

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPROVING THE)	RESOLUTION NO. 20-5148
METRO SUPPORTIVE HOUSING SERVICES)	
WORK PLAN)	
)	Introduced by Chief Operating Officer
)	Marissa Madrigal in concurrence with
)	Council President Lynn Peterson

WHEREAS, on February 25, 2020, the Metro Council adopted Ordinance 20-1442 which, among other things, imposed business and personal income taxes to fund a Supportive Housing Services Program; and

WHEREAS, as part of that Ordinance adoption, the Metro Council found that the greater Portland region is facing a severe housing affordability and homelessness crisis, which endangers the health and safety of thousands of our unhoused neighbors. Homelessness is a deeply traumatic and dehumanizing experience that no person should have to endure, regardless of their circumstances; and

WHEREAS, the Council further found that thousands of households in the greater Portland region need supportive housing, and thousands more need housing assistance and other supports to achieve housing stability, according to the February 2020 ECONorthwest report entitled “Potential Sources and Uses of Revenue to Address the Region’s Homeless Crisis,” and

WHEREAS, the Council further found that the housing affordability and homelessness crisis in the greater Portland region impacts us all and requires collective and individual action from every person, business, elected official, and resident that calls the region home; and

WHEREAS, the Council also found that the homelessness crisis is an issue of scale and services do not yet match the scope of the crisis, and additional revenue is required to scale services to meet the needs and scope of the crisis; and

WHEREAS, Resolution 20-5083 referred Ordinance 20-1442 (Supportive Housing Services) to the voters for approval, which was designated as Measure 26-210 by Multnomah County Elections and placed on the May 2020 ballot (the “Measure”); and

WHEREAS, on May 19, 2020, the Metro area voters approved the Measure, thereby approving Ordinance 20-1442; and

WHEREAS, since the election Metro has been collaborating with its jurisdictional partners and stakeholders to develop a regional Supportive Housing Services program, incorporating the goals and outcomes set forth in the Measure; and

WHEREAS, Metro staff now proposes a Metro Supportive Housing Services Work Plan which will serve as a framework for the Metro Supportive Housing Services implementation

activities in addition to the new Metro Code Chapter 11.01 (“Supportive Housing Services Program”); now therefore,

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

ADOPTED by the Metro Council this 17th day of December, 2020.



Lynn Peterson, Council President

Approved as to Form:



Carrie MacLaren, Metro Attorney



oregonmetro.gov

Supportive Housing Services Program Work Plan

DRAFT V.5

November 2020

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.

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2020 SUPPORTIVE HOUSING SERVICES PROGRAM WORK PLAN

Adopted by Resolution No. xx-xxxx on xxxxx, 2020 by the Metro Council.

TABLE OF CONTENTS

1.	INTRODUCTION	2
2.	GUIDING PRINCIPLES AND RACIAL EQUITY	2
3.	GOVERNANCE	3
	3.1 METRO COUNCIL	4
	3.2 METRO CHIEF OPERATING OFFICER AND STAFF	4
	3.3 LOCAL IMPLEMENTATION PARTNERS	4
	3.4 REGIONAL OVERSIGHT COMMITTEE	5
4.	FUNDING DISTRIBUTION AND ELIGIBLE USES	6
	4.1 ALLOCATION AND DISTRIBUTION OF SUPPORTIVE HOUSING SERVICES REVENUE	6
	4.2 PRIORITIZATION OF SUPPORTIVE HOUSING SERVICES FUNDS	7
	4.3 ELIGIBLE USES OF SUPPORTIVE HOUSING SERVICES FUNDS	7
	4.4 REGIONAL APPROACH TO MEETING SUPPORTIVE HOUSING NEED	7
	4.5 ADMINISTRATIVE COSTS	7
5.	ACCOUNTABILITY STRUCTURES AND PROCESS	8
	5.1 LOCAL IMPLEMENTATION PLANS	8
	5.2 REGIONAL OUTCOME METRICS	10
	5.3 ANNUAL REVIEW PROCESS	11
	5.4 AUDITS	12
6.	REGIONAL COORDINATION	12
	6.1 TRI-COUNTY ADVISORY BODY	12
	6.2 TRI-COUNTY PLANNING	13
	 ADDENDUM A - BALLOT MEASURE 26-210	 14
	ADDENDUM B - REGIONAL OVERSIGHT COMMITTEE CHARTER	16
	ADDENDUM C - DEFINITIONS FOR SECTIONS 4.2 AND 4.3	20
	ADDENDUM D - LOCAL IMPLEMENTATION PLAN REQUIREMENTS	22

1. INTRODUCTION

On May 19, 2020, voters in the greater Portland region approved a measure to raise money for supportive housing services for people experiencing homelessness or at risk of experiencing homelessness. Community members and leaders from around the region developed the measure to provide the much-needed housing and wraparound services to effectively and permanently elevate people out of homelessness.

The ballot measure (see Addendum A) will fund a new Supportive Housing Services Program that will provide services for as many as 5,000 people experiencing prolonged homelessness with complex disabilities, and as many as 10,000 households experiencing short-term homelessness or at risk of homelessness. The program is guided by a commitment to lead with racial equity by especially meeting the needs of Black, Indigenous and people of color (BIPOC) who are disproportionately impacted by housing instability and homelessness.

The Supportive Housing Services Program will directly fund Clackamas, Multnomah and Washington counties to invest in local strategies to meet the needs in their communities. Revenue will be distributed within the portions of Clackamas, Multnomah and Washington counties that are inside the Metro jurisdictional boundary in amounts proportionate to the tax revenue estimated to be collected from individuals in those counties.

The program is funded through a 1 percent tax on all taxable income of more than \$125,000 for individuals and \$200,000 for joint filers and a 1 percent tax on profits from businesses with gross receipts of more than \$5 million. The new tax requirements begin in January 2021. Initial revenues are expected to be available for the first phase of program implementation by July 2021. The program will be funded through December 2030, unless reauthorized by the voters on or before that date.

In February 2020, the Metro Council adopted Ordinance No. 20-1442 which provided guidelines for Supportive Housing Services Program implementation including eligible services, priority populations, governance, local implementation plans, allocation of revenue, equity and community engagement, and tri-county planning. In June to September 2020, Metro convened a stakeholder advisory table that developed recommendations for regional values to guide program implementation and outcome metrics to ensure transparent oversight and accountability.

This Supportive Housing Services Work Plan provides a comprehensive plan for implementing the program. The Work Plan incorporates and supplements the guidelines in Ordinance No. 20-1442 and the recommendations of the stakeholder advisory table. In addition to Metro Chapter 11.01, it serves as the governing document for program implementation, addressing how Supportive Housing Services revenues will be administered to achieve the goals described in the ballot measure.

2. GUIDING PRINCIPLES AND RACIAL EQUITY

Supportive Housing Services Program implementation will be guided by the following principles, which were developed by the stakeholder advisory table:

- Strive toward stable housing for all;
- Lead with racial equity and work toward racial justice;

- Fund proven solutions;
- Leverage existing capacity and resources;
- Innovate: evolve systems to improve;
- Demonstrate outcomes and impact with stable housing solutions;
- Ensure transparent oversight and accountability;
- Center people with lived experience, meet them where they are, and support their self-determination and well-being;
- Embrace regionalism: with shared learning and collaboration to support systems coordination and integration; and
- Lift up local experience: lead with the expertise of local agencies and community organizations addressing homelessness and housing insecurity.

Metro has adopted a Strategic Plan to Advance Racial Equity, Diversity and Inclusion which includes specific goals and objectives to ensure that all people who live, work and recreate in the greater Portland region have the opportunity to share in and help define a thriving, livable and prosperous region. A key objective for Supportive Housing Services Program implementation is a commitment to advance equity related to stable and affordable housing. In implementing the program, Metro will rely on the goals and objectives within the Strategic Plan to:

- Convene regional partners to advance racial equity outcomes in supportive housing services;
- Meaningfully engage with Black, Indigenous and people of color, people with low incomes, and other historically marginalized communities in establishing outcomes and implementing the program;
- Produce and provide research and information to support regional jurisdictions in advancing equity efforts;
- Increase accountability by ensuring involvement of Black, Indigenous and people of color in establishing goals, outcomes, and implementation and evaluation efforts;
- Increase participation of Black, Indigenous and people of color in decision-making; and
- Use equity criteria in resource allocation for the program.

Metro will actively work to remove barriers for organizations and communities to ensure full participation by providing stipends, scheduling events at accessible times and locations, and other inclusive engagement tactics.

3. GOVERNANCE

On February 25, 2020, the Metro Council adopted Ordinance No. 20-1442 referring to voters the ballot measure authorizing Metro to impose a tax to fund supportive housing services. The Supportive Housing Services Program and this Work Plan must comply with the promises made to the voters in the ballot measure.

3.1 METRO COUNCIL

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

- A. Adoption of this Work Plan;
- B. Appointment of Regional Oversight Committee members, chair and/or co-chairs, collectively charged with monitoring program implementation;
- C. Approval of Local Implementation Plans;
- 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 Regional Oversight Committee and tri-county advisory body.

3.2 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 Supportive Housing Services Program administration activities referenced herein, including (without limitation) the following:

- A. Ensure program implementation upholds promises made to voters;
- B. Develop and execute Implementation IGAs with Local Implementation Partners;
- C. Implement efficient and effective collection of personal and business income taxes;
- D. Develop and coordinate systems and structures to provide robust oversight and accountability and ensure transparency of public funds;
- E. Convene meetings and provide administrative support for the Regional Oversight Committee;
- F. Provide staffing and logistical support for a tri-county advisory body to identify regional goals, strategies and outcome metrics related to addressing homelessness in the region; and
- G. Conduct an annual independent financial audit with results made publicly available.

3.3 LOCAL IMPLEMENTATION PARTNERS

Metro will partner with Clackamas, Multnomah and Washington county governments and their housing authorities to lead Supportive Housing Services Program implementation. The three county governments will serve as Metro’s Local Implementation Partners for the program. As experts in implementing programs that serve community members experiencing homelessness, the Local Implementation Partners will work with service providers and community partners to develop and implement programs that respond to the unique needs in their communities.

Local Implementation Partners must:

- A. Adopt a Local Implementation Plan, informed by community engagement, that describes local housing and homeless service needs, current programming and unmet programming capacities, proposed use of funds, and a strategy for advancing racial equity and ensuring community engagement in implementation (see Section 5.1 and Addendum D);

- 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 ballot measure and other applicable law; and
- C. Track and report on program outcomes annually as defined through this Work Plan.

3.4 REGIONAL OVERSIGHT COMMITTEE

In accordance with Metro Code Section 2.19.270, Metro will appoint a Regional Oversight Committee to provide policy and programmatic guidance, monitor programmatic expenditures and evaluate outcomes (see Addendum B).

The committee will be charged with the following duties:

- A. Evaluate Local Implementation Plans, recommend changes as necessary to achieve program goals and guiding principles, and make recommendations to Metro Council for approval;
- B. Accept and review annual reports for consistency with approved Local Implementation Plans and regional goals;
- C. Monitor financial aspects of program administration, including review of program expenditures; and
- D. Provide annual reports and presentations to Metro Council and Clackamas, Multnomah and Washington County Boards of Commissioners assessing performance, challenges and outcomes.

Membership

The committee will be composed of 15 voting members with 5 members each from Clackamas, Washington and Multnomah counties. Committee members will be appointed by the Metro Council.

The committee's membership will include a broad range of personal and professional experience, including people with lived experience of homelessness or housing instability. The committee will also reflect the diversity of the region. The membership will include people with the following experiences, perspectives and qualities:

- Experience overseeing, providing or delivering supportive housing services;
- Lived experience of homelessness or severe housing instability;
- Experience in the development and implementation of supportive housing and other services;
- Experience in the delivery of culturally specific services;
- Experience in the private for-profit sector;
- Experience in the philanthropic sector;
- Experience in a Continuum of Care organization; and
- People who identify as Black, Indigenous and people of color, people with low incomes, immigrants and refugees, the LGBTQ+ community, people with disabilities and other underserved and/or marginalized communities.

Stipends, childcare, technical assistance, interpretation, accessibility assistance and other supports for participation will be available.

Committee members will serve two-year terms.

Jurisdictional representation

One representative each from the Clackamas, Multnomah and Washington County Boards of Commissioners, Portland City Council and Metro Council will serve on the committee as non-voting delegates.

Accountability

All committee meetings and materials will be available and accessible to the public, and appropriate notice will be given to inform all interested parties of the time, place and agenda of each meeting.

Committee members are considered public officials under Oregon law and will be responsible for complying with provisions in Oregon law regarding public records and public meetings, disclosure of conflicts of interest, prohibitions on the use of official positions to obtain financial benefit, and restrictions on political activity.

Metro may conduct a review of the committee’s role and effectiveness as appropriate.

4. FUNDING DISTRIBUTION AND ELIGIBLE USES

4.1. ALLOCATION AND DISTRIBUTION OF SUPPORTIVE HOUSING SERVICES REVENUE

Supportive Housing Services revenue will be distributed as follows:

- A. After Metro has first retained funds necessary to pay for collection of the taxes, including debt service related to the implementation costs, Metro may retain up to 5 percent of the remaining collected revenue for administration, oversight and accountability, data collection, coordination, and other costs associated with management of the regional program.
- B. After the funds have been allocated as set forth in Section 4.1.A, Metro will then allocate the remaining Supportive Housing Services revenue within the portions of Clackamas, Multnomah and Washington counties that are inside the Metro jurisdictional boundary in amounts proportionate to the tax revenue estimated to be collected from individuals in those counties. Funds will be distributed to the Local Implementation Partner within each county using the following percentages: 21 1/3 percent to Clackamas County, 45 1/3 percent to Multnomah County and 33 1/3 percent to Washington County.
- C. The percentages set forth in Section 4.1.B apply to revenue for the first two tax years. Thereafter, the percentages may be adjusted to reflect the portion of Supportive Housing Services revenue actually collected in each county.
- D. Metro’s Implementation IGAs with each Local Implementation Partner will specify how Supportive Housing Services funds will be released. Agreements will include specifications for annual program budgets, financial reporting, practices for reserving funds, and redistribution of funds if a jurisdiction fails to comply with the agreement.

4.2 PRIORITIZATION OF SUPPORTIVE HOUSING SERVICES FUNDS

Each Local Implementation Partner must create a Local Implementation Plan outlining its proposed use of funds in accordance with the purposes of the program (see Section 5.1 and Addendum D). Local Implementation Plans must include a commitment that funding will be allocated as follows (see Addendum C for definitions of the terms used in Sections 4.2 and 4.3):

- A. Seventy-five percent of funds will be devoted to services for population A, defined as:

- Extremely low-income; AND
- Have one or more disabling conditions; AND
- Are experiencing or at imminent risk of experiencing long-term or frequent episodes of literal homelessness.

B. Twenty-five percent of funds will be devoted to services for population B, defined as:

- Experiencing homelessness; OR
- Have a substantial risk of experiencing homelessness.

This distribution of resources to serve priority populations may be adjusted over time as chronic and prolonged homelessness is reduced.

4.3 ELIGIBLE USES OF SUPPORTIVE HOUSING SERVICES FUNDS

The Supportive Housing Services Program is guided by regional goals and oversight, but implemented by Local Implementation Partners who are best positioned to respond to community needs. Successful implementation requires flexibility for local jurisdictions to create and implement strategies that respond to local community needs and effectively leverage local capacity and expertise. The uses of Supportive Housing Services funds will be guided by each county's Local Implementation Plan.

Eligible uses of funds include any of the supportive housing services defined in Addendum C as well as administrative costs within applicable limits (see Section 4.5).

Funds are prioritized for ongoing service and operating costs to support implementation of supportive housing services as defined in Section 4.5. Under certain circumstances, capital costs directly related to those supportive housing services may be eligible if necessary to support ongoing implementation of the services and when consistent with Local Implementation Plans.

Programmatic success will be based on housing stability achieved by people experiencing homelessness or at risk of homelessness. An approach that effectively balances supportive services with long-term rent assistance and other housing strategies will therefore be necessary.

Funds may only be used for services provided within the portion of each recipient county that is within the Metro jurisdictional boundary.

4.4 REGIONAL APPROACH TO MEETING SUPPORTIVE HOUSING NEED

A regional approach is required to effectively address service and resource gaps to meet the needs of the Supportive Housing Services Program's priority populations across the region. Local Implementation Partners will work together to enhance and expand local programs and services so that they share responsibility to address unmet needs across the region. Each county will develop and enhance local supportive housing services to address the needs of the portion of the region's homeless population that is proportionate to the percentage of Supportive Housing Services revenues allocated to each county (see Section 4.1).

4.5 ADMINISTRATIVE COSTS

It is the policy of the Metro Council to maintain low administrative costs to ensure that the maximum amount possible of Supportive Housing Services revenue is used to fund supportive housing services.

Administrative costs will be restricted as follows:

- A. As described in Section 4.1.A, after Metro's tax collection costs are paid, Metro may retain up to 5 percent of the remaining funds to pay for the costs to disburse the funds and administer and oversee the program. This includes convening and supporting the Regional Oversight Committee, establishing a regional data collection and reporting program, and supporting tri-county regional collaboration.
- B. Administrative expenses incurred by Local Implementation Partners for provision of services are recommended not to exceed five percent of total annual funds allocated for provision of services, consistent with guidelines for similar programs funded by the State.
- C. Administrative expenses incurred by Local Implementation Partners and housing authorities for administering long-term rent assistance programs are recommended not to exceed 10 percent of total annual funds allocated for long-term rent assistance, consistent with guidelines for similar programs funded by HUD and the State.

Administrative costs do not include costs directly associated with program and service delivery.

At least annually, the Regional Oversight Committee will consider whether the recommended administrative costs should be reduced or increased.

5. ACCOUNTABILITY STRUCTURES AND PROCESS

5.1 LOCAL IMPLEMENTATION PLANS

Each county will prepare a Local Implementation Plan to describe their local housing and homeless service needs, current programming and unmet programming capacities, and proposed use of funds in accordance with the purposes of the regional Supportive Housing Services Program. Plans must be created using a racial equity lens that ensures equitable participation, access and outcomes in all parts of the program and considers the best available quantitative and qualitative data.

Development and approval process

Each Local Implementation Plan must be developed using locally convened and comprehensive engagement processes that prioritize the voices of Black, Indigenous and people of color and people with lived experience. Plans must be developed in full partnership with advisory bodies that equitably reflect community expertise and experience. Each county may convene a new advisory body or use an existing body that fulfills the representation requirements.

Advisory body membership must include:

- People with lived experience of homelessness and/or extreme poverty;
- People from Black, Indigenous and people of color and other marginalized communities;
- Culturally responsive and culturally specific service providers;
- Elected officials, or their representatives, from the county and cities participating in the regional affordable housing bond;
- Representatives from the business, faith and philanthropic sectors;

- Representatives of the county/city agencies responsible for implementing housing and homelessness services, and that routinely engage with unsheltered people;
- Representatives from health and behavioral health who have expertise serving those with health conditions, mental health and/or substance use from culturally responsive and culturally specific service providers; and
- Representation ensuring geographic diversity.

Each Local Implementation Plan will be reviewed and approved by the respective county's local governing body, the Regional Oversight Committee and the Metro Council. Upon full approval, each Local Implementation Plan will be incorporated into the Intergovernmental Agreements between Metro and each respective county to govern transfer of funds, program implementation, and ongoing oversight and accountability.

Required elements

Local Implementation Plans must include the following elements, described in greater detail in Addendum D:

- A. *Analysis of inequitable outcomes*: An articulation of racial inequities in housing stability and access to current services;
- B. *Racial equity strategies*: A description of mitigation strategies and how the key objectives of Metro's Strategic Plan to Advance Racial Equity, Diversity and Inclusion have been incorporated;
- C. *Inclusive community engagement*: An articulation of how perspectives of Black, Indigenous and people of color and culturally specific groups were considered and incorporated into the development of the plan and will continue to be engaged through implementation and evaluation;
- D. *Priority population investment distribution*: A commitment that funding will be allocated as specified in Section 4.2;
- E. *Current investments*: A review of current system investments or capacity serving priority populations, an analysis of the nature and extent of gaps in services to meet the needs of the priority population, and a commitment to prohibit displacement of current local funding commitments for such services;
- F. *Distribution*: A strategy for equitable geographic distribution of services with partnering jurisdictions and service providers across the region;
- G. *Access coordination*: A plan for coordinating access to services with partnering jurisdictions and service providers across the region;
- H. *Procurement and partners*: A description of how funds will be allocated to public and nonprofit service providers;
- I. *Planned investments*: An articulation of programmatic investments planned, including the types of services to be funded to address the gap analysis;
- J. *Outcomes, reporting and evaluation*: An agreement to track and report on program outcomes annually as defined through regional coordination and with regional metrics.

Updates and amendments

Local Implementation Plans may be revised or amended only upon written agreement by the Local Implementation Partner, recommendation for approval by the Regional Oversight Committee and

approval by Metro Council. Proposed changes to a Local Implementation Plan will be presented as amendments to the Regional Oversight Committee for approval and confirmed by Metro Council.

5.2 REGIONAL OUTCOME METRICS

Regional outcome metrics will be used to understand the impacts and outcomes of the Supportive Housing Services Program. The required metrics will provide clear and consistent data sets that ensure transparent accountability and regional analysis of outcomes. They will be measured consistently in each county and reported to Metro and the Regional Oversight Committee. Staff will work to create standardized definitions and methodologies to achieve the intentions of the metrics as described below.

Additional collaboration between Metro, Local Implementation Partners and community experts will further refine and ensure quality control for each metric. Metrics will be phased in over time according to the regional system's capacity to comply with the newly established regional standards.

Required regional outcome metrics will include:

A. Housing stability

Measurable goals:

- Housing equity is advanced by providing access to services and housing for Black, Indigenous and people of color at greater rates than Black, Indigenous and people of color experiencing homelessness.
- Housing equity is advanced with housing stability outcomes (retention rates) for Black, Indigenous and people of color that are equal or better than housing stability outcomes for non-Hispanic whites.
- The disparate rate of Black, Indigenous and people of color experiencing chronic homelessness is significantly reduced.

Outcome metrics:

- Number of supportive housing units created and total capacity, compared to households in need of supportive housing. This will measure change in supportive housing system capacity and need over time.
- Number of households experiencing housing instability or homelessness compared to households placed into stable housing each year. This will measure programmatic inflow and outflow.
- Number of housing placements and homelessness preventions, by housing intervention type (e.g. supportive housing, rapid rehousing) and priority population type. This will measure people being served.
- Housing retention rates. This will measure if housing stability is achieved with supportive housing.
- 'Length of homelessness' and 'returns to homelessness'. These will measure how effectively the system is meeting the need over time.
- Funds and services leveraged through coordination with capital investments and other service systems such as healthcare, employment and criminal justice. This will measure leveraged impact of funding in each county.

B. Equitable service delivery

Measurable goals:

- Increase culturally specific organization capacity with increased investments and expanded organizational reach for culturally specific organizations and programs.
- All supportive housing services providers work to build anti-racist, gender-affirming systems with regionally established, culturally responsive policies, standards and technical assistance.

Outcome metrics:

- Scale of investments made through culturally specific service providers to measure increased capacity over time.
- Rates of pay for direct service roles and distribution of pay from lowest to highest paid staff by agency to measure equitable pay and livable wages.
- Diversity of staff by race, ethnicity, sexual orientation, gender identity, disability status and lived experience.

C. Engagement and decision-making

Measurable goals:

- Black, Indigenous and people of color are overrepresented on all decision-making and advisory bodies.
- Black, Indigenous and people of color and people with lived experience are engaged disproportionately to inform program design and decision making.

Outcome metrics:

- Percent of all advisory and oversight committee members who identify as Black, Indigenous and people of color or as having lived experience of housing instability or homelessness.

Data disaggregation

In keeping with Metro's commitment to advance racial equity, and the Supportive Housing Services Program's overarching goal to ensure racial justice, data will be disaggregated to evaluate existing and continued disparate impacts for BIPOC communities and other impacted populations. As such, all applicable data sets will be disaggregated by regionally standardized values and methodology to understand disparate outcomes for people by race, ethnicity, disability status, sexual orientation and gender identity.

5.3 ANNUAL REVIEW PROCESS

Each Local Implementation Partner will submit an Annual Progress Report to the Metro Council and the Regional Oversight Committee summarizing its progress and outcomes under the Local Implementation Plan, including:

- A. A full program accounting of investments or a financial report;
- B. Reporting on required outcome metrics; and
- C. An equity analysis incorporated into all facets of the report, including reporting on the success or failure of racial inequity mitigation strategies and steps being taken to improve racial equity outcomes.

A template for the Annual Progress Report will be developed by Metro with input from the Local Implementation Partners.

The Regional Oversight Committee will review each Annual Progress Report and may recommend changes to the Local Implementation Plan to achieve regional goals and/or to better align the Local Implementation Plan with the Work Plan. The Local Implementation Partner will identify proposed strategies to address the Regional Oversight Committee's recommendations. The proposed strategies will be submitted to the Regional Oversight Committee for approval and confirmed by Metro Council.

As part of the annual review process, the Regional Oversight Committee will evaluate tax collection and administrative costs incurred by Metro, Local Implementation Partners and service providers and consider if any costs should be reduced or increased. The committee will present any such recommendations to the Metro Council.

5.4 AUDITS

A public accounting firm must conduct an annual financial audit of the revenue generated by the Supportive Housing Services taxes and the distribution of that revenue. Metro will make public the audit and any report to the Metro Council regarding the results of the audit. Metro may use the revenue generated by the taxes to pay for the costs of the audit.

The revenue and expenditures from the taxes are also subject to performance audits conducted by the Office of the Metro Auditor.

6. REGIONAL COORDINATION

6.1 TRI-COUNTY ADVISORY BODY

Metro will convene a tri-county advisory body to strengthen regional coordination in addressing homelessness in the region. The advisory body will identify regional goals, strategies and outcome metrics and provide guidance and recommendations to inform Supportive Housing Services Program implementation.

The advisory body will include people representing the following perspectives:

- People with lived experience of homelessness and/or extreme poverty;
- People from Black, Indigenous and people of color and other marginalized communities;
- Culturally responsive and culturally specific service providers;
- Elected officials, or their representatives, from the counties and cities participating in the regional affordable housing bond;
- Representatives from the business, faith and philanthropic sectors;
- Representatives of county/city agencies responsible for implementing housing and homelessness services, and that routinely engage with unsheltered people;
- Representatives from health and behavioral health who have expertise serving those with health conditions, mental health and/or substance use from culturally responsive and culturally specific service providers; and
- Representation ensuring geographic diversity.

Metro will work with the Local Implementation Partners to develop a proposed structure, charter and procedures for the tri-county advisory body, to be presented to Metro Council for approval.

Metro will provide ongoing staffing and logistical support to convene the advisory body and support its planning and coordination efforts. Local Implementation Partners will work to incorporate the advisory body's recommendations into their implementation strategies.

6.2 TRI-COUNTY PLANNING

The tri-county advisory body will lead a planning process to develop recommendations for regional coordination related to these and other issue areas as identified:

- *Regional capacity*: strategies to strengthen regional supportive housing capacity, including but not limited to: coordination of capital investments funded by the regional affordable housing bond and other sources, development of a regional model of long-term rent assistance, and expanded system capacity for culturally specific housing and services;
- *Systems alignment*: coordination and integration between the housing and homeless service systems, as well as other systems serving people experiencing homelessness, including the healthcare, education, workforce and criminal justice systems; and
- *Standards and metrics*: regional performance metrics to measure the impact of specific program types, regional system indicators to measure changes in the population experiencing homelessness, consistency in program evaluation standards and procedures, standards for culturally responsive services, and standardized data definitions, data collection methods and quality control.

ADDENDUM A**BALLOT MEASURE 26-210**

Ballot Title:	Supports homeless services through higher earners' tax, business profits tax.
Question:	Should Metro support homeless services, tax income over \$200,000/\$125,000(joint/single), profits on businesses with income over \$5 million?
Summary:	<p>Measure funds supportive housing services to prevent and reduce homelessness in Washington, Clackamas, and Multnomah counties within district boundaries. Prioritizes services to address needs of people experiencing, or at risk of, long-term or frequent episodes of homelessness. Services funded by a marginal income tax of 1% on households with income over \$200,000 (over \$125,000 for single filers) and a business profits tax of 1%. Income tax applies to resident income, and to non-resident income earned from sources within district. Exempts businesses with gross receipts of \$5 million per year or less.</p> <p>Declares funding for homelessness services a matter of metropolitan concern, directs regional funding to local services agencies, requires community engagement to develop localized implementation plans. Allocates funds to counties by estimated revenue collected within each county. Establishes community oversight committee to evaluate and approve local plans, monitor program outcomes and uses of funds. Requires creation of tri- county homeless services coordination plan.</p> <p>Requires performance reviews and independent financial audits. Metro administrative and oversight costs limited to 5%. Requires voter approval to continue tax after 2030.</p>
Explanatory Statement:	<p>The greater Portland region is facing a severe housing affordability and homelessness crisis. Rents and housing prices have risen faster than wages, making it especially hard for people living on fixed retirement or disability incomes to afford housing. While it is difficult to accurately estimate the number of people experiencing homelessness, or at risk of becoming homeless, according to a February 2020 report by EcoNorthwest, an estimated 38,263 people (24,260 households) experienced homelessness in 2017 in Washington, Clackamas and Multnomah counties; thousands more were at risk.</p> <p>Homelessness disproportionately impacts people with disabilities, people of color, and seniors. For people who experience homelessness, disabling conditions such as mental illness, chronic medical conditions, and addiction are made worse, and become barriers to housing placement.</p> <p>Providing supportive housing services is a widely demonstrated approach to effectively end homelessness for individuals who have experienced</p>

	<p>prolonged and repeated homelessness, and protecting families from becoming homeless with prevention assistance. Supportive housing services include case management, mental healthcare, addiction and recovery treatment, employment services, rent assistance, and other care as needed. Despite state and local efforts to increase investment in supportive housing services, the need in greater Portland exceeds local capacity.</p> <p>This measure will authorize Metro to establish a regional supportive housing funding program, providing the resources to address unmet needs of people experiencing or at risk of experiencing long-term or frequent episodes of homelessness in the greater Portland region. The measure will result in a substantial increase in the delivery of supportive housing services.</p> <p>Supportive housing services will be funded by a marginal personal income tax of 1% on households with taxable income over \$200,000 (or taxable income over \$125,000 for individual tax filers) and a business profits tax of 1% with an exemption for small businesses that have gross receipts of \$5 million or less per year. The personal income tax will be assessed on residents of the Metro district, and on non-residents who have income earned from sources within the district. Only income above \$200,000 (\$125,000 individual) is taxed.</p> <p>In each county a local implementation plan will be developed to describe how supportive housing services will be prioritized and delivered to address local needs. Local plans must be developed using comprehensive community engagement that prioritizes those most directly affected by the homelessness crisis.</p> <p>A regional oversight committee with broad geographic representation will review and evaluate each local plan, monitor local implementation, and review spending. The oversight committee will report every year to Metro Council on program outcomes and areas for improvement, and annual performance and financial audits of funding for supportive housing services will be conducted. Metro administrative costs are limited to 5% and must be reviewed annually. The measure requires voter approval to continue after 2030.</p>
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On Behalf of:

- Metro Council President Lynn Peterson
- Councilor Shirley Craddick
- Councilor Christine Lewis
- Councilor Craig Dirksen
- Councilor Juan Carlos Gonzales
- Councilor Sam Chase
- Councilor Bob Stacey

Submitted by: Carrie MacLaren, Metro Attorney

ADDENDUM B

REGIONAL OVERSIGHT COMMITTEE CHARTER

Background on the Supportive Housing Services Program

On May 19, 2020, voters in the greater Portland region approved a measure to raise money for supportive housing services for people experiencing homelessness or at risk of experiencing homelessness. Community members and leaders from around the region developed the measure to provide the much-needed housing and wraparound services to effectively and permanently elevate people out of homelessness.

The ballot measure will fund a new Supportive Housing Services Program that will provide services for as many as 5,000 people experiencing prolonged homelessness with complex disabilities, and as many as 10,000 households experiencing short-term homelessness or at risk of homelessness. The program is guided by a commitment to lead with racial equity by especially meeting the needs of Black, Indigenous and people of color who are disproportionately impacted by housing instability and homelessness.

Implementation of the program will be guided by the following principles:

- Strive toward stable housing for all;
- Lead with racial equity and work toward racial justice;
- Fund proven solutions;
- Leverage existing capacity and resources;
- Innovate: evolve systems to improve;
- Demonstrate outcomes and impact with stable housing solutions;
- Ensure transparent oversight and accountability;
- Center people with lived experience, meet them where they are and support their self-determination and well-being;
- Embrace regionalism: with shared learning and collaboration to support systems coordination and integration; and
- Lift up local experience: lead with the expertise of local agencies and community organizations addressing homelessness and housing insecurity.

The Supportive Housing Services Program is guided by regional goals and oversight but implemented by Local Implementation Partners who are best positioned to respond to community needs. The program will directly fund Clackamas, Multnomah and Washington counties to invest in local strategies to meet the supportive housing and service needs in their communities.

Regional Oversight Committee Authorizing Ordinance

The Metro Council established the Regional Oversight Committee on **xx, xx**, 2020 by amending Metro Code Chapter 2.19.270 via Ordinance No. **xx-xxxx**.

Regional Oversight Committee's Purpose and Authority

The purpose of the Regional Oversight Committee is to provide program oversight on behalf of the Metro Council to ensure that investments achieve regional goals and desired outcomes and to ensure transparency and accountability in Supportive Housing Services Program activities and outcomes.

The committee is charged with the following duties:

- Evaluate Local Implementation Plans, recommend changes as necessary to achieve program goals and guiding principles, and make recommendations to Metro Council for approval;
- Accept and review annual reports for consistency with approved Local Implementation Plans and regional goals;
- Monitor financial aspects of program administration, including review of program expenditures; and
- Provide annual reports and presentations to Metro Council and Clackamas, Multnomah and Washington County Boards of Commissioners assessing performance, challenges and outcomes.

Committee Membership

The committee is composed of 15 voting members (5 members each from Clackamas, Multnomah and Washington counties), appointed by the Metro Council President subject to Metro Council confirmation.

The committee's members represent a diversity of perspectives, geography, demographics, and personal and professional experience, including people with lived experience of homelessness or housing instability. Stipends, childcare, technical assistance, interpretation, accessibility assistance and other supports for participation are available.

The Metro Council President will designate at least one member to serve as chairperson of the committee or may elect to designate two members to serve as co-chairpersons of the committee.

- **Terms of service:** Nine of the initial committee members will be appointed to serve a one-year term and may be reappointed to serve up to two additional two-year terms. All other committee members will be appointed to serve two-year terms and may be reappointed to serve up to two additional two-year terms. The committee will be dissolved in 2031 or upon the issuance of a final report by the committee after all funds authorized by Ballot Measure 26-210 have been spent, whichever is earlier.
- **Attendance:** The committee will meet no fewer than four times a year. Meetings will be more frequent in the first year, and at least quarterly throughout program implementation. In the interest of maintaining continuity in discussions, members commit to attending all meetings unless they are prevented from doing so by reasonable excuse. Committee members will notify staff ahead of meetings if they are unable to be present, and will read materials and request briefings from staff on the information presented, deliberations and outcomes of the meeting. The committee will not use alternates or proxies.

Jurisdictional Representation

One representative from each of the following will participate on the committee as non-voting delegates:

- Metro Council

- Clackamas County Board of Commissioners
- Multnomah County Board of Commissioners
- Washington County Board of Commissioners
- Portland City Council

Chairperson(s) Role

Responsibilities of the committee chairperson(s) include:

- Allows facilitator to lead discussions and keep the group to time/task.
- Participates in committee discussions and forming committee recommendations.
- Starts and ends meetings on time unless the group agrees to extend the meeting time.
- Provides guidance (if needed) on content and ideas to meet the committee goals.
- Encourages consensus decision making.
- Leads discussions when all attempts at reaching consensus have been exhausted.
- May speak for the committee in any public requests for comment.
- Participates in development of meeting agendas, in coordination with Metro staff and facilitator.

Facilitator Role

As necessary, a facilitator may be used. The facilitator's role includes the following responsibilities:

- Draft meeting agendas and compile meeting materials in coordination with Metro staff.
- Facilitator has no stake in the outcome of the meeting.
- Does not evaluate or contribute content ideas.
- Keeps the group focused on the agreed upon time/task.
- Makes suggestions about alternative methods and procedures to achieve consensus.
- Encourages participation from all group members.
- Helps the committee find solutions that meet everyone's needs.

Accountability

All committee meetings and materials will be available and accessible to the public, and appropriate notice will be given to inform all interested parties of the time, place and agenda of each meeting.

Committee members are considered public officials under Oregon law and are responsible for complying with provisions in Oregon law, including:

- **Use of position:** Committee members are prohibited from using or attempting to use their position (including access to confidential information obtained through their position) to obtain a financial benefit for themselves, for a relative or for a business with which the member or relative is associated.
- **Conflicts of interest:** Committee members must publicly announce any potential or actual conflicts of interest on each occasion that they are met with the conflict. A conflict of interest occurs when a member's official actions on the committee could or would result in a financial benefit or detriment to themselves, a relative or a business with which the member or relative is associated. In the case

of an actual conflict of interest, committee members must refrain from participating in any discussion or taking any action on the issue.

- **Restrictions on political activity:** Committee members may not engage in campaign-related political activity during committee meetings or while working in an official capacity as a committee member. Restricted activities include promoting or opposing candidates, ballot measures or political committees.
- **Public records and meetings:** Committee members are subject to the provisions of Oregon Public Records and Meetings Law. All committee meetings and records shall be open and available to the public. This includes discussions of committee business by email or in gatherings of a quorum of committee members outside of regular committee meetings.

ADDENDUM C

DEFINITIONS FOR SECTIONS 4.2 AND 4.3

Extremely low income: A household earning less than 30 percent of Area Median Income (AMI).

Extremely rent burdened: A household paying 50 percent or more of income toward rent and utilities.

Homelessness: An individual or family who lacks a fixed, regular and adequate nighttime residence including:

- Individuals or families who are sharing the housing of others due to loss of housing, economic hardship or a similar reason; are living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;
- Individuals or families who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; or
- Individuals or families who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings.

Imminent risk of literal homelessness: Any circumstance that provides clear evidence that an individual or family will become literally homeless without supportive housing services within 14 days of application for assistance. This includes but is not limited to:

- Individuals or families who are involuntarily doubled up and who face literal homelessness;
- Individuals exiting an institution (including but not limited to exiting incarceration or foster care) and who face literal homelessness; and
- Individuals or families fleeing a domestic violence or abuse situation and who face literal homelessness.

Involuntarily doubled up: Individuals or families who are sharing the housing of others due to loss of housing, economic hardship or a similar reason.

Literal homelessness: An individual or family who lacks a fixed, regular and adequate nighttime residence, meaning:

- Has a primary nighttime residence that is a public or private place not meant for human habitation;
- Is living in a publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state and local government programs); or
- Is exiting an institution where the individual has resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution.

Long-term and frequent episodes of literal homelessness: 12 or more months of literal homelessness over three years.

Substantial risk of homelessness: A circumstance that exists if a household is very low income and extremely rent burdened, or any other circumstance that would make it more likely than not that without supportive housing services the household will become literally homeless or involuntarily doubled-up.

Supportive housing services: Services for people experiencing homelessness and housing instability including, but not limited to:

- Housing services:
 - supportive housing
 - long-term rent assistance
 - short-term rent assistance
 - housing placement services
 - eviction prevention
 - transitional housing
 - shelter
- Outreach and engagement supports:
 - street outreach services
 - in-reach services
 - basic survival support services
- Health and wellness supports:
 - mental health services
 - interventions and addiction services (crisis and recovery)
 - physical health services
 - intervention services for people with physical impairments and disabilities
 - peer support services
 - discharge intervention services
- Employment and benefit supports:
 - financial literacy services
 - employment services
 - job training and retention services
 - educational services
 - workplace supports
 - benefits navigation and attainment services
- Advocacy supports:
 - landlord tenant education and legal services
 - fair housing advocacy

Very low income: A household earning less than 50 percent of AMI.

ADDENDUM D

LOCAL IMPLEMENTATION PLAN REQUIREMENTS

Each county will prepare a Local Implementation Plan to describe their local housing and homeless service needs, current programming and unmet programming capacities, and proposed use of funds in accordance with the purposes of the regional Supportive Housing Services Program.

Local Implementation Plans must include:

- A. **Analysis of inequitable outcomes.** An articulation of racial inequities in housing stability and access to current services, including:
 - An analysis of the racial disparities among people experiencing homelessness and the priority service population;
 - An analysis of the racial disparities in access to programs, and housing and services outcomes, for people experiencing homelessness and the priority service populations; and
 - An articulation of barriers to program access that contribute to the disparities identified in the above analysis.
- B. **Racial equity strategies.** A description of mitigation strategies and how the key objectives of Metro's Strategic Plan to Advance Racial Equity, Diversity and Inclusion have been incorporated. This should include a thorough racial equity analysis and strategy that includes clearly defined mitigation strategies and resource allocations intended to remedy existing disparities and ensure equitable access to funds and services.
- C. **Inclusive community engagement.** An articulation of how perspectives and recommendations of Black, Indigenous and people of color, people with lived experiences, and culturally specific groups were considered and incorporated into the development of the plan and will continue to be engaged through implementation and evaluation. Including:
 - Advisory body membership that meets the criteria listed in Section 5.1; and
 - A description of how the plan will remove barriers to participation for organizations and communities by providing stipends, scheduling events at accessible times and locations, and other supportive engagement strategies.
- D. **Priority population investment distribution.** A commitment that funding will be allocated as defined in Section 4.2.
- E. **Current investments.** A review of current system investments or capacity serving priority populations, including:
 - An analysis of the nature and extent of gaps in services to meet the needs of the priority population, broken down by service type, household types and demographic groups.
 - A commitment to maintain local funds currently provided. Supportive Housing Services revenue may not replace current funding levels, with the exception of good cause requests for a temporary waiver such as a broad economic downturn.
- F. **Distribution.** A strategy for equitable geographic distribution of services within the respective jurisdictional boundary and the Metro jurisdictional boundary.

- G. **Access coordination.** A plan for coordinating access to services with partnering jurisdictions and service providers across the region. This includes a commitment that any documentation required for determining program eligibility will be low barrier and include self-reporting options.
- H. **Procurement and partners.** A description of how funds will be allocated to public and nonprofit service providers, including:
- Transparent procurement processes and a description of the workforce equity procurement standards;
 - A commitment to partner with service providers who affirmatively ensure equitable pay and livable wages for their workers, and who will provide anti-racist, gender-affirming services consistent with regionally established, culturally responsive policies and standards; and
 - A description of how funding and technical assistance will be prioritized for providers who demonstrate a commitment to serve Black, Indigenous and people of color with culturally specific and/or linguistically specific services, including programs that have the lowest barriers to entry and actively reach out to communities screened out of other programs.
- I. **Planned investments.** An articulation of programmatic investments planned, including:
- The types of housing services to be funded to address the gap analysis, including specifically:
 - Supportive housing
 - Long-term rent assistance
 - Short-term rent assistance
 - Housing placement services
 - Eviction prevention
 - Shelter and transitional housing
 - A description of the support services to be funded in tandem with these housing services;
 - A commitment to one regional model of long-term rent assistance;
 - A description of other program models for each type of service that define expectations and best practices for service providers;
 - A description of how investments by service type will be phased to increase over the first three years of program implementation as revenues grow, and how decisions will be made to scale investments by service types with funding increases and decreases over time, including a plan to ensure housing stability for program participants; and
 - A description of programming alignment with, and plans to leverage, other investments and systems such as Continuum of Care, Medicaid, behavioral health and capital investments in affordable housing.
- J. **Outcomes, reporting and evaluation.** An agreement to track and report on program outcomes annually as defined through regional coordination and with regional metrics, including:
- A description of annual outcomes anticipated. Goals will be updated annually as programming evolves and based on anticipated annual revenue forecasts. Goals may include:
 - number of supportive housing units created
 - numbers of housing placements made
 - number of eviction preventions
 - rate of successful housing retention, etc.
 - A commitment to tracking outcomes as established and defined through regional coordination and with regionally established metrics. This includes consistency in data disaggregation using regionally standardized values and methodology to understand

disparate outcomes for people by race, ethnicity, disability status, sexual orientation and gender identity. (See Section 5.2 for the regionally required outcome metrics.)

- A commitment to regional measurable goals to decrease racial disparities among people experiencing homelessness. (See Section 5.2 for the regional measurable goals for advancing racial equity.)
- A commitment to evaluation standards and procedures to be established through regional coordination. Evaluation will be conducted every three years and include performance of systems coordination, housing and service program types, and services provision.

From: [Metro Supportive Housing Services](#)
To: [REDACTED]
Subject: RE: [External sender]New ideas?
Date: Monday, November 23, 2020 4:07:05 PM

Dear Jonathan,

Thank you for providing your input on the Supportive Housing Services Work Plan. Staff will be reviewing all feedback received and providing a summary and updated staff recommendations to Council in response to the combined feedback. We have recorded your response and it will be included in the Metro Council materials as an attachment to the proposed resolution to adopt the Work Plan on December 10th.

We appreciate your engagement,
Metro Housing

-----Original Message-----

From: Jonathan Blatt [REDACTED]
Sent: Wednesday, November 18, 2020 1:54 PM
To: Metro Supportive Housing Services <HousingServices@oregonmetro.gov>
Subject: [External sender]New ideas?

CAUTION: This email originated from an External source. Do not open links or attachments unless you know the content is safe.

Hi, thank you for the difficult work you are doing on an important problem.

I humbly suggest the following idea can help get more people into housing:

1. Since new privately built apartments with inclusionary zoning don't get built fast enough; 2. Since new subsidized housing buildings and a few hotel purchases can't ever get done fast enough; 3. We simply need more ideas or we'll never catch up on housing people.

So here it is:

City, county and state additional money to landlords of already existing buildings in addition to the amount they would receive from housing vouchers, this would Incentivize landlords to take in people who need help. I have been a landlord and rented to someone in need when i was reassured by their family who I knew that they would back them up if needed. Some consideration to guaranteeing landlords for damage should also be considered. The stock of existing housing vacancies is far far bigger than the very limited number of new units coming online. This is where we can create a huge dent in the problem.

Thank you for consideration of this idea.

Please reply as to your evaluation of this idea and confirm receipt of this email.

Thanks again, respectfully submitted,
Jonathan Blatt

Sent from my iPhone

From: [Metro Supportive Housing Services](#)
To: [REDACTED]
Subject: RE: [External sender]Supportive Housing Services Program Work Plan
Date: Monday, November 23, 2020 4:08:07 PM

Dear Andy,

Thank you for providing your input on the Supportive Housing Services Work Plan. Staff will be reviewing all feedback received and providing a summary and updated staff recommendations to Council in response to the combined feedback. We have recorded your response and it will be included in the Metro Council materials as an attachment to the proposed resolution to adopt the Work Plan on December 10th.

We appreciate your engagement,
Metro Housing

From: Andy Nelson [REDACTED]
Sent: Wednesday, November 18, 2020 2:12 PM
To: Metro Supportive Housing Services <HousingServices@oregonmetro.gov>
Subject: [External sender]Supportive Housing Services Program Work Plan

CAUTION: This email originated from an **External source**. Do not open links or attachments unless you know the content is safe.

Thanks for the opportunity to review the plan and offer feedback. The plan connects well to the planning work done through the HereTogether Advisory process. My one suggestion is to expand the service strategy to call out culturally-responsive service providers. Culturally-specific organizations ought to be a priority. They won't be able to do the work alone. It's important to set criteria for what is a culturally-responsive organization. The Meyer Memorial Trust's [DEI Spectrum Tool](#) provides an excellent example.

--



ANDY NELSON
Executive Director [IMPACT NW](#)
[REDACTED]
He/Him/His

[Join the movement to prevent homelessness](#)



Metro SHS Staff:

Comments on SHS Program Work Plan, November, 2020

11/20/20

First, I concur with the comments from the Council during the 17 November Work Session to the effect that the proposed Work Plan represents a great deal of overwhelmingly solid work and forethought regarding how the region is to proceed in providing effective supportive services. I am entirely supportive of the goals and urgency to make this happen quickly and effectively.

That said, having listened to the 17 November Council presentation, and having had a bit more time to review the SHS Work Plan, I have a few comments that I feel deserve some additional thought or elaboration. Staff may already have taken these observations into account and I cannot claim to understand all the considerations that have been included.

Comment # 1:

My previous comment (e-mail - 17 November) regarding the tri-county advisory body needs some modification. On further reading I realized that, indeed, the Work Plan envisions an additional group that you have labeled the “tri-county advisory body”. My preliminary comment was the result of some misunderstanding on my part since it would seem that the Regional Oversight Committee (ROC) is also, by design, a “tri-county advisory group”. My first suggestion would be to give the second advisory body a specific name and acronym to avoid confusion. My first suggestion would be: SHS Advisory Group (SHSAG), which is catchy but not easy to pronounce, yet still better than TCSHSAG (tri-county SHS advisory group). I will use SHSAG for convenience.

Comment #2:

I found the apparent overlap between the 2 committees somewhat confusing and the role of the SHSAG somewhat lacking in clarity. The ROC is specifically constituted to “provide policy and programmatic guidance” [S. 3.4] which seems to overlap with the role of the SHSAG to “identify regional goals strategies and outcome metrics and....to inform the SHS program implementation.” [S. 6.1]. In addition, both committees seem to rely on overlapping membership criteria such as lived experiences, experience with critical homelessness issues, ethnic and geographic diversity, and having skills or expertise in such services. I understand that the ROC is largely specified by the ballot measure while the SHSAG must be created by Metro and that some overlap is unavoidable, but on a technical level, it might be clarified at the outset whether individuals may be members of both committees or only one. I assume the size of the SHSAG will be determined at a later date and note that the ROC might be asked to provide input on that matter.

Comment #3:

Perhaps I missed something but the level and type of authority and the channels of communication between the SHSAG and other groups was not very clear. The Work Plan calls for this group to be created by Metro and of course Metro can structure its

responsibilities at a later date, but it would seem valuable to provide an outline of its communication role and responsibilities vis a vis both the ROC and the Local Implementation Partners (LIPs) should be identified in the Work Plan. It would seem the benefits of an additional group (the SHSAG) would be in bringing in both more and more diverse regional “players”. It would seem that close coordination with the ROC might be a benefit to the process and help distill, for the Council, any proposed changes in policies or implementation strategies. It would seem potentially disadvantageous to have two independent groups trying to advise Metro Council on how to move forward. Since the SHSAG also envisions elected members, some formal pathways for interaction with the LIPs might also be needed.

Comment #4:

This is a comment regarding the timing and wording of the “charge” of the SHSAG as noted in 6.1. From a timing standpoint, it would seem that the current Work Plan provides much of the basis for “regional goals, strategies, and outcome metrics”, such that the real role of the SHSAG will be to suggest midcourse corrections. Since funding for full implementation will ramp up over 2021, it would seem that processes and goals (at least on an interim basis) would already be in place by the time the SHSAG has the full support it needs to function. In addition, one or two years of early implementation metrics will indubitably guide their analysis and input.

Comment #5:

Regarding metrics: Although I am by no means more than a novice in the field of SHS, it would be my hope that metrics beyond housing metrics might be developed. These might include the number of persons interacted with and response resource expenditures for services such as counseling, medical interventions, critical transportation, etc. I assume these have been considered but did not see them called out.

Comment #6:

The taxation plan seems quite thorough and well laid out, with suitable alterations to avoid double taxations. I did note one part of the verbal presentation that was not included in the written materials and that was regarding use of a basic calculation assumption based on Portland and Multnomah County vs. the method used by the State of Oregon. My only comment would be to ask for more information on how this calculatory assumption comports with the other larger cities in the region. I cannot comment further since this element does not seem to be covered in the supporting materials.

General Comments:

Overall I find the SHA Work Plan to be very good basis for moving forward and represents a great deal of excellent work. I support it and will work to make its goals into reality. I hope more detail on the structure and charge of the SHSAG will be developed in the early phases of the implementation. I hope these comments are helpful.

Gerritt Rosenthal

IN CONSIDERATION OF

- ORDINANCE 20-1452, FOR THE PURPOSE OF ADDING A NEW TITLE XI TO THE METRO CODE AND A NEW CHAPTER 11.01 “SUPPORTIVE HOUSING SERVICES PROGRAM” WITHIN THAT TITLE; and
- ORDINANCE 20-1453, FOR THE PURPOSE OF ADDING A NEW METRO CODE SECTION 2.19.270 ESTABLISHING A SUPPORTIVE HOUSING SERVICES REGIONAL OVERSIGHT COMMITTEE; and
- ORDINANCE 20-1454, FOR THE PURPOSE OF AMENDING METRO CODE TITLE VII TO ADD NEW CHAPTERS 7.05 “INCOME TAX ADMINISTRATION FOR PERSONAL AND BUSINESS TAXES,” 7.06 “PERSONAL INCOME TAX,” AND 7.07 “BUSINESS INCOME TAX”
- RESOLUTION 20-5148 TO ADOPT THE SUPPORTIVE HOUSING SERVICES WORK PLAN

Date: November 24, 2020 *updated*
December 11, 2020
Department: Planning and Development
Meeting Date: December 3, 2020 *updated*
prior to December 17, 2020 meeting

Prepared and Presented by: Jes Larson
and Rachael Lembo
Length: 20 minutes

ISSUE STATEMENT

In February 2020, the Metro Council referred a ballot measure to voters that would authorize funding for regional supportive housing services and in May 2020, voters approved it. The ordinance authorizing the income taxes stated that, upon passage of the ballot measure, the “Metro Council will take further action to establish rules to enforce and implement the taxes imposed by the measure.”

Following direction given by Metro Council during the November 17, 2020 work session, these ordinances update Metro code to establish the Regional Supportive Housing Services program and oversight committee and to enact the tax collection system. The resolution approves a programmatic work plan as needed to direct implementation for the Planning and Development department.

Certain sections of the tax code have prompted discussion and comments since the November 17 work session.

- **Apportionment methodology.** Apportionment refers to the way a business allocates their net income when they also operate outside the Metro district, in this case specifically of services and other intangible items. Multnomah County and the City of Portland use a cost of performance method, and the State of Oregon uses a market based method. Metro’s charter authority to impose income taxes also provides latitude on how it structures those taxes. With respect to apportionment,

Metro can choose either a cost of performance or market based methodology for apportionment of income. At the work session, staff proposed we adopt the method consistent with Multnomah County and the City of Portland because it will result in lower collection costs. However, Metro could alternatively choose the market based method and align with the State of Oregon. The City has estimated this would increase collection costs by approximately \$500,000 per year. Metro staff do not have access to data to analyze the impact to tax revenue, however, this would result in a higher number of nonresident businesses subject to tax, which can be more challenging for enforcement.

- **Head of household filing status.** As noted at the November 17 work session, Metro has two filing statuses, single and joint, however there are five filing statuses available at the State level. Staff proposed individuals using head of household filing status on their State tax return would file a Metro single tax return, which has an income exemption of \$125,000. Alternatively, those filers could file a Metro joint tax return, which would result in an income exemption of \$200,000. The estimated maximum tax revenue impact from this change is a reduction of \$2,812,500, based on available State data.

Update: Metro Council amended the code to provide that taxfilers using head of household filing status would file a joint Metro tax return. Exhibit B of Ordinance No. 20-1454 has been updated.

- **Employer withholding.** At the November 17 work session, staff proposed Metro require employers to *offer* withholding, but not require mandatory withholding. This was primarily due to the challenge for employers in determining the correct withholding amount and the risk of over-withholding. Since that work session, staff have been working with Multnomah County staff as they prepare their code for the Preschool for All income tax, with the goal of aligning the codes to provide consistency to tax filers. Through those discussions Metro and Multnomah County have agreed on a revised withholding recommendation: voluntary employer withholding in calendar year 2021, and mandatory employer withholding for employees earning more than \$200,000 beginning calendar year 2022 unless an employee chooses to “opt out” of withholding. Thus, although employers would be required to withhold, employees would still have the option to opt in or out of withholding, just as with most income taxes. Requiring employer withholding at the higher threshold of \$200,000 results in less risk of over-withholding than if a lower threshold was used. The attached code proposal reflects this updated recommendation.
- **Pass-through entity taxation.** In the ordinance which referred this measure to the voters, Metro stated it would utilize, as guidance, the Multnomah County Business Income Tax rules and procedures for the business income tax. The County taxes all businesses, including pass through entities such as s-corporations and partnerships. At a State level, pass through entities do not pay business tax based on net income, instead they report net income to their owners, who then pay personal income tax

on that income. As a result of this, Metro developed a solution to ensure pass through income was not taxed twice. Alternatively, Metro could exempt pass through entities from the business tax, and tax the owners via the personal income tax. Due to the income exemption on the personal income tax, this would result in lower tax revenue. The estimated maximum tax revenue impact from this change is a reduction of \$15,000,000, based on staff analysis on double taxation. This alternative would result in a number of complex changes throughout both the business and personal income tax codes. If Metro Council directs staff to prepare this code change it may be prudent to delay adoption of the ordinance by another week in order for the technical experts on the tax table to review the proposed changes and their possible effects.

Update: After additional review and discussion with members of the tax implementation advisory table, these changes would require significant re-drafting and could delay adoption by months.

- **PBA Testimony (November 19).** The Portland Business Alliance (PBA) provided oral and written comment at the November 19 Council Meeting, asserting that the “voter-approved ordinance and proposed code may run afoul of a state law requiring any Metro income tax to be consistent with the Oregon income tax.” PBA specifically asserted that Metro’s approach to income apportionment and entity-level taxation were not “consistent” with how the state administers its business income taxes. The PBA’s “consistency” assertions rely on ORS 268.505.

However, Metro has both Charter authority (Metro Charter, Chapter III, Section 11) and statutory authority (ORS 268.505) to impose personal and business income taxes. Accordingly, Metro has two completely independent sources of authority– or options – for imposing income taxes, though both require voter approval. At the time of adoption, and in the Measure itself, Metro was clear in its intent to use the Multnomah County Business Income Tax as guidance for implementing Metro’s business income tax. This provided direction to staff developing the proposed Code. Metro’s independent charter authority to impose these taxes does not require it to “be consistent” with state law (although it may choose to do so). Rather, it provides the Metro Council with flexibility in how the Council chooses to structure these taxes.

ACTION REQUESTED

Staff requests adoption of Ordinances No. 20-1452, 20-1453, 20-1454 and Resolution 20-5148.

Ordinance No. 20-1454, for the purpose of amending Metro code title VII to add new Chapters 7.05, “Income Tax Administration for Personal and Business Taxes”, 7.06 “Personal Income Tax”, and 7.07 “Business Income Tax” contains an emergency clause and would become effective immediately upon adoption. This will allow staff to proceed with adoption of administrative rules to assist taxfilers with these new tax codes.

IDENTIFIED POLICY OUTCOMES

The establishment of the Supportive Housing Services program and the regional oversight committee in the Metro Code and programmatic work plan will define and describe the roles, responsibilities and administrative actions needed for implementation of the program.

The Metro income tax codes codify certain provisions of the Supportive Housing Services Measure approved by the voters, and the codes will also establish rules to implement the taxes imposed by the measure in an effective and efficient manner. These rules provide details and also address tax considerations which were not addressed in the measure yet impact the tax paid by individuals and businesses and the total tax collected by Metro.

POLICY OPTIONS FOR COUNCIL TO CONSIDER

- Adoption of these ordinances and resolution. This will allow staff to proceed with establishment of the Supportive Housing Services program, regional oversight committee and implementation of the tax system.
- Adoption of these ordinances and resolution with revisions or modifications as described by Council.
- Rejection of these ordinances and resolution with other direction to staff for development of this program and the tax system. This would delay implementation.

STAFF RECOMMENDATIONS

Staff recommend that Metro Council adopt Ordinances No. 20-1452, 20-1453, 20-1454 and Resolution 20-5148.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

Implementation of the regional affordable housing bond program has been guided by a work plan developed by staff to define and develop the intentions described in the ballot measure. Staff have taken a similar approach with the Supportive Housing Services program to further develop and define the programmatic intentions of the ballot measure with a programmatic work plan.

Over the summer, a regional stakeholder advisory table was convened to provide guidance on early implementation questions. It was composed of a broad-based group of community stakeholders including culturally specific organizational leaders, housing, homeless and social service providers, behavioral health and healthcare providers and business interests. The table also included agency leadership from the three housing authorities and county homeless services agencies. The table met four times over the summer to prepare recommendations for the Metro Chief Operating Officer to inform development of the programmatic work plan and code, to be brought before Metro Council for consideration in the fall.

Development of the work plan has been further advised by Metro Council direction at the November 17th work session, and a public comment period that concluded on November 30th.

Metro staff formed a tax implementation advisory table to advise on technical aspects of tax implementation, technical issues, and provide recommendations to ensure a smooth, legal and easy tax collection process. Members included experts in taxation, tax policy, tax implementation and business stakeholders. The table met with staff five times this year and provided input on development of the tax codes.

BACKGROUND

Homelessness and housing prices have increased dramatically in the Portland area over the past decade. Estimates of homelessness in the region range between 6,000 and 12,000 people. In January 2019, officials counted 5,711 people experiencing homelessness in Clackamas, Multnomah and Washington counties. Additionally, the Oregon Department of Education counted more than 7,000 students who experienced homelessness in the 2018 school year in Metro-area school districts. These reports undercount people experiencing homelessness while staying with a friend or family, or living in vehicles.

In recent years, more people are experiencing 'chronic' or prolonged homelessness. Approximately 3,123 to 4,935 people in the region experience homelessness related to complex and disabling conditions.

Additionally, Black, Indigenous and People of Color (BIPOC) disproportionately experience homelessness. BIPOC make up 21% of the total population in the tri-county area but comprise 31% of the homeless population. More specifically, Black and Indigenous people make up 5% of the total population but comprise over 20% of the homeless population.

The HereTogether coalition, a broad group of service providers, business leaders and advocates worked over the course of the last two years to develop the Regional Supportive Housing Services measure. As a broad coalition they identified the regional supportive housing need, developed programmatic and taxation strategies, engaged communities and built broad consensus for their programmatic and governance framework. With the support of elected leadership in Clackamas, Multnomah and Washington counties, they approached Metro in the Fall of 2019 requesting that Metro refer a measure to the region's voters. In February 2020, the Metro Council unanimously referred the measure to voters and the voters passed the measure with 58% support in May 2020.

ATTACHMENTS

- Ordinance 20-1452, For the Purpose of Adding a New Title XI to the Metro Code and a New Chapter 11.01 "Supportive Housing Services Program" within that Title; and
- Ordinance 20-1453, For the Purpose of Adding a New Metro Code Section 2.19.270 Establishing a Supportive Housing Services Regional Oversight Committee; and
- Ordinance 20-1454, For the Purpose of Amending Metro Code Title VII to Add New Chapters 7.05 "Income Tax Administration for Personal and Business Taxes", 7.06 "Personal Income Tax", and 7.07 "Business Income Tax"; and
- Resolution 20-5148 to adopt the Supportive Housing Services work plan