

Council meeting and work session agenda

Thursday, February 27, 2025

10:30 AM

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

This Council Meeting will adjourn to a Work Session.

This meeting will be held electronically and in person at the Metro Regional Center Council Chamber. 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)

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.

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 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 Consideration of the February 6, 2025 Council Meeting [25-6214](#)
Minutes
Attachments: [020625 Council Meeting Minutes](#)

4. Resolutions

- 4.1 Resolution No. 25-5458 For the Purpose of Providing [RES 25-5458](#)
Direction to Metro Staff for Follow Up Activities Related to
the 2024 Urban Growth Management Decision
Presenter(s): Catherine Ciarlo (she/her), Director, Planning, Development
and Research
-

Eryn Kehe (she/her), Urban Policy and Development
Manager

Attachments: [Resolution No. 25-5458](#)
[Staff Report](#)

5. Ordinances (Second Reading and Vote)

- 5.1 Ordinance No. 25-1527 For The Purpose Of Annexing To [ORD 25-1527](#)
The Metro District Approximately 5.46 Acres In Hillsboro
Along NW West Union Rd East Of NW Helvetia Rd

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

Attachments: [Ordinance No. 25-1527](#)
[Exhibit A to Resolution 25-1527](#)
[Staff Report](#)
[Attachment 1- Proposal No. AN0724](#)

- 5.2 Ordinance No. 25-1528 For the Purpose of Amending [ORD 25-1528](#)
Metro Code Section 9.02 (Ballot Measures, Initiative, and
Referendum) to Improve Clarity and Incorporate Plain
Language Best Practices and Declaring an Emergency

Presenter(s): Shane Abma, Senior Attorney

Attachments: [Ordinance No. 25-1528](#)
[Exhibit A to Ordinance No. 25-1528](#)
[Staff Report](#)

6. Other Business

Adjourn to Work Session

7. Work Session Topics:

- 6.1 Supportive Housing Services Data Sharing Agreement [25-6215](#)

Presenter(s): Kristin Dennis, Chief of Staff, Metro
Yesenia Delgado, Supportive Housing Services Manager,
Metro
Vahid Brown, Deputy Director, Clackamas County Housing
and Community Development
Anna Plumb, Deputy Director, Joint Office of Homeless
Services
Jes Larson, Assistant Director, Washington County Housing

Services

Attachments: [Staff Report](#)

8. Chief Operating Officer Communication
9. Councilor Communication
10. Adjourn

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សេចក្តីជូនដំណឹងអំពីការមិនរើសអើងរបស់ Metro

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

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**3.1 Consideration of the February 6, 2025 Council
Meeting Minutes**
Consent Agenda

Metro Council Meeting
Thursday, February 27, 2025

Metro

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



Metro

Minutes

Thursday, February 6, 2025

10:30 AM

**Metro Regional Center, Council chamber,
<https://zoom.us/j/615079992> (Webinar ID: 615079992) 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

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

Excused: 1 - Council President Lynn Peterson

2. Public Communication

There was none.

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.

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3. Consent Agenda

3.1 **Resolution No. 25-5456** For The Purpose Of Adding Or Amending Nine Projects To The 2024-27 Mtip Including Six New Americans With

Disabilities Act Upgrade Projects To Meet Federal Project Delivery Requirements

Attachments: [Resolution 25-5456](#)
[Exhibit A](#)
[Staff Report](#)
[Attachment 1](#)
[Attachment 2](#)
[Attachment 3](#)
[Attachment 4](#)

- 3.2 **Resolution No. 25-5457** For the Purpose of Appointing 8 New Members to the Metro Affordable Housing Bond Community Oversight Committee

Attachments: [Resolution No. 25-5457](#)
[Exhibit A](#)
[Staff Report](#)

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

Aye: 6 - Councilor Hwang, Councilor Simpson, Councilor Nolan, Councilor Rosenthal, Councilor Gonzalez, and Councilor Lewis

Excused: 1 - Council President Peterson

- 3.3 **Resolution No. 25-5461** For the Purpose of Appointing One New Member to the Regional Waste Advisory Committee

Attachments: [Resolution no. 25-5461](#)
[Staff Report](#)

Councilor Nolan moved to adopt the consent agenda, Councilor Rosenthal seconded. After the passage the consent agenda, Councilor Rosenthal appreciated that Durham, one of the smallest cities, also benefitted from the ADA projects.

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

Aye: 6 - Councilor Hwang, Councilor Simpson, Councilor Nolan, Councilor Rosenthal, Councilor Gonzalez, and Councilor Lewis

Excused: 1 - Council President Peterson

4. Resolutions

4.1 **Resolution No. 25-5449** For the Purpose of Proclaiming Every February as Black History Month in the Greater Portland Region

Presenter(s): Mychal Tetteh (he/him), Parks & Nature Community Services Program Director
Marissa Grass (she/her), Government Affairs & Policy Development Strategic Engagement Advisor

Attachments: [Resolution No. 25-5449](#)
[Staff Report](#)

Metro staff Chanel Perry and Mychal Tetteh shared a presentation that touched on Metro's Black Employee Resource Group, the history of African American contributions in labor, the civil rights movement, and labor justice.

Keanon Myles shared contributions of Black workers in Metro's Waste Prevention and Environmental Services department to improve services for the community.

Councilor Nolan and Rosenthal thanked staff for sharing constructive feedback to support Council's efforts to improve equitable programs and services.

Councilor Lewis thanked the Black Employee Resource Group for its work outside today's presentation.

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

Aye: 6 - Councilor Hwang, Councilor Simpson, Councilor Nolan, Councilor Rosenthal, Councilor Gonzalez, and Councilor Lewis

Excused: 1 - Council President Peterson

4.2 **Resolution No. 25-5462** For the Purpose of Authorizing the Sale of General Obligation Bonds

Presenter(s): Caleb Ford (he/him), Deputy CFO, Metro

Attachments: [Resolution No. 25-5462](#)
 [Staff Report](#)

Chief Financial Officer recommended authorizing the issuance of new bond funds to support the work of the 2019 Parks and Nature Bond and 2024 Oregon Zoo Bond.

Councilor Nolan asked about stability and average rates at this time, and staff replied that bonds have been stable in the 5% range and that Metro carries a AAA bond rating.

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

Aye: 6 - Councilor Hwang, Councilor Simpson, Councilor Nolan, Councilor Rosenthal, Councilor Gonzalez, and Councilor Lewis

Excused: 1 - Council President Peterson

5. Ordinances (First Reading and Public Hearing)

5.1 **Ordinance No. 25-1527** For The Purpose Of Annexing To The Metro District Approximately 5.46 Acres In Hillsboro Along NW West Union Rd East Of NW Helvetia Rd

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

Attachments: [Ordinance No. 25-1527](#)
[Exhibit A](#)
[Staff Report](#)
[Attachment 1](#)

Glen Hamburg, Senior Regional Planner, described the current status of the property under consideration.

5.1.1 Public Hearing for Ordinance No. 25-1527

There was no public comment during the hearing.

7. Chief Operating Officer Communication

COO Madrigal offered support for staff.

8. Councilor Communication

There were none.

9. Adjourn

There being no further business, Council President Peterson adjourned the Metro Council Meeting at 11:10 a.m.

Respectfully submitted,

Nicholas Cooley

Nicholas Cooley, Legislative Assistant

**4.1 Resolution No. 25-5458 For the Purpose of Providing
Direction to Metro Staff for Follow Up Activities Related
to the 2024 Urban Growth Management Decision**
Resolutions

Metro Council Meeting
Thursday, February 27, 2025

BEFORE THE METRO COUNCIL

| | | |
|-------------------------------------|---|---------------------------------------|
| FOR THE PURPOSE OF PROVIDING |) | RESOLUTION NO. 25-5458 |
| DIRECTION TO METRO STAFF FOR FOLLOW |) | |
| UP ACTIVITIES RELATED TO THE 2024 |) | Introduced by Chief Operating Officer |
| URBAN GROWTH MANAGEMENT DECISION |) | Marissa Madrigal in concurrence with |
| |) | Council President Lynn Peterson |

WHEREAS, on December 5, 2024, the Metro Council adopted Ordinance No. 24-1520, which added approximately 1,291 acres to the Metro urban growth boundary (UGB), consistent with Metro's obligation under ORS 197A.350 to reassess the Metro region's buildable land supply every six years; and

WHEREAS, the Metro Council made its 2024 urban growth management decision with the benefit of extensive engagement and recommendations from the Metro Technical Advisory Committee (MTAC), the Metro Policy Advisory Committee (MPAC), the Metro Committee on Racial Equity (CORE), and other interested parties; and

WHEREAS, some recommendations and input that were received specifically influenced the 2024 urban growth management decision, including finding a regional need for a UGB expansion, adding the Sherwood West urban reserve to the UGB to address that need, and applying conditions of approval for the Sherwood West UGB expansion area. Addressing other recommendations and input may require additional longer-term efforts or work programs; and

WHEREAS, having concluded its 2024 urban growth management decision, the Metro Council would now like to consider additional topics arising out of that decision, including: incorporating process improvements to address racial equity more fully in the growth management process; clarifying Metro's requirements for concept plans for urban reserves; addressing challenges to the development readiness of industrial lands; improving future regional population and employment forecasting efforts; and taking a more active role in encouraging housing production inside the UGB; now therefore,

BE IT RESOLVED that the Metro Council directs the Metro Planning, Development, and Research Department as follows:

1. Through participation in local jurisdiction concept planning and comprehensive planning efforts, identify specific processes and/or actions to advance regional interests, including increased housing variety in type and affordability, housing density, and regulated affordable housing. Through Metro grant funding for local concept planning and comprehensive planning efforts, encourage broad-based public engagement, racial equity analyses, and Tribal consultation; and
2. Identify and develop a work plan to apply a racial equity framework that is consistent with Agency-wide direction and informs improvements to Metro's growth management process; and
3. Develop a proposed work program that describes how Metro would lead a collaborative effort to encourage the development readiness of industrial lands currently inside the UGB. This effort should build on Metro's Industrial Site Readiness Toolkit; and
4. When developing a work program for the 2030 Urban Growth Report, include in that work program an expert review process for the regional population and employment forecast that includes external demographers and economists to ensure forecast validity; and

5. Consult with partners from the 2024 urban growth management process to identify gaps in equitable use of data for decision-making; and
6. Develop plans to conduct a racial equity audit of the 2040 Growth Concept to learn the impacts of that approach to growth to date and inform updates as part of the Future Vision process; and
7. Develop a proposed work program and public engagement plan for how Metro will meet its requirements to adopt a Regional Housing Coordination Strategy by the end of 2025.

ADOPTED by the Metro Council this 27 day of February 2025

Lynn Peterson, Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney

RESOLUTION NUMBER 25-5458: FOR THE PURPOSE OF PROVIDING DIRECTION TO METRO STAFF FOR FOLLOW UP ACTIVITIES RELATED TO THE 2024 URBAN GROWTH MANAGEMENT DECISION

Date: February 10, 2025
Department: Planning, Development, and Research
Meeting Date: February 27, 2025

Prepared by: Ted Reid, Principal Regional Planner ted.reid@oregonmetro.gov
Presenter(s): Catherine Ciarlo (she/her); Eryn Kehe (she, her)
Length: 30 minutes

ISSUE STATEMENT

Under state law, the Metro Council is required – at least every six years – to determine whether the urban growth boundary (UGB) has adequate land for expected housing and job growth. The Metro Council last made this determination in December 2024. At the time, the Metro Council also indicated its desire to have a follow up discussion of several topics that arose during the decision process, followed by a Council resolution providing direction to Metro staff.

ACTION REQUESTED

Consider adoption of Resolution Number 25-5458.

IDENTIFIED POLICY OUTCOMES

Through adoption of Resolution Number 25-5458, the Metro Council may provide direction to staff to address the topics listed below, including:

- Improve the incorporation of racial equity considerations into growth management.
- Clarify the Council's interests related to topics such as housing densities, housing mixes, housing affordability, racial equity analysis, Tribal consultation, and public engagement when local jurisdictions are planning for new urban areas.
- Convene a taskforce to discuss challenges to industrial site readiness.
- Advance regional housing production.
- Ensure that Metro population and employment forecasts are based on the best available information and methodologies.

POLICY QUESTION(S)

Does the Council wish to provide direction to staff as described in Resolution Number 25-5458?

POLICY OPTIONS FOR COUNCIL TO CONSIDER

The Council may consider adoption of Resolution 25-5458 as drafted or may choose to amend the Resolution to clarify its direction.

STAFF RECOMMENDATIONS

Staff recommends that the Council consider whether Resolution Number 25-5458 reflects its intended direction to staff.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

Regional urban growth management decisions have long been one of the Metro Council's core responsibilities. The Metro UGB – first adopted in 1979 – is one of Metro's tools for achieving the 2040 Growth Concept's vision for compact growth, thereby protecting farms and forests outside the UGB and focusing public and private investment in existing communities. These are all key to reducing greenhouse gas emissions and expanding housing options.

Metro strives to improve its engagement practices, analyses, and decision outcomes with every growth management cycle. These efforts are in that vein.

BACKGROUND

At its March 7, 2023 work session, the Council directed staff to begin implementing the work program for the 2024 urban growth management decision. The Council finalized its decision in December 2024. The Council had a work session on January 28, 2025 to discuss its potential interests related to improvements to growth management processes. Staff was asked to return with a proposed resolution memorializing Council's direction.

ATTACHMENTS

- Is legislation required for Council action? ☒ Yes ☐ No
- If yes, is draft legislation attached? ☒ Yes ☐ No
- What other materials are you presenting today?
None

**5.1 Ordinance No. 25-1527 For the Purpose of Annexing to the Metro
District Approximately 5.46 Acres In Hillsboro Along
NW West Union Rd East of NW Helvetia Rd**
Ordinances

Metro Council Meeting
Thursday, February 27, 2025

BEFORE THE METRO COUNCIL

| | | |
|-------------------------------------|---|--|
| FOR THE PURPOSE OF ANNEXING TO THE |) | ORDINANCE NO. 25-1527 |
| METRO DISTRICT BOUNDARY |) | |
| APPROXIMATELY 5.46 ACRES LOCATED IN |) | Introduced by Chief Operating Officer |
| HILLSBORO ALONG NW WEST UNION |) | Marissa Madrigal with the Concurrence of |
| ROAD EAST OF NW HELVETIA ROAD |) | Council President Lynn Peterson |

WHEREAS, Goldfinch Energy Storage, LLC has submitted a complete application for annexation of 5.46 acres of Hillsboro (“the territory”) to the Metro District; and

WHEREAS, the Metro Council added the territory to the urban growth boundary (UGB) by Ordinance No. 04-1040B adopted on June 24, 2004; and

WHEREAS, Title 11 (Planning for New Urban Areas) of the Urban Growth Management Functional Plan requires annexation to the district prior to application of land use regulations intended to allow urbanization of the territory; and

WHEREAS, Metro has received consent to the annexation from the owners of the land in the territory; and

WHEREAS, the proposed annexation complies with Metro Code 3.09.070; and

WHEREAS, the Council held a public hearing on the proposed amendment on February 6, 2025; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The Metro District Boundary Map is hereby amended, as indicated in Exhibit A, attached and incorporated into this ordinance.
2. The proposed annexation meets the criteria in section 3.09.070 of the Metro Code, as demonstrated in the Staff Report dated January 10, 2025, attached and incorporated into this ordinance.

ADOPTED by the Metro Council this 6th day of February 2025.

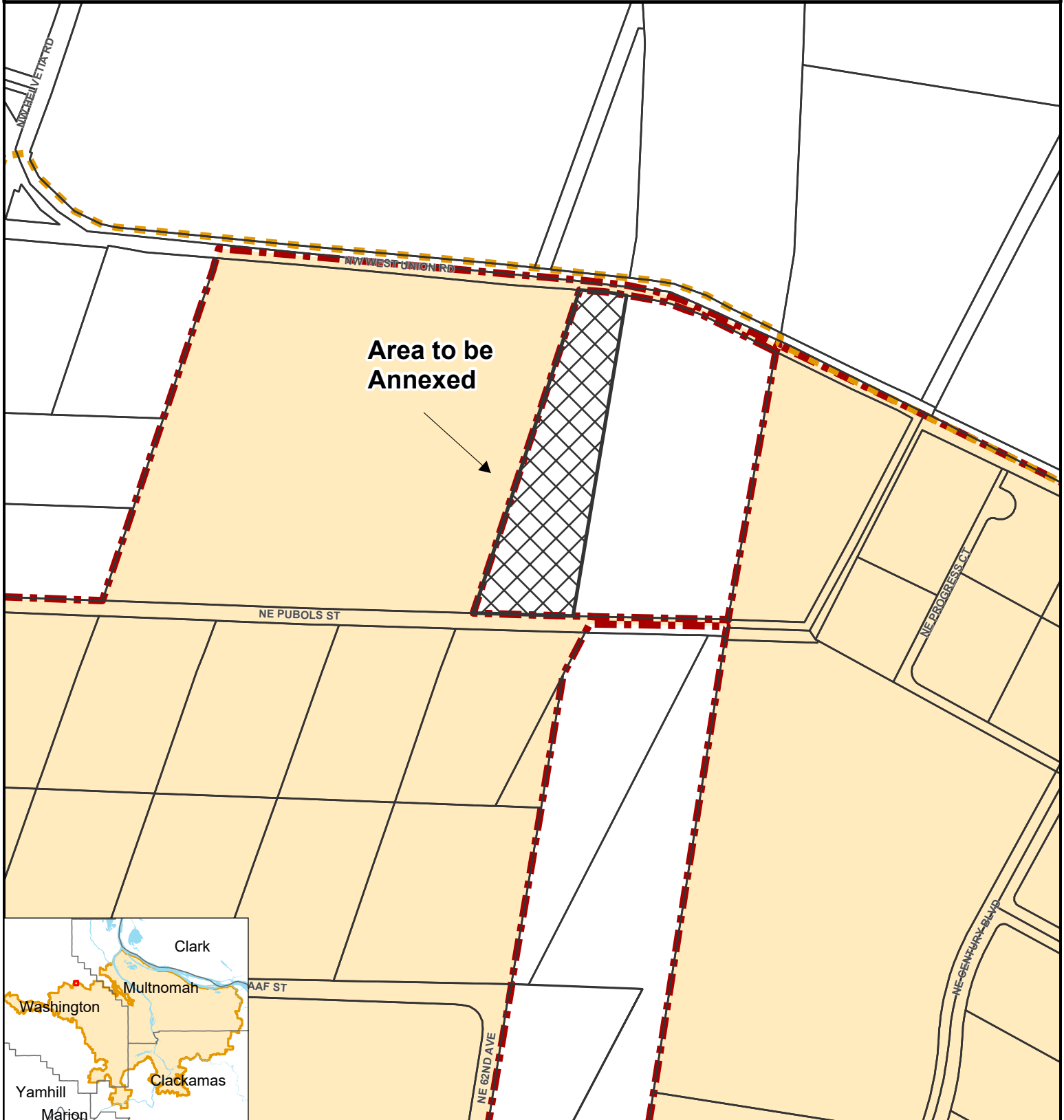
Lynn Peterson, Council President

Attest:

Approved as to form:




Georgia Langer, Recording Secretary

Carrie MacLaren, Metro Attorney



Research Center
600 NE Grand Ave
Portland, OR 97232-2736
(503) 797-1742

<http://www.oregonmetro.gov/drc>

-  Taxlots
-  Urban growth boundary
-  Metro district boundary

Proposal No. AN0724



1:5,000

0 500 1,000 Feet

The information on this map was derived from digital databases on Metro's GIS. Care was taken in the creation of this map. Metro cannot accept any responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied, including the warranty of merchantability or fitness for a particular purpose, accompanying this product. However, notification of any errors will be appreciated.

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 25-1527, FOR THE PURPOSE OF ANNEXING TO THE METRO BOUNDARY APPROXIMATELY 5.46 ACRES LOCATED IN HILLSBORO ALONG NW WEST UNION ROAD EAST OF NW HELVETIA ROAD

Date: January 10, 2025
Department: Planning, Development & Research

Prepared by: Glen Hamburg
Senior Regional Planner

BACKGROUND

CASE: AN-0724, Annexation to Metro District Boundary

PETITIONER: Goldfinch Energy Storage, LLC
412 W 15th St
New York, NY 10011

PROPOSAL: The petitioner requests annexation of territory in Hillsboro to the Metro District Boundary.

LOCATION: The subject territory, totaling approximately 5.46 acres in area, is located in Hillsboro on the south side of NW West Union Rd, north of NE Pubols St, east of NW Helvetia Rd, and west of NE Century Blvd. The subject territory can be seen in Attachment 1.

ZONING: The territory is zoned Industrial Sanctuary (I-S) by the City of Hillsboro.

The territory was added to the urban growth boundary (UGB) in 2004. The territory must be annexed into the Metro District for urbanization to occur.

APPLICABLE REVIEW CRITERIA

The criteria for an expedited annexation to the Metro District Boundary are contained in Metro Code (MC) Section 3.09.070.

3.09.070 Changes to Metro's Boundary

(E) The following criteria shall apply in lieu of the criteria set forth in subsection (d) of section 3.09.050. The Metro Council's final decision on a boundary change shall include findings and conclusions to demonstrate that:

- 1. The affected territory lies within the UGB;*

Staff Response:

The territory was brought into the UGB in 2004 through the Metro Council's adoption of Ordinance No. 04-1040B. Therefore, the affected territory is within the UGB and the application meets the criteria of MC Subsection 3.09.070(E)(1).

2. *The territory is subject to measures that prevent urbanization until the territory is annexed to a city or to service districts that will provide necessary urban services; and*

Staff Response:

The subject territory was annexed to the City of Hillsboro in 2024 by City Ordinance No. 6483. Therefore, the application meets the criteria in MC Subsection 3.09.070(E)(2).

3. *The proposed change is consistent with any applicable cooperative or urban service agreements adopted pursuant to ORS Chapter 195 and any concept plan.*

Staff Response:

The subject territory is already within the UGB, has been planned for urban industrial land uses, and has been annexed to the City of Hillsboro; it is therefore not subject to any urban reserve concept plan. The territory has an industrial zoning designation of “Industrial Sanctuary” (I-S), which allows for industrial land uses. The territory has been annexed into the Clean Water Services (CWS) District for sanitary sewer and stormwater services. The proposal is not inconsistent with any adopted cooperative or urban service agreement. The application meets the criteria in MC Subsection 3.09.070(E)(3).

ANALYSIS/INFORMATION

Known Opposition: There is no known opposition to this application.

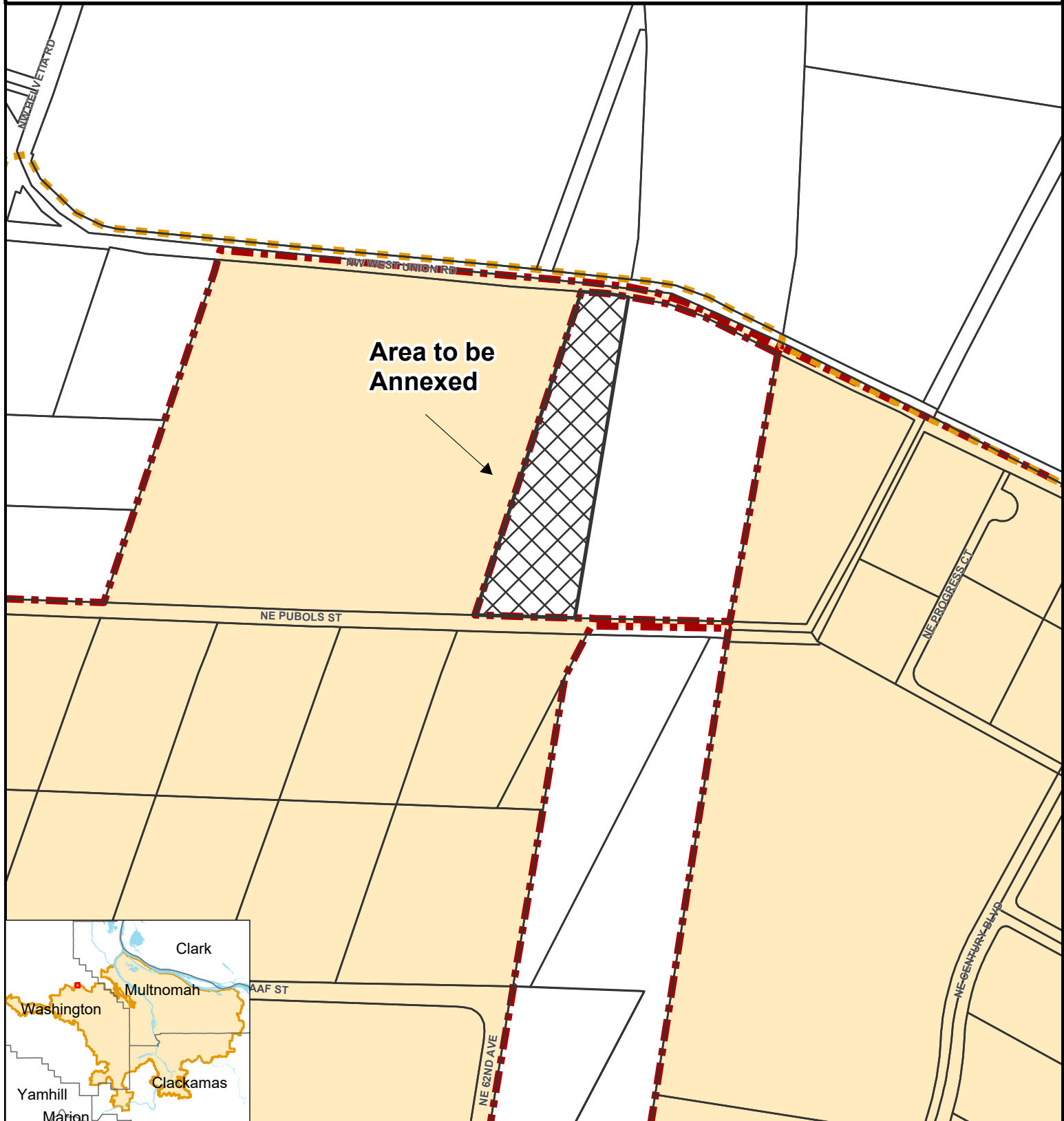
Legal Antecedents: Metro Code 3.09.070 allows for annexation to the Metro District Boundary.

Anticipated Effects: This amendment will add approximately 5.46 acres to the Metro District. The land is currently within the UGB and approval of this request will allow for the urbanization of the land to occur consistent with the City of Hillsboro Comprehensive Plan.

Budget Impacts: The applicant was required to file an application fee to cover all costs of processing this annexation request. Therefore, there is no budget impact.




RECOMMENDED ACTION

Staff recommends adoption of Ordinance No. 25-1527.



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-  Taxlots
-  Urban growth boundary
-  Metro district boundary

Proposal No. AN0724



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**5.2 Ordinance No. 25-1528 For the Purpose of Amending Metro Code
Section 9.02 (Ballot Measures, Initiative, and Referendum) to
Improve Clarity and Incorporate Plain Language
Best Practices and Declaring an Emergency
*Ordinances***

Metro Council Meeting
Thursday, February 27, 2025

BEFORE THE METRO COUNCIL

| | | |
|-------------------------------------|---|---------------------------------------|
| FOR THE PURPOSE OF AMENDING METRO |) | ORDINANCE NO. 25-1528 |
| CODE CHAPTER 9.02 (BALLOT MEASURES, |) | |
| INITIATIVE AND REFERENDUM) TO |) | Introduced by Chief Operating Officer |
| IMPROVE CLARITY AND INCORPORATE |) | Marissa Madrigal in concurrence with |
| PLAIN LANGUAGE BEST PRACTICES AND |) | Council President Lynn Peterson |
| DECLARING AN EMERGENCY |) | |

WHEREAS, the Office of Metro Attorney reviews Metro Code chapters when circumstances arise that require Metro to adhere to the requirements and processes outlined in Metro Code, and

WHEREAS, the Office of Metro Attorney also reviews Metro Code chapters to ensure they properly align and comport with state and constitutional law; and

WHEREAS, Metro Code Chapter 9.02 (Ballot Measures, Initiative and Referendum) supplements state law regarding special district elections, ballot measures, initiatives, and referendums; and

WHEREAS, when recently reviewing Metro Code Chapter 9.02's requirements related to Metro Council referrals, the Office of Metro Attorney determined that Metro Code Chapter 9.02 currently contains an unnecessary, potentially confusing, and constitutionally inapplicable code requirement related to Metro Council referrals and that this requirement should be removed; and

WHEREAS, in December 2022 the Metro Council adopted Resolution No. 22-5293, which, among other things, required that Metro code chapters use plain and inclusive language best practices to improve readability, transparency, and understanding of Metro's requirements and procedures, and further required that when staff brings forth a code update for Metro Council consideration staff should also conduct a review of the entire code chapter for potential plain language improvements; and

WHEREAS, the Office of Metro Attorney has conducted a review of Metro Code Chapter 9.02 in its entirety and has incorporated plain language best practices that improve readability without substantively changing Metro Council policy; now therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. Metro Code Chapter 9.02 (Ballot Measures, Initiative and Referendum) is amended as set forth in Exhibit A, with inserted text underlined and deleted text in strikethrough.
2. That this ordinance being necessary for the immediate preservation of public health, safety and welfare to ensure the Metro Council can refer measures expeditiously to the voters with clarity of Metro Code requirements, an emergency is declared to exist, and this ordinance takes effect immediately upon adoption pursuant to Metro Charter Section 38(1).

ADOPTED by the Metro Council this 27th day of February 2025.

Lynn Peterson, Council President

Attest:

Approved as to Form:

Georgia Langer, Acting Recording Secretary

Carrie MacLaren, Metro Attorney

Metro Code Chapter 9.02 (Ballot Measures, Initiative and Referendum) is amended as follows, with underlined text representing inserted text and ~~strikethrough~~ representing deleted text.

CHAPTER 9.02

BALLOT MEASURES~~REFERRALS~~, INITIATIVES, AND REFERENDUMS

| Section | Title |
|----------|---|
| 9.02.010 | Application of State Law; Definitions |
| 9.02.020 | Referrals by the Metro Council |
| 9.02.030 | Initiatives and Referendums |
| 9.02.040 | Election Procedures; <u>Certification; Effective Date</u> |

9.02.010 Application of State Laws; Definitions

- (a) ~~The~~ This Chapter's provisions of ~~this Chapter~~ shall supplement state law regarding special district elections, including ballot measures, initiatives, and referendums. These provisions, and shall prevail over any conflicting state law provisions of state law to the maximum extent permissible under the Oregon Constitution and the laws of the State of Oregon.
- (b) Unless otherwise defined, ~~terms~~ a term used in this Chapter ~~have~~ has the definitions given to ~~them~~ it in ORS Chapter 255 or any successor statute, ~~and references to ORS Chapter 255 shall be deemed references to ORS Chapter 255 or any successor statute.~~
- (c) In determining the number of words in a ballot title or explanatory statement, any combination of characters, ~~including hyphens, abbreviations, and dollar amounts,~~ that contain no spaces but are preceded and followed by a single space ~~shall~~ count as one word, except that a bullet points shall does not count as a words. The combination of characters may include hyphens, abbreviations, and dollar amounts. [Ord. 93-517B, Sec. 1; Ord. 02-977, Sec. 1; Ord. 17-1404.]

9.02.020 Referrals by the Metro Council

- (a) The Metro Council may directly refer any measure or any proposed Metro Charter amendment ~~of the Metro Charter~~ to the electors for ~~their~~ approval or rejection.
- (b) The Metro Council ~~shall act~~ must adopt a resolution to refer any measure or Metro Charter amendment, ~~by adoption of a resolution.~~ The resolution ~~shall~~ must include ~~the full text of the measure or Charter amendment,~~ the ballot title, and any other material required by law.

- (c) The Metro Attorney ~~shall~~ must prepare the ballot title and explanatory statement for a referral by Metro Council ~~all referrals by the Metro Council~~. ~~An~~ The explanatory statement ~~shall~~ must be an impartial, simple, and understandable statement of no more than 500 words, explaining the referral and its effect. The Metro Attorney ~~shall~~ must file the explanatory statement with the elections officer at the same time the Metro Attorney files ~~as~~ the ballot title.
- (d) ~~An elector who wishes to challenge the~~ The ballot title and or explanatory statement ~~may be challenged exclusively in accordance with~~ must do so in Multnomah County Circuit Court under the procedures set forth in ORS 255.155 for review of district ballot titles. ~~However, except that~~ any petition to the circuit court ~~shall~~ must name the Office of Metro Attorney as respondent, and not the Metro Attorney personally. The circuit court ~~shall~~ must give deference to the ballot title and explanatory statement prepared by the Metro Attorney. [Ord. 93-517B, Sec. 1; Ord. 02-977, Sec. 1; Ord. 17-1404.]

9.02.030 Initiatives and Referendums

- (a) A petitioner must file a prospective initiative or referendum petition with the Multnomah County elections officer. The coversheet of any prospective initiative or referendum petition ~~shall~~ must designate the name and residence address of not more than three persons as chief petitioners. No petition for initiative or referendum ~~shall be~~ is valid unless all chief petitioners are electors of the Metro area at the time of filing and remain electors of the Metro area throughout the initiative or referendum process, including the election.
- (b) The chief petitioners of any proposed referendum measure ~~shall~~ must file ~~with the prospective petition~~ a full and correct copy of the Metro ordinance proposed for referral with the prospective petition, including the title and ordinance number. An ordinance in its entirety ~~may be~~ is subject to referendum, but not any portions ~~thereof of the ordinance~~.
- (c) The chief petitioners of any proposed initiative measure ~~shall~~ must file ~~with the prospective petition~~ a full and correct copy of the ordinance to be initiated with the prospective petition.
- (d) Upon filing ~~of a~~ prospective petition for initiative or referendum with the elections officer, the elections officer ~~shall~~ must send a copy of it to the Metro Attorney (without ~~determining making any determination~~ whether it meets the requirements of the Oregon Constitution, the Metro Charter, or the Metro Code).
- (e) Not later than the tenth business day after receiving a prospective petition for an initiative or referendum from the elections officer, the Metro Attorney ~~shall~~ will notify the elections officer in writing whether the initiative or referendum complies with ~~meets~~ the applicable requirements of Section 1(2)(d) and Section 1(5), Article IV, of the Oregon Constitution, Metro Charter Sections 34, 38 and 39 ~~of the Metro Charter~~, and Metro Code Section 9.02.030(1), below. An elector dissatisfied with the Metro Attorney's decision pursuant to this subsection may only challenge that determination as set forth in ORS 255.140(4) and (5). ~~The Metro Attorney's decision~~

~~pursuant to this Section 9.02.030(e) may be challenged exclusively in accordance with the procedures set forth in ORS 255.140(4) and (5).~~

- (f) If the Metro Attorney determines that the initiative or referendum measure does not comply with ~~fails to meet~~ the applicable requirements of the Oregon Constitution, the Metro Charter, and the Metro Code, the elections officer ~~shall~~ must immediately notify at least one of the chief petitioners, in the manner required by law.
- (g) If the Metro Attorney determines that the initiative or referendum ~~meets~~ complies with the applicable requirements of the Oregon Constitution, the Metro Charter, and the Metro Code, then the Metro Attorney will prepare and send the elections officer a ballot title not later than the fifteenth business day after providing written notice to the elections officer of this determination, ~~the Metro Attorney shall prepare and send to the elections officer a ballot title and may, at the Metro Attorney's election,~~ The Metro Attorney may, at the Metro Attorney's sole discretion, also prepare and send an explanatory statement to the county elections officer.
- (h) The elections officer ~~shall~~ must furnish a copy of the ballot title and any explanatory statement to at least one of the chief petitioners and publish notice of receipt of the ballot title as set forth ~~in accordance with~~ ORS Chapter 255. Unless the circuit court certifies a different title or explanatory statement (if any), the ballot title prepared by the Metro Attorney ~~will~~ shall be the title printed on the ballot and the explanatory statement prepared by the Metro Attorney ~~shall~~ will be the explanatory statement printed in the voter's pamphlet. The circuit court ~~shall~~ must give deference to the ballot title and any explanatory statement prepared by the Metro Attorney.
- (i) The elections officer ~~shall~~ may not accept ~~no an~~ initiative petition for signature verification more than six ~~(6)~~ months after the initial date that a petitioner filed the prospective initiative ~~was initially filed with~~ the elections officer.
- (j) If an initiative petition contains the required number of verified signatures, the election on the measure ~~shall be held~~ will occur on the first Tuesday following the first Monday of the next November for which the election deadlines set forth in ORS 255 are met.
- (k) If a referendum petition contains the required number of verified signatures, the election on the measure ~~shall be held~~ will occur at the next scheduled regular district election for which the election deadlines set forth in ORS 255 are met.
- (l) Every amendment to the Metro Charter proposed by initiative (and not by the Metro Council) must be separately stated. When two or more amendments are proposed by initiative at a single election, they must be separately voted upon, and the votes in favor and against must be cast separately. ~~The requirement in this Section 9.02.030(l) for a separate vote is to be interpreted to have the same meaning~~ The separate vote requirement of this subsection has the same meaning as the separate vote requirement set forth in the Oregon Constitution Section 1, Article XVII, and cases interpreting it. [Ord. 17-1404.]

9.02.040 Election Procedures; Certification; Effective Date

- (a) Measures referred by the Metro Council ~~shall~~will be designated on the ballot as "Referred to the People of the Metro region by the Metro Council."
- (b) Measures proposed by referendum petition ~~shall~~will be designated on the ballot as "Referred by Petition of the People."
- (c) Measures proposed by initiative petition ~~shall~~will be designated on the ballot as "Proposed by Initiative."
- (d) ~~Not more than~~ Within 30 days following any election, the elections officer ~~shall~~must certify the election results to the Metro Council. The Metro Council ~~shall~~thereafter will proclaim the results in the records of the Metro Council. If ~~the Metro Council finds that~~ two or more approved measures on the same subject contain conflicting provisions, the measure receiving the greatest number of affirmative votes becomes the adopted measure. The Metro Council ~~shall~~will proclaim ~~determine in the proclamation which of the conflicting measures~~ is effective.
- (e) A measure is ~~Measures shall be~~ effective upon the Metro Council's proclamation of the results, unless a measure expressly provides a later effective date. [Ord. 93-517B, Sec. 1; Ord. 02-977, Sec. 1; Ord. 17-1404.]

IN CONSIDERATION OF ORDINANCE NO. 25-1528, FOR THE PURPOSE OF AMENDING METRO CODE CHAPTER 9.02 (BALLOT MEASURES, INITIATIVE AND REFERENDUM) TO IMPROVE CLARITY AND INCORPORATE PLAIN LANGUAGE BEST PRACTICES AND DECLARING AN EMERGENCY

Date: February 10, 2025
Department: Office of Metro Attorney
Meeting Date: February 20, 2025

Prepared by: Shane Abma
Presented by: Shane Abma
Length: 10 minutes

ISSUE STATEMENT

The Office of Metro Attorney (OMA) periodically reviews Metro Code chapters when circumstances arise that require Metro to adhere to the requirements and processes set forth in Metro Code. The Metro Council is considering referring a ballot measure to the voters related to Metro's Supportive Housing Services Program.

While reviewing Metro Code Chapter 9.02 (Ballot Measures, Initiative and Referendum) to ensure that Metro follow its applicable requirements for ballot measure referrals, OMA determined that Chapter 9.02 contains an unnecessary, potentially confusing, and constitutionally inapplicable code requirement related to Metro Council referrals. OMA recommends removing this inapplicable requirement from Code. Further, as required by Resolution No. 22-5293, OMA also conducted a review of Chapter 9.02 in its entirety for potential plain and inclusive language improvements. This ordinance therefore also includes several non-substantive updates to Chapter 9.02 to improve readability.

ACTION REQUESTED

OMA requests that Metro Council adopt Ordinance No. 25-1528 (updating Metro Code Chapter 9.02 *Ballot Measures, Initiative and Referendum*).

IDENTIFIED POLICY OUTCOMES

- 1) Remove a potentially confusing, unnecessary, and inapplicable requirement related to Metro Council measure referrals (the "full text" requirement, discussed below).
- 2) Improve the readability of Chapter 9.02 by applying plain and inclusive language best practices as required by Metro Council Resolution No. 22-5293.

POLICY OPTIONS FOR COUNCIL TO CONSIDER

- Adopt this ordinance. This will remove an unnecessary, potentially confusing, and constitutionally inapplicable code requirement related to Metro Council referrals, while also improving the readability of Chapter 9.02.
- Do not adopt this ordinance. A failure to adopt this ordinance may cause uncertainty and confusion regarding an otherwise unnecessary and constitutionally inapplicable

Metro Code requirement related to Metro Council referrals. This could potentially delay final certification of any ballot measure referral in the future.

- Direct OMA to update only those sections of current code that are confusing and not legally required for referrals, initiatives, and referendums, without also incorporating suggested plain language improvements.

STAFF RECOMMENDATIONS

OMA recommends that Metro Council adopt Ordinance No. 25-1528, which will improve the readability of Metro's Code Chapter 9.02 relating to Referrals, Initiatives, and Referendums and remove an unnecessary, potentially confusing, and constitutionally inapplicable code requirement related to Metro Council referrals.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

The Office of Metro Attorney seeks a Metro Code that is easy to read and understand with clear requirements. Regular code updates help ensure that the Metro Code remains current with plain and concise language, is consistent with state and constitutional law requirements, and provides appropriate guidance to those governed by the Code.

- *Known Opposition/Support/Community Feedback*

There is no known opposition. However, because of the administrative nature of this code chapter, OMA did not perform external outreach related to these changes.

- *Legal Antecedents*

Current Metro Code Chapter 9.02, Metro Charter, ORS Chapter 255, the Oregon Constitution, and the Oregon Secretary of State's *County, City, and District Initiative and Referendum Manual*.

- *Anticipated Effects*

The Metro Code will be easier to read and understand, and these changes will remove a potentially confusing, unnecessary, and inapplicable requirement related to Metro Council measure referrals.

- *Financial Implications (current year and ongoing)*

There are no financial implications.

BACKGROUND

Oregon law authorizes three kinds of ballot measures: citizen initiatives, citizen referendums on adopted legislation, and government referrals to voters for new legislation. The Oregon Constitution requires that ballot *initiatives* contain the "full text of the proposed law []". (Oregon Constitution Article IV, section (1)(2)(d)). Notably, Oregon's constitutional "full text" requirement does not apply to *referendums* or *referrals*; it only applies to initiatives.

Metro Code Chapter 9.02 governs Metro's procedures for referrals, initiatives, and referendums. Metro Code Section 9.02.020(b) currently states that a Metro Council *referral* must contain "the full text" of the measure. ("The [referral] resolution shall include the full text of the measure.") OMA interprets this provision to mean that Metro must include the complete text of any measure or ordinance adopted by the Metro Council and for which the Council is referring to voters for approval. For example, this means that Metro Council could not simply refer a measure by reference, such as "Metro Council refers Ordinance No. ____", without including the text of the ordinance as well.

Unfortunately, one could erroneously misinterpret Metro Code's "full text" requirement with respect to referrals to require something beyond what is constitutionally required of referrals, when in fact "full text" is a term of art that only applies to initiatives.

Thus, OMA recommends removing any reference to a "full text" requirement in Metro Code for *referrals* because that constitutional requirement does not apply to referrals. Preserving it in Metro Code could create confusion and delay final ballot title certification.

ATTACHMENTS

None.

6.1 Supportive Housing Services Data Sharing Agreement
Work Session Topic

Metro Council Work Session
Thursday, February 27, 2025

SUPPORTIVE HOUSING SERVICES DATA SHARING AGREEMENT

Date: February 20, 2025
Department: Housing
Meeting Date: February 27, 2025
Length: 60 minutes
Prepared by: Alice Hodge

Presenters:
Yesenia Delgado, *Supportive Housing Services Manager*, Metro
Vahid Brown, *Deputy Director*, Clackamas County Housing and Community Development
Anna Plumb, *Deputy Director*, Joint Office of Homeless Services
Jes Larson, *Assistant Director*, Washington County Housing Services

ISSUE STATEMENT

In 2020, voters approved Metro's Supportive Housing Services (SHS) measure to support provision of services for people experiencing or at risk of homelessness across the greater Portland region. Metro's SHS program provides direct funding to Clackamas, Multnomah and Washington Counties to implement locally developed plans designed to meet the needs of each individual county.

Metro's SHS work plan defines Metro's role as one of support, oversight, accountability and regional coordination. Equitable and actionable data is essential to the success of these functions, and both the work plan and Metro's intergovernmental agreements with each of the three counties identify the need for data collection, sharing, and transparency. A key mechanism for Metro to provide oversight is through data collection and evaluation.

The SHS Intergovernmental Agreements state that Metro and the three Counties will enter into a data sharing agreement no later than May 31, 2022. The data sharing agreement provides Metro with disaggregated, de-identified data that allows for meaningful review of whether progress is being made towards measurable goals, and to further aid in certain research, planning, and program evaluation.

Metro and the three counties have collaborated to reach agreement on a data sharing agreement. The SHS data agreement will provide Metro with participant level disaggregated data for SHS funded programs including, but not limited to, permanent supportive housing, rapid rehousing, shelter and evictions prevention. Metro provides the administrative oversight for the SHS fund, and the data sharing agreement will support Metro in conducting data validation, analysis and evaluation to better plan for the future of homeless services in our region.

ACTION REQUESTED

No action is requested at this time.

IDENTIFIED POLICY OUTCOMES

Metro Council is apprised of the status of Metro and county staff's negotiations to define a data sharing agreement in advance of future supportive housing services work group meetings and future Council policymaking.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

Since 2018, voters have supported two Metro funding measures designed to alleviate the region's affordability housing and homelessness crises. The first measure, the 2018 Affordable Housing Bond, support the development of affordable housing units, while the second measure, the 2020 Supportive Housing Services (SHS) measure, provides tax revenue to fund services for people experiencing or at risk of homelessness.

Both measures have contributed significantly to positive outcomes for residents across the region. The \$652.8 million Affordable Housing Bond is on track to create more than 4,600 units of affordable housing, serving between 9,000 and 15,000 people—figures that exceed production goals by approximately 20 percent. In the first three years of the SHS program, funding supported more than 6,200 housing placements, more than 15,000 eviction preventions, and support for more than 1,800 temporary shelter units.

Despite this progress, un-met need for both affordable housing and homeless services remains high in the greater Portland region. In 2024, Metro Council directed staff to develop policy proposals for integrated and expanded regional funding to support needs related to both housing units and services. Access to accurate, actionable data is central to understanding the scope of these needs and measuring program progress.

BACKGROUND

In May 2020, voters approved Metro's Supportive Housing Services measure to create new taxes to fund a regional system of care. The measure has 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.

In December 2020, Metro Council adopted a supportive housing services work plan to guide measure implementation. The work plan identified accurate and equitable data collection as a necessary tool for ensuring transparency and accountability of investments and informing both local and tri-county planning.

In 2022, Metro and each of the three counties committed, by intergovernmental agreement, to enter a data sharing agreement that would support progress toward measurable goals and aid in research, planning and program evaluation. Since that time, Metro and county

staff have negotiated that Metro will receive disaggregated and deidentified data for SHS funded programs.

ATTACHMENTS

None

Materials following this page were distributed at the meeting.



Metro

Urban growth management: next steps resolution

Metro Council
February 27, 2025

Metro Council 2024 decision

- Adopted the Urban Growth Report
- Expanded the Urban Growth Boundary
- Council adopted conditions of approval for Sherwood

January Council work session

- Discussed five areas for improvements
- Asked staff to return with proposed resolution

Racial equity

Concept plan
requirements

Industrial land
readiness

Regional
housing
coordination

Regional
forecasts

Resolution Number 25-5458

- Directs Metro's planning work in these areas:
 - Clarity in Concept Planning
 - DEI collaboration in next UGB decision (data use, racial equity framework)
 - Industrial lands readiness effort
 - Expert involvement in future UGB regional forecasts
 - Racial equity in the Future Vision effort
 - Regional Housing Coordination Strategy adoption in 2025

oregonmetro.gov



Supportive Housing Services: Data Sharing Agreement

Metro and Clackamas, Multnomah
and Washington Counties

Feb. 27, 2025



Data Sharing: Purpose and agreement

SHS Intergovernmental Agreement (IGA) Section 6.3.2

- Access to disaggregated, de-identified data
- Progress towards measurable goals
- Research, planning, and program evaluation

What can we do with shared data?

Example: PSH outcomes

- **Progress towards goals:** Evaluate housing placements and retention in PSH programs using shared county data.
- **Research:** Analyze PSH policies and procedures to understand their impact on placement and retention data.
- **Planning:** Collaborate with counties and service providers to review data and explore policy improvements.

What can we do with shared data?

Example: Shelter outcomes

- **Progress to goals:** Analyze shelter stay rates and shelter exits to housing across different shelter types using shared county data.
- **Research:** Examine shelter policies and procedures to understand how differences may relate to variations in shelter data outcomes.
- **Planning:** Collaborate with counties and service providers to review data and explore policy changes to shorten shelter stays and increase housing placements.

Background on HMIS

HMIS - Homelessness Management Information System

- Participation mandatory for federal and Metro funding, but current system designed primarily for federal compliance
- In March 2024, City of Portland transitioned HMIS administration to Multnomah County, which now manages it for Clackamas and Washington Counties to support a regional coordinated homeless response system
- Three counties working to improve HMIS with modernized system and a new vendor

Understanding HMIS data

How it works:

- **Counties set data standards** – Define terms and guidelines
- **Providers collect and enter data** – Trained staff input information
- **Counties ensure quality** – daily checks and technical support to providers
- **Data informs action** – Used for reports and By-Name Lists

What's included?

- Participant data
- Services data
- Housing data

HMIS challenges and opportunities

Vision to support a modern homelessness response system



Facilitate regional strategies and data standardization across the homelessness response system



Enable the goals of each county throughout the Tri-County area



Enable equitable access for people seeking care



Provide an effective tool to support people providing care



Provide a consistent tool for standardized data collection and analysis



Facilitate cooperation within and across systems of care



Provide easy access to the information needed to make strategic decisions



Ensure compliance with HUD and other reporting requirements

HMIS challenges and opportunities

Key features of new software

- **User-friendly** – Easy to learn with minimal training
- **Standardized** – Consistent data collection and workflows
- **Supportive for providers** – Simplifies data entry and service delivery
- **Insightful** – Helps leaders make strategic decisions
- **Interoperable** – Connects with other data systems
- **Integrated** – Works across health, justice, and care systems, etc.
- **Mobile-ready** – Optimized for phones, tablets, and notebooks
- **GIS capabilities** – Supports mapping and geo-spatial data collection

What's in the data sharing agreement?

Data fields

- 84 elements
 - HUD universal data elements
 - SHS-specific and local data elements
- Types of data shared
 - **Person/household characteristics** – age, race/ethnicity, disability, income
 - **Program characteristics** – outreach, shelter, RLRA
 - **Program duration** – when enrolled, exiting, to what and why

Data validation simplified

- **What it is** – Ensures data quality for accurate public communications
- **What it isn't** – Not a review on merits or critique of analysis findings
- **Why it matters** – Supports clear and transparent SHS program updates

Communications

- Value in coordinating public communications
- Reasonable and timely notice
- Data validation

Next steps

- Metro and Counties sign Data Sharing Agreement
- Counties begin sending Data Sharing Template (HMIS excel report) to Metro
- Coordinated entry amendment

Questions?

