



METRO COUNCIL WORK SESSION
Meeting Minutes
November 1, 2016
Metro Regional Center, Council Chamber

Councilors Present: Council President Tom Hughes and Councilors Craig Dirksen, Bob Stacey, Shirley Craddick, Sam Chase, Carlotta Collette, and Kathryn Harrington

Councilors Excused: None

Council President Tom Hughes called the Metro Council work session to order at 2:05 p.m.

1. **CHIEF OPERATING OFFICER COMMUNICATION**

Martha Bennett, Metro Chief Operating Officer, mentioned three updates to the Metro Council:

- A letter from Metro Council President Tom Hughes cosigned with Don Moore, Oregon Zoo Director, regarding conservation of wildlife and energy and mineral development.
- A comment letter from Ms. Bennett to the Oregon Health Authority regarding the Tax Free Kids Act and Metro's support.
- A brief highlight over the setting for the Council Retreat on Thursday, focusing on ensuring allocation of resources.

2. **2017 STATE LEGISLATIVE AGENDA**

Randy Tucker, Metro, led the discussion by mentioning the upcoming legislative session and asking Metro Council to provide comments and feedback on legislative principles. He touched on Measure 97 on the Oregon ballot and the implications of funding to Metro from landscapes, transportation, air quality, environmental stewardship, brownfields, and industrial site readiness. He stated that the January work session is dedicated to discussions on those of most interest to the region. Andy Shaw, Metro, then asked Metro Council if they had anything to add or if anything was missing.

Council Discussion:

Councilor Harrington began by mentioning disaster preparedness and resilience as a commonly discussed topic at the legislature. Mr. Tucker offered to draft language addressing Metro's role is disaster resiliency to which Councilor Harrington requested more time for development.

Councilor Dirksen asked if the legislative principles inferred that there will be another document with specific information on bills and recommendations for adoption. Mr. Tucker mentioned that he will run through the concepts that are of priority and that there will be a resolution describing these priorities, such as affordable housing and land use. Councilor Dirksen then asked for more specific information related to transportation funding before the legislative agenda begins.

Councilor Chase stated he is interested in how the legislative agenda will fit with recent events surrounding Vision Zero in City of Portland and the implications to traffic safety, enforcement, and to ensure that the transportation system is safe for communities. He continued that he has heard issues surrounding costs. Mr. Tucker stated that he is unsure if this is a legislative issue but that it can be addressed in the legislative principles under principle #5 on the equitable distribution of safe, reliable transportation, or under principle #6 that addresses funding. Councilor Chase encouraged Mr. Tucker to find where it best fits and to include a letter from Council that adds Councilor perspectives and a letter from the Metro Attorney on exceptions and restrictions over the 25 jurisdictions.

Councilor Chase continued to discuss the implications of fire-arms and public facilities, such as the Expo Center and gun shows. He expressed concern that aggressive enforcement may lead to fire-arm exhibitions moving to less regulated areas, and that these issues should be addressed at a state level. Councilor Harrington added that there is nothing with regard to state legislation that restricts individuals, and that there is a timeline that needs to be met to introduce a bill on a state level. Mr. Tucker highlighted further implications to the control of firearms in the Oregon Zoo. Ms. Bennett advised that there is an opportunity to take a position on the issue, but that it may be out of Metro's scope. Council President Hughes remarked that it would not be desirable for the legislature to take action that would prevent the Expo Center from doing gun shows as they are a place where regulations and restrictions are easily enforced.

Mr. Tucker discussed the language in the principles on Metro investment to protect wildlife areas and water ways, and highlighted a fact sheet on restoring recreational immunity in these areas. He gave a background on recreational immunity, which is to protect landowners from liabilities if they are granting access to cross their land. He mentioned a recent Supreme Court ruling of Johnson v. Gibson where findings were that the landowner was protected, but employees may be liable. Councilor Craddick questioned the implications to easement lands for Metro. Alison Kean, Metro Attorney, added that if someone was hurt on a Metro trail, Metro would have recreational immunity but the employee who designed the trail would not be immune, and that this would apply to easement lands as well. Councilor Harrington shared her concern over the implications to community based organizations that utilize Metro parks and natural areas.

Mr. Tucker continued the conversation with condor recovery and the Oregon Zoo. He circulated a letter in support of Oregon Zoo efforts in condor recovery, addressed to the Governor of Oregon recommending adoption of funds in the recommended state budget. He stated that efforts are focused on hunter education on appropriate use of ammunition and ammunition types. He added that the Oregon Governor has not released a recommended budget and will not do so until after the election. Councilor Craddick asked what the specifics of Metro involvement in conservation is. Mr. Tucker answered that Metro is most involved in the protection of habitat while the Oregon Zoo has taken an approach on education. He highlighted that the Oregon Zoo does not wish to take legislative efforts, to which Council President Hughes agreed with, stating that a legislative battle may result in a loss of rational discussion with hunters.

3. UPDATES ON REGIONAL EQUITABLE HOUSING SOLUTIONS

Elissa Gertler, Metro Director of Planning and Development, led the discussion by introducing herself and stating that Emily Lieb, Metro, who is involved in equitable housing for Metro is out on maternity leave. She stated that the focus of today's presentation is on equitable housing funding and policy, and equitable housing grants.

Ms. Gertler continued by discussing equitable housing in multiple pieces and the reliance on funding opportunities and policy. She stated that Metro has been working on housing policy with requirements that focus on enforcement and growth management. She noted the next graphic in the presentation focused on the equitable housing ecosystem and the partners with Metro, stating that the idea is to have many people working on a solution for equitable housing. She remarked on the following graphic focused on the amount of regional investment and funding, as well as equitable housing grants.

Ms. Gertler noted on the next slide of the PowerPoint on the timeline of development of investment strategies, stating that there is a range of programmatic strategies that give technical assistance, education and awareness, and coalition building. She continued to discuss the regulatory roles Metro has and the opportunity to include additional requirements such as tax and land valuation for affordable housing. She stated that it may also be possible to set targets for affordable housing through incentives and grants for local jurisdictions, as well as adding land within the Urban Growth Boundary (UGB). She added that Metro can also regulate affordable housing and can create a rental housing data base. She went further to discuss the ways Metro can purchase land for development, acquire land along corridors for affordable housing, community grant programs, and incentives for inclusionary housing. She then spoke that direct consumer subsidies are an option, but that it is not something Metro is currently involved in. She continued by discussing strategies to identify gaps and opportunities, getting local jurisdiction involvement, and raising additional funds.

Council Discussion:

Councilor Dirksen stated that he is in agreement with the staff evaluation on areas of Metro involvement and difficulties. He continued that he is not in favor of the expansion of Metro authority and responsibility in the area of affordable housing as it falls under other agencies directives. He went further in stating that his position may change if the state determined that Metro should lead a role or if there is consensus in the region that Metro should lead the equitable housing directive. He went into the benefits of Metro leading the program being a set standard across jurisdictions, and mentioned the possibility to adjust the construction excise tax to provide affordable housing grants. Ms. Gertler added that Metro can advise jurisdictions on how to meet equitable housing standards without having to take a direct role.

Councilor Craddick questioned the issue of equitable housing and homelessness. Ms. Gertler responded that there is a spectrum of low income and middle housing, and that there are different strategies for different needs. She stated that it may vary based on the involvement of the private housing market.

Councilor Chase concurred with Councilor Dirksen in not overlapping into other agencies directives. He questioned the ability to take leadership in addressing affordable housing, and mentioned the strategy of Seattle of authorized mandates.

Councilor Stacey stated that Metro's current directive does not take-over another agencies role. He remarked that this is a region wide issue affected by typology, and the physical environment. He gave an example on the range of views of residents along the Springwater Corridor and linked it to the range of economic resources per resident. He continued that he would like to see a study on the best application of current resources and the ability to expand Metro's role to assist through regulatory function and public investment.

Councilor Harrington concurred with Councilor Stacey in the just allocation of current resources. She stated her preference that Metro's role be more incentive based rather than regulatory. She highlighted the discrepancies across jurisdictions and the implications to shared benefits and burdens of regional growth. She stated her agreement with the role Metro currently has in limiting or providing incentives to jurisdictions that do or do not perform to standards.

Councilor Collette mentioned that she appreciates the layout of Metro involvement and the number of partners involved. She concurred with Metro Council that she does not want to see Metro as the lead regional housing authority, but rather as an agency that plays a role in having a regional dialogue on housing. Ms. Gertler responded that there is no pressing urgency and that today's discussion is meant to inform in the approach to the legislative agenda.

Councilor Harrington questioned the meaning of "missing middle housing" to which Ms. Gertler responded that it refers to housing focused to those with middle wage jobs.

Council President Hughes spoke in agreement with Metro's role in equitable housing and linked it to economic development. He mentioned the link between housing and the ability for families to reach their goals. He added that this is a nationwide issue and that the Portland region is better suited than many other areas. He remarked that many middle income individuals are unable to afford to live in Portland and that investing grants in areas with housing polices can address people across a wide spectrum.

4. DISCUSS CHIEF OPERATING OFFICER RECOMMENDATION OF FY 2016-17 FUNDING FOR EQUITABLE HOUSING PLANNING AND DEVELOPMENT GRANTS

Ms. Bennett began the conversation by mentioning the funding for the discussions surrounding equitable housing, focused on site specific redevelopment. She stated that discussions are also focused on observing barriers to local communities and the need for committee input and direction. She added that Terminal One was taken off of discussions due to the implication to employment lands. She then turned the conversation over to members of the steering committee.

The steering committee members began by discussing lessons learned from the process and meetings with diverse groups to look at the range of projects and meetings on removing barriers to development and to motivate development regarding site specific focus. The continued stating that there was a good range of significant issues across the region and how they lie in the development spectrum. They stated that most of the proposed projects are focused on concrete actions to create a range of housing opportunities, with many addressing regulatory barriers. They added some topic focuses were having a range of housing types, housing balance, and land-use transportation balance. They went over the tools and actions to preserve existing affordable housing and lowering barriers for income restricted regulated housing. They mentioned some concern from jurisdictions over the clarity of types of equitable housing, and the need for different strategies per jurisdiction. They highlighted the importance of clear public participation and to broaden the participants to reflect the diversity of the communities. They stated that staff is also learning on how communities can integrate affordable housing on a needs based analysis.

Ms. Bennett concluded the presentation portion by highlighting the struggle with grants is to remove barriers to development and that Ms. Kean may have recommendations on reducing challenges. She stated that the first condition is to respond to committee recommendations of engagement, and to engage both those who are against and in favor of equitable housing projects.

The second condition is to have jurisdictions perform code analysis before site evaluation to gauge the ability to meet project needs.

Council Discussion:

Councilor Collette mentioned her thanks to the committee members and noted that the volunteer efforts put in. She stated her appreciation for the varied perspectives involved.

Councilor Harrington gave thanks for the report and asked that a news article be written with a summary of the discussion. She expressed a desire to place a diversity, equity and inclusion perspective and mentioned that it would prove a useful tool for other jurisdictional benefit. She noted some concern that other jurisdictions will try and gain legal counsel and that the direction will become more focused on limitations rather than possibilities. She mentioned that earlier she realized a discrepancy between jurisdictions on the definition of cottage-cluster housing and that at its basis, is focused on land-use efficiency. She concluded that she would like to see recommendations written down for use and comparison between jurisdictions.

Councilor Chase expressed appreciation to the committee members and noted the evolution of Metro's involvement in equitable housing discussions. He noted the multiple ways to develop a strategy and gave consideration to homelessness and shelter housing. He stated that he would like to see jurisdictions engaged in understanding equity issues as a part of the strategy. Ms. Gertler responded that this can be accomplished after baseline data is refined on funding and diversity.

Councilor Harrington added that she observed the regional snapshot on housing and that leveraging future opportunities can give a voice to dispatched individuals. Ms. Gertler responded that they will bring the presentation to the Metropolitan Advisory Committee (MPAC) to gain a regional perspective.

Council President Hughes gave thanks to the committee members and spoke on the focus of funding. He stated that there is a significant advancement for bringing in partner jurisdictions to build a network of people to focus on the same issue. He highlighted the variety of tools and solutions Metro can use, and that it begins with identifying which are most pertinent for implementation.

5. COUNCILOR LIAISON UPDATES AND COUNCIL COMMUNICATION

Councilor Collette mentioned that the Rediscover the Falls group has achieved IRA tax exempt status, and that they have had this status since February 2016 but was not notified until recently. She stated that this status allows the group to collect contributions to provide public access to Willamette Falls.

Councilor Stacey spoke about the prospect that Measure 97 on the Oregon Ballot is not passed, and the potential for government cuts and analysis of priorities. He stated that there may be a hold harmless clause applied to local government planning grants. Councilor Chase asked if the local grants are distributed to local jurisdictions. Ms. Bennett answered that many rural communities rely on those grants and that many local jurisdictions do not wish to bear the burden of cost.

6. ADJOURN

Seeing no further business, Council President Tom Hughes adjourned the Metro Council work session at 4:35 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Chris Spencer", with a long horizontal flourish extending to the right.

Christopher Spencer, Council Policy Assistant

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF NOVEMBER 1, 2016

ITEM	DOCUMENT TYPE	DOC DATE	DOCUMENT DESCRIPTION	DOCUMENT No.
2.0	Handout	11/01/2016	Council Initiative Worksheet: November 3, 2016 Council Retreat	110116cw-01
3.2	PowerPoint	11/01/2016	PowerPoint: Regional Equitable Housing Solutions	110116cw-02
4.0	Handout	11/01/2016	Handout: Restore Recreational Immunity	110116cw-03