



600 NE Grand Ave.
Portland, OR 97232-2736

Council meeting agenda

Thursday, January 23, 2025

10:30 AM

**Metro Regional Center, Council chamber,
<https://zoom.us/j/615079992> (Webinar ID:
615079992) or **888-475-4499** (toll free)**

This meeting will be held electronically. You can join the meeting on your computer or other device by using this link: <https://zoom.us/j/615079992> Webinar ID: 615 079 992 or 888-475-4499 (toll free)

1. Call to Order and Roll Call

2. Public Communication

Public comment may be submitted in writing. It will also be heard in person and by electronic communication (video conference or telephone). Written comments should be submitted electronically by emailing legislativecoordinator@oregonmetro.gov. Written comments received by 4:00 p.m. the day before the meeting will be provided to the council prior to the meeting. Testimony on non-agenda items will be taken at the beginning of the meeting. Testimony on agenda items generally will take place during that item, after staff presents, but also may be taken at the beginning of the meeting.

Those wishing to testify orally are encouraged to sign up in advance by either: (a) contacting the legislative coordinator by phone at 503-813-7591 and providing your name and the agenda item on which you wish to testify; or (b) registering by email by sending your name and the agenda item on which you wish to testify to legislativecoordinator@oregonmetro.gov. Those wishing to testify in person should fill out a blue card found in the back of the Council Chamber.

Those requesting to comment virtually during the meeting can do so by joining the meeting using this link: <https://zoom.us/j/615079992> (Webinar ID: 615079992) or 888-475-4499 (toll free) and using the "Raise Hand" feature in Zoom or emailing the legislative coordinator at legislativecoordinator@oregonmetro.gov. Individuals will have three minutes to testify unless otherwise stated at the meeting.

3. Consent Agenda

- 3.1 Resolution No. 25-5447 For the Purpose of Authorizing the Chief Operating Officer to Grant a Non-Park Use Easement to Clackamas County at Pecan Creek Natural Area

[RES 25-5447](#)

- Attachments: [Resolution No. 25-5447.pdf](#)
[Exhibit A to Resolution No. 25-5447.pdf](#)
[Exhibit B to Resolution No. 25-5447.pdf](#)
[Staff report.pdf](#)
[Attachment 1](#)

- 3.2 Consideration of the January 9, 2025 Council Meeting Minutes

[25-6196](#)

- Attachments: [010925c minutes-signed](#)

4. Work Session

- 4.1 Integrated and Expanded Regional SHS/Affordable Housing Program: Proposed Ordinances and Proposed Councilor Amendments

[25-6197](#)

Presenter(s): Council President Lynn Peterson

- Attachments: [Staff Report](#)
[Attachment 1](#)
[Attachment 2](#)
[Attachment 3](#)

5. Chief Operating Officer Communication

6. Councilor Communication

7. Adjourn

Metro respects civil rights

Metro fully complies with Title VI of the Civil Rights Act of 1964, Title II of the Americans with Disabilities Act, Section 504 of the Rehabilitation Act and other statutes that ban discrimination. If any person believes they have been discriminated against regarding the receipt of benefits or services because of race, color, national origin, sex, age or disability, they have the right to file a complaint with Metro. For information on Metro's civil rights program, or to obtain a discrimination complaint form, visit oregonmetro.gov/civilrights or call 503-797-1890. Metro provides services or accommodations upon request to persons with disabilities and people who need an interpreter at public meetings. If you need a sign language interpreter, communication aid or language assistance, call 503-797-1890 or TDD/TTY 503-797-1804 (8 a.m. to 5 p.m. weekdays) 5 business days before the meeting. All Metro meetings are wheelchair accessible. Individuals with service animals are welcome at Metro facilities, even where pets are generally prohibited. For up-to-date public transportation information, visit TriMet's website at trimet.org

Thông báo về sự Metro không kỳ thị của

Metro tôn trọng dân quyền. Muốn biết thêm thông tin về chương trình dân quyền của Metro, hoặc muốn lấy đơn khiếu nại về sự kỳ thị, xin xem trong www.oregonmetro.gov/civilrights. Nếu quý vị cần thông dịch viên ra dấu bằng tay, trợ giúp về tiếp xúc hay ngôn ngữ, xin gọi số 503-797-1700 (từ 8 giờ sáng đến 5 giờ chiều vào những ngày thường) trước buổi họp 5 ngày làm việc.

Повідомлення Metro про заборону дискримінації

Metro з повагою ставиться до громадянських прав. Для отримання інформації про програму Metro із захисту громадянських прав або форми скарги про дискримінацію відвідайте сайт www.oregonmetro.gov/civilrights. або Якщо вам потрібен перекладач на зборах, для задоволення вашого запиту зателефонуйте за номером 503-797-1700 з 8.00 до 17.00 у робочі дні за п'ять робочих днів до зборів.

Metro 的不歧視公告

尊重民權。欲瞭解Metro民權計畫的詳情，或獲取歧視投訴表，請瀏覽網站 www.oregonmetro.gov/civilrights。如果您需要口譯方可參加公共會議，請在會議召開前5個營業日撥打503-797-1700（工作日上午8點至下午5點），以便我們滿足您的要求。

Ogeysiiska takooris la'aanta ee Metro

Metro waxay ixtiraamtaa xuquuqda madaniga. Si aad u heshid macluumaad ku saabsan barnaamijka xuquuqda madaniga ee Metro, ama aad u heshid warqadda ka cabashada takoorista, booqo www.oregonmetro.gov/civilrights. Haddii aad u baahan tahay turjubaan si aad uga qaybqaadatid kullan dadweyne, wac 503-797-1700 (8 gallinka hore illaa 5 gallinka dambe maalmaha shaqada) shan maalmo shaqa ka hor kullanka si loo tixgaliyo codsashadaada.

Metro의 차별 금지 관련 통지서

Metro의 시민권 프로그램에 대한 정보 또는 차별 항의서 양식을 얻으려면, 또는 차별에 대한 불만을 신고 할 수 www.oregonmetro.gov/civilrights. 당신의 언어 지원이 필요한 경우, 회의에 앞서 5 영업일 (오후 5시 주중에 오전 8시) 503-797-1700를 호출합니다.

Metroの差別禁止通知

Metroでは公民権を尊重しています。Metroの公民権プログラムに関する情報について、または差別苦情フォームを入手するには、www.oregonmetro.gov/civilrights。までお電話ください。公開会議で言語通訳を必要とされる方は、Metroがご要望に対応できるよう、公開会議の5営業日前までに503-797-1700（平日午前8時～午後5時）までお電話ください。

សេចក្តីជូនដំណឹងអំពីការមិនរើសអើងរបស់ Metro

ការគោរពសិទ្ធិពលរដ្ឋរបស់ ។ សំរាប់ព័ត៌មានអំពីកម្មវិធីសិទ្ធិពលរដ្ឋរបស់ Metro ឬដើម្បីទទួលបានការប្រឹក្សាស្តីពីការរើសអើងសូមទូរស័ព្ទទៅលេខ 503-797-1700 ។ www.oregonmetro.gov/civilrights ។ បើលោកអ្នកត្រូវការអ្នកបកប្រែភាសានៅពេលអង្គប្រជុំសាធារណៈ សូមទូរស័ព្ទមកលេខ 503-797-1700 (ម៉ោង 8 ព្រឹកដល់ម៉ោង 5 ល្ងាច ថ្ងៃធ្វើការ) ប្រាំពីរថ្ងៃ មុនថ្ងៃប្រជុំដើម្បីអាចឲ្យគេបកប្រែសម្រាប់លោកអ្នក ។

إشعار بعدم التمييز من Metro

تحتزم Metro الحقوق المدنية. للمزيد من المعلومات حول برنامج Metro للحقوق المدنية أو لإيداع شكوى ضد التمييز، يُرجى زيارة الموقع الإلكتروني www.oregonmetro.gov/civilrights. إن كنت بحاجة إلى مساعدة في اللغة، يجب عليك الاتصال مقدماً برقم الهاتف 503-797-1700 (من الساعة 8 صباحاً حتى الساعة 5 مساءً، أيام الاثنين إلى الجمعة) قبل خمسة (5) أيام عمل من موعد الاجتماع.

Paunawa ng Metro sa kawalan ng diskriminasyon

Iginagalang ng Metro ang mga karapatang sibil. Para sa impormasyon tungkol sa programa ng Metro sa mga karapatang sibil, o upang makakuha ng porma ng reklamo sa diskriminasyon, bisitahin ang www.oregonmetro.gov/civilrights. Kung kailangan ninyo ng interpreter ng wika sa isang pampublikong pulong, tumawag sa 503-797-1700 (8 a.m. hanggang 5 p.m. Lunes hanggang Biyernes) lima araw ng trabaho bago ang pulong upang mapagbigyan ang inyong kahilingan.

Notificación de no discriminación de Metro

Metro respeta los derechos civiles. Para obtener información sobre el programa de derechos civiles de Metro o para obtener un formulario de reclamo por discriminación, ingrese a www.oregonmetro.gov/civilrights. Si necesita asistencia con el idioma, llame al 503-797-1700 (de 8:00 a. m. a 5:00 p. m. los días de semana) 5 días laborales antes de la asamblea.

Уведомление о недопущении дискриминации от Metro

Metro уважает гражданские права. Узнать о программе Metro по соблюдению гражданских прав и получить форму жалобы о дискриминации можно на веб-сайте www.oregonmetro.gov/civilrights. Если вам нужен переводчик на общественном собрании, оставьте свой запрос, позвонив по номеру 503-797-1700 в рабочие дни с 8:00 до 17:00 и за пять рабочих дней до даты собрания.

Avizul Metro privind nediscriminarea

Metro respectă drepturile civile. Pentru informații cu privire la programul Metro pentru drepturi civile sau pentru a obține un formular de reclamație împotriva discriminării, vizitați www.oregonmetro.gov/civilrights. Dacă aveți nevoie de un interpret de limbă la o ședință publică, sunați la 503-797-1700 (între orele 8 și 5, în timpul zilelor lucrătoare) cu cinci zile lucrătoare înainte de ședință, pentru a putea să vă răspunde în mod favorabil la cerere.

Metro txoj kev ntxub ntxaug daim ntawv ceeb toom

Metro tributes cai. Rau cov lus qhia txog Metro txoj cai kev pab, los yog kom sau ib daim ntawv tsis txaus siab, mus saib www.oregonmetro.gov/civilrights. Yog hais tias koj xav tau lus kev pab, hu rau 503-797-1700 (8 teev sawv ntxov txog 5 teev tsaus ntxuj weekdays) 5 hnuv ua hauj lwv ua ntej ntwm lub rooj sib tham.

**3.1 Resolution No. 25-5447 For the Purpose of Authorizing the
Chief Operating Officer to Grant a Non-Park Use Easement to
Clackamas County at Pecan Creek Natural Area**
Consent Agenda

Metro Council Meeting
Thursday, January 23, 2025

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING THE)	RESOLUTION NO. 25-5447
CHIEF OPERATING OFFICER TO GRANT A)	
NON-PARK USE EASEMENT TO CLACKAMAS)	Introduced by Chief Operating Officer
COUNTY AT PECAN CREEK NATURAL AREA)	Marissa Madrigal in concurrence with
)	Council President Lynn Peterson

WHEREAS, Metro owns and manages approximately 25 acres of real property in Clackamas County known as Pecan Creek Natural Area (the “Property”), located along Pecan Creek at the intersection of SW Stafford Road and SW Childs Road; and

WHEREAS, Clackamas County is constructing intersection safety and circulation improvements at SW Stafford and SW Childs Roads (the “Project”), including a roundabout, pedestrian sidewalks, bicycle lanes and crosswalks immediately adjacent to the Property; and

WHEREAS, Metro and Clackamas County cooperated in the Project’s design process resulting in intersection improvements that minimized the Project’s impact on the Property and include habitat and water quality benefits through removal of a fish-passage barrier, installation of improved stormwater and conveyance facilities directly adjacent to Pecan Creek, additional protections of natural habitat around Pecan Creek, and native plantings beyond requirements; and

WHEREAS, the Project’s intersection improvement design and location requires a right-of-way dedication and permanent slope easement of approximately 30,270 square feet and a temporary construction easement of approximately 6,705 square feet at the Property; and

WHEREAS, Metro Parks and Nature Department staff have evaluated this easement request according to the criteria set forth in Metro Council Resolution No. 97-2539B, “For the Purpose of Approving General Policies Related to the Review of Easements, Right of Ways, and Leases for Non-Park Uses Through Properties Managed by the Regional Parks and Greenspaces Department”, adopted on November 6, 1997 (the “Easement Policy”), as further set forth in Attachment 1 to the staff report for this resolution; and

WHEREAS, staff has determined that the easement request can be accommodated with minimal impact to natural resources, cultural resources, recreational resources, recreational facilities, recreational opportunities and their operation and management at the Property, mitigation for impacts are appropriate and beneficial, and staff therefore recommends approval of the easement request; and

WHEREAS, the Easement Policy and the Metro Code requires review of all easement requests by the Metro Council; now therefore,

BE IT RESOLVED that the Metro Council hereby authorizes the Chief Operating Officer to grant a permanent right-of-way easement, permanent slope easement, and a temporary construction easement to Clackamas County in the locations depicted on Exhibits A and B to this resolution, on terms approved by the Office of Metro Attorney.

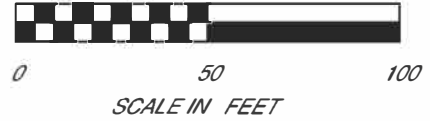
ADOPTED by the Metro Council this 23rd day of January 2025.

Lynn Peterson, Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney

NW 1/4 SEC. 21, T. 2 S., R. 1 E., W.M.



SW CHILDS ROAD
EXISTING CENTERLINE

SW CHILDS ROAD
DESIGN CENTERLINE

C 100+00

C 101+00-

20'

C 102+00

20'

SW CHILDS ROAD (C.R. 848)

C 101+41.71
13.00'RT

C 101+62.00
26.00'RT

RIGHT-OF-WAY
374 SQ. FT. +/-

FILE 12
TAX LOT 601
MAP 2S 1E 21B
METRO
DEED DOC.
2008-044980
PARCEL 1

C 102+04.00
28.60'RT



RIGHT-OF-WAY

SEE ATTACHED LEGAL DESCRIPTION

STAFFORD ROAD IMPROVEMENTS PROJECT
COUNTY PROJECT NO. 22297
PATULLO WAY TO ROSEMONT ROAD



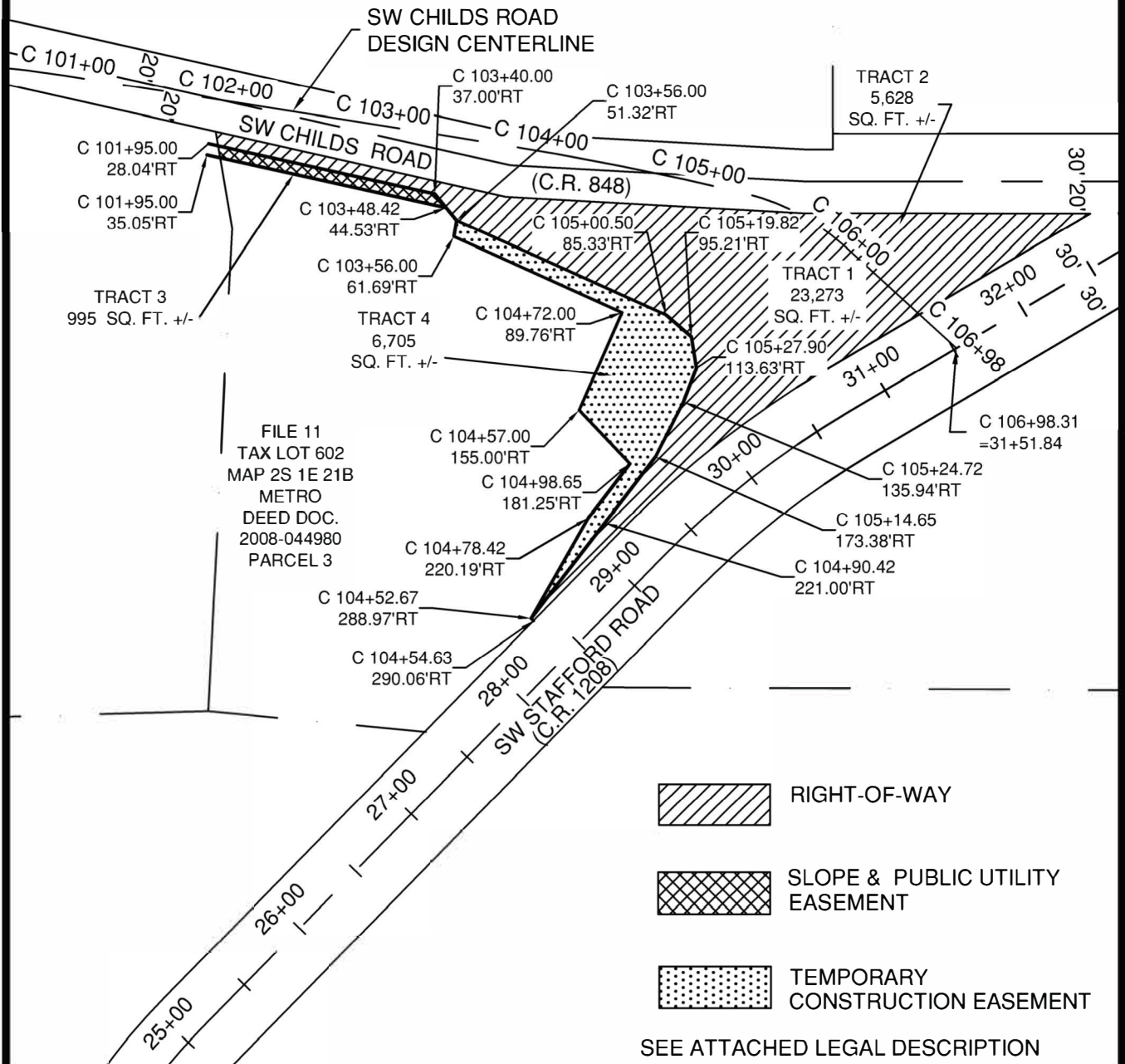
1 ALLIANCE
GEOMATICS
SURVEYING & MAPPING

9755 SW Commerce Circle, Ste B-4
Wilsonville, Oregon 97070

CHECKED BY: MTR

DATE: 11-17-2022

NW 1/4 SEC. 21, T. 2 S., R. 1 E., W.M.



STAFFORD ROAD IMPROVEMENTS PROJECT
COUNTY PROJECT NO. 22297
PATULLO WAY TO ROSEMONT ROAD



1 ALLIANCE
GEOMATICS
SURVEYING & MAPPING

9755 SW Commerce Circle, Ste B-4
Wilsonville, Oregon 97070

CHECKED BY: MTR

DATE: 11-17-2022

IN CONSIDERATION OF RESOLUTION NO. 25- 5447, FOR THE PURPOSE OF
AUTHORIZING THE CHIEF OPERATING OFFICER TO GRANT A NON-PARK USE
EASEMENT TO CLACKAMAS COUNTY AT PECAN CREEK NATURAL AREA

Date: January 7, 2025
Department: Parks and Nature
Meeting Date: January 23, 2025

Prepared by: Shannon Leary,
Shannon.leary@oregonmetro.gov
Presenter(s), (if applicable): n/a

ISSUE STATEMENT

Does the Metro Council wish to authorize the Chief Operating Officer to grant Clackamas County a right of way dedication and permanent slope easement of approximately 30,270 square feet, and a temporary construction easement of approximately 6,705 square feet at Pecan Creek Natural Area, subject to terms and conditions as approved by the Office of Metro Attorney?

ACTION REQUESTED

Staff have reviewed the County's request in accordance with the Metro Council approved Reso. 97-2539B (the "Easement Policy") and recommend the Metro Council direct the Chief Operating Officer to grant Clackamas County a right of way dedication, slope easement and temporary construction easement (collectively, the "Easements") as depicted in the Exhibits to this Resolution.

IDENTIFIED POLICY OUTCOMES

Authorizing the Chief Operating Officer to grant the Easements is consistent with Metro Council past policy direction. Staff reviewed and applied Metro Council policy direction in the Easement Policy to this request and have concluded that a recommendation that the Council authorize this request is appropriate.

The County also believes that this project meets Metro's Shared Vision and Goals for Transportation as outlined in the 2018 Regional Transportation Plan. The goals include Vibrant Communities, Shared Prosperity, Transportation Choices, Reliability and Efficiency, Safety and Security, Healthy Environment, Healthy People, Climate Leadership, Equitable Transportation, Fiscal Stewardship, and Transparency and Accountability.

POLICY OPTIONS FOR COUNCIL TO CONSIDER

1. Metro Council authorize the COO to grant the Easements to the County. This would result in the Metro Council continuing to follow its guidance in the Easement Policy, and the County moving forward with the roadway improvement project, which includes wide-ranging benefits such as replacing a fish passage barrier with a

passable culvert, improving stormwater facilities, and accommodating bike lanes and pedestrian facilities on SW Stafford Road and a portion of SW Childs Road.

2. The Metro Council not authorize the COO to grant the easements to the County. This would result in the Metro Council deviating from their guidance in the Easement Policy and the project being put on hold. It is likely that the County would attempt to acquire these easements via eminent domain, the ramifications of which are unknown as this would be precedent setting. It may have political effects.

STAFF RECOMMENDATIONS

Authorizing the Chief Operating Officer to grant the Easements is consistent with Metro Council past policy direction. Staff reviewed and applied Metro Council policy direction in the Easement Policy to this request and have concluded that a recommendation that the Council authorize this request is appropriate.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

Clackamas County aims to improve the safety and capacity at the intersection of Stafford Road with Johnson Road (to the east) and Childs Road (to the west) and to provide a safe route for bikes along Stafford Road. SW Stafford Road is a major arterial with high volumes of vehicle travel (over 10,000 vehicles per day). The section between Pattulo Way and Rosemont Road has a steep grade, narrow travel lanes, lacks bicycle lanes, and has a side-street stop-controlled intersection at SW Childs Road. This intersection experiences significant congestion during peak traffic periods resulting in long traffic queues at Childs Road and numerous accidents at the intersection.

Alternatives were evaluated and a roundabout selected as the safest option. This design has minor impacts to Metro-owned property to the south of Childs Road (Pecan Creek Natural Area) and Lake Oswego-owned property to the north of Childs Road, where Metro holds a conservation easement (Stevens Meadows CE). The overall project will upgrade the existing Pecan Creek culvert under Childs Road, currently a fish-passage barrier, to a larger, fish-passable culvert, plant native plants in a buffer 15,890 square feet beyond requirements, and secure a 36,000 square foot Restricted Development Easement to preserve natural habitat directly adjacent to Pecan Creek. The permanent right of way easement request includes 29,275 sf at Pecan Creek Natural Area. The project also requests a total of 995 sf in permanent slope easement and 6,705 sf in temporary construction easement.

The County considered existing topography and roadway approaches and determined that a roundabout is the safest option to achieve the goals of the project. Three alternatives were analyzed, and the roundabout as designed ranked highest in operations, safety, and environmental and stormwater benefits, while limiting the right-of-way and earthwork required.

The Pecan Creek culvert under Childs Road is currently a fish passage barrier, and the project will reconstruct the culvert to provide passage for fish and amphibian species, enhancing habitat connectivity between Metro and Lake Oswego natural areas. Trees will be removed for construction, but the project has secured a variance from Clackamas County Water and Environmental Services to restore 56,647 sf of new and existing buffer for Pecan Creek, expanding the mitigation area by 15,890 sf beyond its impact. This mitigation area will include applicable native trees, plants and shrubs in an approved planting plan, and the County will monitor and maintain the plantings for three years. While these mitigation efforts are not contained to Pecan Creek Natural Area or Stevens Meadows CE, the overall project provides these enhanced wildlife habitat and connectivity benefits.

While there is no Council action required, it is relevant to note that Metro staff have also reviewed the County's requests for a permanent right of way (4,514 sf) and slope (4,451 sf) easement at the Stevens Meadows property that is held in fee by the City of Lake Oswego and where Metro holds a conservation easement. Metro staff have reviewed the easement requests by the County to determine if the proposed uses are in accordance with the terms of the conservation easement and have found them to be consistent with the conservation easement's Park Development Area permitted uses for park infrastructure. Specifically, the project includes the following park infrastructure: sidewalk and bike lanes that will connect directly to the Stevens Meadows CE property and which will allow for enhanced connectivity for public recreation, the concrete driveway apron that will support the current use of park maintenance vehicle access and could support future park development, and storm water improvements and lighting.

Legal Antecedents

- Metro Council Resolution No. 97-2539B, For the Purpose of Approving General Policies Related to the Review of Easements, Rights of Ways, and Leases for Non-Park Uses Through Properties Managed by the Regional Parks and Greenspaces Department (November 6, 1997)
- Metro Council Resolution No. 06-3672B, For the Purpose of Submitting to the Voters of the Metro Area a General Obligation Bond Indebtedness in the Amount of \$227.4 Million to Fund Natural Area Acquisition and Water Quality Protection (March 9, 2006)
- Metro Council Resolution No. 07-3839, Approving the Natural Areas Acquisition Refinement Plan for the Stafford Basin Target Area (September 27, 2007)
- Metro Code Section 2.04.050 which requires Metro Council authorization for the Chief Operating Officer to transfer interests in real property
- Lake Oswego Measure 3-618: Allows road safety project, driveway realignment on specific park property. Passed by over 80% of voters on November 5, 2024.

Anticipated Effects

The County will move forward with constructing the roadway improvement project, spanning 2025-2026.

Financial Implications (current year and ongoing)

There is no expense to Metro to grant the easements. The County will pay Metro fair market value for the easements and Metro will be reimbursed by the County for the expenses incurred by Metro, consistent with the Easement Policy.

Known Opposition

Stevens Family Farms, LLC (Stevens Farms), the successor in interest to Stevens Family Enterprises, LLC, the entity that conveyed Stevens Meadows to the City of Lake Oswego and the Pecan Creek Natural Area to Metro, has expressed concerns about this project, specifically its impacts to the Stevens Meadows property. Stevens Farms has engaged the Lake Oswego City Council over the past year and recently sent a letter to President Peterson documenting Stevens Farms' concerns. Due to the park development limitations in the Charter of the City of Lake Oswego, the city placed a measure (3-618) on the ballot in November 2024 asking its citizens if they supported the project and the city granting right of way to the county for the project. The measure passed with over 80% support, indicating that the greater Lake Oswego community believes in the benefits of the overall project.

BACKGROUND

The Metro Code requires Metro Council approval of new easements over Metro property. As an owner of approximately 18,000 acres of land across the greater Portland region, Metro's Parks and Nature Department receives frequent requests for easements over Metro property for both park and non-park uses. In 1997, to ensure that the habitat and natural area purposes for which voters funded Metro's property acquisition are not eroded over time by non-park uses, the Metro Council approved Resolution 97-2539B.

The Easement Policy directs staff to make recommendations to the Metro Council on whether an easement request should be granted, and the policy provides the framework for staff to make its recommendations. Projects designed for the benefit of a Metro park or natural area (a "park use") are recommended for approval. If an easement request is for a non-park use, however, Metro staff must examine it further. Staff must first determine if there is any feasible alternative to the use of Metro's property, without taking into account the cost of any alternative. If a feasible alternative exists, the Easement Policy directs staff to recommend the request be denied. If there is no feasible alternative, then Metro staff analyzes whether any negative impacts from the non-park use on the Metro property can be mitigated. If mitigation is possible, the Easement Policy directs staff to recommend Metro Council approval of the easement.

ATTACHMENTS

Attachment 1: Easement Policy Criteria and Staff Findings

ATTACHMENT 1: EASEMENT POLICY CRITERIA AND STAFF FINDINGS

The Metro Code requires Metro Council approval of new easements over Metro property. As an owner of approximately 18,000 acres of land across the greater Portland region, Metro's Parks and Nature Department receives frequent requests for easements over Metro property for both park and non-park uses. In 1997, to ensure that the habitat and natural area purposes for which voters funded Metro's property acquisition are not eroded over time by non-park uses, the Metro Council approved Resolution 97-2539B, the "Easement Policy". The Easement Policy directs staff to make recommendations to the Metro Council on whether an easement request should be granted, and the policy provides the framework for staff to make its recommendations. This analysis follows the established framework and supports the recommendation found in the staff report.

- 1) Provide for formal review of all proposed easements, rights of ways, and leases for non-park uses by the Regional Parks and Greenspaces Advisory Committee, the Regional Facilities Committee and the full Council. Notwithstanding satisfaction of the criteria set forth herein, the final determination of whether to approve a proposed easement, right of way, or lease is still subject to the review and approval by the full Metro Council.**

Staff finding: Criterion has been satisfied through a thorough review by Metro Parks and Nature Department staff and the Office of Metro Attorney. Department staff prepared a Resolution, Staff Report and this Staff Findings Report to present to the Metro Council for a final decision.

- 2) Prohibit the development of utilities, transportation projects and other non-park uses within corridors or on sites which are located inside of Metro owned or managed regional parks, natural areas, and recreational facilities except as provided herein.**

Staff finding: Criterion satisfied. The applicant is requesting a right of way dedication of approximately 29,275 square feet and a permanent slope easement of approximately 995 square feet at Pecan Creek Natural Area in order to accommodate a proposed roundabout at the Stafford Rd and Childs Rd intersection. The proposed easement is necessary to significantly improve safety and traffic operations at a high-accident intersection. The proposed improvements are estimated to decrease crashes by 81-88%, and the proposed bicycle lanes will provide connectivity to existing bicycle lanes to the south on SW Stafford Rd, significantly enhancing safety for bicyclists along this stretch. Department staff reviewed this request as provided herein for a non-park use easement and right-of-way dedication on a natural area site in accordance with this policy.

- 3) Reject proposals for utility easements, transportation right of ways and leases for non-park uses which would result in significant, unavoidable impacts to**

natural resources, cultural resources, recreational facilities, recreational opportunities or their operation and management.

Staff finding: Criterion satisfied. Parks and Nature Department staff reviewed this request and has determined that there will be no significant impacts to cultural resources, recreational facilities, and recreational opportunities or their operation and management to the site by the requested easement and right-of-way dedication. There will be minimal impacts to natural resources which will be mitigated by the county, as detailed in Section 5.

4) Accommodate utility easements, transportation right of ways or other non-park uses when the Regional Parks and Greenspaces Department (the Department) determines that a proposed easement, right of way, or non-park use can be accommodated without significant impact to natural resources, cultural resources, recreational facilities, recreational opportunities or their operation and management; and that the impacts can be minimized and mitigated.

Staff finding: Criterion satisfied. Department staff determined the proposal can be accommodated without significant impacts to natural resources or the operations and management of Metro property, and the minor impacts to existing natural resources are offset by improvements to the culvert to allow for fish passage, enhanced native plantings, and additional protections for the natural habitat around Pecan Creek.

5) Require full mitigation and related maintenance, as determined by the Department, of all unavoidable impacts to natural resources, recreational facilities, recreational opportunities or their operation and management associated with the granting of easements, right of ways, or leases to use Metro owned or managed regional parks, natural areas or recreational facilities for non-park uses.

Staff finding: Criterion satisfied. The project will replace and upgrade the existing culvert on Pecan Creek, under Childs Road, which will remove a fish passage barrier and allow for fish and amphibians to pass under the roadway. The project will also secure a new 36,000 square foot Restricted Development Easement to preserve natural habitat directly adjacent to Pecan Creek. In addition, stormwater management and conveyance facilities will be improved directly adjacent to Pecan Creek in conformance with federal requirements, resulting in improved water quality. In order to support the larger intersection footprint, additional fill is required. To contain the fill and minimize impacts on the Metro property, a Mechanically Stabilized Earth (MSE) retaining wall is proposed, which results in a significantly less area of Metro property being impacted (vs. an embankment slope method). Metro staff believe that the benefit from the fish passage improvement and significant increase in safety for both vehicles and bicyclists fully mitigate the minimal impacts to the existing natural resources of the site.

6) Limit rights conveyed by easements, right of ways, and leases for non-park uses to the minimum necessary to accomplish the objectives of any proposal.

Staff finding: Criterion satisfied. The applicant requests total permanent easements of approximately 30,270 square feet at Pecan Creek Natural Area, which is limited to the edges of the properties. The applicant has demonstrated that this square footage is necessary to construct and maintain the roundabout improvements.

7) Limit the term of easements, right of ways and leases to the minimum necessary to accomplish the objectives of any proposal.

Staff finding: Criterion satisfied. Access to and maintenance of this area in perpetuity is necessary to ensure the proper upkeep of the roundabout improvements.

8) Require reversion, non-transferable, and removal and restoration clauses in all easements, rights of ways, and leases.

Staff finding: Criterion satisfied. If the Metro Council approves an easement, the easement will include these terms. The Office of Metro Attorney will approve the easement before signature.

9) Fully recover all direct costs (including staff time) associated with processing, reviewing, analyzing, negotiating, approving, conveying, or assuring compliance with the terms of any easement, right of way, or lease for non-park use.

Staff finding: Criterion satisfied. Metro staff documented time and costs spent on this application and informed the applicant of the policy requiring reimbursement. Execution of the easement is subject to satisfaction of all expenses, and the applicant is aware and agreeable to this.

10) Receive no less than fair market value compensation for all easements, right of ways, or leases for non-park uses. Compensation may include, at the discretion of the Department, periodic fees or considerations other than money.

Staff finding: Criterion satisfied. The County contracted with an independent appraiser who determined fair market value of the Pecan Creek easements to be \$137,700, which will be paid to Metro by the applicant. Execution of the easement is subject to satisfaction of all expenses, and the applicant is aware and agreeable to this.

11) Require full indemnification from the easement, right of way or leaseholder for all costs, damages, expenses, fines, or losses related to the use of the easement, right of way, or lease. Metro may also require insurance coverage and/or environmental assurances if deemed necessary by the Office of General Counsel.

Staff finding: Criterion satisfied. If the Metro Council elects to approve the easements, the easement document will include indemnification and insurance provisions as deemed necessary by the Office of Metro Attorney.

12) Limit the exceptions to this policy to: grave sales, utilities or transportation projects which are included in approved master/management plans for Metro regional parks, natural areas and recreational facilities; projects designed specifically for the benefit of a Metro regional park, natural area, or recreational facility; or interim use leases as noted in the Open Spaces Implementation Work Plan.

Staff finding: Criterion satisfied. No exception to the policy was requested and this applicant has satisfied the easement policy.

13) Provide for the timely review and analysis of proposals for non-park uses by adhering to the following process:

A. The applicant shall submit a detailed proposal to the Department which includes all relevant information including but not limited to: purpose, size, components, location, existing conditions, proposed project schedule and phasing, and an analysis of other alternatives which avoid the Metro owned or managed regional park, natural area or recreational facility which are considered infeasible by the applicant. Cost alone shall not constitute unfeasibility.

Staff finding: Criterion satisfied. The applicant submitted a detailed application and proposal that included all necessary information.

B. Upon receipt of the detailed proposal, the Department shall determine if additional information or a Master Plan is required prior to further review and analysis of the proposal. For those facilities, which have master plans, require that all proposed uses are consistent with the master plan. Where no master plan exists all proposed uses shall be consistent with the Greenspaces Master Plan. Deficiencies shall be conveyed to the applicant for correction.

Staff finding: Criterion satisfied. The application was thorough and complete, and no additional information is needed. The site does not currently have a Council-adopted Master Plan but impacts are limited to the edges of the property and should not impact any future Master Plan or other use.

C. Upon determination that the necessary information is complete, the Department shall review and analyze all available and relevant material and determine if alternative alignments or sites located outside of the Metro

owned or managed regional park, natural area, or recreational facility are feasible.

Staff finding: Criterion satisfied. Based on the applicant’s analysis, Parks and Nature Department staff determined that no reasonable alternative exists. The county considered existing topography and roadway approaches and determined that a roundabout is the safest option to achieve the goals of the project. Three alternatives were analyzed, and the roundabout as designed ranked highest in operations, safety, and environmental and stormwater benefits, while limiting the right-of-way and earthwork required.

D. If outside alternatives are not feasible, the Department shall determine if the proposal can be accommodated without significant impact to park resources, facilities or their operation and management. Proposals which cannot be accommodated without significant impacts shall be rejected. If the Department determines that a proposal could be accommodated without significant impacts, staff shall initiate negotiations with the applicant to resolve all issues related to exact location, legal requirements, terms of the agreement, mitigation requirements, fair market value, site restoration, cultural resources, and any other issue relevant to a specific proposal or park, natural area or recreational facility. The Department shall endeavor to complete negotiations in a timely and business-like fashion.

Staff finding: Criterion satisfied. Department staff determined the proposal can be accommodated without significant impacts to natural resources or the operations and management of Metro property. Minor impacts to natural resources are offset by improvements to the culvert to allow for fish passage, enhanced native plantings, and additional protections for the natural habitat around Pecan Creek. Staff does not believe there are any outstanding issues related to exact location, legal requirements, terms of the agreement, mitigation requirements, fair market value, site restoration, cultural resources, and any other issue relevant to a specific proposal or park, natural area or recreational facility. Should the Metro Council approve the easement request, program staff will work with the Office of Metro Attorney to resolve any and all issues that arise.

E. Upon completion of negotiations, the proposed agreement, in the appropriate format, shall be forwarded for review and approval. In no event shall construction of a project commence prior to formal approval of a proposal.

Staff finding: Criterion satisfied. If the easement is approved by the Metro Council, the Office of Metro Attorney will draft and approve the easement document.

F. Upon completion of all Metro tasks and responsibilities or at intervals determined by the Department, and regardless of Metro Council action related to a proposed easement, right of way, or lease for a non-park use, the

applicant shall be invoiced for all expenses or the outstanding balance on expenses incurred by Metro.

Staff finding: Criterion satisfied. Metro costs have been documented and the applicant will be billed for reimbursement.

G. Permission from Metro for an easement or right-of-way shall not preclude review under applicable federal, state, or local jurisdiction requirements.

Staff finding: Criterion satisfied. The applicant has been informed of this requirement.

3.2 Consideration of the January 9, 2025 Council Meeting Minutes
Consent Agenda

Metro Council Meeting
Thursday, January 23, 2025

Metro

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



Metro

Minutes

Thursday, January 9, 2025

10:30 AM

**Metro Regional Center, Council Chamber,
<https://zoom.us/j/615079992> Webinar ID: 615 079 992 or
888-475-4499 (toll free)**

Council meeting

This meeting will be held electronically. You can join the meeting on your computer or other device by using this link: <https://zoom.us/j/615079992> Webinar ID: 615 079 992 or 888-475-4499 (toll free)

1. Call to Order and Roll Call

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

Present: 7 - Duncan Hwang, Ashton Simpson, Juan Carlos Gonzalez, Mary Nolan, Christine Lewis, Lynn Peterson, and Gerritt Rosenthal

2. Public Communication

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

Rebeccas Quinn, Board President of Family Promise of Tualatin Valley, spoke about the accomplishments of FPTV as supported by SHS funding.

Johnathan Maus shared his experience coaching youth basketball and vocalized his support for the Expo Center's use as a local sports facility.

Denise Skeen, Case Manager of Family Promise of Tualatin Valley, explained that SHS funds have allowed FPTV to support the unhoused community and asked Council to continue to provide SHS funds.

Seeing no further Public Comment, Council President Peterson moved on to the Consent Agenda.

Public comment may be submitted in writing. It will also be heard in person and by electronic communication (video conference or telephone). Written comments should be submitted electronically by emailing legislativecoordinator@oregonmetro.gov. Written comments received by 4:00 p.m. the day before the meeting will be provided to the council prior to the meeting. Testimony on non-agenda items will be taken at the beginning of the meeting. Testimony on agenda items generally will take place during that item, after staff presents, but also may be taken at the beginning of the meeting.

Those wishing to testify orally are encouraged to sign up in advance by either: (a) contacting the legislative coordinator by phone at 503-813-7591 and providing your name and the agenda item on which you wish to testify; or (b) registering by email by sending your name and the agenda item on which you wish to testify to legislativecoordinator@oregonmetro.gov. Those wishing to testify in person should fill out a blue card found in the back of the Council Chamber.

Those requesting to comment virtually during the meeting can do so by joining the meeting using this link: <https://zoom.us/j/615079992> (Webinar ID: 615079992) or 888-475-4499 (toll free) and using the “Raise Hand” feature in Zoom or emailing the legislative coordinator at legislativecoordinator@oregonmetro.gov. Individuals will have three minutes to testify unless otherwise stated at the meeting.

3. Consent Agenda

3.1 **Resolution No. 25-5452** For The Purpose of Organizing The Metro Council and Confirming Committee Members

Attachments: [Resolution No. 25-5452](#)
[Exhibit A](#)

Council President Peterson called for a motion to approve the Consent Agenda. It passed unanimously. Seeing no further discussion on the topic, Council President Peterson moved on to the next agenda item.

3.2 **Resolution No. 25-5448** For The Purpose Of Adding Or Amending A Total Of Eleven Projects To The 2024-27 MTIP To Meet Federal Project Delivery Requirements

Attachments: [Resolution no. 25-5448](#)
[Exhibit A](#)
[Staff Report](#)
[Attachment 1](#)
[Attachment 2](#)

Council President Peterson called for a motion to approve the Consent Agenda. It passed unanimously. Seeing no further discussion on the topic, Council President Peterson moved on to the next agenda item.

This item was adopted.

- 3.3 **Resolution No. 25-5454** For the Purpose of Adopting Revised Employment Agreements for Metro's Chief Operating Officer and Metro Attorney

Attachments: [Resolution No. 25-5454](#)
[Exhibit A](#)
[Exhibit B](#)
[Staff Report](#)

Council President Peterson called for a motion to approve the Consent Agenda. It passed unanimously. Seeing no further discussion on the topic, Council President Peterson moved on to the next agenda item.

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

Aye: 7 - Hwang, Simpson, Gonzalez, Nolan, Lewis, Peterson, and Rosenthal

- 3.4 **Resolution No. 25-5455** For the Purpose of Approving Amendments to the Employment Contracts for Directors, Deputy COOs and the General Manager of Visitor Venues

Attachments: [Resolution No. 25-5455](#)
[Exhibit A](#)
[Staff Report](#)

Council President Peterson called for a motion to approve the Consent Agenda. It passed unanimously. Seeing no further discussion on the topic, Council President Peterson moved on to the next agenda item.

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

Aye: 7 - Hwang, Simpson, Gonzalez, Nolan, Lewis, Peterson, and Rosenthal

3.5 Consideration of the December 12, 2024 Council Meeting Minutes

Attachments: [121224c minutes-signed](#)

Council President Peterson called for a motion to approve the Consent Agenda. It passed unanimously. Seeing no further discussion on the topic, Council President Peterson moved on to the next agenda item.

3.6 Consideration of the December 19, 2024 Council Meeting Minutes

Attachments: [121924c minutes- signed](#)

Council President Peterson called for a motion to approve the Consent Agenda. It passed unanimously. Seeing no further discussion on the topic, Council President Peterson moved on to the next agenda item.

4. Resolutions

4.1 Resolution 25-5450 For the Purpose of Representing and Memorializing the Histories and Cultures Associated with the Portland Expo Center

Presenter(s): Stephanie Redman (she/they), Expo Future Project Manager
Craig Stroud (he/him), General Manager Visitor Venues

Attachments: [Resolution no. 25-5450](#)
[Staff Report](#)
[Attachment 1](#)

Council President Peterson called on Stephanie Redman (she/they), Expo Future Project Manager and Craig Stroud (he/him), General Manager Visitor Venues to present to Council.

Staff pulled up joint presentation on both Resolution No. 25-5450 and Resolution No. 25-5451 to present to Council.

Presentation Summary:

The presenters provided Council with an overview of the Expo Center resolutions, which prioritize the memorialization of injured minority communities and endorse the use of the Expo Center as a hub for regional and national sports.

Council Discussion:

Councilor Hwang requested clarification about the commencement dates included in the resolutions.

The presenters replied that some portions of the project which involve community and partner engagement are given flexible timelines, whereas studies and development milestones have firm deadlines.

Council President Peterson stated the need for quarterly reports on the project to Council.

Councilor Nolan expressed her appreciation for the work of staff and asked the presenters to share specifics about how minority communities will be able to utilize and enjoy the site.

The presenters responded that the memorialization committee is considering several pathways to include minority communities, such as reduced admission costs and creating community meeting facilities.

Councilor Lewis described the extensive work of not just staff but also residents who stepped forward to engage in the development and feedback process.

Council President Peterson thanked staff, partners, and the

community for their work.

Council President Peterson called for a vote on Resolution No. 25-5450. It passed unanimously. Seeing no further discussion on the topic, Council President Peterson moved on to the next agenda item.

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

Aye: 7 - Hwang, Simpson, Gonzalez, Nolan, Lewis, Peterson, and Rosenthal

4.2 **Resolution No. 25-5451** For The Purpose Of Redeveloping The Portland Expo Center As A Sports-Oriented Destination Venue

Presenter(s): Stephanie Redman (she/they), Expo Future Project Manager
Craig Stroud (he/him), General Manager Visitor Venues

Attachments: [Resolution 25-5451](#)
[Staff Report](#)
[Attachment 1](#)

Council President Peterson called for a vote on Resolution No. 25-5451. It passed unanimously. Seeing no further discussion on the topic, Council President Peterson moved on to the next agenda item.

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

Aye: 7 - Hwang, Simpson, Gonzalez, Nolan, Lewis, Peterson, and Rosenthal

5. Ordinances (First Reading and Public Hearing)

5.1 **Ordinance No. 25-1522** For the Purpose of Amending the Industrial and Other Employment Areas Map of Title 4 of the Urban Growth Management Functional Plan for the Montgomery Park area of the City of Portland

Presenter(s): Glen Hamburg (he/him), Senior Regional Planner

Attachments: [Ordinance No. 25-1522](#)
[Staff Report](#)
[Exhibit A](#)
[Exhibit B](#)
[Attachment 1](#)
[Attachment 2](#)
[Attachment 3](#)
[Attachment 4](#)
[Attachment 5](#)

Council President Peterson called on Glen Hamburg (he/him), Associate Regional Planner and Brian Singer, Principal Planner of the City of Portland to present to Council.

Staff pulled up the Ordinance No. 24-1522 presentation to present to Council.

Presentation Summary:

The presenters described scope of the ordinance, including the removal of certain use restrictions in the Title IV area of Montgomery Park to allow housing, employment, and transit development.

Council Discussion:

Councilor Lewis questioned how the project and ordinance fit with Portland's housing needs assessment.

The presenters answered that the Montgomery Park development plan is in line with the housing goals of the city.

Councilor Hwang asked how the transit development is linked to the development plan.

The presenters replied that the extension of the yellow line can occur independently or in tandem with development of the urban center and housing.

Councilor Gonzalez wondered how Metro can improve the industrial jobs forecast for the region with this development plan.

The presenters stated that last year's urban growth report showed that there are no industrial tax lots of significant size that would be disturbed within the plan.

Councilor Nolan highlighted the innovation and opportunity created with this plan.

Council President Peterson remarked upon the hard work of the planning and development teams.

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

5.1.1 Public Hearing for Ordinance No. 25-1522

Council President Peterson opened the meeting to members of the public wanting to testify on Ordinance No. 25-1522 For the Purpose of Amending the Industrial and Other Employment Areas Map of Title 4 of the Urban Growth Management Functional Plan for the Montgomery Park area of the City of Portland.

Seeing no testimony, Council President Peterson moved on to the next agenda item.

6. Chief Operating Officer Communication

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

- Reminder that Parks' small community grant applications are due soon.

- The COO met with Portland’s city council to discuss SHS funding and reflected the extensive work performed by staff and the Council in 2024 to extend and improve SHS.
- The COO described some of the upcoming projects that the Council look forward to working on in 2025.

7. Councilor Communication

Councilors provided updates on the following meetings and events:

- Council President Peterson relayed her attendance at the Transportation Research Board conference in D.C.
- Councilor Lewis described her participation in the Racial Equity and Bond Markets cohort. She also reported back on her meeting with the Lake Oswego City Council to discuss housing on Tuesday.
- Councilor Gonzalez expressed his appreciation for staff’s assistance with the Legislative Breakfast the week prior. He also promoted the upcoming Legislative Breakfast on Wednesday, January 15th, hosted by himself and Councilor Rosenthal, to discuss the future of TV Highway.
- Councilor Rosenthal spoke about his and Councilor Gonzalez’s housing discussion with the City of Beaverton the week prior. He also related information from the most recent MERC meeting.
- Councilor Hwang shared an update on the 82nd Street Transit Project, stating that this month the project team will vote on the plan for transit vehicles and routes to advance development.

8. Adjourn

There being no further business, Council President Peterson adjourned the Metro Council Meeting at 12:00 p.m.

Respectfully submitted,

Nicholas Cooley

Nicholas Cooley, Legislative Assistant

**4.1 Integrated and Expanded Regional SHS/Affordable Housing
Program: Proposed Ordinances and Proposed Councilor Amendments**
Work Session Topics

Metro Council Meeting
Thursday, January 23, 2025

INTEGRATED AND EXPANDED REGIONAL SHS/AFFORDABLE HOUSING PROGRAM:
PROPOSED ORDINANCES AND PROPOSED COUNCILOR AMENDMENTS

Date: Jan. 21, 2025
Department: Metro Council President
Work Session Date: Jan. 23, 2025

Presenters: Metro Council President Lynn Peterson (she/her); Andy Shaw, Director of Government Affairs and Policy Development (he/him)

Prepared by: Craig Beebe,
craig.beebe@oregonmetro.gov

Length: 90 minutes

ISSUE STATEMENT

Following up on its January 16, 2025 work session, the Metro Council will continue review and discuss draft legislation to advance an integrated and expanded regional affordable housing and supportive housing services program.

ACTION REQUESTED

No specific action requested at this work session. Councilors may request additional information or provide guidance to support development of revised draft legislation and/or amendments for Council consideration at an ordinance first-read.

IDENTIFIED POLICY OUTCOMES

In line with Council direction and stakeholder/community input since January 2024, the proposed ordinance recognizes three primary facts:

- The region needs to continue funding in services and affordable housing to address homelessness for decades to come. However, regional funding for both will end within a few years, as the supportive housing services (SHS) taxes expire, and Metro’s affordable housing bond is fully spent out.
- There is no viable path to extending regional funding for services and affordable housing without making changes to how SHS taxes are used and overseen, so that they can invest in a full range of solutions to homelessness and demonstrate greater accountability and improved oversight.
- There is an extraordinary opportunity to bring together a wide coalition of providers, business leaders, and community leaders to advocate for an extension and expansion of SHS for twenty additional years, safeguarding the progress that has been made and ensuring that thousands more families can be helped to find and keep stable housing.

The proposed policy package discussed by Council on January 16, 2025, includes several primary elements, in two ordinances:

- Expanding SHS taxes' allowable uses to include affordable housing, which is critical when paired with services and rent assistance to helping people and families escape or avoid the traumas of homelessness.
- Extending SHS taxes for 20 additional years to fund both affordable housing and services, with potential changes to the personal income tax rate and threshold to reduce tax burdens over the proposed longer life of the tax
- Improving oversight and governance structures, including the formation of a single Housing and Homelessness Policy Advisory Committee, staffed by Metro, that will develop a regional action plan and key performance indicators, review local implementation plans, and coordinate regional spending within the broader context of housing needs, policies and solutions, and funding in the region.
- Considering a timeline and next steps for transitioning to the expanded and updated program structure over several years

POLICY QUESTIONS

- Does the proposed policy package, including the potential measure ordinance for referral to voters, reflect Council's direction and reflect input from partners, providers, and community leaders on advancing stable, accountable funding for services and affordable housing?
- Does Council have clarifying questions or further guidance that could help staff support future Council decision-making on adoption of the policy package, including measure referral?

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

Through efforts with a wide array of jurisdictions, providers and community partners, the voter-approved 2018 Metro Affordable Housing Bond and 2020 Supportive Housing Services measure have helped thousands of struggling families and individuals across the greater Portland region find stable, affordable housing and get the supports they need to prevent or escape homelessness.

Yet there is more to do, with housing costs continuing to outpace what people earn and the impacts of homelessness felt in every corner of greater Portland. The crisis persists just as Metro's successful affordable housing bond is winding down its investments, leaving the region with a looming cliff for affordable housing funding. Meanwhile, Supportive Housing Services funding is nearing its halfway point to expiration, with no long-term funding source identified for these critical services and rent assistance. And there is no path to extending either of these funding sources without addressing public and partner concerns about governance and oversight.

On October 17, 2024, following extensive stakeholder and partner engagement dating back to January of last year, the Metro Council provided direction on a policy package to secure impactful, stable regional supportive housing services and affordable housing funding into the future. The Council unanimously adopted Resolution No. 24-5436, directing staff to prepare a series of policy proposals for direction by the end of 2024.

The Metro Council has been clear that the immediate focus remains on addressing homelessness – through stable funding, applying a full range of tools and investments, and working with an array of partners to demonstrate impact and accountability.

Throughout this process, Metro Council and staff have heard clear agreement among a wide variety of partners, leaders, and community members that an extension of the SHS taxes and expansion of uses to include affordable housing must also include meaningful changes to regional oversight and governance that can be more strategic, accountable and flexible to changing needs over time.

The proposed legislative package discussed at the January 16, 2024, Metro Council work session contains elements advanced by a coalition of providers, business and community leaders with direct experience of the current SHS oversight structure, as well as community needs and impacts regarding homelessness and affordable housing across the region.

Any extension of the SHS sunset or expansion of its uses must be approved by the region’s voters. Other elements of proposed changes to governance, accountability and allocation may or may not be included in a ballot measure. However, public opinion research and stakeholder input demonstrate clearly that updates to oversight and accountability are likely necessary to build coalition and voter support for a potential measure.

POLICY OPTIONS TO CONSIDER

The Metro Council has several options for advancing its priorities. These include but are not limited to the following actions at upcoming meetings.

Today’s work session:

- Continue discussion of proposed legislation, including potential amendments for Council consideration:
 - Ordinance No. 25-1525, the “Ballot Measure Ordinance”, contains provisions that would be referred to voters for consideration, including the extension and expansion of SHS taxes to include affordable housing, key oversight and accountability reforms, and a potential tax rate change.
 - Ordinance No. 25-1526, the “Companion Ordinance”, contains topics, details and timelines that would commence if voters approve a proposed measure.

- Provide additional guidance to staff to ensure the legislative package meets Council direction and expectations, and/or clarifying questions to support Council decision-making

On January 30, 2025 (tentative):

- Hold a public hearing and conduct a first reading of draft ordinances, including a potential measure.
- Discuss and vote on amendments proposed by Metro Councilors.

On February 6, 2025 (tentative)

- Conduct a second reading of proposed ordinances, including any amendments adopted by Council votes on January 30.
- Propose and consider any additional amendments Councilors may desire.
- Consider adoption of ordinances and a resolution to refer a ballot measure to Metro voters in the May 2025 election.

On February 13, 2025 (if needed)

- Conduct a third reading of the draft ordinances.
- Consider adoption of ordinances and resolution to refer a ballot measure to Metro voters in the May 2025 election.

BACKGROUND

On July 9, 2024, Metro COO Madrigal released recommendations (“COO Recommendation”) to the Metro Council to address several significant challenges and needs in how the region addresses housing affordability and homelessness. These included, but were not limited to, a looming gap in regional affordable housing funding, the 2030 sunset of the SHS taxes, and widespread input that the region must improve how it strategizes, funds, implements, tracks, and oversees housing and SHS investments. The COO Recommendation followed six months of engagement with a stakeholder advisory table, jurisdictional partners, housing and service providers, and community members.

Since the release of the COO Recommendation and subsequent Metro Council work sessions, Council President Peterson has engaged in repeated conversations with county and city leadership, as well as key regional housing and homelessness advocates, service providers, and business leaders. These conversations have explored potential areas of agreement, as well as understanding concerns and needs for the future.

The COO Recommendation included a range of broad and specific actions to continue sustainable funding for affordable housing and supportive housing services, and to improve the accountability and impact of these investments to continue addressing the homelessness and housing crisis in the greater Portland region.

The Metro Council discussed the COO Recommendation, ongoing stakeholder engagement, and Councilor priorities at work sessions and meetings on July 9, July 25, August 1, September 24, and October 3, 2024. The Council unanimously adopted Resolution No. 24-5436 on October 17, 2024, beginning a final phase of policy development and engagement before potential action early 2025.

The policy directions sought by the Metro Council via adoption of Resolution No. 24-5436 include the following:

- a) Expanding allowable uses of SHS personal and business income taxes to include affordable housing and permanent supportive housing units, with expectations for how these funds will be used by counties and other partners, as well as continuing investments in supportive housing services.
- b) Extending the expiration of supportive housing services taxes beyond 2030, long enough to ensure predictable funding for supportive housing services to meet continued need, and to support ongoing investments to address the region's affordable housing shortfall.
- c) Creating a program by which the region's cities will receive funding for investments in supportive housing services and/or affordable housing, expanding allowable uses as necessary, with a focus on those experiencing or at most risk of chronic homelessness.
- d) The establishment of a new regional housing and homelessness oversight structure that improves coordination and collaboration in investments to address homelessness and affordable housing needs across the region.
- e) Enacting a SHS personal income tax rate decrease that ensures adequate resources for services and affordable housing, while building support for the broader integration and extension of these investments. This tax rate decrease may be phased.
- f) A conservative funding allocation approach to budgeting revenues generated through SHS personal and business income taxes, with the intent to reduce the impacts of revenue volatility on programs and create predictability for implementing partners, while providing resources to meaningfully address the looming regional funding cliff for affordable housing, and to fund investments by cities described in Action (c) above.
- g) A transparent process for ensuring that regional outcomes are advanced, that successes are acknowledged, and that timely improvements are made when progress is insufficient.

The resolution also established Council's desire to create a broadly-supported ballot measure to advance aspects of the above policy changes, and to continue working with a wide range of partners to address the causes and impacts of homelessness and insufficient housing supply. Public opinion research has gauged public priorities for a potential measure, finding support among likely May 2025 voters for an extension and expansion of SHS funding to include affordable housing, contingent upon improvements to regional governance and accountability.

Council further articulated goals for allocation and governance at work sessions on November 26 and December 5, 2024, and since that time has continued conversations with county and city elected officials and leaders from housing and service providers, community-based organizations, and business coalitions. On January 16, 2025, the Metro Council reviewed and discussed working draft language for two ordinances to advance its direction – one for referral to voters, and the other contingent upon voter approval. At that time, Council decided to hold an additional work session, prior to a first-read and public hearing of proposed ordinances.

ATTACHMENTS:

- Draft Ordinance No. 25-1525 (Ballot Measure Ordinance), as discussed on January 16, 2025
- Draft Recitals and Findings for Ordinance No. 25-1525
- Draft Ordinance No. 25-1526 (Companion Ordinance), as discussed on January 16, 2025

WORKING DRAFT
NOT AN OFFICIAL ORDINANCE SUBMISSION

BEFORE THE METRO COUNCIL

WORKING TITLE:)	ORDINANCE NO. 25-1525
FOR THE PURPOSE OF REAUTHORIZING THE)	
PERSONAL INCOME TAX AND BUSINESS)	Introduced by the Metro Council
PROFITS TAX FOR SUPPORTIVE HOUSING)	
SERVICES, ADDING AFFORDABLE HOUSING)	
AS AN ALLOWED USE OF INCOME TAX)	
REVENUE, MAKING RELATED REFORMS TO)	
OVERSIGHT AND ACCOUNTABILITY; AND)	
DIRECTING REFERRAL TO VOTERS FOR)	
APPROVAL)	

[Recitals are in a separate document for Council review but will be added to this ordinance upon Council approval of those recitals.]

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The Metro Council adopts and incorporates the factual and legal findings as described above.
2. The Metro Council adopts the following Sections for its “Supportive Housing Services and Affordable Housing Reform Measure”:

Section 1: Short Title.

This ordinance will be known as the “Supportive Housing Services and Affordable Housing Reform Measure” (the Reform Measure).

Section 2: Purpose and Findings.

1. On May 19, 2020, Metro-area voters approved the Metro Supportive Housing Services Measure (Metro Measure 26-210), later codified by Metro Council in Ordinance No. 20-1452. Measure 26-210 authorized a 1% income tax on specified income to fund supportive housing services in the Metro region (the “Metro SHS Income Tax”). The Metro Council finds that it should reform several aspects of Metro Measure 26-210. The purpose of this Reform Measure is to increase the effectiveness and accountability of Metro’s SHS program by authorizing affordable housing as an approved use of funds, increasing program oversight, simplifying governance, and extending the Supportive Housing Services income tax term.
2. The Metro Council finds that reforming Measure 26-210 (as later codified by Ordinance No. 20-1452) is a legitimate public purpose and necessary to protect the vital interests of those that are experiencing homelessness or likely to become homeless, as well as those experiencing housing instability or needing affordable housing. Consequently, it is appropriate and necessary for the Metro Council to act legislatively to: (1) reform certain aspects of Measure 26-210 and Metro’s Supportive Housing Services Program, (2) seek voter approval, and (3) further act legislatively with respect to any Measure 26-210 related work plan, charter, or other document that conflicts with this Measure’s intent and its legitimate public purpose.

WORKING DRAFT
NOT AN OFFICIAL ORDINANCE SUBMISSION

Section 3: Allowable Uses of Metro Income Tax Revenue.

1. Upon voter approval of this Reform Measure, income derived from the Metro SHS Income Taxes is authorized to fund affordable housing as an allowable use, in addition to use for Supportive Housing Services as defined in Metro Code Chapter 11.01. Metro may use this tax income to fund affordable housing regardless of which specific tax year Metro collected the tax income.
2. For purposes of this Reform Measure, what constitutes funding “affordable housing” should be considered in its broadest sense and includes: constructing or developing housing units, purchasing developed real property to be used for affordable housing units, purchasing or rehabilitating existing housing to preserve its affordability and prevent displacement, acquiring land for the immediate or future construction of new affordable housing, and any other activity that helps provide affordable housing as the Metro Council may authorize.
3. When determining whether a particular expenditure is an allowable use of Metro SHS Income Tax revenue, the provisions of this Reform Measure and Metro Measure 26-210 will be liberally construed to authorize any use that is reasonably related to providing supportive housing services and affordable housing (which includes permanent supportive housing). The Metro Council may by ordinance, administrative rule, or binding policy limit or otherwise regulate any authorized use.

Section 4: Income Taxes Extended Through Tax Year 2050; Voter Reauthorization Required; Tax Rate Adjustments.

Upon voter approval of this Measure:

1. The Metro Income Taxes (collectively, the Metro Personal Income Tax and the Metro Business Income Tax) as set forth in Metro Code Chapters 7.05, 7.06, and 7.07 are reauthorized through the tax year ending December 31, 2050. After December 31, 2050, the income taxes will expire unless reauthorized by the voters on or before that date.
2. Beginning in Tax Year **X**, the Metro Personal Income Tax rate as set forth in Metro Code Chapter 7.06 is reduced from 1.0% to **X** and may not be increased without voter approval.
3. The income tax rates established by this Reform Measure and Metro Measure 26-210 represent the maximum rate allowed for an applicable tax year. The Metro Council may by ordinance reduce the income tax rate for any tax year below the maximum rate authorized by voters. If the Metro Council reduces the income rate below the maximum rate authorized for any given tax year, the Metro Council retains authority to later increase the rate up to the maximum rate authorized for any future tax year.

Section 5: Governance Reform; Housing and Homelessness Policy Advisory Committee (HHPAC).

1. A Housing and Homelessness Policy Advisory Committee (HHPAC) is established. The HHPAC will provide oversight and advice to Metro’s Supportive Housing Services and Affordable Housing Program and advise the Metro Council.
2. Metro Measure 26-210 established a Tri-County Planning Body and Supportive Housing Services Regional Oversight Committee. The Metro Council may by ordinance terminate either or both of those committees. The Metro Council may establish the appropriate timing for termination to ensure a smooth transition between the work performed by these committees and the newly established HHPAC.
3. HHPAC membership will include (but is not limited to) elected officials, community leaders, and experts from housing, services, business, and finance. As part of the HHPAC appointment process, the Metro Council will seek geographic and demographic diversity in the HHPAC’s representation.

WORKING DRAFT
NOT AN OFFICIAL ORDINANCE SUBMISSION

4. The Metro Council will appoint the HHPAC committee members no later than September 2025.
5. The Metro Council may review the HHPAC's role, purpose, and effectiveness as the Council deems appropriate. The Metro Council may conduct this review at any time, but no less than every three years following this Measure's effective date. The Metro Council may modify any aspect of the HHPAC as the Council deems appropriate to ensure appropriate oversight and regional planning. This includes, among other things, modifying the HHPAC's membership, responsibilities, authority, or role.

Section 6: Regional Housing and Homelessness Action Plan.

A Regional Housing and Homelessness Action Plan (Plan) will be adopted and updated periodically. The Plan will guide the work necessary to move the region out of its housing and homelessness crisis. It will include and identify key performance metrics, regional programs, priority populations, principles for highest use of funding, available resources, and strategies for success.

Section 7: Program Requirements; Compliance; Tax Funding Contingencies.

1. A SHS Local Implementation Plan (LIP) must incorporate affordable housing consistent with the Regional Housing and Homelessness Action Plan.
2. HHPAC must annually recommend and Metro must approve a local implementation partner's work plan before the partner may receive Metro Income Tax funding (program funding).
3. Continued program funding for implementation partners is contingent upon compliance with Metro-adopted requirements. These requirements include (but are not limited to) outcome metrics, reporting, data collection, data sharing, regional policies, standards, and definitions.
4. To understand how funding is being used to address the housing and homelessness crisis in the region, it is imperative that Metro have the full context of regionwide supportive housing services and housing system data forecasted budgets and actual spending. Consequently, continued program funding is contingent upon an implementation partner providing to Metro the partner's programmatic data as well as the partner's budgeted and actual financials from federal, state, regional, and local funding sources.
 - a. For each funding source listed above, implementation partner must submit to Metro and HHPAC annual programmatic reporting and final financial statements or best data available by September 30 of each year.
 - b. Implementation partner must also submit final statements or amended data no later than October 31 of each year.

The requirements of this subsection become effective for fiscal year 2024-2025 annual reporting. The first reporting is due to Metro by September 30, 2025.

5. The Metro Council may by ordinance or in a transition plan establish any applicable deadline to comply with the requirements of this section and any other requirement of this Reform Measure.

Section 8: Funding Allocations.

HHPAC will develop and recommend and Metro will adopt a tax funding allocation structure that:

- a. Builds integrated, regional supportive housing services and affordable housing programs;
- b. Prioritizes people experiencing chronic homelessness;
- c. Affirms the program's commitment to addressing racial inequities and disparities among

WORKING DRAFT
NOT AN OFFICIAL ORDINANCE SUBMISSION

marginalized communities; and

- d. Increases predictability for partners, providers, and recipients of services.

Section 9: Monitoring of Program Funds.

1. Metro may monitor any funded activities, including an implementation partner’s associated records and the records of its services providers to assess whether those activities comply with requirements. An implementation partner’s failure to provide all applicable records upon reasonable notice by Metro may result in a loss of funding or other corrective measures.
2. For purposes of this section, “monitoring” means the process of collecting and analyzing information about how funded activities are operating to understand their implementation practices and procedures and to assess whether activities comply with any applicable Intergovernmental Agreement (IGA), Local Implementation Plan (LIP), or Metro policy.

Section 10: Accountability of Program Funds; Audits.

1. Each implementation partner receiving program funds must report annually to the Metro Council and the HHPAC on how the partner has spent funds from the income taxes and how those expenditures have affected established homelessness metrics.
2. Every year a public accounting firm must conduct a financial audit of the revenue generated by the taxes and the distribution of that revenue. Metro will make public the audit and any report to the Metro Council regarding the audit results. Metro may use the revenue generated by the income taxes to pay for the audit costs required under this subsection.
3. The revenue and expenditures from the taxes are subject to performance audits conducted by the Office of the Metro Auditor and the elected or appointed auditors of any implementation partner.

Section 11: Codification of Measure Language; Conflicts with Metro Code; Periodic Review and Amendment.

1. Upon passage of this Reform Measure, the Metro Council may further act to codify, as applicable, Measure language that conflicts with any Metro Code language in effect at the time of the Reform Measure’s passage. The provisions of this Reform Measure prevail over conflicting language in the Metro Code at the time of this Reform Measure’s passage.
2. Nothing in this Reform Measure prohibits the Metro Council from further amending any Metro Code chapter, section or subsection as the Council deems appropriate to address changing circumstances, incorporate new information, or further implement the intent of this Reform Measure. However, without voter approval, the Metro Council may not act legislatively to extend the Metro Income Taxes beyond 2050, lower the tax income threshold below \$125,000 for single filers or \$200,000 for joint filers, or increase the maximum voter authorized tax rate as that rate exists for a particular tax year.
3. The Metro Council may conduct a periodic review of Metro’s Supportive Housing Services and Affordable Housing Program to evaluate any or all aspects of the Program and its funding. The Council may conduct this review at any time, but no less than every three years following the Reform Measure’s effective date. Following a review, the Metro Council may further act legislatively or otherwise in any manner it deems appropriate to ensure the Program’s effectiveness and support the goal of making homelessness rare, brief, and non-recurring

WORKING DRAFT
NOT AN OFFICIAL ORDINANCE SUBMISSION

Section 12: Administrative Rule Authority.

The Chief Operating Officer or designee may adopt administrative rules, forms, guides, and policies to further implement any provision of this Reform Measure. Any adopted rule has the same force and effect as any Metro Code section.

Section 13: Severability.

1. When determining this Reform Measure’s constitutionality or its adherence to the Metro Charter, a court of competent jurisdiction must evaluate every section, subsection, and subdivision of this Reform Measure separately.
2. If any section, subsection, or subdivision at any level is held invalid, the remaining sections, subsections, and subdivisions will not be considered affected and will remain in full force and effect.
3. Each section, subsection, and subdivision of this Reform Measure, at any level of subdivision, will be considered severable, individually or in any combination, as necessary. A court of competent jurisdiction may sever only those sections, subsections, and subdivisions necessary to render this Reform Measure consistent with the United States Constitution, the Oregon Constitution, and the Metro Charter.

ADOPTED by the Metro Council this XX day of February 2025.

Lynn Peterson, Council President

Attest:

Approved as to Form:

Georgia Langer, Interim Recording Secretary

Carrie MacLaren, Metro Attorney

DRAFT RECITALS FOR SHS REFORM MEASURE ORDINANCE No. 25-1525

***Note: Below are draft recitals for Ordinance No. 25-1525 (SHS Reform Measure). Upon any editing and amendment by the Metro Council, these recitals will be added to the Reform Measure Ordinance.*

***Note: Numbering of the recitals is for reference purposes only during Council discussion. Once approved, the numbers will be removed from the final draft Ordinance.*

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

2. WHEREAS, 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

3. WHEREAS, a safe, affordable home is the cornerstone on which all other success is built, and the stable foundation all members of our community need to thrive; and

4. WHEREAS, on November 6, 2018, Metro Area voters approved Measure 26-199, approving \$652.8 million in general obligation bonds for the creation of affordable housing in across the Portland region (the “Metro Affordable Housing Bond”); and

5. WHEREAS, through the hard work of multiple jurisdictional partners, community organizations and housing providers, the Metro Affordable Housing bond is on track to create more than 5,000 affordable housing units providing homes for between 9,000 and 15,000 people and exceeding its production goals by approximately 20 percent; and

6. WHEREAS, despite this notable progress, the State of Oregon, Metro and an array of community members and stakeholders have recognized that the greater Portland region is still well short of needed affordable housing and permanent supportive housing units to meet current and future need; and

7. WHEREAS, funding for the Metro Affordable Housing Bond will soon be fully committed, leaving the region facing a looming cliff in funding to create affordable housing to continue meeting this need; and

8. WHEREAS, on February 25, 2020, the Metro Council referred to the Metro area voters a personal and business income tax for the purposes of funding Supportive Housing Services in the Metro region (the “Supportive Housing Services Measure”), which was identified as Metro Measure 26-210; and

9. WHEREAS, on May 19, 2020, the Metro Area voters approved Measure 26-210, thus establishing a one percent personal income tax on high income earners and a one percent business profits income tax on businesses that gross \$5 million annually; and

10. WHEREAS, Measure 26-210 authorized funding for Supportive Housing Services and

**DRAFT RECITALS FOR SHS REFORM MEASURE
ORDINANCE No. 25-1525**

established a sunset date of December 31, 2030, for imposition of the Metro Income Taxes; and

11. WHEREAS, through the hard work of Metro’s county implementation partners and service providers around the region, the regional SHS program has in its first three years of implementation helped thousands of households avoid or escape homelessness, including funding more than 6,200 housing placements, more than 15,000 eviction preventions through regional rent assistance, and the creation or sustaining of more than 1,800 temporary shelter units; and

12. WHEREAS, despite these initial successes, the launch of the regional SHS program occurred during a time of profound trials and upheaval in the region and nation, including the impacts of the global COVID-19 pandemic on economic opportunity, public health, and public safety, which together exacerbated longstanding racial and economic inequality and lack of opportunity in the region; and

13. WHEREAS, these factors contributed to a tripling of unsheltered homelessness in the Portland region between 2020 and 2023 according to the annual Point-in-Time count, deepening public concern and further complicating and compounding challenges in investments to address this need; and

14. WHEREAS, owing to a variety of factors, the high-earner personal and business income taxes that fund the regional SHS program have collected revenue in their initial years of collection beyond what was anticipated when Measure 26-210 was approved by voters, creating the potential to apply some of these funds to address urgent affordable housing needs as the Metro Affordable Housing bond funds are spent down; and

15. WHEREAS, without near-term action to secure regional funding for affordable housing, the region will experience an immediate gap in funding for affordable housing creation; and

16. WHEREAS, voter approval is required to authorize affordable housing as an allowable use of the income tax revenue and to reauthorize the Metro Income Taxes beyond December 31, 2030; and

17. WHEREAS, without near-term action to extend the SHS sunset beyond 2030, supportive services and rent assistance funded by the SHS program will need to begin ramping down within a few years; and

18. WHEREAS, if SHS funding is not extended by 2031, approximately XXXXXX individuals and households will lose access to rental assistance funding and supportive services as available funding in the region reverts to unacceptably low levels, particularly in Washington and Clackamas counties; and

19. WHEREAS, addressing homelessness is a long-term, inherently regional effort that requires funding for dedicated supportive services, rental assistance, and ample affordable housing for people experiencing or at risk of homelessness; and

20. WHEREAS, the Metro Council, implementation partners, stakeholders and the public have identified several challenges, limitations and needed improvements for oversight, implementation and accountability during the implementation of the regional SHS program and Metro Affordable Housing Bond; and

**DRAFT RECITALS FOR SHS REFORM MEASURE
ORDINANCE No. 25-1525**

21. WHEREAS, particularly with regard to the regional SHS program these concerns are discussed in a Metro Auditor report in 2024 that identified multiple, conflicting layers of oversight, implementation and accountability, as well as “uneven preparedness to use funding among the three counties,” and “definitions, reports, and calculations that made it difficult to understand how the program has progressed”; and the Auditor recommended “stronger oversight... to ensure counties are making progress”; and

22. WHEREAS, on July 9, 2024, the Metro Chief Operating Officer issued a recommendation to the Metro Council regarding the future of funding address homelessness and housing instability through investments in services, rent assistance and the creation of affordable housing; and

23. WHEREAS, the Chief Operating Officer’s recommendation was created following an extensive process of research and engagement with partners, stakeholders, providers and community members; and

24. WHEREAS, since receiving the Chief Operating Officer’s recommendation the Metro Council has engaged in multiple work sessions and meeting discussions to consider priorities and provide direction in a public setting; and

25. WHEREAS, on October 17, 2024, the Metro Council adopted Resolution No. 24-5436, For The Purpose Of Establishing The Metro Council’s Priorities For An Integrated And Expanded Regional Supportive Housing Services And Affordable Housing Program; and

26. WHEREAS, since the passage of Resolution No. 24-5436, the Metro Council has continued intensive conversation with jurisdictional partners, coalition leaders, providers, SHS and Metro Housing Bond oversight committees and community leaders and stakeholders on key topics of governance, allocation and investment prioritization; and

27. WHEREAS, the Metro Council therefore finds that addressing the disproportionate experience of housing instability and homelessness among people of color, people living with disabilities, and people with other historically marginalized identities must continue to be a priority for regional investments in supportive housings services and affordable housing; and

28. WHEREAS, the Metro Council has heard and agrees with input from an array of stakeholders, partners and providers that investments with SHS tax revenues must continue to prioritize ongoing stability and supportive services for households receiving such services today, and furthermore that investments in affordable housing using SHS revenues should prioritize deepest affordability needs and populations that are currently experiencing or at the greatest risk of homelessness; and

29. WHEREAS, the Metro Council has heard and agrees with input from an array of stakeholders, partners and providers that any allocation of SHS revenue needs to acknowledge and address the inherent volatility of SHS income taxes in extending predictable funding for the long term; and

30. WHEREAS, the Metro Council has heard and agrees with input from many stakeholders, including the current SHS Oversight Committee and the Tri-County Planning Body, that there is a need to ensure continued regional investments to improve and standardize regional programs,

**DRAFT RECITALS FOR SHS REFORM MEASURE
ORDINANCE No. 25-1525**

policies, data collection and accountable governance of SHS spending and impact; and

31. WHEREAS, in seeking long-term funding for an integrated regional supportive housing services and affordable housing program, the Metro Council has heard and agrees about the need to strike an appropriate balance between the longevity and rate of regional taxpayers' contributions to addressing these needs, the region's economic recovery, and the necessity of securing greater contributions from State and Federal partners;

32. WHEREAS, the Metro Council seeks to convene and foster ongoing cross-jurisdictional and cross-sector collaboration to address homelessness in a way that is responsive, accountable, adaptable to changing conditions, and successful in securing and coordinating funding and policies from a multitude of sources; and

33. WHEREAS, the Metro Council's goal is that homelessness should be rare, brief and nonrecurring in the Portland region, and the region's response to homelessness and housing instability should be guided by a firm intention that every person in the region will experience stability, safety and hope, for their own future and that of their community; and

34. WHEREAS, the Metro Council intends to refer to the voters a measure that would: authorize using Metro Income Tax funds for affordable housing and permanent supportive housing, reduce the personal income tax rate, reauthorize the Metro Income Taxes through December 31, 2050, and establish a Housing and Homelessness Policy Advisory Committee for enhanced oversight and accountability of public tax dollars; and

35. WHEREAS, the Metro Council makes the following factual and legal findings:

- A. The Oregon Constitution Article XI, Section 14(4) gives Metro "jurisdiction over matters of metropolitan concern as set forth in the charter of the district." The Metro Council has previously determined that homelessness and affordable housing are matters of metropolitan concern as that term is used in the Oregon Constitution and the Metro Charter, thus giving Metro jurisdiction to legislate regarding these issues; and
- B. Metro voter approval is needed to extend the SHS tax beyond 2030 and to authorize affordable housing as an allowable use of SHS Metro Income Tax revenue in addition to services. However, the Metro Council retains broad and independent legislative authority to establish oversight and regulation of SHS Metro Income Tax Revenue use, including the oversight of how implementing partners use SHS tax funding; and
- C. Metro's Affordable Housing Bond will soon be fully allocated, and yet the greater Portland region is still well short of needed affordable housing and permanent supportive housing units to meet current and future need. Without near-term action to secure regional funding for affordable housing, the region will experience an immediate gap in funding for affordable housing creation; and
- D. Reforming Measure 26-210 (later codified in Metro Code) to authorize affordable housing as an allowable use of SHS Metro Income Tax revenue will help serve the vital interests of establishing more affordable housing and reducing incidences of homelessness; and

**DRAFT RECITALS FOR SHS REFORM MEASURE
ORDINANCE No. 25-1525**

- E. Measure 26-210 required the regional SHS program to include regional oversight and coordination. It also stipulated that the program was subject to performance and finance reviews to ensure that local implementation plans and spending by the region’s three counties meaningfully address challenges at a regional scale; and
- F. As discussed above, the Metro Auditor’s report of 2024 identified multiple, conflicting layers of oversight, implementation and accountability, as well as “uneven preparedness to use funding among the three counties,” and “definitions, reports, and calculations that made it difficult to understand how the program has progressed.” The Auditor recommended “stronger oversight... to ensure counties are making progress”; and
- G. The Metro Auditor’s concerns are in addition to those of implementation partners, stakeholders, and the public, each of whom have further identified several challenges, limitations and needed reform improvements for oversight, implementation and accountability of the regional SHS program; and
- H. Reforming Metro Measure 26-210 (and by extension the Metro Code) is a legitimate public purpose and necessary to protect the vital interests of those that are experiencing homelessness or likely to become homeless, as well as those experiencing housing instability or needing affordable housing. Therefore, it is appropriate and necessary for the Metro Council to act legislatively to reform Measure 26-210 and Metro’s Supportive Housing Services Program by referring this Reform Measure to seek voter approval.
- I. It is also appropriate and necessary for the Metro Council to act legislatively in the future, as applicable, to remove any conflict between this Reform Measure’s intent and any work plan, charter, Metro Code section, or document related to Metro Measure 26-210; now therefore,

The Metro Council Ordains as follows:

WORKING DRAFT
NOT AN OFFICIAL ORDINANCE SUBMISSION

BEFORE THE METRO COUNCIL

<i>WORKING TITLE:</i>)	ORDINANCE NO. 25-1526
FOR THE PURPOSE OF ESTABLISHING A)	
TRANSITION PLAN AND GUIDING THE)	Introduced by the Metro Council
IMPLEMENTATION OF THE SUPPORTIVE)	
HOUSING SERVICES AND AFFORDABLE)	
HOUSING REFORM MEASURE; REDUCING)	
PERSONAL INCOME TAX RATE)	

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

WHEREAS, on May 19, 2020, Metro area voters approved Measure 26-210 (“the Supportive Housing Services Measure”) thus funding Supportive Housing Services in the Metro region by establishing a one percent personal income tax on high income earners and a one percent business profits income tax on businesses that gross \$5 million annually; and

WHEREAS, on February X, 2025, the Metro Council adopted Ordinance No. 25-1525, “For The Purpose Of Reauthorizing The Personal Income Tax And Business Profits Tax For Supportive Housing Services, Adding Affordable Housing As An Allowed Use Of Income Tax Revenue, Making Related Reforms To Oversight And Accountability; And Directing Referral To Voters For Approval,” and

WHEREAS, the Metro Council made certain findings in Ordinance No. 25-1525, including that “reforming Measure 26-210 (as later codified by Metro Ordinance No. 20-1452) is a legitimate public purpose and necessary to protect the vital interests of those that are experiencing homelessness or likely to become homeless, as well as those experiencing housing instability or needing affordable housing”; and

WHEREAS, the Metro Council also intends to seek the approval of Metro area voters in the May 2025 Special Election for the findings and actions described in Ordinance No. 25-1525, including but not limited to the extension of the regional Supportive Housing Services program to 2050, addition of affordable housing as an allowable expense, reform of regional oversight and accountability, and reduction of the personal income tax rate beyond 2030; and

WHEREAS, upon Metro voter approval of the proposed reforms in Ordinance 25-1525, the Metro Council seeks an expedient yet intentional transition to the reformed and expanded Regional Supportive Housing Services and Affordable Housing Program described in Ordinance No. 25-1525; and

WHEREAS, the Metro Council intends that this transition ensure as much predictability and stability as possible for ongoing programs, partners and providers funded by the Supportive Housing Services measure, while also establishing necessary reforms that create greater role clarity, efficiency and accountability and improve outcomes in an integrated Regional Supportive Housing Services and Affordable Housing Program; and

WHEREAS, to understand needed reforms and their potential effects, Metro Council and staff

WORKING DRAFT
NOT AN OFFICIAL ORDINANCE SUBMISSION

have sought input over the course of more than a year from jurisdictional partners, providers, community and business leaders, the Supportive Housing Services Regional Oversight Committee, the Metro Affordable Housing Bond Oversight Committee, the Tri-County Planning Body, the Metro Committee on Racial Equity, the Metro Policy Advisory Committee, housing and finance experts, Metro staff and the general public; and

WHEREAS, based on implementation of past voter-approved funding measures, the Metro Council believes it necessary to establish key expectations about priorities, outcomes and processes for governance and implementation of a reformed Program, while also creating sufficient time and opportunity to plan a full transition; and

WHEREAS, the Metro Council seeks to convene and foster ongoing cross-jurisdictional and cross-sector collaboration to address homelessness in a way that is responsive, accountable, adaptable to changing conditions, and successful in securing and coordinating funding and policies from a multitude of sources; and

WHEREAS, the Metro Council reiterates and acknowledges here the full recitals and findings of Ordinance No. 25-1525, in particular its goal that homelessness should be rare, brief and nonrecurring in the Portland region, and that the region's response to homelessness and housing instability should be guided by a firm intention that every person in the region will experience stability, safety and hope, for their own future and that of their community; and

WHEREAS, as outlined in Ordinance No. 25-1525, the Metro Council intends to refer to the voters a SHS Reform Measure that would authorize using Metro Income Tax funds for affordable housing and permanent supportive housing, reduce the personal income tax rate, reauthorize the Metro Income Taxes through December 31, 2050, and establish a Housing and Homelessness Policy Advisory Committee for enhanced oversight and accountability of public tax dollars; and

WHEREAS, Metro area voter approval is required to extend the SHS tax beyond 2030 and to authorize affordable housing as an allowable use of SHS Metro Income Tax revenue in addition to supportive housing services. However, the Metro Council retains broad and independent legislative authority to establish oversight and regulation of SHS Metro Income Tax Revenue use (including the oversight of how implementing partners use SHS tax funding), and thus the Metro Council may enact any provision in this Ordinance at a future date without voter approval as the Council deems necessary and appropriate; now therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

Section 1. Ordinance Effective Date.

The provisions of this Ordinance No. 25-1526 only become effective and valid upon the effective date of voter approval of Metro's Supportive Housing Services and Affordable Housing Reform Measure (the Reform Measure; Ordinance No. 25-1525), which Metro will place on the ballot for the May 20, 2025, election. However, if the Reform Measure does not obtain voter approval, nothing in this ordinance prohibits the Metro Council from reconsidering any provision in this ordinance that does not otherwise require voter approval as set forth under the Metro Charter.

Section 2. Metro SHS Income Taxes Indexed; Tax Rate Reduced for Personal Income Tax.

1. Beginning in Tax Year 2026 (starting January 1, 2026) the Metro Personal Income Tax exemption amount set forth in Metro Code Chapter 7.06 will be indexed to maintain the personal income tax on

WORKING DRAFT
NOT AN OFFICIAL ORDINANCE SUBMISSION

high income earners. Metro will use as its index the U.S. Average City Consumer Price Index for All Urban Consumers (All Items) as published by the Bureau of Labor Statistics of the United States Department of Labor. The Metro Council will establish this index by ordinance with an ordinance effective date no later than January 1, 2026.

2. Beginning in Tax Year **X** and continuing through Tax Year **X**, the Metro Personal Income Tax Rate as set forth in Metro Code Chapter 7.06 is reduced from 1.0% to **X**. The tax rate of 1.0% remains in effect for Tax Years 2021, 2022, 2023, 2024, and 2025. The Metro Business Income Tax Rate remains unchanged at one percent.

Section 3. Transition of Current SHS Program to Integrated Supportive Housing Services and Affordable Housing Program; Transition Plan.

1. Upon voter approval of the Reform Measure, Metro will transition the current SHS Program to an integrated Supportive Housing Services and Affordable Housing Program. To implement the transition, Metro will adopt a Transition Plan no later than September 30, 2025.
2. As part of the transition from the current SHS Program established by Measure 26-210 to one that incorporates voter-approved reforms from this Reform Measure, Metro will adopt interim performance metrics and a program North Star no later than July 31, 2025. These interim metrics will be informed by regional outcome metrics in the current SHS Program and build upon the previously adopted SHS Regional Outcome Metrics framework.
3. As part of the Transition Plan, Metro will plan for the development of a systems mapping process with stakeholders including but not limited to elected officials, community leaders, state agency representatives, experts from housing, homelessness, behavioral health, business, finance, legal, and those with lived experience of homelessness or housing instability to identify opportunities for improvement and areas of best practices to replicate while implementing the transition.
4. The Housing and Homelessness Policy Advisory Committee established in Ordinance 25-1525 will recommend an interim allocation plan effective for fiscal year 2026-2027 for Metro Council adoption no later than December 31, 2025, to continue services and fund affordable housing investments until a final allocation plan is adopted as part of the Regional Housing and Homelessness Action Plan.
5. As part of this interim allocation plan, Metro will adopt a plan for creating and administering a dedicated, ongoing regional fund for investments in regional planning/strategies, including but not limited to the goal areas previously approved by the Tri-County Planning Body.
6. Beginning in fiscal year 2026-2027, local governments will use SHS Income Tax revenue to fund services and affordable housing consistent with any allocation plan adopted by Metro Council.
7. As part of the Transition Plan, Metro will plan for the development and adoption of an interim compliance policy, including interim definitions and standards for implementation partner compliance and non-compliance with Metro requirements, and escalating corrective measures for use in instances of implementation partner non-compliance.

The allocation model as set forth in this section will be periodically reconsidered in conjunction with updates to the Regional Housing and Homelessness Action Plan as that Plan is further described in Section 5.

WORKING DRAFT
NOT AN OFFICIAL ORDINANCE SUBMISSION

Section 4. Housing and Homelessness Policy Advisory Committee Responsibilities; Membership; Voting Rights.

1. The Housing and Homelessness Policy Advisory Committee (HHPAC) established by the Reform Measure (Ordinance No. 25-1525) has the following responsibilities:
 - a. Oversee program and fiscal performance, lead regionalization efforts, and advise Metro and implementing partners in context of the evolving regional housing, affordable housing, and homelessness systems;
 - b. Develop and recommend criteria for disbursement of funds for approval by Metro Council;
 - c. Periodically recommend Regional Housing and Homelessness Action Plan for approval by the Metro Council;
 - d. Review and recommend Local Implementation Plans for approval by Metro Council;
 - e. Evaluate and review program activity implementation and progress towards established regional outcomes; and
 - f. Provide annual reports to Metro Council and the public.
2. To inform and support its work and recommendations, the HHPAC will:
 - a. Be advised by a technical advisory committee of people with knowledge and experience in the many facets of regional homelessness and housing need;
 - b. Incorporate meaningful processes and/or structures for input from housing service providers and people with lived experience of homelessness;
 - c. Be advised, through its technical advisory committee, by a transitional subcommittee of current non-elected members of the Supportive Housing Services Tri-County Planning Body, for up to two years, to aid in the transition of existing regionalization efforts to the new structure;
 - d. Be supported in committee work, technical analysis and policy development by Metro staff; and
 - e. Be supplemented by regular independent financial reviews and program evaluation.
3. The HHPAC will consist of the following 21 members appointed by the Metro Council President and subject to confirmation by the Metro Council.
 - a. Three Metro Councilors, one of whom will chair the committee.
 - b. One County Commissioner each from Clackamas, Multnomah, and Washington Counties.
 - c. One elected representative from the largest city by population in each of the three counties.
 - d. One elected representative from a city within the Metro boundary in each county that is not otherwise the largest city in that county by population.
 - e. Six community representatives with expertise to include (but not limited to) housing, homelessness, behavioral health, business, finance, legal, and community leadership.
 - f. One representative each from three of the four following state agencies: Oregon Department of Human Services, Oregon Housing and Community Services, Oregon Health Authority, and Department of Land Conservation and Development.

WORKING DRAFT
NOT AN OFFICIAL ORDINANCE SUBMISSION

4. The Metro Council President may appoint a co-chair, as needed.
5. The Metro Council will seek geographic and demographic diversity in the HHPAC's representation.
6. All HHPAC members are full voting members except for the representatives of the three state agencies.

Section 5. SHS Program Regionalization; Regional Housing and Homelessness Action Plan.

1. The HHPAC will develop a Regional Housing and Homelessness Action Plan (Plan) that:
 - a. Recommends regional investment priorities and an allocation strategies plan, grounded in an understanding of the evolving conditions impacting homelessness and housing instability, performance-based evaluation of the relative impact of previous investments and a review of the most effective emerging best practices.
 - b. Speaks to systemic challenges in addressing homelessness and housing instability, including regionalization, system alignment, capacity and improvement, establishing regional standards in procurement, performance-based contracting, payment processing, and pay equity, and other opportunities and needs raised through engagement with those most knowledgeable about these challenges, including service and housing providers, and those with expertise across intersecting systems.
 - c. Incorporates regional goals and priorities, including but not limited to the six goals identified by Tri-County Planning Body: coordinated entry, landlord recruitment, healthcare system alignment, training, technical assistance, and employee recruitment and retention.
2. The Plan must reflect the following characteristics:
 - a. Coordination and incorporation of the full regional context, dynamics and drivers impacting homelessness and affordable housing need, as well as available funding and programs already at work in the region;
 - b. Identification of desired regional outcomes and key performance metrics to support Metro and Implementation Partners in achieving a shared vision of desired impact and understanding of funded partners' progress toward these goals;
 - c. Incorporation of regionalization efforts and successes to date in the current regional SHS program and Metro Affordable Housing Bond;
 - d. Identification, prioritization and alignment of supportive housing services and affordable housing investment strategies, within a focused time period, to serve communities with the deepest housing needs including those experiencing and at risk of chronic homelessness and those most impacted by systemic barriers to housing instability;
 - e. Updates every five years or on a cycle to adapt to changing needs and successes over the life of the program as determined by HHPAC; and
 - f. Other characteristics and requirements as directed by the Metro Council or recommended by HHPAC.

WORKING DRAFT
NOT AN OFFICIAL ORDINANCE SUBMISSION

3. Implementation partners are required to develop a Local Implementation Plan (LIP), with periodic reviews and updates to align with the Regional Housing and Homelessness Action Plan.
4. An LIP must be developed using locally convened and comprehensive engagement that prioritizes the voice of Black, Indigenous, and people of color and people with lived experience of homelessness. Plans must be developed in full partnership with advisory bodies that equitably reflect community expertise and experience. Each implementation partner may convene new advisory bodies or use existing bodies that fulfill the representation requirements.
5. An implementation partner's Local Implementation Plan and work plan must comply with the Regional Housing and Homelessness Action Plan. This includes adding housing to the LIP and demonstrating coordination with cities that are within that portion of an implementation partner's Metro jurisdiction. An implementation partner must periodically review and update its LIP on a schedule established by Metro.

Section 6. Codification of Ordinance Language.

1. After this ordinance's effective date, the Metro Council may further act to codify, as applicable, any ordinance language that conflicts with any Metro Code language in effect at the time of this ordinance's effective date.
2. Nothing in this ordinance prohibits the Metro Council from further amending any Metro Code chapter, section, or subsection as the Council deems appropriate to address changing circumstances, incorporate new information, or further implement the intent of this ordinance.

Section 7. Severability.

1. When determining this ordinance's constitutionality or its adherence to the Metro Charter, a court of competent jurisdiction must evaluate every section, subsection, and subdivision of this ordinance separately.
2. If any section, subsection, or subdivision at any level is held invalid, the remaining sections, subsections, and subdivisions will not be considered affected and will remain in full force and effect.
3. Each section, subsection, and subdivision of this ordinance, at any level of subdivision, will be considered severable, individually or in any combination, as necessary. A court of competent jurisdiction may sever only those sections, subsections, and subdivisions necessary to render this ordinance consistent with the United States Constitution, the Oregon Constitution, and the Metro Charter.

ADOPTED by the Metro Council this XX day of February 2025.

Lynn Peterson, Council President

Attest:

Approved as to Form:

WORKING DRAFT
NOT AN OFFICIAL ORDINANCE SUBMISSION

Georgia Langer, Interim Recording Secretary

Carrie MacLaren, Metro Attorney

DRAFT

Materials following this page were distributed at the meeting.

Georgia Langer

From: Brian Frank <brian@brianfrankpdx.com>
Sent: Friday, January 17, 2025 11:18 AM
To: Legislative Coordinator
Subject: [External sender]Testimony on proposed SHS tax rate change

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

I am a tax accountant preparing taxes in the Portland area. Licensed Tax Consultant #907680-C

I have never *once* heard a client complain about paying the SHS tax. Whenever I've explained this tax to clients they've been glad (this portion) of their tax money was going to something useful - recognizing that supporting long term housing of the unhoused is a massive need in our area and that we live somewhere where a serious long term strategic commitment has been made by the constituents who supported this tax with their votes. Speaking for myself, I am far less concerned about the tax burden on high income earners than I am about the real dangers to people who are unhoused.

~Brian Frank

Brian Frank Consulting, LLC

-

Brian Frank Consulting, LLC

Accounting, Bookkeeping, Consulting & Training

Licensed Tax Consultant #907680-C

[Pronouns:](#) he/him/his

-

brian@brianfrankpdx.com

www.brianfrankpdx.com

Please do not reduce the marginal tax rate to fund Metro's ongoing housing efforts.

Thank you for your efforts to preserve and extend support for housing services and affordable housing.

I strongly object to the current draft of Ordinance 25-1525, Section 4.

I urge the Council to raise clarifying questions regarding Resolution No. 24-5436, section e, "Enacting a SHS personal income tax rate decrease that ensures adequate resources for services and affordable housing, while building support for the broader integration and extension of these investments."

It seems improbable at best that decreasing the marginal personal income tax rate could "ensure adequate resources for services and affordable housing."

The need for funding is only going to grow.

Nearly 60% of voters approved the 1% marginal tax on very high-income households and big businesses--the wealthiest 7% of households and businesses bringing in more than \$5 million a year. To the wealthy who pay it, this 1% marginal tax is a trivial amount. But in aggregate it makes a difference. To those whom the collected funds support, it means stable housing, shelter from cold and rain, a door with a lock on it.

It is not enough. But it has helped many people to remain or become housed. Withdrawing these funds will only make the problem worse, faster.

Cutting the already insufficient funds for housing supports will lead to (even) more homelessness. The usual response to that has been further policing, which is not only expensive, and not only does not solve the problem of lack of shelter, but actually makes it worse by harming and criminalizing people who are just trying to survive.

There is no evidence that rich people are leaving the area because of taxes. Oregon and Portland have relatively low taxes overall because we have no sales tax. Indeed, there are increasing numbers of rich people in Portland.

We know the federal administration may withhold federal dollars from Oregon. We know the new federal administration is attacking immigrant communities, and these local funds are essential to serve people who are denied access to other resources. We need to ensure local revenue is as robust as can be. Now is not the time for us to backpedal on local progressive tax policies.

Please extend the tax beyond the planned sunset, and keep the marginal tax as it is (or raise it!).

Thank you for your attention.

Frann Michel
97214



January 21, 2025

RE: Public Testimony
Work Session Agenda Item: 25-6197

Dear Metro Council President Peterson and fellow Councilors,

I write to you on behalf of Home Forward, the Public Housing Authority (PHA) in Multnomah County, in strong support of the Council's work towards integrating and expanding regional funding for supportive housing services and affordable housing through the contemplated Supportive Housing Services (SHS) and Affordable Housing Reform Measure. The renewal and improvement of the existing SHS measure is an important tool for Home Forward to advance its mission of creating a better community by providing housing stability through affordable housing development, housing choice expansion, services that support quality of life, and advocacy to improve local and national housing systems.

In addition to being Multnomah County's, the State of Oregon, and the City of Portland's largest provider of affordable housing, Home Forward plays a key role in our region's homelessness response. Home Forward contributes over \$37 million dollars in federal funds each year to the local homeless services system including Housing Choice Vouchers that support Permanent Supportive Housing or homelessness preferences, Home Forward's special purpose vouchers that are aligned with our Continuum of Care to support some of our vulnerable populations, and our funding contributions to the Short-Term Rent Assistance program. In addition, Home Forward uses our infrastructure and expertise to serve as the administrator over 1,200 Regional Long Term Rent Assistance vouchers each month. Beyond rent assistance, Home Forward owns over 115 affordable communities in Multnomah County comprising over 7,200 homes. Home Forward also operates over 440 units of Permanent Supportive Housing (PSH) and is in the process of expanding our PSH portfolio to respond to the need of our community.

We know that permanent housing is the primary solution to our region's homelessness challenge. To advance this solution we need three things: supportive services to maintain housing stability for individuals transitioning from homelessness; rent assistance; and available housing units for individuals to transition into. The contemplated legislative action before the Metro Council advances these critical needs.

Home Forward has demonstrated our commitment towards being a partner to address homelessness through affordable housing. From October 2021 to October 2022, 56% of

newly admitted individuals receiving a housing resource from Home Forward exited directly from homelessness. While systems wide there are not enough resources for supportive services to meet the significant need, as a housing provider, Home Forward has seen the tangible benefit of the holistic wrap around supports funded through SHS. With SHS funded services, we see lower rates of lease violations, improved wellbeing, and increased housing stability. Just as systems have been stood up and successes are becoming evident, now is not the time to let this funding lapse. We support reauthorizing the tax through December 31, 2050, in order to provide the sustainability necessary to continue this work. Extending the tax to 2050 also allows new affordable housing developments to leverage this resource to increase debt, thereby reducing the amount of public funding required at each project.

In addition, as an affordable housing developer we have benefited from two highly successful affordable housing bonds, the City of Portland Affordable Housing Bond and the Metro Affordable Housing Bond. Both Bonds exceeded their unit production goals, including the Metro Bond delivering 20% more affordable housing units to the community than projected. Home Forward utilized Metro Affordable Housing Bond funds to build five new affordable housing communities totaling over 491 new homes. Without a current source of local funding for affordable housing creation, our community will see a decrease in production to support the placement of individuals experiencing homelessness into permanent housing. Expanding SHS taxes' allowable uses to include the development affordable housing allows for funding priorities that seek a balanced approach to address homelessness. We also support the broad definition of "fund affordable housing" utilized in contemplated Ordinance 25-1525, as it allows affordable housing developers to utilize funds in a manner that most responsive to market dynamics as they shift over time.

We applaud the Metro Council's commitment to long-term solutions to addressing homelessness and the thoughtfulness of both the Council and Metro staff in advancing the renewal and improvement of the existing SHS measure. As a developer and provider of affordable housing for people experiencing homelessness, as well as a jurisdictional partner, we are in strong support of Section 3 (Allowable Uses of Metro Income Tax Revenue) and Section 4(1) (Income Taxes Extended Through Tax Year 2050). Thank you for the opportunity to provide this written testimony. Please contact Christina Dirks, Director of Policy and Planning at (503) 348-1196 or christina.dirks@homeforward.org regarding these comments.

Sincerely,



Christina Dirks
Director of Policy and Planning
Home Forward

Georgia Langer

From: Mary King <maryking219@gmail.com>
Sent: Tuesday, January 21, 2025 3:20 PM
To: Legislative Coordinator
Subject: [External sender]Written testimony on proposed ordinance for Jan 23, 2025 meeting

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

I'm Mary King, Professor of Economics Emerita at Portland State University. Thank you for the opportunity to express my views.

I strongly disagree with the proposal to reduce the tax rate to fund Metro's ongoing housing efforts.

Clearly, both needs and costs are only growing, outpacing Metro's strong implementation of previous housing efforts. The expense of meeting these needs is rising, due to inflation - particularly felt in building supplies - and the imperative to raise salaries for people working with unsheltered people.

The very organization, the Portland Business Alliance/Portland Metro Chamber, pushing for reduced taxes saw no reason to hold back this fall, demanding and getting, from the lame duck City Council, higher fees over a bigger area to fund their Downtown Clean and Safe project.

We have no good evidence that affluent people are moving to avoid local taxes, and have to recognize that higher local taxes cannot begin to compensate for reduced federal taxes at the top and very limited federal housing programs.

Combined state and local taxes are not particularly high in Oregon, nor the Portland Metro Area, largely because we lack a sales tax. Forgoing a sales tax both increases tax equity and benefits local businesses. By contrast, the state of California not only relies on a top income tax tier of 13.3 percent but also levies a very high sales tax, augmented by local sales taxes, and applied even to cars, whether new or used.

The small SHS tax is well directed at the most affluent, where the economic gains of the last few decades have been concentrated. This group has been growing in numbers locally.

Higher than predicted tax revenues in the early years of the SHS tax cannot be counted on in the future. Incomes at the top are quite variable year to year, especially due to unpredictable swings in capital gains incomes. 2021 set a 40 year record, nationally, in the magnitude of capital gains income.

The views of the very affluent are amplified by lobbyists and our local press, but we hear very little from people at risk of losing their housing, rescued from losing their housing or employed in constructing housing or working closely with people struggling with housing insecurity.

It's time that we prioritized meeting local needs as best we can, and learn to disregard the well-paid voices pushing a knee jerk, anti-tax message. No tax cut or tax break has ever been enough to mute them.

Thank you.

Mary C. King

Professor of Economics Emerita, **Portland State University**

maryking219@gmail.com

Georgia Langer

From: Nicole Long <nicole@breathandtaxesllc.com>
Sent: Wednesday, January 22, 2025 12:09 PM
To: Legislative Coordinator
Subject: [External sender]Written Testimony for Supportive Housing Services Tax

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

Hello!

I'm writing to provide testimony against lowering the supportive housing services (SHS) tax rate in Portland. My client base is mixed between folks that pay this tax and many that don't, and those that do pay the tax have not given any rise to the amount. The tax is even smaller than the 1% when compared to what the household actually takes home.

Given that Oregon has the kicker credit that already benefits high-income earners, this tax should continue to exist to fund a growing issue in the general Portland area. I've seen more folks outside in sub-30 degree weather than ever before. These people deserve homes, especially when there are hundreds of empty buildings sitting in our city that could be converted into living quarters.

Please do not lower the tax rate. This tax and the services it provides requires time to build progress. This tax should be codified into our City's tax code as a long-term commitment to ending homelessness.

Thank you for the time.

--

It's tax season! Please be patient with responses as we navigate the first quarter of 2025.

Warm regards,

Nicole Long, CPA

she/her

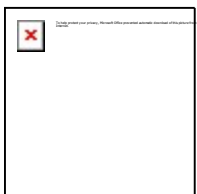
OR CPA License #15162

P: (503) 662-2894

F: (503) 563-3284

E: nicole@breathandtaxesllc.com

www.breathandtaxesllc.com





January 23, 2025

Metro Council
600 NE Grand Ave,
Portland OR 97232

Dear President Peterson and Councils Simpson, Lewis, Rosenthal, Gonzalez, Nolan and Hwang,

My name is Tony Bernal, and I am the chief executive officer of Transition Projects, a Portland-based nonprofit agency that has moved people from homelessness to housing for 56 years. We serve more than 9,000 people annually. I want to thank this Council and President Peterson for your leadership on reforming and extending the Supportive Housing Services (SHS) measure.

Funding from SHS is integral to our work, accounts for 40 percent of our agency budget, and is braided through all facets of our work—shelter, housing, outreach, permanent supportive housing, and day services. If the SHS tax were to sunset, it would have a devastating impact on the work that we do. We are keenly aware of how much is at stake as we Metro Council considers how to strengthen SHS and secure its future.

We believe that time to act is now. Transition Projects is proud to be among the partners working to build a coalition that will support these reforms. **We are supportive of extending the referral timeline to November** to ensure that we have the support that we need.

Thank you for your attention to this most critical matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Tony Bernal", written in a cursive style.

Tony Bernal
Chief Executive Officer