



600 NE Grand Ave.  
Portland, OR 97232-2736

## Council meeting agenda

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Thursday, January 31, 2019

2:00 PM

Metro Regional Center, Council chamber

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**1. Call to Order and Roll Call**

**2. Public Communication**

**3. Consent Agenda**

- 3.1 Resolution No. 19-4962, For the Purpose of Authorizing the Chief Operating Officer to Transfer an Interest in Real Property to D.J. Richardson Properties Limited Partnership [RES 19-4962](#)

Attachments: [Resolution No. 19-4962](#)  
[Exhibit A to Resolution No. 19-4962](#)  
[Staff Report](#)

- 3.2 Consideration of the Council Meeting Minutes for January 17, 2019 [18-5152](#)

- 3.3 Consideration of the Council Priority Setting Session Minutes for January 22, 2019 [18-5154](#)

**4. Ordinances (Second Reading)**

- 4.1 Ordinance No. 19-1430, For the Purpose of Amending Metro Code Chapter 2.19 to Establish the Metro Affordable Housing Bond Community Oversight Committee, and Declaring an Emergency [ORD 19-1430](#)

Attachments: [Ordinance No. 19-1430](#)  
[Staff Report](#)

**5. Resolutions**

- 5.1 Resolution No. 19-4957, For the Purpose of Appointing the Metro Affordable Housing Bond Community Oversight Committee [RES 19-4957](#)

Presenter(s): Elissa Gertler, Metro

Attachments: [Resolution No. 19-4957](#)  
[Exhibit A to Resolution No. 19-4957](#)  
[Staff Report](#)

- 5.2 Resolution No. 19-4956, For the Purpose of Approving the Metro Affordable Housing Bond Measure Program Work Plan

[RES 19-4956](#)

Presenter(s): Elissa Gertler, Metro

Attachments: [Resolution No. 19-4956](#)  
[Exhibit A to Resolution No. 19-4956](#)  
[Staff Report](#)

- 5.3 Resolution No. 19-4954, For the Purpose of Adopting an Agenda for the 2019 Oregon Legislative Session

[RES 19-4954](#)

Presenter(s): Randy Tucker, Metro

Attachments: [Resolution No. 19-4954](#)  
[Exhibit A to Resolution No. 19-4954](#)  
[Exhibit B to Resolution No. 19-4954](#)  
[Staff Report](#)

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

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### សេចក្តីជូនដំណឹងអំពីការមិនរើសអើងរបស់ Metro

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

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<p><b>Gresham</b>  Channel 30 - MCTV  <i>Web site:</i> <a href="http://www.metroeast.org">www.metroeast.org</a>  <i>Ph:</i> 503-491-7636  Call or visit web site for program times.</p>	<p><b>Washington County and West Linn</b>  Channel 30– TVC TV  <i>Web site:</i> <a href="http://www.tvctv.org">www.tvctv.org</a>  <i>Ph:</i> 503-629-8534  Call or visit web site for program times.</p>
<p><b>Oregon City and Gladstone</b>  Channel 28 – Willamette Falls Television  <i>Web site:</i> <a href="http://www.wftvmedia.org/">http://www.wftvmedia.org/</a>  <i>Ph:</i> 503-650-0275  Call or visit web site for program times.</p>	

**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](http://www.oregonmetro.gov) and click on public comment opportunities.

Agenda Item Number 3.1

**Resolution No. 19-4962**, For the Purpose of Authorizing  
the Chief Operating Officer to Transfer an Interest in Real  
Property to D.J. Richardson Properties Limited Partnership (consent)

*Consent Agenda*

Metro Council Meeting  
Thursday, January 31, 2019  
Metro Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING THE	)	RESOLUTION NO. 19-4962
CHIEF OPERATING OFFICER TO TRANSFER	)	
AN INTEREST IN REAL PROPERTY TO D.J.	)	Introduced by Chief Operating Officer
RICHARDSON PROPERTIES LIMITED	)	Martha Bennett in concurrence with
PARTNERSHIP	)	Council President Lynn Peterson

WHEREAS, Metro owns real property in the City of Portland (Metro Property); and

WHEREAS, D.J. Richardson Properties Limited Partnership (Richardson) owns real property in the City of Portland located east of Metro Property (Richardson Property); and

WHEREAS, a portion of undeveloped, vacant City of Portland right of way known as SE Grand Avenue is located between Metro Property and Richardson Property; and

WHEREAS, Richardson intends to petition the City of Portland to vacate a section of right of way located between Metro Property and Richardson Property; and

WHEREAS, under ORS 271.080, as an adjacent property owner, Metro's consent is necessary for the City of Portland to approve the vacation petition; and

WHEREAS, under ORS 271.140, as adjacent property owners, title to the vacated right of way would be conveyed by the City of Portland to Metro and Richardson in equal portions; and

WHEREAS, Metro does not desire or intend to possess or own the portion of vacated right of way that would, pursuant to law, be conveyed to Metro; and

WHEREAS, Metro Parks and Nature Department (Department) has reviewed the right of way parcel and determined it is not needed to fulfill the mission of the Department, it: would be difficult to manage, would not benefit the adjacent Metro holding or uses occurring thereon, would take time and resources away from necessary park and natural area operations and needs, and is not in the public interest; and

WHEREAS, Metro desires to forego, waive, release or otherwise convey its statutory interest in the vacated section of right of way to Richardson, in exchange for fair market consideration to be determined by a professional appraisal; now therefore

BE IT RESOLVED that the Metro Council authorizes the Chief Operating Officer to execute a Right of Way Vacation Agreement with Richardson and other documents and forms associated with the City of Portland vacation proceeding and necessary to transfer or convey Metro's statutory interest in the vacated right of way, with all terms and conditions negotiated or approved by the Office of Metro Attorney.

ADOPTED by the Metro Council this \_\_\_\_ day of January, 2019.

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Lynn Peterson, Council President

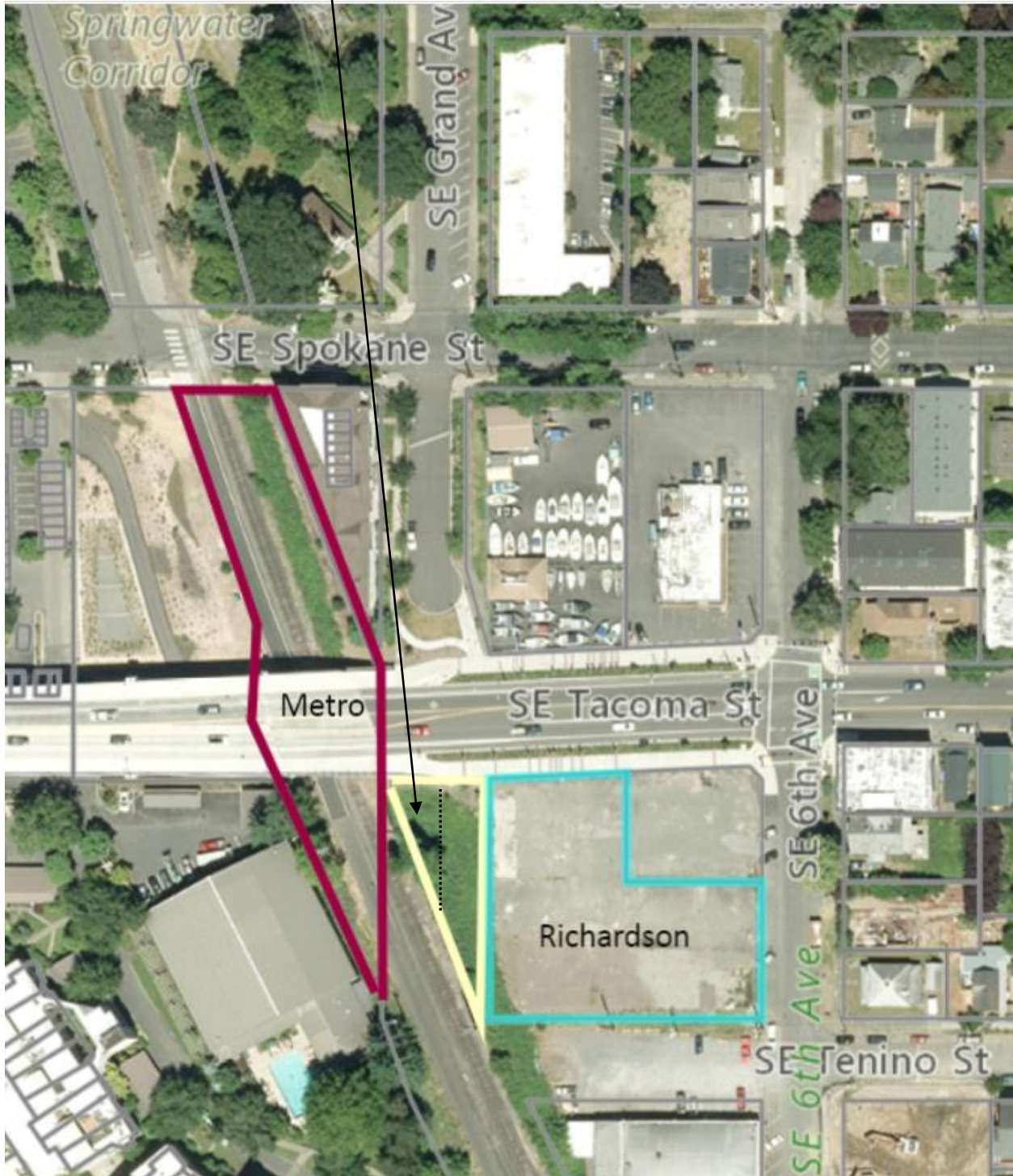
Approved as to Form:

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Nathan A. S. Sykes, Acting Metro Attorney

**EXHIBIT A**

**Portion of SE Grand Avenue RIGHT OF WAY to be VACATED is in yellow below.**  
Metro's statutory real property interest is the western half of the dotted line.





## **STAFF REPORT FOR COUNCIL MEETING**

IN CONSIDERATION OF RESOLUTION NO. 19-4962, FOR THE PURPOSE OF AUTHORIZING THE CHIEF OPERATING OFFICER TO TRANSFER AN INTEREST IN REAL PROPERTY TO D.J. RICHARDSON PROPERTIES LIMITED PARTNERSHIP

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Date: January 17, 2019

Prepared by: Gary Shepherd, Senior Assistant Attorney, 503-797-1600, [gary.shepherd@oregonmetro.gov](mailto:gary.shepherd@oregonmetro.gov)

Department: Parks and Nature

Presenter: n/a

Meeting date: January 31, 2019

Length:

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### **ISSUE STATEMENT**

This matter involves a request by a private property owner – D.J. Richardson Properties Limited Partnership (Richardson) – to vacate SE Grand Avenue public right of way in the City of Portland. The subject section of right of way is adjacent to the Richardson property as well as Metro property. As such, under Oregon law (ORS 271.080 et seq.), Metro is both an affected and abutting property owner, and its consent to the vacation petition is required. Richardson approached Metro seeking its consent to the vacation petition.

### **ACTION REQUESTED**

Through this resolution, staff respectfully requests that the Metro Council authorize the Chief Operating Office to consent to the vacation petition and execute an agreement and other documents necessary to transfer Metro's statutory interest in the vacated right of way to Richardson for fair market value compensation. All terms and conditions will be negotiated or approved by the Office of Metro Attorney.

Richardson intends on filing the vacation petition with the City of Portland promptly upon receiving Council authorization and executing an agreement with Metro. The vacation proceeding is anticipated to take four to six months.

### **IDENTIFIED POLICY OUTCOMES**

Metro Code 2.04.050 requires Metro Council authorization for the Chief Operator to transfer interests in real property.

This is a request to transfer an interest in real property, specifically Metro's statutory interest in the right of way to be vacated. Metro does not currently own the right of way at issue.

As provided for by ORS 271.080 et seq. (state vacation law), the statutory interest in a vacated right of way is a real property interest associated with Metro's property. Under Oregon Law (ORS 271.140), when right of way is vacated, title to the area vacated is attached to the lands bordering the area vacated in equal portions.

### **POLICY QUESTION(S)**

This request is to ensure compliance with Metro Code.

### **POLICY OPTIONS FOR COUNCIL TO CONSIDER**

Under state law, Metro may consent or withhold consent to the vacation petition. There are three options for the Council to consider: withholding consent to the vacation petition, authorizing Metro's consent to the vacation petition, or authorizing Metro's consent with an agreement to transfer Metro's statutory interest for fair market value compensation.

#### Option 1 - Withholding consent:

Withholding consent would maintain the status quo. The vacant right of way would remain undeveloped and underutilized. Richardson would not be able to proceed with its vacation petition and could not include the land in future development plans. The Richardson property is zoned to support residential and commercial uses. Metro would be forgoing receipt of fair market value compensation for its statutory interest in public right of way.

#### Option 2 – Consent without transferring interest:

Consenting to the vacation petition without transferring an interest in the property would result in Metro owning a very small piece of land that would remain vacant and undeveloped. That is not a desired outcome.

As depicted on *Exhibit A*, the subject right of way is east of the Springwater Corridor. The Springwater corridor is developed with the Springwater Trail. However, the subject SE Grand Avenue right of way is isolated and disconnected from the corridor by the rail line and steep slopes east of the rail line.

If Metro took ownership and possession of the vacated right of way, it would present management difficulties and serve no public use or benefit. Ownership would also take time and resources away from necessary park and natural area operations and needs elsewhere.

### Option 3 – Consent and transfer interest:

Consenting to the vacation petition and executing an agreement to transfer Metro's statutory interest to Richardson would result in Richardson owning the small piece of land and Metro receiving fair market value as compensation. The piece of land would be incorporated into Richardson's interest in the vacated right of way and thereafter associated with the larger piece of property owned by Richardson.

The right of way is currently undeveloped and is not intended or needed for public right of way purposes. The best use of the right of way is to incorporate it into the development of the Richardson property.

### **STAFF RECOMMENDATIONS**

Parks and Nature recommends that Metro consent to the vacation *only if* Metro conveys its interest in the vacated section of right of way to Richardson. Metro intends to receive fair market value compensation for conveying its statutory interest in the real property. Fair market value will be determined by a professional appraisal.

Metro Parks and Nature Department seeks permission for Metro staff to execute an agreement with Richardson with terms and conditions negotiated by the Office of Metro Attorney. The agreement will include, among other terms and conditions:

- Metro consenting to the City of Portland SE Grand Avenue vacation petition;
- Metro conveying its statutory interest in its portion of the vacated right of way to Richardson;
- Richardson paying fair market value to Metro based on a professional appraisal;
- Richardson undertaking all costs and efforts associated with filing and finalizing the vacation proceeding; and
- Metro not owning, managing, or possessing the right of way proposed for vacation at any time.

### **STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION**

Consenting to the vacation and conveying Metro's interest to Richardson would result in a one-time payment to Metro at no cost to Metro. Additional revenue could be used to support department programs and operations elsewhere.

- Known Opposition/Support/Community Feedback
  - *None.*
- Legal Antecedents
  - *Metro Code 2.04.050 (requires Metro Council authorization for the Chief Operator to transfer interests in real property) and ORS 271.080 et seq. (State vacation law).*
- Anticipated Effects

- *Receipt of fair market consideration for statutory interest in real property that Metro is forgoing.*
- Financial Implications (current year and ongoing)
  - *None; Richardson will bear all expenses for vacation.*

## **BACKGROUND**

Metro owns real property in Southeast Portland that is developed with the Springwater Corridor Regional Trail and railroad corridor, and other portions which are vacant. Richardson owns real property east of Metro Property. A portion of undeveloped, vacant City of Portland right of way known as SE Grand Avenue, is located between Metro Property and Richardson Property. *See Exhibit A (Aerial Map)*. It is immediately south of the Sellwood Bridge.

The portion of vacated right of way that Metro is statutorily entitled to is depicted in Exhibit A. The land area is approximately 2,000 – 3,000 square feet. The land area is not a legal lot of record and is only of use or value to the Richardson Property.

Metro does not want to obstruct Richardson's development efforts.

Metro Parks and Nature Department has reviewed the right of way parcel and determined it: is not needed to fulfill the mission of the Department, would be difficult to manage, would not benefit the adjacent Metro holding or uses occurring thereon, and would take time and resources away from necessary park and natural area operations and needs. In sum, the portion of vacated right of way that Metro would otherwise receive is of no public benefit and would serve no public purpose.

## **ATTACHMENTS**

*See Exhibit A (Aerial Map)*.

Agenda Item Number 3.2

**Consideration of the Council Meeting Minutes for January 17, 2019**

*Consent Agenda*

Metro Council Meeting  
Thursday, January 31, 2019  
Metro Council Chamber

# **Metro**

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



**Metro**

## **Minutes**

**Thursday, January 17, 2019**

**2:00 PM**

**Metro Regional Center, Council chamber**

**Council meeting**

**1. Call to Order and Roll Call**

Council President Lynn Peterson called the Metro Council meeting to order at 2:02 p.m.

**Present:** 7 - Councilor Sam Chase, Councilor Shirley Craddick, Councilor Craig Dirksen, Councilor Bob Stacey, Council President Lynn Peterson, Councilor Christine Lewis, and Councilor Juan Carlos Gonzalez

**2. Public Communication**

Ellen Ino, City of Portland: Ms. Ino welcomed the new Metro Council and stated she was shop steward at the Oregon Zoo and a member of LiUNA Local 483. She invited Council to the open house for the Portland Progressive Toast Master and the Inner City Blues Festival in April.

John Carter, City of Portland: Mr. Carter testified in opposition to the recent Urban Growth Boundary expansion, sharing his concern for continuing sprawl. He discussed the housing crisis and highlighted development and zoning practices that favored automobile use in the region.

Xavier Stickler, City of Tualatin: Mr. Stickler expressed concern for industrial and commercial interests over housing on major transit corridors in the City of Tualatin. He discussed the impacts of the Urban Growth Boundary expansion on farm and forestlands and advocated for better transit infrastructure, ecological protections and inclusive and fair public space.

Tony Jordan, City of Portland: Mr. Jordan, of Portlanders for Parking Reform, urged Council to implement policies that

address climate change and affordable housing including user pricing for vehicles, reduction of parking and freeway capacity and increased transit capacity. He discussed the increased cost of housing due to parking and noted Metro's role in providing good modelling tools to local jurisdictions.

Bradley Bondy, Clackamas County: Mr. Bondy spoke against the adoption of the 2018 Regional Transportation Plan and the recent Urban Growth Boundary expansion, explaining that these two decisions did not adequately address climate change or sustainable land use practices. He advocated for the removal of the Damascus area from the growth boundary, a permanent freeze on the growth boundary and requiring all projects included in regional transportation plans demonstrate a reduction in automobile use. (Mr. Bondy provided written materials as part of his testimony; please see the January 17 meeting packet.)

Jeffrey Yasskin, City of Portland: Mr. Yasskin urged Council to aggressively mitigate climate change, highlighting the carbon impacts of Metro's land use and transportation policies. He advocated for policies that encouraged and supported people living closer to their jobs, transit and travel corridors and discouraged cities from expanding away from corridors.

Councilor Stacey explained the recent Urban Growth Boundary expansion, noting the inclusion of missing middle housing opportunities as a requirement for residential development in the newly expanded areas. He discussed the role of the regional affordable housing bond and the potential regional parks and nature investment measure in



addressing the region's needs. Councilor Stacey thanked those who testified for their advocacy.

Councilor Gonzalez thanked those who testified and stated his support for bold policy action to address climate change across Metro's portfolio of services. Councilor Lewis discussed the importance of citizen engagement and good public policy responsive to constituencies, noting that the time limitations of public testimony during Council meetings were not sufficient for a dialogue around these issues. She recommended finding ways to engage with those who had testified.

Councilor Chase discussed the importance of citizen engagement in the upcoming 2040 growth concept refresh and encouraged those who testified to participate the public engagement process. Councilor Dirksen addressed Mr. Xavier and offered to meet to further discuss his concerns.

### **3. Presentations**

#### **3.1 2018 Sustainability Report**

Council President Peterson called on Mr. Matt Korot and Ms. Jenna Garmon, Metro staff, to present the 2018 Sustainability Report. Mr. Korot stated that the report reviewed Metro's internal operations for the last fiscal year and that all of the steps laid out in the report were to serve the goal of making Metro's operations more sustainable across all of Metro's facilities, venues and operations. He provided an overview of the policy foundation beginning with the vision set by Council in 2003 and the five quantitative goals consistent with this vision. Mr. Korot then discussed the sustainability plan adopted in 2010 including

agency wide strategies and performance indicators. He introduce Ms. Garmon to provide an overview of Metro's progress thus far.

Ms. Garmon discussed progress in each of the following quantitative goals: reduce carbon, choose nontoxic, reduce waste, increase recycling, conserve water and enhance habitat. She highlighted successes such as the Expo Center roof project, reduction of greenhouse gas emissions ahead of the 2020 and 2025 interim targets and reductions in waste generation. Ms. Garmon noted challenges with water use at the Oregon Zoo and the Glendoveer Golf Course as the region experiences climate change. She then provided an overview of Metro's future sustainability efforts, such as: high efficiency plumbing fixtures, implementation of recommendations from the food waste assessment and creating purchase standards for products used at Metro.

*Council Discussion:*

Councilor Lewis asked what opportunities for water reduction existed at the Oregon Zoo if the majority of the bond projects at the Oregon Zoo had been completed. Ms. Garmon explained that there were still opportunities for infrastructure repair for leaks. Councilor Craddick asked about water usage for the Glendoveer Golf Course and opportunities to improve the irrigation system.

Councilor Gonzalez asked about the increase in the recycling and garbage rate. Councilor Chase asked what strategies were being developed for diesel reduction. Council President Peterson thanked staff for their work.

**4. Consent Agenda**

**A motion was made by Councilor Stacey, seconded by Councilor Lewis, that these items be adopted. The motion passed by the following vote:**

**Present:** 7 - Councilor Sam Chase, Councilor Shirley Craddick, Councilor Craig Dirksen, Councilor Bob Stacey, Council President Lynn Peterson, Councilor Christine Lewis, and Councilor Juan Carlos Gonzalez

4.1 Consideration of the Council Meeting Minutes for January 10, 2019

**5. Ordinances (First Reading and Public Hearing)**

5.1 Ordinance No. 19-1430, For the Purpose of Amending Metro Code Chapter 2.19 to Establish the Metro Affordable Housing Bond Community Oversight Committee, and Declaring an Emergency

Council President Peterson called on Ms. Jes Larson, Metro staff, to present the staff report. Ms. Larson explained that with the passage of the affordable housing bond measure passed in November there was now a need to create an oversight body for implementation of the bond. She explained that the ordinance provided the necessary amendments to the Metro code to allow for the appointment of the community oversight committee.

*Council Discussion:*

Councilor Gonzalez asked for clarification about the language of the ordinance that declared an emergency. Mr. Nathan Sykes, Metro Attorney, explained that the emergency clause would make the changes effective immediately and was included to address the speed with which the housing bond was moving.

## 5.1.1 Public Hearing for Ordinance No. 19-1430

Council President Peterson opened up a public hearing on Ordinance No. 19-1430 and requested that those wishing to testify come forward to speak. Seeing none, Council President Peterson gaveled out of the public hearing. She noted that second read, Council consideration, and vote on Ordinance No. 19-1430 would take place on Thursday, January 31.

**6. Ordinances (Second Reading)**

## 6.1 Ordinance No. 19-1429, For the Purpose of Annexing to the Metro District Boundary Approximately 20.8 Acres Located at 7331 SW Boeckman Road in Wilsonville

Council President Peterson stated that the first reading and public hearing for Ordinance No. 19-1429 took place on Thursday, January 10. She informed the Metro Council that Metro staff were available for questions.

*Council Discussion:*

Councilor Dirksen stated his support for the ordinance noting that this property was within the Urban Growth Boundary and had been part of the City of Wilsonville's long range plans. He explained that annexation of the property was required before any development could take place.

**A motion was made by Councilor Craddick, seconded by Councilor Dirksen, that this item be adopted. The motion passed by the following vote:**

**Aye:** 7 - Councilor Chase, Councilor Craddick, Councilor Dirksen, Councilor Stacey, Council President Peterson, Councilor Lewis, and Councilor Gonzalez

**7. Resolutions**

7.1 Resolution No. 19-4955, For the Purpose of Ratifying the 2018-2023 Collective Bargaining Agreement Between LIUNA and Metro

Council President Peterson called on Mr. Ross Hume and Ms. Terry Smith, Metro staff, to provide a brief staff report on the resolution. Mr. Hume explained that the resolution would ratify the 2018 - 2023 collective bargaining agreement between Metro and Laborers' International Union of North America (LIUNA). He provided an overview of the agreement, highlighting key features including a \$15 an hour minimum wage, 3.25 percent cost of living increase in the first year, the addition of a holiday the day after Thanksgiving, a health care stipened and the creation of a regular benefit eligible park work classification. Mr. Hume noted the collaborative relationship with union representatives.

Council President Peterson called on Ms. Nicole Nicassio-Hiskey, a LIUNA representative from the Oregon Zoo, to provide a brief statement on the agreement. Ms. Nicassio-Hiskey reviewed the negotiation process, highlighting key components of the contract including the \$15 an hour minimum wage and the cost of living adjustments. She raised concerns over the issue of seniority, explaining that seniority was the best process to provide fair and unbiased decisions for members. Ms. Nicassio-Hiskey stated that the Laborers Local 483 supported the resolution.

*Council Discussion:*

Councilors thanked staff and LIUNA leadership for their work on successful negotiations. Councilor Lewis

acknowledged the progress made in the agreement in developing a framework for seasonal employees and stated the need for continued work in policies that value employees as people. Councilor Gonzalez discussed the importance of the inclusion of the \$15 an hour minimum wage specifically for the impacts on the diverse workforce at Metro's venues and noted the precedent it set for the entire agency. Councilor Chase emphasized Metro's commitment to its workforce and the value of its employees in serving the region.

Council President Peterson conveyed the importance of the precedent set in the contract, explaining the need for continued policy work. She shared her appreciation for the work of staff in making Metro's venues highly rated visitor destinations.

**A motion was made by Councilor Stacey, seconded by Councilor Lewis, that this item be adopted. The motion passed by the following vote:**

**Aye:** 7 - Councilor Chase, Councilor Craddick, Councilor Dirksen, Councilor Stacey, Council President Peterson, Councilor Lewis, and Councilor Gonzalez

7.2 Resolution No. 19-4952, For the Purpose of Establishing an Affordable Housing Fund and For Amending the FY 2018-19 Budget and Appropriations Schedule

Council President Peterson introduced Ms. Lisa Houghton, Metro staff, for a brief staff report. Ms. Houghton explained that the resolution would allow the agency to move forward with the affordable housing program approved by voters in November 2018. She highlighted the budgetary implications of the action including increased staff for program implementation, engagement, oversight and compliance. She noted that the resolution would also establish an

affordable housing fund to record the program's transactions, therefore providing greater accountability and transparency.

*Council Discussion:*

There was none.

**A motion was made by Councilor Chase, seconded by Councilor Stacey, that this item be adopted. The motion passed by the following vote:**

**Aye:** 7 - Councilor Chase, Councilor Craddick, Councilor Dirksen, Councilor Stacey, Council President Peterson, Councilor Lewis, and Councilor Gonzalez

7.3 Resolution No. 19-4953, For the Purpose of Amending the FY 2018-19 Budget and Appropriations Schedule to Provide for a Change in Operations

Council President Peterson introduced Ms. Lisa Houghton, Metro staff, for a brief staff report. Ms. Houghton provided an overview of the funding requests and noted that they included increased staffing for the Council Office, an extension of a limited duration position in the Diversity, Equity and Inclusion department for the Construction Career Pathways Project and a transfer from the general fund contingency.

*Council Discussion:*

Council President Peterson stated that this action was consistent with Council's priorities, noting the importance of the Construction Career Pathways Project to the local workforce and the region.

**A motion was made by Councilor Chase, seconded by Councilor Gonzalez, that this item be adopted. The motion passed by the following vote:**

---

**Aye:** 7 - Councilor Chase, Councilor Craddick, Councilor Dirksen, Councilor Stacey, Council President Peterson, Councilor Lewis, and Councilor Gonzalez

**8. Chief Operating Officer Communication**

Ms. Martha Bennett provided an update on the following events or items: Martin Luther King Jr. Day service event and the Daily Journal of Commerce article on the Construction Career Pathways Project.

**9. Councilor Communication**

Councilors provided updates on the following meetings: Joint Policy Advisory Committee on Transportation, the opening of the Oxbow Regional Park welcome center opening, the Metropolitan Policy Advisory Committee and a lunch and learn hosted by Oregon State Representative Janeen Sollman.

**10. Adjourn**

There being no further business, Council President Peterson adjourned the Metro Council meeting at 3:34 p.m. The Metro Council will convene the next regular council meeting on January 31, 2019 at 2:00 p.m. at the Metro Regional Center in the council chamber.

Respectfully submitted,



Sara Farrokhzadian, Legislative and Engagement  
Coordinator



**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF JANUARY 17, 2019**

<b>ITEM</b>	<b>DOCUMENT TYPE</b>	<b>DOC DATE</b>	<b>DOCUMENT DESCRIPTION</b>	<b>DOCUMENT NO.</b>
<b>2.0</b>	Written Statement	1/17/19	Policy Suggestions for a More Ambitious Metro submitted by Bradley Bondy	11719c-01
<b>3.1</b>	Powerpoint	1/17/19	Sustainability Annual Report	11719c-02
<b>4.1</b>	Minutes	1/17/19	Council Meeting Minutes for January 10, 2019	11719c-03

Agenda Item Number 3.3

**Consideration of the Council Priority Setting Session Meeting Minutes for  
January 22, 2019**

*Consent Agenda*

Metro Council Meeting  
Thursday, January 31, 2019  
Metro Council Chamber

Materials following this page will be distributed at the meeting.

Agenda Item Number 4.1

**Ordinance No. 19-1430**, For the Purpose of Amending  
Metro Code Chapter 2.19 to Establish the Metro  
Affordable Housing Bond Community Oversight  
Committee, and Declaring an Emergency

*Ordinances (Second Reading)*

Metro Council Meeting  
Thursday, January 31, 2019  
Metro Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING METRO	)	ORDINANCE NO. 19-1430
CODE CHAPTER 2.19 TO ESTABLISH THE	)	
METRO AFFORDABLE HOUSING BOND	)	Introduced by Chief Operating Officer
COMMUNITY OVERSIGHT COMMITTEE,	)	Martha Bennett with the Concurrence of
AND DECLARING AN EMERGENCY	)	Metro Council President Lynn Peterson

WHEREAS, on June 7, 2018, the Metro Council adopted Resolution No. 18-4898, “For the Purpose of Referring to the Metro Area Voters a Ballot Measure Authorizing General Obligation Bond Indebtedness in an Amount Not To Exceed \$652.8 Million to Fund Affordable Housing; 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 6, 2018 General Election as Ballot Measure 26-199 (“Affordable Housing Bond Measure”); and

WHEREAS, at the General Election held on November 6, 2018, the Metro Area voters approved the Affordable Housing Bond Measure; and

WHEREAS, the Affordable Housing Bond Measure calls for required 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, this new oversight committee is to be known as the Metro Affordable Housing Bond Measure Program Community Oversight Committee (hereafter, “Affordable Housing Bond Community Oversight Committee”); and

WHEREAS, the efficacy of the Affordable Housing Bond 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 Affordable Housing Bond Measure; now therefore

THE METRO COUNCIL ORDAINS AS FOLLOWS:

Section 1. Metro Code Chapter 2.19 shall be amended to add the following new Metro Code Section 2.19.260:

“2.19.260 Affordable Housing Bond Community Oversight Committee

(a) Purpose and Authority. The purpose and authority of the Affordable Housing Bond Community Oversight Committee is to:

- (1) Evaluate implementation strategies and recommend changes as necessary to achieve unit production targets and incorporate guiding principles.
- (2) Monitor financial aspects of program administration, including review of program expenditures.
- (3) Provide an annual report and presentation to Metro Council assessing Program performance, challenges and outcomes.

(b) Membership. The Committee will be composed of no fewer than 7 and no more than 15 members, to be appointed by the Metro Council President subject to Metro Council confirmation. The Committee's members must represent a diversity of perspectives, geographic familiarity, demographics, and technical expertise, including finance, housing development, housing policy, and experience working with impacted communities. The Metro Council President will designate at least one (1) member to serve as Chairperson of the Committee or may elect to designate two (2) members to serve as co-Chairpersons of the Committee. Five (5) of the initial Committee members will be appointed to serve a one (1) year term, and may be reappointed to serve up to two (2) additional 2-year terms as provided in Metro Code Section 2.19.030.

(c) Meetings. The Committee will meet no fewer than 4 times per year.

(d) The Committee will be dissolved on July 1, 2028 or upon the issuance of a final report by the Committee after all funds authorized by the Affordable Housing Bond Measure 26-199 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 Committee appointment process so that new affordable housing may be provided by the local implementation partners of the Metro Area as soon as possible through implementation of

Affordable Housing Bond Measure 26-199, 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 \_\_\_\_\_, 2019.

\_\_\_\_\_  
Lynn Peterson, Council President

Attest:

Approved as to Form:

\_\_\_\_\_  
Sara Farrokhzadian, Recording Secretary

\_\_\_\_\_  
Nathan A. S. Sykes, Acting Metro Attorney

## STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 19-1430, FOR THE PURPOSE OF AMENDING METRO CODE CHAPTER 2.19 TO ESTABLISH THE METRO AFFORDABLE HOUSING BOND COMMUNITY OVERSIGHT COMMITTEE, AND DECLARING AN EMERGENCY

---

Date: January 3, 2019

Prepared by: Emily Lieb 503.797.1921

## BACKGROUND

### Housing Measure

On November 6, 2018, the Metro Area voters passed Ballot Measure 26-199 authorizing Metro to issue up to \$652.8 million in general obligation bonds to fund affordable housing. The bond measure language called for “community oversight” and the measure’s explanatory statement states that an independent community oversight committee will review bond expenditures and provide annual reports.

Ordinance No. 19-1430 amends Metro Code Chapter 2.19 to establish the community oversight committee. This ordinance establishes the committee and describes the committee makeup, terms and charge.

## ANALYSIS/INFORMATION

- 1. Known Opposition:** There is no known opposition.
- 2. Legal Antecedents:** Metro area voters approved the Affordable Housing Bond Measure 26-199 on November 6, 2018.
- 3. Anticipated Effects:** By approving Ordinance No. 19-1430, the Metro Council will meet the requirements of the Affordable Housing Bond Measure as directed by voters in November 2018. The committee will help ensure that the funds voters have authorized have the greatest possible benefit to the region. This committee will be most effective if it begins work immediately, and for that reason an emergency is declared to exist and this Ordinance will become effective immediately upon adoption.
- 4. Budget Impacts:** Budget impacts should be limited to staffing of the committee meetings and producing reports for the purpose of the committee’s review. Metro Planning and Development staff will assist the Committee on administrative and technical matters as needed.

## RECOMMENDED ACTION

The Chief Operating Officer recommends adoption of the ordinance.



Agenda Item Number 5.1

**Resolution No. 19-4957**, For the Purpose of Appointing  
the Metro Affordable Housing Bond Community Oversight  
Committee

*Resolutions*

Metro Council Meeting  
Thursday, January 31, 2019  
Metro Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPOINTING THE METRO	)	RESOLUTION NO. 19-4957
AFFORDABLE HOUSING BOND COMMUNITY OVERSIGHT	)	
COMMITTEE	)	Introduced by Chief Operating
	)	Officer Martha Bennett with the
	)	Concurrence of Metro Council
	)	President Lynn Peterson

WHEREAS, on June 7, 2018, 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 \$652,800,000.00 for the purpose of funding affordable housing (the "Affordable Housing Bond Measure"); and

WHEREAS, at the general election held on November 6, 2018, the Metro Area voters approved the Affordable Housing Bond Measure; and

WHEREAS, the Affordable Housing 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. 19-1430, "Amending Metro Code Chapter 2.19 to Establish the Metro Affordable Housing Bond Community Oversight Committee and Declaring an Emergency," creating a new Metro Housing Bond Community Oversight Committee consisting of 7 to 15 members to be appointed by the Metro Council President subject to confirmation by the Metro Council; and

WHEREAS, the Metro Council President has appointed 13 members to the Metro Housing Bond Community Oversight Committee and designated two co-Chairpersons, 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 Metro Housing Bond Community Oversight Committee as set forth on Exhibit A, attached hereto.

ADOPTED by the Metro Council this \_\_\_ day of \_\_\_ 2019.

\_\_\_\_\_  
Lynn Peterson, Council President

Approved as to Form:

\_\_\_\_\_  
Nathan A. S. Sykes, Acting Metro Attorney

**Exhibit A to the Resolution No. 19-4957**

**Affordable Housing Bond Community Oversight Committee  
Committee Member Appointments**

The co-Chairpersons of the Committee, serving two-year terms, and eligible to serve two additional terms shall be:

Steve Rudman      Former Director of Home Forward  
Shannon Singleton      Executive Director of JOIN

The following persons shall serve two-year terms, and shall each be eligible thereafter to serve one additional two-year term:

Manuel Castaneda      Founder and President of PLI Systems  
Melissa Erlbaum      Executive Director at Clackamas Women’s Services  
Mitch Hornicker      Former Partner at Howard S. Wright Construction  
Mesha Jones      Community Manager for Apartment Management Consultants  
Jenny Lee      Advocacy Director for Coalition of Communities of Color  
Tia Vonil      Electrician with International Brotherhood of Electrical Workers

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

Andrew Tull      Principal Planner and Urban Designer at 3J Consulting  
Bandana Shrestha      Director of Community Engagement for AARP Oregon  
Dr. Steven Holt      Founding Principal of Try Excellence  
Ed McNamara      Founder Turtle Island Development  
Serena Cruz      Executive Director of the Virginia Garcia Memorial Foundation

IN CONSIDERATION OF RESOLUTION 19-4957 FOR THE PURPOSE OF APPOINTING  
THE METRO AFFORDABLE HOUSING BOND COMMUNITY OVERSIGHT COMMITTEE

---

Date: January 15, 2019  
Department: Planning and Development  
Meeting Date: January 31, 2019

Prepared by: Jes Larson  
Presenter: Elissa Gertler  
Length: 5 minutes (15 minutes combined)

---

**ISSUE STATEMENT**

On November 6, 2018, the Metro Area voters passed Ballot Measure 26-199 authorizing Metro to issue up to \$652.8 million in general obligation bonds to fund affordable housing. The bond measure language called for community oversight of bond implementation, while the measure's explanatory statement stated that an independent community oversight committee will review bond expenditures and provide annual reports.

Ordinance No. 19-1430 amends Metro Code Chapter 2.19 to establish the community oversight committee, describes the committee makeup, terms and charge.

Resolution No. 19-4957 confirms 13 members and co-chairpersons appointed by the Metro Council President to serve on the Affordable Housing Bond Community Oversight Committee.

**ACTION REQUESTED**

Approve Resolution No. 19-4957, confirming Community Oversight Committee members and co-chairpersons.

**IDENTIFIED POLICY OUTCOMES**

The role of the Community Oversight Committee is to provide independent and transparent oversight of the affordable housing bond implementation. Primary duties include:

- Review local implementation strategies and Metro's Regional Site Acquisition Implementation Strategy for alignment with the Guiding Principles and local share of Unit Production Targets identified in the Housing Bond Framework adopted by the Metro Council on June 7, 2018, and recommend strategies for Metro Council approval; and
- Monitor program expenditures and outcomes and provide an annual report and presentation to Metro Council. The Committee may recommend changes to implementation strategies as necessary to achieve Unit Production Targets and adhere to the Guiding Principles.

## **BACKGROUND**

The Metro Council has previously appointed oversight committees to oversee implementation of Parks and Nature Bonds and a Zoo Bond. The structure, governance and protocols of these committees have helped to inform the formation of the Affordable Housing Bond Community Oversight Committee.

On June 7, 2018, the same day the Metro Council referred the affordable housing bond ballot measure, Council also adopted a framework to guide implementation of the housing bond. The framework states “If voters approve the bond measure, the Metro Council will appoint a regional community oversight committee in early 2019.

Metro Council has also discussed the role and composition of the Affordable Housing Bond Committee at two work sessions with housing bond staff on September 18 and December 11, 2018.

At these work sessions, the Metro Council gave staff direction to include the role of the Community Oversight Committee in the Affordable Housing Bond work plan, and to collect recommendations for possible appointees to the future body. The Metro Council President worked with Metro councilors and staff to identify 13 appointees who will represent the region and bring diverse expertise to the role.

Agenda Item Number 5.2

**Resolution No. 19-4956**, For the Purpose of Approving the  
Metro Affordable Housing Bond Measure Program Work  
Plan

*Resolutions*

Metro Council Meeting  
Thursday, January 31, 2019  
Metro Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPROVING THE METRO ) RESOLUTION NO. 19-4956  
AFFORDABLE HOUSING BOND MEASURE PROGRAM WORK )  
PLAN )  
)  
) Introduced by Chief Operating  
) Officer Martha Bennett with the  
) Concurrence of Metro Council  
) President Lynn Peterson

WHEREAS, on June 7, 2018, the Metro Council adopted Resolution No. 18-4898 (“For the Purpose of Referring to the Metro Area Voters a Ballot Measure Authorizing General Obligation Bond Indebtedness in an Amount Not To Exceed \$652.8 Million to Fund Affordable Housing; and Setting Forth the Official Intent of the Metro Council to Reimburse Certain Expenditures Out of the Proceeds of Said Bonds Upon Issuance”), referring to the Metro area voters a ballot measure authorizing the issuance of general obligation bonds for the purpose of funding affordable housing (the “Housing Bond Measure”); and

WHEREAS, on June 28, 2018, the Metro Council passed Ordinance 18-1423 establishing that affordable housing is a “matter of metropolitan concern” and exercising jurisdiction over functions related thereto; and

WHEREAS, on November 6, 2018, the voters approved the Housing Bond Measure, providing Metro with the authority under the laws of the State of Oregon and the Metro Charter to issue bonds and other obligations payable from ad valorem property taxes for the purpose of financing and identifying funds to be used for affordable housing; and

WHEREAS, since the general election Metro has been collaborating with its jurisdictional partners and stakeholders to develop a regional Housing Bond Measure program, incorporating the goals and outcomes set forth in the Regional Investment Strategy: Affordable Homes for Greater Portland, Metro Chief Operating Officer Recommendation, June 7, 2018, adopted by the Metro Council on June 7, 2018, via Resolution 18-4895; and

WHEREAS, Metro staff now proposes a Metro Housing Bond Measure Program Work Plan which will serve as a framework for the Metro Housing Bond Measure implementation activities; now therefore,

BE IT RESOLVED, that the Metro Council hereby adopts the Metro Housing Bond Measure Program Work Plan, a copy of which is attached hereto as Exhibit A.

ADOPTED by the Metro Council this \_\_\_ day of \_\_\_ 2019.

---

Lynn Peterson, Council President

Approved as to Form:

---

Nathan A. S. Sykes, Acting Metro Attorney





# Affordable Housing Bond Program Work Plan

## **Exhibit A**

**Public service**

*We are here to serve the public  
with the highest level of  
integrity.*

**Excellence**

*We aspire to achieve exceptional  
results*

**Teamwork**

*We engage others in ways that foster  
respect and trust.*

**Respect**

*We encourage and appreciate  
diversity in people and ideas.*

**Innovation**

*We take pride in coming up with  
innovative solutions.*

**Sustainability**

*We are leaders in demonstrating  
resource use and protection.*

**Metro's values and purpose**

We inspire, engage, teach and invite people to preserve and enhance the quality of life and the environment for current and future generations.

If you picnic at Blue Lake or take your kids to the Oregon Zoo, enjoy symphonies at the Schnitz or auto shows at the convention center, put out your trash or drive your car – we’ve already crossed paths.

**So, hello. We’re Metro – nice to meet you.**

In a metropolitan area as big as Portland, we can do a lot of things better together. Join us to help the region prepare for a happy, healthy future.

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**Metro Council President**

Lynn Peterson

**Metro Councilors**

Shirley Craddick, District 1

Christine Lewis, District 2

Craig Dirksen, District 3

Juan Carlos Gonzales, District 4

Sam Chase, District 5

Bob Stacey, District 6

**Auditor**

Brian Evans

600 NE Grand Ave.

Portland, OR 97232-2736

503-797-1700



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## 1. INTRODUCTION

On November 6, 2018, voters approved a \$652.8 million bond measure (“Bond Measure”), directing Metro to fund affordable housing throughout the Metro region. As defined in the Bond Measure, the term “affordable housing” means “land and improvements for residential units occupied by low-income families making 80% or less of area median income.” Such housing may be of any type, including but not limited to single-family, multi-family, houses, apartments, and/or the land on which such facilities are located or may be constructed.

In June of 2018, the Metro Council adopted the Metro Chief Operating Officer’s recommended program framework, as set forth in Regional Investment Strategy: Affordable Homes for Greater Portland (“Initial Housing Bond Framework”), which included recommendations for unit production goals, commitments to advancing racial equity, and implementation guidelines developed in collaboration with stakeholders, jurisdictions, housing providers and other partners.

This Affordable Housing Program Work Plan (“Work Plan”) provides a comprehensive plan for implementing Metro’s Bond Measure program (referred to herein as the “Housing Bond Program” or “Program”). This document incorporates and supplements the Initial Housing Bond Framework, and is the governing document for Program implementation, addressing how Bond Measure proceeds will be administered to ensure delivery of the outcomes described in the Bond Measure.

## 2. UNIT PRODUCTION TARGETS AND GUIDING PRINCIPLES

The primary goal of the Housing Bond Program is create at least **3,900 new affordable homes**, of which:

- At least 1,600 homes will be affordable to households making 30% of area median income (AMI) or below;
- At least 1,950 homes will be sized for families, with 2 or more bedrooms; and
- No more than 10 percent of homes will be provided for households making 61-80% of AMI.

For acquired rental properties, the above targets and cap on homes for households making 61-80% of AMI will be applied upon turnover.

In its efforts to achieve the Program unit production targets referenced above (“Unit Production Targets” or “Targets”), Metro is guided by four principles (“Guiding Principles”), which were derived from (a) existing Metro policies, including the agency’s Strategy to Advance Racial Equity, Diversity, and Inclusion and (b) conversations with key stakeholders who participated in a six month public process convened prior to the referral of the Bond Measure. Those Guiding Principles are:

- 1) Lead with racial equity.** Ensure that racial equity considerations guide and are integrated throughout all aspects of Program implementation, including community engagement, project location prioritization, tenant screening and marketing, resident and/or supportive services, and inclusive workforce strategies.

- 2) **Create opportunity for those in need.** Ensure that Program investments serve people currently left behind in the region’s housing market, especially: communities of color, families with children and multiple generations, people living with disabilities, seniors, veterans, households experiencing or at risk of homelessness, and households at risk of displacement. Incorporate commitments for tracking and reporting on Program outcomes for people of color and other historically marginalized groups.
- 3) **Create opportunity throughout the region.** Ensure that Program investments are distributed across the region to (a) expand affordable housing options in neighborhoods that have not historically included sufficient supply of affordable homes, (b) increase access to transportation, employment, education, nutrition, parks and natural areas, and (c) help prevent displacement in changing neighborhoods where communities of color live today.
- 4) **Ensure long-term benefits and good use of public dollars.** Provide for community oversight to ensure transparency and accountability in Program activities and outcomes. Ensure financially sound investments in affordable, high quality homes. Allow flexibility and efficiency to respond to local needs and opportunities, and to create immediate affordable housing opportunities for those in need.

These Guiding Principles will be implemented consistent with applicable requirements of the federal Fair Housing Act and ORS Chapter 659a and, as appropriate, in consultation with the Fair Housing Council of Oregon.

### 3. GOVERNANCE

#### 3.1 BOND MEASURE; GENERAL OBLIGATION BOND REQUIREMENTS

On June 7, 2018, the Metro Council adopted Resolution 18-4898 referring to Metro area voters the Bond Measure authorizing Metro to issue general obligation bonds in the amount of \$652.8 million to fund affordable housing. The Program and this Work Plan must comply with the promises made to the voters in the Bond Measure. In addition, in accordance with Oregon law, the bond funds may be used only to pay for capital costs, including costs associated with acquisition, construction, improvement, remodeling, furnishing, equipping, maintenance or repair having an expected useful life of more than one year. Bond funds may not be used to pay for general project maintenance and repair, supplies, or equipment that are not intrinsic to a structure or for any other costs that do not meet the definition of “capital costs” under the Oregon Constitution and Oregon law.

#### 3.2 METRO COUNCIL

The Metro Council provides policy direction for the Housing Bond Program through:

- A. Adoption of this Work Plan;
- B. Appointment of Community Oversight Committee members, chair and/or co-chairs, collectively charged with monitoring program implementation;

- C. Approval of Local Implementation Strategies and Metro Regional Site Acquisition Strategy;
- D. Approval of intergovernmental agreements for implementation (each, an “Implementation IGA”) with Local Implementation Partners; and
- E. Monitoring of Program outcomes, with guidance from the Community Oversight Committee.

### **3.3 METRO CHIEF OPERATING OFFICER AND STAFF**

The Metro Chief Operating Officer (COO) is authorized by the Metro Council to implement this Work Plan, and the COO will direct staff to conduct all program administration activities referenced herein, including (without limitation) the following:

- A. Acquisition of real property and associated project funding in accordance with the Metro Regional Site Acquisition Strategy and the criteria and conditions set forth in this Work Plan;
- B. Authorization of Metro Bond Measure funding for projects and program administration activities of Local Implementation Partners in accordance with the criteria and conditions set forth in this Work Plan; and
- C. Convening meetings and providing administrative support for the Community Oversight Committee.

### **3.4 LOCAL IMPLEMENTATION PARTNERS**

Government agencies that are eligible to become Local Implementation Partners include counties, public housing authorities, and cities with populations over 50,000 that receive and administer their own federal Community Development Block Grant (CDBG) funding. To be eligible to receive Metro Bond Measure funds, Local Implementation Partners that receive Bond funding must:

- A. Adopt a Local Implementation Strategy, informed by community engagement, that includes a development plan to achieve the unit production targets, a strategy for advancing racial equity, and ensuring community engagement in implementation (see Section 5.2 and Exhibit C);
- B. Enter into an Implementation IGA with Metro, obligating the Local Implementation Partner to comply with this Work Plan and enter into certain covenants required to ensure compliance with the Bond Measure and other applicable law; and
- C. Provide adequate assurances to Metro that Metro Bond Measure funds will be expended solely to make permitted capital investments to create affordable housing in accordance with this Work Plan.

## **4. COMMUNITY OVERSIGHT COMMITTEE**

In accordance with Metro Code Section 2.19, Metro will appoint a Community Oversight Committee (“Oversight Committee”) to ensure Program transparency and accountability. The Oversight Committee will be charged with the following duties:



- A. Review local implementation strategies and Metro’s Regional Site Acquisition Implementation Strategy for alignment with the Guiding Principles and clear plan to achieve the local share of Unit Production Targets, and recommend strategies for Metro Council approval; and
- B. Monitor program expenditures and outcomes and provide an annual report and presentation to Metro Council. The Committee may recommend changes to implementation strategies as necessary to achieve Unit Production Targets and adhere to the Guiding Principles.

Metro staff will consult members of the Community Oversight Committee as needed to advise on projects prior to the Metro COO’s authorization of funding.

## **5. DISTRIBUTION OF FUNDS AND TARGETS AND REQUIREMENTS FOR LOCAL IMPLEMENTATION PARTNERS**

The Housing Bond Program is guided by regional goals and oversight, but implemented by the Local Implementation Partners, who are best positioned to respond to community affordable housing needs. Successful implementation requires flexibility for local jurisdictions to create and nimbly pursue strategies that respond to local community priorities and market contexts. Metro and the Local Implementation Partners must work together to ensure that Local Implementation Strategies, actions and investments advance desired regional outcomes that honor the commitments made to the region’s voters.

### **5.1 ALLOCATION OF BOND FUNDS**

Metro Bond Measure funds will be allocated to Local Implementation Partners on the basis of assessed value of property, as described in Exhibit B. Except for permitted Program administration funding disbursements, Program funds will be committed and disbursed on a project-by-project basis following execution of Implementation IGAs. Distribution of Bond Measure funds will be conditioned on a Local Implementation Partner’s ongoing demonstration of progress toward its assigned share of the Unit Production Targets set forth in Exhibit B.

### **5.2 LOCAL IMPLEMENTATION STRATEGIES**

To be eligible to receive Bond Measure funds, a Local Implementation Partner must create a Local Implementation Strategy outlining strategies for achieving its allocated share of Unit Production Targets. Each Local Implementation Strategy will be aligned with the Guiding Principles.

Each Local Implementation Strategy must include the following components, described in more detail in Exhibit C:

- A. Development Plan to achieve the Unit Production Targets, including criteria and selection process(es);
- B. Strategy for advancing racial equity throughout implementation;

- C. Engagement report summarizing how stakeholder input shaped the development of the Local Implementation Strategy; and
- D. Plan for ongoing community engagement to inform project implementation.

### **Approval and Revision Process**

The Community Oversight Committee will review Local Implementation Strategies and recommend them for approval by the Metro Council. One Local Implementation Strategies have been approved by local governing bodies and Metro Council, they will be incorporated into Implementation IGAs.

As needed, the Oversight Committee and/or Local Implementation Partners may recommend changes to Local Implementation Strategies based on annual evaluation of Program outcomes. Local Implementation Strategies may be revised only following approval by the Metro Council and local governing bodies.

## **6. METRO REGIONAL SITE ACQUISITION PROGRAM**

The Regional Site Acquisition Program will seek to support Local Implementation Partners in achieving the overall Unit Production Targets. Program funds will be used to purchase regionally significant sites and may be used to help ensure subsequent project development.

### **6.1 REGIONAL SITE ACQUISITION IMPLEMENTATION STRATEGY**

Up to ten percent of Bond Measure funds will be retained by Metro for the Regional Site Acquisition Program. Metro will create a Regional Site Acquisition Implementation Strategy outlining commitments and strategies for ensuring that regional site acquisitions are coordinated with Local Implementation Partners to support regional progress toward Unit Production Targets. The Regional Site Acquisition Implementation Strategy will be aligned with the Guiding Principles.

The Regional Site Acquisition Implementation Strategy must include the following components, consistent with applicable required elements of Local Implementation Strategies, as described in Exhibit C:

- A. Development plan including criteria and selection process(es), including a process for engaging relevant Local Implementation Partners;
- B. Strategy for advancing racial equity throughout implementation, in alignment with applicable Local Implementation Strategy approaches; and
- C. Engagement report summarizing how stakeholder input shaped the development of the Regional Site Acquisition Implementation Strategy.

Metro will engage Local Implementation Partners throughout the development of the Regional Site Acquisition Strategy to ensure alignment and coordination with Local Implementation Strategies and approaches.

## **Approval and Revision Process**

The Community Oversight Committee will review the Regional Site Acquisition Implementation and recommend such strategy for approval by Metro Council.

As needed, the Oversight Committee and/or Metro staff may recommend changes to the Regional Site Acquisition Implementation Strategy based on annual evaluation of Program outcomes. The Regional Site Acquisition Implementation Strategy may be revised only following approval by the Metro Council.

## **7. CAPITAL INVESTMENT ACTIVITIES**

Affordable housing projects proposing to use Bond Measure funds must be selected using a process and criteria consistent with the applicable Local Implementation Strategy and/or Metro Site Acquisition Implementation Strategy. Funding will be authorized by the Metro COO based on consistency with applicable strategy and compliance with this Work Plan. Metro staff will consult members of the Community Oversight Committee as needed to advise on projects prior to authorization of funding by the COO.

Once a project is approved by the Metro COO, Bond Measure funds will be released to the Local Implementation Partner in accordance with the terms of the Implementation IGA, which may require the release of funds in stages upon completion of construction and development benchmarks. Local Implementation Partners may directly utilize the Bond Measure funds for public improvement projects, or loan, grant or otherwise contribute these funds to a non-governmental entity, such as a Low Income Housing Tax Credit (LIHTC) Partnership or LLC for private projects.

### **7.1 NONGOVERNMENTAL REHABILITATION AND NEW CONSTRUCTION**

Local Implementation Partners may contribute Metro Bond Measure funds to private for-profit and nonprofit development entities to pay for new construction of privately owned affordable housing or for the acquisition and rehabilitation of existing market rate/unregulated housing being converted to regulated affordable housing. Bond Measure funds may be contributed to projects as either the primary source of project funding or as “gap funding” as described below.

#### *Gap Funding*

Local Implementation Partners may use Bond Measure funds to provide grants and make loans to qualified private for-profit or nonprofit entities developing, owning and operating affordable housing projects, including LIHTC Partnerships or LLCs, to assist these entities in closing funding gaps between all other available sources of funding (including but not limited to LIHTC equity, senior secured project indebtedness, other state and local loan and grant proceeds and programs, and private and/or philanthropic sources), and the actual project development and construction costs. Local Implementation Partners may provide Bond Measure funds to such private entities in the form of loans or grants. Loans may be “cash-flow-only,” or “soft loans” and may include below market or no interest, non-recourse, extended amortization or fully “forgivable” repayment terms.

### *Eligible Costs*

Bond Measure funds may be used to pay for qualified capital costs associated with the following:

- Construction of new affordable housing for households earning 80% area median income (AMI) or less;
- Acquisition and rehabilitation of residential buildings with no existing form of public affordability restriction;
- Construction of new affordable housing as part of the redevelopment of a residential property with existing public affordability restrictions, as long as the redevelopment results in a substantial net increase in the total number of affordable homes. In such cases, Program funding may only be used for the portion of new homes that are not replacing regulated affordable homes currently on the site and related project/site improvements, such as parking, infrastructure improvements, and community space;
- Construction of ancillary commercial space, community space, and resident amenities, as long as ancillary spaces and amenities are part of buildings that contribute toward Unit Production Targets;
- All necessary and required site work and infrastructure for the above projects;
- Predevelopment costs, including third party reports, design studies, financial modeling and community outreach, which may be reimbursed upon closing of construction financing of an affordable housing project. Prior to closing, these costs are an eligible use of bond program administration funding, but will count toward administrative funding caps prior to reimbursement through a project closing; and
- Administrative costs that comply with requirements laid out in Section 9.2.

### *Ineligible Costs*

Bond proceeds must be used to finance projects that constitute capital construction, capital improvement or a capital cost as those terms are defined by the relevant provisions or the Oregon Constitution, Oregon law (including ORS 310.140) and the parameters of the Bond Measure.

Costs that are ineligible for bond funding include but are not limited to:

- Acquisition of housing with existing public affordability restrictions;
- Rehabilitation of housing with existing public affordability restrictions;
- Redevelopment of residential properties with existing public affordability restrictions that does not result in a substantial net increase in the number of affordable homes on the site;
- Project operating costs, including the provision of resident support services;
- Rental assistance; and
- Administrative costs that do not comply with requirements laid out in Section 9.2.

## 7.2 PUBLIC REHABILITATION AND NEW CONSTRUCTION

Local Implementation Partners may utilize Bond Measure funds only to pay qualified capital costs to develop, finance, construct and equip new affordable housing and to acquire and rehabilitate market rate housing with no existing public affordability restriction for conversion to affordable housing with a public affordability restriction. Metro housing bond funds may not be used to acquire and/or rehabilitate any housing with an existing public affordability restriction.

Eligible and ineligible costs are set forth in Section 7.1, above.

## 7.3 PROJECT APPROVAL AND FUNDING PROCESS

The Metro COO will approve funding commitments for all qualified projects identified by Local Implementation Partners at two stages: (1) a Concept Endorsement and (2) a Final Approval. The Concept Endorsement is a preliminary commitment of funding on the basis of consistency of the early project concept with the Local Implementation Strategy. The Concept Endorsement is optional for acquisition and rehabilitation projects (to be pursued at the Local Implementation Partner's discretion), but is mandatory for new construction projects.

### *Stage 1: Concept Endorsement (optional for acquisition/rehabilitation; required for new construction)*

The Metro COO will provide Concept Endorsements for preliminary development and acquisition/rehabilitation projects. Presented concepts should consist of, at minimum, an identified site which the Local Implementation Partner or the private developer/sponsor controls, a preliminary development or rehabilitation plan, a preliminary unit and affordability mix, preliminary estimates of total development costs, preliminary estimate of requested Metro Housing bond funds and an identified development team.

The Concept Endorsement will be made based upon the following criteria:

- Endorsement of Local Implementation Partner;
- Concept's contribution to Unit Production Targets relative to requested amount of bond funding **or** demonstration of how proposed project will contribute to Local Implementation Partner's portfolio of planned or completed projects to achieve the local share of Unit Production Targets; and
- Consistency with Local Implementation Strategy.

### *Stage 2: Funding Authorization and Release of Funds*

The Metro COO will authorize project funding only after a finalized development program, design development drawings and confirmed funding sources have been provided. Metro staff will consult members of the Community Oversight Committee as needed to advise on projects prior to authorization of funding by the COO. The Metro COO's authorization of funding will be based on the satisfaction of the following criteria:

- Continued support for the project by Local Implementation Partner;

- Development program’s contribution to Unit Production Targets (including affordability and bedroom size targets) relative to requested amount of bond funding; **or** demonstration of how proposed project will contribute to Local Implementation Partner’s portfolio of planned or completed projects to achieve the local share of Unit Production Targets;
- Consistency with Local Implementation Strategy; and
- Provision of requested documentation to demonstrate project feasibility.

Prior to the release of funds to the Implementation Partner, a Regulatory Agreement (as defined below) approved by the Office of the Metro Attorney and meeting the criteria described further in Section 8.1 will be executed. The Regulatory Agreement will be recorded against the property at or prior to the time of closing.

#### **7.4 REAL PROPERTY ACQUISITIONS**

Bond funds may be used by Metro or Local Implementation Partners to acquire real property (including land and buildings) for the development, rehabilitation, or adaptive reuse as affordable housing consistent with this Work Plan (hereinafter referred to as “Property Acquisitions”).

Property Acquisition costs that may be paid for with Bond funds include the purchase price and all costs related to pre-purchase due diligence including appraisals, purchase of options, earnest money for purchase and sale agreements, environmental assessments, geotechnical reports, preliminary development cost estimates, zoning capacity studies, physical capital needs assessments for acquired buildings, and other third party reports. Eligible pre-purchase due diligence costs will be reimbursed to Local Implementation Partners only upon completion of the Property Acquisition, although bond Program Administration funds may be applied to due diligence costs prior to reimbursement.

Bond Measure funds may also be loaned or granted to projects sited on real property previously acquired by a project sponsor or Local Implementation Partner using non-Bond funds. For these projects, the costs of previous real property acquisition will be included in overall project costs, subject to Metro appraisal requirements.

##### *Property Acquisition Parameters*

Bond Measure funds may be used for Property Acquisition provided the following criteria are met:

- The property is owned by a willing seller;
- An appraised value has been obtained in accordance with applicable Uniform Standards of Professional Appraisal Practice (USPAP) standards. In general, the purchase price should not exceed 10 percent over appraised value. However, exceptions may be made at the discretion of the Metro COO if it can be demonstrated that the site presents unique opportunities to advance the Unit Production Targets and Guiding Principles;
- The anticipated project on the site will contribute proportionately to Unit Production Targets (including affordability and bedroom size targets) relative to the forecasted bond funding; or the Local Implementation Partner demonstrates how the anticipated project will contribute to that

Partner’s portfolio of planned or completed projects to achieve the local share of Unit Production Targets;

- The property consists of a development-ready site, with zoned capacity to support the preliminary development concept, road access, utility connections, buildable soils, and mitigation plan for any environmental conditions; and
- The acquisition is consistent with the applicable Implementation Strategy.

The requirement for zoned capacity, utility connections, and other infrastructure improvements may be waived in cases where an approved plan provides for needed improvements and such improvements are expected within two years.

#### *Funding Authorization and Release of Funds*

Funding authorizations for Property Acquisitions will be authorized by the Metro COO. Metro staff will consult members of the Community Oversight Committee as needed to advise on projects prior to authorization of funding by the COO.

Prior to the release of funds, a Regulatory Agreement (as defined in Section 8.1) will be recorded against the property at or prior to the time of closing. The Local Implementation Partner will provide a copy of the recorded Regulatory Agreement to Metro promptly after closing.

## **8. AFFORDABILITY COVENANTS AND MONITORING**

### **8.1 METRO AFFORDABILITY COVENANTS**

Each Implementation IGA will require that a regulatory agreement or similar affordability/restrictive covenant (the “Regulatory Agreement”), in form and substance acceptable to Metro, must be recorded on the title of every property that receives Bond project funding. The Regulatory Agreement will acknowledge the use of Bond Measure funds and the restrictions associated with the use of such funds, including the affordability restrictions and other policies upon which the funding was conditioned, provide monitoring and access rights to Metro, and be enforceable by the Local Implementation Partner and Metro.

The Regulatory Agreement will have a term of not less than 60 years for newly constructed projects and existing market-rate projects that are converted to affordable/regulated projects, except in the case of converted projects where the project is more than 10 years old at the date of acquisition, in which case the minimum term will be not less than 30 years. The Regulatory Agreement will provide a first right of refusal for qualified nonprofit organizations or government entities to acquire the project upon expiration of the affordability period.

In the case of Property Acquisitions, the Regulatory Agreement will ensure development of the property consistent with the requirements set forth in this Work Plan.

## 8.2 MONITORING RESPONSIBILITIES

Owners of private projects receiving Bond Measure funds will be required to enter into a Regulatory Agreement, or similar agreement for the benefit of both Metro and the Local Implementation Partner, to periodically provide tenant income verification data to ensure compliance with affordability restrictions. Project owners will also be required to provide certain information, including voluntarily collected tenant demographic data, to support evaluation of program outcomes. Finally, owners will be required to provide Metro with access to asset management data, including financial performance and physical condition of the project, and to provide physical access to the property when requested by Metro and/or the Local Implementation Partner. Metro will work with Local Implementation Partners, Oregon Housing and Community Services, or other public agencies to develop shared monitoring and reporting requirements and functions that align with established funding programs, including LIHTC.

## 9. PROGRAM OPERATIONS

### 9.1 PROCEDURES MANUAL

A Program procedures manual (“Procedures Manual”) will be maintained by Metro to support fair and consistent consideration of Program funding requests, clear standards for reporting on Program outcomes, and continuous improvements in Program operations. Revisions to the Procedures Manual require Planning and Development Department Director approval.

The Affordable Housing Program procedures will include, at a minimum, guidance related to:

1. *Funding Guidelines*: Guidelines related to performance targets relative to the amount of Bond Funds contributed to a project and standards for replacement reserve funding;
2. *Risk Controls*: Preconditions for contractual commitments and release of funds, procedures for funding disbursement and monitoring during project construction, and recurring investment policies;
3. *Project Documentation Checklists and Templates*: List of required documents for Property Acquisition, Concept Endorsement, and Project Funding Authorization;
4. *Local Implementation Partner and Metro Site Acquisition Program Reporting*: Metrics, protocol, and templates for Local Implementation Partners and Metro’s Site Acquisition Program to submit annual reports on program outcomes for review by the Community Oversight Committee; and
5. *Local Implementation Partner Administration Funding Guidelines*: Protocol and templates for Local Implementation Partners to submit a work plan in order to receive administrative funding at the beginning of each fiscal year, including requirements for end-of-year reporting to demonstrate compliance with this Work Plan.



## **9.2 CAPITAL EXPENDITURES - ADMINISTRATIVE COST CAP**

Bond Measure funds must be used to pay for or reimburse prior expenditures that constitute qualified capital costs, consistent with the requirements of the Bond Measure, the Oregon Constitution and other applicable law.

The purpose and focus of the Affordable Housing Program is to expand the region's supply of affordable housing. Consistent with requirements set forth in the Bond Measure, no more than five percent of total Bond Measure proceeds may be expended on administrative costs associated with the implementation of Program activities, including Program development and administration, financial administration, and monitoring and oversight functions prior to the completion of the Unit Production Targets. All administrative and Program costs funded with Metro Bond Measure proceeds must be capital costs, as defined by the Oregon Constitution and Oregon Statutes, allocable to affordable housing projects.

Subject to compliance with Oregon law and the Bond Measure, Local Implementation Partners are eligible to receive funding for administrative costs associated with Program implementation according to the distribution described in Exhibit B. Each Local Implementation Partner must submit a spending plan for the allocated annual funds and a report demonstrating use of the previous year's funding by April 1 of each year, including certifying that Metro Bond Measure funds have been and will be applied solely to the payment or reimbursement of capital costs consistent with Oregon law and the Bond Measure. Once Metro has approved the spending plan, funding will be released on or after July 1 for the fiscal year commencing on July 1 and ending the following June 30. A partial year allocation will be made available to eligible Local Implementation Partners for FY2018-19 in February 2019. In order to maintain eligibility to receive Metro Bond Measure funds in advance for program implementation activities, all administrative expenditures must result in funding authorization for bond-funded affordable housing projects or assets within three years from the date of disbursement.

## **9.3 PROGRAM AMENDMENTS**

This Work Plan may be amended, as needed, by Metro staff with approval of the Metro Council to ensure compliance with Bond Measure covenants, applicable law, achievement of Unit Production Goals, and alignment with Guiding Principles.

**EXHIBIT A**  
**BOND MEASURE BALLOT TITLE**

**Attachment to SEL 805**

Caption:	Bonds to fund affordable housing in Washington, Clackamas, Multnomah counties.
Question:	Shall Metro issue bonds, fund affordable housing for low-income families, seniors, veterans, people with disabilities; require independent oversight, annual audits? If the bonds are approved, they will be payable from taxes on property or property ownership that are not subject to the limits of sections 11 and 11b, Article XI of the Oregon Constitution
Summary:	<p>Measure authorizes \$652.8 million in general obligation bonds to fund affordable housing in Washington, Clackamas, and Multnomah counties.</p> <p>Bonds will be used to build affordable housing for low-income households; purchase, rehabilitate, and preserve affordability of existing housing; buy land for affordable housing; help prevent displacement.</p> <p>Affordable housing means land and improvements for residential units occupied by low-income households making 80% or less of area median income, which in 2018 for a family of four was \$65,120; improvements may include a mix of unit sizes, spaces for community and resident needs and services. Some units will be accessible for people with disabilities and seniors; flexibility for existing tenants and hardship.</p> <p>Requires community oversight and independent financial audits. Creates affordable housing function for Metro, implemented by Metro and local housing partners. Local and regional administrative costs capped at 5% of bond proceeds. Bond costs estimated at \$0.24 per \$1,000 of assessed value annually, approximately \$5.00/month for the average homeowner. Bonds may be issued over time in multiple series.</p>
Explanatory Statement:	<p>In the Metro region, rents and housing prices are rising faster than wages. Between 2010 and 2016, the median income for a renter increased 19% while the average rent increased 52%. The need for affordable housing continues to increase, with demand for affordable housing outpacing supply. This is especially true for people on fixed incomes, working families, and seniors and disabled people in our region.</p> <p>This measure will authorize Metro to issue \$652.8 million in general obligation bonds to provide affordable housing for low-income families, seniors, veterans and</p>

	<p>people with disabilities in the Metro region which includes Washington, Clackamas and Multnomah counties.</p> <p>The bond funds will be used to build affordable housing for low-income households, to purchase and rehabilitate existing housing to preserve its affordability and prevent displacement, and to buy land for the immediate or future construction of new affordable housing.</p> <p>The measure will create an affordable housing function for Metro, and will be implemented by Metro and local governments. The administrative costs of Metro and local housing providers paid for by the measure will not exceed 5% of bond funds. Metro may issue the bonds over time in multiple series. Metro estimates that the cost of the measure to the average homeowner to be 24 cents per \$1,000 of assessed value annually, or approximately \$5.00/month. An independent community oversight committee will review bond expenditures and provide annual reports, and an independent public accounting firm will perform an annual financial audit of the expenditure of bond funds.</p> <p>For purposes of the bond measure, “Affordable Housing” means land and improvements for residential units occupied by low-income households making 80% or less of the area median income, which in 2018 for a family of four was \$65,120. The improvements constructed or purchased with bond funds may be composed of a mix of unit sizes, and may include spaces for community and resident needs and services, such as, without limitation, spaces for childcare services, healthcare services, grocery, onsite utility and building facilities, and other commercial, office and retail uses. Some units will be accessible for people with disabilities and seniors. The income eligibility rules may provide for a waiver or temporary relief from the limitations on qualifying income, if needed to avoid undue hardship or displacement of persons living in existing housing.</p>
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On behalf of:

- Metro Council President Tom Hughes
- Councilor Shirley Craddick
- Councilor Betty Dominguez
- Councilor Craig Dirksen
- Councilor Kathryn Harrington
- Councilor Sam Chase
- Councilor Bob Stacey

Submitted by: Metro Council President Tom Hughes

**EXHIBIT B**  
**BREAKDOWN OF UNIT PRODUCTION TARGETS AND**  
**FUNDING ELIGIBILITY**

**Distribution of targets and eligible project and administration funding\***

Jurisdiction	Percent of assessed value	Unit Production Targets**			Total Project Funding Available	Total Admin. Funding Available***
		Total	30% AMI	Family-Size		
Beaverton	5.58%	218	89	109	\$31,140,595	\$655,591
Clackamas County	20.82%	812	333	406	\$116,188,094	\$2,446,065
Gresham	4.79%	187	77	93	\$26,756,995	\$563,305
Hillsboro	7.28%	284	117	142	\$40,657,081	\$855,939
Home Forward (balance of Multnomah County)	2.84%	111	46	55	\$15,879,123	\$334,297
Portland	37.81%	1,475	605	737	\$211,056,579	\$4,443,296
Washington County (balance of county)	20.87%	814	334	407	\$116,465,532	\$2,451,906
Metro Site Acquisition Program****	<i>n/a</i>	<i>Contributes to above targets</i>			\$62,016,000	\$1,305,600
Metro accountability and financial transaction costs	<i>n/a</i>	<i>n/a</i>			<i>n/a</i>	\$13,056,000
Reserved for future allocation as determined necessary to achieve targets	<i>n/a</i>	<i>n/a</i>			<i>n/a</i>	\$6,528,000
<b>Total</b>	<b>100%</b>	<b>3,900</b>	<b>1,600</b>	<b>1,950</b>	<b>\$620,016,000</b>	<b>\$32,640,000</b>

\*The Initial Housing Bond Framework calls for distribution of targets and funding to counties on the basis of assessed value, but provides flexibility for how partners within each county further distribute targets and funding. If an alternative distribution is not agreed to by partners for distribution of funding within a county, assessed value will be used as the basis of distribution to all partners.

\*\* For acquired rental properties, the targets and cap on homes for households making 61-80% of AMI will be applied upon turnover.

\*\*\* Any administrative funding from bond proceeds must be consistent with the requirements of Oregon law and the Bond Measure and Metro will, in consultation with bond and tax counsel, request certification from jurisdictions that proceeds are being applied to qualified capital costs.

\*\*\*\* The Regional Site Acquisition Program aims to distribute investments proportionately across the region to support local progress toward the Unit Production Targets. In the event that regional investments are not proportionately distributed, the above Unit Production Targets may be adjusted pursuant to a Work Plan amendment.

## EXHIBIT C

### LOCAL IMPLEMENTATION STRATEGY REQUIREMENTS

1. Development Plan to achieve the Unit Production Targets that includes the following elements:
  - a. Anticipated number, size, and range of project types (estimates are acceptable) and cost containment strategies to achieve local share of unit production targets (including 30% AMI and family-size unit goals and the cap on units at 61-80% AMI) using local share of eligible funding;
  - b. Consideration for how new bond program investments will complement existing regulated affordable housing supply and pipeline;
  - c. Goals and/or initial commitments for leveraging additional capital and ongoing operating and/or service funding necessary to achieve the local share of Unit Production Targets;
  - d. Strategy for aligning resident or supportive services with housing investments, including [optional] any local goals or commitments related to permanent supportive housing; and
  - e. Description of project selection process(es) and prioritization criteria, including anticipated timing of competitive project solicitations and how existing or new governing or advisory bodies will be involved in decisions regarding project selection.
  
2. Strategy for advancing racial equity in implementation that includes:
  - a. Location strategy that considers geographic distribution of housing investments, access to opportunity, strategies to address racial segregation, and strategies to prevent displacement and stabilize communities;
  - b. Fair housing strategies and/or policies to eliminate barriers in accessing housing for communities of color and other historically marginalized communities, including people with low incomes, seniors and people with disabilities, people with limited English proficiency, immigrants and refugees, and people who have experienced or are experiencing housing instability;
  - c. Strategies and/or policies, such as goals or competitive criteria related to diversity in contracting or hiring practices, to increase economic opportunities for people of color; and
  - d. Requirements or competitive criteria for projects to align culturally specific programming and supportive services to meet the needs of tenants.
  
3. Engagement report summarizing engagement activities, participation and outcomes, including:
  - a. Engagement activities focused on reaching communities of color and other historically marginalized communities, including people with low incomes, seniors and people with disabilities, people with limited English proficiency, immigrants and refugees, and people who have experienced or are experiencing housing instability;
  - b. Summary of key community engagement themes related to local housing needs and priority outcomes for new affordable housing investments, approach to geographic distribution and location strategies, acknowledgement of historic/current inequitable

access to affordable housing and opportunities for stakeholders to identify specific barriers to access, and opportunities to advance racial equity through new investments;

- c. Summary of how the above themes are reflected in the Local Implementation Strategy.
4. Plan to ensure ongoing community engagement to inform project implementation, including:
    - a. Strategies for ensuring that ongoing engagement around project implementation reaches communities of color and other historically marginalized community members, including: people with low incomes, seniors and people with disabilities, people with limited English proficiency, immigrants and refugees, existing tenants in acquired buildings, and people who have experienced or are experiencing housing instability; and
    - b. Strategy for ensuring community engagement to shape project outcomes to support the success of future residents.

IN CONSIDERATION OF RESOLUTION NO. 19-4956, FOR THE PURPOSE OF  
APPROVING THE METRO AFFORDABLE HOUSING BOND MEASURE PROGRAM  
WORK PLAN

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Date: Jan. 17, 2019  
Department: Planning, GAPD  
Meeting date: Jan. 31, 2019

Prepared by: Emily Lieb  
Presenter(s): Elissa Gertler  
Length: 15 min.

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### **ISSUE STATEMENT**

On Nov. 6, 2018, Metro-area voters approved a \$652.8 million regional general obligation bond to create affordable homes for thousands of people in our communities (the “Housing Bond Measure”). On June 7, 2018, following its referral of the bond measure to voters, the Metro Council adopted the Metro Chief Operating Officer’s recommended program framework, as set forth in Regional Investment Strategy: Affordable Homes for Greater Portland (“Initial Housing Bond Framework”). This framework includes policy guidance related to unit production targets, commitments to advancing racial equity, and implementation guidelines developed in collaboration with stakeholders, jurisdictions, housing providers and other partners.

To create these homes and deliver the results promised to voters, staff seeks Metro Council adoption of the Housing Bond Measure Program Work Plan attached as Exhibit A to the Resolution (the “Work Plan”). The Work Plan will be the governing document for how bond funding will be administered to ensure delivery of the outcomes described in the Housing Bond Measure and Initial Housing Bond Framework. The Work Plan sets forth expectations for implementing jurisdictions to develop local implementation strategies, which will further define local approaches to achieving the outcomes in the Framework. Implementing jurisdictions may bring forward “phase 1” projects for funding in FY2019, prior to the completion of local implementation strategies, so approval of those “phase 1” projects would be outside the parameters of the Work Plan and would come before the Metro Council for specific funding approval.

### **ACTION REQUESTED**

Adopt resolution approving Housing Bond Measure Work Plan (attached as Exhibit A to the Resolution).

### **IDENTIFIED POLICY OUTCOMES**

As described in the Initial Housing Bond Framework adopted by Metro Council on June 7, 2018 (Resolution No. 18-4895), the primary goal of the Housing Bond Measure program is to **create at least 3,900 new affordable homes**, of which:



- At least 1,600 homes will be affordable to households making 30% of area median income (AMI) or below;
- At least 1,950 homes will be sized for families, with two or more bedrooms;
- No more than ten percent of homes will be provided for households making 61-80% of area median income.

For acquired rental properties, the above targets and cap on homes for households making 61-80% of area median income will be applied upon turnover of the unit.

In its efforts to achieve the housing production outcomes described above, Metro is guided by the following four principles, which were derived from (a) existing Metro policies, including the agency's Strategy to Advance Racial Equity, Diversity, and Inclusion and (b) conversations with key stakeholders who participated in a six-month public process convened prior to the referral of the Bond Measure:

- 1) **Lead with racial equity.** Ensure that racial equity considerations guide and are integrated throughout all aspects of program implementation, including community engagement, project location prioritization, tenant screening and marketing, resident and/or supportive services, and inclusive workforce strategies.
- 2) **Create opportunity for those in need.** Ensure that program investments serve people currently left behind in the region's housing market, especially: communities of color, families with children and multiple generations, people living with disabilities, seniors, veterans, households experiencing or at risk of homelessness, and households at risk of displacement. Incorporate commitments for tracking and reporting on program outcomes for people of color and other historically marginalized groups.
- 3) **Create opportunity throughout the region.** Ensure that program investments are distributed across the region to (a) expand affordable housing options in neighborhoods that have not historically included sufficient supply of affordable homes, (b) increase access to transportation, employment, education, nutrition, parks and natural areas, and (c) help prevent displacement in changing neighborhoods where communities of color live today.
- 4) **Ensure long-term benefits and good use of public dollars.** Provide for community oversight to ensure transparency and accountability in program activities and outcomes. Ensure financially sound investments in affordable, high quality homes. Allow flexibility and efficiency to respond to local needs and opportunities, and to create immediate affordable housing opportunities for those in need.

## **POLICY QUESTION(S)**

Does the proposed work plan provide the structure necessary to deliver on commitments made to voters in Measure 26-199 and the desired outcomes identified in the Initial Housing Bond Framework adopted by the Metro Council in June 2018?

### **POLICY OPTIONS FOR COUNCIL TO CONSIDER**

- Approve the work plan by adopting Resolution No. 19-4956: This will begin the next phase of the Housing Bond Measure program implementation, during which Metro and implementation partners will develop implementation strategies in accordance with the requirements set forth in the Work Plan.
- Propose revisions to the Work Plan to meet desired Council objectives and outcomes. Depending on the extent of revisions, this could delay of program implementation as Metro staff will need to recirculate and obtain feedback from local implementation partners.

### **STAFF RECOMMENDATIONS**

Staff recommends adoption of Resolution No. 19-4956.

### **STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION**

The proposed Work Plan provides an operational framework for how Metro and the local implementation jurisdictions will work together to implement the Housing Bond Measure program to achieve the desired outcomes.

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

- Resolution No. 18-4895, adopting the Initial Housing Bond Framework for implementation of the regional affordable housing bond
- Resolution No. 18-4898, referring the affordable housing bond measure to Metro District voters
- Ordinance No. 18-1423, For the Purpose of Determining that Affordable Housing is a Matter of Metropolitan Concern and Undertaking an Affordable Housing Function

Following voter approval of the Housing Bond Measure, Metro staff began a focused period of engagement with jurisdictional partners and stakeholders to inform the completion of the proposed Work Plan. Engagement has included a reconvening of the stakeholder and technical advisory table members that informed the framework; community roundtables to discuss specific elements of the work plan, such as requirements and best practices for community engagement and advancing racial equity, as well as the program's approach to community oversight; a discussion with MPAC on Nov. 28, 2018; regular updates with key stakeholder groups; and frequent, ongoing meetings and workshops with key staff from jurisdictions that would implement the bond to discuss the work plan's contents.

Organizations and individuals engaged during this phase included the following.

Organizations:

- IRCO
- Urban League
- APANO
- JOIN
- Oregon Food Bank
- Coalition of Communities of Color
- Latino Network
- The Rosewood Initiative
- Central City Concern
- Opal Environmental Justice Oregon
- Momentum Alliance
- Central City Concern
- Portland Business Alliance
- BBPDX
- Fair Housing Council of Oregon
- West Side Economic Alliance
- Washington County Thrives

Builders, funders, and housing developers:

- Bridge Housing
- Walsh Construction
- Community Partners for Affordable Housing
- Community Housing Fund
- Proud Ground
- Housing Oregon

Individuals:

- Mesha Jones, Landlord, Gresham
- Arlene Kimura, East Portland Action Plan

Partner jurisdictions and other government:

- Washington County
- Housing Authority of Clackamas County
- Home Forward
- City of Beaverton
- City of Hillsboro
- City of Gresham
- Portland Housing Bureau
- City of Milwaukie
- State of Oregon Housing and Community Services
- Clackamas County Housing Affordability and Homelessness Task Force

As the Metro Council considers this Resolution, it is also considering adoption of Ordinance 19-1430 that amends the Metro Code to establish a Housing Bond Measure Community Oversight Committee, and Resolution No. 19-4957 that appoints Community Oversight Committee members.

If the Metro Council adopts the proposed Work Plan, Metro and local implementation partners would proceed with development of Implementation Strategies. Development of the Implementation Strategies will include considerable engagement with community members, particularly communities of color and other marginalized groups.

The Implementation Strategies will then be reviewed by the Community Oversight Committee for consistency with the requirements set forth in the Work Plan and will be presented to the Metro Council and local governing bodies in summer 2019. If approved, the Implementation Strategies would then be incorporated into intergovernmental agreements between Metro and the local implementation partners.

Although the Housing Bond Measure had some opposition, staff is not aware of formal opposition to the Housing Bond Measure Work Plan submitted for Metro Council consideration.

### **BACKGROUND**

The Work Plan that the Metro Council would adopt through the approval of this Resolution includes sections devoted to governance, the Community Oversight Committee, distribution of funds and requirements for local implementation partners, the Metro regional site acquisition program, capital investment activities, long-term monitoring of outcomes, and program operations.

Staff provided an update on Work Plan development and received Metro Council guidance at a work session on Dec. 11, 2018. An earlier update on staff efforts to scope the work plan was presented to Metro Council on Sept. 18, 2018.

### **ATTACHMENTS**

None

Agenda Item Number 5.3

**Resolution No. 19-4954**, For the Purpose of Adopting an  
Agenda for the 2019 Oregon Legislative Session

*Resolutions*

Metro Council Meeting  
Thursday, January 31, 2019  
Metro Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING AN ) RESOLUTION NO. 19-4954  
AGENDA FOR THE 2019 OREGON )  
LEGISLATIVE SESSION ) Introduced by Council President Lynn  
 ) Peterson  
 )

WHEREAS, Metro has an interest in bills before the 2019 Oregon Legislature; and

WHEREAS, the Metro Council and Metro staff will represent Metro’s interest during the upcoming legislative session; and

WHEREAS, the Metro Council wishes to establish a united position on important legislative proposals and provide direction to its staff in order to represent the will of the agency; and

WHEREAS, the attached Exhibit “A” of this resolution lists specific expected and potential 2019 issues that are of concern to Metro and the metropolitan region and gives guidance to staff on the Metro Council’s position on these issues; and

WHEREAS, the attached Exhibit “B” states the Metro Council’s principles regarding categories of potential legislation in order to provide guidance to staff in representing Metro; now therefore

BE IT RESOLVED that the Metro Council hereby directs the Metro Chief Operating Officer, the Metro Attorney, and Metro staff to communicate the agency’s position on a variety of legislative proposals to the 2019 Oregon Legislature consistent with Exhibits “A” and “B” attached hereto.

ADOPTED by the Metro Council this \_\_\_\_\_ day of January, 2019.

\_\_\_\_\_  
Lynn Peterson, Council President

Approved as to Form:

\_\_\_\_\_  
Nathan Sykes, Metro Attorney

**METRO COUNCIL LEGISLATIVE PRIORITIES**  
**2019 Legislative Session**



**TOP PRIORITY ITEMS**

- **Climate:** Support legislation to create a “cap and invest” system to reduce greenhouse gas emissions and incentivize investment in clean energy. Seek specific provisions that support implementation of the Portland region’s Climate Smart Strategy to reduce transportation-related greenhouse gas emissions. Seek opportunities to support other climate-related investments related to Metro’s other areas of responsibility.
- **Household hazardous waste:** Establish a program based on producer responsibility and product stewardship principles to manage household hazardous waste.
- **Affordable housing:** Support legislation increasing state housing funding, improving tenant protections, and providing additional tools and authority to local governments to address housing supply and affordability.
- **Urban growth management:** Ensure that the Legislature establishes the policy framework and process for local land use decisions and respects the authority of local governments, including Metro, to make specific decisions on local land use matters. Oppose efforts to legislatively determine specific land use designations in the region.
- **Transportation projects:** Provide funding to support project development and eventual construction of Southwest Corridor and I-205 projects.
- **Brownfield cleanup and redevelopment:** Establish a state brownfield cleanup tax credit and support recapitalization of the state’s Brownfields Redevelopment Fund.

**OTHER ITEMS**

- **Columbia River levees:** Support legislation to consolidate drainage districts and provide funding to support recertification of Columbia River levees.
- **Plastics:** Support a statewide ban on single-use plastics, including plastic bags, that does not pre-empt local authority or create an undue burden on low-income consumers.
- **Paid parental and family leave:** Support legislation to establish a statewide program and policy for paid parental and family leave.
- **Industrial site readiness:** Provide funding to implement statute authorizing loans to make land inside urban growth boundaries available for industrial development and job creation through infrastructure investment, brownfield cleanup, land aggregation, and other means. Support statutory changes to make statute clearer and easier to implement.
- **Product stewardship:** Support legislation creating programs for managing discarded pharmaceutical drugs and mattresses based on producer responsibility and product stewardship principles.

- **Jurisdictional transfer:** Advance efforts to identify candidate highways for jurisdictional transfer and provide funds to facilitate transfers.
- **Emerging transportation technologies:** Ensure that legislation establishing statewide policy frameworks for ride-hailing companies, automated vehicles and other technology-driven transportation innovations do not unreasonably limit local government authority or access to data needed for sound transportation management and planning.
- **Geographic data:** Support legislation to create and fund central state repository for standardized geographic “framework” data.
- **Oregon Conservation Strategy:** Support creation of an Oregon Conservation and Recreation Fund dedicated to the conservation and management of Oregon’s non-game fish and wildlife and their habitats.
- **Willamette Falls Locks:** Support funding to repair and reopen the Locks and transfer ownership to the Department of State Lands.
- **Air quality:** Establish requirements and incentives to reduce diesel particulate emissions, increase the use of clean diesel engines, and reduce diesel engine idling.
- **Tax Supervising and Conservation Commission:** Increase the cap and growth factor for the TSCC’s budget.
- **Qualification-based selection:** Establish an alternative approach to contracting for certain categories of professional services that enables a contracting agency to consider price as a factor before selecting a contractor.



## METRO COUNCIL 2019 LEGISLATIVE PRINCIPLES<sup>1</sup>

### LOCAL AUTHORITY

1. **Pre-emption:** With respect to issues related to solid waste management, land use, transportation and other matters of regional concern, Metro's authority should not be pre-empted or eroded.
2. **Funding:** To ensure a prosperous economy, a clean and healthy environment, and a high quality of life for all of their citizens, Metro and the region's counties, cities, and other service providers must have the financial resources to provide sustainable, quality public services. Accordingly, the Legislature should remove existing restrictions on local and regional revenue-raising authority and avoid enacting new limitations or pre-emptions, and all state mandates should be accompanied by funding.

### EQUITY

3. **Racial Diversity, Equity and Inclusion:** Metro envisions a region and state where a person's race, ethnicity or zip code does not predict their future prospects and where all residents can enjoy economic opportunity and quality of life. Metro therefore supports legislation that acknowledges past discrimination, addresses current disparities and promotes inclusion in public programs, services, facilities and policies.

### HOUSING:

4. **Affordable Housing:** Metro supports efforts to ensure that housing choices are available to people of all incomes in every community in our region, and to reduce the number of households that are burdened by the combined costs of housing and transportation.<sup>2</sup> To achieve these outcomes, Metro supports legislative actions consistent with Oregon's land use laws that increase the supply of both regulated affordable housing and market-rate housing; provide funding for both housing development and services that support lower-income renters; and provide reasonable protections for renters against arbitrary and unfair actions.

### LAND USE AND URBAN GROWTH MANAGEMENT:

5. **Local Authority:** The Legislature should take no actions that reduce or compromise Metro's land use and urban growth management authority.
6. **Oregon's Land Use System:** Oregon's land use planning system provides an important foundation for the prosperity, sustainability and livability of our region; this system reflects the values of Oregonians and enjoys strong public support.<sup>3</sup> The Legislature should exercise restraint and care when considering changes to Oregon's land use system.
7. **Successful Communities:** Metro supports legislation that facilitates the achievement of the six desired outcomes for successful communities that have been agreed upon by the region: vibrant, walkable communities; economic competitiveness and prosperity; safe and reliable transportation choices; leadership in minimizing contributions to global warming; clean air, clean water and healthy ecosystems; and equitable distribution of the burdens and benefits of growth and change.<sup>4</sup>
8. **Local Land Use Decisions:** Management of the urban growth boundary is a complex undertaking that involves extensive analysis, public input, and a balancing of many factors. Urban growth management decisions have profound impacts not just on land at the

boundary, but on communities within the boundary and on farms and other rural lands outside the boundary. For these reasons, the Legislature should establish the process and policy framework for local land use decisions and should affirm the authority of local governments, including Metro, to make specific decisions on local land use matters.

9. **Efficiency:** Land within the urban growth boundary should be used efficiently before the boundary is expanded.<sup>5</sup>
10. **Need:** The UGB should not be expanded in the absence of demonstrated need.<sup>6</sup>
11. **Integration of Land Use and Transportation:** Land use and transportation planning should be coordinated so land uses do not undermine the efficiency and reliability of the transportation system and transportation investments do not lead to unintended or inefficient land uses.<sup>7</sup>
12. **Annexation:** Cities are the preferred governing structure for providing public services to urban areas, and Metro supports reforms that will facilitate, or reduce barriers to, orderly annexation and incorporation.
13. **Rules/Statutes:** Administrative rules should not be adopted into statute.
14. **Non-Regulatory Tools:** State efforts at regulatory streamlining should include funding to support development of non-regulatory tools for achieving desired land use outcomes.<sup>8</sup>
15. **Fiscal Responsibility:** Funding to support urban development should be generated at least in part by fees on those who directly benefit from that development.

#### **SOLID WASTE:**

16. **Life cycle approach:** Metro supports efforts to minimize the health, safety, environmental, economic and social impacts associated with consumer products and packaging throughout all stages of a product's life cycle, beginning with resource extraction and continuing through design, manufacturing, consumption and disposal.<sup>9</sup>
17. **Product Stewardship/Producer Responsibility:** Metro supports legislation providing that whoever designs, produces, sells or uses a product bears responsibility for minimizing the product's environmental impact throughout all stages of the product's life cycle. Under this market-based approach, the life-cycle costs of a product are internalized into its price rather than being forced onto the general public. This approach also provides an incentive for manufacturers to design and produce their goods in a way that minimizes waste, environmental impact and management costs.

#### **TRANSPORTATION:**

17. **Transportation Governance:** The Legislature should take no actions that reduce or compromise Metro's or JPACT's authority in the areas of transportation policy and funding.
18. **Transportation Funding:** Providing adequate funding for all transportation modes that move people and freight supports economic prosperity, community livability, public health and environmental quality. For these reasons, Metro supports an increase in overall transportation funding, investments in a safe and balanced multimodal transportation system that addresses the needs of all users, and flexibility in the system to provide for local solutions to transportation problems.

#### **PARKS AND NATURAL AREAS:**

19. **Parks and Natural Areas:** Our region has invested heavily in protecting water quality and wildlife habitat and providing residents with access to nature and outdoor activity. Parks and

natural areas are regional assets that support public health, environmental quality, strong property values and economic prosperity. For these reasons, Metro supports measures to increase local and regional authority to raise revenues to support parks and natural areas and to increase the level of state funding distributed to local governments for acquisition, capital improvements, and park operations.

**SUSTAINABILITY:**

- 20. Climate Change:** Metro supports efforts to combat and adapt to climate change and to meet the state’s goals for reducing greenhouse gas emissions. Metro and its regional partners are committed to the Climate Smart Strategy, which includes actions needed to achieve state targets for reducing greenhouse gas emissions from transportation. The state should provide financial support for implementation of the Climate Smart Strategy.
- 21. Species Conservation:** Metro supports efforts to protect and restore wildlife habitat, to recover threatened and endangered species, and to create a better future for wildlife, both in Oregon and globally.
- 22. Conservation Education:** Metro supports efforts to provide stable and reliable funding to conservation education.

**ECONOMIC PROSPERITY:**

- 23. Infrastructure Finance:** Metro supports measures, including funding or revenue measures, which facilitate state, regional or local investments in the public structures needed to accommodate population and economic growth in a way that helps the region achieve its six desired outcomes for successful communities.
- 24. Metro Venues:** Because the Oregon Convention Center, Expo Center, Portland’s 5 Centers for the Arts and Oregon Zoo are assets that contribute millions of dollars to the state and regional economies, Metro supports legislative measures that facilitate the success of these venues in attracting visitors and enhancing the quality of their experiences.

**AGENCY OPERATIONS:**

- 25. Firearms and Public Facilities:** Metro supports legislation that increases Metro’s authority to regulate the carrying of firearms on Metro properties and public venues, and opposes legislation that limits or reduces that authority.
- 26. Disaster Preparedness:** Metro supports legislative efforts to improve community disaster preparedness and resilience, with the goal of enabling the Portland region to provide for the immediate needs of its residents and businesses after a catastrophic event and facilitating the region’s short- and long-term recovery.

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<sup>1</sup> Unless otherwise noted, endnotes refer to applicable policy statements in Metro’s Regional Framework Plan (RFP).

<sup>2</sup> RFP Policy 1.3 (Housing Choices and Opportunities).

<sup>3</sup> See <http://oregonvaluesproject.org/findings/top-findings/> (specifically item 5, Natural Resource Protections for Future Generations)

<sup>4</sup> RFP Chapter 1 (Land Use).

<sup>5</sup> RFP Policy 1.1 (Compact Urban Form).

<sup>6</sup> RFP Policy 1.9 (Urban Growth Boundary).

<sup>7</sup> RFP Policy 1.3.13 (Housing Choices and Opportunities); Transportation Goal 1 (Foster Vibrant Communities and Efficient Urban Form).

<sup>8</sup> RFP Policy 1.1 (Compact Urban Form); Policy 1.2 (Centers, Corridors, Station Communities and Main Streets).

<sup>9</sup> Draft 2030 Regional Waste Plan, page 11.

## **STAFF REPORT**

### **IN CONSIDERATION OF RESOLUTION NO. 19-4954, FOR THE PURPOSE OF ADOPTING AN AGENDA FOR THE 2019 OREGON LEGISLATIVE SESSION**

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Date: January 17, 2019  
Department: GAPD  
Meeting Date: January 31, 2019

Prepared by: Randy Tucker, x1512,  
randy.tucker@oregonmetro.gov

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## **ISSUE STATEMENT**

This resolution articulates the Metro Council's agenda for the 2019 Oregon legislative session and directs staff to pursue legislative outcomes consistent with the Council's policy priorities and principles.

## **ACTION REQUESTED**

Staff recommends approval of Resolution 19-4954.

## **IDENTIFIED POLICY OUTCOMES**

See Exhibits A and B.

## **POLICY QUESTION(S)**

See Exhibits A and B.

## **POLICY OPTIONS FOR COUNCIL TO CONSIDER**

N/A. (Note: staff will continue to seek policy direction from the Council throughout the legislative session as issues change and new issues arise.)

## **STAFF RECOMMENDATIONS**

Specific recommendations on policy direction are included in Exhibits A and B.

## **STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION**

- **How does this advance Metro's racial equity goals?** Several items in the proposed agenda support outcomes that will advance Metro's racial equity goals, including but not limited to support for both funding and policy related to affordable housing; support for climate legislation that addresses the needs of impacted communities; and support for legislation that reduces diesel pollution that disproportionately impacts low-income communities and communities of color.

- **How does this advance Metro’s climate action goals?** The agenda directs staff to seek specific provisions in climate “cap and invest” legislation that supports implementation of the Climate Smart Strategy, and to support legislation on diesel emissions that contribute significantly to climate disruption. Other items support efficient land uses which reduce the need to drive, thereby reducing per capita greenhouse gas emissions.
- **Known Opposition:** None.
- **Legal Antecedents:** None applicable.
- **Anticipated Effects:** Provides direction to Metro staff with respect to issues before the 2019 Oregon Legislature.
- **Financial Implications (current year and ongoing):** Funding for Metro’s legislative advocacy is included in the budget for Government Affairs and Policy Development and is supported by Metro’s general fund. Certain substantive elements of the legislative agenda have financial implications for Metro, its regional partners, and the larger regional economy (e.g., personnel or public contracting requirements or the availability of funds to support regional projects and programs), but those implications cannot be known at this time with any specificity.

## **BACKGROUND**

The Metro Council has taken formal positions on legislation since its inception. The first such action was in Resolution No. 79-23 whereby the Council took a position on Senate Bill 66, which dealt with economic development. Since that time, the Metro Council has taken formal and informal positions on legislation that impacts the agency and the region.

The priorities and principles described in Exhibits A and B were developed by Metro’s legislative affairs manager, Randy Tucker, in consultation with the Metro Council and Metro staff. Most of the specific legislative issues described in Exhibit A have benefited from consultation with legislative liaisons and other staff in Metro departments. The priorities and principles were discussed with the Metro Council in work sessions that occurred on October 2 and October 30, 2018, and January 8 and January 10, 2019.

Where applicable, the legislative principles described in Exhibit B also reflect previously adopted Metro policy as embodied in the Regional Framework Plan, the Regional Waste Plan and other documents.

As issues arise and develop during the 2019 session, the Council will have the opportunity to take positions on specific pieces of legislation and to modify its agenda as it sees fit.

## **ATTACHMENTS**

Exhibit A, Metro Council Legislative Priorities, 2019 Legislative Session

Exhibit B, Metro Council 2019 Legislative Principles

Materials following this page were distributed at the meeting.

# **Metro**

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



**Metro**

## **Minutes**

**Thursday, January 17, 2019**

**2:00 PM**

**Metro Regional Center, Council chamber**

**Council meeting**



**1. Call to Order and Roll Call**

Council President Lynn Peterson called the Metro Council meeting to order at 2:02 p.m.

**Present:** 7 - Councilor Sam Chase, Councilor Shirley Craddick, Councilor Craig Dirksen, Councilor Bob Stacey, Council President Lynn Peterson, Councilor Christine Lewis, and Councilor Juan Carlos Gonzalez

**2. Public Communication**

Ellen Ino, City of Portland: Ms. Ino welcomed the new Metro Council and stated she was shop steward at the Oregon Zoo and a member of LiUNA Local 483. She invited Council to the open house for the Portland Progressive Toast Master and the Inner City Blues Festival in April.

John Carter, City of Portland: Mr. Carter testified in opposition to the recent Urban Growth Boundary expansion, sharing his concern for continuing sprawl. He discussed the housing crisis and highlighted development and zoning practices that favored automobile use in the region.

Xavier Stickler, City of Tualatin: Mr. Stickler expressed concern for industrial and commercial interests over housing on major transit corridors in the City of Tualatin. He discussed the impacts of the Urban Growth Boundary expansion on farm and forestlands and advocated for better transit infrastructure, ecological protections and inclusive and fair public space.

Tony Jordan, City of Portland: Mr. Jordan, of Portlanders for Parking Reform, urged Council to implement policies that

address climate change and affordable housing including user pricing for vehicles, reduction of parking and freeway capacity and increased transit capacity. He discussed the increased cost of housing due to parking and noted Metro's role in providing good modelling tools to local jurisdictions.

Bradley Bondy, Clackamas County: Mr. Bondy spoke against the adoption of the 2018 Regional Transportation Plan and the recent Urban Growth Boundary expansion, explaining that these two decisions did not adequately address climate change or sustainable land use practices. He advocated for the removal of the Damascus area from the growth boundary, a permanent freeze on the growth boundary and requiring all projects included in regional transportation plans demonstrate a reduction in automobile use. (Mr. Bondy provided written materials as part of his testimony; please see the January 17 meeting packet.)

Jeffrey Yasskin, City of Portland: Mr. Yasskin urged Council to aggressively mitigate climate change, highlighting the carbon impacts of Metro's land use and transportation policies. He advocated for policies that encouraged and supported people living closer to their jobs, transit and travel corridors and discouraged cities from expanding away from corridors.

Councilor Stacey explained the recent Urban Growth Boundary expansion, noting the inclusion of missing middle housing opportunities as a requirement for residential development in the newly expanded areas. He discussed the role of the regional affordable housing bond and the potential regional parks and nature investment measure in

addressing the region's needs. Councilor Stacey thanked those who testified for their advocacy.

Councilor Gonzalez thanked those who testified and stated his support for bold policy action to address climate change across Metro's portfolio of services. Councilor Lewis discussed the importance of citizen engagement and good public policy responsive to constituencies, noting that the time limitations of public testimony during Council meetings were not sufficient for a dialogue around these issues. She recommended finding ways to engage with those who had testified.

Councilor Chase discussed the importance of citizen engagement in the upcoming 2040 growth concept refresh and encouraged those who testified to participate the public engagement process. Councilor Dirksen addressed Mr. Xavier and offered to meet to further discuss his concerns.

### **3. Presentations**

#### **3.1 2018 Sustainability Report**

Council President Peterson called on Mr. Matt Korot and Ms. Jenna Garmon, Metro staff, to present the 2018 Sustainability Report. Mr. Korot stated that the report reviewed Metro's internal operations for the last fiscal year and that all of the steps laid out in the report were to serve the goal of making Metro's operations more sustainable across all of Metro's facilities, venues and operations. He provided an overview of the policy foundation beginning with the vision set by Council in 2003 and the five quantitative goals consistent with this vision. Mr. Korot then discussed the sustainability plan adopted in 2010 including

agency wide strategies and performance indicators. He introduce Ms. Garmon to provide an overview of Metro's progress thus far.

Ms. Garmon discussed progress in each of the following quantitative goals: reduce carbon, choose nontoxic, reduce waste, increase recycling, conserve water and enhance habitat. She highlighted successes such as the Expo Center roof project, reduction of greenhouse gas emissions ahead of the 2020 and 2025 interim targets and reductions in waste generation. Ms. Garmon noted challenges with water use at the Oregon Zoo and the Glendoveer Golf Course as the region experiences climate change. She then provided an overview of Metro's future sustainability efforts, such as: high efficiency plumbing fixtures, implementation of recommendations from the food waste assessment and creating purchase standards for products used at Metro.

*Council Discussion:*

Councilor Lewis asked what opportunities for water reduction existed at the Oregon Zoo if the majority of the bond projects at the Oregon Zoo had been completed. Ms. Garmon explained that there were still opportunities for infrastructure repair for leaks. Councilor Craddick asked about water usage for the Glendoveer Golf Course and opportunities to improve the irrigation system.

Councilor Gonzalez asked about the increase in the recycling and garbage rate. Councilor Chase asked what strategies were being developed for diesel reduction. Council President Peterson thanked staff for their work.

**4. Consent Agenda**

**A motion was made by Councilor Stacey, seconded by Councilor Lewis, that these items be adopted. The motion passed by the following vote:**

**Present:** 7 - Councilor Sam Chase, Councilor Shirley Craddick, Councilor Craig Dirksen, Councilor Bob Stacey, Council President Lynn Peterson, Councilor Christine Lewis, and Councilor Juan Carlos Gonzalez

4.1 Consideration of the Council Meeting Minutes for January 10, 2019

**5. Ordinances (First Reading and Public Hearing)**

5.1 Ordinance No. 19-1430, For the Purpose of Amending Metro Code Chapter 2.19 to Establish the Metro Affordable Housing Bond Community Oversight Committee, and Declaring an Emergency

Council President Peterson called on Ms. Jes Larson, Metro staff, to present the staff report. Ms. Larson explained that with the passage of the affordable housing bond measure passed in November there was now a need to create an oversight body for implementation of the bond. She explained that the ordinance provided the necessary amendments to the Metro code to allow for the appointment of the community oversight committee.

*Council Discussion:*

Councilor Gonzalez asked for clarification about the language of the ordinance that declared an emergency. Mr. Nathan Sykes, Metro Attorney, explained that the emergency clause would make the changes effective immediately and was included to address the speed with which the housing bond was moving.

## 5.1.1 Public Hearing for Ordinance No. 19-1430

Council President Peterson opened up a public hearing on Ordinance No. 19-1430 and requested that those wishing to testify come forward to speak. Seeing none, Council President Peterson gaveled out of the public hearing. She noted that second read, Council consideration, and vote on Ordinance No. 19-1430 would take place on Thursday, January 31.

**6. Ordinances (Second Reading)**

## 6.1 Ordinance No. 19-1429, For the Purpose of Annexing to the Metro District Boundary Approximately 20.8 Acres Located at 7331 SW Boeckman Road in Wilsonville

Council President Peterson stated that the first reading and public hearing for Ordinance No. 19-1429 took place on Thursday, January 10. She informed the Metro Council that Metro staff were available for questions.

*Council Discussion:*

Councilor Dirksen stated his support for the ordinance noting that this property was within the Urban Growth Boundary and had been part of the City of Wilsonville's long range plans. He explained that annexation of the property was required before any development could take place.

**A motion was made by Councilor Craddick, seconded by Councilor Dirksen, that this item be adopted. The motion passed by the following vote:**

**Aye:** 7 - Councilor Chase, Councilor Craddick, Councilor Dirksen, Councilor Stacey, Council President Peterson, Councilor Lewis, and Councilor Gonzalez

**7. Resolutions**

7.1 Resolution No. 19-4955, For the Purpose of Ratifying the 2018-2023 Collective Bargaining Agreement Between LIUNA and Metro

Council President Peterson called on Mr. Ross Hume and Ms. Terry Smith, Metro staff, to provide a brief staff report on the resolution. Mr. Hume explained that the resolution would ratify the 2018 - 2023 collective bargaining agreement between Metro and Laborers' International Union of North America (LIUNA). He provided an overview of the agreement, highlighting key features including a \$15 an hour minimum wage, 3.25 percent cost of living increase in the first year, the addition of a holiday the day after Thanksgiving, a health care stipened and the creation of a regular benefit eligible park work classification. Mr. Hume noted the collaborative relationship with union representatives.

Council President Peterson called on Ms. Nicole Nicassio-Hiskey, a LIUNA representative from the Oregon Zoo, to provide a brief statement on the agreement. Ms. Nicassio-Hiskey reviewed the negotiation process, highlighting key components of the contract including the \$15 an hour minimum wage and the cost of living adjustments. She raised concerns over the issue of seniority, explaining that seniority was the best process to provide fair and unbiased decisions for members. Ms. Nicassio-Hiskey stated that the Laborers Local 483 supported the resolution.

*Council Discussion:*

Councilors thanked staff and LIUNA leadership for their work on successful negotiations. Councilor Lewis

acknowledged the progress made in the agreement in developing a framework for seasonal employees and stated the need for continued work in policies that value employees as people. Councilor Gonzalez discussed the importance of the inclusion of the \$15 an hour minimum wage specifically for the impacts on the diverse workforce at Metro's venues and noted the precedent it set for the entire agency. Councilor Chase emphasized Metro's commitment to its workforce and the value of its employees in serving the region.

Council President Peterson conveyed the importance of the precedent set in the contract, explaining the need for continued policy work. She shared her appreciation for the work of staff in making Metro's venues highly rated visitor destinations.

**A motion was made by Councilor Stacey, seconded by Councilor Lewis, that this item be adopted. The motion passed by the following vote:**

**Aye:** 7 - Councilor Chase, Councilor Craddick, Councilor Dirksen, Councilor Stacey, Council President Peterson, Councilor Lewis, and Councilor Gonzalez

7.2 Resolution No. 19-4952, For the Purpose of Establishing an Affordable Housing Fund and For Amending the FY 2018-19 Budget and Appropriations Schedule

Council President Peterson introduced Ms. Lisa Houghton, Metro staff, for a brief staff report. Ms. Houghton explained that the resolution would allow the agency to move forward with the affordable housing program approved by voters in November 2018. She highlighted the budgetary implications of the action including increased staff for program implementation, engagement, oversight and compliance. She noted that the resolution would also establish an



affordable housing fund to record the program's transactions, therefore providing greater accountability and transparency.

*Council Discussion:*

There was none.

**A motion was made by Councilor Chase, seconded by Councilor Stacey, that this item be adopted. The motion passed by the following vote:**

**Aye:** 7 - Councilor Chase, Councilor Craddick, Councilor Dirksen, Councilor Stacey, Council President Peterson, Councilor Lewis, and Councilor Gonzalez

7.3 Resolution No. 19-4953, For the Purpose of Amending the FY 2018-19 Budget and Appropriations Schedule to Provide for a Change in Operations

Council President Peterson introduced Ms. Lisa Houghton, Metro staff, for a brief staff report. Ms. Houghton provided an overview of the funding requests and noted that they included increased staffing for the Council Office, an extension of a limited duration position in the Diversity, Equity and Inclusion department for the Construction Career Pathways Project and a transfer from the general fund contingency.

*Council Discussion:*

Council President Peterson stated that this action was consistent with Council's priorities, noting the importance of the Construction Career Pathways Project to the local workforce and the region.

**A motion was made by Councilor Chase, seconded by Councilor Gonzalez, that this item be adopted. The motion passed by the following vote:**

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**Aye:** 7 - Councilor Chase, Councilor Craddick, Councilor Dirksen, Councilor Stacey, Council President Peterson, Councilor Lewis, and Councilor Gonzalez

**8. Chief Operating Officer Communication**

Ms. Martha Bennett provided an update on the following events or items: Martin Luther King Jr. Day service event and the Daily Journal of Commerce article on the Construction Career Pathways Project.

**9. Councilor Communication**

Councilors provided updates on the following meetings: Joint Policy Advisory Committee on Transportation, the opening of the Oxbow Regional Park welcome center opening, the Metropolitan Policy Advisory Committee and a lunch and learn hosted by Oregon State Representative Janeen Sollman.

**10. Adjourn**

There being no further business, Council President Peterson adjourned the Metro Council meeting at 3:34 p.m. The Metro Council will convene the next regular council meeting on January 31, 2019 at 2:00 p.m. at the Metro Regional Center in the council chamber.

Respectfully submitted,



Sara Farrokhzadian, Legislative and Engagement  
Coordinator

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF JANUARY 17, 2019**

<b>ITEM</b>	<b>DOCUMENT TYPE</b>	<b>DOC DATE</b>	<b>DOCUMENT DESCRIPTION</b>	<b>DOCUMENT No.</b>
<b>2.0</b>	Written Statement	1/17/19	Policy Suggestions for a More Ambitious Metro submitted by Bradley Bondy	11719c-01
<b>3.1</b>	Powerpoint	1/17/19	Sustainability Annual Report	11719c-02
<b>4.1</b>	Minutes	1/17/19	Council Meeting Minutes for January 10, 2019	11719c-03

For the record my name is Leon Porter. I live here in Portland. I'd like to say first that I support and agree with the general testimony you heard from some of my fellow activists at the beginning of your last meeting. Metro needs to move as quickly as possible to reduce our region's climate impact. That will require doing everything in your power to avoid freeway expansions, eliminate parking minimums, and charge user fees reflecting the full external costs of driving.

But the most important step of all is to increase housing density along transit corridors. Without high housing density to support heavy public transit usage, transit can actually worsen carbon emissions. The emissions from a bus or train carrying just a few riders often exceeds the emissions those riders would create driving in separate cars. To be environmentally beneficial, the transit has to be mostly full when it's running. We need a lot of dense multifamily housing near the transit stops to get enough riders on board. For example, this means we need apartment buildings instead of park-and-ride lots near any transit stations on the Southwest Corridor.

I'd also like to share some ideas for enhancing the public benefits from the affordable housing bond. First, the people in greatest need of public housing are those who are currently homeless and require support services. According to the city of Portland's estimates, in Portland alone there are over two thousand homeless individuals who need supportive housing with mental health care or addiction treatment. But Portland and Multnomah County only have funding to meet a small fraction of that need. Housing these most vulnerable members of our communities should be your #1 priority for spending the bond money.

Also, please look carefully at some more cost-effective housing options so that the bond money can provide housing for more people. For example, most of the other major west coast metro areas are starting to fund attractive prefabricated modular housing for the homeless and people with very low incomes. They can provide decent private micro-units for sometimes as little as \$25,000 to \$50,000 apiece. Portland Metro needs to look into them too.

Another cost-effective housing option to consider would be buying larger existing homes and converting them into rooming houses, group homes, or apartment buildings. It's often a lot cheaper than building from scratch.

One of my best friends is homeless. She works part-time but doesn't earn enough to afford an apartment. A simple room in a rooming house with shared kitchen and bathroom would meet her needs a lot better than the van she currently sleeps in. The more people Metro can house with the housing bond money, the fewer people like her will be left out in the cold. Thank you!

Leon Porter, leonporter@yahoo.com, 1822 NE Wasco St. Portland 97232, 503-228-6516

**Housing density to reduce transit emissions:** <https://www.sightline.org/2006/08/08/fill-those-seats/>  
**Replace proposed park-and-ride lots along the SW Corridor with housing:**

<https://www.sightline.org/2018/11/26/portland-southwest-corridor-free-park-and-ride-affordable-housing/>

<https://www.sightline.org/2018/10/04/southwest-corridor-project-affordable-housing-luxury-housing/>

**More supportive housing needed for homeless:** <https://multco.us/multnomah-county/news/county-portland-and-oregon-partner-first-its-kind-supportive-housing-project>

**Prefabricated modular housing:**

<https://www.citylab.com/design/2017/06/design-for-skid-row/532020/>

<https://www.planetizen.com/news/2018/08/100253-modular-housing-homeless>