

Meeting minutes

Meeting: Metro Housing Oversight Committee Meeting 1
Date/time: Wednesday, Feb. 6, 2019
Place: Metro, Council chamber, 600 NE Grand Ave, Portland, OR 97232
Purpose: Kick off committee process, establish charge and purpose, discuss meeting protocols

Committee Members

Manuel Castañeda, Serena Cruz, Melissa Erlbaum, Dr. Steven Holt, Mitch Hornecker, Mesha Jones, Jenny Lee, Ed McNamara, Steve Rudman, Bandana Shrestha, Shannon Singleton, Andrew Tull, Tia Vonil

Metro

Elissa Gertler, Megan Gibb, Emily Lieb, Eryn Kehe, Pat McLaughlin, Jon Williams, Laura Dawson Bodner, Ashley McCarron, President Lynn Peterson, Councilor Christine Lewis

Facilitators

Allison Brown, Hannah Mills

Actions agreed upon

Metro staff will email a table providing more data about area median income, and information about member terms in an email following the meeting. They will also email holds for meeting dates through spring and summer. Committee members will review the Meeting Protocols for discussion at the next meeting.

Next meeting

March 4, 2019, 9:00 - 11:00 AM
Metro, Council chambers

Welcome and Agenda

Allison Brown, facilitator with JLA Public Involvement, welcomed the Committee and introduced Lynn Peterson, President of the Metro Council. President Peterson thanked the Committee for their participation, noting that their expertise will be critical to achieving the program goals and meeting the needs of the region. Lynn highlighted the importance of addressing trend lines and potential program risks and delivering on the promise of 3,900 affordable housing units and getting people into stable housing.

Elissa Gertler, Metro's Director of Planning and Development, introduced herself and reviewed the process and effort that led to passing the bond measure and the forming of the Committee. Elissa explained that while Metro has been involved in affordable housing over the years, this is new territory for Metro and is critical for the region and fits with Metro's efforts to manage growth affordably.

Allison reviewed the agenda, noting that due to time constraints, some agenda items may need to be revisited at the next meeting. She asked the Committee members to introduce themselves, providing their name, relevant background and purpose of serving.

Committee Charge and Purpose

Using a PowerPoint, Emily Lieb, Metro, reviewed the Committee charge and purpose. Below is a summary of her comments.

The framework includes an overall production target of 3,900 affordable homes – 1,600 below the AMI, at least half sized for families (2+ bedrooms), and no more than 10% for households making 61-80% AMI. The intention is to buy land and construct new buildings, as well as to regulate affordable housing.

The guiding principles laid out in the framework include:

- *Lead with racial equity – first in all policy discussions in an effort to address the history of discrimination in the region.*
- *Create opportunity for those in need – an intentional choice to serve those that have not been served by the market.*
- *Create opportunity throughout the region – geographically dispersing investments and investing in places that provide opportunity and prevent displacement.*
- *Ensure long-term benefits and good use of public dollars – a Committee charge to ensure transparency to fulfill the promise to voters.*

Per the implementation structure, most investments will come from local jurisdictions, and up to 10% of funding is dedicated to regional site acquisition. Intergovernmental agreements and local implementation strategies will be reviewed and adopted by the council. The measure also approved a 5% cap for program administration, which includes the Oversight Committee, compliance, and transaction costs at local and regional levels.

The Committee was shown a map of the implementation partners illustrating the following:

- Partners located in Multnomah County would receive 45.5% of funds to create a minimum of 1,773 homes
- Partners located in Washington County would receive 33.7% of funds to create a minimum of 1,315 homes
- Clackamas County would receive 20.8% of funds to create a minimum of 812 homes.

Emily reviewed the timeline, from November 2018 to summer 2019. She explained that the Oversight Committee's role is to:

- Review and recommend implementation strategies for Council approval
- Monitor expenditures and outcomes
- Provide annual report and presentation to Metro Council
- Recommend implementation strategy improvements to Council as necessary.

Emily noted that, as needed, individual members of the Oversight Committee may be asked to consult with staff prior to commitment of funding projects. She explained that this is not a formal charge of the Committee as a whole, and will be optional for members.

The Committee was shown an illustration of the Committee charge.
The PowerPoint presentation is available upon request.

Discussion and Questions

- Are the homes going to be available for rent or for purchase?
 - A member of the project team responded: *Both are possible, as long as they meet the affordability requirements. A majority is expected to be rental, but there may be the opportunity to partner with a land trust.*
- If the homes are rentals, will there be measures in place to ensure renters take care of the properties?
 - A member of the project team responded: *The work plan sets expectations and local partners will be developing strategies for this.*

- Will the Oversight Committee be working on workforce development and economic opportunities as well?
 - A member of the project team responded: *Yes, the guiding principle of racial equity includes creating inclusive workforce opportunities and access to housing. The Committee will have a role in overseeing progress toward these outcomes.*

Public Officials: Roles and Responsibilities

Ashley McCarron, attorney with Metro, directed the Committee to the handout titled Guide for Volunteer Committee Members. The Committee was encouraged to review the handout in more depth, but Ashley highlighted a few key parts of the document. Below is a summary of Ashley's comments:

Ethics

- *Committee members are considered public officials. Public officials are defined as any person who is serving the State of Oregon, any of its political subdivisions or any other public body as an elected official, appointed official, employee or agent, irrespective of whether the person is compensated for their service.*
- *Oregon prohibits public officials from using, or attempting to use, their position to obtain financial benefit for themselves, relatives, or businesses with which the public official is associated.*
- *Public officials must disclose any conflicts of interest. Committee members will submit potential conflicts of interest to Metro, and Metro will work to resolve them.*
- *Public officials must avoid accepting gifts related to Metro and the housing bond. A gift is defined as something of economic value given to a public official, relative of the public official or member of the public official's household for which the recipient either makes no payment or makes payment at a discounted price.*

Restrictions on Political Activity

- *Public officials may express personal views, but views cannot be used to oppose political candidates or ballot measures while serving as a member of a Metro committee or board in an official capacity.*

Oregon Public Meetings Law

- *Under Oregon law, "all meeting of the governing body of a public body shall be open to the public and all persons shall be permitted to attend." For the purposes of this law, the Housing Bond Oversight Committee is considered a governing body.*
- *A governing body must give appropriate notice to inform all interested parties about the time, place, and agenda of public meetings.*
- *Meetings are defined as the convening of government bodies of a public body for which a quorum is required in order to make a decision or deliberate toward a decision on any matter.*
- *Public meetings include telephonic conference calls or other electronic communication including group emails. Group emails of the Committee would be prohibited unless notices are posted and made public. Committee members should avoid discussing the business of the Committee in emails.*

Public Records Law

- *Oregon law provides that people have the right to inspect any nonexempt public records of a public body. Written documents, emails, etc. are public record under this law. Metro should be copied on all Committee emails in order to preserve records.*

Ashley reiterated the brevity of her explanation of the Guide for Volunteer Committee Members and noted that for the sake of time any remaining questions can be resolved following this meeting. Allison asked that the Committee complete the Conflict of Interest Form included in their handouts and submit it to Metro prior to the next meeting.

Meeting Protocols

Allison noted the limited time remaining for the Committee to review and discuss the Meeting Protocols, and asked that members review and come prepared to discuss them further at the next meeting. She briefly highlighted key points of the Meeting Protocols:

- Committee members must notify the Committee Chairperson and Metro staff of any media inquiries and refer requests for official statements or viewpoints to Metro. Committee members may speak on their own behalf but not on behalf of the Committee or Metro if contacted by the media.
- The Committee is charged with making recommendations to Metro Council, and recommendations are strengthened by consensus. Consensus in this capacity is defined as the point where all members agree on an option as a recommendation, however, the recommendation does not have to be each member's ideal. This form of consensus will communicate to Metro Council that the Committee has thoroughly considered the recommendation.
- If consensus cannot be reached, the Committee should discuss and determine the kind of majority they will seek for making a recommendation.
- If there is not a majority decision, all recommendations will be sent to Metro Council.
- Committee decisions will be considered final unless the group as a whole decides to revisit the discussion and subsequent recommendation.
- There will be 10 minutes per meeting available for public comment, and members of the public may also submit written comments.
- Five of the initial Committee members will be appointed to serve a one-year term, and may be reappointed to serve up to two additional two-year terms. All other Committee members will be appointed to serve two-year terms, and may be reappointed to serve up to two additional two-year terms.
- If members cannot attend a meeting, they may send written comments to Metro that will be shared with the Committee.

Discussion and Questions:

- How will the terms of service be assigned to the Committee members?
 - Metro staff responded: *There was a formula used to make those determinations. Metro staff will provide that information to Committee members.*
- What is the Area Median Income (AMI) number?
 - Metro staff responded: *30% of AMI is \$24,000 for a family of four, and is adjusted yearly for the region. Metro staff will send out a table providing more data.*
- What is the majority Metro Council uses for decision making?
 - Metro staff responded: *Metro Council uses a simple majority.*
- The Committee discussed how to approach consensus and majority. Below is a summary of their comments:
 - *It's important that the Committee works as a cohesive body, and therefore if consensus cannot be reached, using a three-fourths majority would be better than a simple majority.*
 - A Committee member expressed support for a simple majority so as not to dilute decisions and allow Metro Council to address conflicts as they arise.
 - It would be helpful for Metro to provide information prior to meetings to allow members that are not able to attend to provide input on potential decisions.
 - Allison responded: *Materials will be distributed to Committee members at least one week prior to meetings.*
 - When considering majority, it's important to ensure people of color are involved in all Committee decisions.
 - It's important to provide Metro Council with the ratio of support.

Public Comment

Joshua Manus provided the following public comment in regards to consensus vs. simple majority:

I would caution against giving Metro Council multiple recommendations on the same topic. The Committee should be giving recommendations in solidarity. I would suggest that the Committee takes the time to ensure recommendations have full support from all members and seek consensus to strengthen recommendations.

Next Steps and Close

Allison noted that the next meeting will take place on March 4th, 2019 from 9-11a.m. Jes Larson, Metro, explained that the goal is to determine a meeting date for April, 2019 as soon as possible, and then to schedule quarterly meetings from there. Jes noted that the implementation strategies are expected to roll out in summer of 2019, and that for that reason, more frequent meetings may be requested through the summer. Committee members requested that holds for additional summer meetings be sent out in advance, knowing that these times can be dropped later if not needed. Allison encouraged the Committee to reach out to her if they have any additional thoughts on the process. Allison thanked the Committee for their participation and closed the meeting.