

Title XI

SUPPORTIVE HOUSING SERVICES PROGRAM

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11.01.010 Title

This chapter is known and may be cited as the Supportive Housing Services Program.

11.01.020 Finding of Metropolitan Concern

Homeless and housing services are matters of metropolitan concern over which Metro may exercise jurisdiction.

11.01.030 Purpose

The Supportive Housing Services Program will use revenue derived from the Metro Income Tax Laws (Chapters 7.06 and 7.07) to fund services for people experiencing homelessness and housing instability.

11.01.040 Definitions

Implementation Intergovernmental Agreement means the intergovernmental agreement between Metro and the Local Implementation Partner that governs the disbursement and uses of Program Funds.

Local Implementation Partner means a local government that receives Program Funds from Metro to implement the Supportive Housing Services Program and which enters into an Intergovernmental Agreement to receive those funds. Local Implementation Partners are generally Clackamas, Washington and Multnomah Counties.

Local Implementation Plan means the document that establishes the proposed use of the Supportive Housing Services Revenue and how these uses align with the purposes of the Supportive Housing Services Program.

Program Funds means funds available to a Local Implementation Partner, which generally consists of the Supportive Housing Services Revenue minus Metro's administrative and collection costs.

Regional Oversight Committee means the committee established to oversee the Supportive Housing Services Program as more fully described in Metro Code Section 2.19.280.

Supportive Housing Services Program Work Plan or Work Plan means the Supportive Housing Services Program Work Plan adopted by the Metro Council on December 17, 2020.

Supportive Housing Services Revenue means all funds received from the taxes imposed by Metro Code Chapters 7.06 and 7.07.

11.01.050 Services and Priorities

- (a) Supportive housing services revenue will fund supportive housing services that include housing services, outreach and engagement supports, health and wellness supports, employment and benefit supports and advocacy supports.
- (b) Supportive Housing Services Revenue and Supportive Housing Services will first address

the unmet needs of people who are experiencing or at risk of experiencing long-term or frequent episodes of homelessness. Metro will prioritize the Supportive Housing Services Revenue and Supportive Housing Services in a manner that provides equitable access to people of color and other historically marginalized communities.

11.01.060 Local Implementation Plan

- (a) To receive Supportive Housing Services funds, each Local Implementation Partner must prepare a Local Implementation Plan. The Plan will describe the Local Implementation Partner's local housing and homeless service needs, current programming and unmet programming capacities, and proposed use of funds in accordance with the purposes of the regional Supportive Housing Services Program.
- (b) Each Local Implementation Partner must create its Plan using a racial equity lens that ensures equitable participation, access and outcomes in all parts of the program and considers the best available quantitative and qualitative data.
- (c) Metro recognizes that each Local Implementation Partner may approach program implementation differently depending on the unique needs of its residents and communities. Therefore, it is the policy of the Metro Council that there be sufficient flexibility in implementation to best serve the needs of residents, communities, and those receiving Supportive Housing Services from program funding.

11.01.070 Local Implementation Plan Development; Approval Process

- (a) A Local Implementation Partner must develop its Local Implementation Plan using locally convened and comprehensive engagement processes that prioritize the voices of Black, Indigenous and people of color and people with lived experience. Plans must be developed in full partnership with advisory bodies that equitably reflect community expertise and experience. Each Local Implementation Partner may convene a new advisory body or use an existing body that fulfills the representation requirements.
- (b) In order for a Local Implementation Partner to receive Supportive Housing Services funds, the Local Implementation Plan must be recommended for approval by the Supportive Housing Services Regional Oversight Committee and then approved by the Local Implementation Partner's governing body and the Metro Council.

11.01.080 Annual Reporting by Local Implementation Partners

Each Local Implementation Partner must submit an Annual Progress Report to the Metro Council and the Regional Oversight Committee summarizing its progress and outcomes under the Local Implementation Plan.

11.01.090 Allocation of Revenue and Program Funds

- (a) After Metro has first retained funds necessary to pay for collection of the taxes, Metro may retain up to five percent of the remaining collected tax revenue for administration and oversight as more fully described in Section 11.01.130.
- (b) After funds have been allocated for collection, administration and oversight as set forth in

subsection (a), Metro will then allocate the remaining Program Funds within each county using the following percentages: 21 1/3 percent to Clackamas County, 45 1/3 percent to Multnomah County and 33 1/3 percent to Washington County.

- (c) The percentages set forth in subsection (b) apply to revenue for the first two tax years. Thereafter, the percentages may be adjusted to reflect the portion of Supportive Housing Services Revenue actually collected in each county.

11.01.100 Failure to Comply with Local Implementation Plan

- (a) In coordination with the Regional Oversight Committee, Metro may adjust the allocation formula if program funds are unable to be fully spent in accordance with the regional program. Metro may also establish a regional reserve fund in order to address unanticipated expenses and cash flow needs.
- (b) Metro's Implementation Intergovernmental Agreements with each Local Implementation Partner will specify how Supportive Housing Services tax collections will be released. Agreements will include specifications for annual program budgets, financial reporting, practices for reserving funds, and redistribution of funds if a jurisdiction fails to comply with the Agreement.

11.01.110 Equity and Community Engagement

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

11.01.120 Use of Revenues

Unless expressly stated otherwise in this chapter, Supportive Housing Services Revenue may only be used for the purposes set forth in Sections 11.01.030 and 11.01.050, in addition to Metro's costs of collection and administration. Metro may establish a separate fund or funds for the purpose of receiving and distributing Supportive Housing Services Revenues. [Ord. 22-1475.]

11.01.130 Administrative Cost Recovery; Use of Administrative Funds

- (a) After Metro's tax collection costs are paid, Metro may retain up to five percent of the remaining funds to pay for the costs to disburse the funds and administer and oversee the program. This includes convening and supporting the Regional Oversight Committee; establishing a regional homelessness data collection and reporting program; and supporting tri-county regional collaboration.
- (b) In addition to the uses described in subsection (a), Metro may also provide funding to a local implementation partner to support specific needs identified by Metro Council. Funding under this subsection is in addition to the allocations set forth in Section

11.01.090. The Metro Council may establish the conditions under which a local implementation partner may receive and use funds under this subsection. Funds provided under this subsection must be used for supportive housing services but are not otherwise subject to the requirements of this chapter unless required by Metro Council. [Ord. 25-1530.]

11.01.140 Oversight Committee Review of Administrative Costs

At least annually the Regional Oversight Committee will consider whether Metro's collection and administrative costs and each Local Implementation Partner's administrative costs could or should be reduced or increased. The Regional Oversight Committee will recommend to the Metro Council at least once a year as to how Metro can best limit collection and administrative costs.

11.01.150 Use of Funds in Metro Jurisdictional Boundary Only

- (a) Although some portion of each of the three recipient counties (Multnomah, Washington and Clackamas) are outside of the Metro jurisdictional boundary, Supportive Housing Services Revenue may be spent only for Supportive Housing Services provided within the Metro jurisdictional boundary.
- (b) Notwithstanding subsection (a) above, Supportive Housing Services Revenue may be spent on the temporary provision of services outside the Metro jurisdictional boundary for a duration of less than 90 days for a person who has been living in the Metro jurisdictional boundary if Supportive Housing Services in the boundary are not otherwise available to the person, or for other emergency or unforeseen circumstances if authorized in writing by Metro before the expenditure of funds. [Ord. 22-1475.]

11.01.160 Accountability of Funds

- (a) Each county or local government receiving funds must make an annual report to the Metro Council and the Regional Oversight Committee on how funds from the taxes have been spent and how those expenditures have affected established homelessness metrics.
- (b) In the annual report, the Local Implementation Partner must demonstrate that County General Fund monies and other dedicated funding levels allocated for homelessness were at least as much as FY 19-20, in addition to the Supportive Housing Services program funds. A Local Implementation Partner may not displace funds committed before FY 19-20 except in extenuating circumstances and through a temporary waiver for good cause. [Ord. 22-1475.]

11.01.170 Tri-County Advisory Body

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

11.01.180 Tri-County Planning

Each county must annually contribute no less than five percent of that county's share of the Supportive Housing Services Revenue towards regional strategies as identified through Tri-County planning and approved by the Regional Oversight Committee.

11.01.190 Administrative Rulemaking Authority

- (a) The Chief Operating Officer may adopt administrative rules to further implement this chapter. This specifically includes the authority to establish representation requirements for the body that develops a Local Implementation Plan.
- (b) Until the Chief Operating Officer adopts administrative rules to further implement this chapter, the Supportive Housing Services Program Work Plan will further implement this chapter. However, if any term, requirement or condition in the Work Plan is in conflict with this chapter, the terms, requirements and conditions of this chapter prevail. [Ord. 20-1452.]