Agenda

Metro
600 NE Grand Ave.
Portland, OR 97232-2736

Meeting: Natural Areas and Capital Program Performance Oversight Committee

Date: Tuesday, Feb. 4, 2020

Time: 9 to 10:30 a.m.

Location: Metro Regional Center, Council Chamber

9:00	**WELCOME/AGENDA REVIEW** ***(5 minutes)***	Peter Mohr
9:05	**PROGRAM UPDATES** ***(15 minutes)***	
	Acquisition	Dan Moeller
	Dashboards	
	Financial report	Cinnamon Williams
9:20	**ETHICS OBLIGATIONS** ***(20 minutes)***	Ashley McCarron
9:40	**COMMITTEE SURVEY RESULTS AND NEXT STEPS** ***(20 minutes)***	Dan Moeller
10:00	**2019 BOND AND FUTURE OF COMMITTEE** ***(30 minutes)***	Dan Moeller
10:30	**ADJOURN**	

Meeting minutes

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Natural Areas and Capital Program Performance Oversight Committee

Tuesday, Feb. 4, 2020 | 9 to 10:30 a.m.

Attendees

Mark Aasland, Dean Alterman, Caylin Barter, Drake Butsch, Kelsey Cardwell, Chair Peter Mohr, Fritz Paulus, Shannon Shoul, Lindsay Smith

Absent

Rick Mishaga, Jon Horne

Metro

Councilor Sam Chase, Marybeth Haliski, Dan Moeller, Melissa Weber, Cinnamon Williams

Welcome and introductions

Chair Peter Mohr welcomed the committee and updated members on his Dec. 12, 2019 annual report presentation to the Metro Council, where he recommended that improvements should be made to the way program performance is communicated to the community, as well as how the Council and staff manage negative comments about the program, such as those in the voters' pamphlet. He looks forward to further committee discussion about communications related to program performance.

Program updates

The program dashboard and financial report were distributed and reviewed. Dan Moeller provided a brief overview of recent acquisitions (closing memos attached). Cinnamon Williams provided a financial update and noted that overall administrative costs are at 9.3%. Most of the remaining bond funds are committed to pending acquisitions, capital construction, the Willamette Falls project and capital grant reimbursements. Councilor Chase thanked the committee for their diligent tracking of the 10% administrative costs threshold. Committee members agreed they would like to continue to review administrative costs, and perhaps speak with the Council about their concerns related to how Metro's cost allocation plan affects the total.

Cinnamon introduced Melissa Weber, Parks and Nature's new finance manager. Melissa will replace Cinnamon at future committee meetings.

Ethics obligations

Dan reviewed the *Guide for Volunteer Committee Members: understanding the rules and obligations of serving as a public official.* Committee members were asked to review the guide and contact Dan with questions.

Committee retrospective

Dan reviewed responses from six current and former committee members to the recent committee survey. Themes included variable attendance and member responsibility, providing more background information to new members, number of meetings per year and desire to have more field trips. During discussion, a suggestion was made to provide more photos and locater maps (or Google Earth) related to the dashboard reports, and more in-depth information about the target areas.

2019 bond and future of committee

The goals and criteria of the recently-approved 2019 bond measure are substantially different from the 2006 bond, including strong racial equity requirements for each of the six program areas. Following discussions with department leadership and the Office of the Metro Attorney, the decision was made to sunset the current Oversight Committee and create a new committee to oversee the 2019 bond. Responsibility for any remaining 2006 funds will be transferred to the new committee. Staff will take time over the next several months to work with the Metro Council to draft bylaws for adoption by the new committee, setting forth the mission and oversight responsibilities of the committee as well as identifying member roles. The Metro Council will appoint the new committee; interested current members will be considered.

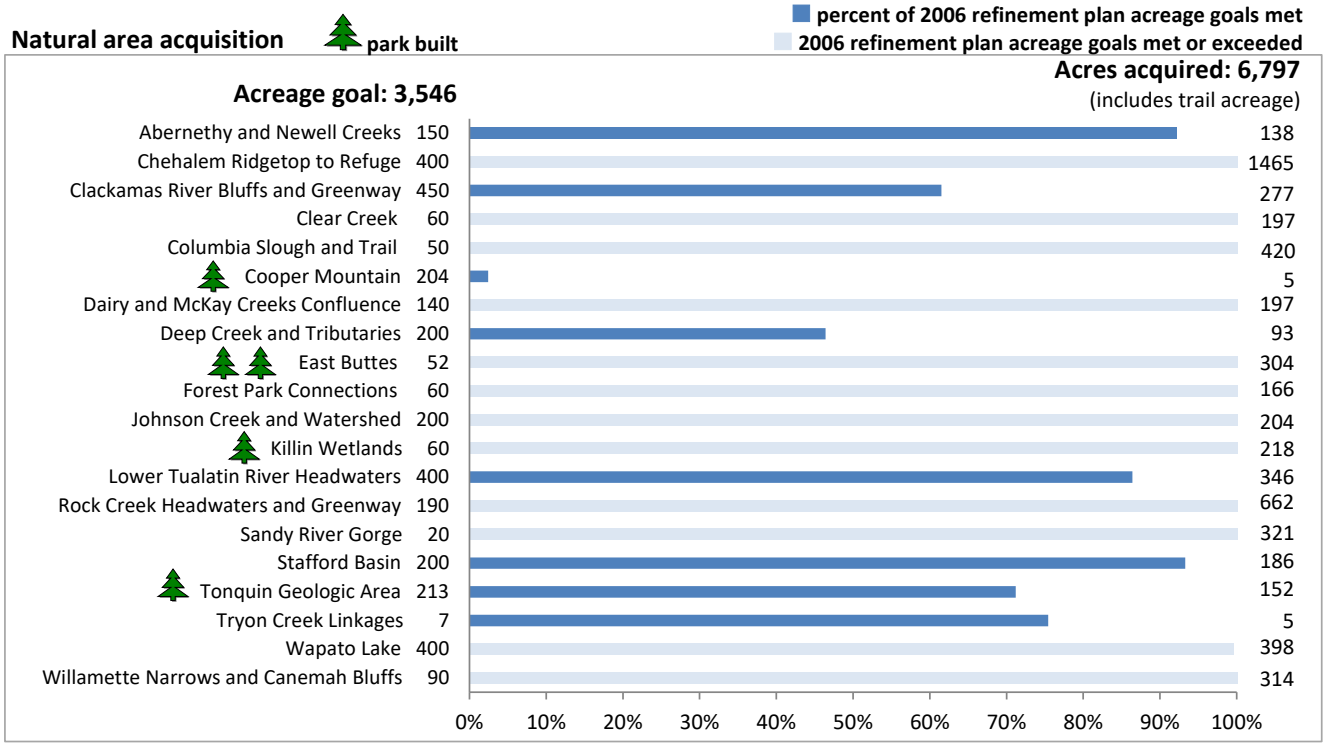
Adjournment

The meeting adjourned at 10:35 a.m. The next meeting will be held in April or May and will focus on reviewing the legislation of the new bond measure and how to set up a future committee for success, as well as the current committee's final report and recommendations to the Metro Council.

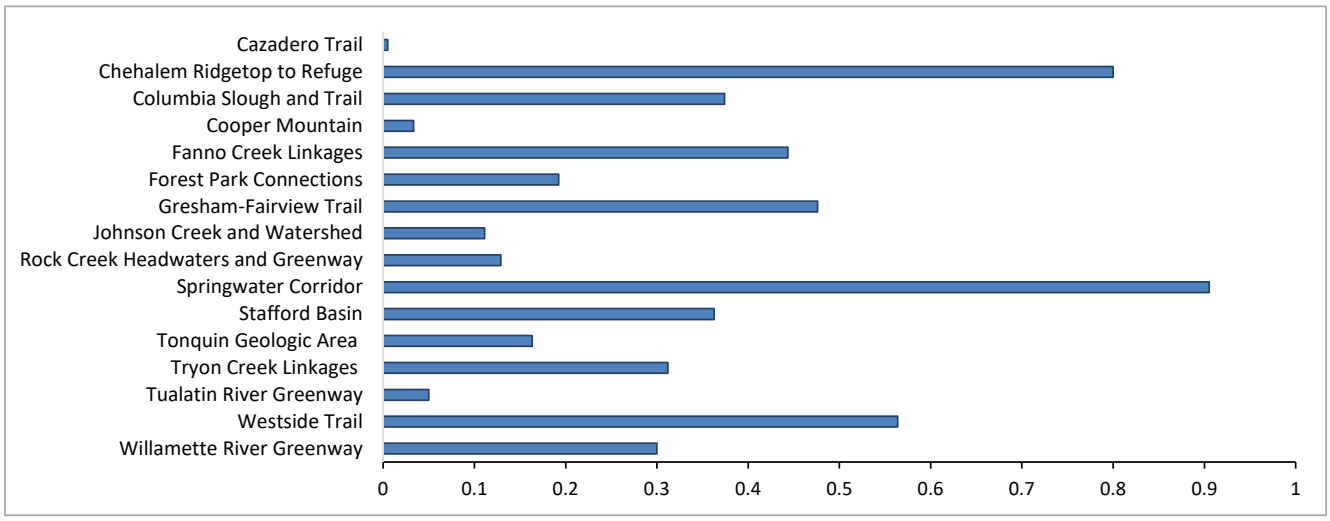
Minutes recorded by Marybeth Haliski.

Natural area acquisition

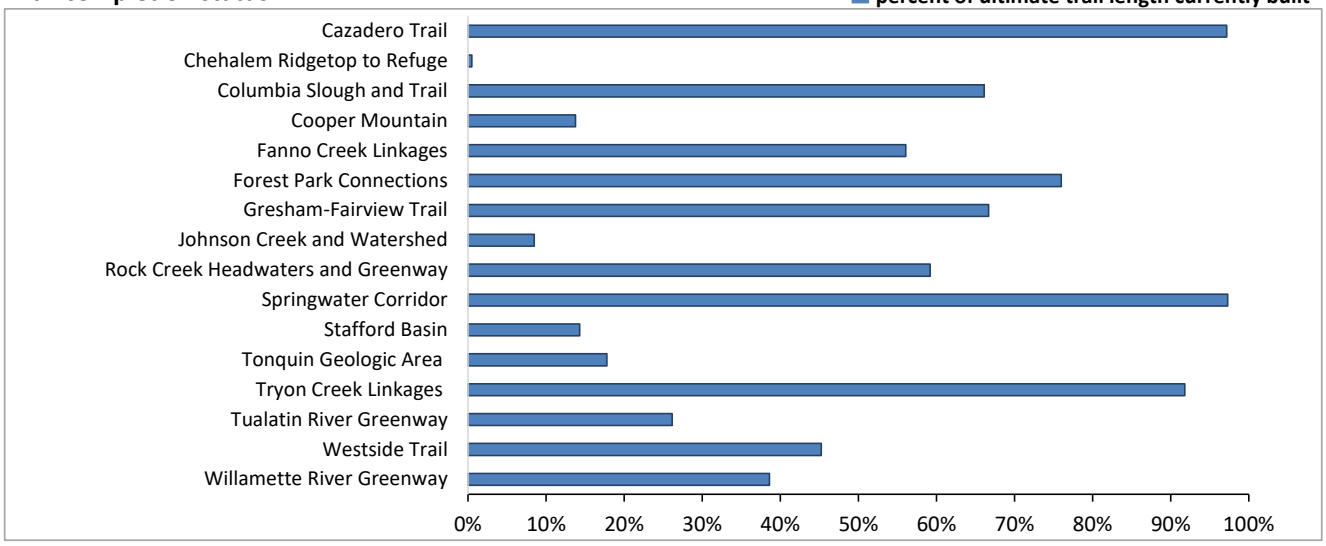
park built



Trail acquisition progress



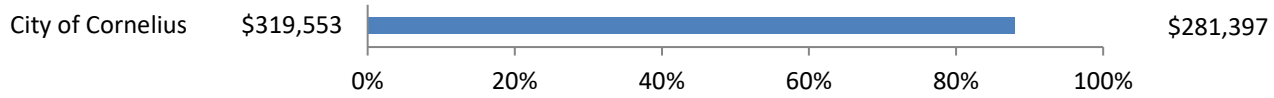
Trail completion status



Local share*

percent of local share allocation spent

Total local share funds spent to date: $43,959,505

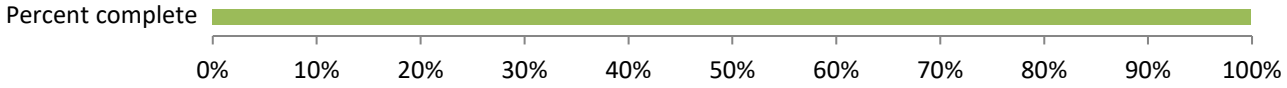


* Chart shows only those jurisdictions that have not expended 100% of their local share funds to date.

Local share

125 acquisitions **18 trails enhanced** **51 parks improved**

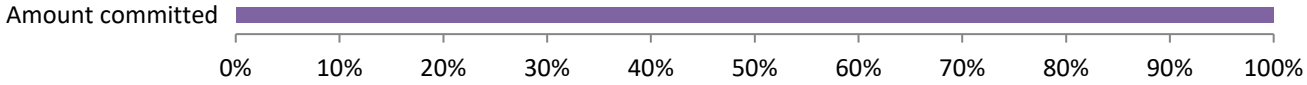
$44M



Nature in Neighborhoods capital grants

47 projects awarded

$15M



Bond capital projects	Scope	Schedule	Budget	Project budget	Spent to date	Remaining budget
Chehalem Ridge Natural Area	■	■	■	$2,900,000	$298,838	$2,601,162
Columbia Blvd. Bridge	■	■	■	$1,900,000	$51,354	$1,848,646
Fanno Creek Trail	project complete			$800,000	$800,000	$0
Farmington Paddle Launch	project complete			$888,500	$860,281	$28,219
Gabbert Butte Natural Area	■	■	■	$1,800,500	$84,081	$1,716,419
Marine Drive Trail	■	■	■	$2,500,000	$21,987	$2,478,013
River Island Natural Area	project complete			$5,703,000	$5,566,143	$0
Willamette Falls Riverwalk	■	■	■	$4,322,000	$4,138,653	$183,347
■on-track ■caution ■off-track				$20,814,000	$11,821,337	$8,855,806

Notes

- Columbia Blvd. Bridge - draft alignments identifying feasible solutions will require additional budget (est. $1-2M)
- Marine Drive Trail - project delayed due to staff capacity
- River Island Natural Area - remaining balance has been reallocated for site maintenance

Summary of Resources, Requirements and Changes in Fund Balance
(Unaudited)

	FY07	FY08	FY09	FY10	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	Through 12/31/2019	Program Total
	Amount	Amount	Amount	Amount	Amount	Amount	Amount	Amount	Amount	Amount	Amount	Amount	Amount	Amount	Amount
Beginning Fund Balance	-	122,299,840	93,979,814	77,117,027	56,792,607	36,469,224	98,783,002	78,247,452	65,755,472	52,348,611	36,934,540	16,426,032	33,689,769	22,478,870	
Resources															
Bond Proceeds	130,678,369	-	-	-	-	90,015,894	-	-	-	-	-	30,688,409	-	-	251,382,672
Interest Earnings	1,301,230	5,600,503	2,538,906	940,859	322,830	139,417	180,451	551,006	404,005	325,517	203,942	244,209	690,548	243,328	13,686,750
Other Resources	10,000	27,380	5,322,056	385,730	414,009	964,004	882,461	3,038,628	2,679	590,211	2,143,949	319,643	464,507	25,059	14,590,316
Subtotal Resources	**131,989,599**	**5,627,883**	**7,860,962**	**1,326,589**	**736,839**	**91,119,314**	**1,062,911**	**3,589,634**	**406,684**	**915,728**	**2,347,891**	**31,252,261**	**1,155,055**	**268,387**	**279,659,738**
Requirements															
Land Acquisition															
Staff Costs	117,956	206,692	425,072	465,329	512,240	658,515	514,455	625,344	617,960	682,467	725,138	387,580	328,147	205,737	6,472,641
Materials & Services	6,786	2,599	334,980	328,153	8,506	3,907	31,450	4,037	10,452	6,016	6,627	187,579	4,255	1,170	936,517
Land Costs	7,596,372	25,224,753	14,517,160	10,282,293	8,416,742	14,616,212	7,802,932	5,500,237	6,429,224	3,148,085	5,363,484	3,403,597	4,026,517	1,373,507	117,701,114
Due Diligence															
Staff Costs	-	412,029	492,589	455,774	430,237	464,571	438,935	498,527	529,928	603,792	591,650	632,220	617,137	306,401	6,473,800
Materials & Services	96,539	199,756	183,474	299,244	315,192	412,112	699,814	246,354	199,088	137,362	180,056	181,435	304,605	47,684	3,502,715
Stabilization															
Staff Costs	19,578	116,534	190,606	290,234	388,887	430,992	441,095	431,361	507,678	512,779	408,044	333,351	240,827	114,855	4,426,832
Materials & Services	294	177,441	345,330	284,874	643,569	681,557	1,251,803	1,344,431	1,559,795	2,415,241	2,324,318	1,143,818	1,185,991	661,751	14,020,214
Local Share															
Staff Costs	-	36,269	43,872	47,458	49,759	56,434	57,341	59,700	62,704	65,137	65,790	68,225	71,155	17,940	701,787
Materials & Services	-	25	188	3,500	-	-	1,488	-	-	-	-	-	-	-	5,201
Payments to Jurisdictions	400,000	4,798,366	4,316,165	5,399,109	6,312,927	8,563,477	6,230,760	3,629,160	911,948	640,322	1,371,651	599,350	(236,593)	-	42,936,641
Capital Grants															
Staff Costs	-	63,831	89,352	125,466	91,744	111,876	94,896	92,017	96,385	118,485	137,734	151,290	157,697	37,731	1,368,508
Materials & Services	-	1,400	1,363	811	114	180	25	-	2,923	-	1,133	225	40	-	8,215
Grant Payments	-	-	49,750	534,899	1,287,039	195,282	1,510,360	747,233	744,792	922,969	2,086,173	3,140,934	920,449	(2,731)	12,137,148
Capital Construction															
Staff Costs	-	84,071	113,921	115,064	100,643	115,884	142,649	128,057	48,379	257,693	393,014	439,316	589,027	289,647	2,817,367
Capital	455,072	1,513,347	2,503,147	1,841,075	917,019	(9,098)	301,099	808,810	48,233	4,658,279	6,914,798	1,286,082	1,760,203	131,111	23,129,177
Administration															
Bond Issuance Costs	295,889	-	-	-	-	325,046	43	-	-	-	-	-	-	-	620,978
Refinement															
Staff Costs	1,477	5,426	-	-	-	-	-	-	-	-	-	-	-	-	6,903
Materials & Services	382,030	85,882	-	-	-	-	-	-	-	-	-	-	-	-	467,912
Direct Admin Costs															
Staff Costs	230,815	527,644	490,722	750,704	868,127	677,019	694,589	739,338	524,683	610,092	573,689	581,736	687,861	241,164	8,198,196
Materials & Services	25,980	152,422	51,490	56,082	263,857	890,303	533,379	399,297	455,907	235,698	193,823	142,453	159,118	33,172	3,592,981
Indirect Admin Costs*	60,971	339,422	574,569	370,939	453,567	611,267	851,346	827,713	1,063,468	1,315,383	1,519,276	1,309,335	1,549,518	579,268	11,426,042
Other Requirements	-	-	-	-	-	-	-	-	-	-			-	-	-
Subtotal Requirements	**9,689,759**	**33,947,909**	**24,723,748**	**21,651,009**	**21,060,337**	**28,805,536**	**21,598,461**	**16,081,614**	**13,813,545**	**16,329,799**	**22,856,399**	**13,988,525**	**12,365,954**	**4,038,407**	**260,950,888**
Ending Fund Balance	122,299,840	93,979,814	77,117,027	56,792,607	36,469,109	98,783,002	78,247,452	65,755,472	52,348,611	36,934,540	16,426,032	33,689,769	22,478,870	18,708,850	18,708,850

	FY07	FY08	FY09	FY10	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20 YTD	Total
Administration as % of Total Expenditures	10.29%	3.27%	4.52%	5.44%	7.53%	8.69%	9.63%	12.23%	14.80%	13.23%	10.01%	14.54%	19.38%	21.14%	9.32%

* Indirect Administrative Expenses are those charged through internal allocation, and include services such as Human Resources, risk management, payroll, building rents, etc.

Note: Due Diligence staff costs have been removed from "Indirect Admin Costs" and the FTE for these positions is shown as a direct expense.

Natural Areas and Capital Program Performance Oversight Committee MEMBER SURVEY | Winter 2020

Q1: From your perspective, what went well during the time you served on the oversight committee?

- The overall organization of each meeting and the information presented was on point. I really enjoyed hearing about the projects being worked on and being able to have field trips to visit the sites.
- Staff provided very informative written materials and gave similar testimony.
- Staff were extremely knowledgeable, prepared, and engaged. Field trips were awesome. Agendas were comprehensive and pithy.
- The committee keeps the agency focused and accountable on achieving program goals and spending public dollars wisely. Metro staff are very well prepared for the committee meetings. I like the site visits. I know it's difficult to get others out for the day for that purpose, but I'd suggest keeping them and reengaging the committee members to attend. I like the acquisition closing memos from Dan. Those keep us posted on recent program successes between meetings. There are short, concise and colorful.
- I think the committee did a superb job overall. That being said I am hardly unbiased since I chaired the committee.
- So far I have enjoyed serving on the Committee and look forward to continuing to serve. While I am new to this Committee, it has been valuable seeing the work that Metro is doing in carrying out this Bond and it is an added plus that some of the projects included have also involved me professionally. I appreciate having a bit of a behind the scenes on how Metro is working through the land acquisitions and meeting the goals laid out in the Bond.

Q2: What could have been better?

- The attendance at a number of the meetings was low. I know it is hard with everyone's varying schedule, but maybe setting a specific day each quarter for the meeting and getting it on everyone's calendar earlier would help out.
- More photos, field trips so knew what the staff as talking about.
- Attendance slipped over the course of my membership, and engagement from new members was particularly low. Would like to see members recruited from broader swath of community leaders, particularly with regard to providing nature opportunities for underserved communities.
- Better committee member attendance. Apparently some people lost interest in program later in its life cycle and attendance suffered. There needs to be better committee cohesion. Especially from the Chair down to the other members. Possibly have sub-committees on ad hoc issues. We need a budget/spreadsheet 101 tutorial or have the Chair delegate someone on the committee to be point on the budget issues. The financial spreadsheet that we review at the meetings is very detailed and my eyes glass-over a bit when reviewing. I know we want to keep the Admin costs below 10% but other than that it's hard to tell what all the numbers mean. Possibly have the Chair have the committee members sign and committee member contract before joining that outlines the member roles and responsibilities.

- I can't give an unbiased answer.
- I do not have anything specific to add for improving my time on the Committee. I appreciate having the opportunity in these meetings to hear about some of the projects and their status updates from the Project Leads and also having the opportunity to participate on site visits. I value being able to see the work that is being accomplished firsthand. Therefore, I would recommend inviting Project Staff to give presentations/status updates on specific projects and to continue facilitating the opportunity to see the work being accomplished.

Q3: As we begin to shape the spending plan for the 2019 bond measure, what considerations should we take into account?

- Make more of an effort to find and protect urban park and Greenway areas.
- I remember thinking the list of considerations Jon summarized at the last meeting was great. Off the top of my head -- increasing access to nature for underserved communities, habitat connectivity, outdoor recreation opportunities, multiuse trails, natural infrastructure function for water quality benefits; minimizing admin costs; getting long-stalled projects unstuck (e.g., Marine Drive project); improving capacity of local partners to implement projects; etc....
- I think Metro has a well-oiled machine with its land acquisition and restoration programs. Keep doing what you're doing with that. I'd like to see more natural areas, where appropriate, opened for public access. Public trails are a big priority for the upcoming bond and we've been lagging behind our targets in that regard. Acquisitions for public trail corridors can be challenging. New approaches to willing seller trail acquisitions might need to be explored.
- Every oversight committee will have a mixture of those who attend the meetings and a small core who will actually do work. Make sure you have at least 6 - 8 people on the committee who are willing to put in the extra time.
- To be sure that all aspects are staying on track with meeting the defined goals for the bond and keeping an eye on some of the items that may be creeping, such as the administrative costs and considering maintenance and staffing options for maintaining facilities. While it is great to acquire the planned goals for acreage for trail/natural area development - I think a big reality lies within ensuring that these areas are going to be maintained in the long run.

Q4: Currently we average four meetings per year. As a committee member, does that seem like the right amount of meetings to you? Should we be meeting more or less often?

- The four meetings a year seems like the right amount. I however, joined the committee late in the previous bond cycle. I think it may be best to be flexible early on in this new cycle and maybe be open to have a meeting every other month if there is a lot going on.
- Four is sufficient, but blend in 3 fieldtrips.
- Yes, seems like right number.
- Four meetings seems right, especially in the early going. It could be 3 but no less. If it’s four then as a member you can agree to make 3 out of 4 meeting during the year and that seems like a reasonable commitment. That also gives the opportunity to have a site visit once a year that is part of the meeting.

- Four general meetings a year is fine. The core group mentioned above should meet as often as necessary.
- Meeting four times a year is adequate and a reasonable time commitment for serving on the Committee. Even though this year was a challenge for my schedule to make all of the meetings, I appreciate the meeting minutes that are sent out. It is helpful in reviewing and catching up on what was covered within the meeting.

Q5: Do you feel the meeting agendas are effective? Did you feel adequately prepared for the meetings? What would you keep or change about future meetings?

- As I stated earlier the meetings were well run. METRO staff provided information about the acquisitions via email between quarters to keep us aware of what was going on. It would be nice to be able to see more information regarding the local share and nature in neighborhoods capital grants (i.e. project plans, etc.)
- I wasn't well prepared. Own fault as didn't study the materials completely. Would have been better to get Materials earlier. Information in narrative form helpful.
- Yes, staff are prepared and engaged, and agendas are thorough and informative.
- The meetings are not the issue. As long as the work is done before the meetings and the dialog is moderated properly everything will run like clockwork.
- In my opinion, the meeting agendas are effective and I also appreciate the Work Plan that is included within them. It is helpful to see a layout of what is covered in each quarter (or meeting) and sets a good stage for the coming year and what needs to be addressed.

Q6: Please comment on the content and usefulness of the dashboards, financial report and closing memos. How can they be improved?

- The dashboards and financial reports have evolved as the committee provided input and I believe they will continue to evolve as this new cycle begins.
- More narrative fewer numbers.
- Very useful.
- Dashboards are helpful. See comment in second answer box above about financials and comments in first box about the closing memos.
- I find all of these documents useful in following along for the bigger picture of meeting land acquisition goals and staying on track financially. I am a visual person so I appreciate the graphs that are provided in these reports. While I recall many times receiving the closing memos via email, I find that they will come through my inbox and I will lose track of revisiting them. I appreciate having them included in the email with the agenda for the upcoming meeting. This allows for me to revisit them beforehand, as they seem to come through intermittently throughout the quarter (or between meetings) and I lose track.

Q7: Would you recommend to any of your colleagues that they serve on this committee? If no, why not?

- I would certainly recommend this to my colleagues if there ever was an opening and I was asked to see if anyone was interested.
- Yes.

- Already have a colleague on the committee. Need to increase committee membership diversity of thought, experience, and background.
- Yes.
- My colleagues are all ' getting up there' age wise.
- I would find it easy to recommend some of my colleagues to serve on the committee. Metro spans over a lot of ground and covers much of the area that we conduct our work on the Clackamas and Willamette Falls. My team has directly had the opportunity to work with Metro on habitat restoration at sites along the main-stem of the Clackamas River and are very interested in the planned work for the Riverwalk at Willamette Falls. While it is easy to think all the work is pertinent to the Portland metro area, it is definitely more than that and it has been a pleasure to support the work Metro is doing on various restoration projects within the Clackamas watershed.

Q8: Is there anyone you would like to recommend to serve on the committee?

- David Anderson (503) 636-1568. Dave is a retired real estate/land use attorney from Santa Barbara California that now lives in Lake Oswego. While Dave is newer to the area, he is very experienced with land protection issues from his previous law practice and now as a volunteer attorney in Oregon for Coalition of Oregon Land Trusts (COLT).
- Nancy Duhnkrack (503) 502-6897. Nancy is a retired attorney from the Ninth Circuit Court of Appeals and now runs the Pro Bono Legal Clinic for COLT, which has a group of volunteer attorneys that represent land trusts across Oregon with real property and other legal issues.
- Michelle Smith is another COLT pro bono attorney that works for land trusts with environmental law issues. She is formerly an attorney at Davis Wright Tremaine and now works for University of Oregon School of Law as a research fellow on environmental policy issues etc. I don't have an email or telephone number for her. Can provide on request.
- Matt Goodman - Downtown Development Group.

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503-797-1700

Guide for Volunteer Committee Members

Understanding the rules and obligations of serving as a public official

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Welcome!

We are pleased that you have decided to join us on the Regional Affordable Housing Bond Community Oversight Committee. As a committee member, you and other dedicated community members will provide valuable input on the implementation and expenditures related to Metro's Affordable Housing Bond program. Your service will help ensure that Metro's work is guided by community interests and consistent with commitments made to voters which will thereby support the success of the program.

This Guide for Volunteer Committee Members is intended to help you understand the rules and obligations of serving as a public official. In addition to providing an overview of Oregon Government Ethics Law, this Guide also outlines restrictions on political activities as well as explains general guidelines of public meeting and public records laws. We hope this information will be useful to you. If you have any questions, please contact your staff coordinator.

Thank you for contributing your time, expertise and voice. We look forward to working with you.

Oregon Government Ethics Law

In 1974, voters approved a statewide ballot measure to establish the Oregon Government Ethics Commission. This commission is charged with enforcing government ethics laws that are imposed on public officials.

Are you a public official? → **YES!**

"Public official" is defined as any person who is serving the State of Oregon or any of its political subdivisions or any other public body as an elected official, *appointed official*, employee or agent, *irrespective of whether the person is compensated* for the services. Volunteers may be elected, appointed or selected by the government agency to hold a position or office or to provide services. A volunteer serving on a Metro committee or board is a public official.

There are several restrictions that Oregon Government Ethics Law imposes on public officials. This Guide describes some of the main restrictions. For a comprehensive discussion of Oregon Government Ethics Law, please review the Public Official Guide published by the Oregon Ethics Commission at: http://www.oregon.gov/OGEC/docs/Public_Official_Guide.

Use of Position: Oregon Government Ethics Law prohibits public officials from using or attempting to use their position to obtain a financial benefit for themselves, for a relative or for a business with which the public official or relative is associated. The financial benefit prohibited can be an opportunity either for gain or to avoid an expense. As a committee or board member, you may have access to confidential information. It is impermissible for you to use or attempt to use any confidential information for your own personal gain or for the gain of a relative or a business with which you or your relative is associated.

"Business" is defined as a legal entity that has been formed for the purpose of producing income. Excluded from this definition are not-for-profit entities exempt from taxes under section 501(c) of the Internal Revenue Code.

Conflict of Interest: Pursuant to Oregon Government Ethics Law, public officials must disclose any conflicts of interest. A public official is met with a conflict of interest when participating in official action which could (potential conflict) or would (actual conflict) result in a financial benefit or detriment to the public official, a relative of the public official or a business with which either is associated.

What do you do if you have a conflict?

Potential Conflict of Interest	→	You must publicly announce the potential conflict prior to taking any action in your official capacity
Actual Conflict of Interest	→	You must publicly announce the nature of the conflict and refrain from participating in any discussion on the issue and from taking any action on the issue

If you have a conflict of interest, you must announce the nature of the conflict. You must make this public announcement on *each occasion* that you are met with the conflict. For example, if the matter giving rise to the conflict of interest is raised at more than one meeting, the disclosure must be made at each meeting where it is raised. Your public announcement should then be recorded in the official records of the committee (i.e., in the minutes or any audio/video recording).

Gifts: A gift is something of economic value given to a public official, relative of the public official or member of the public official's household for which the recipient either makes no payment or makes payment at a discounted price. The opportunity for the gift is one that is not available to members of the general public, who are not public officials, under the same terms and conditions as those that apply to the gift offered to the public official. There are a number of exclusions to the definition of "gift" under the law that include, but are not limited to:

- Admission, food or beverages if representing government at a reception, meal or meeting. This does not include private meals.
- Entertainment when the public official is acting in an official capacity and representing the government entity for a ceremonial purpose.

If the source of a gift has a legislative or administrative interest in decisions or votes the public official makes when acting in the capacity of a public official, the public official (i.e., you) can only accept gifts from that source when the aggregate value of gifts from that source does not exceed $50 in a calendar year.

A "legislative or administrative interest" means an economic interest, distinct from that of the general public, in any matter subject to the decision or vote of the public official acting in the public official's capacity as a public official.

Generally, it is prudent to avoid receiving any gifts from people who have an economic interest in Metro's business, especially if the interest relates to the Committee business. Gifts should be refused or returned with a friendly but firm message that Metro public officials are not allowed

to receive gifts. Even if gifts under $50 in value may be legal, no amount is too small to be ethically questionable.

You are personally responsible for complying with Oregon Government Ethics Law. This means that you must make a personal judgment in deciding such matters as the use of your position for financial gain, when to disclose the nature of a conflict of interest, or whether to accept a gift. If a public official fails to comply with these ethical requirements, a violation of the Ethics Law cannot be dismissed by placing the blame on the government body represented by the public official.

If you have would like more guidance on Oregon Government Ethics Law, please review the materials at: www.oregon.gov/ogec. If you have any questions, please contact your staff coordinator.

Restrictions on Political Activity

Non-elected Metro volunteers:

- May express personal political views
- May engage in political activities outside of their service for Metro
- May not spend time while serving for a Metro committee or board promoting or opposing candidates or ballot measures
- May not spend time while serving for a Metro committee or board promoting or opposing political committees or gathering signatures for proposed ballot measures
- May not use Metro property, funds or staff to promote or oppose ballot measures, signatures on proposed measures, political committees, or election or recall of officials or candidates

These restrictions apply to appointed committee or board members when acting in their official capacity. Appointed committee or board members are acting in their official capacity when, for example, they are at a meeting of the board or committee, working on a duty assigned by the committee or board, working on official publications for the committee or board or when appearing at an event in an official capacity for Metro.

If you have would like more guidance on the restrictions on political campaigning, please review the materials at: https://sos.oregon.gov/elections/Documents/restrictions.pdf. If you have any questions, please contact your staff coordinator.

Oregon Public Meetings Law

Oregon law generally provides that “all meetings of the governing body of a public body shall be open to the public and all persons shall be permitted to attend.” A governing body must give

appropriate notice to inform all interested parties about the time, place and agenda of public meetings.

- "Governing body" means the members of any public body which consists of two or more members with authority to make decisions for or recommendations to a public body. A Metro oversight committee reporting to and making recommendations to the Metro Council is a "governing body" for purposes of Oregon public meetings law.

- "Meeting" means the convening of a governing body of a public body for which a quorum is required in order to make a decision or deliberate toward a decision on any matter.

Public meetings may be conducted by telephonic conference calls or other electronic communication and such meetings are subject to the Public Meetings Law. Committee members are cautioned that email communications between and among a quorum of committee members are subject to the Public Meetings Law if the communications discuss committee business.

Purely social gatherings of a public body do not create a public meeting unless (a) there is a quorum and (b) there is discussion of matters relevant to its work. It is best not to discuss business at all during social gatherings to avoid inadvertently violating the Oregon Public Meetings Law.

If you have would like more guidance on Oregon Public Meetings Law, please review the materials at: https://www.doj.state.or.us/oregon-department-of-justice/public-records/public-records-and-meetings-law/. If you have any questions, please contact your staff coordinator.

Oregon Public Records Law

Oregon law provides that people have a right to inspect any nonexempt public records of a public body. A public record is defined broadly to include any writing that contains information relating to the conduct of the public's business. In addition to handwritten or typed documents, emails, text messages, and photos are all considered to be "writings" for purposes of public records law. Once a public record is created, a public body is responsible for retaining that record according to the applicable retention schedules.

Oregon's public records laws apply to email correspondence about Metro business even when exchanged on a volunteer's personal computer or other electronic device. As a result, volunteers have a responsibility to ensure retention of such emails/documents. Always copy the designated Metro staff person on any email or other correspondence that relates to Metro oversight committee business to ensure that Metro retains the public record appropriately and can make such record available upon request.

If you have would like more guidance on Oregon Public Records Law, please review the materials at: https://www.doj.state.or.us/oregon-department-of-justice/public-records/public-records-and-meetings-law/. If you have any questions, please contact your staff coordinator.

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

Date: September 25, 2019

To: Lynn Peterson, Council President

From: Dan Moeller, Conservation Program Director

Re: Parks and Nature land acquisition

Target area: Tonquin Geologic Area
File number: 8.020
Seller: Silver Leaf Farms, LLC
Ownership type: Fee simple
Acreage: 31.77 **Tier:** 1
Target area acreage total: 150.11 acres

Date of closing: September 24, 2019
Purchase price: $350,000
City: Wilsonville
Partner: N/A
Stream frontage: 665 ft
Target area acreage goal: 213 acres

The acquisition meets the refinement goals for this target area in the following ways:

Refinement Plan goal: The acquisition provides valuable wildlife habitat and additional lands in the Coffee Lake Creek floodplain, but does not specifically protect geologic features as described in the Refinement Plan.

Tier I objectives: This acquisition protects the last significant property in the Coffee Lake Creek floodplain south of SW Boeckman Road and will enable the implementation of floodplain restoration on this half mile reach of Coffee Lake Creek.

Partnership objectives: There are no partnership objectives established for the Tonquin Geologic Area in the 2007 Refinement Plan. However, the acquisition involved a high level of coordination with City of Wilsonville staff associated with the imminent construction of two new city parks adjacent to the Coffee Lake Creek floodplain.

This acquisition is important to the region because it meets the criteria established in the bond measure voters approved in November 2006:

Water quality: Acquiring this property protects 665 feet of frontage along the east side of Coffee Lake Creek, and the vast majority of the property is emergent wetlands.

Habitat value: The property is comprised almost entirely of emergent, scrub-shrub and open water wetlands that provide seasonal habitat for waterfowl, resident and migratory songbirds, reptiles, amphibians and mammals.

Rarity (habitat of concern): This acquisition secures almost 32 acres of regionally-declining emergent and scrub-shrub wetlands.

Parcel size: When combined with Metro's existing Coffee Lake Creek Wetlands to the north and west, this acquisition increases the size of the site to nearly 265 acres.

Restoration potential: Restoration of the lower Coffee Lake Creek wetlands landscape has been on hold for almost 20 years due to private ownership of this tract. Metro's acquisition of this critical part of the floodplain creates a new opportunity to build on restoration events that began over a decade ago north of SW Boeckman Road.

Wildlife habitat connectivity: The acquired property contains the east side of the Coffee Lake Creek floodplain south of SW Boeckman Road and will result in much improved wildlife habitat connectivity across the entire floodplain.

Scenic resources: This property is visible from all directions and will be a focal visual element for the community .

Public access potential: The property will be flanked on at least two sides by trails and sidewalks, offering excellent visual access to this sensitive wetland. The City of Wilsonville will be integrating wetland overlooks and interpretive signage into the newly developed Tivoli Park to the west.

Natural Areas program staff have identified the following stabilization actions as necessary for this property:

Stabilization activities anticipated: At present the property provides limited wildlife habitat due to the dominance of a monoculture of reed canarygrass on most of the site. It has gated access and ample parking for Metro's existing and short term needs.

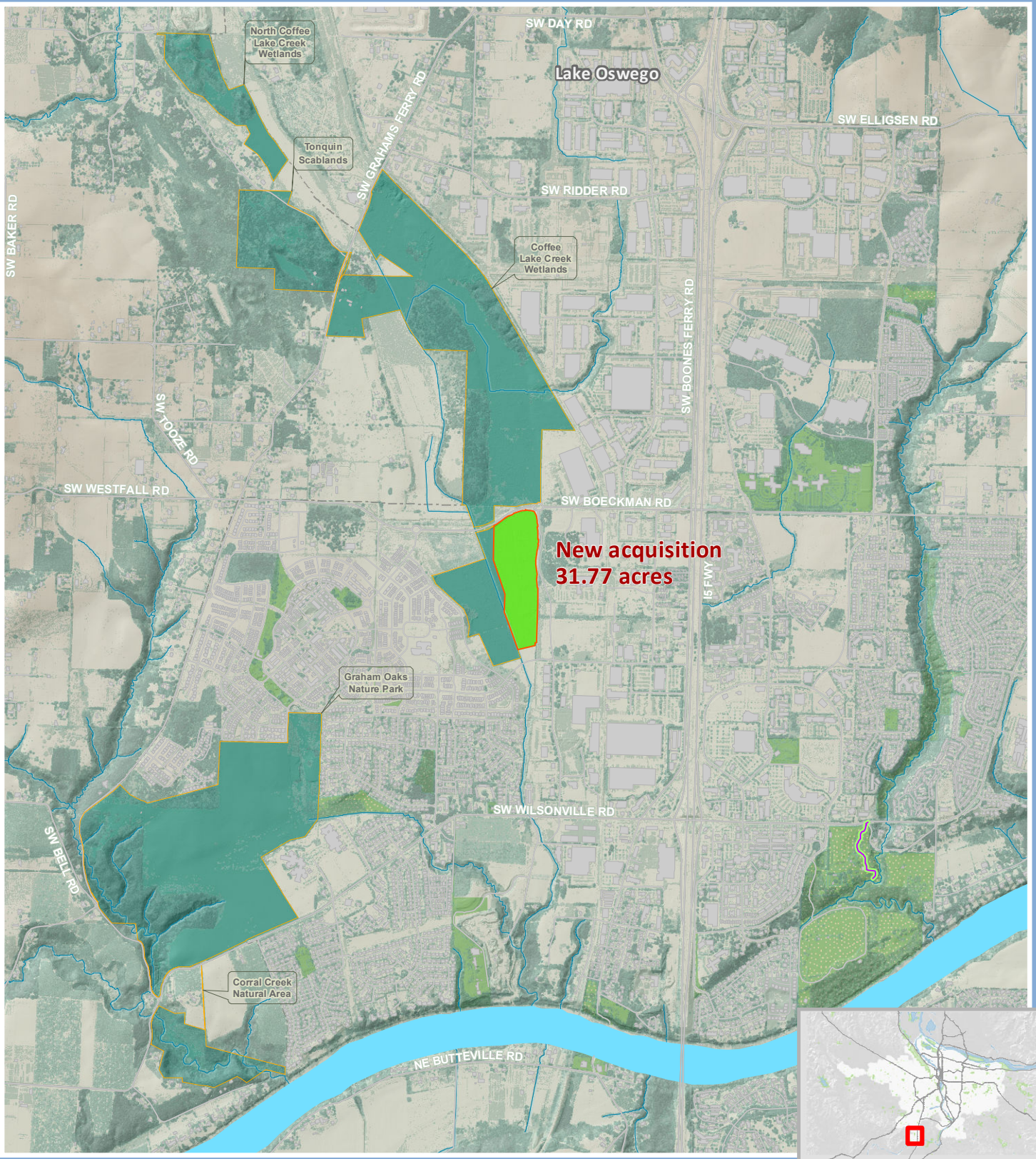
Please call me if you have any questions regarding this purchase.

cc: Natural Areas Program Performance Oversight Committee
Metro Council
Brian Evans, Metro Auditor
Andrew Scott, Interim Chief Operating Officer
Heidi Rahn, Interim Deputy Chief Operating Officer
Carrie MacLaren, Metro Attorney
Jon Blasher, Director, Parks and Nature

Metro's Parks and Nature Program

Tonquin Geologic Area

Metro



08.020

New Metro acquisition

Metro protected natural area

Other public and/or protected lands

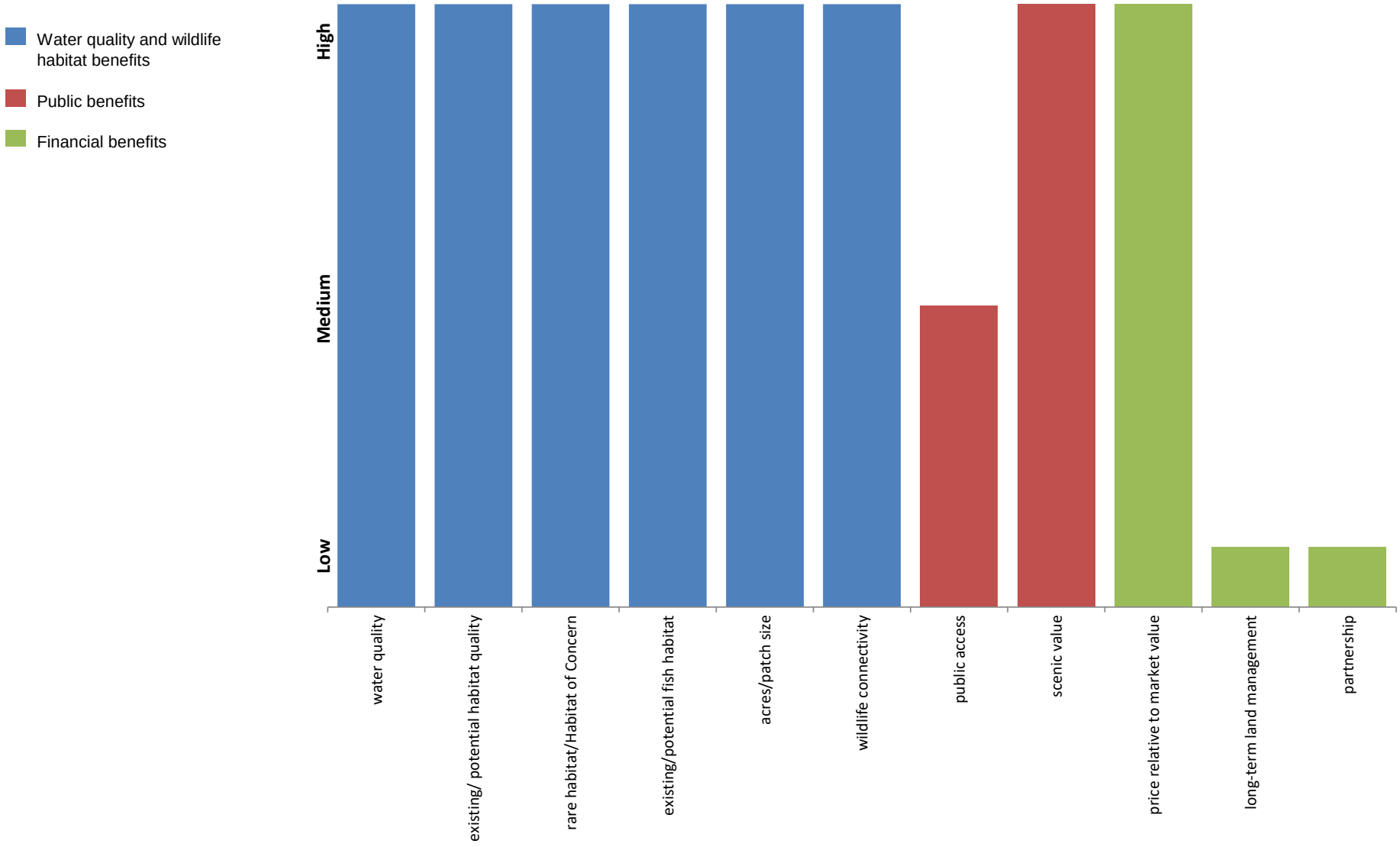
Metro's Natural Areas Program protects thousands of acres of fish and wildlife habitat, safeguards water quality and provides people with greater access to nature. For more information visit www.oregonmetro.gov/naturalareas.

Pecan Creek Trail (existing)

0 0.25 0.5 0.75 Miles

Silver Leaf Farms, LLC

September 24, 2019



Memo

Metro
600 NE Grand Ave.
Portland, OR 97232-2736

Date: October 17, 2019

To: Lynn Peterson, Council President

From: Dan Moeller, Conservation Program Director

Re: Parks and Nature land acquisition

Target area: Chehalem Ridgetop To Refuge
File number: 48.015
Seller: Estate of Willis H. Sohler
Ownership type: Fee simple
Acreage: 9.57 acres **Tier:** II
Target Area Acreage Total: 1,465.14 acres

Date of closing: October 11, 2019
Purchase price: $425,000
City: unincorporated Washington County
Partner: none
Stream frontage: 800 feet (both sides)
Target area acreage goal: 400

The acquisition meets the refinement goals for this target area in the following way:

Refinement Plan goal: This property supports the Refinement Plan goal of protecting large tracts to protect water quality, wildlife habitat and connections. It is situated immediately west of 10 acres acquired by Metro in 2018 and across SW Burgarsky Road from the future Chehalem Ridge Nature Park.

Tier I objectives: This acquisition supports the Tier I objective of protecting upper elevation forestlands to enhance water quality and wildlife habitat and to provide potential public access opportunities.

Tier II objectives: This acquisition supports the Tier II objectives of acquiring and protecting lands along creeks and streams on the western slope of Chehalem Ridge and provides potential trail corridor connections between Chehalem Ridge and the Wapato Lake Target Area.

Partnership opportunities: This acquisition did not involve a partner.

This acquisition is important to the region because it meets the criteria established in the bond measure voters approved in November 2006:

Water quality: This acquisition protects a portion of a significant but unnamed tributary of Harris Creek as well as an artificial pond.

Habitat value: The property contains riparian habitat along both sides of the unnamed tributary, as well as several large Oregon white oak trees. The balance of the property is a mix of pasture and tree plantation which will be transitioned to oak woodland over time.

Rarity (habitat of concern): This acquisition protects riparian habitat and several large Oregon white oak trees.

Parcel size: At 9.57 acres, the property is relatively small, but it adds to a contiguous, protected area totaling nearly 1,270 acres.

Restoration potential: The property's pasture areas will require considerable work to elevate their ecological value. Numerous young Oregon white oak trees in the tree plantation will benefit from thinning of coniferous trees, and ongoing work will diversify the canopy as well as the understory over time.

Wildlife habitat connectivity: This property will help further extend the wildlife corridor from Chehalem Ridge Natural Area to Fern Hill Forest, Penstemon Prairie and the Tualatin River floodplain.

Scenic resources: Acquisition of this property ensures that a sizable portion of the western flank of Chehalem Ridge will not see further residential development, thus enhancing the viewshed for the surrounding area.

Public access potential: Currently, this acquisition does not provide public access opportunities. This parcel may be used for a trail connection.

Parks and Nature program staff have identified the following stabilization actions as necessary for this property:

Stabilization activities anticipated: Stabilization activities will include management of infrastructure, a survey and demarcation of the property boundaries, management of non-native invasive plants, thinning of the tree plantation to promote growth of smaller Oregon white oak, and a determination as to whether the existing pond should be removed to restore water to the stream and remove a source of warm water.

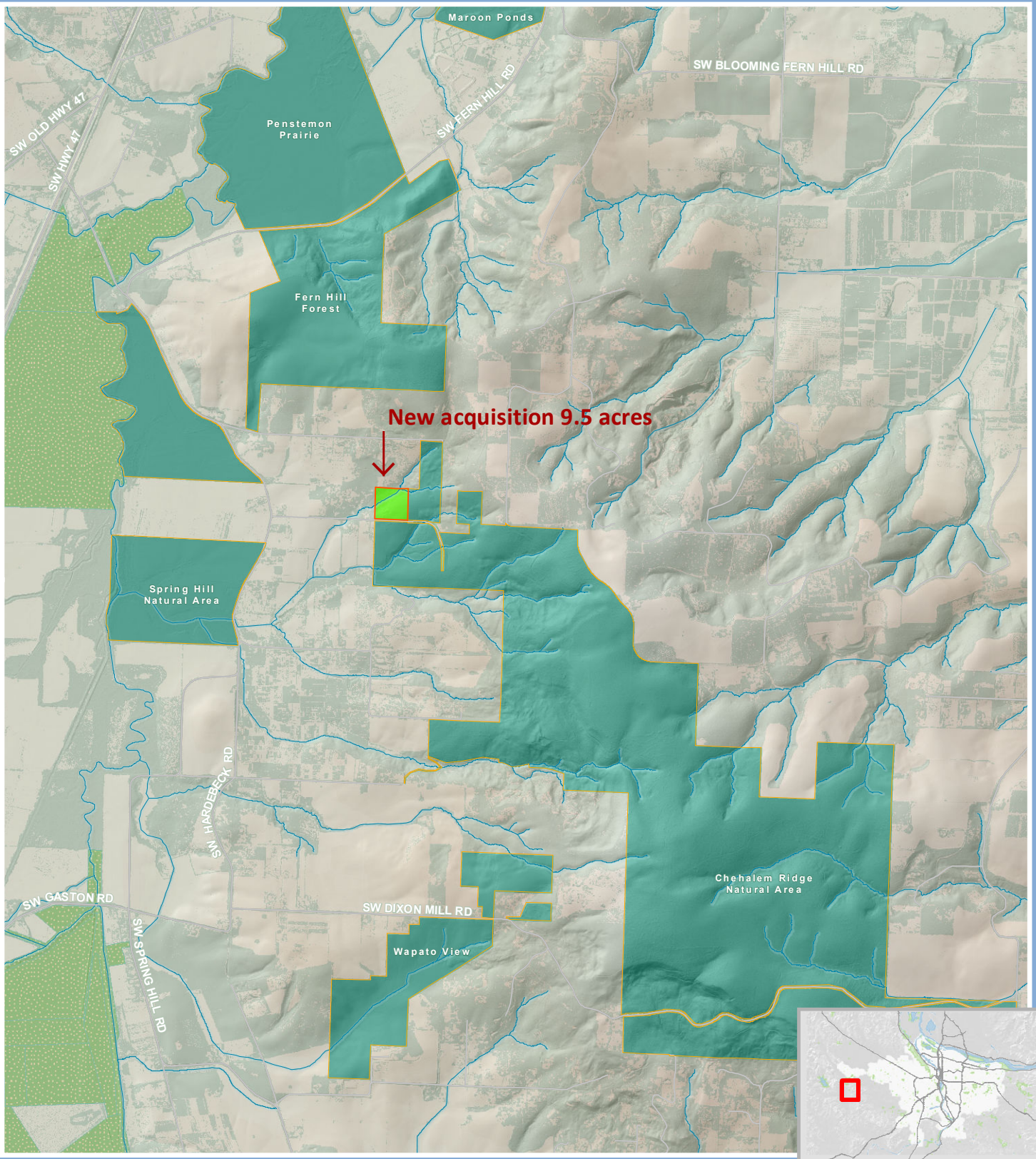
Please call me if you have any questions regarding this purchase.

cc: Natural Areas Program Performance Oversight Committee
Metro Council
Brian Evans, Metro Auditor
Andrew Scott, Interim Chief Operating Officer
Heidi Rahn, Interim Deputy Chief Operating Officer
Carrie MacLaren, Metro Attorney
Jon Blasher, Director, Parks and Nature

Metro's Parks and Nature Program

Chehalem Ridgetop to Refuge

Metro



48.015

New Metro acquisition

Metro protected natural area

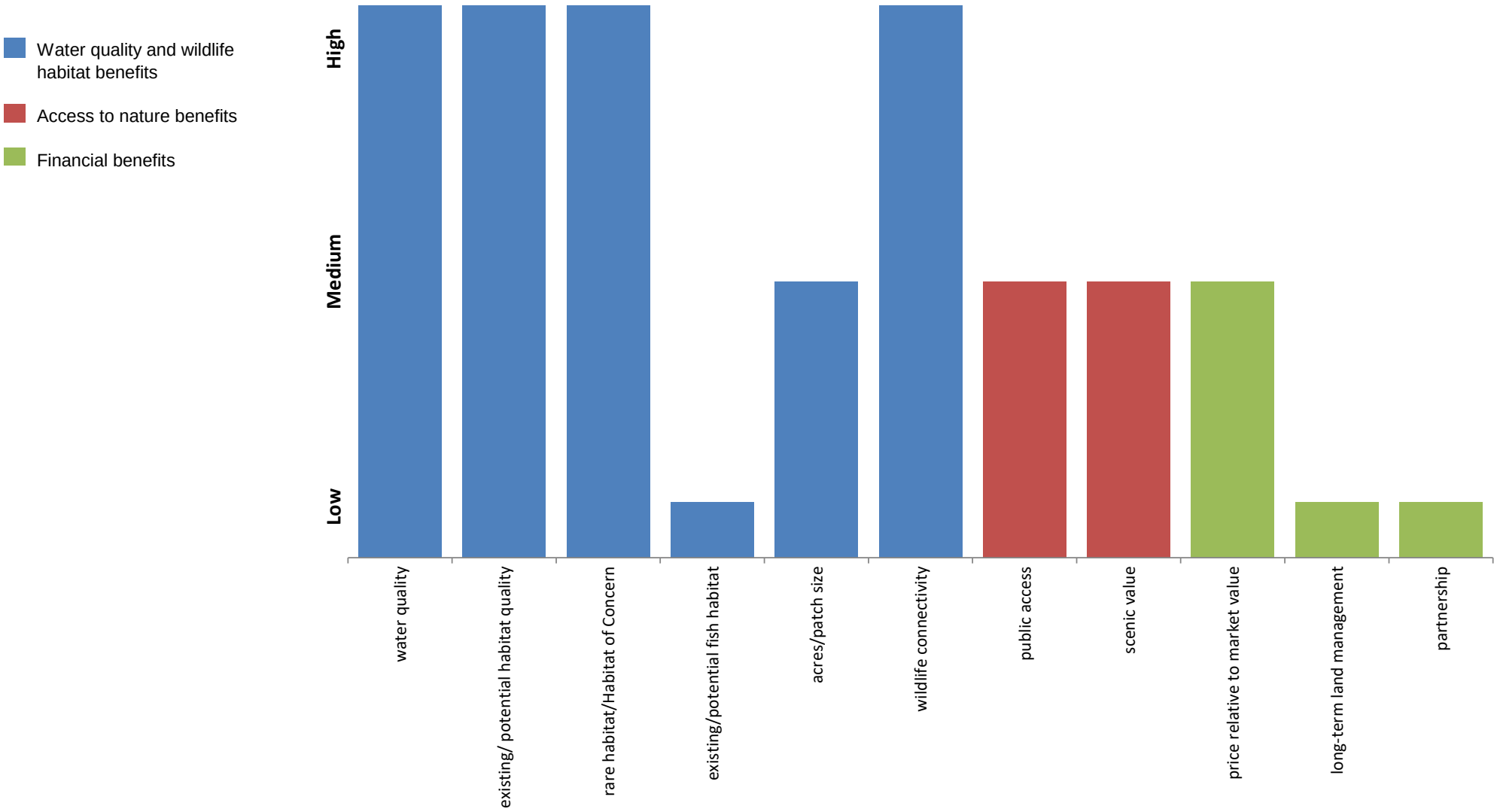
Other public and/or protected lands

Metro's Natural Areas Program protects thousands of acres of fish and wildlife habitat, safeguards water quality and provides people with greater access to nature. For more information visit www.oregonmetro.gov/naturalareas.

0 0.25 0.5 0.75 Miles

Estate of Willis H. Sohler

October 11, 2019



Memo

Metro
600 NE Grand Ave.
Portland, OR 97232-2736

Date: October 18, 2019

To: Lynn Peterson, Council President

From: Dan Moeller, Conservation Program Director

Re: Parks and Nature land acquisition

Target area: Clear Creek
File number: 12.021
Seller: James Rumgay, Judith Chambers, Matthew Rumgay
Ownership type: Fee simple
Acreage: 36 **Tier:** II
Target area acreage total: 196.58

Date of closing: October 17, 2019
Purchase price: $300,000
City: Unincorporated Clackamas County

Partner: NA
Stream frontage: 3,350 ft
Target area acreage goal: 60 acres

The acquisition meets the refinement goals for this target area in the following way:

Refinement Plan goal: This property meets the refinement plan goal of protecting water quality and fish and wildlife habitat of Clear Creek and Clear Creek Canyon.

Tier II objectives: This acquisition protects wet prairie and forested areas to preserve rare and unique habitat types adjacent to already protected natural areas.

Partnership objectives: Metro did not have a direct partner on this acquisition. However, expanding Clear Creek North Natural Area creates additional opportunities for collaboration on long-term restoration goals with partners such as the Clackamas River Basin Watershed Council.

This acquisition is important to the region because it meets the criteria established in the bond measure voters approved in November 2006:

Water quality: In addition to 1,250 feet of Clear Creek frontage, this acquisition includes approximately 1,050 feet on both sides of an unnamed tributary of Clear Creek, a small pond and several small emergent wetlands.

Habitat value: The property contains a diversity of habitat types including riparian habitat along Clear Creek, a smaller stream and emergent wetlands, open meadow areas suitable for upland prairie and oak savanna restoration, patches of very large coniferous trees, and mixed upland forest.

Rarity (habitat of concern): Clear Creek is among the most intact native salmonid fisheries in the lower Clackamas River basin. The property contains a significant amount of Clear Creek frontage and includes important side channels, large wood and other habitat features that are important to native fish. Other habitat types present on the property further contribute to the overall habitat value of the property.

Parcel size: Combined with the adjacent Metro property, the expanded Clear Creek North Natural Area is now in excess of 104 acres and contains nearly one mile of Clear Creek on one or both banks.

Restoration potential: Metro anticipates restoring upland prairie and oak savanna in open meadow areas, planting riparian vegetation along the unnamed tributary and removing invasive weeds from all areas of the property.

Wildlife habitat connectivity: This acquisition expands the Clear Creek North Natural Area further to the north and east, extending the Clear Creek habitat corridor closer to the Clackamas River.

Scenic resources: This property is highly visible from South Springwater Road, and its protection will ensure additional scenic value for the larger area, including from Clackamas Bluff.

Public access potential: A ½ mile segment of the Historic Barlow Road Trail, a conceptual regional trail, is mapped as crossing the east-west length of the property, but the feasibility of that trail is unclear and would require further study.

Natural Areas program staff have identified the following stabilization actions as necessary for this property:

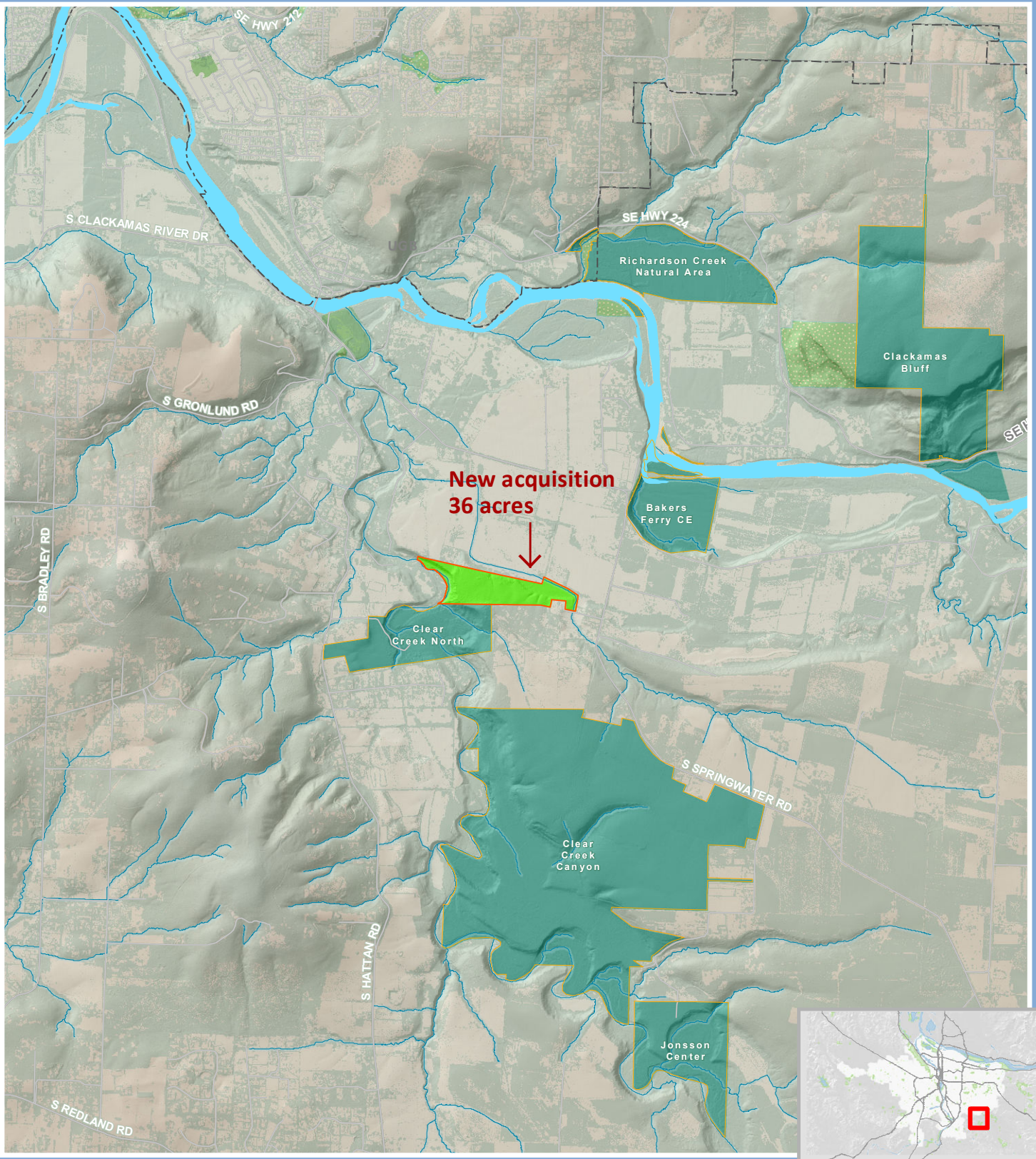
Stabilization activities anticipated: Metro will remove a small asphalt basketball court, decommission highly impacted sections of an old access road along the unnamed tributary and treat invasive weeds such as blackberry, English holly and Scotch broom.

Please call me if you have any questions regarding this purchase.

cc: Natural Areas Program Performance Oversight Committee
Metro Council
Brian Evans, Metro Auditor
Andrew Scott, Interim Chief Operating Officer
Heidi Rahn, Interim Deputy Chief Operating Officer
Carrie MacLaren, Metro Attorney
Jon Blasher, Director, Parks and Nature

Metro's Parks and Nature Program

Clear Creek



12.021

New Metro acquisition

Metro protected natural area

Other public and/or protected lands

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UGB

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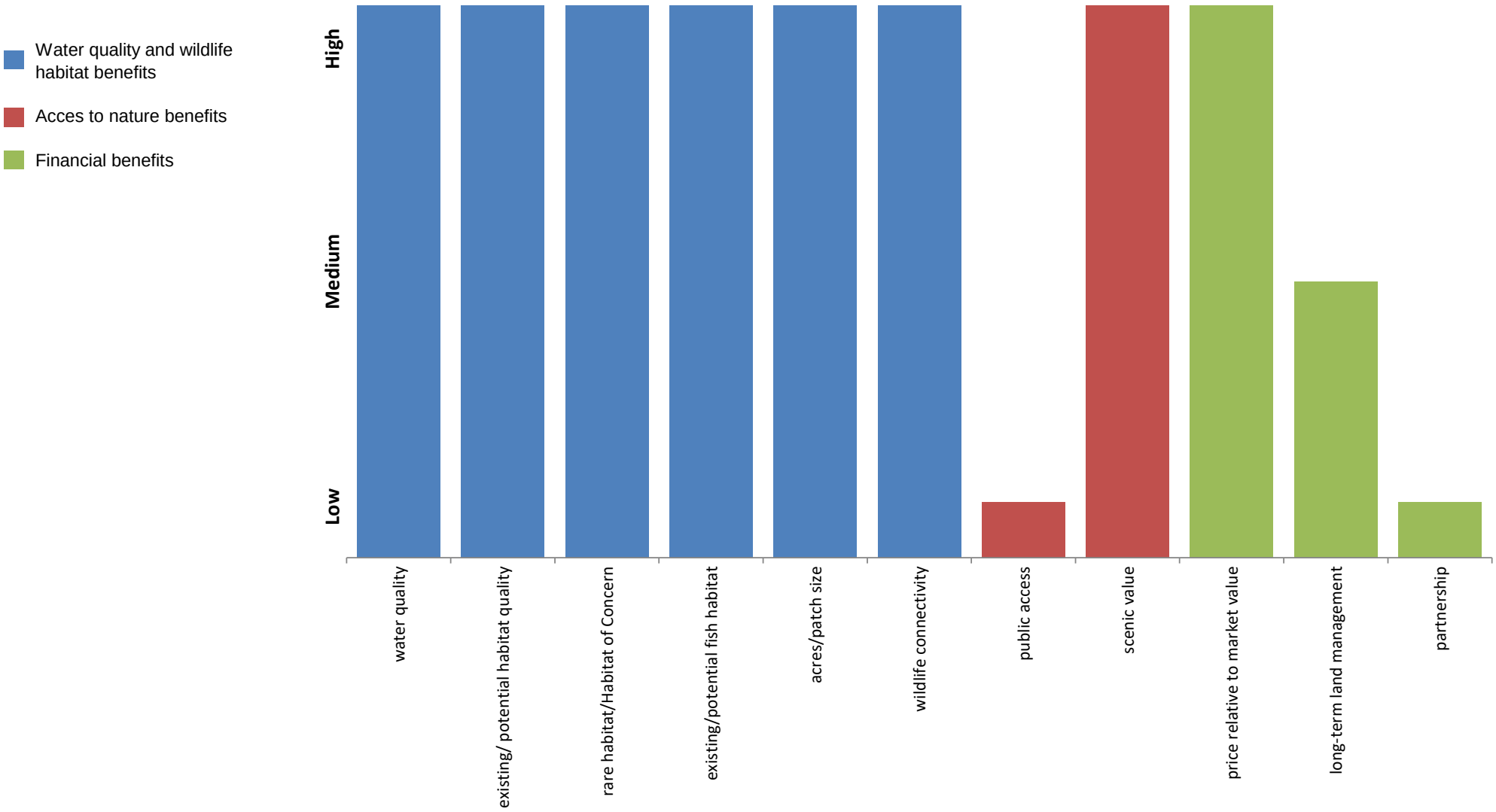
Rumgay

10/17/2019



Memo

Metro
600 NE Grand Ave.
Portland, OR 97232-2736

Date: January 21, 2020
To: Lynn Peterson, Council President
From: Dan Moeller, Conservation Program Director
Subject: Parks and Nature trail easement acquisition

Target area: Tonquin Geologic Area
File number: 08.047
Seller: CJD Holdings, LLC
Ownership type: Trail easement
Acreage: 1.3 acres
Tier: 1

Date of closing: January 16, 2020
Purchase price: donation
City: Tualatin
Partner: City of Tualatin
Linear feet of trail: 430 feet
Total trail acquired in target area: 3 miles +/-

The acquisition meets the criteria established in the 2006 voter-approved bond measure and the refinement plan goals for this target area in the following ways:

Connectivity: The acquisition of this trail easement secures land needed to construct the Hedges Creek section of the Ice Age Tonquin Trail. Additional trail easement acquisitions will be required before significant trail length can be constructed.

Access to nature: Securing this trail segment ensures that the City of Tualatin will be able to construct this segment of the Ice Age Tonquin Trail, connecting local residents through the Hedges Creek wetlands and Hedges Creek Preserve, Pascuzzi Pond, Sweek Pond Natural Area, Tualatin Community Park and to the Tualatin River Greenway. The Hedges Creek Trail corridor will be over two miles in length.

Scenic value: The easement provides high scenic value, as it travels through a diverse wetland complex backing up to multiple commercial and residential properties west of downtown Tualatin.

Trail usability timeframe: The trail usability timeframe for this trail easement and this segment of the Ice Age Tonquin Trail is uncertain at this time.

Trail gap completion progress: The acquisition of this easement secures an important trail corridor property through the Hedges Creek Trail corridor. Additional trail easement acquisitions will be required in order to link the entire Hedges Creek Trail corridor to the Tualatin River Greenway.

Land use: This section of trail will move through an area characterized by a mix of multi-family residential and commercial and light industrial lands. The Hedges Creek Trail will help link these land uses over a 2+ mile corridor to the Tualatin River Greenway.

Transportation: Once the Hedges Creek section of the Ice Age Tonquin Trail is constructed, over two new miles of trail will provide a compelling alternative transportation option for community members and workers within a high use area of the City of Tualatin.

Wildlife habitat quality: This property is part of an extensive network of high quality open water, emergent, and scrub shrub wetlands that provide for the habitat needs of multiple species of fish and wildlife.

Partnership: The City of Tualatin is taking ownership of this easement, and will be responsible for construction and maintenance of the future trail.

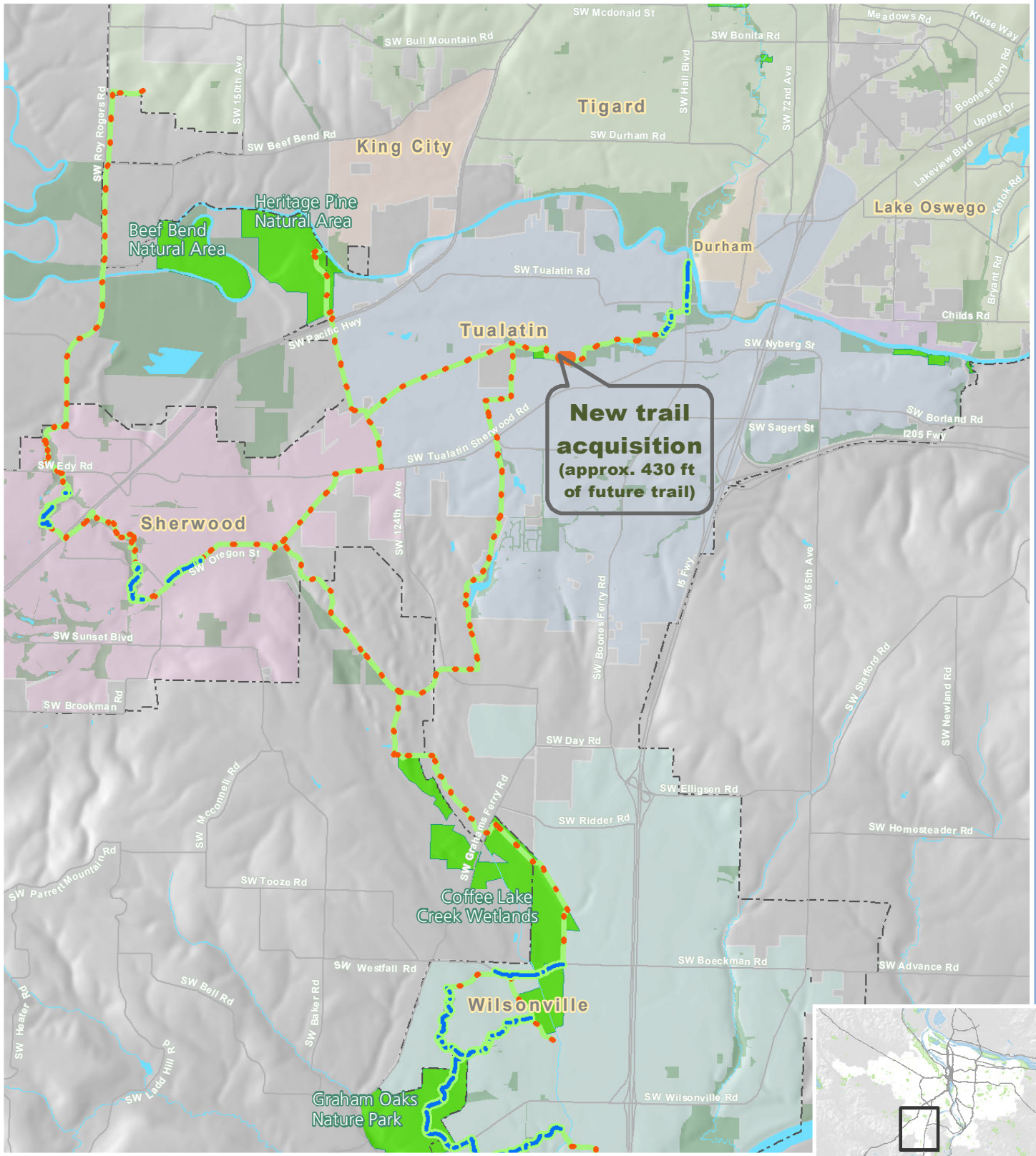
Please call me if you have any questions regarding this trail acquisition.

cc: Natural Areas Program Performance Oversight Committee
Metro Council
Brian Evans, Metro Auditor
Andrew Scott, Interim Chief Operating Officer
Heidi Rahn, Interim Deputy Chief Operating Officer
Carrie MacLaren, Metro Attorney
Jon Blasher, Director, Parks and Nature

Metro's Parks and Natural Areas Program

Tonquin Geologic Area

Metro



08.047

Metro protected natural area

Other public and/or protected lands

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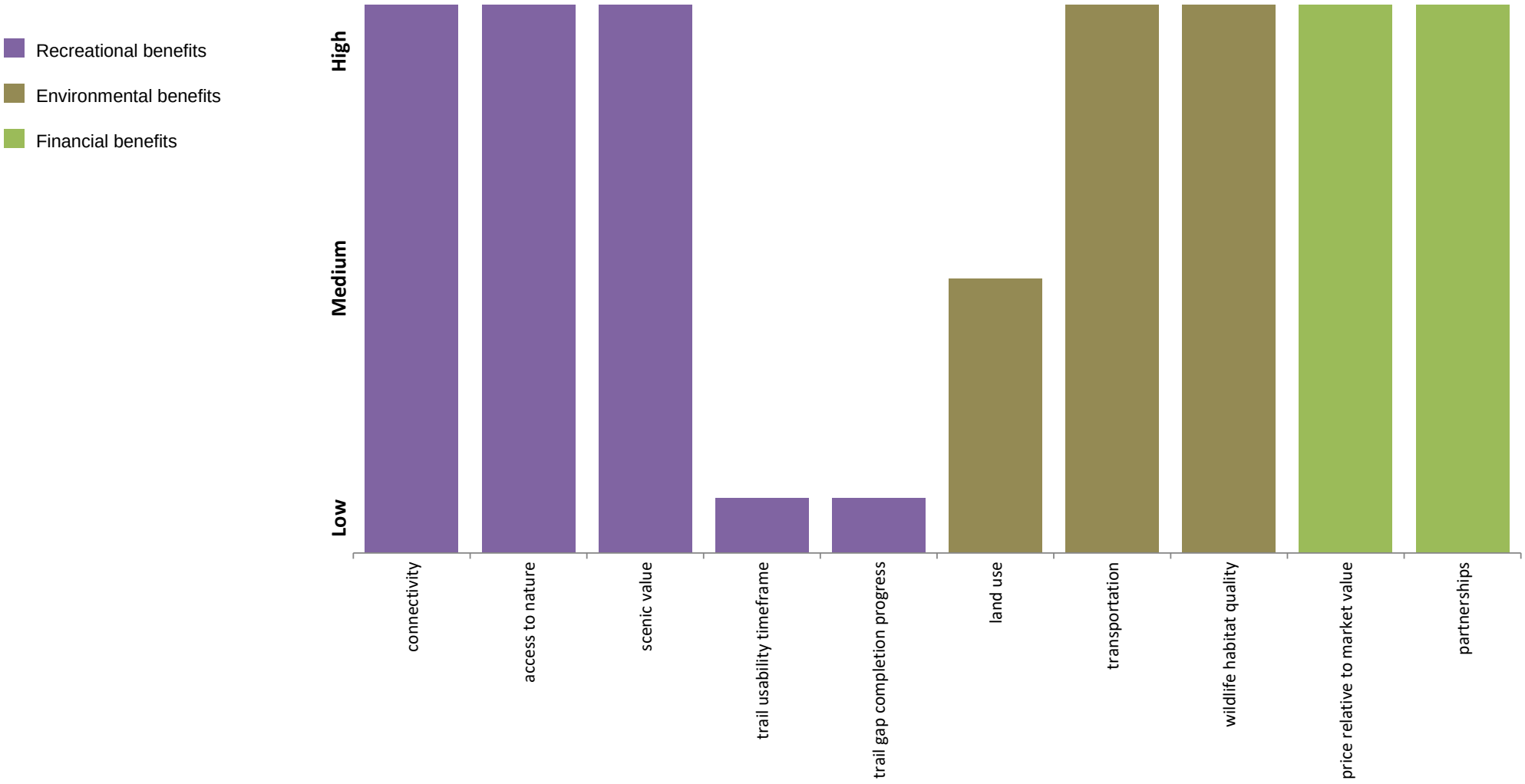
0 0.25 0.5 0.75 1 Miles

0 2,000 4,000 6,000 Feet

Ice Age Tounquin Trail (gaps)

Ice Age Tounquin Trail (existing)

CJD Holdings, LLC

1/16/2020