

Council meeting agenda

Thursday, February 25, 2021

2:00 PM

**<https://zoom.us/j/93558032526> or
253-215-8782**

Please note: To limit the spread of COVID-19, Metro Regional Center is now closed to the public.

This meeting will be held electronically. You can join the meeting on your computer or other device by using this link: <https://zoom.us/j/93558032526> or by calling 253-215-8782.

If you wish to attend the meeting, but do not have the ability to attend by phone or computer, please contact the Legislative Coordinator at least 24 hours before the noticed meeting time by phone at 503-797-1916 or email at legislativecoordinator@oregonmetro.gov.

1. Call to Order and Roll Call

2. Public Communication

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

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

3. Consent Agenda

- 3.1 Consideration for the Council Meeting Minutes for [20-5523](#)
February 11, 2021

Attachments: [021121c](#)

- 3.2 Resolution No. 21-5162, For the Purpose of Approving an [RES 21-5162](#)
Amendment to the Employment Agreement for Chief of
Staff

Attachments: [Resolution No. 21-5162](#)
[Second Amended Employment Contract](#)

4. Ordinances (Second Reading and Vote)

- 4.1 Ordinance No. 21-1457, For the Purpose of Adopting the Distribution of the Population and Employment Growth to Year 2045 to Local Governments in the Region Consistent with the Forecast Adopted by Ordinance No. 18-1427 in Fulfillment of Metro's Population Coordination Responsibility Under ORS 195.036. [ORD 21-1457](#)
- Presenter(s): Chris Johnson, Metro
Ted Reid, Metro
Roger Alfred, Metro
- Attachments: [Ordinance No. 21-1457](#)
[Exhibit A](#)
[Staff Report](#)
- 4.2 Ordinance No. 21-1462, For the Purpose of Amending Metro Code Chapters 5.02 and 7.01 to Change the Due Dates for Solid Waste Excise Taxes and Regional System Fees and Add Finance Charges for Late Payments of Regional System Fees to Align with Solid Waste Excise Taxes [ORD 21-1462](#)
- Presenter(s): Brian Kennedy, Metro
- Attachments: [Ordinance No. 21-1462](#)
[Exhibit A](#)
[Staff Report](#)
- 4.3 Ordinance No. 21-1461, For the Purpose of Annexing to the Metro District Boundary Approximately 16.2 Acres Located at 17045 and 17117 SW Brookman Road in Sherwood. [ORD 21-1461](#)
- Presenter(s): Tim O'Brien, Metro
- Attachments: [Ordinance No. 21-1461](#)
[Exhibit A](#)
[Staff Report](#)
[Attachment 1](#)
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- 4.4 Ordinance No. 21-1460, For the Purpose of Amending Metro Code Chapter 2.19.220 to Establish a New Natural Areas and Capital Program Performance Oversight Committee, and Declaring an Emergency

[ORD 21-1460](#)

Presenter(s): Beth Cohen, Metro

Attachments: [Ordinance No. 21-1460](#)
[Staff Report](#)

5. Resolutions

- 5.1 Resolution 21-5155, For the Purpose of Appointing New Members to the Parks & Nature Oversight Committee

[RES 21-5155](#)

Presenter(s): Beth Cohen, Metro

Attachments: [Resolution No. 21-5155](#)
[Exhibit A](#)
[Staff Report](#)

6. Chief Operating Officer Communication

7. Councilor Communication

8. Adjourn

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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.

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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.

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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

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Notificación de no discriminación de Metro

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Уведомление о недопущении дискриминации от Metro

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Avizul Metro privind nediscriminare

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 sawn 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

Consideration of the Council Meeting Minutes for February 11, 2021

Consent Agenda

Metro Council Meeting
Thursday, February 25, 2021

Metro

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



Metro

Minutes

Thursday, February 11, 2021

2:00 PM

<https://zoom.us/j/93558032526> or 253-215-8782

Council meeting

1. Call to Order and Roll Call

Council President Lynn Peterson called the Metro Council work session call to order at: 2:01 p.m.

Present: 7 - Council President Lynn Peterson, Councilor Shirley Craddick, Councilor Bob Stacey, Councilor Christine Lewis, Councilor Juan Carlos Gonzalez, Councilor Mary Nolan, and Councilor Gerritt Rosenthal

2. Public Communication

Robert Liberty, Portland: Mr. Liberty spoke to the historical benefits (and lack thereof) of railway systems with particular emphasis on cost reduction and its relationship to travel time. He then implored councilors-next time a measure comes before them which proposes expansion of transportation networks based on trade travel time-to ask for a quantification of that impact, and what else could be done with that money that could have a much greater impact on the economy.

3. Consent Agenda

A motion was made by Councilor Lewis, seconded by Councilor Nolan, that this was approved the Consent Agenda.. The motion carried by the following vote:

Aye: 7 - Council President Peterson, Councilor Craddick, Councilor Stacey, Councilor Lewis, Councilor Gonzalez, Councilor Nolan, and Councilor Rosenthal

3.1 Consideration of the Council Meeting Minutes for the February 4, 2021 Meeting.

3.2 Resolution No. 21-5154, For the Purpose of Amending Two Existing and Adding One New Project to the 2021-24 Metropolitan Transportation Improvement Program (MTIP) Impacting Clackamas County, Metro, and Washington County (JAN21-06-JAN)

4. Ordinances (First Reading and Public Hearing)

4.1 Ordinance No. 21-1462, For the Purpose of Amending Metro Code Chapters 5.02 and 7.01 to Change the Due Dates for Solid Waste Excise

Taxes and Regional System Fees and Add Finance Charges for Late
Payments of Regional System Fees to Align with Solid Waste Excise Taxes

President Peterson introduced Brian Kennedy to present on the topic of Ordinance No. 21-1462. Mr. Kennedy explained that the change would move payments to the end of the month, and that it was requested by Metro's business partners. He then explained the differences between the present and proposed finance charges for late payments before inviting questions from Councilors.

Council Discussion

Councilor Craddick asked whether or not a late fee impacts the timeliness of payments. Mr. Kennedy noted that the late fee charge may have an impact; however, they have a great degree of compliance with fees.

In answer to a question asked by Councilor Rosenthal, Mr. Kennedy asserted that they do their best to partner with their associates to ensure reasonable and timely payments, as well as maintain a comprehensible process. Councilor Rosenthal supposed that this ordinance might introduce less flexibility, and Mr. Kennedy stated that staff maintain some leeway in that department.

In answer to a question asked by Councilor Gonzalez, Mr. Kennedy explained that the requests they received amounted to one or two participants, while large companies (who are largely unaffected by this change due to consistent cash flow) provided no comment.

4.1.1 Public Hearing for Ordinance No. 21-1462

Council President Peterson opened up a public hearing on Ordinance No. 21-1462 and requested that those wishing to testify come forward to speak. Seeing none, Council President Peterson gavelled out of the public hearing.

- 4.2 Ordinance No. 21-1461, For the Purpose of Annexing to the Metro District Boundary Approximately 16.2 Acres Located at 17045 and 17117 SW Brookman Road in Sherwood.

President Peterson introduced Metro Attorney Carrie MacLaren, who explained the legislative process for approving annexations. President Peterson then introduced Tim O'Brien (Metro) to explain the purpose, region, and criteria designated for annexation.

Council Discussion

There was none.

4.2.1 Public Hearing for Ordinance No. 21-1461

Council President Peterson opened up a public hearing on Ordinance No. 21-1461 and requested that those wishing to testify come forward to speak. Seeing none, Council President Peterson gavelled out of the public hearing. She noted that the Metro Council would hold a second hearing and vote on February 25, 2021.

- 4.3 Ordinance No. 21-1457, For the Purpose of Adopting the Distribution of the Population and Employment Growth to Year 2045 to Local Governments in the Region Consistent with the Forecast Adopted by Ordinance No. 18-1427 in Fulfillment of Metro's Population Coordination Responsibility Under ORS 195.036.

President Peterson then introduced Ted Reid (Metro Planning and Development Dept.), Chris Johnson (Metro Research Center), and Roger Alfred (Office of the Metro Attorney) to present on Ordinance No. 21-1457.

Mr. Reid explained the purpose of the forecast, as well as its role in coordination with the Urban Growth Report.

Mr. Johnson then proceeded to cover the components

(households and jobs) of the distributed forecast and identified key takeaways. He presented the Metro Forecast and Local Jurisdiction Review Timelines, expanding on coordination efforts before outlining prospective next steps.

Councilor Discussion

In response to a question asked by Councilor Craddick Mr. Reed and Mr. Johnson explained that zoning information, local company plans, and other factors play a factor in determining these numbers.

Councilors Craddick and Stacey inquired as to the role that the 2020 census would play in impacting this data, and why it isn't being factored into this projection. Mr. Johnson explained that doing so would impact projects presently in motion, but could inform future projects.

Councilor Rosenthal asked some specifics about the projections, particularly with respect to Tualatin (where there was no projected growth) and growth in unincorporated areas (comparatively to urban areas).

Mr. Johnson explained that a decrease in population could be explained by a decrease in household size. Additionally, he expanded on the cooperation of special districts and school districts with their county.

Councilor Craddick asked how the pandemic has impacted the assessment; Mr. Johnson replied, noting that this assessment occurred pre-pandemic. President Peterson asserted an opinion that another work session would probably be necessary in order to dig into those trend lines that would impact future projections.

Councilor Rosenthal clarified that the next forecast would occur in 2023, and that the census and COVID-19 do not

presently impact the forecast.

President Peterson introduced a want to revisit the topic in a work session, centering on a need to further discuss forecasting trends.

4.3.1 Public Hearing for Ordinance No. 21-1457

Council President Peterson opened up a public hearing on Ordinance No. 21-1457 and requested that those wishing to testify come forward to speak. Seeing none, Council President Peterson gaveled out of the public hearing.

4.4 Ordinance No. 21-1460, For the Purpose of Amending Metro Code Chapter 2.19.220 to Establish a New Natural Areas and Capital Program Performance Oversight Committee, and Declaring an Emergency

President Peterson introduced Jon Blasher (Parks and Nature Director) and Beth Cohen (Parks and Nature Strategic Funding Project Manager) to present on Ordinance No. 21-1460.

Ms. Cohen explained how the establishment of an independent committee would ensure commitment to Metro's code and values in the application of the bond program. Additionally, application of the 2016 bond measure would be reviewed, evaluated, and improved upon for the 2020 bond measure by this committee.

Ms. Cohen recommended approval of this ordinance, and asserted that next steps would include a vote to come to the council as of February 25, 2021.

Council Discussion

Councilor Rosenthal asked whether or not the Council would have communication with this committee throughout the

year; Ms. Cohen responded by noting that a liaison may be appointed, or other forms of reporting would be possible.

4.4.1 Public Hearing for Ordinance No. 21-1460

Council President Peterson opened up a public hearing on Ordinance No. 21-1460 and requested that those wishing to testify come forward to speak. Seeing none, Council President Peterson gavelled out of the public hearing. She noted that the Metro Council would hold a second hearing and vote on February 25, 2021.

5. Chief Operating Officer Communication

Marissa Madrigal announced that the Oregon Convention Center and the Metro Garage would be opening as an emergency cold weather shelter. She also announced that some parks might be closed due to inclement weather.

Ms. Madrigal introduced Brian Moore (Willamette Falls Legacy Project Manager) to provide an update on the Willamette Falls Legacy Project.

Mr. Moore recapped the site context and background, approved master plan design, and collaboration with the Grand Ronde Tribe to develop a revised Phase 1 Approach. Next steps would include 18 months of permit approval (including collaborating with stakeholders, developing a schedule, etc.), and 18 months of construction.

Council Discussion

Councilor Craddick asked whether public access would be more limited than initially conceived. Mr. Moore noted that the Main St. area would still be public, but during construction it would not be available.

6. Councilor Communication

Councilor Lewis announced that the Expo Development Opportunity Study would be on the agenda for March 2,

2021. She additionally announced that the Oregon Zoo Foundation met for the first time (in 2021) that morning.

7. Adjourn

Seeing no further business, Council President Lynn Peterson adjourned the Metro Council work session at 3:38 p.m.

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF FEBRUARY 11, 2021

ITEM	DOCUMENT TYPE	DOC DATE	DOCUMENT DESCRIPTION	DOCUMENT No.
	PDF Slide Supporting Testimony	02/11/21	Robert Liberty, City of Portland	021121c-01
	PDF Slide	02/11/21	WFLP Metro Council Briefing	021121c-02
	PPT	02/11/21	Council Distributed Forecast Slides	021121c-04
	PDF Slide	02/11/21	Council Distributed Forecast Slides	021121c-05

Agenda Item No. 3.2

Resolution No. 21-5162, For the Purpose of Approving an Amendment to the
Employment Agreement for Chief of Staff

Consent Agenda

Metro Council Meeting
Thursday, February 25, 2021

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPROVING AN	)	RESOLUTION NO. 21-5162
AMENDMENT TO THE EMPLOYMENT)	
AGREEMENT FOR CHIEF OF STAFF	)	Introduced by Metro Chief Operating Officer
	)	Marissa Madrigal

WHEREAS, pursuant to Section 2.02.010 of the Metro Code, the Metro Chief Operating Officer may enter and amend employment contracts subject to the approval of the Metro Council; and

WHEREAS, Metro has an at-will employment agreement for the Chief of Staff; and

WHEREAS, the Metro Chief Operating Officer has decided to permanently reassign Paul Slyman, the current Chief of Staff, to the position of General Manager, Major Projects; and

WHEREAS, Metro and Mr. Slyman have agreed upon the attached Second Amendment to the At-Will Employment Agreement; now therefore,

BE IT RESOLVED that the Metro Council hereby approves the attached Second Amendment to the At-Will Employment Agreement subject to execution by the Metro Chief Operating Officer.

ADOPTED by the Metro Council this _____ day of _____ 202____.

Lynn Peterson, Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney

**SECOND AMENDED
AT WILL EMPLOYMENT AGREEMENT**

THIS SECOND AMENDED AGREEMENT (the "Second Amendment") is entered into by and between Metro, a metropolitan service district organized under the laws of the State of Oregon and the Metro Charter (herein referred to as "Metro") and Paul Slyman (herein referred to as "Employee").

An At Will Employment Agreement (the "Agreement") was entered between Metro and Employee on February 7, 2019. Said Agreement is hereby amended as follows:

1. Pursuant to Section 8 of the Agreement, Metro is permanently reassigning Employee to the position of General Manager, Major Projects.
2. This is a limited duration position with a projected end date of June 30, 2023. However, Employee's status with Metro remains at will, and subject to the termination provisions set forth in Section 9 of the Agreement.
3. Employee will report directly to the Chief Operating Officer (COO). The COO will establish Employee's work plan and annually evaluate Employee's performance.
4. Employee's salary, benefits, vacation, sick leave, PERS and FLSA status will continue with no change.
5. Except as amended herein, all other terms and conditions of the Agreement will remain unchanged and will remain in full force and effect.

EXECUTED on _____ to be effective _____.

EMPLOYEE

METRO

Paul Slyman
Chief of Staff

Marissa Madrigal
Chief Operating Officer

APPROVED AS TO FORM:

Carrie MacLaren
Metro Attorney

Agenda Item No. 4.1

Ordinance No. 21-1457, For the Purpose of Adopting the Distribution of the Population and Employment Growth to Year 2045 to Local Governments in the Region Consistent with the Forecast Adopted by Ordinance No. 18-1427 in Fulfillment of Metro's Population Coordination Responsibility Under ORS 195.036

Ordinance (Second Reading & Vote)

Metro Council Meeting
Thursday, February 25, 2021

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING THE	)	ORDINANCE NO. 21-1457
DISTRIBUTION OF THE POPULATION AND)	
EMPLOYMENT GROWTH TO YEAR 2045 TO	)	Introduced by Chief Operating Officer
LOCAL GOVERNMENTS IN THE REGION	)	Marissa Madrigal in concurrence with
CONSISTENT WITH THE FORECAST	)	Council President Lynn Peterson
ADOPTED BY ORDINANCE NO. 18-1427 IN)	
FULFILLMENT OF METRO'S POPULATION)	
COORDINATION RESPONSIBILITY UNDER)	
ORS 195.036)	

WHEREAS, ORS 195.025 designates Metro as the local government responsible for coordination of planning activities within the Metro district; and

WHEREAS, ORS 195.036 requires Metro, in coordination with other local governments within its boundary, to issue a population forecast for the entire area within its boundary to be applied by Metro and local governments within the boundary of Metro as a basis for changes to comprehensive plans and land use regulations; and

WHEREAS, on December 13, 2018 the Metro Council adopted a population and employment forecast for the region by Ordinance No. 18-1427 ("For the Purpose of Expanding the Urban Growth Boundary to Provide Capacity for Housing to the Year 2038 and Amending the Metro Code to Conform"); and

WHEREAS, Metro planning staff have begun work on a required update to the Regional Transportation Plan, which is scheduled for adoption in 2023 and will need to rely on the most current data regarding the distribution of the forecasted population and employment growth for the region; and

WHEREAS, Metro began the process of distribution of the forecasted population and employment in November 2019 by coordinating with the 24 cities and three counties within the Metro district regarding the proposed distribution, including a series of meetings and a review and comment period designed to improve the accuracy of the distributions; and

WHEREAS, Metro staff made presentations to its advisory committees (MTAC and TPAC) regarding the distribution and coordination with local governments; and

WHEREAS, Metro incorporated comments and suggestions from the cities and counties to refine the distribution; and

WHEREAS, the forecast distributions shown on the attached Exhibit A are expressed in terms of population, households, and employment; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The distribution made to local governments, described in Exhibit A to this Ordinance and in the Staff Report dated January 29, 2021, of the regional population and employment forecast adopted by the Council in Ordinance No. 18-1427, is accepted and adopted as fulfillment of Metro's responsibilities regarding coordination of population forecasts under ORS 195.025 and 195.036 and is endorsed for use by the 24 cities and three counties as their own population and employment forecasts for their planning activities.
2. The Metro Chief Operating Officer shall make the distribution of population and employment available to each city and county in the district.

ADOPTED by the Metro Council this____ day of February 2021.

Lynn Peterson, Council President

Attest:

Approved as to Form:

Jaye Cromwell, Recording Secretary

Carrie MacLaren, Metro Attorney

Exhibit A to Ordinance No. 21-1457
2045 Distributed Forecast of Population, Households, and Employment

	Population Forecast		
	(adjusted to city limits)*		
	2020	2030	2045
<u>Jurisdiction*</u>			
Banks	1,959	2,022	2,021
Barlow	137	130	119
Beaverton	99,490	114,525	119,156
Canby	17,161	19,582	19,681
Cornelius	12,534	14,606	17,322
Durham	1,878	1,859	1,793
Estacada	4,091	5,227	5,267
Fairview	9,024	9,538	9,797
Forest Grove	26,370	30,702	33,592
Gladstone	11,960	12,071	12,021
Gresham	113,409	119,476	122,154
Happy Valley	22,556	41,314	57,362
Hillsboro	105,153	122,598	128,270
Johnson City	572	589	848
King City	4,718	6,961	8,985
Lake Oswego	40,035	41,947	42,133
Maywood Park	764	730	724
Milwaukie	20,594	22,859	23,268
Molalla	10,088	14,035	14,160
North Plains	3,480	5,194	5,860
Oregon City	36,457	42,665	49,009
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RiverGrove	509	483	449
Sandy	11,127	17,621	18,451
Sherwood	19,747	20,118	20,662
Tigard	54,591	63,813	71,611
Troutdale	16,292	17,385	17,795
Tualatin	27,278	27,598	27,565
West Linn	26,060	26,579	26,990
Wilsonville	25,945	29,756	30,566
Wood Village	4,213	4,814	5,306
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Multnomah County, total	831,459	882,577	970,485
Washington County, total	622,082	718,412	809,312
	1,882,155	2,094,881	2,373,462
* 2020 city limits			
Note: All forecast figures prepared pre-COVID.			
Note: All forecast figures prepared pre-Census 2020 vintage population program release>			
Note: 2020 is a forecast year estimate.			

	Household Forecast		
	(adjusted to city limits)*		
	2020	2030	2045
<u>Jurisdiction*</u>			
Banks	580	619	622
Barlow	40	40	40
Beaverton	39,895	47,544	51,262
Canby	6,564	7,833	8,312
Cornelius	3,773	4,552	5,594
Durham	686	703	703
Estacada	1,513	2,022	2,246
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Washington County, total	232,184	277,718	322,914
	732,937	847,019	1,010,158
* 2020 city limits			
Note: All forecast figures prepared pre-COVID.			
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Note: 2020 is a forecast year estimate.			

	Employment Forecast		
	(adjusted to city limits)*		
	2020	2030	2045
<u>Jurisdiction*</u>			
Banks	579	636	670
Barlow	628	580	602
Beaverton	63,500	65,005	72,693
Canby	3,863	3,913	4,312
Cornelius	2,873	3,086	3,895
Durham	1,683	1,718	1,842
Estacada	1,250	1,354	1,454
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Maywood Park	222	235	251
Milwaukie	13,273	13,742	15,221
Molalla	3,883	3,944	4,020
North Plains	794	860	897
Oregon City	17,122	18,675	21,749
Portland	480,904	502,913	565,382
RiverGrove	135	133	141
Sandy	3,193	3,297	3,675
Sherwood	6,646	7,051	8,013
Tigard	45,109	46,005	52,368
Troutdale	7,448	8,291	10,321
Tualatin	34,115	34,615	36,792
West Linn	4,982	5,365	6,135
Wilsonville	20,539	21,323	24,010
Wood Village	2,594	3,197	3,798
Unincorporated Clackamas County	72,446	75,446	90,565
Unincorporated Multnomah County	3,849	5,416	10,081
Unincorporated Washington County	65,763	79,192	103,707
	2020	2030	2045
Clackamas County, total	173,891	181,792	212,341
Multnomah County, total	538,628	570,846	651,090
Washington County, total	313,513	338,930	391,712
	1,026,032	1,091,568	1,255,143
* 2020 city limits			
Note: All forecast figures prepared pre-COVID.			
Note: All forecast figures prepared pre-Census 2020 vintage population program release>			
Note: 2020 is a forecast year estimate.			

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 21-1457, FOR THE PURPOSE OF ADOPTING THE DISTRIBUTION OF THE POPULATION AND EMPLOYMENT GROWTH TO YEAR 2045 TO LOCAL GOVERNMENTS IN THE REGION CONSISTENT WITH THE FORECAST ADOPTED BY ORDINANCE NO. 18-1427 IN FULFILLMENT OF METRO'S POPULATION COORDINATION RESPONSIBILITY UNDER ORS 195.036.

Date: February 1, 2021
Department: Planning & Development

Prepared by: Chris Johnson, Ted Reid
Presenters: Chris Johnson, Roger Alfred
Ted Reid

BACKGROUND

Federal and state laws (23 U.S. Code 134 and ORS 197.040, respectively) require Metro to prepare and update a transportation plan for its metropolitan planning area every 5 years. In accordance with these laws, an update of the Regional Transportation Plan (RTP) is scheduled to begin in late 2021 with an intended adoption date of December 2023. This 2023 RTP will need to rely on a Transportation Analysis Zone¹ (TAZ) Distributed Forecast of future population and employment.

The 2045 Distributed Forecast under consideration is intended to replace and extend the 2040 Distributed Forecast, which was adopted by Metro in fall 2016. The 2045 Distributed Forecast is aligned with the Regional Forecast (seven-county area) developed to inform Metro's most recent urban growth management decision, which the Metro Council adopted in December 2018. This ensures that the 2023 RTP will be based on the best available information and that the region's land use and transportation plans are consistent.

Oregon land use laws (195.025; ORS 195.036) require Metro to coordinate its regional population and employment forecasts with local governments inside the urban growth boundary for use in updating their comprehensive plans, land use regulations and other related policies. In accordance with this law, Metro coordinated with the local jurisdictions to conduct this Distributed Forecast update for use in the 2023 RTP.

The Growth Forecast Distribution Update Process

This update was able to build on the lengthy review process conducted in support of preparing the 2018 Urban Growth Report. During that process, Metro conducted extensive technical engagement with its regional partners to establish the methodology used to identify the region's buildable land inventory (BLI). With the 2018 Urban Growth Report already in place, Metro was able to focus regional

¹ The TAZ is the geographic unit that serves as the building block of Metro's primary forecasting tools (the travel demand model and MetroScope). The region is divided into 2,162 TAZs. These small subdivisions improve the accuracy of the travel demand model as well as all other aspects of transportation planning. The TAZ-level data also assists land use planners in updating comprehensive plans and zoning, and conducting other types of land use analysis, including neighborhood level analysis.

coordination efforts on revisions to smaller-geography population and employment forecasts based on local knowledge.

Regional coordination of the updated forecast distribution included two main stages of local review.

The first stage involved Metro and local government staff working together to confirm the core inputs to the MetroScope land use allocation model. These inputs include the base year numbers for population and employment as well as the BLI that was completed as part of the 2018 urban growth boundary decision. Local government staff reviewed these inputs and made revisions based on recent zoning changes, new developments or investments within their respective jurisdictions. This review period extended from May 2017 to May 2018.

Metro staff completed modeling using the results from the first stage of local review and prepared a draft distribution of households and jobs into the region's 2,162 TAZs. To view a TAZ map, refer to Exhibit A. The local jurisdictions were then given approximately five months (February 2020 thru June 2020) to examine the TAZ-level results. Jurisdictions wishing to adjust the growth by TAZ (increase or decrease) assigned by the model worked with Metro to re-allocate that growth in a manner consistent with accepted regional figures previously adopted by the Metro Council.

Metro worked closely with a designated county lead from each county throughout a second stage of review to ensure that all participating cities understood their roles and were able to complete their reviews by the deadline. Additional meetings were held with individual county leads to review results. With assistance from the county leads, Metro was able to either accommodate each jurisdiction's proposed changes or negotiate a satisfactory revision where the full change could not be implemented. The timeline for local reviewer engagement and ground rules are described in Attachment 1.

In accordance with state law (ORD 195.036), Metro summarized the TAZ distribution (which is used in transportation modeling) into a jurisdiction-level distribution that is more understandable for local planning activities. The resulting product is the 2045 Distributed Forecast of population, households and employment to cities and counties in the Portland region and is included as Exhibit B.

Regional Planning Directors Involvement

Metro coordinated with regional planning directors throughout the Distributed Forecast update through the local review process. The names of the regional planning directors, designated county leads, and other local reviewer who participated in this process are listed in Attachment 2.

The process began with a series of kickoff meetings held in January 2020, convening the planning directors (or designated planning leads) from Clackamas, Multnomah, and Washington Counties. Each kickoff meeting reviewed the purpose, timeline, and instructions for the local review process. The county leads served as liaisons between Metro and the cities within their respective jurisdictions, providing technical guidance to local staff throughout the process and helped to coordinate the timely return of feedback. County leads also conducted reviews on behalf of several smaller cities with limited planning staff capacity.

Metro staff communicated with county leads and jurisdiction staff primarily via e-mail throughout the local review process. Metro also met with county leads and cities as needed to coordinate reviews and provide guidance during the review period.

Metro Advisory Committee Involvement

The Metro Technical Advisory Committee (MTAC) served as the primary advisory committee for the 2045 Distributed Forecast. A project kickoff presentation was given before MTAC in November 2019 to review the purpose, timeline, and ground rules for the local review process. Subsequent project status reports were provided to both MTAC and the Transportation Policy Alternatives Committee (TPAC) to keep both committee informed as to project progress. The final project status presentation was given to MTAC in November 2020.

ANALYSIS/INFORMATION

1. Known Opposition

There is no known opposition to the 2045 Distributed Forecast. Metro staff was able to either incorporate local jurisdictions' suggested revisions in the baseline assumptions and distributions or come to agreement on modifications to those assumptions and distributions.

2. Legal Antecedents

Consultation conducted to prepare the 2045 Distributed Forecast satisfies Metro's coordination obligations under ORS 195.025 and 195.036. As requested by DLCD, staff proposes that the Metro Council adopt the 2045 Distributed Forecast by an ordinance that will be acknowledged by DLCD as part of Metro's planning documents in order to support future planning decisions by local governments that rely upon the population forecasts. State law requires cities and counties to adopt coordinated forecasts as part of their comprehensive plans.

3. Anticipated Effects

Adoption of the updated distribution of population and employment forecast will inform the 2023 RTP and ensure that the plan is based on the most recent data available. This localized data will also encourage local governments to use the distribution information to conform their land use and transportation plans to regional policies adopted by the Metro Council. Delay of the adoption could also delay the development of the 2023 RTP and may delay some local government activities that would be accomplished with the updated 2045 Distributed Forecast information. Also note that a new Regional Forecast and subsequent Distributed Forecast will be prepared for the Metro Council's consideration as part of its anticipated urban growth management decision in 2024.

4. Budget Impacts

The FY 2019-2020 and FY 2020-2021 budgets included resources for staff in the Research Center and the Planning and Development Department to work on this project.

RECOMMENDED ACTION

Staff recommends that the Metro Council accept and adopt the updated 2045 Distributed Forecast of population, households and employment which was completed in accordance with Metro's responsibilities on population coordination with local governments in the region to inform the 2023 RTP.

ATTACHMENTS

1. Distributed Forecast Engagement Plan and Ground Rules
2. Local Reviewer Contact List

EXHIBITS

- A. Transportation Analysis Zone (TAZ) Map
- B. 2045 Distributed Forecast of Population, Households, and Employment

Attachment 1
Distributed Forecast Engagement Plan and Ground Rules

Action	Timeframe
Notify MTAC, TPAC of 2019 distr. forecast schedule & stakeholder engagement plan	November 2019
Complete TAZ allocations – Metro staff	September – December 2019
Contact county leads – coordinate TAZ review with each	December 2019
Obtain stakeholder signatures for es-202 employment data	December 2019
Send out TAZ forecast and es-202 task reminders – finalize by end of month	January 2020
Kick-off meetings (by county) – provide forecast materials for review <ol style="list-style-type: none"> 1. Review UGM regional forecast drivers 2. Review 2019 distr. forecast specifications and assumptions 3. Execute es202 releases for all stakeholders with the State 4. Send out data to qualified stakeholders (excel) 	January 2020
Provide any material assistance as requested by local stakeholders – stakeholders review TAZ forecast figures (jobs and households) <ol style="list-style-type: none"> 1. Review 2020 base year figures by jurisdiction 2. Review 2030 “mid-year” figures 3. Review 2045/50 forecast figures 4. Go over TAZ adjustment ground rules 5. Send in TAZ reviews to county leads 	February – June 2020
Adjust TAZ’s as needed	July – August 2020
Lock-down final TAZ forecast figures	September 2020
Forecast documentation, citation, and archive	September 2020

Although careful attention to inputs and forecasts (and MetroScope model statistics) have been exercised in preparing the distributed forecast, current conditions and future expectations may change in which we might not have been aware of during the development of the TAZ forecast. Thus we are asking stakeholders to help us refine the initial TAZ-level forecast with additional manual (if any) adjustments based on your local knowledge. In order to maintain the integrity of the forecast, we ask participants to follow these basic guidelines on making adjustments to the TAZ forecast.

Ground rules:

- Each jurisdiction has been assigned a set of TAZ’s that approximate the current city limits and county jurisdiction (note: there may be rounding and estimation error / differences between city limits and TAZ boundaries that can’t be avoided).
- Cities and counties are given TAZ allocations that add up to “control totals” for each jurisdiction.
 - The ultimate control total or cap is determined by Metro’s regional forecast. (This is the total forecast amount for the region as a whole and adopted in the 2018 UGM decision)
 - Within the control totals for each jurisdiction, we advise jurisdictions to limit their manual adjustment (plus or minus) to each TAZ subject to recovering your control total.

- If your TAZ review identifies an excess (or shortfall) in your city control total, please contact your county lead to see if there is another city in your county that has a shortfall (or excess). Your county lead can assist in manually rebalancing the TAZ totals in the county.
- If the county adjustments exceed (or has a shortfall) the given county control total, Metro in coordination with the effected cities and counties will affect a compromise to settle the manual TAZ adjustments.
- Cities and counties have latitude to make adjustments, but Metro asks that the manual adjustments are paired with explanations as to why the adjustments are necessary.

Your assistance in this review process is important and helps make this a better forecast product. Thank you for your involvement in this process.

Attachment 2
Local Reviewer Contact List

Last Name	First Name	Jurisdiction	County
Seldon	Sarah	Fairview	Multnomah
Fry	Carolanne	Fairview	Multnomah
Kelly	Katherine	Gresham	Multnomah
Higgins	Jay	Gresham	Multnomah
Armstrong	Tom	Portland	Multnomah
Hagen	Chet	Multnomah County	Multnomah
Johnson	Carol	Multnomah County	Multnomah
Barber	Adam	Multnomah County	Multnomah
Berry	Jessica	Multnomah County	Multnomah
Cook*	Kevin	Multnomah County	Multnomah
Shackelford	Amber	Troutdale	Multnomah
Farrell	Arini	Troutdale	Multnomah
Straite	Matt	Wood Village	Multnomah
Becker	Jolynn	Banks	Washington
McQuillan	Kate	Beaverton	Washington
Wells	Ryan	Cornelius	Washington
Tate	Linda	Durham	Washington
Pohl	Bryan	Forest Grove	Washington
Riordan	Dan	Forest Grove	Washington
Eidt	Taylor	Hillsboro	Washington
Choi	Brad	Hillsboro	Washington
Liden	Keith	King City	Washington
Varner	Andy	North Plains	Washington
Palmer	Erika	Sherwood	Washington
Hajduk	Julia	Sherwood	Washington
McGuire	Tom	Tigard	Washington
Shanks	Susan	Tigard	Washington
Schulyler	Warren	Tigard	Washington
Purdy	Lloyd	Tigard	Washington
Koper	Steve	Tualatin	Washington
Pauly	Daniel	Wilsonville	Washington
Bateschell	Miranda	Wilsonville	Washington
Rybold	Kimberly	Wilsonville	Washington
Rencher*	Ken	Washington County	Washington
Walter	Michael	Happy Valley	Clackamas
Siegel	Scot	Lake Oswego	Clackamas
Farley	Will	Lake Oswego	Clackamas
Levitan	Daniel	Milwaukie	Clackamas
Heberling	Mary	Milwaukie	Clackamas

Last Name	First Name	Jurisdiction	County
Kolias	Vera	Milwaukie	Clackamas
Fadenrecht	Christina	Milwaukie	Clackamas
Wicks	Alison	Milwaukie	Clackamas
Egner	Denny	Milwaukie	Clackamas
Aman	Leila	Milwaukie	Clackamas
Straite	Matt	Rivergrove	Clackamas
O'Neill	Kelly	Sandy	Clackamas
Meharg	Emily	Sandy	Clackamas
Denison	Shelley	Sandy	Clackamas
Wyss	Darren	West Linn	Clackamas
Fursdon	Megan	West Linn	Clackamas
Buehrig	Karen	Clackamas County	Clackamas
Fritzie	Martha	Clackamas County	Clackamas
Setterfield	Brett	Clackamas County	Clackamas
Williams*	Stephen	Clackamas County	Clackamas
Cross	Nicole	Clackamas County	Clackamas

*Designated County Lead

Exhibit A
Transportation Analysis Zone (TAZ) Map

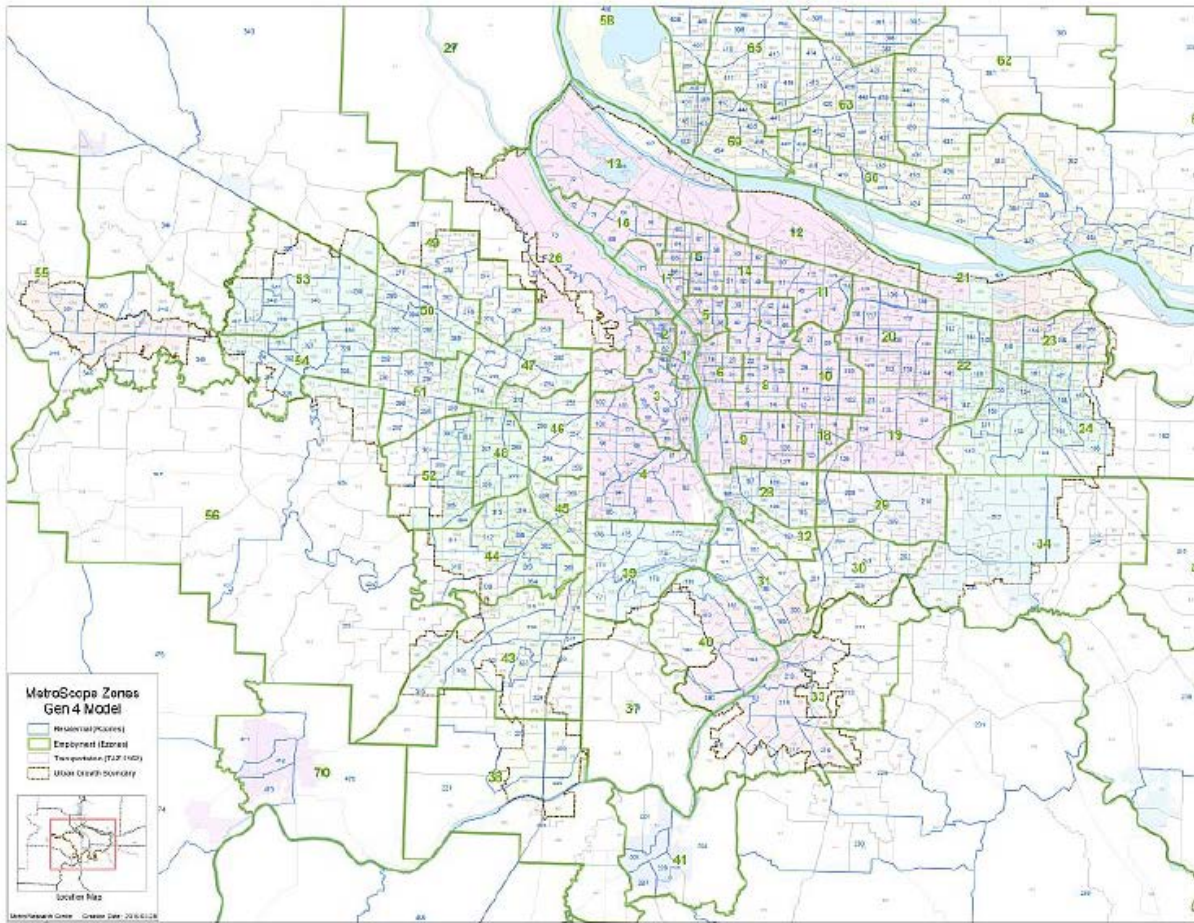


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	Employment Forecast		
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<u>Jurisdiction*</u>			
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North Plains	794	860	897
Oregon City	17,122	18,675	21,749
Portland	480,904	502,913	565,382
RiverGrove	135	133	141
Sandy	3,193	3,297	3,675
Sherwood	6,646	7,051	8,013
Tigard	45,109	46,005	52,368
Troutdale	7,448	8,291	10,321
Tualatin	34,115	34,615	36,792
West Linn	4,982	5,365	6,135
Wilsonville	20,539	21,323	24,010
Wood Village	2,594	3,197	3,798
Unincorporated Clackamas County	72,446	75,446	90,565
Unincorporated Multnomah County	3,849	5,416	10,081
Unincorporated Washington County	65,763	79,192	103,707
	2020	2030	2045
Clackamas County, total	173,891	181,792	212,341
Multnomah County, total	538,628	570,846	651,090
Washington County, total	313,513	338,930	391,712
	1,026,032	1,091,568	1,255,143
* 2020 city limits			
Note: All forecast figures prepared pre-COVID.			
Note: All forecast figures prepared pre-Census 2020 vintage population program release>			
Note: 2020 is a forecast year estimate.			

Agenda Item No. 4.2

Ordinance No. 21-1462, For the Purpose of Amending Metro Code Chapters 5.02 and 7.01 to Change the Due Dates for Solid Waste Excise Taxes and Regional System Fees and Add Finance Charges for Late Payments of Regional System Fees to Align with Solid Waste Excise Taxes

Ordinance (Second Reading & Vote)

Metro Council Meeting
Thursday, February 25, 2021

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING METRO	)	ORDINANCE NO. 21-1462
CODE CHAPTERS 5.02 AND 7.01 TO CHANGE)	
THE DUE DATES FOR SOLID WASTE EXCISE	)	Introduced by Chief Operating Officer
TAXES AND REGIONAL SYSTEM FEES AND	)	Marissa Madrigal in concurrence with
ADD FINANCE CHARGES FOR LATE	)	Council President Lynn Peterson
PAYMENTS OF REGIONAL SYSTEM FEES TO)	
ALIGN WITH SOLID WASTE EXCISE TAXES)	

WHEREAS, the Metro Solid Waste Code is set forth in Title V of the Metro Code and Metro's excise taxes are set forth in Title VII of the Metro Code; and

WHEREAS, Metro assesses a regional system fee (RSF) on every ton of solid waste is delivered to a Metro transfer station or otherwise disposed (Metro Code Chapter 5.02); and

WHEREAS, Metro assesses an excise tax on every ton of solid waste disposed at a solid waste system facility (Metro Code Chapter 7.01); and

WHEREAS, under current Metro Code Section 5.02.090, payment for the regional system fee is due to Metro on the 15th day of the month following the month in which the waste was disposed; and

WHEREAS, under current Metro Code Section 7.01.070, payment for the excise tax on solid waste disposed is due on the 15th day of the month following the month in which the waste was disposed; and

WHEREAS, both new and small businesses find it difficult at times to pay the regional system fee and excise tax to Metro on the 15th day of the month following the month of disposal, because often these businesses are required to pay those fees and taxes to Metro before the businesses have themselves received payment of these amounts from their customers; and

WHEREAS, requiring payment on the 15th day of the month can thus create a financial hardship on some businesses, which at times results in delinquent payment of fees and taxes to Metro and which in turn requires additional Metro staff and resources to send late notices and follow-up requests for payment; and

WHEREAS, amending the Metro Code to allow payment on the last day of the month rather than the 15th day may provide some financial relief to these businesses without having any substantial negative impact on Metro's financial health; and

WHEREAS, although current code language authorizes finance charges for late *excise tax* payments, there is currently no finance charge assessed on delinquent *regional system fee* payments, which means there is no incentive to timely pay regional system fees as required by code; and

WHEREAS, both excise taxes and regional system fees are public monies held in trust by those responsible for payment to Metro, and those fees and taxes should therefore be paid timely or should otherwise incur finance charges when paid late; and

WHEREAS, providing businesses with more time to pay Metro's regional system fees and excise taxes on solid waste should have the effect of both reducing delinquency rates while also reducing financial hardships on small and new businesses in the solid waste system; and

WHEREAS, establishing reasonable finance charges for late payments of regional system fees will help ensure that public monies are paid timely, that Metro maintains its obligation to be a good steward of those public monies, and that Metro's costs associated with collecting late payments will be at least partly reimbursed; and

WHEREAS, establishing late payment finance charges on regional system fees will also align the practices for late payment of excise taxes with those of regional system fees; now therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. Metro Code Sections 5.02.090, 7.01.070 and 7.01.080 are amended as set forth in the attached Exhibit A, with underlined words representing new language and strikethrough text representing deleted language.

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

Lynn Peterson, Council President

Attest:

Approved as to Form:

Jaye Cromwell, Recording Secretary

Carrie MacLaren, Metro Attorney

5.02.090 Due Date of Regional System Fees

- (a) Regional system fees accumulate on a monthly basis. A person liable for regional system fees must pay the accumulated fees to Metro by the last day ~~15th day~~ of the month for waste disposed of in the preceding month. For example, regional system fees for the month of April would be due on May 31. If the last day ~~15th day~~ of the month occurs on a holiday or weekend, amounts are due by the end of the first business day that follows.
- (b) Finance Charges. In addition to any penalties imposed for late payment, Metro will assess a finance charge of 1.5 percent on all delinquent regional system fees required to be remitted under this chapter. Metro will assess finance charges on the first day of the month following the month in which regional system fees are due, and on the first day of each month thereafter until paid. For example, if regional system fees are due on the last day of April, then Metro will assess finance charges on the first day of May. Metro will assess finance charges only on unpaid delinquent balances and penalties, and not on previously assessed finance charges.

7.01.070 Due Date; Returns and Payments

- (a) The tax shall be collected from the operator by Metro as provided for in Section 7.01.030. All amounts of such taxes reported by any operator are due and payable to Metro by the ~~last on the 15th~~ day of each month for the preceding month.; For example, excise taxes for the month of April would be due on May 31. ~~and Taxes~~ are delinquent if not received by Metro as specified in subsection (d) of this section by the due date. If the due date falls on a holiday or weekend, amounts are delinquent at the end of the first business day that follows. The initial return under this chapter may be for less than a full month preceding the due date. Thereafter, returns shall be made for the applicable monthly period.
- (b) On or before the ~~15th~~ last day of the month following each month of operation of a Metro facility, a return for the preceding month's tax shall be filed with the Chief Operating Officer. The return shall be filed in such form as the Chief Operating Officer may prescribe by every operator liable for payment of tax.
- (c) Returns shall show the amount of tax due for the related period. The Chief Operating Officer may require returns to show the total receipts upon which tax was collected or otherwise due, gross receipts of the operator for such period and an explanation in detail of any discrepancy between such amounts, and the amount of receipts exempt, if any.
- (d) The person required to file the return shall deliver the return, together with the tax due, to the Metro Administration Services Department of Finance and Management Information. Payment is considered to be delinquent if not received by Metro on or before the due date, by personal

delivery to the Metro Administration Services Department of Finance and Management Information during business hours or, if delivered by mail, by receipt in Metro's mail room.

(e) The Chief Operating Officer, if deemed necessary in order to ensure payment or facilitate collection by Metro of the amount of taxes in any individual case, may require returns and payment of the amount of taxes more frequently than monthly periods.

7.01.080 Penalties and Finance Charges

(a) Fraud. If the Chief Operating Officer determines that the nonpayment of any remittance due under this chapter is due to fraud or intent to evade the provisions thereof, a penalty of 25 percent of the amount of the tax shall be added thereto in addition to the penalties stated in paragraphs (a) and (b) of this section.

(b) Finance Charges. In addition to any penalties imposed, a finance charge of 1.5 percent shall be assessed on all delinquent taxes required to be remitted by an operator under this chapter. Finance charges shall be assessed on the ~~15th~~first day of the month following the month in which taxes are due, and on the ~~15th~~first day of each month thereafter, until paid. For example, if taxes are due on the last day of April, then Metro will assess finance charges on the first day of May. Finance charges will be assessed only on unpaid delinquent balances and penalties, and not on previously assessed finance charges, and will continue to be assessed on negotiated repayment schedules.

(c) Petition for Waiver. Any operator who fails to remit the tax herein levied within the time herein stated shall pay the penalties and finance charges herein stated, provided, however, the operator may petition the Chief Operating Officer for waiver and refund of the penalties and finance charges or any portion thereof and the Chief Operating Officer may, if a good and sufficient reason is shown, waive and direct a refund of the penalties or finance charges or any portion thereof.

IN CONSIDERATION OF ORDINANCE NO. 21-1462 FOR THE PURPOSE OF AMENDING METRO CODE CHAPTERS 5.02 AND 7.01 TO CHANGE THE DUE DATES FOR SOLID WASTE EXCISE TAXES AND REGIONAL SYSTEM FEES AND ADD FINANCE CHARGES FOR LATE PAYMENTS OF REGIONAL SYSTEM FEES TO ALIGN WITH SOLID WASTE EXCISE TAXES

Date: January 15, 2021

Prepared by: Shane Abma and Brian Kennedy

Department: Finance and Regulatory Services

Presenter: Brian Kennedy

Meeting date: February 11, 2021

Length: 10 minutes

ISSUE STATEMENT

Metro staff seek to amend Metro Code Chapter 5.02 (Regional System Fee) and Chapter 7.01 (Excise Tax) to provide extra time for payment of Metro's solid waste fees and taxes before incurring any penalties or finance charges.

The amendment makes payment of Metro's regional system fee and excise tax due at the end of the month rather than on the 15th of the month. This should benefit small businesses and new entrants into the solid waste system that may have difficulty paying taxes and fees within 15 days because of limited capital flow.

In addition, staff seek to add a finance charge for late payment of regional system fees to align with the excise tax finance charge and to encourage higher paid-on-time rates.

ACTION REQUESTED

Adopt Ordinance No. 21-1462 to amend Metro Code Chapter 5.02 (Regional System Fee) and Chapter 7.01 (Excise Taxes) to change the due dates for solid waste excise taxes and regional system fees and add finance charges for late payments of regional system fees to align with solid waste excise taxes.

IDENTIFIED POLICY OUTCOMES

Staff has identified the following policy outcomes:

- Help provide financial relief for small businesses and new entrants into the solid waste system by allowing them to pay Metro's fees and taxes on the last day of the month rather than the 15th of the month

- Decrease delinquency payments and increase on-time payment compliance by adding a finance charge to late payment of regional system fees (there is already a finance charge authorized for late payment of excise taxes)
- Protect Metro's financial health by authorizing finance charges on late payments, which should discourage late payments and compensate Metro for lost interest when it does not receive timely payments
- Treat late payment of fees and taxes consistently with respect to imposing finance charges
- Better enforcement of the Metro Code by consistently and equally applying code provisions related to late payments

POLICY QUESTION(S)

1. Should the Metro Council provide financial relief to small businesses and new entrants in the solid waste system by extending the due day of fees and taxes from the 15th of the month to the end of the month?
2. Should the Metro Council add a finance charge for late payment of regional system fees to align that with the finance charge on excise taxes, thus creating an incentive to pay timely?

POLICY OPTIONS FOR COUNCIL TO CONSIDER

1. Approve the ordinance as proposed to amend Metro Code Chapters 5.02 (Regional System Fee) and 7.01 (Excise Tax) to extend the payment due date of Metro's solid waste regional system fees and excise taxes. There are minimal financial implications associated with the option.
2. Approve the ordinance as proposed to amend Metro Code Chapter 5.02 (Regional System Fee) to add a finance charge for late payment of fees, thus aligning it with the finance charge for late payment of excise taxes. There are possible negative financial implications associated with not approving the proposed ordinance in that Metro may continue to receive late payments of fees and taxes, which does not allow Metro to invest that money or receive interest on that money.
3. Amend the ordinance to either only adopt the extended due date or the late payment finance charge.
4. Do not approve the ordinance. This option will result in maintaining status quo. There may be negative financial implications associated with the option if Metro continues to receive late payments of fees and taxes.

STAFF RECOMMENDATIONS

Staff recommends approval of Ordinance No. 21-1462 to amend Metro Code Chapters 5.02 (Regional System Fee) and 7.01 (Excise Tax).

KNOWN OPPOSITION

There is no known opposition to the proposed revisions to Metro Code Chapter 5.02 and 7.01. Staff believe that those subject to the fees and taxes will approve of extending the due date for payment of these monies, and this is especially so for small businesses and new entrants to the solid waste system that may have cash flow concerns during their initial years in business.

It is possible that regulated entities would object to the addition of a finance charge on late payments of solid waste fees, but staff notes that a finance charge is already authorized for late payment of excise taxes. Further, the vast majority of those subject to Metro's fees and taxes pay timely and these changes will not negatively affect them.

PUBLIC OUTREACH

Although staff have not conducted any formal public outreach, staff has informally heard from several solid waste facility entities that it is difficult at times for smaller business and newer entrants to pay Metro's fees and taxes on the 15th of the month when the entity may not be receiving those fees and taxes from its customers until later in the month.

LEGAL ANTECEDENTS

Metro Charter, Title V and VII of the Metro Code and ORS Chapters 268 and 459.

ANTICIPATED EFFECTS

Approval of this ordinance would likely encourage regulated entities that are consistently delinquent in paying the required fees and taxes to be timelier in their payments to avoid interest charges. By allowing regulated entities roughly an additional 15 days to pay, staff expects a reduced delinquency rate.

BUDGET IMPACTS

Adoption of this ordinance should have positive budget impacts for Metro. Currently, some entities subject to Metro's solid waste fees and taxes are not paying them timely. In some cases, the delinquent payments are ongoing and amount to hundreds of thousands of dollars in late payments. This ordinance should encourage timely payment, thus allowing Metro to invest those monies and obtain interest. And when payments are late, Metro can assess a finance charge to help offset the cost of lost interest by not having the money on time.

BACKGROUND

Staff has noticed an increase in late payment of Metro's fees and taxes over time. At times this has amounted to several hundred thousand dollars in late fees and taxes. With respect

to transfer stations, many of them have payment terms for their customers that are net 30 or, even, net 60. This means that those transfer stations are required to pay the fees and taxes to Metro before they have received payment from their customers. They are, in effect, “floating” the fees and taxes.

This can be financially difficult for small businesses and new entrants to the system, both of which often lack the capital reserves necessary to pay these fees and taxes before receiving payment from their customers. By extending the payment due date from the 15th to the last day of the month, staff hopes to provide some financial relief to these businesses and create a more realistic payment schedule given industry practices.

At the same time, it is important to encourage timely payments by including a finance charge on late payments and, just as importantly, enforcing that finance charge. Although a finance charge is required on late payment of excise taxes (but not regional system fees), Metro has not historically imposed this finance charge on late payments. Staff believes this has resulted in a growing number of delinquent payments. It is important to remember that those subject to remitting these fees and taxes to Metro are holding these monies in trust on behalf of Metro. They should be paid timely and not used as a loan or capital infusion for those subject to remitting them to Metro.

ATTACHMENTS

None

Agenda Item No. 4.3

Ordinance No. 21-1461, For the Purpose of Annexing to the Metro District Boundary
Approximately 16.2 Acres Located at 17045 and 17117 SW Brookman Road in Sherwood

Ordinance (Second Reading & Vote)

Metro Council Meeting
Thursday, February 25, 2021

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ANNEXING TO THE	)	ORDINANCE NO. 21-1461
METRO DISTRICT BOUNDARY)	
APPROXIMATELY 16.2 ACRES LOCATED	)	Introduced by Chief Operating Officer
AT 17045 AND 17117 SW BROOKMAN ROAD	)	Marissa Madrigal with the Concurrence of
IN SHERWOOD	)	Council President Lynn Peterson

WHEREAS, David Weekly Homes has submitted a complete application for annexation of 16.2 acres located at 17045 and 17117 SW Brookman Road in Sherwood (“the territory”) to the Metro District; and

WHEREAS, the Metro Council added the Sherwood area to the urban growth boundary (UGB), including the territory, by Ordinance No. 02-969B on December 5, 2002; and

WHEREAS, Title 11 (Planning for New Urban Areas) of the Urban Growth Management Functional Plan requires annexation to the district prior to application of land use regulations intended to allow urbanization of the territory; and

WHEREAS, Metro has received consent to the annexation from the owners of the land in the territory; and

WHEREAS, the proposed annexation complies with Metro Code 3.09.070; and

WHEREAS, the Council held a public hearing on the proposed amendment on February 11, 2021; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The Metro District Boundary Map is hereby amended, as indicated in Exhibit A, attached and incorporated into this ordinance.
2. The proposed annexation meets the criteria in section 3.09.070 of the Metro Code, as demonstrated in the Staff Report dated January 27, 2021, attached and incorporated into this ordinance.

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

Lynn Peterson, Council President

Attest:

Approved as to form:

Jaye Cromwell, Recording Secretary

Carrie MacLaren, Metro Attorney

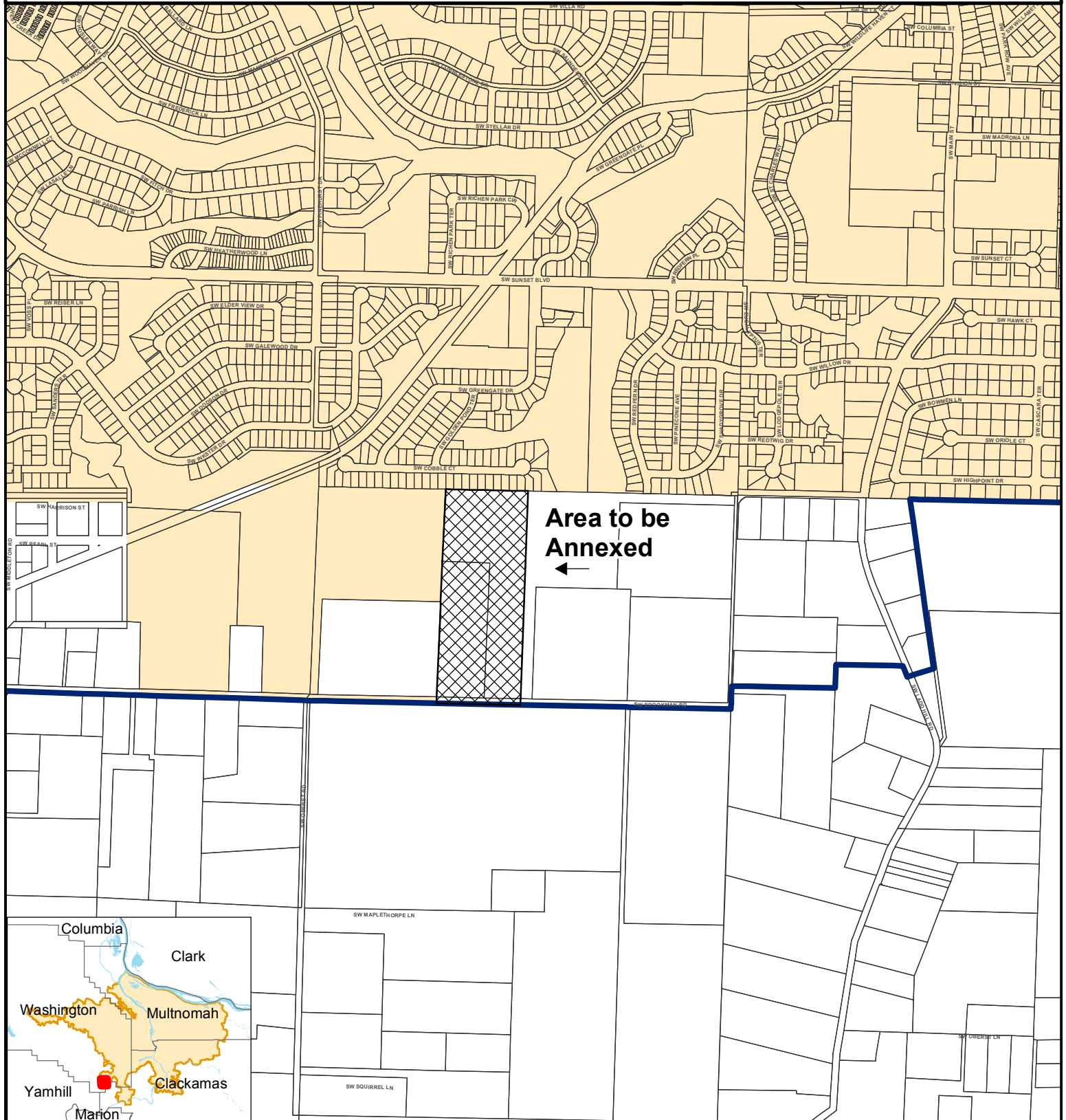
Exhibit A

Proposal No. AN0121




3S1W06

Annexation to the Metro Service District

Washington County



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

-  Urban growth boundary
-  Taxlots
-  Metro District Boundary

Proposal No. AN0121



1:10,000

0 1,000 2,000 Feet

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STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 21-1461, FOR THE PURPOSE OF ANNEXING TO THE METRO DISTRICT BOUNDARY APPROXIMATELY 16.2 ACRES LOCATED AT 17045 and 17117 SW BROOKMAN ROAD IN SHERWOOD

Date: January 27, 2021
Department: Planning & Development

Prepared by: Tim O'Brien
Principal Regional Planner

BACKGROUND

CASE: AN-0121, Annexation to Metro District Boundary

PETITIONER: David Weekly Homes
1905 NW 169th Place, Suite 102
Beaverton, OR 97006

PROPOSAL: The petitioner requests annexation of land in Sherwood to the Metro District Boundary.

LOCATION: The land in Sherwood is approximately 16.2 acres in size, is located at 17045 and 17117 SW Brookman Road and can be seen in Attachment 1.

ZONING: The land is zoned for residential use (MDRL).

The land was added to the urban growth boundary (UGB) in 2002 and is part of the Brookman Addition Concept Plan area that was adopted by Sherwood. The land must be annexed into the Metro District for urbanization to occur.

APPLICABLE REVIEW CRITERIA

The criteria for an expedited annexation to the Metro District Boundary are contained in Metro Code Section 3.09.070.

3.09.070 Changes to Metro's Boundary

(E) The following criteria shall apply in lieu of the criteria set forth in subsection (d) of section 3.09.050. The Metro Council's final decision on a boundary change shall include findings and conclusions to demonstrate that:

- 1. The affected territory lies within the UGB;*

Staff Response:

The land in Sherwood was brought into the UGB in 2002 through the Metro Council's adoption of Ordinance No. 02-969B, thus the affected territory lies within the UGB.

- 2. The territory is subject to measures that prevent urbanization until the territory is annexed to a city or to service districts that will provide necessary urban services; and*

Staff Response:

The conditions of approval for Metro Ordinance No. 02-969B include a requirement that Washington County apply interim protection measures for areas added to the UGB as outlined in Urban Growth Management Functional Plan Title 11: Planning for New Urban Areas. Title 11 also requires that new urban areas be annexed into the Metro District Boundary prior to urbanization of the area. Washington County applied the Future Development-20 Acres (FD-20) designation to all the county land in Ordinance 02-969B to prevent premature urbanization of the expansion areas. The City of Sherwood adopted the Brookman Addition Concept Plan in 2009. The property was annexed to the City of Sherwood in May 2017. Thus the affected territory was subject to measures that prevented urbanization until the territory is annexed to the city and any necessary service districts.

3. *The proposed change is consistent with any applicable cooperative or urban service agreements adopted pursuant to ORS Chapter 195 and any concept plan.*

Staff Response:

The subject property is part of the Brookman Addition Concept Plan area adopted by the City of Sherwood in 2009. The proposed annexation is required by Sherwood as part of a land use application. The annexation is consistent with the Washington County-Sherwood Urban Planning Area Agreement adopted in 2017. Thus the inclusion of the property within the Metro District is consistent with all applicable plans.

ANALYSIS/INFORMATION

Known Opposition: There is no known opposition to this application.

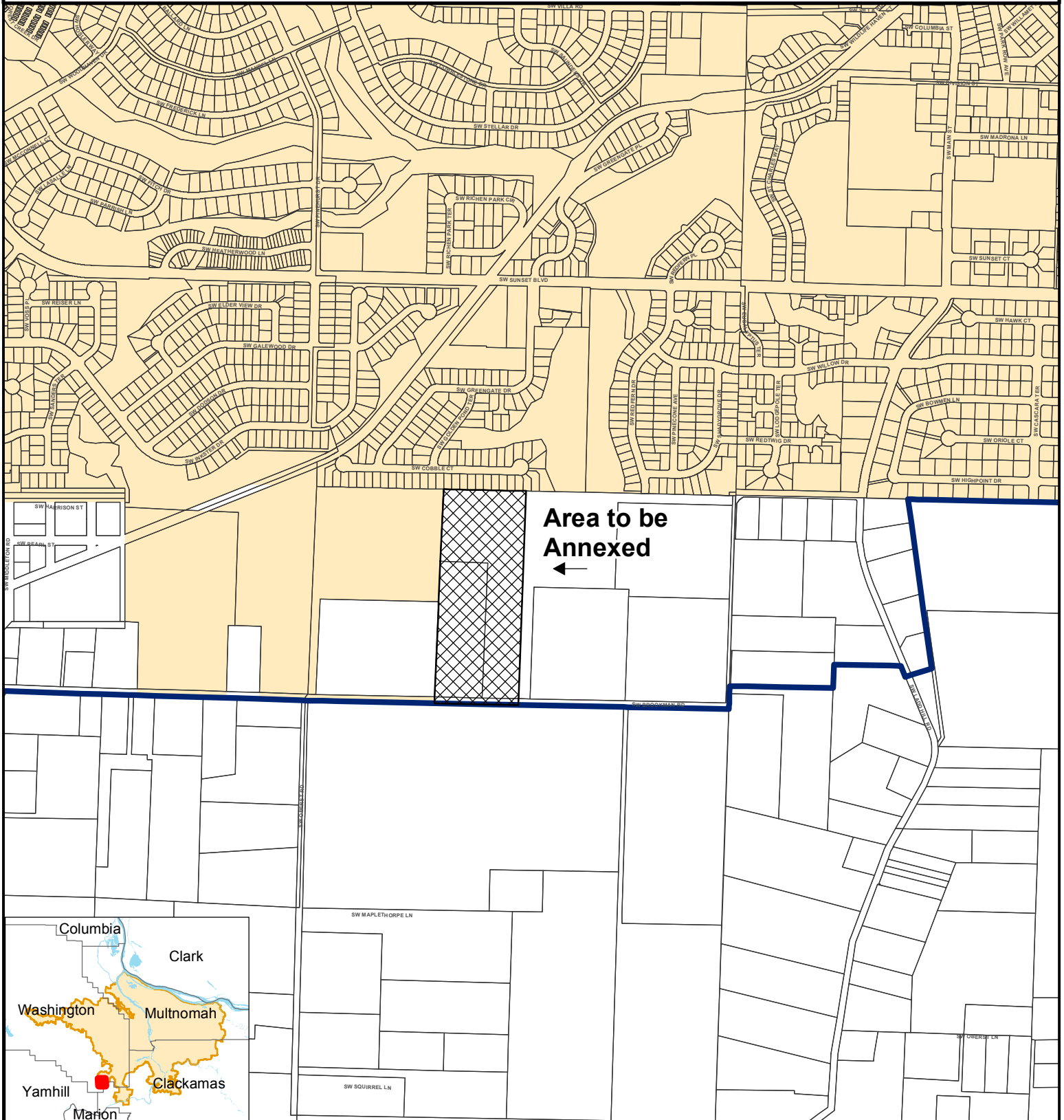
Legal Antecedents: Metro Code 3.09.070 allows for annexation to the Metro District boundary.

Anticipated Effects: This amendment will add approximately 16.2 acres in Sherwood to the Metro District. The land is currently within the UGB and approval of this request will allow for the urbanization of the land to occur consistent with the Brookman Addition Concept Plan.




Budget Impacts: The applicant was required to file an application fee to cover all costs of processing this annexation request, thus there is no budget impact.

RECOMMENDED ACTION

Staff recommends adoption of Ordinance No. 21-1461.



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

-  Urban growth boundary
-  Taxlots
-  Metro District Boundary

Proposal No. AN0121



1:10,000

0 1,000 2,000 Feet

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Agenda Item No. 4.4

Ordinance No. 21-1460, For the Purpose of Amending Metro Code Chapter 2.19.220 to Establish a New Natural Areas and Capital Program Performance Oversight Committee, and Declaring an Emergency

Ordinance (Second Reading & Vote)

Metro Council Meeting
Thursday, February 25, 2021

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING METRO	)	ORDINANCE NO. 21-1460
CODE CHAPTER 2.19.220 TO ESTABLISH A)	
NEW NATURAL AREAS AND CAPITAL	)	Introduced by Chief Operating Officer
PROGRAM PERFORMANCE OVERSIGHT	)	Marissa Madrigal with the Concurrence of
COMMITTEE, AND DECLARING AN EMERGENCY)	)	Metro Council President Lynn Peterson

WHEREAS, on June 6, 2019 the Metro Council adopted Resolution No. 19-4988, "For the Purpose of Submitting to the Voters of the Metro Area General Obligation 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," approving, certifying and referred by the Metro Council to the Metro Area voters on the November 5, 2019 General Election as Ballot Measure 26-203 ("2019 Parks and Nature Bond Measure"); and

WHEREAS, at the General Election held on November 5, 2019, the Metro Area voters approved the 2019 Parks and Nature Bond Measure; and

WHEREAS, the 2019 Parks and Nature Bond Measure calls for an independent community oversight committee that will review bond expenditures and provide annual reports; and

WHEREAS, the Metro Council desires to create such an oversight committee, to hereafter be known as the Natural Areas and Capital Program Performance Oversight Committee; and

WHEREAS, the Natural Areas and Capital Program Performance Oversight Committee will effectively replace and assume any and all remaining responsibilities of the existing Natural Areas and Capital Program Performance Oversight Committee with respect to any remaining bond expenditures related to the 2006 Natural Areas Bond Measure (Measure 26-80); and

WHEREAS, the efficacy of the Natural Areas and Capital Program Performance Oversight Committee will be greatly enhanced, and with it the level and quality of service it provides to the citizens of the Metro Area, by its immediate creation and appointments thereto so that it can begin its work overseeing the implementation of the 2019 Parks and Nature Bond Measure; now therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

Section 1. Metro Code Chapter 2.19 will be amended by removing Metro Code Chapter 2.19.220 in its entirety and replacing it with the following new Metro Code Section 2.19.220:

- (a) **Purpose and Authority.** The purpose and authority of the Natural Areas and Capital Program Performance Oversight Committee (the “Committee”) is to review whether the six programs described in the 2019 Parks and Nature Bond (Measure 26-203) are meeting the goals and objectives established for the program by the Metro Council. The Committee will also review capital expenditures related to the 2016 Parks and Natural Areas Local-Option Levy (Measure 26-178) and the 2006 Natural Areas Bond Measure (Measure 26-80).

The Committee will annually report to the Metro Council and such report will:

- (1) Assess progress in the implementation of the bond programs under 2019 Parks and Nature Bond (Measure 26-203), including Metro’s efforts to (i) protect water quality and wildlife habitat and (ii) meet the racial equity, community engagement and climate resiliency criteria described in 2019 Parks and Nature Bond (Measure 26-203).
 - (2) Provide recommendations, if any, to improve efficiency, administration and performance of the bond programs under 2019 Parks and Nature Bond (Measure 26-203).
 - (3) Review (i) 2016 Parks and Natural Areas Local-Option Levy (Measure 26-178) expenditures for compliance with program requirements and (ii) any remaining bond expenditures from the 2006 Natural Areas Bond (Measure 26-80).
- (b) **Membership.** The Committee will be composed of no fewer than nine and no more than twenty one members, all appointed by the Metro Council President subject to Council confirmation. The Metro Council President will designate at least one member to serve as Chairperson of the Committee or may elect to designate two members to serve as co-chairpersons. Committee members will bring a commitment to racial equity values and will include members with technical expertise and lived experience in areas including, but not limited to: finance, land acquisition, land conservation, environmental issues, working lands, tribal sovereignty and issues relevant to the disability community and the urban Indigenous community.
- (c) **Terms.** Notwithstanding Metro Code Section 2.19.030, Committee members may serve up to three (3) two-year terms. All appointments made by the Metro Council President will be for a term of two years or to fill a vacancy in the remaining portion of a term not to exceed two years. Notwithstanding the foregoing or Metro Code Section 2.19.030, one-half of the initial Committee members will be appointed to serve a one-year term, and may be reappointed to serve up to three additional two-year terms.
- (d) **Meetings.** The Committee will meet no fewer than three times per year.
- (e) **Dissolution.** The Committee will be dissolved on July 1, 2035 or upon the issuance of a final report by the Committee after all funds authorized by the 2019 Parks and Nature Bond

(Measure 26-203) and 2006 Natural Areas Bond (Measure 26-80) and the capital funds from the 2016 Parks and Natural Areas Local-Option Levy (Measure 26-178) have been spent, whichever is earlier.

Section 2. This Ordinance being necessary for the health, safety and welfare of the Metro Area by effecting the prompt commencement of the Natural Areas and Capital Program Performance Oversight Committee appointment process so that as soon as possible it can begin its work overseeing the completion of the 2006 Natural Areas Bond (Measure 26-80) program and the implementation of the 2019 Parks and Nature Bond Measure an emergency is declared to exist, and this Ordinance will take effect immediately, pursuant to Metro Charter Section 38(1).

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

Lynn Peterson, Council President

Attest:

Approved as to Form:

Jaye Cromwell, Recording Secretary

Carrie MacLaren, Metro Attorney

IN CONSIDERATION OF ORDINANCE NO. 21-1460, FOR THE PURPOSE OF
AMENDING METRO CODE CHAPTER 2.19.220 TO ESTABLISH THE NATURAL AREAS
AND CAPITAL PROGRAM PERFORMANCE OVERSIGHT COMMITTEE, AND
DECLARING AN EMERGENCY

Date: January 28, 2021
Department: Parks and Nature
Meeting Date: February 11, 2021

Prepared by: Beth Cohen, Metro
Presenter(s): Beth Cohen, Metro
Length: 15 minutes

ISSUE STATEMENT

Independent community oversight has been essential to Metro's accountability and delivery on promises made to voters in its funding measures. The establishment of the Natural Areas and Capital Program Performance Oversight Committee provides an opportunity to meet a high standard for inclusive, equitable community oversight.

The purpose of Ordinance No. 21-1460 is to amend the Metro Code Chapter 2.19.220 to establish the Natural Areas and Capital Program Performance Oversight Committee (the "Oversight Committee").

The purpose of the Oversight Committee is to provide independent program oversight on behalf of the Metro Council to ensure that Metro will be accountable and transparent in its use of capital funds from (a) the \$475 million 2019 Parks and Nature Bond Measure, (b) the 2016 Parks and Natural Areas Local-Option Levy, and (c) any remaining expenditures from the 2006 Natural Areas Bond Measure.

ACTION REQUESTED

Staff requests approval of Ordinance No. 21-1460 to amend the Metro Code Chapter 2.19.220 to establish the Oversight Committee.

IDENTIFIED POLICY OUTCOMES

The establishment of the Oversight Committee in the Metro Code will establish the purpose, authority, membership, and meeting structure for the committee. The Oversight Committee's roles and procedures will be consistent with existing Metro Code and the structure of other Metro oversight committees. The Oversight Committee's primary roles are to:

Purpose and Authority. The purpose and authority of the Natural Areas and Capital Program Performance Oversight Committee (the "Committee") is to review whether the six programs described in the 2019 Parks and Nature Bond Measure 26-203 are meeting the goals and objectives

established for the program by the Metro Council. The Committee will also review capital expenditures related to the 2016 Parks and Natural Areas Local-Option Levy (Measure 26-178) and the 2006 Natural Areas Bond Measure (Measure 26-80).

The Committee will annually report to the Metro Council and such report will:

- (1) Assess progress in the implementation of the bond programs under Measure 26-203, including Metro's efforts to (i) protect water quality and wildlife habitat and (ii) meet the racial equity, community engagement and climate resiliency criteria described in Measure 26-203.
- (2) Provide recommendations, if any, to improve efficiency, administration and performance of the bond programs under Measure 26-203.
- (3) Review (i) 2016 Parks and Natural Areas Local-Option Levy expenditures for compliance with program requirements and (ii) any remaining bond expenditures from the 2006 Natural Areas Bond Measure.

Parks and Nature staff are launching a process in early 2021 to identify a set of outcomes through which to measure bond success based on the principles and criteria listed in the bond resolution. Staff will seek Council direction on this effort in the first quarter of 2021. Once the Metro Council confirms the outcomes, staff will share that information with the Oversight Committee to use for evaluating bond progress.

STAFF RECOMMENDATIONS

Approve Ordinance No. 21-1460 to establish the Natural Areas and Capital Program Performance Oversight Committee. The Oversight Committee will provide Metro Council and the region's residents an independent, outside review of Metro's progress in the implementation of the 2019 Parks and Nature Bond Measure programs.

BACKGROUND

On November 5, 2019, Greater Portland voters overwhelmingly approved the 2019 Parks and Nature Bond Measure with the following program areas and allocations:

- Protect and restore land (\$155 million)
- Support local projects – "Local Share" (\$92 million)
- Nature in Neighborhood capital grants (\$40 million)
- Take care of Metro parks (\$98 million)
- Create trails for walking and biking (\$40 million)
- Advance large-scale community visions (\$50 million)

The 2019 Parks and Nature Bond Measure identifies 11 foundational principles to guide the bond's investments and implementation including:

- Serve communities through inclusive engagement, transparency and accountability.

- Advance racial equity through bond investments.
- Protect clean water for people, fish and wildlife.
- Protect and restore culturally significant native plant communities.
- Protect, connect and improve habitat for native fish and wildlife.
- Take care of what we have.
- Make parks and natural areas more accessible and inclusive.
- Connect more people to the land and rivers of our region.
- Invest in trails for biking and walking.
- Support community-led parks and nature projects.
- Make communities more resilient to climate change.

In addition, the 2019 Parks and Nature Bond Measure includes three overarching themes - advancing racial equity, climate resilience and community engagement. These principles and criteria will shape how the bond is implemented and the lens through which bond progress will be evaluated.

At an October 1, 2020 work session, Metro Council provided direction on a structure and membership for an Oversight Committee that will be able to hold Metro accountable for accomplishing the goals of the bond. The Metro Council emphasized the following considerations when recruiting and appointing members to the committee:

- Committee members should bring multiple complementary backgrounds and knowledge across a range of topics including conservation, finance, working lands and understanding of issues relevant to the disability community, the urban Indigenous community and around tribal sovereignty, among others
- Committee members should bring a deep understanding and commitment to conservation values racial equity
- Committee members should reflect the diversity and geography of the region and allow for a range of perspectives on Metro and its work

In October 2020, staff launched a broad recruitment process, sharing the opportunity with many organizations and individuals across the region. A staff committee reviewed the 118 applications received according to the aforementioned set of values determined by the Metro Council and provided a recommendation to Parks and Nature leadership, which finalized a recommendation to the Metro Council for consideration and approval.

There will be other opportunities for individuals who applied, but were not selected to serve on the Oversight Committee in future years as well as to help shape the implementation of the Parks and Nature bond in other ways.

ATTACHMENTS

None

Agenda Item No. 5.1

Resolution 21-5155, For the Purpose of Appointing New Members to the Parks &
Nature Oversight Committee
Resolutions

Metro Council Meeting
Thursday, February 25, 2021

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPOINTING	)	RESOLUTION NO. 21-5155
A NEW NATURAL AREAS AND CAPITAL PROGRAM)	
PERFORMANCE OVERSIGHT COMMITTEE	)	Introduced by Chief Operating
	)	Officer Marissa Madrigal with
	)	the Concurrence of Metro
	)	Council President Lynn Peterson

WHEREAS, on June 6, 2019, the Metro Council referred to the Metro area voters a ballot measure authorizing the issuance of general obligation bonds in an amount not to exceed \$475,000,000.00 for the purpose of funding natural area and water quality protection and to connect people to nature close to home (the "2019 Parks and Nature Bond Measure"); and

WHEREAS, at the general election held on November 5, 2019, the Metro Area voters approved the 2019 Parks and Nature Bond Measure; and

WHEREAS, the 2019 Parks and Nature Bond Measure calls for community oversight and the measure's Explanatory Statement states that an independent community oversight committee will review bond expenditures and provide annual reports; and

WHEREAS, on even day herewith the Metro Council has adopted Ordinance No. 21-1460, "Amending Metro Code Chapter 2.19.220 to Establish a New Natural Areas and Capital Program Performance Oversight Committee and Declaring an Emergency," creating a new Natural Areas and Capital Program Performance Oversight Committee consisting of 9 to 21 members to be appointed by the Metro Council President subject to confirmation by the Metro Council; and

WHEREAS, the Metro Council President has appointed 19 members to the Natural Areas and Capital Program Performance Oversight Committee as set forth on Exhibit A, attached hereto; and

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

BE IT RESOLVED that the Metro Council confirms the appointments to the Natural Areas and Capital Program Performance Oversight Committee as set forth on Exhibit A, attached hereto.

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

Lynn Peterson, Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney

Exhibit A to the Resolution No. 21-5155

Natural Areas and Capital Program Performance Oversight Committee Committee Member Appointments

The following persons will serve two-year terms, and will each be eligible thereafter to serve up to three additional two-year terms:

Tana Culbertson	Co-Director, Willamette River Network
Burt Edwards	Communications Director, Friends of Columbia Gorge
Lisa Freedman	Former US Forest Service Executive and Budgeting Director
Nicole Johnson	Community Engagement Director, 1000 Friends of Oregon
Martita Meier	Digital strategist and project manager, Nike
Bryan Mercier	NW Regional Director, Bureau of Indian Affairs
Georgena Moran	Accessibility specialist, ACCESS recreation
Eric Peterson	Vice President of Operations, Newland Communities
Cary Watters	Contract Equity Specialist, Portland Bureau of Transportation
Owen Wozniak	Land Transactions Program Manager, the Land Trust Alliance

The following persons will serve one-year terms, and will each be eligible thereafter to serve up to three additional two-year terms:

John Ferguson	Former geotechnical engineer
Shantae Johnson	Owner, Mudbone Grown LLC
Michelle Lin	Adventure leader, Wild Diversity
PK Melethil	Environmental Scientist, private practitioner
Michael Morrow	Happy Valley Planning Commission
Tabitha Palmer DuPau	Underwriting Counsel, Fidelity National Title Group
Vivek Shandas	Professor, Portland State University
Shannon Shoul	Director, Procurement Sustainability
Erin Upton	Environmental social scientist and landscape architect

IN CONSIDERATION OF RESOLUTION 21-5155, FOR THE PURPOSE OF APPOINTING
A NEW NATURAL AREAS AND CAPITAL PROGRAM PERFORMANCE OVERSIGHT
COMMITTEE

Date: February 22, 2021
Department: Parks and Nature
Meeting Date: February 25, 2021

Prepared by: Beth Cohen
Presenter(s): Jon Blasher, Beth Cohen
Length: 15 minutes

ISSUE STATEMENT

Independent community oversight has been essential to Metro's accountability and delivery on promises made to voters in its funding measures. The establishment of the Natural Areas and Capital Program Performance Oversight Committee provides an opportunity to meet a high standard for inclusive, equitable community oversight.

The purpose of Resolution No. 21-5155 is to appoint individuals to serve on the Natural Areas and Capital Program Performance Oversight Committee for the 2019 Parks and Nature bond.

The purpose of this committee is to provide independent program oversight on behalf of the Metro Council to ensure that the committee will keep Metro accountable and transparent in its use of capital funds from the \$475 million 2019 parks and nature bond, the parks and natural areas local option levy and any remaining funds from the 2006 natural areas bond.

ACTION REQUESTED

Staff requests approval of Resolution No. 21-5155 to appoint individuals to serve on the Natural Areas and Capital Program Performance Oversight Committee.

IDENTIFIED POLICY OUTCOMES

On November 5, 2019, Greater Portland voters overwhelmingly approved a \$475 million Metro parks and nature bond measure with the following program areas and allocations:

- Protect and restore land (\$155 million)
- Support local projects – “Local Share” (\$92 million)
- Nature in Neighborhood capital grants (\$40 million)
- Take care of Metro parks (\$98 million)
- Create trails for walking and biking (\$40 million)
- Advance large-scale community visions (\$50 million)

The Metro Council identified 11 foundational principles to guide the bond's investments and implementation including:

- Serve communities through inclusive engagement, transparency and accountability.
- Advance racial equity through bond investments.
- Protect clean water for people, fish and wildlife.
- Protect and restore culturally significant native plant communities.
- Protect, connect and improve habitat for native fish and wildlife.
- Take care of what we have.
- Make parks and natural areas more accessible and inclusive.
- Connect more people to the land and rivers of our region.
- Invest in trails for biking and walking.
- Support community-led parks and nature projects.
- Make communities more resilient to climate change.

The bond resolution includes three overarching themes—advancing racial equity, climate resilience and community engagement. In addition, the bond resolution refers to a future oversight committee

“An independent community advisory committee will review progress in the implementation of Metro’s bond measure, including protection of land, local and community project implementation, capital construction of Metro park and regional trail projects, and grant program administration. This committee, the Natural Areas and Capital Program Performance Oversight Committee, gives the Metro Council and the region’s residents an independent, outside review of the capital program. The committee’s charge and responsibilities will include oversight of Metro’s efforts to meet the racial equity and climate resiliency criteria and outcomes described in this measure.”

STAFF RECOMMENDATIONS

Staff recommends that the Metro Council approve Resolution No. 21-5155 to appoint individuals to serve on the Natural Areas and Capital Program Performance Oversight Committee.

BACKGROUND

At an October 1 2020 work session, Metro Council provided direction on a structure for a 2019 parks and nature bond oversight committee. Council emphasized the following considerations when establishing a committee and recruiting members:

- Committee members should bring a deep understanding of conservation values and be committed to racial equity
- Committee members should bring multiple complementary backgrounds and knowledge across a range of topics including conservation, habitat and biodiversity, finance, working lands, understanding of the disability community and the urban Indigenous community and of issues around tribal sovereignty, to name a few.

- Committee members should reflect the diversity and geography of the region and allow for a diversity of perspectives on Metro and its work.

In October 2020, staff launched a broad recruitment process, sharing the opportunity with many organizations and individuals across the region. Over 110 applications were submitted from a diverse set of passionate and qualified individuals across the region. Staff reviewed these applications according to the aforementioned set of values determined by the Metro Council and provided those considerations to the Council for deliberation.

Council has approved a list of 19 individuals to serve on the committee that have met requirements for membership set by Council last fall. In addition, the Council President has appointed Councilors to serve as liaisons to the committee. Staff expects the committee to begin meeting in March and to focus first on onboarding to build a shared understanding of the bond program areas and the bond-wide criteria around racial equity, climate resilience and community engagement.

In the coming months, Parks and Nature staff will work with the Council to identify a set of outcomes through which to measure success for the 2019 parks and nature bond based on the principles and criteria listed in the bond resolution. Once the Metro Council confirms these outcomes, the oversight committee can begin to use them for evaluating bond progress.

On February 11, the Metro Council heard the first read of ordinance number 21-1460 to amend the Metro code to establish the oversight committee for the 2019 Parks and Nature bond measure. The ordinance establishes in the Metro Code will articulate the purpose, authority, size and focus and terms of membership, and meeting frequency for the committee. The language affirms that a chair or co-chairs will be designated by the Council President. At the February 25 meeting, Council will vote to approve this ordinance to amend the code to establish the Natural Areas and Capital Program Performance Oversight Committee.

ATTACHMENTS

Exhibit A to the resolution (list of members for appointment)