing the workforce to the regional population
- Disaggregating by race, instead of combining all people of color into one category
- Measuring diversity in more detail:
 - * across job functions
 - * across the organizational hierarchy
 - * by union representation

Measuring across job functions can help identify barriers to improving diversity among positions that require different skills and experience. We defined job function in two ways:

1. **Classifications** of jobs with similar work such as professionals, technicians, and service-maintenance workers
2. **Departments** that may require industry specific knowledge, skills and experience such as solid waste management, venue operations, and planning

Measuring diversity across the organizational hierarchy can help identify whether certain demographic groups face barriers to upward mobility. We evaluated diversity across the hierarchy by looking at employee management status and wage level. Measuring diversity by union representation can help determine whether non-represented and represented positions have similar rates of diversity.

We evaluated four reports on Metro's workforce diversity using these best practices. Those reports included Metro's online Equity Dashboard, which provides interactive displays of workforce diversity data, and three workforce diversity reports prepared for federal agencies.

The reports covered some aspects of best practice. All four reports included analyses that disaggregated by race. They also measured diversity across different job functions. The Equity Dashboard included a comparison of Metro's overall workforce to the regional population.

All four reports also had had limitations that made them less user-friendly for measuring workforce diversity. None of the reports compared analyses by job function or hierarchy to the regional population. Measures of diversity across the hierarchy were incomplete or difficult to interpret. For example, the Equity Dashboard measured diversity by management status and wage, but it used drop-down menus that made it difficult to view multiple categories at a time.

Exhibit 11 Four reports on Metro’s workforce diversity covered some areas of best practice, with some gaps

	Equity Dashboard	Affirmative Action Program	Affirmative Action Supplemental Report	Equal Employment Opportunity-4 Report
Compares to region	Partial ¹	No	No	No
Disaggregates by race	Yes	Partial ³	Yes	Yes
Measures by job function	Partial ^{2,3}	Yes	Yes	Yes
Measures by hierarchy	Partial ²	No	Partial ⁴	Partial ⁵
Measures by union representation	No	No	No	No

¹Only compares to the region for one analysis

²Drop down menus make comparisons difficult

³Some analyses combine all people of color into one category

⁴Uses a salary code instead of wage, which is difficult to interpret

⁵Wage data only includes full-time employees

Source: Auditor’s Office analysis of Equity Dashboard, 2019 Affirmative Action Program, and 2019 EEO-4 reports.

We used data from some of these reports to examine how closely Metro’s workforce resembled the demographics of the region. Our analysis was designed to show how Metro could measure diversity in more detail. We analyzed data at three levels to address gaps in Metro’s existing workforce diversity reports. Those levels included management status (manager/non-manager), union representation (represented/non-represented), and department.

First, we tested whether Metro’s workforce at each level resembled the region’s population. To do this, we compared Metro workforce diversity data to American Community Survey estimates of the region’s 2019 population, since 2020 estimates were not yet available. Our analysis included the following race and ethnicity categories:

- American Indian & Alaska Native
- Asian American
- Black & African American

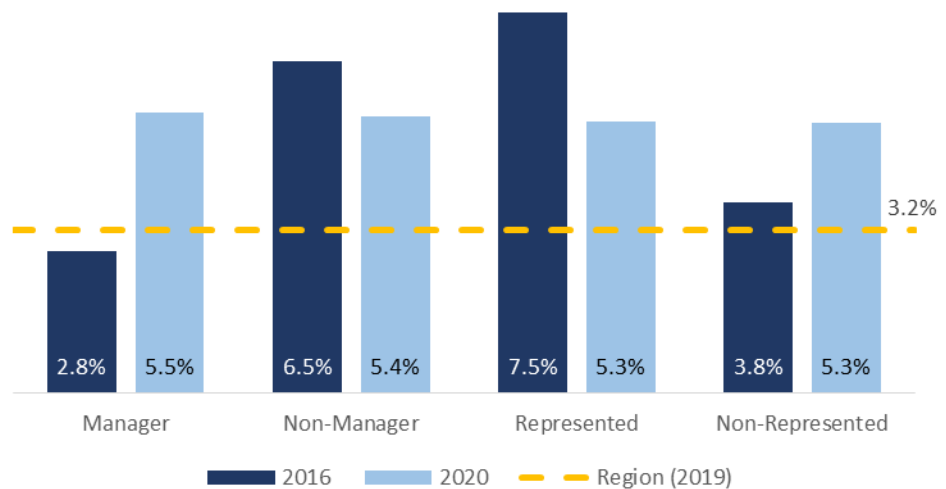
- Hispanic & Latino
- Native Hawaiian & Pacific Islander
- Two or more races (multiracial)
- White

Employees can choose not to disclose their race and ethnicity. Because of this, our results may not provide a complete picture of Metro’s diversity. According to our analysis, about 12% of employees had not disclosed their race and ethnicity as of 2020.

Second, we analyzed whether representation of each race and ethnicity improved from 2016 to 2020.

We found a mix of positive results and areas where Metro could improve its workforce diversity. One positive trend was that Metro’s workforce in 2020 consistently resembled the region's American Indian & Alaska Native and Black & African American populations. For example, over 5% of Metro’s managers, non-managers, represented and non-represented employees identified as Black & African American, compared to 3.2% in the tri-county region. However, the percentage employees decreased from 2016 to 2020 for some levels.

Exhibit 12 Metro’s Black & African American workforce resembled the region in 2020



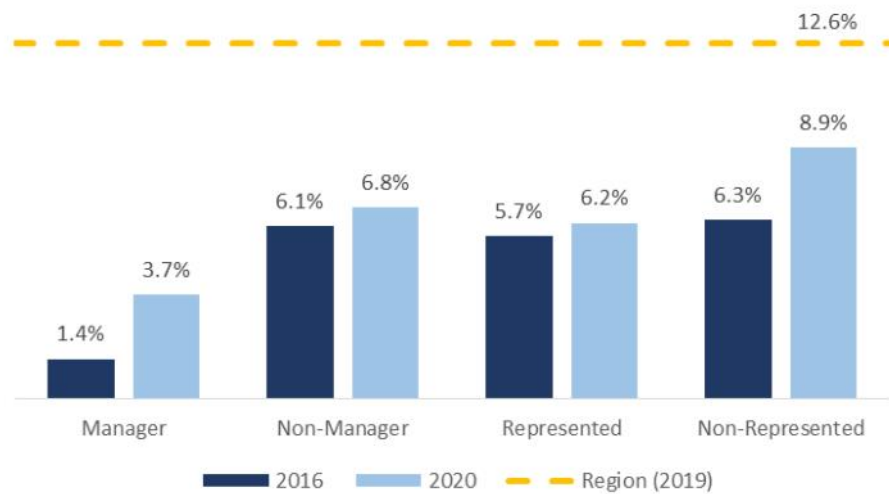
Source: Auditor’s Office analysis of Equity Dashboard, PeopleSoft, and American Community Survey data.

Another positive trend was that Metro’s Hispanic & Latino and multiracial populations improved from 2016 to 2020, although they did not yet resemble the region. In the tri-county region, 12.6% of the region’s population identified as Hispanic & Latino in 2019.

While Metro’s Hispanic & Latino workforce had not reached this threshold, it had improved. In 2020, 8.9% of non-represented employees identified as Hispanic & Latino, compared to 6% in 2016. Metro’s multiracial workforce

in 2020 (3.8%) was getting close to resembling the region’s population (4.2%) for non-represented employees. These results indicate that Metro has used some successful strategies that could be continued or expanded.

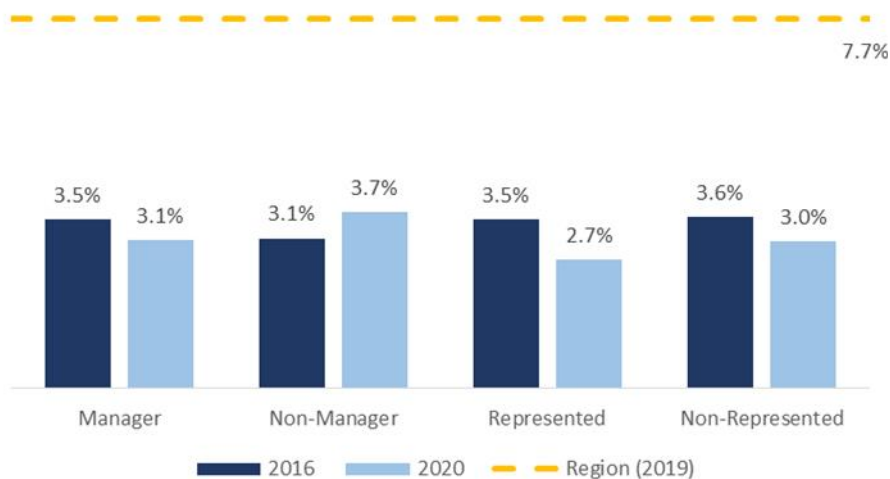
Exhibit 13 Metro’s Hispanic & Latino workforce improved, but did not resemble the region



Source: Auditor’s Office analysis of Equity Dashboard, PeopleSoft, and American Community Survey data.

There were two areas where less progress was made. The first was representation of Asian American employees, which did not improve from 2016 to 2020 for most levels. Nearly 8% of the region’s population identified as Asian American, but less than 4% of Metro’s managers, non-managers, represented, and non-represented employees identified as Asian American in 2020. Metro’s Asian American representation also decreased from 2016 to 2020 for some of the levels analyzed. In 2016, 3.5% of represented employees identified as Asian American, compared to 2.7% in 2020.

Exhibit 14 Metro's Asian American workforce did not resemble the region

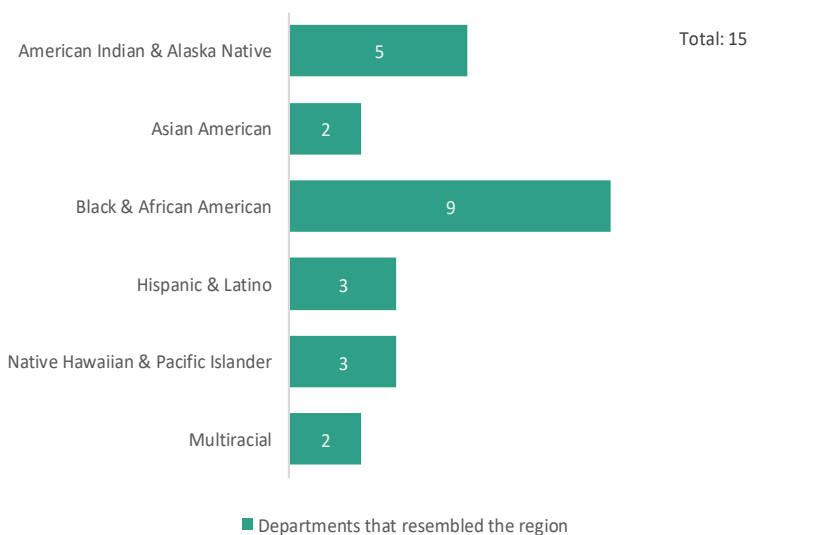


Source: Auditor's Office analysis of Equity Dashboard, PeopleSoft, and American Community Survey data.

Representation within departments was another area where Metro could improve. Less than a quarter of Metro's departments resembled the region's Asian American, Hispanic & Latino, multiracial, and Native Hawaiian & Pacific Islander populations. Also, over 50% of departments did not improve the representation of American Indian & Alaska Native, Asian American, or Native Hawaiian & Pacific Islander populations. One exception was Black & African American employees—over half of Metro departments resembled the region.

There were also some positive trends among departments. For example, at least 40% had increases in Hispanic & Latino and multiracial populations from 2016 to 2020. Some departments (27%) also had increases in Asian American employees from 2016 to 2020.

Exhibit 15 Few departments resembled the region's diversity in 2020



Source: Auditor's Office analysis of Equity Dashboard and American Community Survey data.

Measuring workforce diversity at multiple levels could help Metro target additional strategies. We identified best practices from professional literature and compared them to actions contained in Metro's objective to improve workforce diversity. We grouped the practices into five categories:

- **Recruitment** includes building relationships with community-based organizations, professional associations, educational institutions and other stakeholders, and analyzing personnel policies and practices for implicit bias and institutional racism.
- **Hiring** includes focusing job descriptions on required skills, including skills to advance racial equity, and using hiring interviews to help assess a candidate's knowledge of racial equity.
- **Retention** includes mentoring employees and investing in ERGs.
- **Professional Development** includes performance reviews and training that builds skills to advance racial equity.
- **Performance Measurement** includes analyzing workforce data to identify and understand challenges within the organization and establishing performance measures to assess results and impact(s).

Our analysis showed that some actions contained in Metro's objective to improve workforce diversity reflected best practices. Our analysis also showed that best practices could inform additional actions.

In general, additional actions to meet Metro's workforce diversity objective would benefit from more focus on performance measures, analysis, and assessment. Specifically, Metro could supplement quantitative measures with:

- qualitative measures to assess employee understanding of racial equity and actions to advance racial equity; and
- process measures to track use of a racial equity tool in changing institutional policies and practices.

Metro could also analyze hiring processes to determine if there are particular points where there is a greater attrition rate for underrepresented groups. In addition, Metro could analyze qualitative data to deepen understanding of workplace challenges and root causes of underrepresentation. Focus groups and surveys are two ways to gather qualitative data.

To develop employees, Metro could assess their level of competency in working with diverse employees and communities. Having a set of questions would facilitate assessment. Conducting interviews to assess employee safety, trust, and belonging could also help Metro retain employees.

Before new actions are proposed, Metro should first review results of past actions to achieve its objectives to improve workforce diversity. Then it can consider opportunities for adjustment. For example, our analysis identified some underrepresented groups in Metro's workforce compared to the region, such as Asian Americans. Metro could draw from best practices to identify strategies to increase representation of those groups. Those

strategies could include building relationships with community-based organizations or developing department-level recruitment plans tailored to increase applications from underrepresented groups. Metro could then track recruitment outcomes to determine whether those strategies were effective.

Reviewing results could help Metro reassess the Plan overall. As the Plan reaches its five-year horizon in 2022, Metro will need to determine which courses of action it will take to improve equity in the region. It could minimize adjustments to the Plan's goals to maintain its direction. This would help Metro build trust with communities and staff that informed it.

However, recent events, such as the pandemic, wildfires, and the fight for Black Lives, have prompted changes to Metro's strategies for parks, housing, and garbage and recycling. Thus, the path to advance racial equity may require changes as well. Those changes could include reducing the number of goals to focus attention on the most critical issues affecting the region, or prioritizing goals to improve their usefulness in allocating resources. To determine the extent to which the Plan's goals and objectives are being met, and how to target strategies to achieve them, Metro should review results more frequently.

Recommendations

To increase Metro's progress to advance racial equity, the COO, Deputy COO, General Manager of Visitor Venues, DEI Program Director, and department and venue directors should:

1. Prepare to take actions by:
 - a. Assigning responsibilities for actions to specific units or roles
 - b. Defining when actions are complete and what is expected
 - c. Establishing a consistent method to monitor resources for implementing actions

To increase Metro's accountability to the community and fulfill requirements in Metro Code, the DEI Program Director should:

2. Evaluate results by:
 - a. Developing performance measures to determine whether each related goal and objective is being met
 - b. Measuring and reporting results annually
3. Adjust strategies to advance racial equity, beginning within Metro's workforce, by:
 - a. Identifying whether new strategies are needed
 - b. Consulting best practices for innovations
4. Reestablish CORE subcommittees to allow more time to review results of the Plan's goals, objectives, and action items

Scope and methodology

Our audit had two purposes. The first was to determine if coordination was effective to implement Metro's Strategic Plan to Advance Racial Equity, Diversity, and Inclusion (the Plan). The second was to determine if there were practices Metro should strengthen to report on, measure, and implement Goal C; Objective 3: to ensure racial makeup of Metro staff at every level more closely resembles the demographics of the region. Our audit objectives were to determine:

1. if there were ways to improve performance reporting regarding implementation of Goal C; Objective 3;
2. if there were ways to improve the use of workforce diversity best practices to implement Goal C; Objective 3;
3. if coordination was sufficient to implement a sample of actions across all Plan goals.

We focused our audit on implementation of Plan objectives and actions from fiscal year 2016-17 to September 2021. To develop our audit objectives, we reviewed the Plan, the Diversity Action Plan, department equity plans, budget documents, policies, progress reports, and relevant laws and requirements. We reviewed professional literature, including racial equity best practices and relevant audits from Metro and other jurisdictions.

We interviewed managers and staff from multiple departments to familiarize ourselves with Plan implementation. Those departments included the COO's Office, Communications, Human Resources, Office of Metro Attorney, Oregon Convention Center, Parks and Nature, and the Research Center. We also interviewed members of Metro Council, Metropolitan Exposition Recreation Commission, the Committee on Racial Equity, and a racial equity consultant. We attended meetings of Metro Council and the Committee on Racial Equity and reviewed meeting information.

To complete our audit objectives, we reviewed relevant documentation, including performance reports, meeting materials, and professional literature. We compared Metro's practices to best practices for budget monitoring, internal control, and workforce diversity implementation, measurement, and reporting from:

- Government Accountability Office
- Government Alliance on Race and Equity
- Government Finance Officers Association
- International City/County Management Association
- Multnomah County

To assess Metro's workforce diversity reporting practices, we selected a judgmental sample of actions from Goal C; Objective 3. We reviewed existing progress reports to determine whether they contained information to assess the quantity, quality, or outcomes of those actions. Our review included oral and written reports to Metro Council and Committee on Racial Equity meeting materials from 2018 to 2021. We obtained, reviewed, and compared data from Metro's Equity Dashboard, Affirmative Action

Program, and EEO-4 reports to workforce diversity measurement best practices.

We analyzed data from multiple sources to determine whether Metro's workforce resembled the region's diversity. Those sources included the Equity Dashboard, PeopleSoft, and the U.S. Census Bureau's American Community Survey. Our analysis included three levels: management status (manager/non-manager), union representation (represented/non-represented), and department.

We compared Metro's workforce by race and ethnicity in 2016 and 2020 to American Community Survey five-year population estimates for Clackamas, Multnomah, and Washington counties. Because five-year estimates were not yet available for 2020, we compared Metro's workforce to the region's 2019 population.

We defined "resembling the region" as meeting or exceeding the representation of a race or ethnicity in the regional population (Multnomah, Washington, and Clackamas counties). We defined "improved" as representation that did not resemble the region, but increased from 2016 to 2020. We defined "did not improve" as the lack of an increase.

To review coordination of Plan implementation, we selected a sample of actions across three goals (B, C, and D). We reviewed progress reports and consulted DEI Program staff to identify which departments were responsible for implementing each action. To learn how each department assigned responsibility and monitored resources, we interviewed knowledgeable staff and requested supporting documentation from the COO's Office, Communications, Expo Center, Human Resources, Oregon Convention Center, Portland's Centers for the Arts, and the Research Center.

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. This audit was included in the FY 2020-21 audit schedule.

Management response

Memo



Date: Friday, November 12, 2021

To: Brian Evans, Metro Auditor

From: Marissa Madrigal, Metro Chief Operating Officer
Raahi Reddy, Director, Diversity, Equity & Inclusion Program

Subject: Management response to Audit of Metro's progress on implementation of the Strategic Plan to Advance Racial Equity, Diversity and Inclusion

Thank you for the opportunity to respond to the audit of the implementation Metro's Strategic Plan to Advance Racial Equity, Diversity and Inclusion (Strategic Plan.) Equity and accountability are important values for Metro and the DEI program. We appreciate the time and attention spent on this critical subject and the recommendations for how the program can continue to strengthen the implementation and evaluation of the Strategic Plan to Advance Racial Equity, Diversity and Inclusion (Strategic Plan).

The past twenty months have impacted Metro in ways that are both unprecedented and disruptive to even the best laid plans. We appreciate that you noted that Metro has been on this journey for over 15 years. However, the pandemic has challenged us to expand the values that drove the plan into new, unplanned domains. You will not find the word "COVID-19" in our original Strategic Plan, but nonetheless, the Strategic Plan served as our north star as we navigated dozens of decisions, small and large, to address the numerous crises we faced.

We used a racial equity lens to understand and mitigate racial disparities during the painful layoffs we were forced to make, ensuring that these decisions did not impact staff of color disproportionately. The plan helped guide our approach to grant making and funding during this time, centering the needs of our most vulnerable community based organizations and COBID firms. And it provided a roadmap for understanding the needs of our staff, which led us to invest 2 in new training for supervisors and teams on trauma informed approaches, fund additional sick leave, and provide three months of healthcare coverage for staff facing layoffs.

With the uprising after the brutal murder of George Floyd, Ahmaud Arbery, and Breonna Taylor, to name just a few of the Black lives lost during 2020, we were propelled into additional bodies of work to support Black communities. Metro was well positioned and equipped to take on this work because of the foundational work done through the Strategic Plan. We helped create and fund a new Black Employee Resource Group, supported the calls to action by Reimagine Oregon for policy changes and new investments, and launched an ambitious agency-wide staff

committee to track, reassess and reimagine our relationships with policing, security and carceral labor. Additionally, we are engaged actively with our People of Color Employee Resource Group in numerous calls to action to improve retention and community right here at Metro.

The Strategic Plan continues to be our north star in the midst of so much flux and ongoing crisis. The DEI program continues to anchor its work in key action items of the Strategic Plan that deepen our commitment to systems change. Our recent work included the creation and adoption of a Metro-wide Racial Equity Framework to guide decision making and deliver on racial equity outcomes in our programs and projects. And we delivered a new Budget Equity Tool for ensuring our budgets invest in our department and venue specific racial equity and inclusion goals. And our Committee on Racial Equity (CORE) continues to be active leader in providing guidance on some of Metro's most meaningful investment measures and programmatic work.

With regards to the recommendation on internal workforce equity, it is a timely one as we begin to build back our staff and operations. The loss of hundreds of Metro staff, furloughs, hiring freezes, and the closing down of operations and programming had a tremendous impact on our ability to fulfill the action items of goal C, in particular as it relates to re-imagining our recruitment and hiring, and retention efforts. However, even in the midst of the crisis some progress was made. A few examples include: formalized equity-related policies and procedures for employees and in hiring efforts to rebuild the workforce in a way that reflected changing needs. Human Resources launched a virtual new employee orientation to support remote onboarding, rolled out a mandatory Supervisory Essentials training program that includes equity-related curriculum, developed a confidential complaint reporting process and implemented a series of Micro-learnings on key workplace policies to support the "Safe & Inclusive Workplace" initiative.

Our racial equity work is never linear and neat, but spills over and expands in new directions as we go deeper into systems change work. We welcome your recommendation to *assess our progress, refresh or establish new goals to focus attention on the most critical issues affecting the region*. As we build back, we agree that we must return focus to not just completing the remaining Strategic Plan actions in progress, but provide more clarity and direction to departments on what their role is - and what completion really means in a world of constant flux.

In the following pages we provide our responses to your recommendations, organized by each of the four recommendations.

Recommendation Number	Do you agree with the recommendation?	If agree, what are the proposed plans for implementing solutions? If disagree, please provide reasons.	Proposed timetable for implementation?
<p>1. Prepare to take actions by:</p> <p>a. Assigning responsibilities for actions to specific units or roles</p> <p>b. Defining when actions are complete and what is expected</p> <p>c. Establishing a consistent method to monitor resources for implementing actions</p>	Yes	<p><u>Assigning Responsibilities, completion criteria and timelines</u></p> <p>COO, DCOO, and DEI Director will confirm responsibilities for existing assignments and delegate unassigned actions with timelines to relevant Departments and Venues.</p> <p>COO, DCOO, GM of Venues and DEI Director will establish clear expectations on what completion of the action item will mean for the agency. Senior Leadership will work with relevant project teams to establish accountability for action completion.</p> <p><u>Monitoring resources</u></p> <p>The Impact Evaluation Project will help us set standard approaches for measuring both impacts (outcomes) and efforts (inputs and outputs). By the end of 2022 we will incorporate these standard approaches into Metro's Budget Equity Tool and Racial Equity Framework tool to help Departments track resources allocated to achieve racial equity outcomes (within and beyond SPAREDI) for the FY23/24 budget cycle.</p>	<p>Assignments, completion criteria and timelines for completion delivered by COO, December 2022</p> <p>Budget Equity tool process and Department Budget packets – by January 2023</p>
<p>2. Evaluate results by:</p> <p>a. Developing performance measures to determine whether each related goal and objective is being met</p> <p>b. Measuring and reporting results annually</p>	Yes	<p>As noted by the Audit, the Strategic Plan's goals and objectives have yet to be tied to measurable performance metrics, which reflects a broader need across the agency for implementing best practices in equity evaluation and performance measurement. The Impact Evaluation project, slated for completion in 2022, will address this important gap, as we work towards a robust ecosystem of equity evaluation and measurement.</p> <p><u>Launch Impact Evaluation Project to Develop performance measures</u></p> <p>The Impact Evaluation project will:</p> <ul style="list-style-type: none"> •Develop standard performance measures for the SPAREDI goals and objectives; •Build evaluation capacity by training staff and leaders across Metro in the Results Based Accountability Framework; •Support staff in setting programmatic goals and metrics rooted in community needs and inequities. 	Spring/Summer 2022

		<p>The project has already convened a steering committee and will be supported by a sub-committee of CORE as well as additional community leaders.</p> <p><u>Annual measurement and reporting</u></p> <p>Upon completion of the Impact Evaluation Project, DEI Program and the Office of the COO, in collaboration with CORE, will retrofit the annual report to Metro Council. This update will integrate SPAREDI's key performance metrics to support informed-decision making around our progress towards these goals. After allowing time for data collection and synthesis, the updated report will be delivered to Council in Spring 2023.</p>	<p>Report development: Fall 2022</p> <p>Report delivery: Spring 2023</p>
<p>3. Adjust strategies to advance racial equity, beginning within Metro's workforce, by:</p> <p>a. Identifying whether new strategies are needed</p> <p>b. Consulting best practices for innovations</p>	Yes	<p>Human Resources, with strategic consultation from DEI program, will deliver a project plan to assess current systems and strategies, identify new approaches to improve recruitment and onboarding and retention efforts to advance racial equity in our workforce, and establish metrics and milestones to assess progress. This project plan will include detailed deliverables, proposed due dates, and action owners from across departments and venues, and a plan to monitor progress and evaluate results.</p> <p>The first phase of the project plan will focus on developing an interactive dashboard to better understand trends and employee demographics around hires, promotions, terminations and other key workforce trends and will seek to gather more accurate and complete employee data.</p>	Summer 2022
<p>4. Reestablish CORE subcommittees to allow more time to review results of the Plan's goals, objectives, and action item</p>	Yes	<p><u>The DEI program will work with CORE leadership to reestablish subcommittees</u> during the first quarter of 2022 to facilitate deeper engagement on topics brought to CORE, more focused review of SPAREDI goals and action items, and more engagement with the range of expertise among committee members.</p> <p>SPAREDI Goal Focused Meetings – during 2022 we will identify 5 meetings to focus on the individual goals through presentation or written reports to support the committee in reviewing progress toward each of the goals.</p>	Spring 2022



Office of the Metro Auditor
600 NE Grand Avenue
Portland, Oregon 97232
503-797-1892
www.oregonmetro.gov

Diversity, Equity, and Inclusion Program: Clarify actions and evaluate results to advance racial equity

Why this audit is important

The Diversity, Equity, and Inclusion (DEI) Program seeks to change conditions within Metro's workplace and the region, so that everyone can take part in and enjoy the area's benefits. Metro's budget provided funding to support DEI across departments, in addition to funding for the DEI Program itself.

Metro Council adopted the Strategic Plan to Advance Racial Equity, Diversity, and Inclusion (the Plan) in 2016. The Plan had five goals:

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

Each goal had several objectives and actions. Metro committed to update the Plan within five years of implementation.

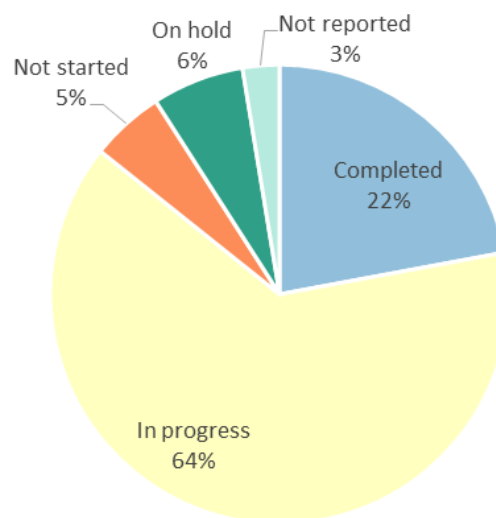
We reviewed coordination of Plan implementation and assessed Metro's workforce diversity reporting practices.

What we found

Metro made progress on most of the Plan's actions. Efforts were underway across departments, including the DEI Program, to implement the Plan. However, there were gaps in Metro's implementation process. We found:

- Actions were vague and some responsibilities were not clearly assigned
- Monitoring resources to complete actions was inconsistent
- Information was limited to assess some results

64% of the Plan's actions were in progress



Source: Auditor's Office analysis of Metro's Strategic Plan to Advance Racial Equity, Diversity, and Inclusion and progress reports

We also found that Metro's workforce diversity reports would benefit from additional detail. Reviewing detailed results could help Metro target strategies to advance racial equity within its workforce and the region. We analyzed data from multiple sources to determine whether Metro's workforce resembled the region's diversity. We found a mix of positive results and areas where Metro could improve its workforce diversity.

What we recommend

We made recommendations to continue progress on implementing the Plan by assigning responsibilities for actions, defining when actions are complete, and monitoring resources. We also made recommendations to increase accountability and comply with Metro Code requirements for oversight of the Plan.

Agenda Item No. 3.2

Parks and Nature Presentation on Annual Report

Presentations

Metro Council Meeting
Thursday, December 9, 2021



Metro

2020–21 Annual Report

Parks and Nature



Metro's unique parks and nature system creates connections to nature close to home

Since Metro's parks and natural areas program began in the 1990s, no other year than the last one has better shown why it's so critical voters have called on Metro to protect clean water, restore fish and wildlife habitat and provide access to nature for communities across the region.

Late summer 2020 brought devastating wildfires, and then early summer 2021 held record-shattering high temperatures. Extremely hot weather strains habitats, putting trees at risk of dying from heat stress, which in turn exposes other plants and animals to more risk from heat and catastrophic fires. Metro's conservation work helps strengthen natural areas to better withstand hotter temperatures and keep streams and rivers cool to protect salmon, lamprey, other native fish – and people.

Metro's parks have always been a refuge to people seeking the physical, mental and spiritual boosts offered by spending time in the outdoors. That's only more true during this long pandemic. Whether it's hiking Mount Talbert Nature Park, swimming at Broughton Beach, admiring prairies of wildflowers at

Cooper Mountain Nature Park, trying out disc golf at Blue Lake Regional Park, or sitting at a picnic bench at Orenco Woods Nature Park, Metro's parks provide a place nearby to drink in nature in any way a person wants.

All of this is possible thanks to voter investments. Voters renewed a local-option levy that pays for restoration, maintenance and operations at Metro's parks and natural areas through June 2023. And in 2019, voters approved a \$475 million bond measure to fund capital investments at parks and natural areas.

The bond measure supports land purchase and restoration, Metro park improvements, Nature in Neighborhoods capital grants, local parks and nature projects, walking and biking trails and large-scale community projects.

In July 2020, Metro Council signed off on a bond framework – a road map for developing the six programs in the 2019 parks and nature bond measure. Since then, Metro has worked with community members, partner organizations, local park providers and others to implement the bond measure to achieve regional goals for clean water, habitat

protection, climate resilience, access to nature, racial equity and community engagement.

The work is guided by the Parks and Nature System Plan, a long-term strategic plan and framework, and the Parks and Nature Department's Racial Equity, Diversity and Inclusion Action Plan. The action plan, completed in late 2018, comprises more than 80 actions aimed at improving economic, environmental and cultural equity. These actions focus on connecting communities of color to resources; providing more equitable access to safe, welcoming parks, trails and natural areas; and helping people of color connect with nature and one another in the region's parks and nature system.

During the past year, Metro has continued to purchase land to steward as natural areas, it launched a new local share program that funds capital projects that matter to local communities, it put the finishing touches on two nature parks – Newell Creek Canyon and Chehalem Ridge – and, because of voters investing in nature and the future of this region, its done even more.

Get the whole report online with more photos, stories and details at
oregonmetro.gov/parksandnature2021

Connecting people with nature

New parks provide more opportunities for people to connect with nature close to home. Throughout the 2020-2021 fiscal year, Metro built two new parks that are now open: Newell Creek Canyon Nature Park in Oregon City and Chehalem Ridge Nature Park, just south of Forest Grove.

In addition to new destinations like Newell Creek Canyon and Chehalem Ridge, Metro continues to make improvements at its 19 current parks and boat ramps. Park improvement projects aim to upgrade aging facilities, improve sustainability features and enhance safety and security, as was the case with this year's project to build new docks and a gangway at Chinook Landing Marine Park.



Oxbow Regional Park



Killin Wetlands Nature Park

Restoring and maintaining natural areas

Protecting clean water and restoring fish and wildlife habitat remain at the core of Metro's parks and nature mission. Restoration and maintenance work includes controlling weeds, planting native trees and shrubs, removing unnecessary or harmful culverts and roads, maintaining existing roads and infrastructure, decommissioning unauthorized trails, improving connections between streams and wetlands and strengthening habitat for fish and wildlife.

After Metro acquires a property, a stabilization plan is drawn up. Stabilization is like the renovation process for a fixer-upper home: it's a lot of big projects to create a livable habitat. Invasive weeds start getting treated, and dilapidated buildings, septic systems and other structures are removed. This initial work is paid for with money from the 2006 and 2019 natural areas bond measures.

Habitat restoration

FY 2021



128

Habitat and water improvement projects

3,867

Acres with restoration projects underway

Plantings and weed control

FY 2021



20

Planting projects

79

Weed treatments



Making good on equity promises

For Metro, achieving racial equity in greater Portland means that race would no longer be a reliable way to predict a person’s life outcomes on measurements like education level, health or wealth, which are currently very closely related to race. In the process of creating racial equity, every group and community in greater Portland would see its well-being improve.

This means making sure people of color feel welcome and safe when they visit Metro destinations. It means creating job training and mentoring for people of color so the department’s workforce looks like the people it serves, which isn’t true now. It means Indigenous people, both those with close historical and cultural ties to the region and those with tribal roots in other parts of the country, will have more meaningful and easier

access to cultural resources on properties that Metro protects and manages, all of which are on land ceded by regional tribes in the early years of colonization. It means contracting with more certified minority-owned, women-owned and emerging small businesses.

It also means involving community members of color in decision-making processes. In 2020 and throughout 2021, Metro worked closely with members of the region’s Indigenous community to change how it assesses and prioritizes land acquisitions. The trails program, which guides the distribution of \$40 million toward land purchases to close gaps in the regional trail system, hosted more than 100 people of color to hear what they value in the trail system and how they want projects prioritized.

Caption: At Oxbow Regional Park, the community-based organization Latino Outdoors hosted a day in the woods at Oxbow Regional Park. The event, which included guided tours led by Metro naturalists, was supported by a grant through its Community Partnership program. The program works with community organizations big and small to build community and connect people of color to nature at Metro’s and other parks.

In the face of the COVID pandemic, Metro’s community partnerships program acted quickly to create a capacity-building sponsorship program to support community organizations that are run by and work for communities of color. More than \$180,000 went to 36 organizations that had to expand their work to meet the needs of community members navigating COVID. Nearly \$50,000 in sponsorships supported community organizations to hold events and activities in nature over the past year.



Honoring those at Block 14

After many years of planning and collaboration with partner groups, the project to create a cultural heritage garden at Lone Fir Cemetery’s Block 14 is underway.

With input from community members, the Lone Fir Cemetery Foundation, the Chinese Consolidated Benevolent Association and the Mental Health Association of Portland, Metro has dedicated \$4 million to the project from the Metro park improvements program area of the 2019 parks and nature bond measure.

Currently, Block 14 is an empty lot in the southwest corner of the tree-filled Lone Fir Cemetery. But from 1891 to 1928, more than 1,131

Chinese people were buried there. Even earlier, it is believed that more than 200 patients of the Oregon Hospital for the Insane, the state’s first psychiatric hospital, were laid to rest in various areas of Lone Fir Cemetery, including the eastern part of Block 14. Many of their names and stories have been lost to memory, but community members hope the cultural heritage garden will be a place to honor their stories.

“There’s so much history that’s left to be told,” said Marcus Lee, a member of the board of directors of the Chinese Consolidated Benevolent Association. “This is a great way to be able to share one part of that, one chapter of that history.”

Investing in community

Community investments support a variety of projects: community stewardship and restoration, nature education, outdoor experiences, land acquisition, capital improvements, visitor amenities and more. Altogether over the last 25 years, the public – through Metro – has invested nearly \$100 million to support a broad range of community nature projects across the region, helping to preserve land, restore habitat, expand access and more.

Since 1995, each of the natural areas and parks bonds have included a “local share” program that supports local park providers with parks and restoration projects that matter to their communities. Throughout 2020, the \$92 million local share program was redeveloped to include the 2019 bond measure’s focus on racial equity and meaningful community engagement. The program launched in spring of 2021, ready to receive proposals from local park providers. Every month, Metro joins a roundtable with the cities and parks districts that receive local share funds to discuss how to create projects that advance racial equity and are informed by meaningful engagement with community members.

Work began in fall 2020 to develop the \$40 million capital grants program in the 2019 parks and nature bond measure. The bond includes a pilot grant program of \$4M that will be designed by community members and award grants through a participatory process. It’s a new way of distributing grants that puts more decisions into the hands of the community.



Promises made, promises kept

Metro’s system of parks, trails, natural areas and historic cemeteries is the result of a more than a quarter century of commitment, action and investment by the region.

It exists because of voter support for three bond measures and two levies.

Spending from the 2006 natural areas bond measure is winding down, and voters in November 2019 approved a new \$475 million bond measure to continue investments to protect land, improve parks and natural areas and support community projects. Work continues to further develop and implement the six program areas in the 2019 bond measure.

In late 2020, the Natural Areas and Capital Program Performance Oversight Committee wrapped up its duties on the 2006 natural areas bond measure. To continue the critical work of community oversight of Metro’s work, the Metro Council appointed a new committee that provides an independent review of the 2019 parks and nature bond measure and the capital program in the levy renewal.

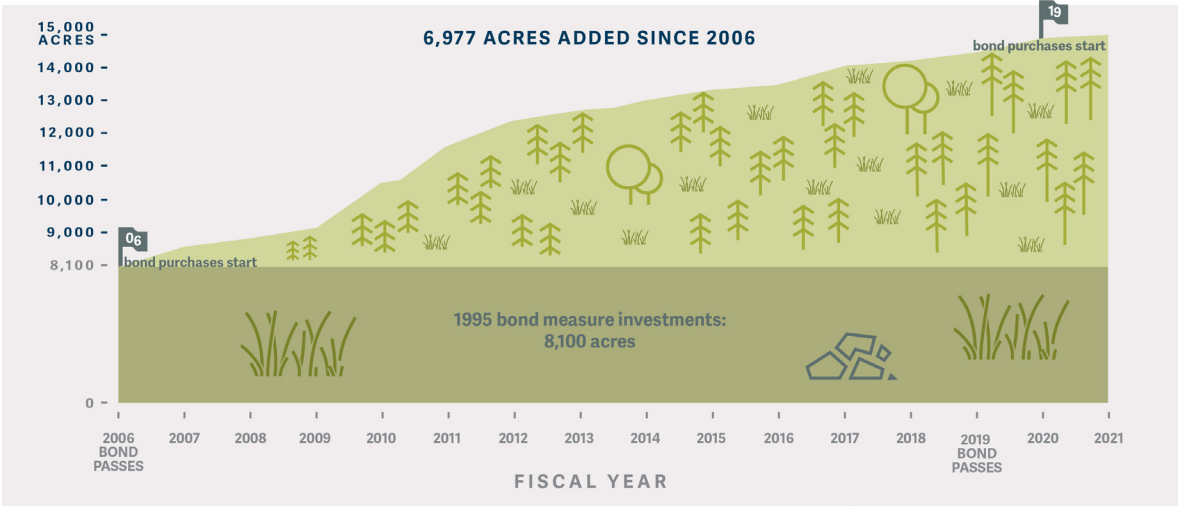
The Metro Council placed a high priority on creating a committee that reflected the diversity of greater Portland as well as formal expertise and expertise from lived experiences.

The work continues. Stay tuned for next year’s annual report to track how your tax dollars are spent to improve parks and nature throughout the region.



Metro Council, clockwise from top left:
Metro Council President Lynn Peterson, Councilors Shirley Craddick, Juan Carlos González, Gerritt Rosenthal, Christine Lewis and Mary Nolan.

Land acquisition with 2006 and 2019 bond measure (CUMULATIVE)



Thanks to voters, Metro has been able to protect important areas of remaining native prairies, forests, wetlands and other valuable habitat — home to rare plants and endangered or threatened fish and wildlife. Other properties fill key gaps in regional trails, providing connections for bike commuters, hikers and joggers. Some natural areas will become future nature parks that provide growing communities with access to nature.

2021 was the first fiscal year money from the 2019 parks and nature bond measure was used to purchase land as part of the protect and restore nature bond program. This program continues the work of the 2006 bond measure, which acquired and protected more than 6,876 acres – significantly surpassing the original goal of about 4,000 acres. Over the past year, Metro has added 101 of acres to its portfolio of natural areas.

Parks and Nature spending* FY 2021

	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	\$414,624	\$4,765,932	\$0	\$0	\$5,180,556
Access to nature	\$0	\$636,339	\$2,845,715	\$3,295,702	\$6,777,756
Park improvements and operations	\$1,721,290	\$2,697,410	\$0	\$256,836	\$4,675,536
Cemeteries	\$854,019	\$0	\$0	\$0	\$854,019
Nature education and volunteer programs	\$0	\$662,799	\$0	\$0	\$662,799
Community investments	\$0	\$1,133,253	\$1,245,626	\$406,100	\$2,784,979
Land acquisition and associated costs/stabilization	\$0	\$0	\$935,341	\$1,870,957	\$2,806,298
Administration**	\$2,168,393	\$4,609,863	\$1,327,969	\$1,573,850	\$9,680,075
Total	\$5,158,326	\$ 14,505,596	\$6,354,651	\$7,403,445	\$33,422,018

* Unaudited
** Administration spending includes expenses for department administration and support services, such as the Office of the Metro Attorney, the Data Resource Center and Communications.

2021 parks and natural areas levy

Promised to voters



Actual levy spending THROUGH JUNE 2021



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

Agenda Item No. 4.1

Consideration of the Council Meeting Minutes for October 14, 2021

Consent Agenda

Metro Council Meeting
Thursday, December 9, 2021

Metro

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



Metro

Minutes

Thursday, October 14, 2021

10:30 AM

Revised 10/12

<https://zoom.us/j/615079992> or 888-475-4499 (toll free)

Council meeting

1. Call to Order and Roll Call

Deputy Council President Craddick called the Metro Council meeting to order at 10:30 a.m.

Present: 6 - Councilor Shirley Craddick, Councilor Bob Stacey, Councilor Christine Lewis, Councilor Juan Carlos Gonzalez, Councilor Mary Nolan, and Councilor Gerritt Rosenthal

Excused: 1 - Council President Lynn Peterson

2. Public Communication

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

Hearing none, Deputy Council President Craddick moved on to the next agenda item.

3. Presentations**3.1 Review and Discussion of the Metropolitan Transportation Improvement Program (MTIP) Amendment Evaluation Proposal**

Deputy Council President Craddick introduced Margi Bradway (she/her) and Ted Leybold (he/him) to present on the agenda item.

Staff pulled up the *Review and Discussion of the Metropolitan Transportation Improvement Program (MTIP) Amendment Evaluation Proposal Presentation Powerpoint*.

Staff provided an overview of the framework provided by the 2018 Regional Transportation Plan (RTP) and the Metropolitan Transportation Improvement Program (MTIP). Margi reiterated the ask by Council to provide more information and supplemental analysis with respect to proposed MTIP amendments. Ted then summarized staff's proposal for increased supplemental analysis where

applicable. Short and long-term methodology development was explored.

Council Discussion

Councilor Lewis espoused a desire for deadline clarity from the Oregon Department of Transportation (ODOT).

Councilor Rosenthal sought clarity on some of the criteria laid out by staff; Margi explained that the longer term criteria is still in development, and that it works in tandem with the shorter term reporting plans. Staff clarified that “community places” includes access to healthcare, food, etc.

Councilor Gonzalez thanked staff for addressing Council’s concerns and outlined a desire for the Council to be able to clearly define the criteria for projects that they will support. Councilor Nolan reiterated Metro’s collaborative role in moving projects forward, but identified that the method of implementation is within the agency’s control, ensuring that implementation complies with Metro’s guiding principles (particularly with respect to equity outcomes and the ClimateSmart framework). They noted that amendments which violate those guiding principles should not be expected to pass simply because they are in motion.

Deputy Councilor Craddick asked staff whether there is an inconsistency between ODOT and Metro policies putting project solutions in contention. Staff identified many key players in the bureaucracy surrounding policy and project selection that impacts the process. Staff discussed numerous frameworks that impact coordination between the state, transit agencies, Metro, and so-forth, and how that does or does not coalesce. A need was identified to continually address these conflicts moving forward to meet

Metro priorities. At the request of Deputy Councilor Craddick Margi summarized next steps to make administrative changes.

Councilor Nolan reiterated several expectations voiced by Councilors that should be taken away by staff in anticipation of the next time they come to Council. Additionally, a desire was voiced to remain in communication with partners to make clear Council's expectations.

Councilor Nolan sought clarity on the definition of "community places" to ensure that this is not a catch-all. They likewise addressed large projects coming down the line that could necessitate the input of assorted experts and stakeholders to weigh in during the course of future meetings. Ted identified other avenues for input as well for Council to make their expectations known.

Hearing no further discussion on the topic, Deputy Council President Craddick moved on to the next agenda item.

4. Consent Agenda

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

Aye: 6 - Councilor Craddick, Councilor Stacey, Councilor Lewis, Councilor Gonzalez, Councilor Nolan, and Councilor Rosenthal

Excused: 1 - Council President Peterson

4.1 Consideration of the Council Meeting minutes for September 30, 2021.

5. Ordinances (First Reading and Public Hearing)

5.1 Ordinance No. 21-1469A, For the Purpose of Establishing Criteria for Metro Council District Reapportionment and Declaring an Emergency

Deputy Council President Craddick called on Anne Buzzini

(she/her) and Ina Zucker (she/her) to present to Council.

Staff recounted values previously voiced by Councilors that have shaped the redistricting process. Staff explained how the redistricting efforts have addressed the distribution of population while keeping together communities of common interest. Staff then made themselves available for any questions from Councilors.

Council Discussion:

Councilor Rosenthal expressed concerns about definitive word choice and implication of priority attributed to school districts. Councilor Gonzalez requested staff recount how they will factor equity measures into their engagement outreach, as well as factor in state redistricting conversations that have already passed so as to not overburden community organizations.

Councilors decided that any amendments would be proposed at the second reading.

5.1.1 Public Hearing for Ordinance No. 21-1469

Deputy Council President Craddick opened the meeting to members of the public wanting to testify on Ordinance No. 21-1469.

Hearing none, Deputy Council President Craddick closed public testimony. The second reading of Ordinance No. 21-1469 will take place on Thurs. Oct. 21, 2021.

6. Councilor Stacey Farewell

Deputy Council President Craddick introduced a series of videos and individuals to speak to Councilor Bob Stacey's years of service, including:

- Congressman Blumenauer video
- AFSCME Salute video

- Metro Department Directors:
 - Roy Brower
 - Raahi Reddy
 - Paul Slyman
 - Elissa Gertler
 - Brian Kennedy
 - Margi Bradway
 - Carrie MacLaren
 - Andrew Scott
 - Ina Zucker
- Councilors:
 - Pres. Peterson video
 - Other Councilors
 - Deputy President Craddick
remarks
 - Councilor Stacey

7. Councilor Communication

There was none.

8. Chief Operating Officer Communication

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

- Vaccine mandate policy implementation

9. Adjourn

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

Respectfully submitted,

Shay Starling

Shay Starling, Legislative Assistant

Agenda Item No. 4.2

Resolution No. 21-2223, For the Purpose of Authorizing the Chief Operating Officer to issue a renewed Non-System License jointly to Willamette Resources Inc. AND Republic Services of Clackamas and Washington Counties to transport food waste to the pacific region compost facility located in Benton county, Oregon

Consent Agenda

Metro Council Meeting
Thursday, December 9, 2021

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING THE	)	RESOLUTION NO. 21-2223
CHIEF OPERATING OFFICER TO ISSUE A)	
RENEWED NON-SYSTEM LICENSE JOINTLY	)	Introduced by Chief Operating Officer
TO WILLAMETTE RESOURCES, INC. AND	)	Marissa Madrigal in concurrence with
REPUBLIC SERVICES OF CLACKAMAS AND	)	Council President Lynn Peterson
WASHINGTON COUNTIES FOR TRANSPORT)	
OF COMMERCIAL FOOD WASTE AND YARD)	
DEBRIS MIXED WITH RESIDENTIAL FOOD)	
WASTE TO THE PACIFIC REGION COMPOST)	
FACILITY LOCATED IN BENTON COUNTY,)	
OREGON)	

WHEREAS, Metro Code Chapter 5.05 requires a non-system license (“NSL”) of any person that transports solid waste generated from within the Metro Region to a non-system disposal facility; and

WHEREAS, Willamette Resources, Inc. and Republic Services of Clackamas and Washington Counties (collectively “Republic”) jointly hold Metro NSL No. N-005-17(4)B that expires on December 31, 2021, and authorizes the transport of source-separated commercial food waste and yard debris mixed with residential food waste to Pacific Region Compost, which is a non-system solid waste facility located in Benton County, Oregon; and

WHEREAS, the NSL issued to Republic was originally scheduled to expire on December 31, 2019, but the Chief Operating Officer extended the term for an additional six months to expire June 30, 2020 as authorized by Metro Code Chapter 5.05; and

WHEREAS, on March 24, 2020, Governor Brown issued Executive Order 20-12 (“Stay Home, Save Lives”) in response to the COVID-19 global pandemic; and

WHEREAS, in response to the disruption caused by the COVID-19 pandemic, the Metro Council passed Resolution No. 20-5104 in May 2020 authorizing the COO to extend the term of this NSL for an additional 18 months to expire on December 31, 2021; and

WHEREAS, Willamette Resources, Inc. and Republic Services of Clackamas and Washington Counties filed a complete application in August 2021 seeking a renewed non-system license to deliver commercial food waste and yard debris mixed with residential food waste to Pacific Region Compost under the provisions of Metro Code Chapter 5.05, “Solid Waste Flow Control”; and

WHEREAS, Metro Code Chapter 5.05 provides that the Chief Operating Officer will review applications for non-system licenses for putrescible waste and that the Metro Council will approve or deny them; and

WHEREAS, the Chief Operating Officer has analyzed the application and considered the relevant factors under Metro Code Section 5.05.140; and

WHEREAS, the Chief Operating Officer recommends that Metro issue a renewed non-system license jointly to Willamette Resources, Inc. and Republic Services of Clackamas and Washington Counties with specific conditions as provided in Exhibit A to this Resolution; now therefore,

BE IT RESOLVED that the Metro Council:

1. Approves the non-system license application of Willamette Resources, Inc. and Republic Services of Clackamas and Washington Counties subject to the terms, conditions, and limitations contained in Exhibit A to this Resolution.
2. Authorizes the Chief Operating Officer to issue to Willamette Resources, Inc. and Republic Services of Clackamas and Washington Counties a renewed non-system license substantially similar to the one attached as Exhibit A with a term of two years.

ADOPTED by the Metro Council this 9th day of December 2021.

Lynn Peterson, Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney



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

METRO SOLID WASTE FACILITY NON-SYSTEM LICENSE

No. N-005-22(4)

LICENSEE:
Willamette Resources, Inc. & Republic Services of Clackamas and Washington Counties 10295 SW Ridder Road Wilsonville, OR 97070
CONTACT PERSON:
Jason Jordan Phone: 503-404-4180 Email: jason.jordan@republicservices.com
MAILING ADDRESS:
Willamette Resources, Inc. & Republic Services of Clackamas and Washington Counties 10295 SW Ridder Road Wilsonville, OR 97070

ISSUED BY METRO:

Pamela C. Peck
Policy and Compliance Program Director

Date

1	NATURE OF WASTE COVERED BY LICENSE
	<ol style="list-style-type: none">1. Source-separated, commercial food waste and yard debris mixed with residential food waste that is generated within the Metro boundary and received at Willamette Resources, Inc. in accordance with its Metro solid waste facility franchise; and2. Source-separated, commercial food waste and yard debris mixed with residential food waste that is generated within the Metro boundary and collected by Republic Services of Clackamas and Washington Counties.
2	CALENDAR YEAR TONNAGE LIMITATION
	The licensee is authorized to transport to the non-system facility listed in Section 3 up to 25,000 tons per calendar year of the waste described in Section 1.
3	NON-SYSTEM FACILITY
	<ol style="list-style-type: none">1. The licensee is authorized to transport the waste described in Section 1 to the following non-system facility for processing and composting: Pacific Region Compost Facility 29969 Camp Adair Road Corvallis, OR 973302. This license is issued on condition that the non-system facility named in this section is authorized to accept the type of waste described in Section 1. If Metro receives notice from the Oregon Department of Environmental Quality, Benton County or other local government agency that this non-system facility is not authorized to accept such waste, Metro may immediately terminate this license pursuant to Section 10.
4	TERM OF LICENSE
	January 1, 2022 to December 31, 2023, unless amended, suspended, revoked or terminated as provided in this license.
5	COVERED LOADS
	The licensee must suitably contain and cover, on all sides, all loads of the waste described in Section 1 that are transported under authority of this license to the non-system facility listed in Section 3 to prevent spillage of waste while in transit.
6	REPORTING OF ACCIDENTS AND CITATIONS
	The licensee must report to Metro any significant incidents (such as fires), accidents, and citations involving vehicles transporting the solid waste authorized by this license.

7	MATERIAL MANAGEMENT
	<p>The licensee is authorized to deliver the waste described in Section 1 to the non-system facility listed in Section 3 under the following conditions:</p> <ol style="list-style-type: none"> 1. The non-system facility must accept all solid waste that is transported under authority of this license for the sole purpose of processing and composting on-site. The licensee must not dispose of any source-separated recyclable material, except as provided in Section 8; and 2. The non-system facility must receive, manage, process, and compost all solid waste that is transported under authority of this license in accordance with all applicable local, state and federal laws, rules, regulations, ordinances, orders, and permits.
8	REGIONAL SYSTEM FEE AND EXCISE TAX
	<p>The licensee is subject to the following conditions:</p> <ol style="list-style-type: none"> 1. The waste described in Section 1 that is delivered under authority of this license and is accepted and composted, in accordance with all applicable regulations, at the non-system facility listed in Section 3, is exempt from regional system fee and excise tax in accordance with Metro Code Chapters 5.02 and 7.01. 2. If the licensee transports waste under this license to the non-system facility listed in Section 3, but the material does not meet the facility's acceptance criteria (for example, the material is too contaminated for processing or composting) or the non-system facility fails to process and compost the material as required as a condition of this license, the licensee must pay to Metro an amount equal to the: <ol style="list-style-type: none"> (a) Regional system fee, as provided in Metro Code Chapter 5.02, for each ton or portion thereof of waste transported to the non-system facility that is ultimately transported to a disposal site. (b) Excise tax, as provided in Metro Code Chapter 7.01, for each ton or portion thereof of waste transported to the non-system facility that is ultimately delivered to a disposal site.
9	RECORD KEEPING AND REPORTING
	<ol style="list-style-type: none"> 1. The licensee must keep and maintain accurate records of the amount of all waste that the licensee transports to the non-system facility listed in Section 3. These records include the information specified in the Metro document titled, <i>Reporting Requirements and Data Standards for Metro Solid Waste Licensees, Franchisees, and Parties to Designated Facility Agreements</i>. 2. The licensee must submit to Metro the records required under Section 9.1 in an electronic format prescribed by Metro no later than fifteen days following the end of each month. 3. The licensee must make available to Metro (or Metro's designated agent) all records from which Section 9.1 is derived for its inspection or copying or both, as long as Metro provides at least three business days written notice of an intent to inspect or copy documents. The licensee must also sign or otherwise provide to Metro any consent or waiver necessary for Metro to obtain information or data from a third party, including the non-system facility named in Section 3.

	<ol style="list-style-type: none"> 4. Metro may require the licensee to report the information required by this section on a weekly or daily basis. 5. If the licensee fails to submit the records or payments to Metro by the timeline set forth in Section 9, each day by which the licensee exceeds the due date may constitute a separate violation subject to a penalty of up to \$500 per violation, in accordance with Metro Code Chapter 5.05.
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10	ADDITIONAL LICENSE CONDITIONS
	<p>This non-system license is subject to the following conditions:</p> <ol style="list-style-type: none"> 1. The transport of solid waste to the non-system facility listed in Section 3, authorized by this license, is subordinate to any subsequent decision by Metro to direct the solid waste described in this license to any other facility. 2. This license is subject to amendment, suspension, revocation or termination by Metro in the event that Metro determines that: <ol style="list-style-type: none"> (a) There has been sufficient change in any circumstances under which Metro issued this license; (b) Metro's solid waste system or the public will benefit from, and will be better served by, transporting the waste described in Section 1 to a facility other than those listed in Section 3; (c) The non-system facility listed in Section 3 fails to manage the waste subject to this license in accordance with the material management requirements described in Section 7; (d) The non-system facility listed in Section 3 does not control and minimize odors that are detectable off-site; or (e) The Metro Council adopts legislation or other policy which affects food waste management practices in the region. 3. In addition to subsections 10.2(a) through (e), Metro may amend, suspend, revoke or terminate this license pursuant to the Metro Code. 4. The licensee cannot transfer or assign any right or interest in this license without Metro's prior written approval. 5. This license is subject to amendment or termination by Metro upon the execution of a designated facility agreement with a facility listed in Section 3 that authorizes the facility to accept the waste described in Section 1. 6. This license authorizes transport of solid waste only to the facility listed in Section 3. Transfer of waste generated from within the Metro boundary to any non-system facility other than that specified in this license is prohibited unless authorized in writing by Metro. 7. Metro may direct the licensee's waste flow under this non-system license to Metro Central Transfer Station or Metro South Transfer Station with a minimum of 24 hours written notice. Any redirection of the waste flow by Metro is effective immediately. 8. If the licensee exceeds the calendar year authorization set forth in Section 2, each ton or portion thereof by which the licensee exceeds the limitation constitutes a separate violation subject to a penalty of up to \$500, in accordance with Metro Code Chapter 5.05.

11	COMPLIANCE WITH LAW
	<p>The licensee must fully comply with all applicable local, regional, state and federal laws, rules, regulations, ordinances, orders, and permits pertaining in any manner to this license, including all applicable Metro Code provisions and administrative rules adopted pursuant to Metro Code Chapter 5.05 whether or not those provisions have been specifically mentioned or cited in this license. All conditions imposed on the collection and hauling of the licensee's solid waste by federal, state, regional or local governments or agencies having jurisdiction over solid waste generated by the licensee shall be deemed part of this license as if specifically set forth.</p>
12	INDEMNIFICATION
	<p>The licensee must defend, indemnify and hold harmless Metro, its elected officials, officers, employees, agents and representatives from any and all claims, demands, damages, causes of action, or losses and expenses arising out of or related in any way to the issuance or administration of this non-system license. Expenses include, but are not limited to, all attorneys' fees, whether incurred before litigation is commenced, during litigation or on appeal.</p>

IN CONSIDERATION OF RESOLUTION NO. 21-2223 FOR THE PURPOSE OF
AUTHORIZING THE CHIEF OPERATING OFFICER TO ISSUE A RENEWED NON-
SYSTEM LICENSE JOINTLY TO WILLAMETTE RESOURCES, INC. AND REPUBLIC
SERVICES OF CLACKAMAS AND WASHINGTON COUNTIES FOR TRANSPORT OF
COMMERCIAL FOOD WASTE AND YARD DEBRIS MIXED WITH RESIDENTIAL FOOD
WASTE TO THE PACIFIC REGION COMPOST FACILITY LOCATED IN BENTON
COUNTY, OREGON

Date: 11/22/2021
Department: WPES
Meeting Date: 12/09/2021

Prepared by: Joanna Dyer, 503-813-7550,
joanna.dyer@oregonmetro.gov

ISSUE STATEMENT

Willamette Resources, Inc. (WRI) and Republic Services of Clackamas and Washington Counties (Republic) seek to renew their joint non-system license to transport commercial food waste and yard debris mixed with residential food waste generated in the Metro region to the Pacific Region Compost Facility (PRC) located in Benton County, Oregon for composting. Metro Code Section 5.05.160 requires that the Metro Council approve or deny a non-system license application for putrescible waste.

ACTION REQUESTED

Adopt Resolution No. 21-2223 which will authorize the Chief Operating Officer (COO) to issue a renewed non-system license jointly to WRI and Republic with a term of two years.

IDENTIFIED POLICY OUTCOMES

Adoption of this resolution will authorize WRI and Republic to continue to transport commercial food waste and yard debris mixed with residential food waste to PRC for composting and will enable Metro to continue to track the amount and types of putrescible waste being transported out of the Metro region.

POLICY QUESTION(S)

Should the Metro Council approve Republic's NSL application and grant the COO authority to issue a renewed non-system license to WRI and Republic to transport commercial food waste and yard debris mixed with residential food waste to PRC in Benton County for composting, according to the provisions of Metro Code 5.05.160 and as described in Resolution No. 21-2223?

POLICY OPTIONS FOR COUNCIL TO CONSIDER

1. Adopt Resolution No. 21-2223 as proposed to authorize the COO to issue a renewed non-system license jointly to WRI and Republic to transport commercial food waste and yard debris mixed with residential food waste to PRC in Benton County for composting.
2. Amend Resolution No. 21-2223 to renew the non-system license with different conditions other than those recommended by staff.

3. Do not adopt Resolution No. 21-2223.

STAFF RECOMMENDATIONS

Staff recommends that Council adopt Resolution No. 21-2223 to authorize the COO to issue a renewed NSL jointly to WRI and Republic to transport commercial food waste and yard debris mixed with residential food waste to PRC in Benton County for composting. If Council adopts this resolution, the renewed non-system license (No. N-005-22(4)) will become effective on January 1, 2022 with a term of two years.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

NSLs are the main authorizations by which Metro manages the flow of solid waste transported to facilities located outside of the Metro jurisdictional boundary because they allow Metro to closely monitor and potentially guide waste flows to authorized facilities.

KNOWN OPPOSITION / SUPPORT / COMMUNITY FEEDBACK

There is no known opposition to the proposed NSL.

LEGAL ANTECEDENTS

Metro Code Section 5.05.040 prohibits any person from utilizing a non-system facility without an appropriate license from Metro. Additionally, Metro Code Section 5.05.140 provides that, when determining whether to approve an NSL application, the Metro Council will consider the following factors:

- (1) The degree to which prior users of the non-system facility and waste types accepted at the non-system facility are known and the degree to which such wastes pose a future risk of environmental contamination;*

The proposed NSL authorizes the transport of commercial food waste and yard debris mixed with residential food waste to PRC, a yard debris and food waste composting facility that is well known to Metro staff. The facility accepts composting feedstock that consists primarily of source-separated food waste, yard debris and wood waste.

The environmental risk from the use of this facility is presumed to be minimal because it is fully regulated and monitored by the appropriate local and state authorities. It has been Metro's practice to rely on the local land use authority and the state environmental agency to determine whether environmental or human health risks posed are known, reasonable and appropriate.

- (2) The non-system facility owner's and operator's regulatory compliance record with federal, state and local requirements including but not limited to public health, safety and environmental rules and regulations;*

Metro staff's investigation of the destination facility revealed a good record of compliance with local and state agencies responsible for health, safety, and environmental regulations during the term of the current NSL. PRC is permitted by the Department of Environmental Quality (DEQ permit No. 1418). DEQ has indicated that the facility is in compliance with its permit requirements. Additionally, PRC

operates under a franchise agreement with Benton County. PRC self-reported receiving and responding to 32 odor notices from community members in 2019 and 25 and 2020 ([Coffin Butte Landfill and Pacific Region Compost Annual Report 2020](#)). Benton County staff report that the facility is compliance with the terms of its franchise agreement and has not issued any enforcement actions between January 2019 and September 2021.

(3) The adequacy of the non-system facility's operational practices and management controls;

PRC operates under the authority of a solid waste disposal site permit issued by DEQ and a franchise agreement with Benton County. The facility manages all of the waste it receives, including commercial food waste, in accordance with the requirements of its DEQ-issued permit and franchise agreement.

(4) The expected impact on the region's recycling and waste reduction efforts;

The waste subject to the proposed NSL will be delivered to PRC for the purpose of composting rather than disposal. Based on the waste management hierarchy, composting is considered to be a higher and better management option than land disposal. As such, approval of the proposed NSL is likely to continue having a positive impact on the region's recycling and waste reduction efforts.

(5) The proposed non-system license's effect with Metro's existing contractual arrangements;

This proposed license will not affect Metro's existing contractual agreements.

(6) The applicant's record regarding compliance with Metro ordinances and agreements or assistance to Metro in Metro ordinance enforcement and with federal, state and local requirements including but not limited to public health, safety and environmental rules and regulations; and

Metro staff's investigation of the applicant revealed a good record of compliance with local and state agencies responsible for health, safety and environmental regulations.

(7) Any other factor the Chief Operating Officer considers appropriate.

The proposed NSL will renew the applicant's current authorization. PRC provides important processing and composting capacity for the region that supports Metro's goal of diverting organics away from disposal and into recovery outlets.

ANTICIPATED EFFECTS

Adoption of Resolution No. 21-2223 will authorize the Chief Operating Officer to issue a renewed NSL jointly to WRI and Republic to transport up to 25,000 tons per calendar year of commercial food waste and yard debris mixed with residential food waste to PRC for composting.

FINANCIAL IMPLICATIONS

It is Metro's policy to manage the region's waste according to the waste management hierarchy. Metro's regional system fee and excise tax rates are based on the amount of waste that is anticipated to be disposed, in conjunction with Metro's budget for the next fiscal year. Anytime waste is diverted from disposal, there will be some impact in the current fiscal year to Metro's tonnage charge, enhancement fee, and solid waste fee and tax revenues.

The source-separated food waste that will be transported under authority of this proposed NSL will continue to be exempt from the fee and tax because it will be composted. The historical diversion authorized under this proposed NSL has already been factored into Metro's rates and budget – which further reduces any fiscal impact of granting this license renewal.

BACKGROUND

Republic Services Inc., a waste management company headquartered in Phoenix, Arizona, is the parent company of WRI, Republic and PRC. WRI and Republic have transported waste to PRC under Metro authorization since 2009. The term of the current non-system license originally commenced on January 1, 2018 and was originally scheduled to expire on December 31, 2019, but the COO extended the term for six additional months as allowed per Metro Code Section 5.05.170(5)(D).

In March 2020, the standard renewal process for this NSL was disrupted when the World Health Organization declared COVID-19 a global pandemic and Governor Brown issued Executive Order 20-12 ("Stay Home, Save Lives"). Rather than requiring WRI and Republic to submit a renewal application at a time when the health and economic repercussions of the pandemic were still unknown, in May 2020, the COO recommended and Council approved an 18-month term extension with an expiration date of December 31, 2021 (Resolution No. 20-5104).

Though current policy does not require a compost facility to be designated to receive Metro area waste, in April 2021, Metro Council approved the designation of three compost facilities (Recology Organics in Aumsville, Recology Organics in North Plains and Dirt Hugger in Dallesport, Washington; Resolution No. 21-5167). PRC has not applied to become a designated facility and therefore WRI and Republic must apply for a renewed NSL to continue to transport waste to PRC.

On August 20, 2021, WRI and Republic submitted an application requesting renewal of their joint NSL along with the \$50 application fee. The application was complete on August 26, 2021. The current NSL authorizes WRI and Republic to transport up to 20,000 tons per calendar year of commercial food waste and yard debris mixed with residential food waste to PRC and up to 10,000 tons of food waste per calendar year to Recology Organics Aumsville. In its renewal application, the licensee requested a 25,000 ton per calendar limit for waste transported to either facility. As mentioned previously, Recology Organics Aumsville has been designated by Metro Council and the COO believes a Designated Facility Agreement will be in place by the end of the 2021. Therefore the proposed NSL only

includes the authorization to transport waste to PRC, as once a DFA is in place with Recology Organics Aumsville, an NSL will not be required to transport Metro area waste to that facility.

The licensee has transported 14,341 tons of food waste to PRC in 2018, 14,409 tons in 2019, 20,174 tons in 2020 and 13,041 tons from January through September 2021. The licensee has not transported any waste to Recology Organics Aumsville over the term of the current NSL, which expires on December 31, 2021.

ATTACHMENTS

- A. Exhibit A to Resolution No. 21-2223: Draft non-system license No. N-005-22(4).

Agenda Item No. 4.3

Resolution No. 21-5226, For the Purpose of Confirming Appointments to the Metro Committee on
Racial Equity

Consent Agenda

Metro Council Meeting
Thursday, December 9, 2021

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF CONFIRMING	)	RESOLUTION NO. 21-5226
APPOINTMENTS TO THE METRO)	
COMMITTEE ON RACIAL EQUITY	)	Introduced by Council President Lynn Peterson

WHEREAS, in compliance with Metro's Strategic Plan to Advance Racial Equity, Diversity and Inclusion ("Strategic Plan") the Metro Council created the Committee on Racial Equity ("CORE"), approved its charter and confirmed the appointment of its two founding co-chairs on March 16, 2017; and

WHEREAS, the CORE is a Metro Advisory Committee under Metro Code Chapter 2.19.270; and

WHEREAS, by a fair and open process, Metro has recruited applicants for the CORE and the Metro Council President has appointed selected applicants consisting of members of the public who have a commitment to advancing racial equity and the skills, knowledge and lived experience to assist Metro Council and staff on the implementation and evaluation of the Strategic Plan; and

WHEREAS, Metro Code Chapter 2.19.030 requires that the Metro Council confirm appointments and re-appointments made by the Council President to Metro's Advisory Committees.

BE IT RESOLVED that the appointments and re-appointments by the Metro Council President to the CORE are hereby confirmed to serve for either one or two-year terms, effective immediately, in the form attached as Exhibit A.

ADOPTED by the Metro Council this 9th day of December, 2021.

Lynn Peterson, Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney

Exhibit A to Resolution No. 21-5226, For the Purpose of Confirming New Appointments to the Metro Committee on Racial Equity

Appointments to Metro's Committee on Racial Equity

December 6, 2021

Table 1. Individuals recommended for appointment to Metro's Committee on Racial Equity.

Name	County	End of term
Ernesto Oliva	Multnomah	November, 2023
Wade Hopkins	Multnomah	November, 2023
Brandon Culbertson	Washington	November, 2023

Table 2. Individuals recommended for re-appointment to Metro's Committee on Racial Equity.

Name	County	Joined CORE	Second term length	End of term
Quincy Brown	Multnomah	2019	1 – year	November, 2022
Daniela Ortiz	Washington	2019	2 – years	November, 2023
Maria Magallon	Clackamas	2019	2 – years	November, 2023
Nura Elmagbari	Washington	2019	2 – years	November, 2023
Saara Hirsi	Multnomah	2019	1 – year	November, 2022
Tristan Penn	Multnomah	2019	2 – years	November, 2023

IN CONSIDERATION OF RESOLUTION NO. 21-5226, FOR THE PURPOSE OF CONFIRMING
NEW APOINTMENTS TO THE METRO COMMITTEE ON RACIAL EQUITY

Date: Monday, November 22, 2021
Department: Office of the COO – Diversity,
Equity and Inclusion
Meeting Date: Thursday, December 6, 2021

Prepared by: Sebrina Owens-Wilson
Presenter(s) (if applicable): N/A
Length: N/A

ISSUE STATEMENT

Resolution No. 21-5226 requests the appointment of three new members to Metro’s Committee on Racial Equity (CORE) and the reappointment of six current members. This ensures the CORE can continue to fill their chartered role in advising Metro council and staff on the implementation of the Strategic Plan to Advance Racial Equity, Diversity and Inclusion.

ACTION REQUESTED

The Metro Council appoints four new members to Metro’s Committee on Racial Equity for two-year terms and reappoints six current members to Metro’s Committee on Racial Equity for one-year or two-year terms, according to the committee member’s preference.

IDENTIFIED POLICY OUTCOMES

This action ensures the CORE can continue to fill their chartered role in advising Metro council and staff on the implementation of the Strategic Plan to Advance Racial Equity, Diversity and Inclusion. There are currently five vacant seats on the committee. The appointment of the three new members supports CORE’s, representation of diverse lived experiences, and inclusion of an array of relevant skills and knowledge that will support CORE in its mission. The remaining two seats will reserved will we continue our efforts to recruit Clackamas County residents to support regional geographic representation on the committee.

For reappointments CORE members have the option of serving an additional one-year or two-year term for their second term on CORE. Reappointing CORE members to both one-year and two-year terms allows for overlap between existing and new members and supports the continuation of institutional knowledge and capacity. This ensures the CORE can continue to fill their chartered role in advising Metro council and staff on the implementation of the Strategic Plan to Advance Racial Equity, Diversity and Inclusion. It establishes staggering terms and allows the DEI team to create a new annual cycle of CORE recruitment and appointment that maintains an engaged and active committee.

POLICY QUESTION(S)

N/A

POLICY OPTIONS FOR COUNCIL TO CONSIDER

N/A

STAFF RECOMMENDATIONS

Staff recommends that the Metro Council appoint three new members to Metro’s Committee on Racial Equity for two-year terms and reappoints six current members for one- or two-year terms. The members

recommended for appointment, county of residence and term end date are detailed in Exhibit A of Resolution No. 21-5226.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

N/A

BACKGROUND

The CORE is a committee that was created and chartered by the Metro Council in 2017 to advise the Council and staff in advancing racial equity to fulfill the purpose of good government, which is to serve all people effectively and create greater opportunities for people of color to thrive in the region. Further, the CORE was added to Metro Code as a permanent advisory committee in 2020. The CORE's purpose is to:

- Advising Metro Council on the implementation of the [Strategic Plan to Advance Racial, Equity, Diversity, and Inclusion](#) and other racial equity strategies and initiatives,
- Providing the opportunity to meaningfully engage powerful community advocates,
- Maintaining relationships and building trust with communities of color,
- Providing a concrete mechanism for keeping Metro accountable to its racial equity goals, and
- Playing a critical advisory role in fulfilling the agency's commitments to Black, Indigenous and people of color communities.

In August 2021 DEI Program staff started the process to solicit applications from members of the public to serve on the CORE. Seventeen (17) complete applications were submitted by community members interested in serving on the CORE. Two community members (two CORE co-chairs) and four Metro staff reviewed and assessed the applications received using the criteria for committee membership set forth in the CORE bylaws and charter. This group presents three applicants recommended for appointment to the CORE. These community members (Tristan Penn and Rebecca Descombes) and Metro staff (Raahi Reddy, Sebrina Owens-Wilson, Craig Beebe and Ramona Perrault) met on October 19, 2021 to identify the roster of recommended appointments. After thoughtful consideration and deliberation, they agreed on the three names to recommend for appointment, which are listed in Exhibit A to Resolution 21-5226.

During this round of recruitment we had a goal of adding two Clackamas County residents to the committee to support regional representation on the committee. Despite wide outreach and a number of application extension we did not receive any applications from Clackamas County residents. As a result the following adjustments are being made to the recruitment process: 1) reserving two of the five open seats for Clackamas County residents and continuing targeted outreach efforts, and 2) shifting to a year round application and recruitment process to encourage more applicants to apply, support our ability to fill vacant seats as they arise unexpectedly, and create the opportunity to connect community members to other opportunities at Metro.

ATTACHMENTS

Short biographies for members recommended for appointment are included in Exhibit A to the Staff Report on Resolution No. 21-5226.

Exhibit A to the Staff Report on Resolution No. 21-5226, For the Purpose of Confirming New Appointments to the Metro Committee on Racial Equity

Committee on Racial Equity

Member appointment biographies

Ernesto Oliva

Pronouns: he/him/el

Affiliation: Unite Oregon

County of residence: Multnomah

About: I am a product of hardworking immigrant farm workers born in a small border town near Yuma, Arizona. I identify as Queer-Latinx-first-generation (Mexican), and I am passionate about working with refugees, immigrants, BIPOC, LGBTQIA+, at-risk youth, and low-income communities. As the Washington County Director for Unite Oregon, I focus on community-centered work, leadership development, grassroots fundraising, equitable strategic planning, and political advocacy. One of our many initiatives includes the economic involvement of community leaders who work to obtain pragmatic change, resources, and opportunities to ensure the wellness, sustainability, and safety of all marginalized communities. My goal is to empower diverse community leaders by providing them with the tools needed to enact change and the confidence to sit at the table with decision-makers who can uplift their voices in their community.

Wade Hopkins

Pronouns: he/him/they

Affiliation: Portland YouthBuilders and the NE Steam Coalition

County of residence: Multnomah

About: I grew up in Portland and have seen many waves of immigration and migration. Racial equity matters to me because there is beauty and strength in diversity. If we want to live in strength and beauty we must foster inclusion and equity across our community. I love the many eras of Portland and am committed to helping systems adopt equitable plans, policies and procedures. I do so with a confidence that anti-racism and racial equity help create the community we need to face the challenges of the 21st century.

Brandon Culbertson

Pronouns: he/him

Affiliation: Beaverton School District

County of residence: Washington

About: Brandon is from the Northern Arapaho Nation (WY) and Fort Peck Assiniboine and Sioux Tribes (MT). He is an alumnus of the University of Oregon & Wind River Tribal College. He has 15 years' experience working on and off reservation within Native Education. Currently he works as the Native Education Coordination and Development TOSA for the Beaverton School District. His work there involves implementing Tribal History/Shared History, tribal language(s) and Indigenous Science into curriculum, CTE and classrooms (K-12). Brandon has had success progressing institutional change in partnership with the board and staff to include disaggregating AI/AN Data, changing Columbus Day to Indigenous Peoples' Day, recognizing Native American Heritage month, and renaming Timberland to Tumwater Middle School. He currently serves as the vice chair of the Oregon Department of Education

American Indian/Alaska Native Advisory committee and serves as a Sergeant within the Oregon National Guard.

Committee on Racial Equity

Member re-appointments biographies

Quincy Brown

Pronouns: he/him/his

Affiliation: We All Rise

County of residence: Multnomah

About: I grew up in Northeast always learning about structural and historical inequalities deeply nested within Portland's History. From an early age I wanted to challenge perspectives around school access, housing security, and environmental justice. My academic research focuses on the effects of gentrification and displacement on communities of color. I am the co-founder of We All Rise a Black and woman-led consulting firm developing strategic partnerships across sectors to advance the integrity of community development at state and local levels.

Daniela Ortiz

Pronouns: she/her/hers

Affiliation: Beaverton Sexual Assault Resource Center

County of residence: Washington

About: I grew up in a low-income community, first generation immigrant along with my parents. I had the wonderful opportunity of volunteering in different parts of our barrio, thanks to my mother who was always an active leader in the community. My brothers and I would volunteer at schools, churches, cultural centers, and even attend marches alongside my parents. I have seen what collaborative action from the people can do, and I'm excited to see what we will accomplish working together.

Maria Magallon

Pronouns: she/her/hers

Affiliation: Clackamas County

County of residence: Clackamas

About: I come from a migrant farmworker family; my parents are from small countryside villages in Mexico. I was born in Texas; my parents moved with the seasonal crops so I consider Mt. Angel Oregon my home town. I have been employed with Clackamas County for almost 25 years; for twenty years I worked in public health and social services providing direct case management to farmworker families and families who were houseless. For the past five years my focus has been on evaluating services, policies and procedures to assure they are equitable and there is meaningful community involvement for underrepresented populations.

Nura Elmagbari

Pronouns: she/her/hers

Affiliation: Portland Refugee Support Group

County of residence: Washington

About: I am a Muslim woman who arrived into this country as a refugee. I have been in this country since I was a child but not much has changed in terms of how people perceive me and what I can

accomplish. I want to change the perception about Muslim women as well as do my part to improve my community, all while encouraging other Muslim women to become more involved. I have years of 2 experience in community and system building, non-profit work, youth development, and working with minority groups. The experience and knowledge I would bring is how to communicate with different communities by developing relationships and taking the time to humbly learn about people, their needs, their struggles, and their desires to live in an inclusive community.

Saara Hirsi

Pronouns: she/her/hers

Affiliation: Advocacy Consulting Refugee Community

County of residence: Multnomah

About: I am a disabled immigrant/refugee community and person of color. I am a community organizer, mentor, and working as advocacy consulting for disabled refugee community. I was addressing racial equity barrier impact disabled refugee community during the course of my education, trainings, and volunteers. I had ability to create program and did awareness events support for disabled refugee community. I served on the Oregon Commission for the Blind and Portland Commission on Disability.

Tristan Penn

Pronouns: he/him/his

Affiliation: NTEN

Equity hashtag: #HowDoesRaceAffectThis

County of residence: Multnomah

About: My lived experience as a Diné (Navajo) Man, as well as a Black Man growing up in Central Kansas profoundly shaped my deep and unshakable relationship with racial equity. Indeed, my family, felt the impact of structural, systemic, and institutionalized racism throughout our lives. I began my professional DEI work with Pacific Educational Group's three-year cohort/professional development initiative "Beyond Diversity: Courageous Conversations I & II" while working for Boys & Girls Club and Lawrence Public Schools. Additionally, the work that I have most recently worked on in my current role at NTEN has been the implementation of Racial Affinity Spaces at the annual national conference my organization puts on, The Nonprofit Technology Conference; as well as the formation of a DEI committee on our organization's board.

Agenda Item No. 4.4

Resolution No. 21-5224, For the Purpose of Confirming the Council President's Appointments of Omar Qutub as Public Member and Elizabeth Amaira Streeter as Alternate Public Member of Multnomah County to the Metro Policy Advisory Committee (MPAC)

Consent Agenda

Metro Council Meeting
Thursday, December 9, 2021

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF CONFIRMING THE	)	RESOLUTION NO. 21-5224
COUNCIL PRESIDENT’S APPOINTMENTS OF)	
OMAR QUTUB AS PUBLIC MEMBER AND	)	Introduced by Lynn Peterson, Council
ELIZABETH AMIRA STREETER AS	)	President
ALTERNATE PUBLIC MEMBER OF)	
MULTNOMAH COUNTY TO THE METRO)	
POLICY ADVISORY COMMITTEE (MPAC))	

WHEREAS, the Metro Charter, Chapter V, Section 26 establishes the Metro Policy Advisory Committee (MPAC); and

WHEREAS, Chapter V, Section 26(1)(m), provides that three persons (“public members”) will be appointed by the Council President and confirmed by Metro Council, which provisions are codified in Metro Code Section 2.19.080(b)(1); and

WHEREAS, Metro Code Section 2.19.050 authorizes each advisory committee to adopt bylaws governing the committee’s functions and procedures; and

WHEREAS, MPAC’s Bylaws, approved March 13, 1996 and last amended June 30, 2011, provide for staggered terms for the member and alternate member of a period not less than two years; and

WHEREAS, Maxine Fitzpatrick has resigned as the public member from Multnomah County; and

WHEREAS, Paul Manson has resigned as the alternate public member from Multnomah County; and

WHEREAS, the Metro Council President has appointed Omar Qutub and Elizabeth Amira Streeter as the public member and alternate public member, respectively, of Multnomah County to MPAC; and

WHEREAS, the Metro Council desires to confirm the appointments; now therefore

BE IT RESOLVED that the Metro Council:

1. Confirms the appointment of Omar Qutub as the public member of Multnomah County to MPAC for a three-year term commencing on confirmation and ending on December 30, 2024; and

2. Confirms the appointment of Elizabeth Amira Streeter as the alternate public member of Multnomah County to MPAC for a four-year term commencing on confirmation and ending on December 30, 2025.

ADOPTED by the Metro Council this _____ day of December, 2021.

Lynn Peterson, Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 21-5224, FOR THE PURPOSE OF CONFIRMING THE COUNCIL PRESIDENT'S APPOINTMENTS OF OMAR QUTUB AS PUBLIC MEMBER AND ELIZABETH AMIRA STREETER AS ALTERNATE PUBLIC MEMBER OF MULTNOMAH COUNTY TO THE METRO POLICY ADVISORY COMMITTEE (MPAC)

Date: 11/11/21
Department: Council Office
Meeting Date: 12/09/21

Prepared by: Connor Ayers, Council Policy Assistant,
Connor.Ayers@oregonmetro.gov

BACKGROUND

The Metro Policy Advisory Committee (MPAC) advises the Metro Council on growth management and land use issues at the policy level. MPAC is comprised of 21 voting members, 6 non-voting members, and 3 non-voting Metro Council liaisons. MPAC Bylaws III Section 1(a) provides that the Committee will include three voting public members, one from Clackamas County, one from Multnomah County, and one from Washington County. The public member and alternate positions for Multnomah County are currently vacant. Members and alternates for these positions are appointed by the Metro Council President and confirmed by the Metro Council.

Recommended as MPAC member

Omar Qutub – Omar is a lifelong Portlander who brings knowledge from the healthcare system to the committee. He believes that affordable access to reliable, safe, and readily available transportation for all is the key to overall success for livability in the region. Omar is involved with the Pearl District Business Association, the local NAACP chapter for medical professionals, and is part of the Portland Business Alliance's Public Service Training cohort.

Recommended as MPAC alternate

Elizabeth Amira Streeter – Amira has lived in Multnomah County for 10 years and desires to help the community thrive and grow by being a part of decision-making as a community member. She has a background in natural resources, transportation, and zoning. Amira leads work within Governor Brown's Racial Justice Council Environmental Equity Committee and has been involved with a variety of culturally specific organizations, environmental organizations, and community commissions.

ANALYSIS/INFORMATION

1. **Known Opposition:** none

2. **Legal Antecedents:**

The Metro Charter, Chapter V, Section 26(1)(m), provides that MPAC shall include three persons (“public members”) appointed by the Council President and confirmed by the Council.

The MPAC Bylaws III Section 2(e), provides that the public members and alternates will be appointed by the Metro Council President and confirmed by the Metro Council consistent with Section 26(1)(m) of the 1992 Metro Charter and will represent each county in the region. Members and alternates will be appointed to designated terms of a length to be determined by the appointing authority, but for a period of not less than two years.

3. **Anticipated Effects:**

Approval fills vacancy of the member and alternate positions for the public member and alternate member of Multnomah County on MPAC.

4. **Budget Impacts:** none

STAFF RECOMMENDATIONS

Staff recommends the adoption of Resolution No. 21-5224 For the Purpose of Confirming the Council President’s Appointments of Omar Qutub as Public Member and Elizabeth Amira Streeter as Alternate Public Member of Multnomah County to the Metro Policy Advisory Committee (MPAC).

With respect to term lengths, staff recommends a term length of three years for Omar Qutub (ending December 30, 2024) and four years for Amira Streeter (ending December 30, 2025). Such terms are consistent with the MPAC Bylaws provisions that terms be not less than two years and that the terms of the member and alternate member be staggered. Further, because both positions are currently vacant, staff recommends the terms commence upon confirmation.

ATTACHMENTS

Omar Qutub Resume
Omar Qutub MPAC Application
Elizabeth Amira Streeter Resume
Elizabeth Amira Streeter MPAC Application

OMAR N. QUTUB, MD FAAD

BOARD-CERTIFIED DERMATOLOGIST AND ENTREPRENEUR

Established and managed four Dermatology clinics in Oregon and Washington states. Detail-oriented physician of over 11 years, focused on interpersonal communication dynamics as a tool for success. Skilled in the planning and execution of cohesive medical groups as well as hiring and team-building. Special interests include public speaking including podcasts.

EXPERIENCE

Dermatology by Design LLC Portland, OR

Founder, Manager, and Dermatologist / May 2018- Present

Self-Funded Full-scale Solo practice: medical, surgical, and cosmetic dermatology
Human Resources, Marketing, Training, Community Relations, Social Media

PRO Club Medical Spa Bellevue, WA

Acting Medical Director / August 2019- August 2020

Director of Nurse Injecting Staff and Aesthetics
Medical and Cosmetic dermatologist
Robotic Hair Transplantation Specialist

Zoom+Care Portland, OR

Team Lead Dermatologist / December 2015- Present

Responsible for the creation and management of the Dermatology specialty clinic including the hiring, curriculum, and training of full-time Physician Assistants and Physicians
Educator ZOOM+ University Lectures
Administrative and profitability management

Northwest Permanente Portland, OR

General and Cosmetic Dermatologist / August 2012- November 2015
Co-Lead of NWP Cosmetic Clinic, Interstate

PROFESSIONAL AND SOCIETY MEMBERSHIPS/ POSITIONS HELD

Portland Business Alliance Public Service Training Cohort: 2020-Present
Pearl District Business Association Member, Portland, OR: 2019- Present
The Board-Certified Dermatologists: 2015- Present
Fellow, American Board of Dermatology: 2012- Present
American Academy of Dermatology Member: 2009- Present
National Medical Association (NMA): 2008- Present
Howard University Student Dermatology Society: Founder; Secretary 2007-2008
HUCM Class of 2008: Vice President of Education 2005-2008

PODCASTS

Peterka, N. *Expert guest*. "Practical Skin Care with Dr. Omar Qutub." The Self Care Mission. October 30, 2020. <https://www.instagram.com/p/CHED09xhtWU/>

Andreys, M. *Guest Physician*. "Episode 3: Dr. Omar Qutub." Hey Doc Podcast. November 10, 2020. Spotify.

Qutub, O. *Host*. Your Epi is Showing (all episodes). Produced December 2020 (Production on hold due to COVID 19).

PUBLICATIONS

Qutub, Omar N., Halder, R. (2013). Chapter 43: Eye Disorders Associated with Dermatological Diseases (pp.519-544). Editor in Chief- Robert A. Copeland, Jr. M.D. *Principles and Practice of Cornea*. London: Jaypee-Highlights Medical Publishers, Inc.

Qutub, Omar N. Case report: Vogt-Koyanagi-Harada disease in an African-American female. *J Drugs Dermatol*. 2012 Aug; 11(8):1004-5.

CIVIC ACTIVITIES / PRESENTATIONS/ LECTURESHIPS/ SPEAKING ENGAGEMENTS/ RESEARCH

Journal of Drugs and Dermatology/ SanovaWorks Webinar: Starting Your Own Dermatology Practice: Expert Panel Discussion. Panelist. July 2020

Portland Women of Color: Beauties Who Brunch. Panelist/Guest Speaker. August 2018

Zoom+ Care "Zoom U(niversity)" Educational Lectures: Generalized Skin Eruptions and Practical Pediatric Dermatology: 2016-2017

Northwest Permanente Wellness Session: "Fun, Sun, and Your Skin" Portland, OR
June, 2014

Gross & Microscopic Dermatology Symposium: Amelanotic Melanoma Hidden Amongst Common Dermatoses; American Academy of Dermatology 70th Annual Meeting: San Diego, CA- March, 2012

Poster presentation: Recurrent and bilateral primary cutaneous follicle center lymphoma lacking clonality; American Society of Dermatopathology (ASDP) Annual Meeting: Seattle, WA- October, 2011

Washington, D.C. Dermatological Society: Lecture and Case Presentation Symposium
May, 2011. Presentations: Vogt-Koyanagi-Harada Disease: A Case Presentation / Sunitinib Induced Depigmentation in Advanced Stage Renal Cell Carcinoma

Washington, D.C. Dermatological Society: Lecture and Case Presentation Symposium
May, 2010. Presentations: Recurrent Primary Follicle Center B-Cell Lymphoma / Challenges to diagnosis and Treatment of Pityriasis Lichenoides Chronica

Howard University Hospital Dermatology: Comprehensive Literature Review on diagnosis, clinical findings, and pathology of Hypopigmented Mycosis Fungoides with Dr. Rebat M. Halder, M.D. 2008-2009

Capital Area Vaccine Effort (CAVE); NIH HIV Vaccine Trial Research and informed consent protocol reviewer/critique-
2006

Johns Hopkins University Cancer in the Under-Privileged, Indigent, and Disadvantaged (CUPID) Program: Colorectal Cancer Vaccine (GVAX) Research Fellowship- Murine studies; with Drew Pardoll, M.D., PhD & Richard D. Schulick, M.D., F.A.C.S.
2005

Volunteers in Medicine Clinic Volunteer Core Organizer, Springfield, OR 2002

AWARDS AND ACKNOWLEDGEMENTS

POST-GRADUATE:

Second Place: Histone Deacetylase Inhibitor Romidepsin in a patient with Sezary Syndrome: a cancer miracle? National Medical Association John A. Kenney, Jr. M.D. Dermatology Resident Research Symposium, July 2011

MEDICAL SCHOOL:

Obstetrics & Gynecology Student of the year Class Honor 2008

Joseph Collins Foundation Scholarship 2006-2008

Vivian B. Allen Scholarship 2006-2007

Cafritz Foundation Scholarship 2004-2005

UNDERGRADUATE:

University of Oregon Presidential Scholarship 1998 – 2002

Oregon State Scholarship Commission US Bank Scholarship: Fall 1998-Spring 1999, Fall 2000-Spring 2002

Dean's List Scholar (5x)

EDUCATION

RESIDENCY TRAINING: Howard University Hospital/ Washington, DC Veteran's Affairs Medical Center (VAMC) Dermatology Residency
2012

INTERNSHIP: Preliminary Internal Medicine Johns Hopkins University/ Sinai Hospital of Baltimore Internal Medicine Program
2009

PROFESSIONAL: Howard University College of Medicine (HUCM) Doctor of Medicine
May 2008

UNDERGRADUATE: University of Oregon B.S. Biology, Minors: Chemistry & Business Administration June 2003



Metro Policy Advisory Committee Application

* response is required

First Name*: Omar

Last Name*: Qutub

Pronouns: He/Him

Occupation & Employer (if applicable): Physician, Dermatology by Design LLC

The Metro Policy Advisory Committee addresses policy areas that include regional transportation, management of the urban growth boundary, and protection of lands outside the urban growth boundary for natural resources, future urban zoning, or other uses. What is your interest or background in these issues, and why are you interested in joining this committee?*

As a Portland native, born and raised, I spent a significant amount of time commuting through my youth with my Grandmother, who never had a driver license or owned a car. Walking almost half a mile to the nearest bus stop from the suburban home she lived in with myself, my parents and my siblings, an outing shopping with Grandma was a regular occurrence. Our nearly 1-hour long commute included our walk, waiting for the bus -hoping we didn't miss an early arrival, riding to the transfer station in downtown Milwaukie, and then waiting for the next bus and the ride to downtown. The independence that our bus trip together afforded both she and I was not lost on me, even at a young age. The value, the conveniences, and the inconveniences: late busses, no shows from a break down, lack of shelter on the typical rainy days among others, are memories I won't soon forget. When I was old enough to be able to travel alone, around 12 to 13 years of age, I knew my way around town and the nuances about the trip when I headed to downtown Portland to the library or to simply browse magazines new music at the old Border's Bookstore near Pioneer Place. Watching the entire transit system evolve through the years has been fascinating, from light rail to the trolley, and I realized first hand very early how necessary the modes of transportation mattered in Portland, just as much as our pride in our city's natural resources. Public transit not only allowed for city and work access for thousands of Portlanders acting as a lifeline, but also was and continues to be a means in which to limit unnecessary fossil fuel pollution from being pumped into our clean Northwest air. As a resident in the downtown area now, my home and my work are within a few blocks of each other, on purpose. I understand first-hand the benefits and growing pains of an ever-expanding population, and as an entrepreneur I have a particular interest and understanding of the nuances that make Portland great. Just as much, I understand what may diminish our city's great uniqueness. As a lifelong Portlander, I feel an inherent sense of pride in our city and feel strongly that those of us that have been there the longest may best understand which direction we must move as we continue to innocently entice a rapid influx of new metro area citizens. Most of whom have come here for similar reasons: clean water, easy and affordable access to public transportation with a focus on the underserved and the most dependent. Then there is the inevitable need to increase the urban population density in the metro area in order to welcome our new arrivals. Having cherished our wetlands as a child and teen on field trips through the years, I believe there is a way to protect these vital ecosystems while still being able to safely and wisely welcome our new arrivals without a need to touch our urban growth boundary.

Based on my experiences, I believe that affordable access to reliable, safe, and readily available transportation to all in and around is the key to our overall success for livability in the Portland-Metro area.

Guided by input from many regional partners and informed by research, Metro has identified racial equity as the approach to ensure that all people who live, work and recreate in the Portland region have the opportunity to share in and help define a thriving, livable and prosperous place. Metro strives to cultivate diversity, advance equity and practice inclusion in all of its work. What experiences, perspectives and values would you bring to Metro's equity work?*

I believe that I have a deep understanding of Portland and the metro area has to offer, and what it needs to continue to develop and enhance in order to maximize its potential as a truly equitable city. Born at Emmanuel Hospital in North Portland, I have lived in Portland and the metro area for nearly my entire life. Having left Portland for my medical training in Washington, DC seeking a more diverse life experience with a desire to treat a variety of ailments as well as people, I returned with a more inclusive world view realizing the cosmopolitan diversity that larger cities on the East Coast had to offer. Living in a majority African American City and attending a historically black University for my medical training at Howard, I came to realize upon return to Oregon that Portland was indeed considerably behind in its inclusivity and diversity, especially at the corporate and elected office levels. Just as well, our city still has work to do in order to give better access to many of its minority communities. My perspective is of course unique being from a bi-racial family of different religions, and though Portland's tolerance to families such as mine felt genuine, equity in education, opportunity and even access to healthcare across the city was clearly divided by socioeconomic circumstances. Now as a minority physician, I do feel a responsibility to make our city focus on ways in which we can improve overall outcomes for all walks of life as we finally realize and understand the significant systemic faults and imperfections in our city as a whole. Recently, I was selected over many established board-certified dermatologists to become the inaugural director of Equity, Diversity, and Inclusion (EDI) for a large annual medical and cosmetic dermatology conference, ODAC, and my sole duty will be to ensure that our lectures and continuing medical education prioritizes equity, including all skin types and conditions that affect minority populations. My goal is to ensure that every practitioner can cast a wider net in regards to their patient populations, and also feel prepared and competent to treat those who often have felt distrust in the hands of medical professionals. Also, we will be sure to include a more diverse lecturing faculty so that all perspectives and experiences can be better understood and likely inspire younger physicians to be more inclusive. These are the values that I hope to bring to Metro.

Please describe your current and past community involvement. What organizations, issues and communities have you been involved with?*

"Since I returned home to Portland after my residency training, I became first engaged in the NAACP local chapter for medical professionals, building bonds that have lasted to this day. Being able to create a mini-network for underserved and minority communities has been more than rewarding, it has been a necessary way to bridge the gap that often pushes one faction of our community out of what we consider mainstream health care networks resulting in subpar outcomes. I have had an interest in public service for many years, and now that I have established my new business in Portland, three years in private practice, I have been able to get involved in local business groups, including the Pearl District Business Association (PDBA) where I have been able to support other local business as well as network on ways in which we can empower entrepreneurship in our greater community. In 2020, I was fortunate enough to be selected to become part the Portland Business Alliance's (PBA) Public Service Training cohort. In our many meetings, we were able to work as a cohesive group learning

about civic opportunities, ways in which to empower small businesses and their interaction with local government, and of course we were able to discuss pertinent matters including COVID and its effect on our community. Through lectures and interactive sessions, we brainstormed ways in which we can improve engagement in politics for the average citizen, and of course learning the most effective options for ourselves to become involved in not only elected office, but understanding the local and state relationships, finding out where we can make an actual difference- whether it be running for elected office, and/or supporting initiatives at the local and state levels.

How did you learn about this opportunity?

During my experience with the PBA's Public Service Training sessions, we were given direct access to discuss vital issues facing Portland- and the metro area- not only with elected city officials, but also with other policy makers and commissioners. While learning about the value and function of the many boards that have a significant hand in planning and implementing major Portland and Metro City initiatives, I realized that I could immediately best serve my community in a role such as this, giving insight as a private citizen on how vital transportation and urban growth are to the success of small businesses and the to the framework of Portland as a whole. I was lucky to have Karis Stoudamire-Phillips as a guest speaker at one of our PBA meetings, and I was fascinated by the amount of oversight she was involved in with her work as part of MERC. Having known Karis and her involvement on different commissions in Portland, I realized that there were unique opportunities to use my point of view as an entrepreneur, a small business owner, as a minority, and as a professional in order to help guide the changes that will inevitably push our growing city and metro area into the future vision of an inclusive, accessible, and environmentally sound home that Portland has always been to me.

Elizabeth Amira Streeter

Professional Experience

Natural Resources Policy Advisor

Office of Governor Kate Brown, State of Oregon – Salem, OR

July 2018 – Present

- Acts as liaison between the Governor's Office to state natural resource agencies, boards, and commissions
- Leads Natural Resources Legislative Coordination with various state agencies to ensure consistent executive branch positions regarding legislative and budget proposals
- Helps create and monitor the Governor's natural resource policy agenda and budget by informing the Governor on key policies, positions, and potential areas of concern within the wide range of national and state natural resource issues
- Works closely with government staff, stakeholders, and legislators on cross policy coordination, managing conflict, resolving disputes, and promoting collaboration on natural resource policy
- Convenes stakeholder workgroups and committees on behalf of the Governor in environmental justice and emergency preparedness

Policy Director

Office of Commissioner Nick Fish, City of Portland – Portland, OR

May 2017 – July 2018

- Served as the Commissioner's lead on various policy issues, including the Portland Harbor Superfund, public arts and culture, housing, criminal justice, and community development
- Prepared briefing memos on legislative items that come before Council, report summaries, talking points, and constituent responses
- Conducted policy research and analysis on a variety of policy issues, both related to Commissioner Fish's portfolio and of a citywide nature
- Provided leadership as necessary as a representative of Commissioner Fish in promoting collaboration and partnership with other Council offices, city bureaus, and community stakeholders

Policy and Advocacy Director

The Urban League of Portland – Portland, OR

September 2016 – May 2017

- Developed the Urban League's policy and advocacy initiatives to build civic engagement and capacity for the Black community of Oregon in education, employment, health, economic security, and overall quality of life
- Conducted community outreach and engagement through social media and events
- Cultivated relationships with agencies and elected officials at the city, county, state, and federal levels of government
- Wrote talking points, testimonials, letters of support, policy briefs, op-eds and appeared for radio interviews on behalf of the Urban League
- Tracked and reported the Urban League's legislative priorities in state, county, and city government
- Managed the Advocacy and Civic Engagement department's budget by writing grants and fundraising

Associate Consultant and Regulatory Specialist

Environmental Resources Management, Inc. – Portland, OR

September 2015 – September 2016

- Served as project manager assistant, convening and facilitating project meetings, identifying and accomplishing key milestones to deliver projects on time and within budget
- Prepared National Environmental Protection Act (NEPA) permit applications required by federal, state,

and local regulatory authorities for energy facility development, specializing in land management and environmental justice

- Assisted and supported the preparation of technical documents required as part of environmental impact statements and environmental assessments
- Coordinated public affairs events; developed press releases, talking points and conducted media outreach
- Reviewed environmental compliance relating to Federal Energy Regulatory Commission (FERC) regulated energy projects

Engagement Coordinator

Equitable Contracting & Purchasing Commission City of Portland – Portland, OR

July 2015 – September 2015

- Supported the City's initiative to expand contracting opportunities for women and minority owned businesses
- Coordinated meetings and events for the Equitable Contracting and Purchasing Commission as a liaison between the City and Commissioners
- Researched and analyzed existing data on women and minority owned businesses in the Portland Metro region and presented findings and made recommendations before the Commission
- Worked within a politically charged and at times controversial public setting to bring about more equity and business opportunities for women and people of color

Policy Analyst and Legislative Assistant

Rep. Lew Frederick, Dist. 43 - Oregon House of Representatives – Salem, OR

January 2015 – July 2015

- Supported Rep. Frederick and chief of staff in creating statewide policy while establishing and maintaining strong relationships with stakeholders, constituents, lobbyists, legislators, legislative staff, and government agencies
- Managed Rep. Frederick's schedule and served as constituent liaison for all scheduling requests for meetings, events, public outreach, and engagement
- Developed recommendations by conducting research and analyzing legislative and policy issues regarding agriculture, education, natural resources, and the environment
- Represented Rep. Frederick on statewide stakeholder workgroups on environmental issues, including agency budgets, forest preservation, and predator management

Education

J.D., Certificate in Environmental and Natural Resources Law

Lewis & Clark, Northwestern School of Law, Portland, OR – May 2013

Thesis: *Sustainable Justice: Brownfields Redevelopment and Environmental Justice*

Externships, Internships, and Fellowships:

Summer 2012 - Honors Law Clerk to the U.S. EPA, *Office of Site Remediation Enforcement*

Fall 2012 - Judicial Clerk to the Honorable Judge Darleen Ortega, *Oregon Court of Appeals*

Spring 2013 - Environmental Prosecution Clerk, *U.S. Attorney's Office, District of Oregon*

Spring 2013 - Law Clerk, *Jordan Ramis PC*

B.S., major: Environmental Science, Dance; minor: Studio Art

Skidmore College, Saratoga Springs, NY – May 2009

Awards and Former Affiliations

Oregon Commission for Women - 2020 Women of Achievement Awardee

City of Portland Charter Review Commissioner

Rachel's Network Catalyst Award Finalist

Emerge Oregon Class of 2021

Oregon Environmental Council: Board of Directors; Emerging Leaders Board

Environmental Professionals of Color



Metro Policy Advisory Committee Application

* response is required

First Name*: Elizabeth Amira

Last Name*: Streeter

Pronouns: she/her

Occupation & Employer (if applicable): Policy advisor, State of Oregon

The Metro Policy Advisory Committee addresses policy areas that include regional transportation, management of the urban growth boundary, and protection of lands outside the urban growth boundary for natural resources, future urban zoning, or other uses. What is your interest or background in these issues, and why are you interested in joining this committee?*

My interest and background for natural resources, transportation, and zoning come from my education and professional experience.

I have an educational background in land use law and natural resources management. My education is in environmental law and environmental science with a focus on land use, sustainability, and environmental justice. I have a J.D. from Lewis & Clark, Law School with a Certificate in Environmental and Natural Resources Law and a Bachelor's degree from Skidmore College in environmental science. This strong educational knowledge will help me understand the discussions that happen during MPAC.

In my current job, I get to work with land use and development agencies at the state level about land use development, transportation planning, and housing needs. I get to work with others through complex issues like how to respond to a growing population while also creating ways to mitigate climate change impacts.

I'm greatly interested in how our community in the Metro region is built to thrive and grow. I have been a resident of Multnomah county for over 10 years and I've seen how neighborhoods have changed for the better over time. I want to learn and understand the decision-making behind the changes I've seen and also be a part of the decision-making as an interested community member.

Guided by input from many regional partners and informed by research, Metro has identified racial equity as the approach to ensure that all people who live, work and recreate in the Portland region have the opportunity to share in and help define a thriving, livable and prosperous place. Metro strives to cultivate diversity, advance equity and practice inclusion in all of its work. What experiences, perspectives and values would you bring to Metro's equity work?*

I have a deep understanding of and commitment to equity. In addition to my lived experience as a Black woman, I have worked with diverse community groups and organizations throughout my career.

I worked for the Urban League of Portland as their Policy and Advocacy Director where I coordinated the African-American community around important social justice initiatives and worked in collaboration with other community-based organizations, like APANO, Latino Health Coalition, and Unite Oregon.

In my job, I get to work on advancing environmental equity towards transformative change. I have experience bringing an equity framework to my work and co-creating the development of equity initiatives with community leaders. For example, I lead work within the Governor's Racial Justice Council Environmental Equity Committee where I facilitate a decision-making process with multiple government agencies and community leaders, scholars, and advocates to design and implement equity-driven policies and budget investments. Together, we have created a suite of recommendations to elevate environmental equity and address institutional and historic inequities at the state level.

I greatly enjoy working with community to co-create and implement strategic plans to advance equitable outcomes with input from interested parties and stakeholders. I have successfully accomplished this because of my strong skills in advocacy and consensus building. I know how to gain the confidence and trust among diverse community members. I am most proud of my work as staff liaison to the Environmental Justice Task Force. The Task Force is made up of community members who want to lead on environmental justice at the state level and I helped them in creating a two-year strategic plan that is on the way to completion. My experiences working with board and commission members, legislators and their staff, community stakeholders and leaders is a strength that I would bring to MPAC.

Please describe your current and past community involvement. What organizations, issues and communities have you been involved with?*

Over the past six years, I have enjoyed strategizing in a collaborative way to solve the roots problems for historically marginalized and underserved communities. I can convene community forums and coalitions to foster collaboration towards a unified action agenda. For example, while I worked at the Urban League of Portland, I got to work directly with and collaborate with culturally specific organizations and labor unions, including the Coalition for Communities of Color, Unite Oregon, APANO, SEIU, Community Alliance of Tenants, OPAL, NAYA, and AFSCME. I have continued to have these relationships while fostering new ones with other organizations like Verde and Imagine Black.

I have also worked with multiple environmental organizations in the region including the Oregon Chapter of the Sierra Club, Oregon Environmental Council, and Environmental Professionals of Color.

I'm also a currently part of the City Club of Portland and I am a Commissioner on the City of Portland Charter Review Commission where I get to work many diverse partners within the City of Portland.

How did you learn about this opportunity?

Online

Agenda Item No. 4.5

Resolution No. 21-5227, For the Purpose of Reappointing Members to the Metro Supportive
Housing Services Regional Oversight Committee

Consent Agenda

Metro Council Meeting
Thursday, December 9, 2021

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF REAPPOINTING MEMBERS	)	RESOLUTION NO. 21-5227
TO THE METRO SUPPORTIVE HOUSING SERVICES)	
REGIONAL OVERSIGHT COMMITTEE	)	Introduced by Chief Operating
	)	Officer Marissa Madrigal with the
	)	Concurrence of Metro Council
	)	President Lynn Peterson

WHEREAS, on February 25, 2020, the Metro Council referred to the Metro area voters a personal and business income tax for the purposes of funding Supportive Housing Services in the Metro region (the "Supportive Housing Services Measure"); and

WHEREAS, on May 19, 2020, the Metro area voters approved the Supportive Housing Services Measure; and

WHEREAS, the Supportive Housing Services Measure establishes a Regional Oversight Committee to oversee the program, with the following responsibilities: reviewing local implementations plans, accepting and reviewing annual reports from the local implementation partners, monitoring financial aspects of program administration and providing annual reports to the Metro Council; and

WHEREAS, the Measure established that the Regional Oversight Committee be composed of 15 members (five each from the three counties in the region) along with one representative each from the Clackamas, Multnomah and Washington County Boards of Commissioners, Portland City Council and Metro Council; and

WHEREAS, the Metro Council codified the Regional Oversight Committee, its roles, and its membership in Metro Code Section 2.19.280; and

WHEREAS, on November 19, 2020, following appointment by the Metro Council President, the Metro Council confirmed eight members to the initial Supportive Housing Services Regional Oversight Committee for a one year term and seven members to a two year term; and

WHEREAS, the initial appointments took effect immediately in order to allow the Committee to begin its important work; and

WHEREAS, for administrative efficiencies and purposes, the Committee member terms should begin on January 1 of each year rather than November 19 of each year, and

WHEREAS, the Metro Council wishes to extend the initial terms of all Committee members through December 31 of their respective terms; and

WHEREAS, the Metro Code authorizes reappointment for some of the initial Regional Oversight Committee members after their one-year term ends in order to create staggered terms on the Committee; and

WHEREAS, the Metro Council President has reappointed 8 members to the Regional Oversight Committee; and

WHEREAS, these reappointed committee members satisfy the membership attributes set forth in Metro Code Section 2.19.280; and

WHEREAS, the Metro Council desires to confirm those reappointments; now therefore

BE IT RESOLVED that the Metro Council extends the terms of all initial appointments through December 31 of their respective terms and confirms the reappointments of certain members to the Supportive Housing Services Regional Oversight Committee as set forth on Exhibit A, attached hereto.

ADOPTED by the Metro Council this 9th day of December 2021.

Lynn Peterson, Council President

Approved as to Form:

Carrie MacLaren Metro Attorney

Exhibit A to the Resolution No. 21-5227

**Supportive Housing Services Regional Oversight Committee
Committee Member Reappointments**

The following 8 persons served an initial term of one-year from November 19, 2020 to November 18, 2021. With Council approval of an extended first term, they will serve through December 31, 2021. They will then serve a second term from January 1, 2022 through December 31, 2023.

1. Dan Fowler
2. Seth Lyon
3. Mandrill Taylor
4. Jenny Lee
5. Carter MacNichol
6. Roserria Roberts
7. Ellen Johnson
8. Felicita Monteblanco

IN CONSIDERATION OF RESOLUTION NO. 21-5227 FOR THE PURPOSE OF
REAPPOINTING MEMBERS TO THE METRO SUPPORTIVE HOUSING SERVICES
REGIONAL OVERSIGHT COMMITTEE

Date: November 24, 2021
Department: Planning & Development
Meeting date: December 9, 2021

Prepared by: Nui Bezaire

ISSUE STATEMENT

Resolution No. 21-5227 reappoints 8 members to serve two-year terms on the Supportive Housing Services Regional Oversight Committee, and extends all committee member term lengths through December 31 rather than November 18.

Metro staff have confirmed interest and availability of the following Oversight Committee members to be reappointed to serve an additional term of two years:

1. Dan Fowler
2. Seth Lyon
3. Mandrill Taylor
4. Jenny Lee
5. Carter MacNichol
6. Roserria Roberts
7. Ellen Johnson
8. Felicita Monteblanco

ACTION REQUESTED

Adopt Resolution No. 21-5227, reappointing 8 members to the Supportive Housing Services Oversight Committee for a two-year term, and extends all committee member terms to end on a December 31 date. Through adoption of this resolution, the new term for these 8 members will be January 1, 2022 through December 31, 2023.

IDENTIFIED POLICY OUTCOMES

The Regional Oversight Committee performs the following duties as charged by the Metro Council:

- Evaluate local implementation plans, recommend changes as necessary to achieve program goals and guiding principles, and make recommendations to Metro Council for approval;
- Accept and review annual reports for consistency with approved local implementation plans;
- Monitor financial aspects of program administration, including review of program expenditures; and

- Provide annual reports and presentations to Metro Council and Clackamas, Multnomah, and Washington County Boards of Commissioners assessing performance, challenges, and outcomes.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

The proposed Resolution is based on numerous policies previously adopted by the Metro Council, including but not limited to:

- Ordinance No. 20-1453 amending Metro Code Section 2.19 to establish the Supportive Housing Services Regional Oversight Committee
- Resolution No. 20-5135 appointing members to the Supportive Housing Services Oversight Committee by the Council President

ATTACHMENTS

None

Agenda Item No. 5.1

Ordinance No. 21-1466, For the Purpose of Repealing Metro Code Chapter 7.03

Ordinances (Second Reading)

Metro Council Meeting
Thursday, December 9, 2021

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF REPEALING METRO	)	ORDINANCE NO. 21-1466
CODE CHAPTER 7.03 (INVESTMENT POLICY))	
AND DECLARING AN EMERGENCY	)	Introduced by Chief Operating Officer Marissa Madrigal in concurrence with Council President Lynn Peterson

WHEREAS, Oregon Revised Statute (ORS) 294.135 requires a local government to annually adopt its investment policy;

WHEREAS, Metro Code Chapter 7.03 currently contains Metro's investment policy, which policy is reviewed and approved by Metro's Investment Advisory Board prior to the Metro Council re-adopting Metro Code Chapter 7.03 every year by ordinance;

WHEREAS, Metro staff has determined that the requirements of ORS 294 can more efficiently be met by the Metro Council annually adopting the investment policy by resolution; now therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. That Metro Code Chapter 7.03 is hereby repealed in its entirety, and is of no further force or effect.
2. That this Ordinance being necessary for the immediate preservation of the public health, safety, and welfare to ensure consistent and uninterrupted compliance with Oregon budget law, an emergency is declared to exist, and this Ordinance shall take effect immediately, pursuant to Metro Charter Section 38(1).

ADOPTED by the Metro Council this 9th day of December, 2021.

Lynn Peterson, Council President

Attest:

Approved as to Form:

Jaye Cromwell, Recording Secretary

Carrie MacLaren, Metro Attorney

IN CONSIDERATION OF ORDINANCE NO. 21-1466, FOR THE PURPOSE OF
REPEALING METRO CODE CHAPTER 7.03 (INVESTMENT POLICY)

Date: 11/15/2021
Department: Finance and Regulatory
Services
Meeting Date: 12/2/2021

Prepared by: Brian Kennedy, 503-797-
1913
Presenter(s) (if applicable): Brian
Kennedy
Length: 10 minutes

ISSUE STATEMENT

Oregon Revised Statute 294.135(a) requires local governments have an investment policy that is readopted annually by the governing body if the local government plans on making investments with maturities that exceed 18 months. Metro has codified its investment policy in Metro Code Chapter 7.03. Generally, most local governments do not codify their investment policy because of the requirement for annual re-adoption and the frequent updates necessitated by changes in the marketplace and modifications to recommended practices by the Oregon Short Term Fund Board. Staff is proposing to remove the investment policy from Metro Code and instead present it annually to the Metro Council for re-adoption by resolution.

ACTION REQUESTED

Staff is requesting that the Council adopt Ordinance No. 21-1466 and repeal Metro Code Chapter 7.03 in its entirety.

IDENTIFIED POLICY OUTCOMES

The primary policy outcomes driven by the investment policy are the safety of capital and the availability of funds to meet payment requirements. Investment return targets are secondary.

POLICY QUESTION(S)

Does the Metro Council support changing the mechanism used to adopt Metro's investment policy?

POLICY OPTIONS FOR COUNCIL TO CONSIDER

The Council can choose to keep the investment policy in Metro Code Chapter 7.03. The primary disadvantage to this approach is that any changes, even minor administrative adjustments, require adoption by ordinance with a first and second reading before the Council.

Repealing Chapter 7.03 would allow annual review and re-adoption of the investment policy by resolution and make it easier to keep the policy up to date with current best practices.

STAFF RECOMMENDATIONS

Staff recommends that the Council adopt Ordinance No. 21-1466.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

The Investment Policy provides a framework for staff to invest all cash-related assets held by Metro. The primary focus is to ensure the safety of capital and availability of funds to meet the payment requirements of the agency. Through prudent investment of assets, Finance and Regulatory Services can meet this primary focus, while generating additional resources for programmatic use.

ORS 294 restricts the types and maturities of investments made by local governments. However, it provides additional flexibility when a written investment policy is adopted. ORS 294.135 restricts investment maturities to 18 months, but longer maturities are allowed for Metro due to our adopted policy and are contingent on annual review and re-adoption by Metro Council. Also prescribed by ORS 294.135, Metro's investment policy must be reviewed by the Oregon Short-Term Fund Board. ORS 294 does not specify the mechanism used for the Council's annual review and re-adoption. Nearly all local governments re-adopt their investment policy by resolution.

BACKGROUND

The Metro Council re-adopted the investment policy in December 2020.

Agenda Item No. 6.1

Resolution No. 21-5207, For the Purpose of Adopting the Metro Investment Policy for Fiscal Year
2021-22

Resolutions

Metro Council Meeting
Thursday, December 9, 2021

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING THE	)	RESOLUTION NO. 21-5207
METRO INVESTMENT POLICY FOR FISCAL)	
YEAR 2021-2022	)	Introduced by Chief Operating Officer Marissa Madrigal in concurrence with Council President Lynn Peterson

WHEREAS, in order to make investments having a maturity longer than 18 months, Metro is required by ORS 294.135(a) to annually adopt an Investment Policy; and

WHEREAS, Metro's current Investment Policy was adopted by Resolution 20-5413 on December 3, 2020; and

WHEREAS, Metro's Investment Advisory Board annually reviews, recommends, and submits the Investment Policy to the Metro Council for its approval; and

WHEREAS, Metro's Investment Officer has proposed several changes to the current Investment Policy, which changes have been reviewed and recommended by the Investment Advisory Board; now therefore,

BE IT RESOLVED that the Metro Council adopts the Investment Policy for Fiscal Year 2021-2022 attached hereto as Exhibit A, and authorizes the investment of Metro funds in accordance with the provisions of the Investment Policy.

ADOPTED by the Metro Council this 9th day of December, 2021.

Lynn Peterson, Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney

CHAPTER 7.03 EXHIBIT A

INVESTMENT POLICY⁺

- 7.03.010 Scope and Governing Authority
- 7.03.020 General Objectives
- 7.03.030 Standards of Care
- 7.03.040 Transaction Counterparties, Investment Advisers and Depositories
- 7.03.050 Safekeeping and Custody
- 7.03.060 Suitable and Authorized Investments
- 7.03.070 Investment Parameters
- 7.03.080 Prohibited Investments
- 7.03.090 Investment of Proceeds from Debt Issuance
- 7.03.100 -Investment Reserve or Capital Improvements
- 7.03.~~110~~~~090~~ Reporting
- 7.03.1~~20~~~~00~~ Policy Adoption and Re-Adoption
- 7.03.1~~30~~~~10~~ List of Documents Used in Conjunction with this Policy
- 7.03.1~~40~~~~20~~ Definitions

⁺ Formerly Chapter 2.06 [readopted April 9, 1998; amended December 10, 1998; readopted April 15, 1999; readopted April 27, 2000; readopted December 11, 2001; readopted October 3, 2002; renumbered by Ord. 02-976, Sec. 1; readopted June 12, 2003; amended and readopted April 7, 2005, by Ord. 05-1075; readopted April 20, 2006; readopted June 21, 2007; amended and readopted June 26, 2008, by Ord. 08-1190; amended and readopted June 25, 2009, by Ord. 09-1216; amended and readopted June 17, 2010, by Ord. 10-1243; readopted June 23, 2011, by Res. 11-4272; amended and readopted June 21, 2012 by Ord. 12-1280; and amended and readopted May 9, 2013 by Ord. 13-1303].

7.03.010 Scope and Governing Authority

These investment policies apply to all cash-related assets included within the scope of Metro's audited financial statements and held directly by Metro.

Funds held and invested by trustees or fiscal agents are excluded from these policies; however, such funds are subject to the regulations established by the state of Oregon.

Funds of Metro will be invested in compliance with the provisions of ORS Chapter 294 and other applicable statutes. Investments will be in accordance with these policies and written administrative procedures. Investment of any tax-exempt borrowing proceeds and of any debt service funds will comply with the Internal Revenue Code of 1986 provisions and any subsequent amendments thereto. [Ord. 90-365; Ord. 97-684, Sec. 1; Ord. 02-976, Sec. 1; Ord. 05-1075; Ord. 09-1216, Sec. 1; Ord. 15-1353, Sec. 1.]

7.03.020 General Objectives

Due to Metro's fiduciary responsibility, safety of capital and availability of funds to meet payment requirements are the overriding objectives of the investment program. Investment return targets are secondary.

- (a) Safety. Investments shall be undertaken in a manner that seeks to ensure the preservation of principal in the overall portfolio and security of funds and investments. The objective will be to mitigate credit risk and interest rate risk.
 - (1) Credit Risk. Metro will minimize credit risk, the risk of loss due to the financial failure of the security issuer or backer, by:
 - Limiting exposure to poor credits and concentrating the investments in the safest types of securities.
 - Pre-qualifying the financial institutions, broker/dealers, and advisers with which Metro will do business.
 - Diversifying the investment portfolio so that potential losses on individual securities will be minimized. For securities not backed by the full faith and credit of the federal government, diversification is required in order that potential losses on individual securities would not exceed the income generated from the remainder of the portfolio.
 - Actively monitoring the investment portfolio holdings for ratings changes, changing economic/market conditions, etc.

(2) Interest Rate Risk. Metro will minimize the risk that the market value of securities in the portfolio will fall due to changes in general interest rates by:

- Structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity.
- The portfolio should consist largely of securities with active secondary or resale markets. A portion of the portfolio may be placed in the Local Government Investment Pool (LGIP) which offers next-day liquidity.

(b) Liquidity. The investment officer shall assure that funds are constantly available to meet immediate payment requirements, including payroll, accounts payable and debt service.

(c) Return on Investment. The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into consideration the safety and liquidity needs of the portfolio. Section 7.03.090 contains additional details on the return objectives.

Although securities are purchased with the intent to hold to maturity, securities may be sold prior to their maturity in order to improve the quality, net yield, or maturity characteristic of the portfolio.

(d) Legality. Funds will be deposited and invested in accordance with statutes, ordinances and policies governing Metro. [Ord. 87-228, Sec. 3; Ord. 90-365; Ord. 02-976, Sec. 1; Ord. 05-1075; Ord. 15-1353, Sec. 1.]

(e) Responsibility: The intent of the investment program is to achieve long-term market returns to create added resources to advance Metro's strategic goals and objectives. Consideration of responsible investing practices, including, not limited to advancing racial equity and climate resilience, may be applied when aligned with the objectives of safety, liquidity and return.

7.03.030 Standards of Care

(a) Prudence. The standard of prudence to be applied by the investment officer shall be the "prudent person" rule: "Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable

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safety of their capital as well as the probable income to be derived." The prudent person rule shall be applied in the context of managing the overall portfolio.

- (b) Ethics and Conflicts of Interest. Officers and employees involved in the investment process shall refrain from personal activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Employees and investment officials shall disclose any material interests in financial institutions with which they conduct business. Disclosure shall be made to the governing body. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of Metro. Officers and employees shall, at all times, comply with the State of Oregon Government Standards and Practices code of ethics set forth in ORS Chapter 244.
- (c) Delegation of Authority. The Chief Operating Officer is the investment officer of Metro. The authority for investing Metro funds is vested with the investment officer, who, in turn, designates the investment manager to manage the day-to-day operations of Metro's investment portfolio, place purchase orders and sell orders with dealers and financial institutions, and prepare reports as required.
- (d) Investment Advisory Board (IAB). There shall be an investment advisory board composed of five (5) members.
 - (1) Terms of Service. The term of service for citizens appointed to the IAB shall be three (3) calendar years. The term of appointment shall be staggered so that not more than two (2) members' terms expire in any calendar year.
 - (2) Appointment. The investment officer shall recommend to the Council for confirmation the names of persons for appointment to the IAB.
 - (3) Duties. The IAB shall meet quarterly. The IAB will serve as a forum for discussion and act in an advisory capacity for investment strategies, banking relationships, the legality and probity of investment activities and the establishment of written procedures for the investment operations.

- (e) Monitoring the Portfolio. The investment manager will routinely monitor the contents of the portfolio comparing the holdings to the markets, relative values of competing instruments, changes in credit quality, responsible investing and benchmarks. If there are advantageous transactions, the portfolio may be adjusted accordingly.
- (f) Indemnity Clause. Metro shall indemnify the investment officer, chief financial officer, investment manager, staff and the IAB members from personal liability for losses that might occur pursuant to administering this investment policy. The investment officer, acting in accordance with written procedures and exercising due diligence, shall not be held personally responsible for a specific security's credit risk or market price changes, provided that these deviations are reported to the council as soon as practicable.
- (g) Internal Controls. The investment officer shall maintain a system of written internal controls, which shall be reviewed annually by the IAB and the independent auditor. The controls shall be designed to prevent loss of public funds due to fraud, error, misrepresentation or imprudent actions. Metro's independent auditor at least annually shall audit investments according to generally accepted auditing standards and this ordinance. [Ord. 05-1075; Ord. 15-1353, Sec. 1.]

The internal controls shall address the following points at a minimum:

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- (1) Compliance with Investment Policy
- (2) Detection of collusion
- (3) Separation of transaction authority from accounting and record keeping
- (4) Custodial safekeeping
- (5) Avoidance of physical delivery of securities whenever possible and address control requirements for physical delivery where necessary
- (6) Clear delegation of and limits on authority given to subordinate staff members
- (7) Confirmation of transactions for investments and wire transfers in written or digitally verifiable electronic form
- (8) Dual authorizations of wire and automated clearing house (ACH) transfers
- (9) Staff training
- (10) Review, maintenance and monitoring of security procedures both manual and automated

7.03.040 Transaction Counterparties, Investment Advisers and Depositories

- (a) Broker Dealers. The Investment Officer shall determine which broker/dealer firms and registered representatives are authorized for the purposes of investing funds

within the scope of this investment policy. A list will be maintained of approved broker/dealer firms and affiliated registered representatives.

The following minimum criteria must be met prior to authorizing investment transactions. The Investment Officer may impose more stringent criteria.

Broker dealers must meet the following minimum criteria:

- (A) Be registered with the Securities and Exchange Commission (SEC);
- (B) Be registered with the Financial Industry Regulatory Authority (FINRA);
- (C) Provide most recent audited financials;
- (D) Provide FINRA Focus Report filings.

A periodic (at least annual) review of all authorized broker/dealers will be conducted by the Investment Officer.

If Metro's investment advisor is contracted to provide securities transactions on behalf of Metro, the advisor's broker dealer list must be provided to the Investment Officer for approval. The Investment Officer can assign the responsibility of the broker dealer due diligence process to the Advisor, and all licensing information on the counterparties will be maintained by the Advisor and available upon request.

The Advisors must provide Metro with any changes to the list prior to transacting on behalf of Metro.

- (b) Investment Advisers. The Investment Officer may engage the services of one or more external investment advisers to assist in the management of Metro's investment portfolio in a manner consistent with this investment policy. If Metro hires an investment adviser to provide investment management services, the adviser is authorized to transact with its direct dealer relationships on behalf of Metro.

Approved investment adviser firms must be registered with the Securities and Exchange Commission (SEC) or licensed by the state of Oregon; (Note: Investment adviser firms with assets under management > \$100 million must be registered with the SEC, otherwise the firm must be licensed by the state of Oregon).

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A periodic (at least annual) review of all authorized investment advisers will be conducted by the Investment Officer to determine their continued eligibility within the portfolio guidelines. The Investment Advisor must notify Metro immediately if any of the following issues arise while serving under a Metro contract:

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1. Pending investigations by securities regulators
2. Significant changes in net capital
3. Pending customer arbitration cases
4. Regulatory enforcement actions

- (c) Depositories. All financial institutions who desire to become depositories must be qualified Oregon Depositories pursuant to ORS Chapter 295.
- (d) Competitive Transactions. The Investment Officer shall obtain and document competitive bid information on all investments purchased or sold in the secondary market. Competitive bids or offers should be obtained, when possible, from at least three separate brokers/financial institutions or through the use of a nationally recognized trading platform. In the instance of a security for which there is no readily available competitive bid or offering on the same specific issue, then the Investment Officer shall document quotations for comparable or alternative securities. When purchasing original issue instrumentality securities, no competitive offerings will be required as all dealers in the selling group offer those securities as the same original issue price. However, the Investment Officer is encouraged to document quotations on comparable securities. If an investment adviser provides investment management services, the adviser must retain documentation of competitive pricing execution on each transaction and provide upon request. [Ord. 15-1353, Sec. 1.]

7.03.050 Safekeeping and Custody

- (a) Delivery vs. Payment. All trades of marketable securities will be executed (cleared and settled) by delivery vs. payment (DVP) to ensure that securities are deposited in Metro's safekeeping institution prior to the release of funds. Metro will have online access through the safekeeping bank for verification of the account holdings and transactions. Delivery vs. payment will also be required for all repurchase transactions and with the collateral priced and limited in maturity in compliance with ORS 294.035(2)(j). [Ord. 05.1075.1353, Sec 1]

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Delivery vs. Payment. All securities purchased pursuant to this investment policy will be delivered by either book entry or physical delivery to a third party for safekeeping by a bank designated as custodian. Purchase and sale of all securities will be on a payment versus delivery basis. Delivery versus payment will also be

~~required for all repurchase transactions and with the collateral priced and limited in maturity in compliance with ORS 294.035(2)(j).~~

Notwithstanding the preceding, an exception to the delivery versus payment policy is made when purchasing State and Local Government Series Securities (SLGS) from the United States Treasury's Bureau of Public Debt to satisfy arbitrage yield restriction requirements of the Internal Revenue Code for tax-exempt bond issues.

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Custody/Safekeeping. Securities purchased by Metro shall be held in a segregated account for Metro's benefit at a third-party trustee as safekeeping agent. All securities will be receipted and recorded based on the terms in the custodial contract. Upon request, the safekeeping institution shall make available a copy of its Statement on Standards for Attestation Engagements (SSAE) No. 16. The approved broker dealer or the investment advisor shall provide Metro with a confirmation ticket listing the specific instrument, issuer, coupon, maturity, CUSIP number, purchase or sale price, transaction date, and other pertinent information. The trust department of the bank designated as custodian will be considered to be a third party for the purposes of safekeeping of securities purchased from that bank. The custodian shall issue a safekeeping receipt to Metro listing the specific instrument, rate, maturity and other pertinent information. [Ord. 05-1075; Ord. 15-1353, Sec. 1.]

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Commented [A4]: GPA Recommendation – not in sample policy, but added to address contracted settlement, etc. Also in Multnomah County Policy

7.03.060 Suitable and Authorized Investments

(Definitions of terms and applicable authorizing statutes are listed in the "Summary of Investments Available to Municipalities" provided by the State Treasurer).

- (a) Investment Types. The following investments are permitted by this policy and ORS 294.035 and 294.810.
- (1) Lawfully issued general obligations of the United States, the agencies and instrumentalities of the United States or enterprises sponsored by the United States Government and obligations whose payment is guaranteed by the United States, the agencies and instrumentalities of the United States or enterprises sponsored by the United States Government. Maximum percent of portfolio allocation is 100%. No more than 40% of the portfolio in any one agency, instrumentality, or sponsored enterprise.
 - (2) Certificates of Deposit (CD) from commercial banks in Oregon and insured by the Federal Deposit Insurance Corporation (FDIC). Maximum percent of portfolio allocation is ~~25~~100%. Investments in Certificates of Deposit invested in any one institution shall not exceed 5% of the total available funds and 15% of the equity of the financial institution.
 - (3) Repurchase Agreements (Repo's) purchased from any qualified institution provided the master repurchase agreement is effective and the safekeeping requirements are met. The repurchase agreement must be in writing and executed in advance of the initial purchase of the securities that are the subject of the repurchase agreement.

- (A) ORS 294.035 (3)(j) requires repurchase agreement collateral to be limited in maturity to three years and priced according to percentages prescribed by written policy of the Oregon Investment Council or the Oregon Short-Term Fund Board.
- (B) ORS 294.135 (2) limits the maximum term of any repurchase agreement to 90 days.
- (C) Acceptable collateral:
 - (i) US Treasury Securities: 102%
 - (ii) US Agency Discount and Coupon Securities: 102%

Maximum percent of portfolio allocation is ~~2550%~~ and issuer constraint is 10%.
The investment officer shall not enter into any reverse repurchase agreements.

- (4) Banker's Acceptances (BA) that are (i) guaranteed by, and carried on the books of, a qualified financial institution, (ii) eligible for discount by the Federal Reserve System, and (iii) issued by a qualified financial institution whose short-term letter of credit rating is rated in the highest category (A-1, P-1, F-1) by one or more nationally recognized statistical rating organization.

Qualified institution means a financial institution that is located and licensed to do banking business in the state of Oregon; or a financial institution located in the states of California, Idaho, or Washington that is wholly owned by a bank holding company that owns a financial institution that is located and licensed to do banking business in the state of Oregon.

Maximum percent of portfolio allocation is 25%. Investments in Bankers' Acceptances invested in any one institution shall not exceed 5% of the total available funds and 15% of the equity of the financial institution.

- (5) Corporate indebtedness subject to a valid registration statement on file with the Securities and Exchange Commission or issued under the authority of section 3(a)(2) or 3(a)(3) of the Securities Act of 1933, as amended. Must be issued by a commercial, industrial or utility business enterprise, or by or on behalf of a financial institution, including a holding company owning a majority interest in a qualified financial institution. The combined total invested in corporate indebtedness may not exceed 35%. No more than 5% of the total portfolio with any one corporate entity.
 - (A) Commercial Paper (CP) rated on the trade date P-1 or better by Moody's Investors Service or A-1 or better by Standard & Poor's

Corporation or equivalent rating by any nationally recognized statistical rating organization.

- (B) Corporate indebtedness must be rated on trade date in a rating category of "Aa" or better by Moody's Investors Service or a rating category of "AA" or better by Standard & Poor's Corporation or equivalent by any nationally recognized statistical rating organization.
- (C) Notwithstanding subparagraph (a) and (b) of this paragraph, the corporate indebtedness must be rated on the trade date P-2 or in a rating category of "A" or better by Moody's Investors Service or A-2 or in a rating category of "A" or better by Standard & Poor's Corporation or equivalent rating by any nationally recognized statistical rating organization when the corporate indebtedness is:
 - (i) Issued by a business enterprise that has its headquarters in Oregon, employs more than 50 percent of its permanent workforce in Oregon or has more than 50 percent of its tangible assets in Oregon; or
 - (ii) Issued by a holding company owning not less than a majority interest in a qualified financial institution, as defined by ORS 294.035, located and licensed to do banking business in Oregon or by a holding company owning not less than a majority interest in a business enterprise described in sub-subparagraph (i) of this subparagraph.

- (6) Lawfully issued debt obligations of the agencies and instrumentalities of the State of Oregon or its political subdivisions with a long-term rating in a rating category of "A" or an equivalent rating or better or the highest category for short term municipal debt.

Lawfully issued debt obligations of the States of California, Idaho or Washington or their political subdivisions with a long-term rating in a rating category of "AA" or an equivalent rating or better or the highest category for short term municipal debt.

Maximum percent of portfolio allocation is 25%. No more than 5% of the total portfolio in any one issuing entity.

Such obligations may be purchased only if there has been no default in payment of either the principal of or the interest on the obligations of the

issuing county, port, school district or city, for a period of five years next preceding the date of the investment, per ORS 294.040.

(7) State of Oregon Investment Pool. Maximum allowed per ORS 294.810, with the exception of pass-through funds (in and out within 10 days). A thorough investigation of the pool/fund is required prior to investing, and on a continual basis. Metro shall perform a periodic review of:

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- (A) Pool's investment policy and objectives
- (B) Interest calculations and how it is distributed
- (C) How the securities are safeguarded
- (D) How often the securities are priced

(8) Time Deposits, Market Interest Accounts and Checking Accounts. Metro shall maintain necessary allocation needed for daily cash management efficiency.

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Any financial institutions that hold funds in excess of FDIC insurance must qualify and meet requirements under ORS chapter 295, Public Funds Collateralization Program. (PFCP).

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Time Deposits and savings accounts in insured institutions as defined in ORS Section 706.008, in credit unions as defined in ORS Section 723.006, or in federal credit unions, if the institution or credit union maintains a head office or a branch in this state [ORS Section 294.035(3)(d)].

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Callable securities. The maximum percent of callable securities in the portfolio shall be 35%.

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(A) Summary of Permitted Investments.

Investment Type	Maximum Maturity	Maximum Portfolio Allocation	Maximum Allocation Per Issuer	Minimum Rating
U.S. Treasuries	5.25 years	100%	100%	-
Federal Agencies	5.25 years	100%	40%	-
Time Certificates of Deposits	5.25 years	100 25%	5%	FDIC insured
Repurchase Agreements	90 days	25 50%	10 %	Collateralized
Bankers Acceptances	180 days	25%	5%	A-1
Corporate notes	5.25 years	35%	5%	AA- A- if OR
Commercial Paper	270 days		A-1 A-2 if OR	
OR munis	5.25 years	25%	5% (per issuing entity)	A-
			5% (per issuing entity)	AA-
ID, CA, WA munis	5.25 years			
OSTF	-	Amount established by ORS 294.810	-	-
Time Deposits Market interest and checking accounts	-	Amount necessary for daily cash mgmt	-	-

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[Ord. 05-1075; Ord. 09-1216, Sec. 1; Ord. 12-1280, Sec. 1.; Ord. 13-1303; Ord. 15-1353, Sec. 1; Ord. 17-1412, Sec. 1.]

7.03.070 Investment Parameters

~~(a)~~ Diversification by Maturity. Only investments which can be held to maturity shall be purchased. Investments shall not be planned or made predicated upon selling the security prior to maturity. This restriction does not prohibit the use of repurchase agreements under ORS 294.135(2).

~~(a)~~ Funds will be invested to coincide with projected cash needs or with the following serial maturity:

~~(b)~~

<u>Maturity Constraints</u>	<u>Minimum % of Total Portfolio</u>
<u>Under 90 days</u>	<u>10%</u>
<u>Under 1.5 years</u>	<u>25%</u>
<u>Under 5.25 years</u>	<u>100%</u>
<u>Maturity Constraints</u>	<u>Maximum of Total Portfolio</u>
<u>Weighted Average DurationMaturity</u>	<u>2.5 years</u>
<u>Security Structure Constraint</u>	<u>Maximum % of Total Portfolio</u>
<u>Callable Agency Securities</u>	<u>35%</u>

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~~20% minimum to mature under three months;~~

~~25% minimum to mature under 18 months;~~

~~100% minimum to mature under five years.~~

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At all times, Metro will maintain a minimum amount of funds to meet liquidity needs for the next three months, which can be through a combination of cash and investments. The weighted average duration- of Metro's portfolio shall not exceed 2.5 years.

Investments may not exceed five (~~5.25~~) years. Investment maturities beyond 18 months may be made when supported by cash flow projections which reasonably demonstrate that liquidity requirements will be met.

~~(b)(c)~~ Diversification by Investment. The investment officer will diversify the portfolio to avoid incurring unreasonable risks inherent in over-investing in specific instruments, individual financial institutions, or maturities.

~~(e)(d)~~ Collateralization. Deposit-type securities (i.e., Certificates of Deposit) and all bank deposits for any amount exceeding FDIC coverage shall be collateralized through the Public Funds Collateralization Program as required by ORS Chapter 295. ORS Chapter 295 governs the collateralization of Oregon public funds and provides the statutory requirements for the Public Funds Collateralization Program. Bank depositories are required to pledge collateral against any public funds deposits in excess of deposit insurance amounts. ORS 295 sets the specific value of the collateral, as well as the types of collateral that are acceptable.

~~(e)(e)~~ Total Prohibitions. The investment officer may not make a commitment to invest funds or sell securities more than 14 business days prior to the anticipated date of settlement of the purchase or sale transaction and may not agree to invest funds or sell securities for a fee other than interest. Purchase of standby or forward commitments of any sort are specifically prohibited.

~~(e)(f)~~ Adherence to Investment Diversification. Diversification requirements must be met on the day an investment transaction is executed. If due to unanticipated cash needs, investment maturities or marking the portfolio to market, the investment in any security type, financial issuer or maturity spectrum later exceeds the limitations in the policy, the investment officer is responsible for bringing the investment portfolio back into compliance as soon as is practical. [Ord. 05-1075; Ord. 08-1190; Ord. 13-1302; Ord. 15-1353, Sec. 1.]

7.03.080 Prohibited Investments

- (a) Private Placement or 144A Securities. Private placement or “144A” securities are not allowed. “144A” securities include commercial paper issued under section 4(2)144A (also known as “4(2)A”) of the Securities Act of 1933.
- (b) Mortgage-backed Securities are not allowed.
- (c) Securities Lending. Metro shall not lend securities nor directly participate in a securities lending program.
- (d) Fossil Fuel Companies Listed on the Carbon Fuel Underground 200™ list - Metro shall not invest directly in fossil fuel securities listed on the Carbon Fuel Underground 200 List. [Ord. 15-1353, Sec. 1.; Ord. 17-1412, Sec. 1.]

7.03.090 Investment of Proceeds from Debt Issuance

Investments of bond proceeds are restricted under bond covenants that may be more restrictive than the investment parameters included in this policy. The investments will be

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made in a manner to match cash flow expectations based on managed disbursement schedules.

Funds from bond proceeds and amounts held in a bond payment reserve or proceeds fund may be invested pursuant to ORS 294.052. Investments of bond proceeds are typically not invested for resale and are maturity matched with outflows. Consequently, funds within the scope of ORS 294.052 are not subject to this policy's liquidity risk constraints.

Information will be maintained for arbitrage rebate calculations.

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7.03.100 Investment of Reserve or Capital Improvements

Pursuant to ORS 294.135(1)(b), reserve or capital improvement project monies may be invested in securities exceeding five and a quarter (5.25) years when the funds in question are being accumulated for an anticipated use that will occur more than 18 months after the funds are invested, then, upon the approval of Metro Council, the maturity of the investment or investments made with the funds may occur when the funds are expected to be used.

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7.03.110 Reporting

- (a) Methods. A transaction report shall be prepared by the investment manager not later than one business day after the transaction, unless a trustee, operating under a trust agreement, has executed the transaction. The trustee agreement shall provide for a report of transactions to be submitted by the trustee on a monthly basis.
- (b) Compliance. Quarterly reports shall be prepared for each regular meeting of the IAB to present historical information for the past 12-month period and that allows the IAB to ascertain whether investment activities during the reporting period have conformed to the investment policy. Copies shall be provided to the Chief Operating Officer and the Metro Council. At each quarterly meeting, a report reflecting the status of the portfolio will be submitted for review and comment by at least three (3) members of the IAB. Discussion and comment on the report will be noted in minutes of the meeting. If concurrence is not obtained, notification will be given to the investment officer, including comments by the IAB.
- (c) Performance Standards. The overall performance of Metro's investment program is evaluated quarterly by the IAB using the objectives outlined in this policy. The quarterly report which confirms adherence to this policy shall be provided to the Metro Council as soon as practicable.

The pooled investment portfolio will be managed in accordance with the parameters specified within this policy. The portfolio should obtain a market

average rate of return during a market/economic environment of stable interest rates. The primary benchmark of the portfolio will be ~~either the ICE the Bank of America Merrill Lynch 0-3 Year US Treasury Index or the ICE Bank of America Merrill Lynch 0-5 Year US Treasury Index~~. The Investment Officer may use other appropriate benchmarks including the Local Government Investment Pool's monthly average yield or a series of appropriate benchmarks consistent with Metro's investment objectives for additional analysis. Metro will use these benchmarks to determine the effectiveness of the investment strategy and return relative to market. The Investment Officer, IAB, and the Investment Advisor will review benchmarks annually for appropriateness and consistency with Metro's investment objectives.

- (d) Accounting Method. Metro shall comply with all required legal provisions and Generally Accepted Accounting Principles (GAAP). The accounting principles are those contained in the pronouncements of authoritative bodies, including, but not necessarily limited to, the American Institute of Certified Public Accountants (AICPA); the Financial Accounting Standards Board (FASB); and the Government Accounting Standards Board (GASB). [Ord. 05-1075; Ord. 15-1353, Sec. 1.]

7.03.1~~2000~~ Policy Adoption and Re-adoption

- (a) The investment policy must be reviewed by the IAB and the Oregon Short-Term Fund Board prior to adoption by the Metro Council. Adoption of this policy supersedes any other previous Council action or policy regarding Metro's investment management practices.
- (b) This policy shall be subject to review and re-adoption annually by the Metro Council in accordance with ORS 294.135. [Ord. 05-1075; Ord. 15-1353, Sec. 1.]

7.03.1~~3040~~ List of Documents Used in Conjunction with this Policy

The following documents are used in conjunction with this policy and are available from the investment manager upon request:

- List of Authorized Brokers and Dealers
- List of Primary Dealers
- Calendar of Federal Reserve System Holidays
- Calendar of Local Government Investment Pool Holidays
- Broker/Dealer Request for Information
- Oregon State Treasury's Summary of Liquid Investments Available to Local Governments for Short-Term Fund Investment
- Oregon State Treasury's U.S. Government and Agency Securities for Local Government Investment Under ORS 294.035 and 294.040

- Oregon State Treasury's List of Qualified Depositories for Public Funds
- Attorney General's letter of advice: Certificates of Deposit, ORS 294.035 and ORS Chapter 295
- Oregon Revised Statute Chapter 294 – County and Municipal Financial Administration
- Oregon Revised Statute Chapter 295 – Depositories of Public Funds and Securities
- Government Finance Officers Association Glossary of Cash Management Terms

[Ord. 05-1075; Ord. 15-1353, Sec. 1.]

7.03.1420 Definitions

Accrued Interest means interest earned but which has not yet been paid or received.

Benchmark Notes/Bonds mean Benchmark Notes and Bonds are a series of FNMA “bullet” maturities (non-callable) issued according to a pre-announced calendar. Under its Benchmark Notes/Bonds program, 2, 3, 5, 10 and 30-year maturities are issued each quarter. Each Benchmark Notes new issue has a minimum size of \$4 billion, 30-year new issues having a minimum size of \$1 billion, with re-openings based on investor demand to further enhance liquidity. The amount of non-callable issuance has allowed FNMA to build a yield curve in Benchmark Notes and Bonds in maturities ranging from 2 to 30 years. The liquidity emanating from these large size issues has facilitated favorable financing opportunities through the development of a liquid overnight and term repo market. Issues under the Benchmark program constitute the same credit standing as other FNMA issues; they simply add organization and liquidity to the intermediate- and long-term Agency market.

Book Value means the value at which a debt security is reflected on the holder's records at any point in time. Book value is also called “amortized cost” as it represents the original cost of an investment adjusted for amortization of premium or accretion of discount. Also called “carrying value.” Book value can vary over time as an investment approaches maturity and differs from “market value” in that it is not affected by changes in market interest rates.

Bullet Notes/Bonds mean notes or bonds that have a single maturity date and are non-callable.

Callable Bonds/Notes mean securities which contain an imbedded call option giving the issuer the right to redeem the securities prior to maturity at a predetermined price and time.

Certificate of Deposit Account Registry Service (CDARS) means a private service that breaks up large deposits (from individuals, companies, nonprofits, public funds, etc.) and places them across a network of banks and savings associations around the United States. Allows depositors to deal with a single bank that participates in CDARS but avoid having funds above the FDIC deposit insurance limits in any one bank.

Commercial Paper means a short term unsecured promissory note issued by a company or financial institution. Issued at a discount and matures for par or face value. Usually a maximum maturity of 270 days, and given a short-term debt rating by one or more NRSROs.

Coupon Rate means the annual rate of interest on a debt security, expressed as a percentage of the bond's face value.

Discount Notes mean unsecured general obligations issued by Federal Agencies at a discount. Discount notes mature at par and can range in maturity from overnight to one year.

Federal Agency Security means a security issued by a federal agency or certain federally chartered entities (often referred to as government-sponsored enterprises or GSEs). Agency securities typically are not guaranteed by the federal government, particularly those of GSEs.

Federal Farm Credit Bank (FFCB) means one of the large Federal Agencies. A Government Sponsored Enterprise (GS) system that is a network of cooperatively-owned lending institutions that provide credit services to farmers, agricultural cooperatives and rural utilities. The FFCBs act as financial intermediaries that borrow money in the capital markets and use the proceeds to make loans and provide other assistance to farmers and farm-affiliated businesses. Consists of the consolidated operations of the Banks for Cooperatives, Federal Intermediate Credit Banks, and Federal Land Banks. Frequent issuer of discount notes, agency notes and callable agency securities. FFCB debt is not an obligation of, nor is it guaranteed by the U.S. government, although it is considered to have minimal credit risk due to its importance to the U.S. financial system and agricultural industry.

Federal Home Loan Bank System (FHLB) means one of the large Federal Agencies. A Government Sponsored Enterprise (GSE) system, consisting of wholesale banks (currently twelve district banks) owned by their member banks, which provides correspondent banking services and credit to various financial institutions, financed by the issuance of securities. The principal purpose of the FHLB is to add liquidity to the mortgage markets. Although FHLB does not directly fund mortgages, it provides a stable supply of credit to thrift institutions that make new mortgage loans. FHLB debt is not an obligation of, nor is it guaranteed by the U.S. government, although it is considered to have minimal credit risk due to its importance to the U.S. financial system and housing market. Frequent issuer of discount notes, agency notes and callable agency securities. Also issues notes under its "global note" and "TAP" programs.

Federal Home Loan Mortgage Corporation (FHLMC or "Freddie Mac") means one of the large Federal Agencies. A government sponsored public corporation (GSE) that provides stability and assistance to the secondary market for home mortgages by purchasing first mortgages financed by the sale of debt and guaranteed mortgage backed securities. FHLMC debt is not an obligation of, nor is it guaranteed by the U.S. government, although it is considered to have minimal credit risk due to its importance to the U.S.

financial system and housing market. Frequent issuer of discount notes, agency notes, callable agency securities and MBS. Also issues notes under its “reference note” program.

Federal National Mortgage Association (FNMA or "Fannie Mae") means one of the large Federal Agencies. A government sponsored public corporation (GSE) that provides liquidity to the residential mortgage market by purchasing mortgage loans from lenders, financed by the issuance of debt securities and MBS (pools of mortgages packaged together as a security). FNMA debt is not an obligation of, nor is it guaranteed by the U.S. government, although it is considered to have minimal credit risk due to its importance to the U.S. financial system and housing market. Frequent issuer of discount notes, agency notes, callable agency securities and MBS. Also issues notes under its “benchmark note” program.

Federal Reserve Bank means one of the 12 distinct banks of the Federal Reserve System.

Global Notes means notes designed to qualify for immediate trading in both the domestic U.S. capital market and in foreign markets around the globe. Usually large issues that are sold to investors worldwide and therefore have excellent liquidity. Despite their global sales, global notes sold in the U.S. are typically denominated in U.S. dollars.

Government National Mortgage Association (GNMA or "Ginnie Mae") mean one of the large Federal Agencies. Government-owned Federal Agency that acquires, packages, and resells mortgages and mortgage purchase commitments in the form of mortgage-backed securities. Largest issuer of mortgage pass-through securities. GNMA debt is guaranteed by the full faith and credit of the U.S. government (one of the few agencies that is actually full faith and credit of the U.S.).

Government Sponsored Enterprise (GSE) means a privately owned entity subject to federal regulation and supervision, created by the U.S. Congress to reduce the cost of capital for certain borrowing sectors of the economy such as students, farmers, and homeowners. GSEs carry the implicit backing of the U.S. Government, but they are not direct obligations of the U.S. Government. For this reason, these securities will offer a yield premium over Treasuries. Examples of GSEs include: FHLB, FHLMC, and FNMA.

Market Value means the fair market value of a security or commodity. The price at which a willing buyer and seller would pay for a security.

Mortgage Backed Security (MBS) means a type of asset-backed security that is secured by a mortgage or collection of mortgages. These securities must also be grouped in one of the top two ratings as determined by an accredited credit rating agency, and usually pay periodic payments that are similar to coupon payments. Furthermore, the mortgage must have originated from a regulated and authorized financial institution.

Nationally Recognized Statistical Rating Organization (NRSRO) means a designated rating organization that the SEC has deemed a strong national presence in the U.S. NRSROs provide credit ratings on corporate and bank debt issues. Only ratings of a NRSRO may be used for the regulatory purposes of rating. Includes Moody's, Standard and Poor's, Fitch and Duff & Phelps.

Par Value means face value, stated value or maturity value of a security.

Primary Dealer means any of a group of designated government securities dealers designated by to the Federal Reserve Bank of New York. Primary dealers can buy and sell government securities directly with the Fed. Primary dealers also submit daily reports of market activity and security positions held to the Fed and are subject to its informal oversight. Primary dealers are considered the largest players in the U.S. Treasury securities market.

Primary Market means the market for new issues of securities, as distinguished from the Secondary Market, where previously issued securities are bought and sold. A market is primary if the proceeds of sales go to the issuer of the securities sold. The term also applies to government securities auctions.

Reference Bills mean FHLMC's short-term debt program created to supplement its existing discount note program by offering issues from one month through one year, auctioned on a weekly or on an alternating four-week basis (depending upon maturity) offered in sizeable volumes (\$1 billion and up) on a cycle of regular, standardized issuance. Globally sponsored and distributed, Reference Bill issues are intended to encourage active trading and market-making and facilitate the development of a term repo market. The program was designed to offer predictable supply, pricing transparency and liquidity, thereby providing alternatives to Treasury bills. FHLMC's Reference Bills are unsecured general corporate obligations. This program supplements the corporation's existing discount note program. Issues under the Reference program constitute the same credit standing as other FHLMC discount notes; they simply add organization and liquidity to the short-term Agency discount note market.

Reference Notes mean FHLMC's intermediate-term debt program with issuances of 2, 3, 5, 10 and 30-year maturities. Initial issuances range from \$2 - \$6 billion with reopenings ranging \$1 - \$4 billion. The notes are high-quality bullet structures securities that pay interest semiannually. Issues under the Reference program constitute the same credit standing as other FHLMC notes; they simply add organization and liquidity to the intermediate- and long-term Agency market.

Secondary Market means markets for the purchase and sale of any previously issued financial instrument.

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TAP program. Launched in 6/99 as a refinement to the FHLB bullet bond auction process. In a break from the FHLB's traditional practice of bringing numerous small issues to market with similar maturities, the TAP Issue Program uses the four most common maturities and reopens them up regularly through a competitive auction. These maturities (2,3,5 and 10 year) will remain open for the calendar quarter, after which they will be closed and a new series of TAP issues will be opened to replace them. This reduces the

number of separate bullet bonds issued, but generates enhanced awareness and liquidity in the marketplace through increased issue size and secondary market volume.

Tennessee Valley Authority (TVA) means a federally owned corporation in the United States created by congressional charter in May 1933 to provide navigation, flood control, electricity generation, fertilizer manufacturing, and economic development in the Tennessee Valley, a region particularly impacted by the Great Depression. The enterprise was a result of the efforts of Senator George W. Norris of Nebraska. TVA was envisioned not only as a provider, but also as a regional economic development agency that would use federal experts and electricity to rapidly modernize the region's economy and society.

Treasury Bills (T-Bills) mean short-term direct obligations of the United States Government issued with an original term of one year or less. Treasury bills are sold at a discount from face value and do not pay interest before maturity. The difference between the purchase price of the bill and the maturity value is the interest earned on the bill. Currently, the U.S. Treasury issues 4-week, 13-week and 26-week T-Bills

Treasury Bonds mean long-term interest-bearing debt securities backed by the U.S. Government and issued with maturities of ten years and longer by the U.S. Department of the Treasury.

Treasury Notes mean intermediate interest-bearing debt securities backed by the U.S. Government and issued with maturities ranging from one to ten years by the U.S. Department of the Treasury. The Treasury currently issues 2-year, 3-year, 5-year, 7-year and 10-year Treasury Notes.

U.S. Government Backed Securities mean FDIC-guaranteed corporate debt issued under the Temporary Liquidity Guarantee Program (TLGP) and backed by the full faith and credit of the United States Government with a maximum final maturity of five years.

Yield to Maturity (YTM) at Cost means the percentage rate of return paid if the security is held to its maturity date at the original time of purchase. The calculation is based on the coupon rate, length of time to maturity, and original price. It assumes that coupon interest paid over the life of the security is reinvested at the same rate. The Yield at Cost on a security remains the same while held as an investment. [Ord. 15-1353, Sec. 1.]

IN CONSIDERATION OF RESOLUTION NO. 21-5207, FOR THE PURPOSE OF
ADOPTING THE METRO INVESTMENT POLICY FOR FISCAL YEAR 2021-22

Date: 11/29/2021
Department: Finance and Regulatory
Services
Meeting Date: 12/9/2021

Prepared by: Brian Kennedy, 503-797-
1913
Presenter(s) (if applicable): Brian
Kennedy (he/him)
Length: 15 minutes

ISSUE STATEMENT

Oregon Revised Statute 294 requires the Metro Council annually review and re-adopt the Investment Policy.

ACTION REQUESTED

The Metro Council reviews and adopts the Investment Policy by approving Resolution No. 21-5207.

IDENTIFIED POLICY OUTCOMES

Due to Metro's fiduciary responsibility, safety of capital and availability of funds to meet payment requirements are the overriding objectives of the investment program. Investment return targets are secondary.

POLICY QUESTION(S)

Does Metro Council wish to re-adopt the Investment Policy?

POLICY OPTIONS FOR COUNCIL TO CONSIDER

Metro Council could review and re-adopt the Investment Policy as presented.

Metro Council could recommend modifications to the Investment Policy. Any changes to the policy in its current form would then be reviewed by both Metro's Investment Advisory Board and the Oregon Short-Term Fund Board prior to being presented to council as an ordinance.

STAFF RECOMMENDATIONS

Staff recommends the review and re-adoption of the Investment Policy by approving Resolution 21-5207.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

The Investment Policy provides a framework for staff to invest all cash-related assets held by Metro. The primary focus is to ensure the safety of capital and availability of funds to meet the payment requirements of the agency. Through prudent investment of assets,

Finance and Regulatory Services can meet this primary focus, while generating additional resources for programmatic use.

Metro Council appointed a five member citizen group, the Investment Advisory Board (IAB), to act in an advisory capacity for investment strategies and banking relationships, examine the legality and probity of investment activities, and establish written procedures for investment operations. The IAB recommended Metro Council review and re-adopt the Investment Policy in its current form and that staff prepare a more substantive review for the IAB later in 2021.

ORS 294 restricts the types and maturities of investments made by local governments. However, it provides additional flexibility when a written investment policy is adopted. ORS 294.135 restricts investment maturities to 18 months, but longer maturities are allowed for Metro due to our adopted policy and are contingent on annual review and re-adoption by Metro Council. Also prescribed by ORS 294.135, Metro's investment policy must be reviewed by the Oregon Short-Term Fund Board; the policy has previously been approved in its current form.

The proposed Investment Policy includes a number of technical changes recommended by Metro's external investment advisor in order to comply with the sample policy produced by the Oregon State Treasury. The policy also includes one substantive change:

1. At the request of the Metro Council, Metro's Investment Advisory Board has been working with staff and the external investment advisor over the last year to review language in the policy related to advancing social and environmental outcomes. Metro's policy has prohibited investment in securities issues by firms listed on the Carbon Fuel Underground 200 list since 2015. The Investment Advisory Board has recommended adding language to the objectives section directing staff to make investments that advance Metro's goals and objectives by considering responsible investment practices, including advancing racial equity and climate resilience.

BACKGROUND

The Metro Council re-adopted the investment policy in December 2020. The Metro Council is also considering Ordinance 21-1466 to remove the Investment Policy from the Metro Code by repealing Chapter 7.03. If Ordinance 21-1466 is approved, then the Council will need to adopt Resolution 21-5207 to continue to allow Metro make investments with maturities longer than 18 months.

ATTACHMENTS

Exhibit A – Investment Policy

Agenda Item No. 6.2

Resolution No. 21-5214, For the Purpose of Confirming the Council President's Appointment of 4 Commissioners to the Metropolitan Exposition Recreation Commission

Resolutions

Metro Council Meeting
Thursday, December 9, 2021

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF CONFIRMING THE	)	RESOLUTION NO. 21-5214
REAPPOINTMENT OF KARIS STOUDAMIRE-)	
PHILLIPS, DEIDRA KRYSS-RUSOFF, AND	)	Introduced by Council President
DEANNA PALM TO THE METROPOLITAN	)	Lynn Peterson
EXPOSITION RECREATION COMMISSION)	

WHEREAS, the Metro Code, Section 6.01.030(a) provides that the Metro Council President shall appoint all members to the Metropolitan Exposition Recreation Commission (“the Commission”); and

WHEREAS, the Metro Code, Section 6.01.030(b) provides that the Metro Council President’s appointments to the Commission are subject to confirmation by the Metro Council; and

WHEREAS, the Metro Code, Section 6.01.030(d)(1) provides that the County Commissions of Clackamas, Multnomah, and Washington counties shall each nominate one candidate for consideration for appointment by the Metro Council President; and

WHEREAS, the Metro Code, Section 6.01.030(d)(3) provides that two of the nominees shall be at the sole discretion of the Metro Council President; and

WHEREAS, pursuant to Metro Code Section 6.01.030(d)(3), the Metro Council President has nominated and reappointed Karis Stoudamire-Phillips and Deidra Kryss-Rusoff to the Commission; and

WHEREAS, pursuant to Metro Code, Section 6.01.030(d)(1), Washington County has nominated Deanna Palm for appointment to the Commission and the Metro Council President has reappointed Deanna Palm to the Commission; and

WHEREAS, the Metro Council finds that Karis Stoudamire-Phillips, Deidra Kryss-Rusoff, and Deanna Palm have the experience and expertise to make a substantial contribution to the Commission’s work; now therefore

BE IT RESOLVED that the Metro Council hereby confirms the Council President’s reappointment of Karis Stoudamire-Phillips, Deidra Kryss-Rusoff, and Deanna Palm as members of the Metropolitan Exposition Recreation Commission, for a 4-year term as provided by the Metro Code, commencing on January 1, 2022 through December 31, 2025.

ADOPTED by the Metro Council this 9th day of December 2021.

Lynn Peterson, Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 21-5214 FOR THE PURPOSE OF CONFIRMING THE REAPPOINTMENT OF KARIS STOUDAMIRE-PHILLIPS, DEIDRA KRYE-RUSOFF, AND DEANNA PALM TO THE METROPOLITAN EXPOSITION RECREATION COMMISSION.

Date: December 9, 2021

Prepared by: Steve Faulstick

BACKGROUND

The Metro Code, Sections 6.01.030(a) and (b), grants the Metro Council President sole authority to appoint all members of the Metropolitan Exposition Recreation Commission (the Commission), subject to confirmation by the Metro Council. Section 6.01.030 (d) (1) of the Code provides that Washington County shall nominate one MERC Commissioner and Section 6.01.030(d)(3) grants the Metro Council President the power to appoint two candidates. The Metro Council President has reappointed Karis Stoudamire-Phillips and Deidra Krys-Rusoff to the Commission and reappointed Deanna Palm to the Commission based upon Washington County's nomination of her for this position.

ANALYSIS/INFORMATION

- **Known Opposition.** None
- **Legal Antecedents.** Metro Code as referenced above.
- **Anticipated Effects.** Reappointment of Karis Stoudamire-Phillips, Deidra Krys-Rusoff, and Deanna Palm to the Metropolitan Exposition Recreation Commission, in the manner provided by the Metro Code for a new four year term.
- **Budget Impacts.** None

RECOMMENDED ACTION

The Metro Council President recommends approval of Resolution 21-5214 to confirm the reappointment of Karis Stoudamire-Phillips, Deidra Krys-Rusoff, and Deanna Palm to the Metropolitan Exposition Recreation Commission for a four-year term beginning on January 1, 2022 and ending December 31, 2025.

Agenda Item No. 6.3

Resolution No. 21-5231, For the Purpose of Authorizing the Chief Operating Officer to Extend the Short-Term Intergovernmental Revenue Sharing Agreement with Multnomah, Washington, and Clackamas Counties to Implement the Metro Supportive Housing Services Program

Resolutions

Metro Council Meeting
Thursday, December 9, 2021

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING THE	)	RESOLUTION NO. 21-5231
CHIEF OPERATING OFFICER TO EXTEND THE)	
SHORT-TERM INTERGOVERNMENTAL	)	Introduced by Chief Operating Officer
REVENUE SHARING AGREEMENT WITH	)	Marissa Madrigal with the Concurrence of
MULTNOMAH, WASHINGTON, AND	)	Metro Council President Lynn Peterson
CLACKAMAS COUNTIES TO IMPLEMENT THE)	
METRO SUPPORTIVE HOUSING SERVICES)	
PROGRAM)	

WHEREAS, on February 25, 2020, the Metro Council referred to the Metro area voters a personal and business income tax for the purposes of funding Supportive Housing Services in the Metro region (the "Supportive Housing Services Measure"); and

WHEREAS, on May 19, 2020, the Metro Area voters approved the Supportive Housing Services Measure, which was later codified in Metro Code Chapters 11.01, 7.05, 7.06 and 7.07; and

WHEREAS, the Supportive Housing Services Measure was designed to allow allocation of the Supportive Housing Services funds to Multnomah, Clackamas, and Washington Counties (collectively, "the Counties") via an intergovernmental agreement (IGA) that would govern the disbursement and uses of the funds; and

WHEREAS, although Metro and the Counties have begun negotiations for the Supportive Housing Services IGA, negotiations are not complete; and

WHEREAS, because the Counties had already incurred certain expenses and costs associated with providing supportive housing services and building administrative and staffing capacity to provide the supportive housing services consistent with Metro Code § 11.01.050 even though the SHS IGA was not yet executed, on June 29, 2021, the Metro Council approved Resolution No. 21-5189 authorizing the Chief Executive Officer to execute a Short-Term Revenue Sharing Agreement with Clackamas, Washington and Multnomah Counties; and

WHEREAS, the Short-Term Revenue Sharing Agreement provided the Counties and our unhoused neighbors with needed Supportive Housing Services funding to begin offering supportive housing services before the SHS IGA was fully executed; and

WHEREAS, the Short-Term Revenue Sharing Agreement approved by the Council via Resolution 21-5189 expired on October 1, 2021, but because negotiations remained incomplete despite substantial progress and frequent discussions, the Metro Council approved Resolution No. 21-5204 to further extend the term of the Short-Term Revenue Sharing Agreement through November 1, 2021, with an option for the Chief Operating Officer to extend to December 1, 2021, if necessary; and

WHEREAS, the Metro Chief Operating Officer then extended the Short-Term Revenue Sharing Agreement to December 1, 2021; and

WHEREAS, because negotiations remain incomplete but are nearing an end, it is necessary to again extend the Short-Term Revenue Sharing Agreement to January 31, 2022, as the parties continue negotiations; and

WHEREAS, the amended Revenue Sharing Agreement continues to require the Counties to spend any funding received from Metro in accordance with each county's Metro-approved Local Implementation Plan, while also requiring written updates from the Counties to Metro providing a summary of each County's use of SHS funding received from Metro to date; now therefore,

BE IT RESOLVED:

1. That the Metro Council authorizes the Chief Operating Officer to execute an extension through January 31, 2022, to the Short-Term Revenue Sharing Agreement with Multnomah, Clackamas, and Washington Counties to further implement the Metro Supportive Housing Services Program.

ADOPTED by the Metro Council this ____ day of December 2021.

Lynn Peterson, Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney

IN CONSIDERATION OF:

RESOLUTION NO. 21-5231, FOR THE PURPOSE OF AUTHORIZING THE CHIEF OPERATING OFFICER TO EXTEND THE SHORT-TERM INTERGOVERNMENTAL REVENUE SHARING AGREEMENT WITH MULTNOMAH, WASHINGTON, AND CLACKAMAS COUNTIES TO IMPLEMENT THE METRO SUPPORTIVE HOUSING SERVICES PROGRAM

Date: December 1, 2021
Department: Planning & Development
Meeting Date: December 9, 2021

Prepared by: Patricia Rojas,
patricia.rojas@oregonmetro.gov
Presenter: Patricia Rojas, Regional
Housing Director
Length: 10 min.

ISSUE STATEMENT

On May 19, 2020, greater Portland voters approved Measure 26-210, establishing Metro's regional supportive housing services program to address the region's homelessness crisis, and help individuals and families find and keep safe, stable, affordable housing across the region.

This program brings a groundbreaking level of regional coordination and scale to address this regionwide challenge between Metro and Local Implementation Partners. Each of the Metro area's three counties developed a Local Implementation Plan through inclusive engagement with community and local practitioners, analysis of local conditions and needs, and developing a framework for planned investments. As required for the counties to receive funding from the regional measure, these plans have now been approved by the Metro Council per the recommendation of the Regional Oversight Committee.

Local Implementation Plans will be incorporated into intergovernmental agreements with each Local Implementation Partner, along with agreements concerning other matters of program implementation, transfer of funds, and ongoing oversight, accountability and management.

It is critical for these agreements to provide a pathway to successful partnership and program implementation over the next 10 years. As final negotiations for longer-term agreements advance, a short-term revenue sharing agreement was approved by Metro Council on June 29, 2021, and was amended on September 30, 2021 via Resolution 21-5204. That amendment extended the expiration date of the original agreement from October 1, 2021 to November 1, 2021, with the option for Metro's Chief Operating Officer to extend another 30 days (December 1, 2021).

As IGA negotiations are still underway, a second extension of the revenue sharing agreement is requested. The extension will allow Supportive Housing Services measure funding distribution to continue to counties and will allow county partners to maintain progress in program implementation.

ACTIONS REQUESTED

- Approve Resolution No. 21-5231 to authorize an extension of the amended Short-Term Intergovernmental Revenue Sharing Agreement (approved through resolutions No. 21-5189 and 21-5204) to January 31, 2022 with the three Local Implementation Partners for the supportive housing services measure.

IDENTIFIED POLICY OUTCOMES

As described in Metro Code Chapter 11.01.100, "Implementation Intergovernmental Agreements with each Local Implementation Partner will specify how Supportive Housing Services tax collections will be released. Agreements will include specifications for annual program budgets, financial reporting, and practices for reserving funds, and redistribution of funds if a jurisdiction fails to comply with the Agreement."

The Metro Council has an inherent interest, as do our county partners, in ensuring these agreements fully advance the requirements of the measure, expectations of voters, and the outcomes communities seek over the ten-year implementation of the measure.

At the same time, Council and our county partners already have begun program investments and program launch, following extensive community and stakeholder engagement, analysis, review and approval of Local Implementation Plans by the Metro Council.

A short-term revenue-sharing agreement, built on the framework of these Local Implementation Plans, has allowed program investments to start and continue to launch – advancing the interests and needs of Council, county partners, and the community – while allowing for negotiations to continue on full intergovernmental agreements that will govern program administration over the long term.

POLICY OPTIONS FOR COUNCIL TO CONSIDER

Through the adoption of this Resolution, the Metro Council authorizes the Metro COO and staff to extend the existing Short-Term Intergovernmental Revenue Sharing Agreement with the three counties to extend the existing agreement. This will continue to allow the disbursement of program funds and will allow county partners to continue to implement the programs described in their Local Implementation Plans.

If the Metro Council does not adopt the resolution, it may direct staff to work with county counterparts to resolve any issue(s) of concern. This may lead to an interruption in program implementation.

STAFF RECOMMENDATION

Staff recommends that Council adopt the Resolution.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

Approval of this resolution is key for implementation partners to continue to launch and implement the Supportive Housing Services program since programming began on July 1, 2021. This is following dedicated work by Metro and implementation partners since the passage of the Measure in May 2020. Prior to program launch, partners have:

- convened a Stakeholder Advisory Table in summer 2020, to provide guidance on key outcomes and the program work plan;
- convened a Tax Advisory Table to advise on the collection of the business and personal income taxes that fund the program;
- entered into an intergovernmental agreement with the City of Portland to collect these taxes, and begun tax collection;
- completed and adopted a Regional Work Plan and Metro Code to guide implementation of the program.
- chartered and seated a Regional Oversight Committee in full partnership with local implementation partners, and convened seven meetings of the committee;
- recommended for approval three Local Implementation Plans and worked with the Regional Oversight Committee to review them for Metro Council approval, following many hours of inclusive engagement and analysis on the part of the Local Implementation Partners;
- collaborated to develop key matters of regional implementation including a regional long-term rent assistance program, outcomes and data collection, and programming.
- programming began on July 1, 2021

Our partners have launched and are actively implementing programming and Metro is working collaboratively with them to continue to deliver services desperately needed by people experiencing or at risk of homelessness throughout the region; the broader outcomes desired by communities, particularly BIPOC communities and those on the front lines of this crisis; and the accountability the region's voters demand and deserve. Adoption of the resolution allows program implementation to proceed expediently and with accountability, as longer-term implementation agreements are finalized.

BACKGROUND

Negotiation of intergovernmental agreements has proceeded in earnest since April 2021, with several steps of review among program and legal staff at each of the local implementation partners and Metro. The approval of Local Implementation Plans was a key milestone in this process, as these plans form the backbone of program implementation.

Metro Council approved Resolution No. 21-5189, which allowed the execution of the current short-term revenue sharing agreement, and also approved Resolution No. 21-5204, which amended the original agreement. That original agreement includes the following agreement areas between Metro and Local Implementation Partners, including but not limited to:

- Term limit of October 1
- Obligations for Metro and counties
- Allocation percentage by county
- Terms for spending tax revenue

- Termination

Resolution No. 21-5204 extended the Agreement term to November 1, with the option for the Metro COO to extend for an additional 30 days should that be needed.

Resolution 21-5231, if adopted, would extend the term (December 1, 2021) to January 31, 2022.

Upon agreement to the terms by program and legal staff at Metro and each of the Local Implementation Partners, the amendment to the Short-Term Revenue Sharing Agreement was finalized for consideration by each partner's governing body (county boards of commissioners) and the Metro Council.

ATTACHMENTS

- Resolution No. 21-5204 & Exhibit A: Amendment to Short-Term Intergovernmental Revenue Sharing Agreement between Metro and the three Local Implementation Partners

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING THE	)	RESOLUTION NO. 21-5189
CHIEF OPERATING OFFICER TO EXECUTE A)	
SHORT-TERM INTERGOVERNMENTAL	)	Introduced by Chief Operating Officer
REVENUE SHARING AGREEMENT WITH	)	Marissa Madrigal with the Concurrence of
MULTNOMAH, WASHINGTON, AND	)	Metro Council President Lynn Peterson
CLACKAMAS COUNTIES TO IMPLEMENT THE)	
METRO SUPPORTIVE HOUSING SERVICES)	
PROGRAM)	

WHEREAS, on February 25, 2020, the Metro Council referred to the Metro area voters a personal and business income tax for the purposes of funding Supportive Housing Services in the Metro region (the "Supportive Housing Services Measure"); and

WHEREAS, on May 19, 2020, the Metro Area voters approved the Supportive Housing Services Measure, which was later codified in Metro Code Chapters 11.01, 7.05, 7.06 and 7.07; and

WHEREAS, the Supportive Housing Services Measure was designed to allow allocation of the Supportive Housing Services funds to Multnomah, Clackamas, and Washington Counties (collectively, "the Counties") via an intergovernmental agreement (IGA) that would govern the disbursement and uses of the funds; and

WHEREAS, although Metro and the Counties have begun negotiations for the Supportive Housing Services IGA, negotiations are not complete and will not be complete before the beginning of the 2021-22 fiscal year, which begins on July 1; and

WHEREAS, the Counties have already incurred certain expenses and costs associated with providing supportive housing services and building administrative and staffing capacity to provide the supportive housing services consistent with Metro Code § 11.01.050; and

WHEREAS, in order to provide the Counties and our unhoused neighbors with needed Supportive Housing Services funding to begin offering supportive housing services on or after July 1, it is necessary for Metro and the Counties to enter into a Short-Term Revenue Sharing Agreement; and

WHEREAS, this Short-Term Revenue Sharing Agreement attached as Exhibit A will expire on October 1, 2021, unless all parties mutually agree to extend it if necessary; and

WHEREAS, this Short-Term Revenue Sharing Agreement requires the Counties to spend any funding received from Metro in accordance with each county's Metro-approved Local Implementation Plan; now therefore,

BE IT RESOLVED that the Metro Council authorizes the Chief Operating Officer to execute the Short-Term Revenue Sharing Agreement with Multnomah, Clackamas, and Washington Counties that is attached as Exhibit A to implement The Metro Supportive Housing Services Program.

ADOPTED by the Metro Council this ____ day of June 2021.

Lynn Peterson, Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney

REVENUE SHARING AGREEMENT

This REVENUE SHARING AGREEMENT ("Agreement") is by and between Metro Regional Government, a municipal corporation of the state of Oregon ("Metro"); Clackamas County, a political subdivision of the state of Oregon ("Clackamas"); Multnomah County, a political subdivision of the state of Oregon ("Multnomah"); and Washington County, a political subdivision of the state of Oregon ("Washington"). Washington, Multnomah, and Clackamas each are a "County" and are collectively referred to as the "Counties"; all parties to the Agreement are a "Party" and they are collectively referred to as the "Parties".

Recitals

WHEREAS, on February 25, 2020, the Metro Council adopted Ordinance No. 20-1442, which imposed business and personal income taxes (the "Income Taxes") to fund a supportive housing services program based on its finding that areas within Metro's jurisdictional boundary (generally, the urbanized areas of Multnomah, Washington, and Clackamas counties) face a severe housing affordability and homelessness crisis that endangers the health and safety of thousands of Metro's unhoused neighbors; and

WHEREAS, also at the Metro Council meeting on February 25, 2020, the Metro Council adopted Resolution 20-5083, which referred Ordinance No. 20-1442 to voters within the Metro jurisdictional boundary for approval. The Multnomah County Elections Division designated Ordinance No. 20-1442 as Ballot Measure 26-210 (the "Measure"), and it was placed on the May 19, 2020, primary election ballot (within Metro's jurisdictional boundary); and

WHEREAS, On May 19, 2020, the Metro area voters approved the Measure, thereby approving Ordinance No. 20-1442; and

WHEREAS, the ballot title to the Measure "direct[ed] regional funding to local services agencies, require[d] community engagement to develop localized implementation plans[, and] ... [a]llocate[d] funds to counties by estimated revenue collected [from the Income Taxes] within each county ..."; and

WHEREAS, and as more specifically set forth below, the Agreement sets forth the Parties' understanding that Metro will allocate funding from the Income Taxes to the Counties to pay for supportive housing services consistent with each County's Metro-approved Local Implementation Plan to allow the Parties more time to work on a comprehensive intergovernmental agreement for the that funding (the "SHS IGA"); and

WHEREAS, the Parties have agreed to the Term, defined below, that provides them with additional time to negotiate their respective SHS IGAs, which they plan to collectively negotiate and execute, and, upon mutual agreement, may further extend the Term if additional time is required.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties, intending to be legally bound, hereby covenant and agree as follows:

Agreement

1. **Recitals Incorporated.** All of the foregoing Recitals are true and correct and are incorporated herein as part of the Agreement for all purposes.

2. **Effective Date; Term.** Upon approval by the Metro Council and the boards of commissioners for each of the Counties, the Agreement shall be effective on July 1, 2021 ("Effective Date"). The Agreement shall run from the Effective Date until the earlier of October 1, 2021, or full execution of a SHS IGA by a County, unless otherwise terminated by a Party as provided in **Section 5** (the "Term"). To avoid ambiguity, the Parties recognize that any particular County may fully execute its own SHS IGA with Metro before the other Counties do so and at any time. Upon a County fully executing its own SHS IGA with Metro (including approval of that IGA by both Metro Council and the county's board of commissioners), then the Term of this Agreement shall end with respect to that Party and that Party's obligations with respect to use of Income Taxes shall be fully captured in its SHS IGA.

3. **Obligation of Metro.** Commencing July 1, 2021, and quarterly during the Term or any extension thereof, Metro will allocate to the Counties the Program Funds, defined below, collected from the Income Taxes as follows: 21.3% to Clackamas County, 45.3% to Multnomah County, and 33.3% to Washington County. Metro may only allocate funding to a County that has a Metro-approved Local Implementation Plan. As described in more detail in **Section 4**, revenue from the Income Taxes allocated to the Counties under the Agreement shall only be used for supportive housing services consistent with the terms of that County's Metro-approved Local Implementation Plan and this Agreement.

As used herein, "Program Funds" means Income Tax revenue, minus Metro's administrative and collection costs, available to a County under the Agreement.

4. **Obligations of Counties.** The Counties shall use the funding received from Metro under the Agreement only for supportive housing services and as consistent with the terms of the Metro-approved Local Implementation Plan. The Counties agree that their use of the allocated Income Tax revenues also will be subject to the terms of the SHS IGA when it is executed by the Parties.

a. **Spending On Initial SHS Costs.** Anticipating receipt of Income Taxes revenue, the Counties have incurred certain expenses and costs associated with providing supportive housing services and building administrative and staffing capacity to provide the supportive housing services consistent with Metro Code § 11.01.050 ("Initial Costs"). The Counties may pay for Initial Costs through transfers of funds, loans, or other forms of financing until sufficient Income Tax revenue is received by Metro and allocated to the Counties under the Agreement. By execution of this Agreement, Metro expressly agrees that the Counties may use funds received from Metro under this Agreement for repayment of Initial Costs. Metro further agrees that the Initial Costs shall not be considered a part of the Counties' existing supportive housing services program for purposes of the Measure's prohibition against displacement of funds currently provided.

5. **Termination.** The Agreement may be terminated: (a) at any time by mutual written agreement of the Parties; or (b) at any time after a Party has failed to cure a breach of the Agreement after receiving 30 days written notice from the non-breaching Party. To avoid ambiguity, a termination under subsection (b) of this section affects only the Party that has failed to cure a breach of the Agreement. The Agreement shall remain in place for all other Parties in the event of a breach by and termination of one Party. Unless

extended by written mutual agreement of the Parties, the Agreement shall terminate at the end of the Term.

6. **Entire Agreement.** This Agreement contains the entire agreement between the Parties with regard to the matters set forth in it, and any prior negotiations and understandings between the Parties have been merged herein. This Agreement may not be altered, amended, modified or otherwise changed in any respect whatsoever, except by a writing signed by each Party, as provided in **Section 9**. The terms of this Agreement are contractual and not a mere recital.

7. **No Assignment; Successors; Third-Party Beneficiaries.** No Party may assign its interest in the Agreement to a third-party without the prior written consent of the other Parties. The Agreement shall be binding upon and inure to the benefit of the Parties hereto jointly and severally and the heirs, executors, representatives, successors, predecessors and assigns of each. This Agreement shall be enforceable only by each Party in its own right and shall not be enforceable by any person or entity. Nothing contained in this Agreement is intended to or shall confer any rights, benefits, remedies, or entitlements upon any person or entity other than the Parties.

8. **Mutual Preparation.** This Agreement, in all respects, shall be deemed and construed to have been prepared mutually and equally by all of the Parties. No uncertainty or ambiguity herein shall be construed against any Party.

9. **General.** Each Party represents and warrants that it has the power and authority to enter into and perform the Agreement. No modifications or amendment of this Agreement shall be binding unless contained in a writing signed by the Party to be bound thereby and no waiver, promise or representation by a Party shall be binding thereon unless contained in a signed writing. Except as otherwise provided above, the Agreement may only be amended or supplemented by a writing that: (a) is signed by a duly authorized representative of all Parties; (b) clearly recites the Parties' understanding and intent to amend the Agreement; and (c) clearly and with specificity describes the terms to be amended or supplemented. Any notice given hereunder must be in writing, which shall be deemed effective upon deposit in the U.S. mail, postage prepaid, if addressed to a Party at its address of record. If any part of this Agreement shall be deemed invalid, illegal, or unenforceable to any extent, the provision shall be construed to be enforceable to the fullest extent possible, and the remainder of the Agreement shall not be affected and shall be enforceable.

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REVENUE SHARING AGREEMENT
Signature Page

The Agreement may be executed in multiple counterparts and may be electronically signed. Any verified electronic signatures appearing on the Agreement are the same as handwritten signatures for the purposes of validity, admissibility, and enforceability. Any reproduction of the Agreement made by reliable means is considered an original.

Metro

Clackamas County

By: _____

By: _____

Printed Name: _____

Printed Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

Office of Metro Attorney Review:

Reviewed: CARRIE MACLAREN, ATTORNEY FOR METRO

Clackamas County Attorney Review:

Reviewed: STEPHEN MADKOUR, COUNTY ATTORNEY FOR CLACKAMAS COUNTY, OREGON

By: _____

Assistant Metro Attorney

By: _____

Assistant County Attorney

Date: _____

Date: _____

Multnomah County

Washington County

By: _____

By: _____

Printed Name: _____

Printed Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

Multnomah County Attorney Review:

Reviewed: JENNY M. MADKOUR, COUNTY ATTORNEY FOR MULTNOMAH COUNTY, OREGON

Washington County Attorney Review:

Reviewed: TOM CARR, COUNTY ATTORNEY FOR WASHINGTON COUNTY, OREGON

By: _____

Assistant County Attorney

By: _____

Assistant County Attorney

Date: _____

Date: _____

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING THE	)	RESOLUTION NO. 21-5204
CHIEF OPERATING OFFICER TO EXTEND FOR)	
30 DAYS A SHORT-TERM	)	Introduced by Chief Operating Officer
INTERGOVERNMENTAL REVENUE SHARING	)	Marissa Madrigal with the Concurrence of
AGREEMENT WITH MULTNOMAH,	)	Metro Council President Lynn Peterson
WASHINGTON, AND CLACKAMAS COUNTIES)	
TO IMPLEMENT THE METRO SUPPORTIVE)	
HOUSING SERVICES PROGRAM)	

WHEREAS, on February 25, 2020, the Metro Council referred to the Metro area voters a personal and business income tax for the purposes of funding Supportive Housing Services in the Metro region (the "Supportive Housing Services Measure"); and

WHEREAS, on May 19, 2020, the Metro Area voters approved the Supportive Housing Services Measure, which was later codified in Metro Code Chapters 11.01, 7.05, 7.06 and 7.07; and

WHEREAS, the Supportive Housing Services Measure was designed to allow allocation of the Supportive Housing Services funds to Multnomah, Clackamas, and Washington Counties (collectively, "the Counties") via an intergovernmental agreement (IGA) that would govern the disbursement and uses of the funds; and

WHEREAS, although Metro and the Counties have begun negotiations for the Supportive Housing Services IGA, negotiations are not complete; and

WHEREAS, because the Counties had already incurred certain expenses and costs associated with providing supportive housing services and building administrative and staffing capacity to provide the supportive housing services consistent with Metro Code § 11.01.050 even though the SHS IGA was not yet executed, on June 29, 2021, the Metro Council approved Resolution No. 21-5189 authorizing the Chief Executive Officer to execute a Short-Term Revenue Sharing Agreement with Clackamas, Washington and Multnomah Counties; and

WHEREAS, the Short-Term Revenue Sharing Agreement provided the Counties and our unhoused neighbors with needed Supportive Housing Services funding to begin offering supportive housing services before the SHS IGA was fully executed; and

WHEREAS, the Short-Term Revenue Sharing Agreement approved by the Council via Resolution 21-5189 expires on October 1, 2021, but negotiations remain incomplete despite substantial progress and frequent discussions; and

WHEREAS, it is therefore necessary to extend the Short-Term Revenue Sharing Agreement for an additional 30 days to November 1, 2021, as the parties continue negotiations; and

WHEREAS, the amended Revenue Sharing Agreement continues to require the Counties to spend any funding received from Metro in accordance with each county's Metro-approved Local Implementation Plan, while also requiring a written update from the Counties to Metro within 30 days' of the amendment's execution that will provide a summary of each County's use of SHS funding received from Metro to date; now therefore,

BE IT RESOLVED:

1. That the Metro Council authorizes the Chief Operating Officer to execute a 30-day extension (through November 1, 2021) to the Short-Term Revenue Sharing Agreement with Multnomah, Clackamas, and Washington Counties to further implement the Metro Supportive Housing Services Program. The amendment is attached as Exhibit A.
2. That the Chief Operating Officer is authorized to further extend the Short-Term Revenue Sharing Agreement without Council action for an additional 30 days beyond November 1, 2021, if necessary and if agreed to by all parties.

ADOPTED by the Metro Council this ____ day of September 2021.

Lynn Peterson, Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney

AMENDMENT No. 1
TO
REVENUE SHARING AGREEMENT

This AMENDMENT NO. 1 TO REVENUE SHARING AGREEMENT (“Amendment”) is by and between Metro Regional Government, a municipal corporation of the state of Oregon (“Metro”); Clackamas County, a political subdivision of the state of Oregon (“Clackamas”); Multnomah County, a political subdivision of the state of Oregon (“Multnomah”); and Washington County, a political subdivision of the state of Oregon (“Washington”). Washington, Multnomah, and Clackamas each are a “County” and are collectively referred to as the “Counties”; all parties to the Amendment are a “Party” and they are collectively referred to as the “Parties”.

Recitals

WHEREAS, the Parties are parties to the Revenue Sharing Agreement, effective June 1, 2021 (“Agreement”), which enables Metro to allocate funding collected from business and personal income taxes imposed by Metro under its Ordinance No. 20-1442 and Ballot Measure 26-210 (the “Measure”), which was approved by voters on May 19, 2020; and

WHEREAS, and as further set forth in the Agreement, the Counties use the Income Taxes to pay for supportive housing services consistent with each County’s Metro-approved Local Implementation Plan; and

WHEREAS, the Parties entered the Agreement to allow the Parties more time to work on a comprehensive intergovernmental agreement for the that funding (the “SHS IGA”); and

WHEREAS, the Parties require more time to conclude negotiations on the SHS IGA and have agreed to extend the Term, defined below, of the Agreement.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties, intending to be legally bound, hereby covenant and agree as follows:

Agreement

1. **Term Extension.** The second sentence of the Agreement at **Section 1** is deleted and replaced with the following:

The Agreement shall run from the Effective Date until November 1, 2021, and thereafter shall renew for additional one month periods with the written consent of the Parties’ (the “Term”). The Agreement shall terminate upon full execution of a SHS IGA by a County, unless otherwise terminated by a Party as provided in **Section 5**.

2. **Reporting.** The Counties will provide Metro a written update within thirty (30) days of execution of this Amendment. The written update will provide a summary of each County’s use of funding received from Metro under the Agreement for supportive housing “wrap around” services or other uses consistent with the terms of the Measure.

3. **No Other Changes.** This Amendment does not change or otherwise affect any other term of the Agreement.

**AMENDMENT No. 1
TO
REVENUE SHARING AGREEMENT
Signature Page**

The Amendment may be executed in multiple counterparts and may be electronically signed. Any verified electronic signatures appearing on the Amendment are the same as handwritten signatures for the purposes of validity, admissibility, and enforceability. Any reproduction of the Amendment made by reliable means is considered an original.

Metro

Clackamas County

By: _____

By: _____

Printed Name: _____

Printed Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

Office of Metro Attorney Review:

Reviewed: CARRIE MACLAREN, ATTORNEY FOR
METRO

Clackamas County Attorney Review:

Reviewed: STEPHEN MADKOUR, COUNTY
ATTORNEY FOR CLACKAMAS COUNTY, OREGON

By: _____

Assistant Metro Attorney

By: _____

Assistant County Attorney

Date: _____

Date: _____

Multnomah County

Washington County

By: _____

By: _____

Printed Name: _____

Printed Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

Multnomah County Attorney Review:

Reviewed: JENNY M. MADKOUR, COUNTY
ATTORNEY FOR MULTNOMAH COUNTY, OREGON

Washington County Attorney Review:

Reviewed: TOM CARR, COUNTY ATTORNEY FOR
WASHINGTON COUNTY, OREGON

By: _____

Assistant County Attorney

By: _____

Assistant County Attorney

Date: _____

Date: _____