

# Metro

600 NE Grand Ave.  
Portland, OR 97232-2736  
[oregonmetro.gov](http://oregonmetro.gov)



Metro

## Minutes

Thursday, March 23, 2023

10:30 AM

<https://zoom.us/j/615079992>, or 877-853-5257 (toll free) (Webinar  
ID: 615079992)

**Council meeting**

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

Deputy Council President Lewis called the Metro Council Meeting to order at 10:30 a.m.

**Present:** 6 - Deputy Council President Christine Lewis, Councilor Juan Carlos Gonzalez, Councilor Mary Nolan, Councilor Gerritt Rosenthal, Councilor Duncan Hwang, and Councilor Ashton Simpson

**Excused:** 1 - Council President Lynn Peterson

**2. Public Communication**

Deputy Council President Lewis opened the meeting to members of the public wanting to testify on a non-agenda items.

There were no members of the public that wanted to testify.

Seeing no further discussion on the topic, Deputy Council President Lewis moved on to the next agenda item.

**3. Consent Agenda**

- 3.1 **Resolution No. 23-5318**, For the Purpose of Confirming the Appointment of David Penilton to the Metropolitan Exposition Recreation Commission to Fill the Vacant Position for Commissioner Erickson's Entire Term

Attachments: [Resolution No. 23-5318](#)

- 3.2 Consideration of the January 5, 2023 Council Meeting Minutes

Attachments: [010523c Minutes](#)

- 3.3 Consideration of the January 19, 2023 Council Meeting Minutes

Attachments: [011923c Minutes](#)

- 3.4 Consideration of the February 9, 2023 Council Meeting Minutes

Attachments: [020923c Minutes](#)

Deputy Council President Lewis called for a motion to approve the Consent Agenda.

**A motion was made by Councilor Rosenthal, seconded by Councilor Gonzalez, to adopt items on the consent agenda. The motion passed by the following vote:**

**Aye:** 6 - Deputy Council President Lewis, Councilor Gonzalez, Councilor Nolan, Councilor Rosenthal, Councilor Hwang, Councilor Simpson

**Excused:** 1 - Council President Peterson

#### **4. Ordinances (First Reading and Public Hearing)**

4.1 **Ordinance No. 23-1492**, For the Purpose of Amending Metro Code Chapter 7.05 to Improve Clarity Regarding Penalties and Interest and Other Housekeeping Updates and Declaring an Emergency

Presenter(s): Josh Harwood, Metro

Attachments: [Ordinance No. 23-1492](#)  
[Exhibit A](#)  
[Staff Report](#)

Deputy Council President Lewis called on Josh Harwood, Metro to present to Council.

Staff pulled up the *SHS Tax Code Amendments: Penalty & Interest Waivers Presentation* to present to Council.

Harwood began the presentation with an overview of the timeline for tax year 2021. Staff mentioned that \$240 million was collected in the first fiscal year before the due date. Harwood stated that they cannot know who would owe the tax until they file their taxes or from some corroborating evidence through enforcement actions. In fall of 2022, staff was working with the City of Portland to collect these taxes. Staff noted that during that time, the Portland Revenue Division had received the first Oregon Department of Revenue data for tax year 2021. Beginning in late fall of

2022, notifications were sent to non-filers. Staff noted that there could potentially be over 20,000 non-filers for both the SHS and Multnomah County's PFA taxes. Harwood mentioned that in early 2023, Metro's COO and CFO agreed to waive penalties and interest for tax year 2021 and underpayments related to tax year 2022 for taxes that were due April 18, 2023.

*Council Discussion:*

**Councilor Nolan** asked what percent out of the known and potential filers was the potential 20,000 non-filers.

Hardwood mentioned that it is about a quarter or a third of filers. However, staff was still working through the data for tax year 2021.

Hardwood continued the presentation by explaining that for tax year 2022, they will be waiving penalties and interest for underpayment of estimated taxes or insufficient withholdings. Staff explained that the amendments to Ordinance 23-1492 would do four things. First, they would waive all penalties and interest assessed for tax year 2021. Second, they would waive penalties and interest related to underpayments of taxes for tax year 2022. Third, they would eliminate the additional 20% penalty that accrues after four months of delinquency. Lastly, they would make minor housekeeping amendments and revisions.

*Council Discussion:*

**Councilor Nolan** asked if elimination of the 20% penalty for delinquency after 4 months would be permanent or if it was a waiver for this year.

Harwood confirmed that the elimination of the 20% penalty would be permanent.

**Councilor Rosenthal** asked how the information would be sent out. He also asked if the city of Portland or Metro would be sending out notification to past and current filers about the changes.

Hardwood explained that both the city of Portland and Metro were sending information to taxpayers. Metro is specifically sending out information about the tax due date. Hardwood noted that the city of Portland had already eliminated penalty and interest for those that did not pay yet. Also, the city of Portland is issuing refunds to those that have paid the penalty and interest.

***Public Hearing:***

Deputy Council President Lewis opened the meeting to members of the public wanting to testify on Ordinance No. 23-1492.

There were no members of the public that wanted to testify.

Deputy Council President Lewis stated that the second reading and vote for Ordinance No. 23-1492 is scheduled for April 6th, 2023.

Seeing no further discussion on the topic, Deputy Council President Lewis moved on to the next agenda item.

**5. Chief Operating Officer Communication**

Marissa Madrigal provided an update on the following events or items:

She thanked staff and councilors that attended the multi-tier engagements for the Planning Director recruitment. Staff sent out a survey to stakeholders and will analyze the data to then decide. Madrigal

mentioned that there were two strong candidates. She also thanked Andy Shaw for his work.

## 6. Councilor Communication

Councilors provided updates on the following meetings and events:

- **Councilor Gonzales** mentioned that he and Councilor Rosenthal gave a presentation to the Beaverton City council on TV-Highway BRT project. He also thanked staff for their work. Councilor also mentioned Sport Oregon and some jurisdictions in the Portland area want to bring a WMBA team to Oregon. He mentioned that they want to add Metro logo as one of their partners.  
**Councilor Lewis** asked if councilors had questions to ask councilor Gonzales by the end of day, so that he can move forward.
- **Councilor Rosenthal** mentioned the presentations at the MPAC meeting on housing updates, the urban growth management decision, and Expo Futures.
- **Councilor Hwang** gave an update about the CORE meeting on DEI director recruitment, future of Expo and presentations.
- **Councilor Simpson** gave an update on urban flood safety water quality district. They are working on community engagement, education, and outreach. They want Metro Council to help with informing voters about the bond measure.
- **Councilor Nolan** mentioned that state legislation is moving forward with priority items about housing measures and chip manufacturing. They mentioned that the 60-day package was done.
- **Councilor Lewis** mentioned that the first chamber posting deadline had passed, so a third of the bills were dead. She also thanked the councilors that attended the State of the Industry event by Travel Portland. Councilor Lewis mentioned that in

Clackamas County, Chair Smith reversed her vote on the project turnkey. She noted that this will have an impact on Clackamas County and Metro's work on homelessness.

**7. Adjourn into Executive Session**

Deputy Council President Lewis stated that the Council will be moving into an executive session held pursuant under ORS 192.660 (2)(d); To conduct deliberations with persons designated by the governing body to carry on labor negotiations.

There being no further business, Deputy Council President Lewis adjourned the Metro Council Meeting at 10:56 a.m.

Respectfully submitted,



Jemeshia Taylor, Legislative Assistant

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF MARCH 23, 2023**

<b>ITEM</b>	<b>DOCUMENT TYPE</b>	<b>DOC DATE</b>	<b>DOCUMENT DESCRIPTION</b>	<b>DOCUMENT No.</b>
<b>1.0</b>	Testimony	03/23/2023	Avery Cobb Testimony	032323c-01
<b>2.0</b>	Powerpoint	03/23/2023	SHS Tax Code Amendments: Penalty & Interest Waivers Presentation	032323c-02