

Council meeting agenda

Thursday, December 12, 2019

2:00 PM

Metro Regional Center, Council chamber

1. Call to Order and Roll Call

2. Public Communication

3. Consent Agenda

- 3.1 Resolution No. 19-5055, For the Purpose of Accepting the November 5, 2019 General Election Abstract of Votes for Metro and Authorizing Continuation of the Parks and Nature Program During Refinement Planning [RES 19-5055](#)
Attachments: [Resolution No. 19-5055](#)
[Exhibit A to Resolution No. 19-5055](#)
[Staff Report](#)
- 3.2 Resolution No. 19-5057, For the Purpose of Confirming the Appointments of Idris Ibrahim, Gladys Alvarado, and Donovan Smith as Community Representatives and of Taren Evans, Yousif Brahim and Wilson Munoz as Alternate Community Representatives to the Transportation Policy Alternatives Committee [RES 19-5057](#)
Attachments: [Resolution No. 19-5057](#)
[Staff Report](#)
- 3.3 Resolution No. 19-5058, For the Purpose of Confirming the Reappointment of Members to the Oregon Zoo Bond Citizens' Oversight Committee [RES 19-5058](#)
Attachments: [Resolution No. 19-5058](#)
[Exhibit A to Resolution No. 19-5058](#)
[Staff Report](#)
- 3.4 Considerations of the Council Meeting Minutes for December 5, 2019 [18-5320](#)
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4. Presentations

- 4.1 Parks and Nature Natural Areas and Capital Program [19-5319](#)

Performance Oversight Committee Report

Presenter(s): Dan Moeller, Metro

Attachments: [Natural Areas and Capital Program Performance Oversight Committ](#)

5. Resolutions

- 5.1 Resolution No. 19-5053, For the Purpose of Approving [RES 19-5053](#)

Refinements to the 2040 Planning and Development Grant
Program

Presenter(s): Elissa Gertler, Metro

Lisa Miles, Metro

Attachments: [Resolution No. 19-5053](#)
[Staff Report](#)
[Attachment 1 to Staff Report](#)

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

Metro respects civil rights

Metro fully complies with Title VI of the Civil Rights Act of 1964 and related statutes that ban discrimination. If any person believes they have been discriminated against regarding the receipt of benefits or services because of race, color, national origin, sex, age or disability, they have the right to file a complaint with Metro. For information on Metro's civil rights program, or to obtain a discrimination complaint form, visit www.oregonmetro.gov/civilrights or call 503-797-1536. Metro provides services or accommodations upon request to persons with disabilities and people who need an interpreter at public meetings. If you need a sign language interpreter, communication aid or language assistance, call 503-797-1700 or TDD/TTY 503-797-1804 (8 a.m. to 5 p.m. weekdays) 5 business days before the meeting. All Metro meetings are wheelchair accessible. For up-to-date public transportation information, visit TriMet's website at www.trimet.org.

Thông báo về sự Metro không kỳ thị của

Metro tôn trọng dân quyền. Muốn biết thêm thông tin về chương trình dân quyền của Metro, hoặc muốn lấy đơn khiếu nại về sự kỳ thị, xin xem trong www.oregonmetro.gov/civilrights. Nếu quý vị cần thông dịch viên ra dấu bằng tay, trợ giúp về tiếp xúc hay ngôn ngữ, xin gọi số 503-797-1700 (từ 8 giờ sáng đến 5 giờ chiều vào những ngày thường) trước buổi họp 5 ngày làm việc.

Повідомлення Metro про заборону дискримінації

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

Metro 的不歧視公告

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

Ogeysiiska takooris la'aanta ee Metro

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

Metro의 차별 금지 관련 통지서

Metro의 시민권 프로그램에 대한 정보 또는 차별 항의서 양식을 얻으려면, 또는 차별에 대한 불만을 신고 할 수 www.oregonmetro.gov/civilrights. 당신의 언어 지원이 필요한 경우, 회의에 앞서 5 영업일 (오후 5시 주중에 오전 8시) 503-797-1700를 호출합니다.

Metroの差別禁止通知

Metroでは公民権を尊重しています。Metroの公民権プログラムに関する情報について、または差別苦情フォームを入手するには、www.oregonmetro.gov/civilrights。までお電話ください。公開会議で言語通訳を必要とされる方は、Metroがご要請に対応できるよう、公開会議の5営業日前までに503-797-1700（平日午前8時～午後5時）までお電話ください。

សេចក្តីជូនដំណឹងអំពីការមិនរើសអើងរបស់ Metro

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

إشعار بعدم التمييز من Metro

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

Paunawa ng Metro sa kawalan ng diskriminasyon

Iginagalang ng Metro ang mga karapatang sibil. Para sa impormasyon tungkol sa programa ng Metro sa mga karapatang sibil, o upang makakuha ng porma ng reklamo sa diskriminasyon, bisitahin ang www.oregonmetro.gov/civilrights. Kung kailangan ninyo ng interpreter ng wika sa isang pampublikong pulong, tumawag sa 503-797-1700 (8 a.m. hanggang 5 p.m. Lunes hanggang Biyernes) lima araw ng trabaho bago ang pulong upang mapagbigyan ang inyong kahilingan.

Notificación de no discriminación de Metro

Metro respeta los derechos civiles. Para obtener información sobre el programa de derechos civiles de Metro o para obtener un formulario de reclamo por discriminación, ingrese a www.oregonmetro.gov/civilrights. Si necesita asistencia con el idioma, llame al 503-797-1700 (de 8:00 a. m. a 5:00 p. m. los días de semana) 5 días laborales antes de la asamblea.

Уведомление о недопущении дискриминации от Metro

Metro уважает гражданские права. Узнать о программе Metro по соблюдению гражданских прав и получить форму жалобы о дискриминации можно на веб-сайте www.oregonmetro.gov/civilrights. Если вам нужен переводчик на общественном собрании, оставьте свой запрос, позвонив по номеру 503-797-1700 в рабочие дни с 8:00 до 17:00 и за пять рабочих дней до даты собрания.

Avizul Metro privind nediscriminarea

Metro respectă drepturile civile. Pentru informații cu privire la programul Metro pentru drepturi civile sau pentru a obține un formular de reclamație împotriva discriminării, vizitați www.oregonmetro.gov/civilrights. Dacă aveți nevoie de un interpret de limbă la o ședință publică, sunați la 503-797-1700 (între orele 8 și 5, în timpul zilelor lucrătoare) cu cinci zile lucrătoare înainte de ședință, pentru a putea să vă răspunde în mod favorabil la cerere.

Metro txoj kev ntxub ntxaug daim ntawv ceeb toom

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

Television schedule for Metro Council meetings

Clackamas, Multnomah and Washington counties, and Vancouver, WA Channel 30 – Community Access Network <i>Web site:</i> www.tvctv.org <i>Ph:</i> 503-629-8534 Call or visit web site for program times.	Portland Channel 30 – Portland Community Media <i>Web site:</i> www.pcmtv.org <i>Ph:</i> 503-288-1515 Call or visit web site for program times.
Gresham Channel 30 - MCTV <i>Web site:</i> www.metroeast.org <i>Ph:</i> 503-491-7636 Call or visit web site for program times.	Washington County and West Linn Channel 30– TVC TV <i>Web site:</i> www.tvctv.org <i>Ph:</i> 503-629-8534 Call or visit web site for program times.
Oregon City and Gladstone Channel 28 – Willamette Falls Television <i>Web site:</i> http://www.wftvmedia.org/ <i>Ph:</i> 503-650-0275 Call or visit web site for program times.	

PLEASE NOTE: Show times are tentative and in some cases the entire meeting may not be shown due to length. Call or check your community access station web site to confirm program times. Agenda items may not be considered in the exact order. For questions about the agenda, call the Metro Council Office at 503-797-1540. Public hearings are held on all ordinances second read. Documents for the record must be submitted to the Regional Engagement and Legislative Coordinator to be included in the meeting record. Documents can be submitted by e-mail, fax or mail or in person to the Regional Engagement and Legislative Coordinator. For additional information about testifying before the Metro Council please go to the Metro web site www.oregonmetro.gov and click on public comment opportunities.

Agenda Item No. 3.1

Resolution No. 19-5055, For the Purpose of Accepting the
November 5, 2019 General Election Abstract of Votes for
Metro and Authorizing Continuation of the Parks and
Nature Program During Refinement Planning

Consent Agenda

Metro Council Meeting
Thursday, December 12, 2019
Metro Regional Center, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ACCEPTING THE	)	RESOLUTION NO. 19-5055
NOVEMBER 5, 2019 GENERAL ELECTION)	
ABSTRACT OF VOTES FOR METRO AND	)	Introduced by: Interim Chief Operating
AUTHORIZING CONTINUATION OF THE	)	Officer Andrew Scott in concurrence with
PARKS AND NATURE PROGRAM	)	Council President Lynn Peterson
DURING REFINEMENT PLANNING)	

WHEREAS, on June 6, 2019, the Metro Council passed Resolution No. 19-4988, *For the Purpose of Submitting to the Voters of the Metro Area General Obligations Bonds in the Amount of \$475 Million to Fund Natural Area and Water Quality Protection and to Connect People to Nature Close to Home; and Setting Forth the Official Intent of the Metro Council to Reimburse Certain Expenditures Out of the Proceeds of Said Bonds Upon Issuance* (“Measure 26-203”);

WHEREAS, the State of Oregon held a general election on November 5, 2019, and Measure 26-203 appeared on the general election ballot;

WHEREAS, ORS 255.295 requires that the Multnomah County Director of Elections Division canvass the official abstract of votes cast for Metro measures and deliver the official abstract of votes to Metro;

WHEREAS, the abstract of votes and regional results of the general election for the Metro area, attached to this Resolution as Exhibit A, were received by the Metro Council on November 21, 2019, and Metro Code Title IX Elections, Chapter 9.02.040(d), requires the Metro Council after certification of the election results from the Director of Elections to proclaim the results in the records of the Metro Council;

WHEREAS, Measure 26-203 identifies new target areas for regional land acquisition and provides for new program areas that will protect natural areas in greater Portland and connect people to nature close to home, and staff anticipates that refinement planning for these new target areas and programs will take six to nine months;

WHEREAS, the Metro Council has determined that it is important for the work of the parks and nature program to continue without cessation during refinement planning and that the parks and nature leasing policy (adopted pursuant to Metro Council Resolution No. 97-2483) and the Natural Areas Work Plan (adopted pursuant to Metro Council Resolution No. 14-4536) are necessary for such continuity; now therefore

BE IT RESOLVED:

1. That the Metro Council hereby accepts and proclaims the results of the abstract of votes for the November 5, 2019 general election, attached as Exhibit A to this Resolution, and proclaims that the voters of the Metro Area have approved Measure 26-203.

2. That the authorization for the Chief Operating Officer to manage and acquire property in accordance with the leasing policy and the Natural Areas Work Plan applies to Metro’s use of funds provided by Measure 26-203, until such time as these documents may be amended after refinement planning is complete for the new measure.

ADOPTED by the Metro Council this 12th day of December, 2019.

Sam Chase, Deputy Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney

Exhibit A to Resolution No. 19-5055

November 2019 Election - Multnomah County Elections

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November 5, 2019

2019-11-21

All Precincts, Metro District, All ScanStations, Metro Measure 26-203, Bonds, All Boxes

09:47:17

Total Ballots Cast: 173975, Registered Voters: 524389, Overall Turnout: 33.18%

Metro Measure 26-203, Bonds (Vote for 1)

Precinct	Ballots Cast	Reg. Voters	Total Votes	Yes	No	Over Votes	Under Votes
Precinct 2701	316	652	313	188 60.06%	125 39.94%	0	3
Precinct 2702	406	871	403	255 63.28%	148 36.72%	0	3
Precinct 3101	546	1475	543	304 55.99%	239 44.01%	0	3
Precinct 3102	188	455	188	102 54.26%	86 45.74%	0	0
Precinct 3301	4658	12851	4622	3765 81.46%	857 18.54%	1	35
Precinct 3303	1539	3996	1519	913 60.11%	606 39.89%	0	20
Precinct 3304	275	664	273	183 67.03%	90 32.97%	0	2
Precinct 3501	489	1093	484	306 63.22%	178 36.78%	0	5
Precinct 3502	2322	5346	2296	1481 64.50%	815 35.50%	0	26
Precinct 3602	2176	6112	2160	1704 78.89%	456 21.11%	0	16
Precinct 3603	2781	9741	2752	2159 78.45%	593 21.55%	0	29
Precinct 3604	76	167	76	52 68.42%	24 31.58%	0	0
Precinct 3605	1095	2539	1081	685 63.37%	396 36.63%	0	14
Precinct 3606	877	1923	871	661 75.89%	210 24.11%	0	6
Precinct 3607	2829	6048	2817	2054 72.91%	763 27.09%	0	12
Precinct 3608	1970	5450	1954	1425 72.93%	529 27.07%	0	16
Precinct 3609	273	541	273	170 62.27%	103 37.73%	0	0
Precinct 3610	1740	3929	1726	1237 71.67%	489 28.33%	0	14
Precinct 3611	2630	5823	2605	1865 71.59%	740 28.41%	0	25
Precinct 3612	1990	5520	1973	1584 80.28%	389 19.72%	0	17
Precinct 3801	36	75	34	27 79.41%	7 20.59%	0	2
Precinct 3802	4307	9832	4265	2807 65.81%	1458 34.19%	1	41
Precinct 3803	2690	6620	2672	1999 74.81%	673 25.19%	0	18
Precinct 3804	582	1312	579	400 69.08%	179 30.92%	0	3
Precinct 3805	405	889	403	247 61.29%	156 38.71%	0	2
Precinct 3806	874	2209	865	557 64.39%	308 35.61%	0	9
Precinct 3807	455	1188	455	293 64.40%	162 35.60%	0	0
Precinct 3808	45	256	45	29 64.44%	16 35.56%	0	0
Precinct 4101	4241	9637	4200	3384 80.57%	816 19.43%	0	41
Precinct 4102	2070	5459	2053	1531 74.57%	522 25.43%	0	17
Precinct 4103	2036	3927	2022	1405 69.49%	617 30.51%	0	14
Precinct 4203	3433	10839	3415	3065 89.75%	350 10.25%	0	18
Precinct 4204	3776	8944	3751	3182 84.83%	569 15.17%	0	25
Precinct 4205	1875	4378	1861	1628 87.48%	233 12.52%	0	14
Precinct 4207	2122	5320	2118	1885 89.00%	233 11.00%	0	4
Precinct 4208	1405	3286	1398	1201 85.91%	197 14.09%	0	7
Precinct 4209	2813	8351	2799	2319 82.85%	480 17.15%	0	14
Precinct 4210	4365	11079	4340	3422 78.85%	918 21.15%	0	25
Precinct 4301	3561	10459	3524	2950 83.71%	574 16.29%	0	37
Precinct 4302	3629	11649	3600	3051 84.75%	549 15.25%	0	29
Precinct 4304	3273	8170	3237	2590 80.01%	647 19.99%	0	36
Precinct 4305	3864	10850	3837	2966 77.30%	871 22.70%	0	27
Precinct 4306	793	1947	790	654 82.78%	136 17.22%	0	3
Precinct 4310	3340	9104	3314	2802 84.55%	512 15.45%	1	25
Precinct 4401	3504	11175	3473	2670 76.88%	803 23.12%	0	31
Precinct 4402	3633	11655	3604	2678 74.31%	926 25.69%	1	28
Precinct 4403	3276	8386	3243	2645 81.56%	598 18.44%	1	32
Precinct 4404	3619	10953	3601	2731 75.84%	870 24.16%	1	17
Precinct 4409	705	2754	695	446 64.17%	249 35.83%	0	10
Precinct 4501	5587	10392	5541	4206 75.91%	1335 24.09%	0	46
Precinct 4502	2004	4989	1992	1465 73.54%	527 26.46%	0	12
Precinct 4503	1814	4236	1801	1457 80.90%	344 19.10%	0	13
Precinct 4505	3358	8196	3321	2511 75.61%	810 24.39%	0	37
Precinct 4506	1312	4074	1294	826 63.83%	468 36.17%	0	18
Precinct 4508	1487	5176	1468	1108 75.48%	360 24.52%	0	19
Precinct 4509	844	3341	835	482 57.72%	353 42.28%	0	9
Precinct 4510	777	2848	764	363 47.51%	401 52.49%	0	13
Precinct 4511	756	3351	747	453 60.64%	294 39.36%	0	9
Precinct 4512	268	641	268	192 71.64%	76 28.36%	0	0
Precinct 4601	4599	10302	4561	3594 78.80%	967 21.20%	1	37
Precinct 4602	2085	3864	2061	1540 74.72%	521 25.28%	0	24
Precinct 4604	1972	7632	1965	1386 70.53%	579 29.47%	0	7
Precinct 4605	2215	5744	2197	1648 75.01%	549 24.99%	0	18
Precinct 4606	4187	11575	4157	3221 77.48%	936 22.52%	0	30
Precinct 4607	1239	4779	1211	768 63.42%	443 36.58%	0	28

November 5, 2019

2019-11-21

All Precincts, Metro District, All ScanStations, Metro Measure 26-203, Bonds, All Boxes

09:47:17

Total Ballots Cast: 173975, Registered Voters: 524389, Overall Turnout: 33.18%

Metro Measure 26-203, Bonds (Vote for 1)

Precinct	Ballots Cast	Reg. Voters	Total Votes	Yes	No	Over Votes	Under Votes
Precinct 4608	446	1987	441	307 69.61%	134 30.39%	0	5
Precinct 4701	898	3503	881	444 50.40%	437 49.60%	0	17
Precinct 4702	269	1004	265	137 51.70%	128 48.30%	0	4
Precinct 4703	858	2535	846	425 50.24%	421 49.76%	0	12
Precinct 4704	1560	5276	1532	744 48.56%	788 51.44%	0	28
Precinct 4705	1643	7011	1615	1032 63.90%	583 36.10%	0	28
Precinct 4706	1002	4714	992	492 49.60%	500 50.40%	0	10
Precinct 4707	573	2225	564	340 60.28%	224 39.72%	0	9
Precinct 4708	1147	5175	1130	641 56.73%	489 43.27%	0	17
Precinct 4709	582	2570	574	306 53.31%	268 46.69%	0	8
Precinct 4710	904	5201	876	473 54.00%	403 46.00%	0	28
Precinct 4801	425	1717	420	209 49.76%	211 50.24%	0	5
Precinct 4802	11	58	11	9 81.82%	2 18.18%	0	0
Precinct 4803	2174	9330	2157	1480 68.61%	677 31.39%	0	17
Precinct 4804	430	2224	420	267 63.57%	153 36.43%	0	10
Precinct 4805	190	1338	182	114 62.64%	68 37.36%	0	8
Precinct 4806	525	1914	519	243 46.82%	276 53.18%	0	6
Precinct 4807	798	4102	782	458 58.57%	324 41.43%	0	16
Precinct 4901	20	55	20	6 30.00%	14 70.00%	0	0
Precinct 4902	19	28	19	8 42.11%	11 57.89%	0	0
Precinct 4903	1377	5993	1376	731 53.12%	645 46.88%	0	1
Precinct 4904	3118	10528	3065	1422 46.39%	1643 53.61%	0	53
Precinct 4905	131	362	131	39 29.77%	92 70.23%	0	0
Precinct 4906	373	1947	373	224 60.05%	149 39.95%	0	0
Precinct 4907	128	313	128	75 58.59%	53 41.41%	0	0
Precinct 4908	747	3010	747	366 49.00%	381 51.00%	0	0
Precinct 4909	1229	6085	1229	678 55.17%	551 44.83%	0	0
Precinct 4910	1005	4977	1005	568 56.52%	437 43.48%	0	0
Precinct 4911	1169	5990	1168	638 54.62%	530 45.38%	0	1
Precinct 5001	1014	6050	1014	593 58.48%	421 41.52%	0	0
Precinct 5002	2070	9368	2069	1021 49.35%	1048 50.65%	0	1
Precinct 5003	362	1433	362	193 53.31%	169 46.69%	0	0
Precinct 5004	2361	7645	2360	1224 51.86%	1136 48.14%	0	1
Precinct 5006	1157	4590	1156	561 48.53%	595 51.47%	0	1
Precinct 5007	1142	4649	1141	546 47.85%	595 52.15%	0	1
Precinct 5008	1191	4052	1191	539 45.26%	652 54.74%	0	0
Precinct 5009	251	1491	247	130 52.63%	117 47.37%	0	4
Precinct 5101	186	1282	182	97 53.30%	85 46.70%	0	4
Precinct 5102	1357	6538	1335	669 50.11%	666 49.89%	0	22
Precinct 5103	701	3501	687	358 52.11%	329 47.89%	1	13
Precinct 5104	1218	5057	1194	541 45.31%	653 54.69%	0	24
Precinct 5105	123	466	123	40 32.52%	83 67.48%	0	0
Precinct 5106	486	2259	486	287 59.05%	199 40.95%	0	0
Precinct 5107	435	1390	434	207 47.70%	227 52.30%	0	1
Precinct 5202	171	462	171	68 39.77%	103 60.23%	0	0
Precinct 5203	533	1750	532	183 34.40%	349 65.60%	0	1
Precinct 5204	1059	4195	1058	477 45.09%	581 54.91%	0	1
Total	173975	524389	172515	122487 71.00%	50028 29.00%	8	1452

Certificate

I certify that the votes recorded on this abstract correctly summarize the tally of votes cast at the election indicated.



Tim Scott, Director of Elections
Multnomah County, Oregon

Canvass Results Report

Official Ballots

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Clackamas County, Oregon

November 5, 2019 Special Election

11/5/2019

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Official Results

Registered Voters
89785 of 291596 = 30.79%

Precincts Reporting
115 of 115 = 100.00%

Measure 26-203: Metro District

Precinct	Yes	No	Cast Votes	Undervotes	Overvotes	Vote By Mail Ballots Cast	Total Ballots Cast	Registered Voters	Turnout Percentage
002	964	543	1,507	5	0	1,512	1,512	6,298	24.01%
003	1,238	849	2,087	8	0	2,095	2,095	7,938	26.39%
004	34	25	59	1	0	60	60	187	32.09%
005	397	306	703	2	0	705	705	3,087	22.84%
006	823	826	1,649	5	0	1,654	1,654	5,405	30.60%
007	278	168	446	0	0	446	446	1,995	22.36%
010	2	7	9	0	0	9	9	26	34.62%
031	493	326	819	3	0	822	822	3,189	25.78%
032	747	541	1,288	8	0	1,296	1,296	4,807	26.96%
033	112	98	210	1	0	211	211	716	29.47%
040	60	44	104	0	0	104	104	355	29.30%
051	8	2	10	0	0	10	10	120	8.33%
052	109	70	179	2	0	181	181	717	25.24%
053	1,614	660	2,274	12	0	2,286	2,286	7,755	29.48%
055	1,346	809	2,155	6	0	2,161	2,161	6,797	31.79%
070, 071, & 104	45	32	77	3	0	80	80	169	47.34%
072	16	14	30	0	0	30	30	114	26.32%
073	25	32	57	4	0	61	61	232	26.29%
074	9	9	18	1	0	19	19	69	27.54%
100	152	85	237	4	0	241	241	585	41.20%

Canvass Results Report

Official Ballots

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Clackamas County, Oregon

November 5, 2019 Special Election

11/5/2019

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Official Results

Registered Voters
89785 of 291596 = 30.79%

Precincts Reporting
115 of 115 = 100.00%

Measure 26-203: Metro District

Precinct	Yes	No	Cast Votes	Undervotes	Overvotes	Vote By Mail Ballots Cast	Total Ballots Cast	Registered Voters	Turnout Percentage
101	1,503	1,071	2,574	29	1	2,604	2,604	7,782	33.46%
102	120	69	189	2	0	191	191	821	23.26%
103	895	594	1,489	21	0	1,510	1,510	3,948	38.25%
105	308	198	506	11	1	518	518	1,240	41.77%
131	1,883	1,010	2,893	56	1	2,950	2,950	6,597	44.72%
132	1,432	767	2,199	38	2	2,239	2,239	4,795	46.69%
133	606	282	888	15	0	903	903	2,175	41.52%
134	10	10	20	0	0	20	20	74	27.03%
135	1,757	871	2,628	45	0	2,673	2,673	5,548	48.18%
151	791	382	1,173	3	0	1,176	1,176	2,684	43.82%
153	1,877	937	2,814	5	0	2,819	2,819	7,662	36.79%
154	407	142	549	3	0	552	552	989	55.81%
155	152	68	220	0	0	220	220	596	36.91%
156	1,686	825	2,511	6	1	2,518	2,518	6,368	39.54%
157	83	44	127	0	0	127	127	366	34.70%
159	1,769	832	2,601	13	1	2,615	2,615	7,483	34.95%
160	96	82	178	2	0	180	180	502	35.86%
201	1,103	460	1,563	65	0	1,628	1,628	4,401	36.99%
202	1,150	502	1,652	62	0	1,714	1,714	5,439	31.51%
203	847	456	1,303	4	0	1,307	1,307	2,403	54.39%

CanVass Results Report

Official Ballots

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Clackamas County, Oregon

November 5, 2019 Special Election

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Official Results

Registered Voters
89785 of 291696 - 30.79%

Precincts Reporting
115 of 115 - 100.00%

Measure 26-203: Metro District

Precinct	Yes	No	Cast Votes	Undervotes	Overvotes	Vote By Mail Ballots Cast	Total Ballots Cast	Registered Voters	Turnout Percentage
204	641	361	1,002	49	1	1,052	1,052	2,977	35.34%
251	0	0	0	0	0	0	0	0	0.00%
252	476	275	751	16	0	767	767	2,120	36.18%
280	347	154	501	0	0	501	501	1,562	32.07%
281	448	185	633	1	0	634	634	1,693	37.45%
282	125	79	204	0	0	204	204	576	35.42%
283	121	93	214	0	0	214	214	495	43.23%
320	116	77	193	0	0	193	193	477	40.46%
321	627	548	1,175	34	0	1,209	1,209	2,757	43.85%
400	272	260	532	2	0	534	534	1,588	33.63%
401	215	265	480	2	0	482	482	1,344	35.86%
402	276	369	645	3	0	648	648	1,769	36.63%
403	212	216	428	0	0	428	428	1,341	31.92%
404	73	90	163	2	1	166	166	555	29.91%
405 & 406	152	246	398	3	0	401	401	1,224	32.76%
410	344	209	553	2	0	555	555	2,045	27.14%
411	545	493	1,038	2	0	1,040	1,040	3,698	28.12%
412	221	276	497	1	0	498	498	2,002	24.88%
413	304	165	469	2	0	471	471	2,867	16.43%
414	64	80	144	1	0	145	145	410	35.37%

Canvass Results Report

Official Ballots

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November 5, 2019 Special Election

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Official Results

Registered Voters
89783 of 291596 = 30.79%

Precincts Reporting
115 of 115 = 100.00%

Measure 26-203: Metro District

Precinct	Yes	No	Cast Votes	Undervotes	Overvotes	Vote By Mail Ballots Cast	Total Ballots Cast	Registered Voters	Turnout Percentage
415	12	30	42	0	0	42	42	162	25.93%
416	726	499	1,225	6	0	1,231	1,231	4,865	25.30%
417	4	2	6	0	0	6	6	27	22.22%
418	394	346	740	1	0	741	741	2,794	26.52%
419	71	75	146	0	0	146	146	362	40.33%
420	232	158	390	2	0	392	392	1,504	26.06%
421	581	496	1,077	9	0	1,086	1,086	3,339	32.52%
422	983	456	1,439	5	1	1,445	1,445	8,353	17.30%
500	60	47	107	0	0	107	107	360	29.72%
501	1,216	476	1,692	7	0	1,699	1,699	4,683	36.28%
502	1,562	951	2,513	6	1	2,520	2,520	7,674	32.84%
503	651	508	1,159	6	0	1,165	1,165	3,067	37.99%
504	1,081	693	1,774	13	0	1,787	1,787	6,098	29.30%
505	36	17	53	0	0	53	53	172	30.81%
506	394	338	732	5	0	737	737	2,894	25.47%
510	144	149	293	3	0	296	296	866	34.18%
511	0	0	0	0	0	0	0	15	0.00%
512	224	130	354	2	0	356	356	1,289	27.62%
515	114	40	154	2	0	156	156	608	25.66%

Canvass Results Report

Official Ballots

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Official Results

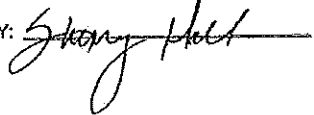
Registered Voters
89785 of 291596 = 30.79%

Precincts Reporting
115 of 115 = 100.00%

Measure 26-203: Metro District

Precinct	Yes	No	Cast Votes	Undervotes	Overvotes	Vote By Mail Ballots Cast	Total Ballots Cast	Registered Voters	Turnout Percentage
519	46	22	68	0	0	68	68	228	29.82%
Totals	41,057	24,922	65,979	632	11	66,622	66,622	203,294	32.77%

CERTIFIED COPY OF THE ORIGINAL
SHERRY HALL, COUNTY CLERK

BY: 

Ballots Cast per Contest with Precincts
Washington County, Nov 05, 2019 Special District
All Precincts, All Districts, All ScanStations, All Contests, All Boxes
Official Election Results

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2019-11-21
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Total Ballots Cast: 92323, Registered Voters: 338668, Overall Turnout: 27.26%

Metro Measure 26-203 (Vote for 1)

Precinct	Ballots Cast	Reg. Voters	Total Votes	Yes		No		Over Votes	Under Votes
Precinct 302	629	2704	629	349	55.48%	280	44.52%	0	0
Precinct 303	205	860	205	84	40.98%	121	59.02%	0	0
Precinct 304	825	3570	825	482	58.42%	343	41.58%	0	0
Precinct 306	163	790	163	124	76.07%	39	23.93%	0	0
Precinct 307	568	2060	568	310	54.58%	258	45.42%	0	0
Precinct 309	1119	3883	1119	694	62.02%	425	37.98%	0	0
Precinct 310	0	0	0	0	0.00%	0	0.00%	0	0
Precinct 312	0	5	0	0	0.00%	0	0.00%	0	0
Precinct 313	4	5	4	4	100.00%	0	0.00%	0	0
Precinct 314	6	10	6	1	16.67%	5	83.33%	0	0
Precinct 317	3	12	3	3	100.00%	0	0.00%	0	0
Precinct 318	963	3412	962	500	51.98%	462	48.02%	0	1
Precinct 319	1863	8263	1863	1229	65.97%	634	34.03%	0	0
Precinct 320	766	3336	764	438	57.33%	326	42.67%	0	2
Precinct 322	10	83	10	2	20.00%	8	80.00%	0	0
Precinct 323	11	27	11	8	72.73%	3	27.27%	0	0
Precinct 325	0	0	0	0	0.00%	0	0.00%	0	0
Precinct 327	1134	4763	1134	647	57.05%	487	42.95%	0	0
Precinct 328	0	7	0	0	0.00%	0	0.00%	0	0
Precinct 329	2520	8998	2519	1666	66.14%	853	33.86%	0	1
Precinct 331	612	2923	612	413	67.48%	199	32.52%	0	0
Precinct 332	534	3442	534	402	75.28%	132	24.72%	0	0
Precinct 333	806	5249	802	657	81.92%	145	18.08%	1	3
Precinct 335	1392	3840	1390	754	54.24%	636	45.76%	0	2
Precinct 336	941	3351	940	513	54.57%	427	45.43%	0	1
Precinct 337	1228	5151	1225	681	55.59%	544	44.41%	0	3
Precinct 338	1106	5915	1106	551	49.82%	555	50.18%	0	0
Precinct 339	1612	6934	1611	998	61.95%	613	38.05%	0	1
Precinct 340	2441	7811	2439	1274	52.23%	1165	47.77%	0	2
Precinct 341	28	105	28	19	67.86%	9	32.14%	0	0
Precinct 342	20	37	20	14	70.00%	6	30.00%	0	0
Precinct 343	1585	5289	1585	894	56.40%	691	43.60%	0	0
Precinct 344	1353	5465	1353	873	64.52%	480	35.48%	0	0
Precinct 346	69	209	69	22	31.88%	47	68.12%	0	0
Precinct 348	17	36	17	15	88.24%	2	11.76%	0	0
Precinct 349	689	3386	689	445	64.59%	244	35.41%	0	0
Precinct 350	1057	4046	1057	768	72.66%	289	27.34%	0	0
Precinct 351	654	3550	653	363	55.59%	290	44.41%	0	1
Precinct 352	178	1296	178	147	82.58%	31	17.42%	0	0
Precinct 353	729	2428	728	525	72.12%	203	27.88%	0	1
Precinct 354	1429	4405	1428	892	62.46%	536	37.54%	0	1
Precinct 355	975	3851	974	613	62.94%	361	37.06%	0	1
Precinct 356	522	2332	521	346	66.41%	175	33.59%	0	1
Precinct 357	385	1856	385	222	57.66%	163	42.34%	0	0
Precinct 358	896	3253	895	523	58.44%	372	41.56%	0	1
Precinct 359	646	3044	646	406	62.85%	240	37.15%	0	0
Precinct 360	709	3800	708	457	64.55%	251	35.45%	0	1
Precinct 361	435	2495	435	330	75.86%	105	24.14%	0	0
Precinct 362	1388	4064	1387	959	69.14%	428	30.86%	0	1
Precinct 363	1208	4025	1208	811	67.14%	397	32.86%	0	0
Precinct 364	1712	5174	1711	1098	64.17%	613	35.83%	0	1
Precinct 365	1256	3270	1256	863	68.71%	393	31.29%	0	0
Precinct 366	683	2609	683	505	73.94%	178	26.06%	0	0
Precinct 367	1310	4771	1309	838	64.02%	471	35.98%	0	1
Precinct 368	1185	4494	1183	767	64.84%	416	35.16%	0	2
Precinct 369	629	2099	629	375	59.62%	254	40.38%	0	0
Precinct 370	848	2530	848	517	60.97%	331	39.03%	0	0
Precinct 371	836	2601	836	567	67.82%	269	32.18%	0	0
Precinct 372	742	1979	741	488	65.86%	253	34.14%	0	1
Precinct 374	4	13	4	0	0.00%	4	100.00%	0	0
Precinct 375	115	303	113	74	65.49%	39	34.51%	0	2
Precinct 376	716	2200	716	448	62.57%	268	37.43%	0	0
Precinct 377	986	2622	986	597	60.55%	389	39.45%	0	0



Ballots Cast per Contest with Precincts
Washington County, Nov 05, 2019 Special District
All Precincts, All Districts, All ScanStations, All Contests, All Boxes
Official Election Results

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2019-11-21
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Total Ballots Cast: 92323, Registered Voters: 338668, Overall Turnout: 27.26%

Metro Measure 26-203 (Vote for 1)

Precinct	Ballots Cast	Reg. Voters	Total Votes	Yes	No	Over Votes	Under Votes
Precinct 378	626	2011	626	462 73.80%	164 26.20%	0	0
Precinct 379	1944	8234	1941	1303 67.13%	638 32.87%	0	3
Precinct 380	2291	7475	2288	1378 60.23%	910 39.77%	0	3
Precinct 381	38	177	38	25 65.79%	13 34.21%	0	0
Precinct 382	486	3040	485	323 66.60%	162 33.40%	0	1
Precinct 383	418	1186	417	288 69.06%	129 30.94%	0	1
Precinct 384	1275	3460	1273	894 70.23%	379 29.77%	0	2
Precinct 385	888	2741	886	599 67.61%	287 32.39%	0	2
Precinct 386	1264	3038	1262	822 65.13%	440 34.87%	0	2
Precinct 387	324	1372	324	270 83.33%	54 16.67%	0	0
Precinct 388	285	1108	285	194 68.07%	91 31.93%	0	0
Precinct 389	1964	6577	1964	1155 58.81%	809 41.19%	0	0
Precinct 390	889	2467	888	563 63.40%	325 36.60%	0	1
Precinct 391	87	442	85	63 74.12%	22 25.88%	0	2
Precinct 392	49	273	48	31 64.58%	17 35.42%	0	1
Precinct 393	250	664	249	172 69.08%	77 30.92%	0	1
Precinct 394	45	317	45	36 80.00%	9 20.00%	0	0
Precinct 395	1799	7678	1799	1187 65.98%	612 34.02%	0	0
Precinct 396	366	1138	366	232 63.39%	134 36.61%	0	0
Precinct 397	881	2854	881	496 56.30%	385 43.70%	0	0
Precinct 398	597	1902	596	261 43.79%	335 56.21%	0	1
Precinct 399	784	2748	784	492 62.76%	292 37.24%	0	0
Precinct 400	1143	4430	1142	731 64.01%	411 35.99%	0	1
Precinct 401	758	1967	758	527 69.53%	231 30.47%	0	0
Precinct 402	2690	8695	2688	1456 54.17%	1232 45.83%	1	1
Precinct 403	480	1596	480	283 58.96%	197 41.04%	0	0
Precinct 404	1951	7056	1951	1256 64.38%	695 35.62%	0	0
Precinct 405	3106	8922	3105	1893 60.97%	1212 39.03%	0	1
Precinct 406	81	559	81	68 83.95%	13 16.05%	0	0
Precinct 407	866	2096	866	615 71.02%	251 28.98%	0	0
Precinct 408	28	124	28	21 75.00%	7 25.00%	0	0
Precinct 409	1433	5641	1432	896 62.57%	536 37.43%	0	1
Precinct 410	826	3276	826	484 58.60%	342 41.40%	0	0
Precinct 411	168	997	168	117 69.64%	51 30.36%	0	0
Precinct 412	638	2113	638	371 58.15%	267 41.85%	0	0
Precinct 413	616	1712	610	358 58.69%	252 41.31%	0	6
Precinct 414	138	557	138	83 60.14%	55 39.86%	0	0
Precinct 415	36	83	36	19 52.78%	17 47.22%	0	0
Precinct 416	17	34	17	3 17.65%	14 82.35%	0	0
Precinct 417	410	1631	410	286 69.76%	124 30.24%	0	0
Precinct 418	687	2318	687	416 60.55%	271 39.45%	0	0
Precinct 419	1068	1917	1049	653 62.25%	396 37.75%	0	19
Precinct 420	1244	4000	1244	763 61.33%	481 38.67%	0	0
Precinct 421	84	319	84	50 59.52%	34 40.48%	0	0
Precinct 422	5	8	5	1 20.00%	4 80.00%	0	0
Precinct 423	871	4115	869	557 64.10%	312 35.90%	0	2
Precinct 424	1260	5204	1233	717 58.15%	516 41.85%	0	27
Precinct 425	117	408	116	45 38.79%	71 61.21%	0	1
Precinct 426	13	47	13	4 30.77%	9 69.23%	0	0
Precinct 427	8	23	8	5 62.50%	3 37.50%	0	0
Precinct 428	463	2116	462	314 67.97%	148 32.03%	0	1
Precinct 429	807	3512	807	447 55.39%	360 44.61%	0	0
Precinct 432	63	374	62	50 80.65%	12 19.35%	0	1
Precinct 433	733	2570	733	443 60.44%	290 39.56%	0	0
Precinct 434	1173	4348	1173	713 60.78%	460 39.22%	0	0
Precinct 435	1189	4605	1160	643 55.43%	517 44.57%	0	29
Precinct 436	764	2511	764	418 54.71%	346 45.29%	0	0
Precinct 437	31	62	31	20 64.52%	11 35.48%	0	0
Precinct 438	85	308	85	44 51.76%	41 48.24%	0	0
Precinct 439	253	1424	253	173 68.38%	80 31.62%	0	0
Precinct 440	345	1854	345	210 60.87%	135 39.13%	0	0
Precinct 441	23	82	23	14 60.87%	9 39.13%	0	0
Precinct 442	644	3095	634	358 56.47%	276 43.53%	0	10



Ballots Cast per Contest with Precincts
Washington County, Nov 05, 2019 Special District
All Precincts, All Districts, All ScanStations, All Contests, All Boxes
Official Election Results

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2019-11-21
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Total Ballots Cast: 92323, Registered Voters: 338668, Overall Turnout: 27.26%

Metro Measure 26-203 (Vote for 1)

Precinct	Ballots Cast	Reg. Voters	Total Votes	Yes		No		Over Votes	Under Votes
Precinct 444	0	1	0	0	0.00%	0	0.00%	0	0
Precinct 445	0	0	0	0	0.00%	0	0.00%	0	0
Total	92320	338653	92167	57336	62.21%	34831	37.79%	2	151



I, **Richard W. Hobernicht**, Director of Assessment and Taxation and Ex-Officio County Clerk for Washington County, do hereby certify this to be a true and correct copy of the original.

Date: November 21, 2019

By: W. Hobernicht
Elections Manager

IN CONSIDERATION OF RESOLUTION 19-5055 FOR THE PURPOSE OF ACCEPTING
THE NOVEMBER 5, 2019 GENERAL ELECTION ABSTRACT OF VOTES FOR METRO
AND AUTHORIZING CONTINUATION OF THE PARKS AND NATURE PROGRAM
DURING REFINEMENT PLANNING

Date: December 12, 2019
Department: Parks and Nature
Meeting Date: December 12, 2019

Prepared by: Dan Moeller
Presenter(s) (if applicable): Consent
Agenda
Length: N/A

ISSUE STATEMENT

The Metro Code requires that the Metro Council “proclaim” the results of the November 5th general election regarding Metro Measure 26-203. In addition, the parks and nature program needs authorization to continue its work while staff prepares plans to implement the new bond measure.

ACTION REQUESTED

The action requested is for the Metro Council to proclaim the results of the general election, as required by law, and at the same time, authorize use of existing program authorities to implement the new measure until refinement planning on the new measure is complete.

IDENTIFIED POLICY OUTCOMES

Allows staff to continue work on existing programs while new bond measure planning occurs.

POLICY QUESTION(S)

Should existing work on the parks and nature program continue while refinement planning for new programs occurs?

POLICY OPTIONS FOR COUNCIL TO CONSIDER

As an alternative to the action requested, the Metro Council could halt existing work while implementation planning for the new bond measure occurs.

STAFF RECOMMENDATIONS

Proclaim the results of the election as required by law, and at the same time, authorize the continuation of the existing program during refinement planning for the new measure.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

Legal Antecedents

- Metro Council Resolution No. 19-4988, For the Purpose of Submitting to the Voters of the Metro Area General Obligations Bonds in the Amount of \$475 Million to Fund Natural Area and Water Quality Protection and to Connect People to Nature Close to Home; and Setting Forth the Official Intent of the Metro Council to Reimburse Certain Expenditures Out of the Proceeds of Said Bonds Upon Issuance (June 6, 2019)
- Metro Code Chapter 9.02.040(d)
- Metro Council Resolution No. 14-4536, For the Purpose of Amending and Updating the Natural Areas Implementation Work Plan (August 14, 2014)
- Metro Council Resolution No. 97-2483, For the Purpose of Authorizing the Executive Officer to Execute Current and Future Leases Related to Metro's Open Spaces (April 17, 1997)

BACKGROUND

Voters of greater Portland approved Measure 26-203 at the November 5, 2019, general election. The Metro Code requires the Metro Council to proclaim the results in its records and at the same time, it's important to continue the existing program in effect while staff prepares plans to implement the new bond measure. Allowing the leasing policy and the Natural Areas Work Plan to apply to funding provided by Measure 26-203 will ensure continuity between the work of the 2006 bond measure and the new funding.

Resolution No. 19-5057, For the Purpose of Confirming the Appointments of Idris Ibrahim, Gladys Alvarado, and Donovan Smith as Community Representatives and of Taren Evans, Yousif Brahim and Wilson Munoz as Alternate Community Representatives to the Transportation Policy Alternatives Committee

Consent Agenda

Metro Council Meeting
Thursday, December 12, 2019
Metro Regional Center, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF CONFIRMING THE	)	RESOLUTION NO. 19-5057
APPOINTMENTS OF IDRIS IBRAHIM, GLADYS)	
ALVARADO, AND DONOVAN SMITH AS	)	Introduced by: Acting Chief Operating
COMMUNITY REPRESENTATIVES AND	)	Officer Andrew Scott in concurrence
TAREN EVANS, YOUSIF BRAHIM AND	)	with Council President Lynn Peterson
WILSON MUNOZ AS ALTERNATE)	
COMMUNITY MEMBER REPRESENTATIVES)	
TO THE TRANSPORTATION POLICY		
ALTERNATIVES COMMITTEE.		

WHEREAS, Metro Code Sections 2.19.030(b) and 2.19.180(b)(6), and the Transportation Policy Alternatives Committee (TPAC) bylaws, provide that the Metro Council President shall appoint community members of TPAC, subject to confirmation by the Metro Council; and

WHEREAS, TPAC coordinates and guides the regional transportation planning program and makes recommendations to the Joint Policy Advisory Committee on Transportation (JPACT) in accordance with the policy of the Metro Council; and

WHEREAS, TPAC has three vacant regular seats for community representatives for the 2020-21 term and three vacant alternate positions; and

WHEREAS, the Metro Council President has made the following appointments to fill the TPAC vacancies:

Appointment, 2020-21 Two-Year Term:

Regular TPAC Community Members:

1. Idris Ibrahim, youth representative from the Tigard area from an immigrant Somali family with experience working with Momentum Alliance.
2. Gladys Alvarado, Latino Network professional, with past experience with La Hacienda and Providence Health Systems and the connections between transportation and public health.
3. Donovan Smith, area native active as a member of the African American community, with past work with the Portland Harbor cleanup, and writing for the Scanner and Observer.

TPAC Community Member Alternates:

1. Taren Evans, with Coalition for the Communities of Color and a career devoted to social and environmental justice and the social impact of the climate crisis.
2. Yousif Brahim, youth candidate dedicated to social justice and involved in the Southwest Corridor planning as part of Unite Oregon.
3. Wilson Munoz, member of the City of Beaverton's Inclusion and Equity Team and immigrant to Portland in the 1990's with extensive experience in transport logistics.

BE IT RESOLVED THAT the Metro Council hereby confirms the Metro Council President's appointment of the foregoing individuals to serve as TPAC community members, for the terms noted above.

ADOPTED by the Metro Council this 12th day of December 2019.

Sam Chase, Deputy Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney

STAFF REPORT

IN CONSIDERATION OF THE PURPOSE OF CONFIRMING THE APPOINTMENTS OF IDRIS IBRAHIM, GLADYS ALVARADO, AND DONOVAN SMITH AS COMMUNITY REPRESENTATIVES AND TAREN EVANS, YOUSIF BRAHIM AND WILSON MUNOZ AS ALTERNATE COMMUNITY REPRESENTATIVES TO THE TRANSPORTATION POLICY ALTERNATIVES COMMITTEE.

Date: November 27, 2019
Department: Planning & Development
Meeting Date: December 12, 2019

Prepared by: Tom Kloster, TPAC Chair
(503)797-1832
Tom.Kloster@oregonmetro.gov

BACKGROUND

General Considerations in Making These Recommendations

Metro's Transportation Policy Alternatives Committee (TPAC) is a 21-member technical committee that advises the Joint Policy Advisory Committee (JPACT) on transportation policy and funding matters. TPAC consists mostly of local and state government representatives, but also includes six community representatives recruited at large. Community members serve in overlapping 2-year terms and are appointed by the Council. Each year, Metro reaches out to the community to fill three 2-year seats on the committee. From this recruitment, the Council President recommends a final slate of candidates to the Council to complete the appointment process.

Metro's overriding objective in recent appointments is to bring diversity to TPAC, a committee that is a predominately white space. This effort is consistent with the Metro's diversity, equity and inclusion plan and the Planning and Development Department's strategy for implement the plan in our planning-related activities. This was a focus of our current recruitment, and we had an excellent response from communities of color. All six of the recommended candidates for the coming 2-year term are from communities of color, as are the three candidates recommended as alternates for the TPAC community seats.

Geographic representation is also a consideration in order to bring community perspectives from around the region. While we experienced a light response from Clackamas County in this round, two of our current mid-term community representatives are from this part of the region, ensuring that two of the six sitting members will continue to bring a Clackamas perspective. The six recommended candidates for the three open seats and three alternative positions are from East Portland and Washington County, providing perspectives from across the region.

Two youth candidates are also included in this recommendation, one as a regular member and one as an alternate. Both youth candidates are high school students, but confirmed their ability to attend TPAC meetings during the day and will bring a new dimension to the committee on topics like climate change that have generational implications.

Recommended as TPAC Community Members for 2020-21 Term

Idris Ibrahim - Idris is a dynamic, high-energy youth from an immigrant Somali family in the Tigard area. He has a deep interest in transit and social justice, in part spurred by his family's experiences with racial and religious harassment while using public transit. Idris has been involved with Momentum Alliance and has extensive community networks in his hometown of Tigard and within the local Muslim community.

Gladys Alvarado - Gladys is a Portland native who is deeply rooted in the Latino community of East Portland, including past professional experience with La Hacienda and Providence Health Systems. Gladys now works for the Latino Network and brings outstanding insights into the connections between health and transportation.

Donovan Smith - Donovan is an area native who has experienced living around the region in his young life and has personally witnessed gentrification and displacement as a member of the African American community. Donovan has been a social activist on many fronts, including the Portland Harbor cleanup, writing for the Scanner and Observer and originating the *Gentrification is Weird* project.

Recommended as TPAC Alternates for 2020-21 Term

Taren Evans - Trained with an urban planning degree, Taren has devoted her career to social and environmental justice and the social impact of the climate crisis. Taren works for the Coalition of Communities of Color.

Yousif Brahim - Yousif is a high-impact youth candidate dedicated to social justice. Yousif was involved in the Southwest Corridor planning as part of Unite Oregon and continues to be an influential community advocate who sees transit as a critical tool for achieving social justice.

Wilson Muñoz - Immigrated to Portland from Central America in the 1990s with a young family, and has worked in goods transport and logistics across the region. Wilson is now with the City of Beaverton where he serves on the city's Inclusion and Equity Team.

ANALYSIS/INFORMATION

1. **Known Opposition:** None.
2. **Legal Antecedents:** Metro Code Sections 2.19.030 (a) and (b) and 2.19.180 (b) (6); Metro TPAC Bylaws.
3. **Anticipated Effects:** Approval fills all vacancies for community members on TPAC.
4. **Budget Impacts:** None.

RECOMMENDED ACTION Staff recommends the adoption of Resolution No. 19-5057.

Agenda Item No. 3.3

Resolution No. 19-5058, For the Purpose of Confirming
the Reappointment of Members to the Oregon Zoo Bond
Citizens' Oversight Committee

Consent Agenda

Metro Council Meeting
Thursday, December 12, 2019
Metro Regional Center, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF CONFIRMING THE	)	RESOLUTION NO. 19-5058
REAPPOINTMENT OF MEMBERS TO THE)	
OREGON ZOO BOND CITIZENS' OVERSIGHT	)	Introduced by: Interim Chief Operating
COMMITTEE	)	Officer Andrew Scott in concurrence with
		Council President Lynn Peterson

WHEREAS, Metro Code Chapter 2.19 establishes the Oregon Zoo Bond Citizens' Oversight Committee whose members are to be appointed by the Metro Council President subject to confirmation by the Metro Council;

WHEREAS, the Metro Council President has reappointed five members of the Oregon Zoo Bond Citizens' Oversight Committee as set forth in Exhibit "A" attached hereto;

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

BE IT RESOLVED that the Metro Council confirms the reappointments to the Oregon Zoo Bond Citizens' Oversight Committee as set forth in Exhibit "A" attached hereto.

ADOPTED by the Metro Council this _____ day of December 2019.

Sam Chase, Deputy Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney

Biographies of Oregon Zoo Bond Citizens' Oversight Committee Members

Exhibit A to Resolution No. 19-5058

Oregon Zoo Bond Citizens' Oversight Committee

Committee Member Appointments

The following five persons served an initial term of two years from October 20, 2016 to October 20, 2018, and shall serve a second two-year term starting Oct. 20, 2018:

Dr. Dan Aja	Banfield Pet Hospital
Heidi Goertzen	Becker Capital Management
Dr. Jill Mellen	Research Biologist
Katherine Porras	Meyer Memorial Trust
Christine Taylor	Miller Nash Graham & Dunn

Biographies (in last-name alphabetical order)

Daniel Aja

Daniel Aja is the senior vice president and chief medical officer at Banfield Pet Hospital, where he leads internal and external medicine initiatives at the world's largest veterinary practice. Prior to joining Banfield in 2014, Dr. Aja served as director of U.S. professional and veterinary affairs at Hill's Pet Nutrition. Previously, he owned and directed the Cherry Bend Animal Hospital in Traverse City, Michigan. Dr. Aja earned his veterinary medical degree from the college of Veterinary Medicine at Michigan State University, and has more than 33 years of experience, credibility and commitment to delivering the highest quality of veterinary medicine. He is a past president of the American Animal Hospital Association and served on the Michigan State Board of Veterinary Medicine. He is also the founding board member of Partners for Healthy Pets, a committee of the American Veterinary Medical Foundation created to ensure pets receive the preventative health care they deserve.

Heidi Goertzen

Heidi Goertzen is a financial planner at Becker Capital Management providing comprehensive wealth management and financial planning to clients. She previously worked as a wealth advisor at Confluence Wealth Management doing financial planning and investment management for clients. Prior to that, she served as chief compliance officer for Ferguson Wellman Capital Management, overseeing all company compliance policies and procedures. Goertzen began her career at RVK, Inc. working with large institutional clients. She earned a B.S. in finance from Linfield College and holds an MBA with a concentration in finance from the University of Portland's Pamplin School of Business.

Jill Mellen

Jill Mellen is a research biologist whose areas of expertise include animals, animal welfare and enhancing guest experiences in informal learning settings such as zoos and aquariums. Dr. Mellen has worked in the zoo and aquarium field for more than three decades. Most recently she was the education and science director at Disney's Animal Kingdom, where she researched a range of topics from elephant welfare to inspiring children to conservation action. Within the Association and Zoos and Aquariums, Dr. Mellen has held many leadership positions. Her current projects include coordinating studies on marine animal

Biographies of Oregon Zoo Bond Citizens' Oversight Committee Members

welfare. Early in her career, Dr. Mellen worked at the Oregon Zoo, and has moved back to Portland after her retirement from the Disney Company.

Katherine A. Porras

Katherine A. Porras is an investment associate at Meyer Memorial Trust, responsible for monitoring and analyzing the foundation's investments, while researching environmental, social and governance factors on portfolio holdings to inform the alignment of the investment strategy to the organization's mission. Porras has experience working in finance, legal services, and performing arts. She earned an MBA with a focus in finance from Willamette University's Atkinson Graduate School of Management. She looks forward to contributing to the zoo, its staff and the Oregonian community at large.

Christine L. Taylor

Christine Taylor is an attorney with Miller Nash Graham & Dunn. In her practice, she works with public entities on matters including public contracting, construction contracting, and public meetings and records. In her spare time, she enjoys hiking with her dog and visiting the Oregon Zoo. She is also a huge polar bear fan!

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 19-5058, FOR THE PURPOSE OF CONFIRMING THE REAPPOINTMENT OF MEMBERS TO THE OREGON ZOO BOND CITIZENS' OVERSIGHT COMMITTEE

Date: November 18, 2019
Department: Zoo Bond Program
Meeting Date: December 12, 2019

Prepared by: Sarah Keane, 503-220-5705,
sarah.keane@oregonzoo.org;
Presenter(s) (if applicable): None
Length: 3 minutes (Consent Agenda)

ISSUE STATEMENT

ACTION REQUESTED

Reappoint five members to the Oregon Zoo Bond Citizens' Oversight Committee.

IDENTIFIED POLICY OUTCOMES

Reappointment of committee members per Metro Code Chapter 2.19 that establishes the Oregon Zoo Bond Citizens' Oversight Committee ("Oversight Committee or the Committee"). The terms for approximately half of the Oversight Committee members expire each calendar year. To maintain Oversight Committee membership, Resolution No. 19-5058 reappoints five members.

POLICY QUESTION(S)

Citizen oversight of the zoo bond program implementation.

POLICY OPTIONS FOR COUNCIL TO CONSIDER

The Metro code allows for members to serve two, two-year terms. The five members eligible for reappointment have served their first two-year term diligently and desire to continue serving a second term. They bring needed professional expertise in the areas of animal welfare, veterinary medicine, biology, enhancing guest experiences and learning in zoos and aquariums, financial management and compliance, business and nonprofit management, legal expertise in public and construction contracting and public meetings and records.

Another option for the Council would be to not reappoint members and require staff to conduct a recruitment for new members. This would result in the loss of experienced members with vital professional expertise, and thus hamper the Committee's progress already underway to prepare its next annual report and its final, comprehensive program report when the program finishes.

STAFF RECOMMENDATIONS

Adoption of Res. 19-5058.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

- How is this related to Metro's Strategic Plan (to be developed in 2019) or Core Mission?
The Oversight Committee helps the zoo bond program implement Metro's mission to inspire, engage, teach and invite people to preserve and enhance the quality of life and the environment for current and future generations. The program helps Metro create great communities, protect a healthy environment, provide regional services and especially ensure responsible operations and wise investments. As a third party overseer, the Oversight Committee helps the community build trust in Metro.

The zoo bond program aligns with and promotes the Oregon Zoo's newly adopted Strategic Plan 2020-2023.

- How does this advance Metro's racial equity goals?
Not applicable to reappointment.
- How does this advance Metro's climate action goals?
One of the initiatives of the zoo bond program is to support sustainability improvements at the zoo. The Oversight Committee oversees implementation of the bond measure and helps assure that bond public funds are wisely invested for energy efficiency and water conservation improvements at the zoo to meet the promises of the bond measure.
- Known Opposition/Support/Community Feedback
None.
- Explicit list of stakeholder groups and individuals who have been involved in policy development.
 - Zoo Bond Steering Group
 - Oregon Zoo Bond Citizens' Oversight Committee
- Legal Antecedents
 - Measure 26-96, \$125 million zoo bond measure to protect animal health and safety; conserve, recycle water and improve access to conservation education. Approved by voters of the region in November 2008.
 - Ord. 10-1232, Amended Metro Code Chapter 2.19 to establish the Oregon Zoo Bond Citizens' Oversight Committee in January 2010.
 - Res. 10-4112, Confirmed appointment of initial 20 members to the Oversight Committee and designated a chair in January 2010.
 - Res. 18-4880, Confirmed appointment of nine new members to the Committee in May 2019.

- Res. 16-4726, Confirmed appointment of the same five people (Daniel Aja, Heidi Goertzen, Jill Mellen, Katherine Porras and Christine Taylor, who are proposed for reappointment) to the Oversight Committee for their first two-year term in October 2016.
- Anticipated Effects

Reappointing these five members will enable the Committee to continue its diligent oversight of the zoo bond program: monitoring spending, reviewing progress on project improvements, and considering and recommending project modifications to account for inflationary increases in construction costs. It will also allow these experienced members to continue the work they have already begun to reflect their findings for 2019 in the Committee’s next annual report to the Metro Council and people of the region in May 2020.
- Financial Implications (current year and ongoing)

Funding for the Oversight Committee is included in the zoo bond program budget, funded by bond funds.

BACKGROUND

In 2008 Portland area voters expressed the value they place on animal welfare and water and energy conservation when they passed the \$125 million bond measure that funds habitat and infrastructure upgrades at the Oregon Zoo. As mandated by Measure 26-96, the Oregon Zoo Bond Citizens’ Oversight Committee provides independent citizen review to help ensure the public’s money is well spent. The committee’s charge is to determine if the zoo improvement program is on the right path in terms of structure, expenditures and achievement of defined goals.

In May 2019, the Committee presented its annual report to the Metro Council. It stated that bond funds continued to be spent wisely, bond projects were advanced on schedule and within budget, and overall the bond program is on track to deliver on voter expectations.

Most recent council policy direction for the zoo bond program was in February 2019 with approval of Res. 19-4960 that allocated the remainder of the unallocated funds for the final combined construction project, Polar Passage/Primate Forest/Rhino Habitat, and program administrative costs. Construction is underway and on schedule and budget. The current schedule for substantial completion is early 2021, followed by a six-month close-out period.

The most recent appointment of committee members was in April 2018 when the Metro Council approved Res. 18-4880 confirming appointment of nine new members to the Committee.

ATTACHMENTS

Exhibit A is attached to Resolution 19-5058. No attachments to this staff report.

[For work session:]

- Is legislation required for Council action? ☒ Yes ☐ No
- If yes, is draft legislation attached? ☒ Yes ☐ No
- What other materials are you presenting today? None

Materials following this page will be distributed at the meeting.

Agenda Item No. 3.4

**Considerations of the Council Meeting Minutes for
December 5, 2019**

Consent Agenda

Metro Council Meeting
Thursday, December 12, 2019
Metro Regional Center, Council Chamber

Date: December 12, 2019
To: Metro Council
From: Natural Areas and Capital Program Performance Oversight Committee
Re: 2019 Annual Report

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

Metro's Natural Areas Program buys land from willing sellers and supports projects in local communities to protect wildlife habitat, preserve and restore regional watersheds, and increase access to nature for the people who live in the three-county region. In 2006, Portland-area voters approved a \$227.4 million bond measure to fund the Natural Areas Program.

Each year, as stipulated in the bond, the Natural Areas Program Performance Oversight Committee has provided independent review to guide the program. At regular meetings with Metro staff, the committee reviews projects and acquisitions funded with taxpayer dollars to ensure the program is well-managed, staffed appropriately, utilizes effective tools and performance measures, and meets the bond's defined goals. The Metro Council revised the Metro Code in 2017, adding responsibilities for oversight of capital projects funded by Metro's 2018-2023 local option levy for parks and natural areas and changed the name of the committee to the Natural Areas and Capital Program Performance Oversight Committee to reflect its expanded role.

This report from the Oversight Committee to voters and the Metro Council considers the progress of the Natural Areas bond program during fiscal year 2019, from July 1, 2018 through June 30, 2019. In fiscal year 2019 the committee met three times (July 2018, December 2018 and April 2019).

The committee has found that each of the three primary components of the Natural Areas bond program – acquisition, local share and capital grants – as well as capital development projects and other program efforts, meets or exceeds the goals set in 2006, as summarized below.

REGIONAL ACQUISITION

GOAL: Acquire 3,500-4,500 acres from willing sellers in 27 target areas

ACRES ACQUIRED TO DATE: 6,796 acres (258 acres in FY19)

Metro acquires land in 20 natural areas and seven trail or greenway corridors from target areas identified in the 2006 bond measure. Approximately \$4.5 million was spent by Metro on land acquisition in fiscal year 2019. Total expenditures for regional acquisitions stand at \$199.7 million.

Since 2006, nearly 6,800 acres have been acquired and protected, substantially surpassing the overall acreage goal of the 2006 bond. This year, Metro acquired nearly 258 acres of natural areas and trail connections widely distributed across the region. Ten target areas were represented in the 15 new properties Metro purchased.

ACQUISITION HIGHLIGHTS

- The acquisition of a 2.9-acre trail easement ensures that regional partners will be able construct a critical segment of the Westside Trail on the south side of Bull Mountain and connect it to the Tualatin River and the Ice Age Tonquin Trail.
- A small property acquisition protecting approximately 200 feet of the south bank of Johnson Creek fills a public ownership gap and contributes to an important wildlife corridor by connecting to a string of adjacent protected lands.
- A 100-acre acquisition atop Clackamas Bluff protects older, mixed upland forest that was slated for harvest. It is now the anchor of a large protected wildlife corridor, connecting several other adjacent protected lands including Madrone Wall and Clackamas Bluff Natural Area.
- A 1-acre conservation easement protects approximately 400 feet of Tryon Creek frontage and closes a key remaining gap in public ownership along the main stem of Tryon Creek, which supports native resident fish such as cutthroat trout and brook lamprey. Metro is partnering with the City of Portland's Parks and Recreation Department to manage this easement alongside adjacent natural areas.
- A 10-acre acquisition adjacent to Chehalem Ridge protects mixed mature Douglas-fir woodland, Oregon white oak habitat, and 800 feet of stream frontage and improves wildlife connectivity between other lands in public ownership. Wildlife that currently use this corridor include migratory songbirds, coyote and black-tailed deer.
- A 31-acre acquisition along Baker Creek protects forested upland and almost 2,300 feet of stream frontage, which provides important habitat to native fish and wildlife species including coho salmon, steelhead and Pacific lamprey.
- A 1-acre acquisition near the top of Gabbert Butte helps to close a gap in public ownership, further solidifying a biologically significant natural area and facilitating better public access to nature.
- An 80-acre acquisition adjacent to Columbia Land Trust's Atfalati Prairie conserves approximately 4,900 feet of Tualatin River frontage and protects important riparian and wetland habitat that supports winter steelhead, coho salmon, lamprey and other native fish and wildlife.
- A 5-acre acquisition in the lower headwaters of Pecan Creek secures land for the conceptual Pecan Creek Regional Trail while linking existing protected lands. The purchase of this property was made possible through a partnership between the City of Lake Oswego and Metro, leveraging bond funding with local investment.
- A 1.2-acre conservation easement conserves approximately 200 feet of creek frontage along both sides of Tryon Creek and helps to close a major gap in the Hillsdale-to-Lake Oswego Regional Trail. The City of Portland's Bureau of Environmental Services contributed to the easement purchase and manages the property along with adjacent lands.
- An 18-acre acquisition expands Metro's adjacent Richardson Creek Natural Area to almost 100 acres, providing plants and wildlife an east-west habitat corridor. It also protects forested wetlands and 2,100 feet of stream frontage of several perennial streams that flow into Richardson Creek before reaching the Clackamas River.

- A vegetation management easement acquired along Tryon Creek protects approximately 80 feet of frontage on both banks, supporting native fish such as cutthroat trout, brook lamprey and steelhead. The City of Portland's Bureau of Environmental Services paid for half of the acquisition and holds the easement, which closes a significant gap in public ownership connecting to Tryon Creek State Natural Area.
- A non-exclusive access easement acquired by Metro over an existing road to the Clackamas Bluff property purchased earlier in the year provides site access to staff and contractors, allowing Metro to avoid constructing a new access road that would negatively impact forested habitat it is working to protect.
- A donated 0.8-acre trail easement acquired on behalf of the City of Tualatin ensures that the city will be able to construct the Hedges Creek segment of the Ice Age Tonquin Trail.
- A donated 5.6-acre property protects important riparian and wetland habitat that provides floodplain functions like floodwater storage. It also protects over 1,300 feet of stream frontage along Council Creek and Jobs Ditch, expands adjacent public lands to almost 40 acres, and provides habitat to deer, coyote, bobcat, migratory birds and other native species.

LOCAL SHARE

\$44 million allocated to local governments for park improvement projects and locally important acquisitions

Under the local share component of the bond, \$44 million is distributed on a per capita basis to the 28 cities, counties and park providers within Metro's jurisdiction to fund local acquisitions, restoration projects and trail and park improvement projects.

The local share program is nearly complete. Local share expenditures stand at \$43,959,505 million or 99.9% of the total \$44 million allocation. At the time of this writing only Cornelius still had local share funds to expend on approved projects. The city has identified the construction of a small bridge that will be part of a local trail through a new community park. Cornelius anticipates spending its local share allocation by Dec. 31, 2020.

NATURE IN NEIGHBORHOODS CAPITAL GRANTS

\$15 million to community groups, non-profits and local governments for projects that "re-green" or "re-nature" neighborhoods

Nature in Neighborhoods capital grants are made to community groups, schools and non-profits for projects that preserve or restore water quality and wildlife habitat, or increase the presence of nature in urban environments. All \$15 million has been committed to Metro Council-approved projects. The Metro Council has awarded grants to 55 projects. Over the nine granting cycles, three projects have been withdrawn due to feasibility issues and funds reallocated to other projects.

NATURE IN NEIGHBORHOODS GRANT HIGHLIGHTS

This year several organizations that were awarded grants in prior years executed their agreements with Metro and work began on their Nature in Neighborhood projects. Currently, all awarded grant projects are under contract and all conservation easements for property acquired with Metro funding are closed.

There are 10 active capital grant projects. Four are currently under construction, three are in the final stages (most include planting in the upcoming planting season), two are in the bid selection stage, and one is still in the design and engineering phase.

Eighty percent of capital grant funding (\$12,061,252) has been expended as of the end of fiscal year 2019. The remainder is dedicated to the projects described above.

This fiscal year included several ribbon cuttings, groundbreakings and presentations at city council meetings to approve grant agreements with Metro for these funds. The following projects wrapped up this year:

- Building an inclusive playground at Couch Park: \$150,000 to the City of Portland
- Dirksen Nature Park: A walk through northwest ecosystems: \$390,000 to the City of Tigard
- North Fork Johnson Creek fish passage: \$79,746 to the Johnson Creek Watershed Council
- Courtyard at Cornelius Place: \$100,000 to the City of Cornelius
- Boardman-Rinearson Wetland Complex land acquisition: \$362,012 to the North Clackamas Parks and Recreation District

CAPITAL DEVELOPMENT PROJECTS

Approximately \$20 million of bond funds were dedicated to work on trail planning, park development and capital construction projects in program target areas as approved by the Metro Council in November 2014.

Based on recommendations from the committee in 2016, new performance measures were created for these capital construction projects, indicating whether the projects are on track with regard to scope, schedule and budget, including budget-to-actual costs. These capital development project performance measures are included in the Oversight Committee's dashboard report, updated and presented at every committee meeting.

CAPITAL DEVELOPMENT PROJECT HIGHLIGHTS

- *Chehalem Ridge Nature Park:* In fall 2018, initial construction drawings were completed and submitted to Washington County for land use approval. During the following winter months, outreach to the Latinx community occurred to obtain feedback on the park design. County approval was received in spring 2019 and full construction documents are anticipated to be completed and submitted for permits by the end of 2019.
- *Columbia Boulevard Bridge:* This project has successfully completed both the ODOT-led request for proposal process and approval of a design and engineering contract with KPFF Engineers. The project has formally 'kicked off' with local partners under Metro's leadership.
- *Fanno Creek Trail:* Construction of the new pedestrian bridge and Fanno Creek Trail segment to link Woodard Park and the Dirksen Nature Park was completed.
- *Gabbert Butte:* The master plan was adopted by Gresham City Council and Metro Council in summer 2019. Metro is negotiating an intergovernmental agreement with the City of Gresham

for nature park design and construction. Once an agreement is in place, a request for proposal will be issued to hire a design team.

- *Marine Drive Trail*: This project was delayed while an intergovernmental agreement was negotiated with the levee district and due to staff capacity. A scope of work and request for proposal for engineering services is being prepared.
- *Willamette Falls Riverwalk*: Contractors have been identified to lead phase one riverwalk design, engineering and construction efforts, as well as brownfields remediation and support of archeological and cultural/historic resources. With the team set, progress was made to submit federal permits to the Army Corps of Engineers; however, a few weeks before the targeted submittal date there was a transition of property ownership. The project work has paused and is currently experiencing a delay to allow for collaboration with the new property owner, The Confederated Tribes of Grand Ronde.

OTHER OVERSIGHT COMMITTEE REVIEW

BUDGET, STAFF CAPACITY AND ADMINISTRATIVE COSTS

The committee reviews the financial report, staffing levels and administrative costs at every meeting.

Metro sold the remaining 2006 bonds in spring 2018. Based on staff projections, most of the bond funds will be expended by June 2020.

In fiscal year 2015/16, more than 20 staff were assigned to the bond; that number has been reduced to 17 as of June 30, 2019. While the bond program work is winding down, many of the staff assigned to the bond are on the parks planning team working on capital projects such as those noted above. Management reviews the staffing levels every year, often moving staff to other funding sources if necessary due to limited work on the bond.

Although administrative costs for fiscal year 2019 rose to 20%, the committee was satisfied that Metro is on track to fulfill the commitment capping cumulative administrative costs at less than 10% of total bond expenditures.

USE OF UNUSUAL CIRCUMSTANCES

The bond has an unusual circumstances provision for property transactions that fall outside the due diligence guidelines. These transactions require authorization by the Metro Council and the committee reviews all unusual circumstances annually. No unusual circumstances required Metro Council approval this past fiscal year.

THE YEAR AHEAD

The Oversight Committee will continue to monitor progress of bond-funded acquisitions and both bond- and levy-funded capital construction projects. The committee will also continue to review staff capacity to ensure that it is sufficient for implementing all aspects of the Natural Areas and Capital Program.

Remaining funds from the 2006 bond measure are close to being spent or are dedicated to upcoming projects or acquisitions. Over the next year the committee will develop a retrospective analysis of the structure, successes and challenges of the committee during oversight of the 2006 bond measure. This project will include reaching out to previous committee members through a survey and personal communication to inform a report that may assist Metro with the development and management of oversight committees for future funding sources.

As in previous years, the committee will continue to monitor the application of unusual circumstances in land acquisition transactions and work with staff to identify any further flexibility in the acquisition work program necessary to secure priority properties.

Additionally, the committee will continue to assess and monitor program operations.

FY 2019 OVERSIGHT COMMITTEE MEMBERS

Peter Mohr, Chair	Attorney, Jordan Ramis, PC
Mark Aasland	Senior project designer, PACE Engineers
Dean Alterman	Attorney, Folawn Alterman & Richardson LLP
Caylin Barter	Attorney, Jordan Ramis, PC
Drake Butsch	Builder services manager, First American Title of Oregon
Kelsey Cardwell	Past president, Northwest Trail Alliance
Jon Horne	Sr. vice president, Wells Fargo Bank, Real Estate Advisory Division
Derek Johnson	Director, The Nature Conservancy
Walt McMonies	Of counsel, Lane Powell
Rick Mishaga	Wildlife ecologist (retired)
William F. (Fritz) Paulus	Real property attorney
Shannon Shoul	Communications, strategy and performance management consultant
Lindsay Smith	Environmental specialist, Portland General Electric

Agenda Item No. 4.1

**Parks and Nature Natural Areas and Capital Program
Performance Oversight Committee Report**

Presentation

Metro Council Meeting
Thursday, December 12, 2019
Metro Regional Center, Council Chamber

Agenda Item No. 5.1

Resolution No. 19-5053, For the Purpose of Approving
Refinements to the 2040 Planning and Development Grant
Program

Resolutions

Metro Council Meeting
Thursday, December 12, 2019
Metro Regional Center, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING	)	RESOLUTION NO. 19-5053
REFINEMENTS TO THE 2040 PLANNING)	
AND DEVELOPMENT GRANT PROGRAM	)	Introduced by Interim Chief Operating Officer
	)	Andrew Scott in concurrence with Council
	)	President Lynn Peterson

WHEREAS, in 2006, Metro adopted Ordinance No. 06-1115, establishing a construction excise tax (CET) to generate revenue for providing grants to local governments for regional and local planning; and

WHEREAS, the CET has raised more than \$26 million in revenue that has been distributed by Metro to local governments through the Community Planning and Development Grant (“CPDG”) program, the Equitable Housing Planning and Development Grants program, and the 2040 Planning and Development Grants program for planning work across the region that otherwise could not have been funded; and

WHEREAS, in 2016 the Metro Council adopted the Strategic Plan to Advance Racial Equity, Diversity and Inclusion, which defines and guides Metro’s strategy for removing barriers for people of color in order to ensure that everyone, including historically marginalized populations, can have the opportunity to enjoy a thriving region with quality jobs, stable and affordable housing, safe and reliable transportation, and a healthy environment; and

WHEREAS, the Metro COO established a 2040 Planning and Development Grant Screening Committee (“Grant Screening Committee”) consisting of nine members with broad expertise in planning and development to provide the COO an assessment of the strength of each grant application in accordance with the criteria set forth in Metro Code Chapter 7.04 and the CET Administrative Rules; and

WHEREAS, on June 24, 2019 the Grant Screening Committee Chair submitted the Committee’s recommendations to Metro’s Interim COO for the 2019-2020 grant cycle, which included recommendations that the program criteria and grant process be reviewed and improved to better achieve Metro’s policy goals, particularly in regard to applications for Equitable Development Grants; and

WHEREAS, on July 25, 2019 the Metro Council adopted Resolution No. 19-5002A, which awarded approximately \$2.4 million in grants for the fiscal year 2019-2020 grant cycle, and directed the Metro COO to make improvements to the grant program, including enhancing opportunities for pre-application consultation with grant applicants, with particular attention to the Equitable Development Grant category; and

WHEREAS, in order to most effectively remove barriers to development, implement the 2040 Growth Concept, and help address the equitable housing crisis in our region, the Metro Council has established a policy emphasis in previous grant cycles to enable the grant program to respond to current trends and issues affecting development in our region; and

WHEREAS, equity, equitable development and equitable housing are currently issues of considerable local and regional concern given the potential for displacement of long-term residents, businesses and communities of color due to rapidly escalating real estate costs; and

WHEREAS, our region continues to have a crisis in housing supply as growth continues, especially for low income residents, and multiple tools, strategies, and approaches are needed across the region to provide more equitable housing and access to opportunity; and

WHEREAS, a clear policy framework outlining the objectives of future grants and the types of projects to be prioritized for funding in future grant cycles will assist local governments and community partners in identifying and proposing projects that will best advance the region's planning, development and equity goals; now therefore

BE IT RESOLVED that:

1. The Metro Council hereby directs the Metro COO and staff to continue to implement improvements to grant program administration and monitoring of the investments over time to ensure that the program is successfully supporting regional goals and policies set forth in the 2040 Growth Concept, the Urban Growth Management Functional Plan, the six desired outcomes described in the Regional Framework Plan, and Metro's Strategic Plan to Advance Racial Equity, Diversity and Inclusion.
2. The Metro Council hereby authorizes and directs the Metro COO and staff to initiate future grant cycles for 2040 Planning and Development grants to award CET revenue to fund planning and development projects under the following categories, and according to the following schedule and funding targets:
 - a. New Urban Area Planning. An annual allocation of \$500,000 of CET funds will be targeted for investments in New Urban Area Planning Grants, including Concept Planning Grants and Comprehensive Planning Grants. Funding for Concept Planning Grants will be available on an annual basis, and funding for Comprehensive Planning Grants will be available to cities in conjunction with a Metro Council decision to expand the urban growth boundary. Any excess grant funds for New Urban Area Planning that are not awarded each year will accrue to the following year and thereby increase the available funds for New Urban Area Planning Grants in subsequent grant cycles.
 - b. Planning and Development Within the Urban Growth Boundary. An annual allocation of \$1,500,000 of CET funds will be targeted for investments in grants for projects within the Urban Growth Boundary, including Equitable Development Grants and Community Engagement Grants. Approximately \$1.25 million in funding will be targeted annually for Equitable Development Grants and \$250,000 for Community Engagement Grants. In the event that there are insufficient qualified applications within one funding category, grant funds may be awarded for qualified applications in the other category. Any excess grant funds in either category that are not awarded each year will accrue to the reserve fund for additional technical assistance as provided in the grant program administrative rules.
3. The Metro Council hereby authorizes and directs the Metro COO and staff to implement appropriate revisions to the grant program's administrative rules in order to effectuate the refinements to 2040 Planning and Development Grant program offerings and investment allocations as described above, and to provide clear guidelines for fair and effective grant solicitation processes and grant program administration.

ADOPTED by the Metro Council this _____ day of December, 2019.

Lynn Peterson, Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney

**IN CONSIDERATION OF RESOLUTION NO. 19-5053, FOR THE PURPOSE OF
AUTHORIZING REFINEMENTS TO THE 2040 PLANNING AND DEVELOPMENT
GRANT PROGRAM**

Date: November 28, 2019
Department: Planning and Development
Meeting Date: December 12, 2019

Prepared by: Lisa Miles, x1877 lisa.miles@oregonmetro.gov
Roger Alfred, x 1532
Presenter(s): Elissa Gertler, Lisa Miles

ISSUE STATEMENT

Planning and Development staff have developed a package of proposed refinements to the 2040 Planning and Development Grants program in order to strengthen the equitable development outcomes of the program, streamline the application process for all grantees and facilitate more effective program administration. The 2040 Planning and Development Grants Program is funded through a region-wide Construction Excise Tax (CET).

ACTION REQUESTED

Approval of Resolution 19-5053 to authorize the proposed program refinements.

IDENTIFIED POLICY OUTCOMES

The proposed program refinements are expected to strengthen equitable development outcomes of the program, streamline the application process for all 2040 Planning and Development Grants, and lead to more effective program administration. The program refinements will facilitate achievement of key Metro policy objectives for advancing racial equity and implementation of the 2040 Growth Concept.

POLICY QUESTION(S)

How can the 2040 Planning and Development Grants Program be revised or refined in order to better accomplish Metro's racial equity goals? How could Metro streamline the application process for 2040 Planning and Development Grants and better tailor program processes and evaluation criteria for the different types of grants awarded?

POLICY OPTIONS FOR COUNCIL TO CONSIDER

The Metro Council may choose to adopt the resolution, thereby directing the Metro COO and staff to make refinements that will strengthen the equitable development outcomes of the program, streamline the grant application process for all 2040 Planning and Development Grants, and lead to more effective program administration. The Metro Council may also choose to amend the resolution, or direct staff to develop alternative

program approaches, or not pass the resolution, in which case the program would continue using existing policies and approaches.

STAFF RECOMMENDATIONS

Staff recommend approval of Resolution 19-5053.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

The Metro Council last considered the 2040 Planning and Development Grants Program as part of the 2019 Grant awards decision in late July 2019. At the time, the Chair of the 2040 Grants Screening Committee, Damien Hall, shared recommendations with the Metro Council regarding the grant program on behalf of the committee. While the committee is enthusiastic about funding more Equitable Development projects, applications received in this category in recent grant cycles have not been as strong as the committee would like to see in order to merit funding. To strengthen this aspect of the program as directed by the Metro Council in resolution 19-5002A, committee members and Metro staff identified several recommended program adjustments to be implemented as part of the 2020 grant cycle, including hosting pre-application meetings to clarify expectations for equitable development projects, revising the grant evaluation criteria, and cultivating applications from community entities leading equitable development work throughout the region. Committee members also recommend that staff tap the expertise of Metro's Committee on Racial Equity (CORE) to further consider program adjustments that might result in better applications for equitable development projects.

In the process of crafting the proposed program refinements, Metro staff solicited input from a variety of perspectives, including local government partners who have been past grant recipients, community engagement consultants with experience in the planning field, stakeholder organizations, and grant selection committee members. Metro staff also met with CORE members on October 17, 2019 to confer on the array of proposed changes. Metro Council reviewed and discussed the staff proposal in a work session on October 29, 2019. Staff also updated MPAC regarding the proposed refinements on November 13, 2019.

The proposed program refinements are summarized as follows:

New Urban Area Planning

- 25% of CET revenues will be reserved for New Area Planning Grants.
- Concept planning grants (up to \$250,000 typical) will be considered on an annual cycle through a simplified review process with staff and COO recommendation, followed by Council approval.
- Comprehensive planning grants (up to \$350,000 typical) will be considered and awarded as part of the Urban Growth Management decision process every six years (or earlier if the Metro Council conducts a mid-cycle review process).
- Jurisdictions are limited to one concept planning application per grant cycle, and one comprehensive planning proposal per urban growth management decision cycle.

- Funds may support technical consultants, and involvement of community organizations or community liaisons to assist with implementation of equity measures.
- Continue to require that cities use best practices for equity both in planning policies and engagement approaches.

Equitable Development Grants

- Approximately \$1.25 million annually will be reserved for projects within the UGB that implement the 2040 growth concept while also advancing equity.
- Reduce the number of new grants approved each cycle to 2-3 projects of \$250,000-750,000 so that we can devote staff time needed to develop partnerships and actively manage to achieve program goals.
- Applications must be partnerships between local governments and one or more community partners.
- Most jurisdictions will be limited to one application per cycle; however, the City of Portland will be allowed to submit up to 3 applications per cycle, and the cities of Hillsboro, Gresham, and Beaverton, and Washington and Clackamas counties will each be allowed to submit up to 2 applications.
- A revised application and selection process will reduce barriers for applicants, enable Metro to select projects based on the inherent merits of the proposal (not simply the best written application) and will help Metro more effectively achieve desired equity outcomes by collaborating with applicants to fully develop project scopes and engagement plans.

Community Engagement Grants

- Approximately \$250,000 will be available annually to fund 3-4 community engagement grants to support equitable engagement work for a variety of local planning projects that help implement the 2040 vision.
- Grant funds may support involvement of a community based organization or to provide a stipend for a short term community liaison(s) to assist with community engagement efforts.
- Most jurisdictions will be limited to one application per cycle; however, the City of Portland will be allowed to submit up to 3 applications per cycle, and the cities of Hillsboro, Gresham, and Beaverton, and Washington and Clackamas counties will each be allowed to submit up to 2 applications.
- A revised application and selection process will reduce barriers for applicants, enable Metro to select projects based on the inherent merits of the proposal (not simply the best written application) and will help Metro more effectively achieve desired equity outcomes by collaborating with applicants to fully develop project scopes and engagement plans.

LEGAL ANTECEDENTS

- Metro Ordinance 06-1115 established the construction excise tax in 2006.
- Metro Ordinance 09-1220 extended the CET for an additional five year period (through September 2014).
- Metro Ordinance 14-1328 extended the CET for an additional five year period (through December 2020) and directed the Metro COO to propose revisions to the grant program to improve the process for reviewing and approving applications and grants.
- Metro resolution 15-4595 approved the Metro COO's proposed revisions to the grant program.
- Metro resolution 15-4640 directed the Metro COO to propose a possible use for unallocated funds in Cycle 4.
- Metro resolution 16-4753 awarded approximately \$575,000 in Equitable Housing Planning and Development Grants.
- Metro resolution 17-4782 changed the program name, established annual grant cycles, set the investment targets for Cycle 5, and created a new grant category for equitable development projects.
- Metro resolution 18-4882 authorized the Metro COO to create a technical assistance program to support the 2040 Planning and Development Grants.
- Metro ordinance 18-1425 amended the Metro Code to remove the provision to sunset the CET in 2020, expanded eligibility to enable private entities to apply for grants and implemented additional refinements to four subsections of Metro Code Chapter 7.04.
- Metro resolution 19-5002A awarded approximately \$2.4 million in grants for the 2019 grant cycle, and directed the Metro COO to make program revisions that will enhance opportunities for pre-application consultation with grant applicants, and to advise applicants about potential improvements to unsuccessful applications in the previous cycle.

ANTICIPATED EFFECTS & FINANCIAL IMPLICATIONS

Adoption of the resolution will authorize Metro COO and staff to revise the program administrative rules, and initiate subsequent grant application cycles according to the approved investment targets. Once the new program processes are approved and the next cycle of grants initiated, staff will have the opportunity to reach out to prospective grant applicants (including past applicants who were unsuccessful in prior grant rounds) to update and advise them regarding the upcoming grant cycle. Funding for continued staff work to support this grant program is in the Planning & Development base budget. Grant funds are CET revenues.

BACKGROUND

Metro's 2040 Planning and Development Grants program supports a range of local planning projects and activities. The grants help remove barriers to private investment in development, promote planning activity that makes land ready for development, and help to implement the Portland region's long term plan for livability, outlined in the 2040

Growth Concept. The program, formerly known as the Community Planning and Development Grants (CPDG) Program, has been in place since 2006. Prior grant cycles have awarded over \$26 million to fund more than 100 projects across the region.

ATTACHMENTS

Resolution 19-5053

Draft of December 2019 Revision to CET Program Administrative Rules

ADMINISTRATIVE RULES: METRO CODE CHAPTER 7.04
[REVISED DECEMBER, 2019]

Effective July 1, 2006, Metro established as Metro Code Chapter 7.04 a Construction Excise Tax (“CET”) to fund Community Planning and Development Grants (“CPDG”). Effective April 1, 2017 the CPDG program became known as the 2040 Planning and Development Grant program (“2040 Grant” or “Grant”). These Administrative Rules establish the procedures for administering this tax as mandated in Metro Code Section 7.04.050 and Metro Code Section 7.04.060. These Administrative Rules also establish the procedures for administering the 2040 Grants. For ease of reference a copy of Metro Code Chapter 7.04 is attached to these administrative rules.

I. Metro Administrative Matters.

- A. Definitions. These administrative rules incorporate the definitions as set forth in Metro Code Section 7.04.030 of Chapter 7.04, Construction Excise Tax, and Chapter 3.07, the Urban Growth Management Functional Plan.
- B. Designated Representatives (Metro Code Section 7.04.060). The Metro COO (“COO”) is responsible for the administration and enforcement of the Metro Code Chapter 7.04 and these administrative rules.
 - 1. The COO may delegate their authority in administration and enforcement of the Code chapter and these administrative rules as they determines and as set forth herein.
 - 2. The COO shall appoint a Hearings Officer, which appointment shall be confirmed by the Metro Council. The Hearings Officer shall have the authority to order refunds or rebates of the Construction Excise Tax or waive penalties as a result of the hearings process. Upon appointing a Hearings Officer, the COO shall delegate authority to the Hearings Officer to administer oaths, certify to all official acts, to subpoena and require attendance of witnesses at hearings to determine compliance with this chapter, rules and regulations, to require production of relevant documents at public hearings, to swear witnesses, to take testimony of any Person by deposition, and perform all other acts necessary to adjudicate appeals of Construction Excise Tax matters.
- C. Internal Flow of Funds. Funds will be accounted for in a Construction Excise Tax account that will be created by the effective date of Metro Code Chapter 7.04.
- D. Rate Stabilization Reserves. Metro Code Chapter 7.04.200 states that the Council will, each year, as part of the Budget process, create reserves from revenues generated by the CET. These reserves are to even out collections thereby stabilizing the funds needed to support the applicable programs despite industry building activity fluctuation. These reserves can only be drawn on to support the specific budgeted activities as discussed in

Section I.E. of these administrative rules. Due to their restricted nature, these reserves shall be reported as designations of fund balance in Metro's General Fund.

- E. Dedication of Revenues. Revenues derived from the imposition of this tax, netted after deduction of authorized local jurisdiction costs of collection and administration will be solely dedicated to grant funding of the regional and local planning that is required to make land ready for development or redevelopment.
- F. Rule Amendment. The COO retains the authority to amend these administrative rules as necessary for the administration of the Construction Excise Tax, after consultation with Metro Council.

II. Construction Excise Tax Administration.

- A. Imposition of Tax (Metro Code Section 7.04.070).
 - 1. The CET is imposed on every Person who engages in Construction within the Metro jurisdiction, unless an Exemption applies as set forth herein.
 - 2. The tax shall be due and payable at the time of the issuance of any building permit, or installation permit in the case of a manufactured dwelling, by any building authority, unless an Exemption applies as set forth herein.
 - 3. The CET shall be calculated and assessed as of the application date for the building permit.
 - 4. If no permit is issued, then the CET is due at the time the first activity occurs that would require issuance of a building permit under the State of Oregon Building Code.
- B. Calculation of Tax (Metro Code Section 7.04.080). The CET is calculated by multiplying the Value of New Construction by the tax rate of 0.12%

(0.0012 x Value of New Construction)
 - a. In the case of a Manufactured Dwelling for which no Exemption is applicable, and for which there is no building code determination of valuation of the Manufactured Dwelling, the applicant's good faith estimate of the Value of New Construction for the Manufactured Dwelling shall be used.

C. Exemptions (Metro Code Section 7.04.040).

1. Eligibility for Exemption. No obligation to pay the CET is imposed upon any Person who establishes, as set forth below, that one or more of the following Exemptions apply:
 - a. The Value of New Construction is less than or equal to One Hundred Thousand Dollars (\$100,000); or
 - b. The Person who would be liable for the tax is a corporation exempt from federal income taxation pursuant to 42 U.S.C. 501(c)(3), or a limited partnership the sole general partner of which is a corporation exempt from federal income taxation pursuant to 42 U.S.C. 501(c)(3), the Construction is used for residential purposes AND the property is restricted to being occupied by people with incomes less than sixty percent (60%) of the median income for a period of 30 years or longer; or
 - c. The Person who would be liable for the tax is exempt from federal income taxation pursuant to 42 U.S.C. 501(c)(3) AND the Construction is dedicated for use for the purpose of providing charitable services to disadvantaged people.
2. Procedures for Establishing and Obtaining an Exemption; Exemption Certificates:
 - a. For Exemption (a) above, the exemption will be established at the building permit counter where the Value of New Construction as determined in the building permit is less than or equal to One Hundred Thousand Dollars (\$100,000).
 - b. For Exemptions (b) and (c) above, prior to applying for a building permit a Person claiming an exemption may apply to Metro for a Metro CET Exemption Certificate, by presenting the appropriate documentation for the Exemption as set forth herein, and upon receiving a Metro CET Exemption Certificate the Person may present the certificate to the building permit issuer to receive an exemption from paying the CET; or
 - c. For Exemptions (b) and (c) above, instead of going to Metro to obtain a Metro CET Exemption Certificate, a Person claiming an exemption from the CET when applying for a building permit may submit to the building permit issuer Metro's CET Exemption Certificate application form. Upon receiving a Person's Metro CET Exemption Certificate application, the building permit issuer shall preliminarily authorize the Exemption and shall not collect the CET. The building permit issuer shall forward the Person's Metro CET Exemption Certificate application to Metro along with the quarterly CET report. It shall be Metro's responsibility to determine the validity of the Exemption and to institute collection

procedures to obtain payment of the CET, as well as any other remedy Metro may have under law, if the Person was not entitled to the Exemption;

- d. To receive a Metro CET Exemption Certificate from Metro, or to substantiate to Metro the validity of an exemption received from a local building permit issuer, an applicant must provide the following:
 - i. IRS tax status determination letter evidencing that the Person seeking the building permit is exempt from federal income taxation pursuant to 42 U.S.C. 501(c)(3); and
 - ii. In the case of residential property, proof that the property is to be restricted to low income persons, as defined, for at least 30 years. Proof can be in the form of loan covenants; rental agreements or grant restrictions; a certification from the entity's corporate officer attesting that the Exemption is applicable; or any other information that may allow the Exemption determination to be made; and
 - iii. In the case of a qualified tax-exempt entity providing services to disadvantaged people, the applicant must provide information that will allow such tax exempt status to be verified, and proof that the property will be restricted to such uses. Proof can be in the form of loan covenants; rental agreements or grant restrictions; certification from the entity's corporate officer attesting that the Exemption is applicable; or any other information that may allow the Exemption determination to be made; and
 - iv. In the case of a limited partnership with a tax-exempt sole general partner corporation, verification from the partnership's attorney of that status is required; and
 - v. Authorization to audit the records to verify the legal status and compliance with Metro qualifications of all entities claiming exempt status.
- e. Partial Applicability of Exemption. If an exemption is applicable to only part of the Construction, then only that portion shall be exempt from the CET, and CET shall be payable for the remainder of the Construction that is not eligible for an exemption, on a pro-rata basis. It shall be the responsibility of the Person seeking the partial exemption to fill out a Metro CET Exemption Certificate application for the partial Exemption, declaring on that application the proportion of the Construction qualifies for the Exemption. Upon receiving a Person's Metro CET Exemption Certificate application claiming a partial exemption, the building permit issuer shall preliminarily authorize the partial exemption and shall only

collect the pro-rata CET as declared by the applicant. The building permit issuer shall forward the Person's Metro CET Exemption Certificate application to Metro along with the quarterly CET report. It shall be Metro's responsibility to determine the validity of the partial Exemption and to institute collection procedures to obtain payment of the remainder of the CET, as well as any other remedy Metro may have under law, if the Person was not entitled to the partial Exemption.

D. Ceiling (Metro Code Section 7.04.045).

1. If the CET imposed would be greater than \$12,000.00 (Twelve Thousand Dollars) as measured by the Value of New Construction that would generate that amount of tax, then the CET imposed for that Construction is capped at a Ceiling of \$12,000.00 (Twelve Thousand Dollars).
2. The Ceiling applies on a single structure basis, and not necessarily on a single building permit basis. For example:
 - a. If a single building permit is issued where the Value of New Construction is greater than or equal to Ten Million Dollars (\$10,000,000), then the CET for that building permit is capped at Twelve Thousand Dollars (\$12,000.00).
 - b. If Construction in a single structure will require multiple building permits during the pendency of the CET program, and the total CET that would be imposed for those building permits would add up to more than Twelve Thousand Dollars (\$12,000.00), then the total CET for those building permits within the same structure during the pendency of the CET program is capped at Twelve Thousand Dollars (\$12,000.00). Once a total of \$12,000.00 has been paid in CET for a particular structure, then no additional CET will be collected for that structure during the pendency of the CET program.

E. Rebates (Metro Code Section 7.04.120). If a CET has been collected and a CET Exemption or the CET Ceiling was applicable, a rebate for the CET may be obtained from Metro.

1. Procedures for obtaining rebate are:
 - a. Within thirty (30) days of paying the CET, the Person who believes that the CET was not applicable due to a CET Exemption or CET Ceiling, shall apply for a rebate in writing to Metro and provide verification that the Exemption eligibility provisions.

of Metro Code Section 7.04.040, or that the CET Ceiling provisions of Metro Code Section 7.04.045, have been met. Failure to seek a rebate within the thirty (30) day time limit will terminate a Person's right to seek a rebate.

- b. Applicant shall provide proof that the CET was paid, in the form of a paid receipt from the building permit issuer showing the tax was paid. All supporting documentation for the exemption or ceiling shall be submitted at the time of the rebate claim. The rebate will only be made to the name that is listed on the receipt unless the applicant has a written assignment of rebate.
- c. A rebate or a letter of denial shall be issued by Metro within thirty (30) days of receipt of a written request for rebate provided that the request includes all required information. The rebate will be calculated based upon the paid receipt, less the five percent (5%) administrative fee already retained by the building permit issuer and the five percent (5%) Metro administration fee.

F. Refunds (Metro Code Section 7.04.150). If a CET has been collected and the Construction was not commenced and the building permit was cancelled, a refund for the CET may be obtained from Metro.

- 1. Eligibility is determined by the absence of Construction and cancellation of the building permit.
- 2. Procedures for obtaining refund:
 - a. Apply in writing to Metro within thirty (30) days of permit cancellation.
 - b. Provide copy of canceled permit.
 - c. Provide proof of payment of the tax in the form of the paid receipt.
 - d. A refund or a letter of denial shall be issued by Metro within thirty (30) days of receipt of the written request for refund provided that the request includes all required information. The refund will be calculated based upon the paid receipt, less the five percent (5%) administrative fee already retained by the building permit issuer and the five percent (5%) Metro administration fee.
 - e. Failure to seek a rebate within the thirty (30) day time limit will terminate a Person's right to receive a refund.

- G. Appeals. The Hearings Officer shall conduct hearings related to enforcement or appeals of the CET. The appeal to the Hearings Officer must be:
1. In writing;
 2. Made within ten (10) calendar days of denial of a refund, rebate, or exemption request. Notice of denial to the party denied, is deemed to have occurred three days after the mailing of the certified denial letter from Metro;
 3. Tax must be paid prior to appeal;
 4. Directed to the Office of Metro Attorney, who will contact the Hearings Officer to schedule a hearing upon receipt of a written appeal. The Hearings Officer will at that time provide further information as to what documentation to bring to the hearing.
- H. Review. Review of any action of the COO or Hearings Officer, taken pursuant to the Construction Excise Tax Ordinance, or the rules and regulations adopted by the COO, shall be taken solely and exclusively by writ of review in the manner set forth in ORS 34.010 through 34.100, provided, however, that any aggrieved Person may demand such relief by writ of review.

III. CET Collection Procedures.

- A. Local Government CET Collection and Remittance Via Intergovernmental Agreements (Metro Code Section 7.04.110). For those local governments collecting the CET pursuant to Intergovernmental Agreements with Metro, the following procedures shall apply:
1. CET Reporting; Information Required. Each quarter (unless a local government prefers to report monthly), along with its CET remittance to Metro, the local government shall prepare and submit to the Metro COO a report of the CETs and building permits issued for the previous quarter's construction activities. The report shall include: the number of building permits issued that quarter; the aggregate value of construction; the number of building permits for which CET exemptions were given; the aggregate value of construction for the exempted construction; the aggregate amount of CET paid; and the amount of CET administrative fee retained by the local government pursuant to this CET Collection IGA. Each quarter, within thirty days of receiving CET remittances from all collecting local jurisdictions, Metro will issue a written statement of the total CET that Metro has received that quarter and cumulatively.
 2. CET Remittance to Metro. Local governments collecting CETs shall remit the CETs to Metro on a quarterly or monthly basis, based on the jurisdiction's CET Collection IGAs with Metro. Remittance shall be quarterly, unless a jurisdiction prefers to remit the CET monthly, by the 30th of the month following the quarter (or month) ending. Quarters end on September 30, December 31, March 31 and

June 30 of each year. CET remittance and the CET Report shall be sent to Metro, attn. Construction Excise Tax Accounting Specialist, 600 NE Grand Ave., Portland, Oregon 97232.

3. Remuneration to Local Government for Collecting CET. As consideration for collecting the CET, each local government collecting the CET shall retain no more than five percent (5%) of the tax collected by that local government. This payment is intended to be a reimbursement of costs incurred. Prior to submitting the CET to Metro, the local government shall deduct the remuneration agreed upon directly from the collected tax, and the amounts deducted and retained shall be identified on the report submitted to Metro.
 4. Metro Administrative Fee. To partially reimburse Metro for its costs in implementing and administering the CET program, Metro will retain five percent (5%) of the net CET funds remitted by local governments to Metro.
 5. Audit and Control Features. Each local government shall allow the COO, or any person authorized in writing by the COO, to examine the books, papers, building permits, and accounting records relating to any collection and payment of the tax, during normal business hours, and may investigate the accuracy of reporting to ascertain and determine the amount of CET required to be paid.
 6. Failure to Pay. Upon a Person's refusal to or failure to pay the CET when due, the local government administering that Person's building permit shall notify Metro in writing within five (5) business days of such failure, with information adequate for Metro to begin collection procedures against that Person, including the Person's name, address, phone numbers, Value of New Construction, Construction Project, and building permit number. Upon a Person's refusal or failure to pay the CET, it shall be Metro's responsibility to institute collection procedures to obtain payment of the CET as well as any other remedy Metro may have under law.
- B. Metro Collection Procedures in Event of Non-payment. The CET is due and payable upon issuance of a building permit. It is unlawful for any Person to whom the CET is applicable to fail to pay all or any portion of the CET. If the tax is not paid when due, Metro will send a letter notifying the non-payer of his obligation to pay the CET along with the following information:
1. Penalty. In addition to any other fine or penalty provided by Chapter 7.04 of the Metro Code, penalty for non-payment will be added to the original tax outstanding. That penalty is equal to fifty dollars (\$50.00) or the amount of the tax owed, whichever is greater.
 2. Misdemeanor. In addition to any other civil enforcement, non-payment of the CET is a misdemeanor and shall be punishable, upon conviction, by a fine of not more than five hundred dollars (\$500.00). This fine shall be charged to any

officer, director, partner or other Person having direction or control over any Person not paying the tax as due.

3. Enforcement by Civil Action. If the tax is not paid, Metro will proceed with collection procedures allowable by law to collect the unpaid tax, penalties assessed and fines due, including attorney fees.

IV. Revenue Distribution (Metro Code Section 7.04.220).

A. Grant Categories and Allocation of Funding.

The Metro Council has established the following grant investment categories and the targeted level of CET funding to be allocated annually to each category. Grant cycles may be delayed or funding amounts reduced if the amount of CET revenue remitted to Metro by local governments is less than projected, or if CET revenue projections are modified due to market conditions, or as necessary for effective administration of the grant program.

1. New Urban Area Planning. The annual funding target for all New Urban Area Planning Grants is \$500,000. These funds are allocated for the planning of new urban areas, which shall include both Concept Planning Grants and Comprehensive Planning Grants. Funding for Concept Planning Grants will be available on an annual basis for planning projects in urban reserve areas, and Comprehensive Planning Grant funds will be available to cities in conjunction with a Metro Council decision to expand the urban growth boundary. Any excess grant funds that are not awarded each year will accrue to the following year and thereby increase the available funds in subsequent grant cycles.
2. Planning and Development Within the Urban Growth Boundary. The annual funding target for all planning and development grants for projects within the urban growth boundary is \$1,500,000. These funds are allocated for both Equitable Development Grants and Community Engagement Grants. The targeted annual funding for Equitable Development Grants is approximately \$1,250,000, and for Community Engagement Grants the target is approximately \$250,000. In the event that there are insufficient qualified applications within one funding category, grant funds may be awarded for qualified applications in the other category. Any excess grant funds that are not awarded in either category each year will accrue to the reserve fund for additional technical assistance as provided in section “I” below.

C. 2040 Grants Screening Committee.

1. Role. A 2040 Planning and Development Grants Screening Committee (“Committee”) shall be created, which shall review grant requests submitted by local governments and their community partners. The Committee shall advise and recommend to the Metro COO the ranking and recommended grant amounts, and

whether to grant full, partial, or no awards, in accordance with the grant evaluation criteria set forth below. The Committee's primary role will be to make recommendations for Planning and Development Grants Within the UGB. However, the Metro COO may also request that the Committee review specific Concept Planning Grant applications and make a recommendation regarding grant awards in that category.

2. Committee Members. The COO shall appoint seven to eleven members to the Committee, including the Committee Chair. Committee membership shall be reviewed and confirmed each year, but may include members from the previous Committees. Skill sets to be represented will be composed of the following expertise:

- Economic development;
- Urban planning;
- Real estate and finance;
- Infrastructure finance relating to development or redevelopment;
- Local government;
- Urban renewal and redevelopment;
- Business and commerce;
- Community engagement in public policy related to planning, equity and community livability issues;
- Environmental sustainability relating to development or redevelopment ; and
- Social equity relating to community development and redevelopment planning.

D. Concept Planning Grants.

Concept planning facilitates the future development of complete communities and supports work by cities and counties to comply with Title 11 of the Urban Growth Management Functional Plan. This type of grant is intended solely for concept planning in urban reserve areas. Proposals shall specifically address how they will seek to comply with Title 11. Award of a Concept Planning Grant does not indicate a commitment by Metro to add the urban reserve area to the UGB in the next growth management decision. The Metro COO will direct Metro staff to organize a fair and efficient process for soliciting Concept Planning Grant requests as follows:

1. Grant Cycle and Available Funding. Concept Planning Grant applications from local jurisdictions will be reviewed on an annual basis. Up to \$500,000 will be allocated each year for New Urban Area Planning Grants and may be used to fund grants to local jurisdictions for concept planning.
2. Eligible Grant Applicants. Grant applicants may be cities or counties within the Metro boundary that have urban reserves within their jurisdiction. Each eligible

local government may submit one Concept Planning Grant request per grant cycle.

3. Amount of Awards and Eligible Expenses. Grant requests and awards of up to \$250,000 are typical for Concept Planning Grants, unless a larger amount is warranted due to the size or complexity of area to be planned. Consultant costs and other direct project expenses are eligible for reimbursement with grant funds. The city or county must commit to fully fund staff time on the project as a required grant match. Grant funds may be utilized to support involvement of a community based organization or a community liaison to facilitate engagement of historically marginalized communities in the planning process.
4. General Grant Requirements. Projects must develop a concept plan that is compliant with Functional Plan Title 11. Projects may include planning for a range of land uses, necessary infrastructure services and associated cost estimates, and proposed methods to finance the systems and services. Projects must include a robust community engagement strategy demonstrating best practices for advancing racial equity and involving historically marginalized communities in the planning process.
5. Application Guidelines and Timelines. The guidelines and timeline for submitting grant applications will be publicized each year with sufficient time to provide eligible applicants with adequate time for preparation and submittal of required application materials. Applicants will also have the option to obtain feedback from Metro staff regarding their proposed projects prior to submission of the final application.
6. Application Commitments and Grantee Contributions. Applications should reflect commitment by the applicant and/or relevant project partners to participate in the planning effort. All grant requests shall include a resolution of support by the governing body. The resolution shall explicitly confirm the availability of adequate staff resources to successfully implement the proposed project. The resolution shall also outline any additional financial contributions the applicant and/or partners have committed to the project.
7. Evaluation Criteria. Proposed projects must meet the requirements of Metro Code Section 3.07.1110 while considering activities to achieve a range of housing types, tenure and prices and employment opportunities, served by a well-connected multi-modal transportation system, parks and recreation opportunities. Projects should help realize community plans and goals and may maximize existing community assets such as parks, natural features or nearby employment areas. Projects will utilize best practices for public involvement including strategies for meaningfully engaging neighbors, businesses, property owners, key stakeholders and historically marginalized communities, including people with lower incomes and communities of color.

8. Review of Grant Request. Applications for Concept Planning Grants will be reviewed by Metro Planning and Development Staff, who will make a funding recommendation to the Metro COO. The Metro COO will make a recommendation to the Metro Council. The Metro Council shall decide, in a public hearing, whether or not to approve funding of any grants, and the amount of each grant. In the event that a high number of applications for Concept Planning Grants create an unusually competitive grant cycle, the Metro COO may refer the applications to the Grant Screening Committee and request a funding recommendation from the Committee.

E. Comprehensive Planning Grants.

Comprehensive planning by local cities is required to comply with Title 11 of the Urban Growth Management Functional Plan. This type of grant is intended solely for comprehensive planning of areas recently brought within the UGB. Proposals shall specifically address how they will seek to comply with Title 11. The Metro COO will direct the staff to organize a fair and efficient process for soliciting comprehensive planning grant requests as follows:

1. Grant Cycle and Available Funding. Comprehensive Planning Grant proposals from cities will be considered every six years, in conjunction with the Metro Council's urban growth management decision process under ORS 197.299. Up to \$500,000 will be allocated each year for New Urban Area Planning Grants and it is envisioned that approximately \$2-3 million will typically be available for Comprehensive Planning Grants during the years in which an urban growth management decision is under consideration. Grant funds will also be available in the event the Metro Council elects to consider and approve a mid-cycle amendment to the UGB under Metro Code section 3.07.1427. The actual level of funding available will depend on the number of concept planning grants awarded in prior grant cycles.
2. Eligible Grant Applicants. Grant applicants may be cities within the Metro boundary that are seeking Metro Council approval to bring lands designated as Urban Reserves into the UGB. Cities are limited to one comprehensive planning grant proposal per urban growth management decision cycle.
3. Amount of Awards and Eligible Expenses. Grant requests and awards of up to \$350,000 are typical for Comprehensive Planning Grants, unless a larger amount is warranted due to the size or complexity of area to be planned. Consultant costs and other direct project expenses are eligible for reimbursement with grant funds. The city or county must commit to fully fund staff time on the project as a required grant match. Grant funds may be utilized to support involvement of a community based organization or a community liaison to facilitate engagement of historically marginalized communities in the planning process.
4. General Grant Requirements. Projects develop a comprehensive plan that is guided by the adopted concept plan and is compliant with Functional Plan Title 11. Projects may include adopting comprehensive plan and zone designations and provisions for

annexation to a city and any necessary service districts. Projects must include a robust community engagement strategy demonstrating best practices for advancing racial equity and involving historically marginalized communities in the planning process

5. Application Guidelines and Timelines. Proposals will be submitted and reviewed as part of the urban growth management decision cycle. The guidelines and timeline for submitting grant proposals will be publicized with sufficient time to provide eligible applicants with adequate time for planning, budgeting, preparation and submittal of proposals.
6. Application Commitments and Grantee Contributions. Proposals must reflect commitment by the applicant and/or relevant project partners to participate in the planning effort. All grant requests shall include a resolution of support by the governing body. The resolution shall explicitly confirm the availability of adequate staff resources to successfully implement the proposed project. The resolution shall also outline any additional financial contributions the applicant and/or partners have committed to the project.
7. Evaluation Criteria. Proposed projects must meet the requirements of Metro Code Section 3.07.1120 while identifying specific plan designation boundaries that ensure zoned capacity for expected number and types of housing units, needed public school and park facilities and provisions for financing public facilities and services. Projects must accommodate expected population and employment growth. Projects will utilize best practices for public involvement including strategies for meaningfully engaging neighbors, businesses, property owners, key stakeholders and historically marginalized communities, including people with lower incomes and communities of color.
8. Review of Grant Request. Proposals for Comprehensive Planning Grants will be reviewed by Metro Planning and Development Staff, who will make a funding recommendation to the Metro COO. The Metro COO will make a recommendation to the Metro Council. The Metro Council will approve final grant awards as part of its urban growth management decision.

F. Equitable Development Grants.

Equitable Development Grants are significant, multi-year grants that fund pre-development work, community plans, projects or strategies that implement the 2040 Growth Concept and create more equitable communities. Projects will spur implementation of the communities envisioned by the 2040 Growth Concept while advancing specific equity-focused projects, programs or strategies that improve opportunities and quality of life for people of color and historically marginalized communities. The Metro COO will direct the staff to organize a fair and efficient process for soliciting Equitable Development Grant requests as follows:

1. Grant Cycles and Available Funding. Equitable Development Grant applications from local jurisdictions and their community partners will be reviewed on an annual basis.

Approximately \$1.25 million will be allocated for new Equitable Development grants each year.

2. Eligible Grant Applicants. Grant applicants must be project teams that include at least one city or county within the Metro boundary and at least one community partner. Community Partners may be non-profit or private organizations or individual land owners. Other local governments, as defined in ORS 174.116, may also apply for grants, provided that they are partnered with a city or county government and at least one community partner. Most local governments may submit only one grant request per grant cycle; however, the City of Portland shall be allowed to submit up to three applications per cycle, and the cities of Hillsboro, Gresham, and Beaverton, and Washington and Clackamas Counties will each be allowed to submit up to two applications per cycle.
3. Amount of Awards and Eligible Expenses. Grant requests and awards should range between \$250,000 and \$750,000 for a multi-year project. Grant funds may cover technical consultant work and direct project expenses for project planning, program development or implementation. Governments must fund staff time as a required match. Staff time for community partners is eligible for grant funding.
4. General Grant Requirements. Projects may be site-specific development or redevelopment projects, facilities, or temporary uses located in a Regional Center, Town Center or neighborhood center, main street, corridor, station area or employment area. Projects may include area-specific community development plans, creation of funding tools, or economic development strategies that help local cities and counties and their partners build more equitable communities and create pathways to prosperity. Applications must not only demonstrate how historically marginalized communities and people of color will be engaged in the planning process but also how implementation of the project, strategy or program will specifically benefit these populations.
5. Application Guidelines and Timelines. The guidelines and timeline for submitting grant applications will be publicized each year with sufficient time to provide eligible applicants with adequate time for development of partnerships, project planning and submittal of required application materials. Metro will host a pre-application session for all interested parties.
6. Application Commitments and Grantee Contributions. Applications should reflect commitment by the applicant and/or relevant project partners to participate in the planning effort. All grant requests shall include a letter signed by the governing body (executed by both elected leaders and administrators) confirming support for the project and intent to commit staff resources to the effort. Letters of support from community partners must also be included, confirming their pledge of any contributions and nature of their involvement in the project.

7. Evaluation Criteria. Applications will be evaluated on the extent to which the project partners present a compelling project concept with specific, achievable, and impactful outcomes. Projects must help to facilitate or implement community development plans and projects that are aligned with the region's 2040 Growth Concept and that will meaningfully advance racial equity and deliver benefits to historically marginalized communities. Exemplary projects will deliver equitable planning and development outcomes using thoughtful, focused strategies to ensure that the benefits of community investments are delivered to marginalized populations with the greatest needs. Reviewers will also consider the extent to which the project partners have the capacity and authority to implement actions/investments as needed to successfully bring the project to fruition.
8. Review of Grant Request. Metro staff will review all proposals and submit comments to the 2040 Grant Screening Committee. The Committee will review the applications and staff comments and will select a pool of the strongest applicants to be invited to make a presentation. Following the presentations/interview with the Committee, the Committee will recommend finalists for full scoping to the Metro COO. The Metro COO will make a recommendation to Metro Council. The Metro Council will endorse finalists in a Council work session. Metro staff will work with finalists to refine project concept, more fully develop scopes, define budgets, etc. Screening Committee members may review and suggest revisions as appropriate. The Metro Council shall decide, in a public hearing, whether or not to approve funding of any grants, and the amount of each grant.

G. Community Engagement Grants

Community Engagement Grants are shorter-term grants of \$50,000-\$100,000 to help city and county governments meaningfully involve diverse community members (particularly communities of color and historically marginalized populations) in planning and development decisions that help to implement the 2040 Growth Concept. The grants expand access to opportunities, influence and decision-making in public planning processes throughout the region and help to ensure that the perspective of communities of color is more fully represented in local and regional planning decisions. These grants assist local governments in establishing lasting relationships and collaborative partnerships with a broad range of community based organizations. The Metro COO will direct the staff to organize a fair and efficient process for soliciting Community Engagement Grant requests as follows:

1. Grant Cycles and Available Funding. Community Engagement Grant applications from local jurisdictions will be reviewed on an annual basis. Approximately \$250,000 will be allocated for Community Engagement Grants each year.
2. Eligible Grant Applicants. Community-based organizations (CBOs) and local governments may apply in partnership. Local governments may also apply without a designated community partner if they are seeking to hire a community liaison for a specific project. Community liaisons must be people of color or represent a historically marginalized community. They may have planning or

development expertise or may bring other relevant life experience or perspective. If CBOs and local governments apply in partnership, at least one CBO must have significant program experience and demonstrated success serving historically marginalized communities and people of color. Most local governments may submit only one grant request per grant cycle; however, the City of Portland shall be allowed to submit up to three applications per cycle, and the cities of Hillsboro, Gresham, and Beaverton, and Washington and Clackamas Counties will each be allowed to submit up to two applications.

3. Amount of Awards and Eligible Expenses. Grant requests and awards should range between \$50,000 and \$100,000 per project. Governments must fund staff time as a required match as well as the work of any technical consultants. Staff time for community partners is eligible for grant funding, in order to support the involvement of CBOs in a consulting role to the city or county, for community organizing, project development, project implementation or advocacy related to the planning project. Grant funds may also be used to cover a stipend if the government applicant seeks to hire a short-term community liaison to assist with an issue, project or body of work.
4. General Grant Requirements. Grant funds help to support collaboration with CBOs around a particular process or issue, or temporarily hiring a community member to serve as a liaison and provide input into the engagement plan, technical work, and public decision-making processes. Involvement of CBOs in a consulting role to the city or county may be for community engagement, community organizing, project development, project implementation or advocacy related to the planning project. Relevant planning processes may include:
 - Regional and town or neighborhood center plans
 - Main street and corridor planning
 - Employment area plans and strategies
 - Plans and strategies for equitable housing
 - Code and policy work to align with 2040 vision or HB 2001 (2019)
5. Application Guidelines and Timelines. The guidelines and timeline for submitting grant applications will be publicized each year with sufficient time to provide eligible applicants with adequate time for development of partnerships, project planning and submittal of required application materials. Metro will host a pre-application session for all interested parties.
6. Application Commitments and Grantee Contributions. Applications should reflect commitment by the applicant and/or relevant project partners to participate in the planning effort. All grant requests shall include a resolution of support by the governing body. The resolution shall explicitly confirm the availability of adequate staff resources to successfully implement the proposed project. The resolution shall also outline any additional financial contributions the applicant and/or partners have committed to the project.

7. Evaluation Criteria. Grant applications will be evaluated based on how well the proposed activities, partnership(s) and/or community liaison will help the local government meaningfully engage historically marginalized communities including low income individuals and communities of color. Factors to be considered include the extent to which the project approach will provide communities of color true access and a voice in decision-making processes, and how public input will be incorporated so as to truly determine and strengthen community planning and development outcomes.
8. Review of Grant Request. Metro staff will review all proposals and submit comments to the 2040 Grant Screening Committee. The Committee will review the applications and staff comments and will select a pool of the strongest applicants to be invited to make a presentation. Following the presentations/interview with the Committee, the Committee will recommend finalists for full scoping to the Metro COO. The Metro COO will make a recommendation to Metro Council. The Metro Council will endorse finalists in a Council work session. Metro staff will work with finalists to refine project concept, more fully develop scopes, define budgets, etc. Screening Committee members may review and suggest revisions as appropriate. The Metro Council shall decide, in a public hearing, whether or not to approve funding of any grants, and the amount of each grant.

H. General Procedures for Entering into Grant Agreements.

1. Notification of Grant Award. Upon the award of a grant, the Program Manager shall issue a notification to the Grantee specifying the grant amount determined by the Metro Council as well as any conditions placed on the grant award.
2. Negotiation of Grant Agreements. Metro and the Grantee shall negotiate the terms of the Grant Agreement or Intergovernmental Agreement (“Agreement”). The scope of work in the grant application as modified by any condition in Metro Council grant award shall be the basis for Metro and the grantee to negotiate the Agreement. The Agreement shall set forth the role of Metro’s project manager or other staff on any project committees, an agreed-upon scope of work and budget, a draft request for proposals for any consultants needed to implement the project, matching funds and grant payment amounts, and any administrative penalties that may be imposed by Metro for amendments to the Agreement or project timeline that may be requested by the applicant. The Agreement shall retain the right of the Metro COO to terminate a grant award if the milestones set forth in the Agreement are not met within the specified timeframes.
3. Approval of Grant Agreements. The governing body of the grant applicant jurisdiction shall authorize the approval of the Agreement. In the event that a private organization on the grantee’s team shall serve as the fiscal partner for a grant, approval shall be by the authorized party for the organization. Following execution of the Agreement by appropriate personnel on behalf of the grantee, the

COO shall execute the Agreement. If the Agreement has not been finalized and signed by Metro and grantee within six months of grant award, the COO may exercise the authority to cancel the grant award.

4. Procurement of Project Consultants. Grantee shall work with Metro to select an appropriate consultant team as needed to complete all proposed work outlined in the grant application. Prior to execution of the Grant Agreement, Metro shall have the opportunity to review and approve any requests for proposals to be issued by the Grantee. Metro shall be involved as an equal partner in the selection of all project consultants.
5. Contracting with Project Consultants. Following final selection of project consultants, Grantee shall prepare draft contracts with all consultants that fully describe the project milestones, deliverables and timelines and provide maximum costs for consultant tasks. Metro shall have the opportunity to review and approve draft contracts with consultants who will perform work prior to the execution of such contracts.
6. Revision of Agreement Schedule of Milestones. Once the contract terms, including required milestones, timelines, deliverables, and payments have been fully negotiated and agreed, the Agreement schedule of milestones shall be updated to fully reflect the final project approach and shall be incorporated into an amended Agreement and also as an exhibit to any consultant contracts.

I. General Procedures for Distribution of Grant Funds.

1. Grant Payments. Grant payments shall be made upon the completion of those milestones set forth in the Agreement, as determined by Metro in accordance with the requirements of the Metro Code and the Agreement. In general, a portion of the Grant funds may be distributed following execution of the Agreement by Metro, with the remainder of the Grant being paid out as progress payments upon completion of the milestones in the Agreement. Grantees shall submit progress reports to Metro documenting the milestone and the completed deliverables for grant payment.
2. Eligible Grant Expenses. The following expenses shall be considered eligible expenses for reimbursement with grant funds:
 - Materials and services directly related to project
 - Consultants' work and expenses on project
 - Staff time for community partners or community organizations
3. Ineligible Grant Expenses. The following expenses shall NOT be considered eligible expenses for reimbursement with grant funds:
 - Government staff time related to project

- Expenses for planning work contracted for or initiated prior to execution of an approved Grant Agreement is not eligible for reimbursement unless such expenses are expressly referenced in the Agreement or amendments thereto.

J. Additional Technical Assistance

1. Technical Assistance Reserve Fund. At the discretion of the Metro COO, grant funds that are allocated but are not ultimately used for approved grants may be reserved as a separate fund designated for additional technical assistance to grantees. These may include grant funds targeted for Grants within the Urban Growth Boundary that are not awarded in a prior grant cycle, or funds for any grant that is subsequently declined by the grantee, canceled by Metro, or that are not expended due to grant costs being less than projected. The COO will determine an appropriate amount of funds to maintain in this reserve account in order to meet anticipated technical assistance needs of grantees.
2. Award of Additional Technical Assistance. Metro staff will make a recommendation to the Planning and Development Director and the COO when it appears that a particular project requires additional technical assistance funding in order to successfully achieve the intent of the grant award and implement the proposed project. The COO will have discretion to approve additional funds for the project, up to a cap of \$25,000 per project.
3. Contracting for Additional Technical Assistance. At the discretion of the COO, additional technical assistance funds may either be disbursed to the Grantee or may be used by Metro to enter into a service contract with appropriate firm or firms to provide the assistance needed. Metro will identify and contract with professional consultants as needed to provide the necessary assistance and oversight to ensure successful implementation of the project.