

## Council meeting agenda

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Thursday, February 6, 2020

2:00 PM

Metro Regional Center, Council chamber

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Revised 02/04

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

**2. Public Communication**

**3. Resolutions**

- 3.1 Resolution No. 20-5078, For the Purpose of Proclaiming [RES 20-5078](#)  
February 1 through February 29, 2020 Black History  
Month

Presenter(s): Cassie Salinas, Metro

Attachments: [Resolution No. 20-5078](#)  
[Staff Report](#)

- 3.2 Resolution No. 20-5071, For the Purpose of Authorizing [RES 20-5071](#)  
Execution of an Intergovernmental Agreement with the  
City of Gresham for Implementation of the Metro  
Affordable Housing Bond Measure

Presenter(s): Emily Lieb, Metro

Attachments: [Resolution No. 20-5071](#)  
[Exhibit A to Resolution No. 20-5071](#)  
[Staff Report](#)  
[Attachment 1 to Staff Report](#)

- 3.3 Resolution No. 20-5065, For the Purpose of Establishing [RES 20-5065](#)  
the Parks and Nature Fund and for Amending the FY  
2019-20 Budget and Appropriations Schedule

Presenter(s): Lisa Houghton, Metro

Attachments: [Resolution No. 20-5065](#)  
[Exhibit A to Resolution No. 20-5065](#)  
[Exhibit B to Resolution No. 20-5065](#)  
[Staff Report](#)

- 3.4 Resolution No. 20-5077, For the Purpose of Seeking an Exemption from Competitive Bidding and Procurement of Construction Manager General Contractor Services by Competitive Request for Proposals for the Oregon Convention Center Staff Space Renovations Project [RES 20-5077](#)

Presenter(s): Gabriele Shuster, Metro  
Brent Shelby, Metro

Attachments: [Resolution No. 20-5077](#)  
[Exhibit A to Resolution No. 20-5077](#)  
[Staff Report](#)

- 3.4.1 Public Hearing for Resolution No. 20-5077

**4. Consent Agenda**

- 4.1 Resolution No. 20-5068, For the Purpose of Adding Two New Projects to the 2018-21 Metropolitan Transportation Improvement Program Involving Ride Connection in Support of Senior and Disabled Persons Needs and ODOT in Support of the Columbia Bottomlands Conservation Project (JA20-07-JAN) [RES 20-5068](#)

Attachments: [Resolution No. 20-5068](#)  
[Exhibit A to Resolution No. 20-5068](#)  
[Staff Report](#)

- 4.2 Consideration of the Council Meeting Minutes for January 30, 2020. [18-5357](#)

**5. Chief Operating Officer Communication**

**6. Councilor Communication**

**7. Adjourn**

**EXECUTIVE SESSION ORS 192.660(2)(a) TO CONSIDER THE EMPLOYMENT OF A PUBLIC OFFICER, EMPLOYEE STAFF MEMBER OR INDIVIDUAL**

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ការគោរពសិទ្ធិពលរដ្ឋរបស់ ។ សំរាប់ព័ត៌មានអំពីកម្មវិធីសិទ្ធិពលរដ្ឋរបស់ Metro ឬស្នើសុំទទួលបានកាតបណ្តឹងរើសអើងសូមចូលទស្សនាគេហទំព័រ [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights)។ បើលោកអ្នកត្រូវការអ្នកបកប្រែភាសានៅពេលអង្គប្រជុំសាធារណៈ សូមទូរស័ព្ទមកលេខ 503-797-1700 (ម៉ោង 8 ព្រឹកដល់ម៉ោង 5 ល្ងាច ថ្ងៃធ្វើការ) ប្រាំពីរថ្ងៃ មុនថ្ងៃប្រជុំដើម្បីអាចឲ្យគេសម្រួលតាមសំណើរបស់លោកអ្នក។

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Agenda Item No. 3.1

**Resolution No. 20-5078**, For the Purpose of Proclaiming  
February 1 through February 29, 2020 Black History Month

*Resolutions*

Metro Council Meeting  
Thursday, February 04, 2020  
Metro Regional Center, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF PROCLAIMING	)	RESOLUTION NO. 20-5078
FEBRUARY 1 THROUGH FEBRUARY 29, 2020	)	
BLACK HISTORY MONTH	)	Introduced by Council President Lynn Peterson

WHEREAS, Carter G. Woodson, Black scholar and son of former slaves, sought to raise awareness of African American contributions and organized the Association for the Study of Negro Life and History (ASNLH), which first initiated Black History Week in February 1926; and

WHEREAS, Black pioneers were among the earliest non-Native people to settle in Oregon, but it was not until World War II, that the Black population in Greater Portland increased due to the need for wartime labor. Black communities in Portland thrived momentarily during the postwar but would experience trauma and disruption from racist policies that would displace many Black community members over time; and

WHEREAS, celebrating Black History Month in Greater Portland and Oregon also means to acknowledge the legacy of racist and exclusionary practices and policies that caused generational harm and pushed many Black community members away from their community and the region; and

WHEREAS, despite the growing population of communities of color in Greater Portland, Black community members make up under 4 percent of the tri-county region; and

WHEREAS, it is the responsibility of all of us in government to call attention to the continued need to recognize and combat racism, lead with racial equity to dismantle racist policies and to build a community in which all are welcomed, respected and can thrive; and

WHEREAS, Black History Month is a time where all community members are encouraged to reflect on past and current injustices faced by Black communities and seek actions that ensure freedom, justice and inclusion; and

WHEREAS, it is also a time to celebrate the many accomplishments and important contributions that Black Americans have made to Greater Portland and in Oregon including in politics, medicine, the environment, sports and the arts despite these obstacles; and

WHEREAS, Metro's workforce encompasses 6 percent of individuals who identify as Black American; and

WHEREAS, Metro is committed to continuing to partner with community-based organizations and community leaders to strengthen relationships, advance opportunities to engage and participate at the

decision-making table and receive guidance on achieving outcomes that foster the prosperity of Black community members in Greater Portland

BE IT RESOLVED that the Metro Council proclaims February 1 through February 29, 2020 Black History Month in the Greater Portland region.

ADOPTED by the Metro Council this 6th day of February 2020.

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Lynn Peterson, Council President

Approved as to Form:

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Carrie MacLaren, Metro Attorney

## **STAFF REPORT**

### **IN CONSIDERATION OF RESOLUTION NO. 20-5078, FOR THE PURPOSE OF PROCLAIMING FEBRUARY 1 THROUGH FEBRUARY 29, 2020 BLACK HISTORY MONTH**

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Date: January 27, 2020  
Department: Council Office  
Meeting Date: February 6, 2020

Prepared by: Victor Sin,  
victor.sin@oregonmetro.gov,  
503-797-6619  
Presenter: Cassie Salinas, Metro

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#### **ISSUE STATEMENT**

The Metro Council has an opportunity to stand with residents, community partners and local jurisdictions in our region by adopting Resolution No. 20-5078, proclaiming the month of February Black History Month.

#### **ACTION REQUESTED**

Consideration and vote on Resolution No. 20-5078.

#### **IDENTIFIED POLICY OUTCOMES**

Advancing the Metro Council's proclamation for Black History month from February 1 to February 29 and joining other jurisdictions in the region in doing so.

#### **POLICY OPTIONS FOR COUNCIL TO CONSIDER**

Council adoption of this resolution will further Metro's commitment to the goals stated in the Strategic Plan to advance Racial Equity, Diversity and Inclusion, in particular:

- a) Metro meaningfully engages communities of color
- b) Metro hires, trains and promotes a racially diverse workforce
- c) Metro creates safe and welcoming programs, spaces and destinations

#### **STAFF RECOMMENDATIONS**

Staff recommends the Metro Council adopt Resolution No. 20-5078.

#### **STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION**

##### **1. Known Opposition/support/community feedback**

No opposition known at this time. Several jurisdictions in the region have also adopted resolutions proclamations honoring Black History month.

##### **2. Legal Antecedents**

None. This is the first year that the Metro Council is considering adoption of a resolution honoring Black History month.

##### **3. Anticipated effects**

None.

##### **4. Financial implications**

None.



## **BACKGROUND**

The Black American experience in Greater Portland and Oregon is a story of perseverance under two centuries of oppressive and exclusionary acts. The first black exclusion law in Oregon, adopted in 1844 was the first of many aimed at deterring potential black settlement into the state, by deeming it as hostile to Black Americans. Subsequent discriminatory policies and practices over the next several decades attempted to break the will of Black Americans by taking away certain rights and opportunities including voting, receiving quality education, holding public office and achieving economic success.

During World War II, the Black population in Greater Portland increased due to the need for wartime labor. Black communities in Portland thrived momentarily during the postwar but would experience continued bouts of disruption that would displace many Black community members over time.

Today, Black community members make up just under 2% of the population in Oregon and under 4% of the population in Greater Portland according to the latest Census data.

This proclamation is intended to highlight the tremendous contributions made by Black Americans, past and present, to Greater Portland and Oregon, while acknowledging that systemic barriers to advancement continue. It is also a time to act; by ensuring that our efforts not only recognize past and present injustices but also work towards removing barriers and creating opportunities for the Black community to thrive.

Black History Month is an annual celebration of achievements by Black Americans originally founded by scholar and son of former slaves, Carter G Woodson who initiated the first Black History Week in February 1926, choosing the second week of February to coincide with the birthdays of Frederick Douglass and Abraham Lincoln. Since, 1976, every US President has officially designated the month of February as Black History Month.

## **ATTACHMENTS**

None.

Agenda Item No. 3.2

**Resolution No. 20-5071**, For the Purpose of Authorizing Execution of an  
Intergovernmental Agreement with the City of Gresham  
for Implementation of the Metro Affordable Housing Bond Measure

*Resolutions*

Metro Council Meeting  
Thursday, February 04, 2020  
Metro Regional Center, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING	)	RESOLUTION NO. 20-5071
EXECUTION OF AN INTERGOVERNMENTAL	)	
AGREEMENT WITH THE CITY OF GRESHAM	)	Introduced by Interim Chief Operating
FOR IMPLEMENTATION OF THE METRO	)	Officer Andrew Scott in concurrence
AFFORDABLE HOUSING BOND MEASURE	)	with Council President Lynn Peterson

WHEREAS, on June 7, 2018, the Metro Council adopted Resolution No. 18-4898, referring to the Metro area voters Ballot Measure 26-199 authorizing general obligation bond indebtedness to fund affordable housing (the "Housing Bond Measure"); and

WHEREAS, on June 28, 2018, the Metro Council passed Ordinance 18-1423 establishing that affordable housing is a "matter of metropolitan concern" and exercising jurisdiction over functions related thereto; and

WHEREAS, on November 6, 2018, the voters approved the Housing Bond Measure, providing Metro with the authority under the laws of the State of Oregon and the Metro Charter to issue bonds and other obligations payable from ad valorem property taxes for the purpose of financing and identifying funds to be used for affordable housing; and

WHEREAS, on January 31, 2019, the Metro Council adopted Resolution No. 19-4956, approving the Metro Housing Bond Measure Program Work Plan (the "Work Plan"), which, among other things, provided that the Housing Bond Measure program would primarily be implemented by local jurisdiction partners who have created individualized plans (each, a "Local Implementation Strategy") to (a) achieve certain unit productions targets, (b) advance racial equity, and (c) ensure community engagement in program implementation; and

WHEREAS, the City of Gresham has created a Local Implementation Strategy, which strategy was reviewed by the Affordable Housing Bond Community Oversight Committee and has been recommended to the Metro Council for approval; and

WHEREAS, in accordance with the Work Plan, Metro staff has negotiated terms and conditions under which Housing Bond Measure funding will be provided to the City of Gresham, which terms and conditions are set forth in the proposed intergovernmental agreement attached hereto as Exhibit A; now therefore

BE IT RESOLVED that the Metro Council:

Authorizes the Metro Chief Operating Officer to enter into an intergovernmental agreement with the City of Gresham substantially in the form attached hereto as Exhibit A.

ADOPTED by the Metro Council this \_\_\_\_\_ day of February \_\_, 2020.

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Lynn Peterson, Council President

Approved as to Form:

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Carrie MacLaren, Metro Attorney



600 NE Grand Ave.  
Portland, OR 97232-2736  
(503) 797-1700

# Intergovernmental Agreement

## Affordable Housing Bond Measure Program IGA

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Metro Contract No. XXXXX

THIS INTERGOVERNMENTAL AGREEMENT ("Agreement") is between Metro, a metropolitan service district organized under the laws of the State of Oregon and the Metro Charter, located at 600 N.E. Grand Avenue, Portland, Oregon 97232-2736, and City of Gresham ("Local Implementation Partner" or "LIP"), located at 1333 NW Eastman Parkway, Gresham, OR 97030, and is dated effective as of the last day of signature set forth below (the "Effective Date").

### RECITALS

A. The electors of Metro approved Ballot Measure 26-199 on November 6, 2018 (the "Bond Measure"), authorizing Metro to issue \$652.8 million in general obligation bonds to fund affordable housing (the "Bonds").

B. On January 31, 2019, the Metro Council adopted Resolution No. 19-4956, which, among other things, provides that Metro will distribute a portion of the proceeds of the Bonds (the "Bond Proceeds") to eligible local government affordable housing implementation partners, and LIP is a participating local government partner eligible to receive Bond Proceeds.

C. The parties desire to enter into this Agreement to provide the terms and conditions under which Metro will provide Bond Proceeds to LIP to implement the Bond Measure goals, requirements, and restrictions set forth in the Work Plan.

### AGREEMENT

**1. Definitions.** In addition to the definitions above, capitalized terms used in this Agreement have the definitions set forth in this Section 1.

1.1. "Administrative Costs" means Capital Costs that are not Direct Project Costs, including general program administrative expenses (e.g. staff support and overhead costs attributable to Bond Measure program implementation), expenses related to community engagement and outreach, and payments to third-party consultants (e.g. realtors, appraisers, surveyors, title insurers, environmental evaluators, designers, and engineers).

1.2. "Administrative Share" means that portion of the Bond Proceeds totaling \$563,305.

1.3. “Affordable Housing” means land and improvements for residential units occupied by low-income households making 80% or less of area median income, consistent with the intents and purposes of the Bond Measure.

1.4. “Affordable Housing Project(s)” or “Projects” means Affordable Housing that is developed, built or acquired by LIP using Bond Proceeds, or supported by LIP through grants or loans of Bond Proceeds, burdened by a Restrictive Covenant.

1.5. “Area Median Income” or “AMI” means median gross household income, adjusted for household size, for the Portland, Oregon metropolitan statistical area as established each year by HUD.

1.6. “Capital Costs” means costs of Affordable Housing that are capitalizable under generally acceptable accounting principles (GAAP), which costs include the costs of capital construction, capital improvements or other capital costs, as those terms are defined by the relevant provisions of the Oregon Constitution and Oregon law (including ORS 310.140).

1.7. “Concept Endorsement” is as defined in Section 4.1, below.

1.8. “Conversions” means conversion of existing, occupied market-rate housing units to Affordable Housing units burdened by a Restrictive Covenant.

1.9. “Direct Project Costs” means Capital Costs that are expended for the acquisition, development, or construction of an Affordable Housing Project.

1.10. “Disbursement Request” is as defined in Section 4.3, below.

1.11. “Eligible Share” means that portion of the Bond Proceeds totaling \$26,756,995.

1.12. “Final Approval” is as defined in Section 4.2, below.

1.13. “LIS” means the LIP’s local implementation strategy document adopted by LIP and attached to this Agreement as **Exhibit A**.

1.14. “LIS Annual Progress Report” is as defined in Section 9.1, below.

1.15. “New Construction” means development and construction of a new Affordable Housing Project.

1.16. “Oversight Committee” means the Affordable Housing Bond Community Oversight Committee created pursuant to Metro Code Section 2.19.260.

1.17. “Project Funds” means that portion of Eligible Share committed through the Project approval process set forth and distributed in accordance with Section 4.

1.18. “Property Acquisitions” means real property acquisitions by LIP to be used for future development of an Affordable Housing Project.

1.19. “Regional Investment” is as defined in Section 2.2, below.

1.20. "Regional Site Acquisition Program" means the program implemented by Metro to use Bond Proceeds to acquire and develop regionally significant sites for Affordable Housing.

1.21. "Restrictive Covenant" is as defined in Section 5, below.

1.22. "Term" is as defined in Section 11.1, below.

1.23. "Unit Production Targets" means those targets set forth in Section 2.1 below, and include the "Total Unit Target," the "30% or Below Target," the "31%-60% Unit Target," the "61-80% Cap," and the "Two-Bedroom+ Target," each as defined in Section 2.1.

1.24. "Unit(s)" means residential units in an Affordable Housing Project.

1.25. "Work Plan" means Metro's Affordable Housing Bond Measure Program Work Plan adopted by the Metro Council by Resolution 19-4956, as subsequently amended by the Metro Council on October 17, 2019 by Resolution 19-5015.

## **2. Unit Production Targets**

2.1. Unit Production Targets. LIP hereby agrees to adopt and take all necessary and appropriate action to implement the Unit Production Targets set forth below. The parties anticipate the LIP's Unit Production Targets will be met using a combination of funds, including LIP's Eligible Share and Metro's Regional Investment. LIP's failure to make reasonable progress towards meeting its Unit Production Targets, in accordance with the timeline attached hereto as **Exhibit B**, is grounds for termination of this Agreement by Metro as provided in Section 11, after which Metro shall have no further obligation to distribute the Eligible Share.

2.1.1. Total Unit Target: 187. This is the minimum total number of Units to be built or acquired using LIP's Eligible Share. Should LIP build or acquire additional units above the Total Unit Target using its Eligible Share, those units may be occupied by households earning anywhere between 0-80% so long as 30% or Below Target and the 31%-60% Unit Target have been satisfied.

2.1.2. 30% or Below Target: 77. This is number of the Total Unit Target that will be restricted to households earning 30% or less of AMI, in accordance with the terms of the Restrictive Covenant.

2.1.3. 31%-60% Unit Target: 91. This is number of the Total Unit Target that will be restricted to households earning 31%-60% of AMI, in accordance with the terms of the Restrictive Covenant.

2.1.4. 61-80% Cap: 19. This is the maximum number of units contributing to the Total Unit Target that may be restricted to households earning 61-80% of AMI.

2.1.5. Two-Bedroom+ Target: 93. This is number of the Total Unit Target that will be two bedrooms or more.

2.2. Impact of Regional Program. Metro will use ten percent of the total Bond Proceeds to fund and operate its Regional Site Acquisition Program. The parties expect that Metro's Site Acquisition Program will spend approximately \$2,972,999 within LIP's jurisdictional boundary (the "Regional Investment"). Units created in projects that utilize Regional Investment will contribute towards LIP's Unit Production Targets, unless otherwise agreed to by the parties. Metro will make good faith efforts to coordinate and consult with LIP to ensure Metro's decisions regarding the Regional Investment support LIP in reaching its Unit Production Targets. Once LIP has spent or has committed to spend 75% of its Eligible Share, if Metro has not yet spent, or committed to spend, the Regional Investment, then the parties will meet to discuss potential alternative options for how the Regional Investment could be spent by Metro to support LIP's remaining Unit Production Targets. If following such meeting the parties are still unable to identify opportunities for collaboration or agreeable potential alternative options, then LIP's Unit Production Targets will be reduced by the lesser of (a) ten percent or (b) the proportionate share equal to the amount of Regional Investment Metro has not yet spent.

### **3. Local Implementation Partner's Eligible Share.**

3.1. Direct Project Costs; Consistency with LIS. Subject to the terms and conditions of this Agreement, including Section 4, below, and the requirements, limits, and restrictions set forth in both the Work Plan and the Bond Measure, Metro will provide to LIP the Eligible Share on a Project-by-Project basis. LIP may only spend the Eligible Share on Direct Project Costs that are consistent with its LIS, as determined by Metro, in Metro's reasonable discretion, and will spend no portion of the Eligible Share on Administrative Costs.

3.2. Public or Private Ownership. LIP may use its Eligible Share to support the creation of Affordable Housing that is either privately or publicly owned. The Eligible Share may be contributed to privately-owned Projects in the form of loans or grants on terms approved by LIP. The identification and selection of a Project will be at the discretion of LIP, provided, however, all Project selections must comply with the LIS and contribute towards the Unit Production Targets. Publicly-owned Affordable Housing financed with the LIP's Eligible



Share must contribute to the Unit production Targets and must comply with the LIS and the terms and conditions of this Agreement, including, without limitation, the same Project approval process and requirements provided for in Section 4 below.

3.3. Approved Project Types. LIP may use its Eligible Share only for the types of projects described in the Work Plan. As of the Effective Date, the Work Plan sets forth the following approved types of Affordable Housing Projects: (a) New Construction, (b) Conversions, and (c) Property Acquisitions.

#### **4. Metro Approval Process; Disbursement of Funds; Repayment**

4.1. Concept Endorsement. In order for LIP to receive a disbursement of its Eligible Share to fund a New Construction or Conversion Project, LIP must receive an initial funding commitment for such Project (the “Concept Endorsement”) from Metro. LIP’s request for a Concept Endorsement must include general project information, including a project narrative, preliminary sources and uses information, a draft project site plan, copies of relevant due diligence documents, and any other information Metro deems reasonably necessary to issue a Concept Endorsement. Metro will issue the Concept Endorsement to LIP upon Metro’s determination that (a) the Project will reasonably contribute to the Unit Production Targets relative to the amount of the Eligible Share LIP proposes to use for the Project; and (b) the Project will be consistent with the LIS, the Work Plan and the Bond Measure.

4.2. Final Approval. In order for LIP to use its Eligible Share for an Affordable Housing Project, LIP must have received final approval from Metro, as described in this section (“Final Approval”). Metro will issue Final Approval to LIP upon Metro’s determination that (a) the proposed Project reasonably contributes to the Unit Production Targets relative to the amount of the Eligible Share proposed to be used for the Project; and (b) the Project is consistent with the LIS, the Work Plan, and the Bond Measure. LIP’s request for Final Approval will include the Project information described above in Section 4.1, as well as any additional information Metro reasonably requests related to the finalized development program, including design development drawings and an updated sources and uses budget. If after receiving Final Approval, the amount of the Eligible Share initially proposed and approved increases or the Project’s unit count, bedroom mix, or affordability level changes, then LIP must submit an amended request for Final Approval for the Project. Metro will review such an amended request (along with any related Disbursement Request) expeditiously, making best efforts to accommodate LIP’s anticipated Project closing timeline.

4.3. Disbursement. Following Metro's Final Approval of LIP's proposed use of its Eligible Share for an Affordable Housing Project, LIP may request disbursement of the Project Funds from Metro ("Disbursement Request"). Such request will be made in writing (a) no more than 45 days and (b) no less than 10 business days prior to any anticipated closing or need for use. The Disbursement Request will include: (a) a certification from LIP to Metro that the Project information LIP provided to Metro in connection with its request for Final Approval has not changed or been modified in any material way; (b) a completed draft of the proposed Restrictive Covenant that LIP intends to record against the Project in accordance with Section 5 below, (c) a list of finalized sources and uses, (d) a final construction contract schedule of values, if applicable, and (e) wiring instructions or other instructions related to the transmittal of funds. LIP will provide to Metro any other information as Metro may reasonably request related to the Project. Metro will review Disbursement Requests expeditiously and will disburse funds within 10 business days of receiving a completed Disbursement Request.

4.4. Project Failure and Repayment. LIP will use the Project Funds strictly in accordance with the manner and method described in the Final Approval. If the Project financing transaction for which disbursement was sought fails to close within sixty (60) days after Metro disburses the requested funds, then, unless otherwise directed in writing by Metro, LIP will immediately repay to Metro the amount of its Eligible Share disbursed for the Project, including any interest earned thereon. LIP acknowledges and expressly affirms the repayment obligation set forth above even if such failure is through no fault of LIP. If LIP uses Project Funds for a Property Acquisition, and is thereafter unable to make substantial progress, as reasonably determined by Metro, towards the development of Affordable Housing on the property within four (4) years following the closing date of the Property Acquisition (or such other time period agreed to in writing by Metro), LIP will repay to Metro the amount of the Eligible Share disbursed for the Property Acquisition. In such an event, Metro will provide LIP with written notice of such determination and will thereafter proceed with the dispute resolution provisions set forth below in section 11.4. LIP's remaining Eligible Share will be adjusted and increased to reflect such repayment.

## **5. Affordable Housing Restrictive Covenant.**

5.1. General Provisions and Recording Obligations. For all Projects that receive Bond Proceeds, LIP will ensure an affordable housing restrictive covenant (a "Restrictive Covenant") is recorded on the title to the land that comprises the Project. The Restrictive Covenant must be recorded at closing, or upon its contribution of the Bond Proceeds to a

Project. LIP will provide Metro a copy of the recorded Restrictive Covenant within ten (10) business days following its recording. If for any reason LIP fails to record a Restrictive Covenant in accordance with this section, Metro may, at its sole option and upon written notice to LIP, terminate this Agreement in accordance with Section 11, in which case LIP will refund Metro the Bond Proceeds disbursed to LIP for such Project.

5.2. Form for Property Acquisitions. For Property Acquisitions, the Restrictive Covenant will be granted to Metro directly, be recorded in such priority approved by Metro, and shall be substantially in the form attached hereto as **Exhibit C**, or as otherwise approved by Metro.

5.3. Form for New Construction and Conversion Projects. For New Construction Projects and Conversion Projects, the Restrictive Covenant will (a) acknowledge the use of Bond Measure funds, (b) include applicable long-term affordability restrictions, (c) burden the property for a minimum duration of sixty (60) years or thirty (30) years for Conversion Projects where the building is more than ten (10) years old), (d) provide monitoring and access rights to LIP and Metro, (e) name Metro as a third-party beneficiary and (f) unless otherwise agreed to in writing by Metro, be recorded in a priority position only subject to and subordinate to a primary first mortgage or deed of trust and a State low-income housing regulatory agreements. The monitoring, access and third party beneficiary language will be subject to Metro's review and approval during the Final Approval process. LIP acknowledges that such language will require Projects to provide to Metro certain data (including financial reports, physical inspection reports, and tenant data) typically collected and prepared by Oregon Housing and Community Services. Metro acknowledges that the Restrictive Covenant may provide for a waiver or temporary relief from the limitations on qualifying income, in accordance to address incomes rising in place to avoid undue hardship or displacement, financial hardship for building operations, or to conform to other regulatory or policy requirements.

## **6. Project Information Reports; Funding Recognition**

6.1. Project Information and Updates. Upon Metro's disbursement of Eligible Share for any particular Project, LIP will provide Metro with regular updates regarding Project construction and completion. LIP will notify Metro of any events during construction that materially affect the Project, including (a) significant extensions of the Project schedule, (b) significant increases to the Project budget, (c) any notices of default issued by LIP or other Project lenders, or (d) any other changes that impact the quality or nature of the Project described in the Final Approval process. If any such material events occur during Project

construction, LIP will provide Metro with any additional information Metro reasonably requests related to such events. In addition to providing the general Project updates and information described above, LIP will provide Metro with the documents listed on the attached **Exhibit D** at the Project milestones referenced therein.

6.2. Funding Recognition. LIP will publicly recognize Metro and the Bond Measure in any publications, media presentations, or other presentations relating to or describing Projects receiving Bond Proceeds. LIP will coordinate with Metro in selecting the date and time for any event recognizing, celebrating or commemorating any Project ground-breaking, completion, ribbon cutting or opening, and provide Metro an opportunity to participate. LIP will ensure that the Bond Measure is officially recognized as a funding source at any such event, and will provide a speaking opportunity for the Metro elected official representing the district in which the Project is located, if such opportunities are provided to LIP or other public officials.

**7. Administrative Funding.** Subject to the terms and conditions of this Agreement, and the requirements and restrictions set forth in both the Work Plan and the Bond Measure, Metro will provide LIP the Administrative Share. Within thirty (30) days of the Effective Date, Metro will disburse to LIP its Administrative Share in accordance with the schedule set forth on Exhibit B attached to this Agreement. Interest earnings on the Administrative Share while held by LIP may be retained by LIP, provided such interest is used for affordable housing, residential services, or supportive services for residents of affordable housing. Metro's obligation to distribute the Administrative Share is conditioned on LIP making reasonable progress towards its Unit Production Targets, as reasonably determined by Metro in accordance with the timeline set forth on the attached Exhibit B.

**8. General Obligation Bonds.** All Bond Proceeds disbursed to LIP pursuant to this Agreement (including both the Eligible Share and the Administrative Share) are derived from the sale of voter-approved general obligation bonds that are to be repaid using ad valorem property taxes exempt from the limitations of Article XI, sections 11 and 11b of the Oregon Constitution. LIP covenants and agrees that it will take no actions that would adversely affect the validity of the Bonds or cause Metro not to be able to levy and collect the real property taxes imposed to repay these bonds, which are exempt from Oregon's constitutional property tax limitations. LIP further covenants and agrees that (a) all Bond Proceeds disbursed hereunder will be used only to pay for or reimburse costs that are of a type that are properly chargeable to a Capital Costs (or would be so chargeable with a proper election) to comply

with the Oregon Constitution and other applicable laws with respect to the permitted expenditure of general obligation bond proceeds; and (b) within ten (10) days of the event, LIP will disclose to Metro any events that are required to be included in Metro's continuing disclosure obligations as the issuer of the general obligation bonds. If LIP breaches the foregoing covenants, LIP will immediately undertake whatever remedies or other action may be necessary to cure the default and to compensate Metro for any loss it may suffer as a result thereof, including, without limitation, repayment to Metro of Project Funds.

## **9. LIP Required Annual Reporting**

9.1. Local Implementation Strategy Progress Reports. By the end of each calendar year of the Term, or until LIP has fully expended its Eligible Share, LIP will provide a report to Metro summarizing its LIS progress and outcomes (the "LIS Annual Progress Report"). LIP will create the LIS Annual Progress Report using a template provided by Metro, which template Metro will develop with input from all participating local government partners receiving Bond Proceeds. The Oversight Committee will review the LIS Annual Progress Report and may recommend changes to the LIS to achieve the Unit Production Targets and to better align the LIS with the Work Plan. LIP agrees to participate fully in such annual review process; provided, however, the LIS may be revised or amended only upon written agreement by both LIP and Metro. Failure by LIP to agree to a proposed amendment will not constitute an event of default.

9.2. Financial Eligible Share Reports. Beginning with Metro's first disbursement of any portion of the Eligible Share to LIP for a Project, and continuing each year thereafter, on or before September 15 of each year during the Term until Unit Targets are completed and/or all Eligible Share is disbursed, LIP will provide an annual financial report to Metro containing (a) an itemized list of LIP's expenditure of Project Funds (and interest earnings thereon) through the end of the applicable fiscal year and (b) a certification from LIP to Metro that the Eligible Share was used only to pay for or Capital Costs.

9.3. Administrative Share Reports. On or before September 15 of each year during the Term, LIP will provide an annual report to Metro containing (a) an itemized list of LIP's expenditure of its Administrative Share (and any investment earnings thereon) through the end of the prior fiscal year detailing each entity LIP paid any portion of the Administrative Share and (b) a certification from LIP to Metro that the Administrative Share was used only to pay for or Capital Costs.

**10. Audits, Inspections and Retention of Records.** LIP will keep proper books of account and records on all activities associated with the expenditure of all funds disbursed by Metro under this Agreement. LIP will maintain these books of account and records in accordance with generally accepted accounting principles through the date that is three (3) years after the anticipated maturity date of the Bonds or the anticipated maturity date of any obligations issued by Metro to refund the Bonds. Metro expects the Bonds will be outstanding until approximately May of 2039. LIP will permit Metro and its duly authorized representatives, upon prior written notice, to inspect books and records, properties, all work done, labor performed and materials furnished during normal business hours, and to review and make excerpts and transcripts of its books of account and records with respect to the receipt and disbursement of Bond Proceeds received from Metro. Access to these books of account and records is not limited to the required retention period. Metro's authorized representatives will have access to records upon reasonable notice at any reasonable time for as long as the records are maintained

**11. Term; Termination; Default Remedies; Dispute Resolution**

11.1. The term of this Agreement commences on the Effective Date and terminates on ten years after the Effective Date (the "Term"). The expectation of the parties is that LIP will spend its Eligible Share within seven (7) years after the Effective Date and that all Projects will be completed within the Term of this Agreement. Metro will have no obligation to disburse any remaining portion of LIP's Eligible Share or Administrative Share after the expiration of the Term. The repayment obligations and indemnities set forth in Sections 4, 5, 8 and 14 survive the expiration or earlier termination of this Agreement.

11.2. Metro and LIP may jointly terminate all or part of this Agreement based upon a determination that such action is in the public interest. Termination under this provision will be effective only upon the mutual, written termination agreement signed by both Metro and LIP.

11.3. If Metro reasonably believes LIP is not spending its Eligible Share according to the terms herein or otherwise has otherwise failed to comply with the terms of this Agreement, in addition to any other rights and remedies set forth herein or available at law, or in equity, Metro has the right to immediately withhold or suspend future distributions of Eligible Share and Administrative Share. In such an event Metro will provide LIP with written notice of such determination and will thereafter proceed with the dispute resolution provisions set forth below in Section 11.4.

11.4. Metro and LIP will negotiate in good faith to resolve any dispute arising out of this Agreement. Subject to the provisions set forth below, Metro or LIP may terminate this

Agreement during the term if it reasonably determines the other party has failed to comply with any material provision of this Agreement and is therefore in default. Before terminating this Agreement in accordance with this section, the terminating party will provide the other party with written notice that describes the evidence of default and include a description of the steps needed to cure the default. From the date that such notice of default is received, the defaulting party will have 30 days to cure the default. If the default is of such a nature that it cannot reasonably be cured within 30 days, the defaulting party will have such additional time as required to cure the default, as long as it is acting in a reasonable manner and in good faith to cure the default. If the parties are unable to resolve any dispute within thirty (30) days of after receipt of a written notice of default or such additional time as may be needed to reasonably cure the default, the parties will attempt to settle any dispute through mediation. The parties shall attempt to agree on a single mediator. The cost of mediation will be shared equally. If the parties agree on a mediator, the mediation must be held within 60 days of selection of the mediator unless the parties otherwise agree. If the parties cannot agree on a mediator, or the matter is not settled during mediation, the parties will have all other remedies available at law or in equity.

## **12. Notices and Parties' Representatives**

12.1. Any notices permitted or required by this Agreement will be addressed to the other party's representative(s) designated in this section and will be deemed provided (a) on the date they are personally delivered, (b) on the date they are sent via electronic communication, or (c) on the third day after they are deposited in the United States mail, postage fully prepaid, by certified mail return receipt requested. Either party may change its representative(s) and the contact information for its representative(s) by providing notice in compliance with this.

### **Metro:**

Emily Lieb  
600 NE Grand Ave.  
Portland, OR 97232  
503-797-1921  
[Emily.Lieb@oregonmetro.gov](mailto:Emily.Lieb@oregonmetro.gov)

### **City of Gresham:**

Brian Monberg  
1333 N.W. Eastman Parkway  
Gresham, OR 97030  
503-618-2418  
[Brian.Monberg@GreshamOregon.gov](mailto:Brian.Monberg@GreshamOregon.gov)

## **13. Compliance with Law**

13.1. LIP will comply with all applicable federal, state, and local laws, regulations, executive orders and ordinances applicable to its investment and expenditure of the Bond Proceeds.

13.2. LIP further recognizes that investing Bond Proceeds (through either a loan or grant) could result in a Project being a “public works” for purposes of Oregon’s prevailing wage rate law, ORS 279C.800 to 279C.870, as it may be amended from time to time. LIP will be solely responsible for ensuring that all Projects receiving Bond Proceeds comply with prevailing wage rate law, as applicable.

13.3. No recipient or proposed recipient of any services or other assistance under the provisions of this Agreement or any program related to this Agreement may be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with the funds made available through this Agreement on the grounds of race, color, or national origin, 42 U.S.C. §2000d (Title VI), or on the grounds of religion, sex, ancestry, age, or disability as that term is defined in the Americans with Disabilities Act. For purposes of this section, “program or activity” is defined as any function conducted by an identifiable administrative unit of LIP receiving funds pursuant to this Agreement.

#### **14. Insurance; Indemnification; Limitation on Liability**

14.1. Metro and LIP will self-insure or maintain general liability insurance and workers compensation insurance coverage. Each party is responsible for the wages and benefits of its respective employees performing any work or services related to this Agreement. LIP will add Metro as an additional insured to all commercial general, excess and umbrella liability policies. LIP will provide a certificate of insurance listing Metro as a certificate holder within 30 days of execution of this Agreement.

14.2. Subject to the limitations and conditions of the Oregon Constitution and the Oregon Tort Claims Act, LIP will indemnify, defend, and hold harmless Metro, its elected officers and employees, from and against any and all liabilities, claims, demands, damages, actions, costs, penalties, losses and expenses (including any attorney’s fees in defense of Metro or any attorney’s fees incurred in enforcing this provision) suffered or incurred as a result of third-party claims arising out of LIP’s performance of this Agreement or resulting in whole or in part from any act, omission, negligence, fault or violation of law by LIP, its officers, employees, agents, and contractors. This indemnity includes any third-party claims related to the development, construction or repair of Affordable Housing Projects. This indemnity provision does not apply to third-party claims resulting from the negligence or willful misconduct of Metro.

14.3. In no event will either party be liable to the other for, and each party releases the other from, any liability for special, punitive, exemplary, consequential, incidental or indirect losses



or damages (in tort, contract or otherwise) under or in respect of this Agreement, however caused, whether or not arising from a party's sole, joint or concurrent negligence.

**15. Oregon Law, Dispute Resolution, and Forum.** This Agreement is to be construed according to the laws of the State of Oregon. Any litigation between Metro and LIP arising under this Agreement will occur, if in the state courts, in the Multnomah County Circuit Court, and if in the Federal courts, in the United States District Court for the District of Oregon located in Portland, Oregon.

**16. No Third Party Beneficiaries.** LIP and Metro are the only parties to this Agreement and are the only parties entitled to enforce its terms and the sole beneficiaries hereof. Nothing in this Agreement gives, is intended to give, or will be construed to give or provide any benefit or right, whether directly, indirectly, or otherwise, to third persons any greater than the right and benefits enjoyed by the general public.

**17. Relationship of Parties.** Nothing in this Agreement nor any acts of the parties hereunder will be deemed or construed by the parties, or by any third person, to create the relationship of principal and agent, or of partnership, or of joint venture or any association between any LIP and Metro. Furthermore, Metro will not be considered the owner, contractor or the developer of any Project funded with Bond Proceeds. This Agreement is not intended to be a contract that provides for the development or construction of any Project, either directly with a construction contractor or through a developer. Metro specifically waives any provision contained in this Agreement, to the extent it is construed to provide Metro the right to manage, direct or control the developer, general contractor or the subcontractors. The rights and duties of the developer, the general contractor and the subcontractors are the subject of a separate contract or contracts with LIP to which Metro is not a party. LIP waives and releases Metro from any claims and actions related to the construction, operation, repair, or maintenance of any Affordable Housing Projects. If LIP obtains an indemnification agreement from any third-party developer or general contractor receiving Bond Proceeds under this Agreement, LIP will contractually require such party to indemnify Metro to the same extent as LIP.

**18. Assignment; Merger; Entire Agreement.** This Agreement is binding on each party, its successors, assigns, and legal representatives and may not, under any circumstance, be assigned or transferred by LIP without Metro's written consent. This Agreement and attached

exhibit(s) constitute the entire agreement between the parties on the subject matter hereof. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this Agreement. The failure to enforce any provision of this Agreement does not constitute a waiver by Metro of that or any other provision. No waiver, consent, modification or change of terms of this Agreement will bind either party unless it is in writing and signed by both parties and all necessary approvals have been obtained. Such waiver, consent, modification or change, if made, will be effective only in the specific instance and for the specific purpose given. The failure of a party to enforce any provision of this Agreement will not constitute a waiver by that party of that provision, or of any other provision.

**19. Further Assurances.** Each of the parties will execute and deliver any and all additional papers, documents, and other assurances, and will do any and all acts and things reasonably necessary in connection with the performance of their obligations hereunder and to carry out the intent and agreements of the parties hereto.

**20. Counterparts.** This Agreement may be executed in any number of counterparts, each of which will be an original, but all of which will constitute one and the same instrument.

**21. No Attorney Fees.** Except as otherwise set forth in Section 14 of this Agreement, in the event any arbitration, action or proceeding, including any bankruptcy proceeding, is instituted to enforce any term of this Agreement, each party shall be responsible for its own attorneys' fees and expenses.

**22. Debt Limitation.** This Agreement is expressly subject to the limitations of the Oregon Constitution and Oregon Tort Claims Act, and is contingent upon appropriation of funds. Any provisions herein that conflict with the above referenced laws are deemed inoperative to that extent.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the Effective Date.

**METRO**

**CITY OF GRESHAM**

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

### Administrative Share Funding and LIP Anticipated Timeline

Total Administrative Share available as of the Effective Date: \$563,305.00

The parties expect to review the following schedule on an annual basis; provided, however, the schedule set forth below may only be revised or amended upon written agreement by both LIP and Metro.

<b>Fiscal year</b>	<b>Annual Administrative Share Allocation</b>	<b>Percent of total Admin Share</b>	<b>LIP Anticipated Timeline/ Program Milestones</b>
Year 1: 2019-20	\$0	0%	Release of NOFA
			Developer Selection
			Metro annual report
Year 2: 2020-21	\$140,826	25%	Development Contract(s) Negotiation
			Release of Second NOFA (if needed)
			Metro annual report
Year 3: 2021-22	\$168,991	30%	Complete DDA #1
			Metro annual report
Year 4: 2022-23	\$140,826	25%	Complete remaining DDAs (potentially 2 and 3)
			Groundbreaking #1
			Metro annual report
Year 5: 2023-24	\$56,330	10%	Remaining Groundbreaking(s)
			Certificate of Occupancy and Lease-Up
Year 6: 2024-25	\$28,166	5%	Compliance and reporting
Year 7: 2025-26	\$28,166	5%	Compliance and reporting

**Metro Regional  
Affordable  
Housing  
Bond**

This document is the City of Gresham's plan for implementation of the Metro Regional Affordable Housing Bond Program. This Local Implementation Strategy (LIS) guides the City's efforts as it identifies investments for the program.

**GRESHAM LOCAL  
IMPLEMENTATION  
STRATEGY**



1333 NW Eastman Parkway  
Gresham, OR 97030



¿Le gustaría recibir información acerca de este proyecto?  
Хотите получать информацию об этом проекте?  
Ma jeciaan lahayd macluumaad ku saabsan mashruucan?  
؟عورشملا اذه لوح تامولعملا نم دیرت  
您是否希望收到關於本工程項目的資訊？

**(503) 618-2418**

**To learn more about the project contact:**

**Brian Monberg**

City of Gresham

1333 N.W. Eastman Parkway

Gresham, OR 97030

[Brian.Monberg@GreshamOregon.gov](mailto:Brian.Monberg@GreshamOregon.gov)

(503) 618-2418

Regional Affordable Housing Bond  
Gresham Local Implementation Strategy (LIS)

I.	Introduction.....	pg. 2
II.	Strategy Development.....	pg. 8
III.	Implementation Timing.....	pg. 14
IV.	Organizational Plan for Implementation.....	pg. 15
V.	Project Selection Process.....	pg. 15
VI.	Leveraging Other Affordable Housing Resources.....	pg. 17
VII.	Project Selection Criteria.....	pg. 19
VIII.	Project Implementation.....	pg. 23
IX.	Ongoing Public Engagement.....	pg. 26
X.	Reporting on the Implementation Strategy.....	pg. 28

January 6, 2020

## **I. Introduction**

Housing is critical to the success and livability of the City of Gresham. And like every city in Oregon, the challenges related to housing are significant. Costs for housing have risen faster than incomes have grown over the last few years. In addition, since the Great Recession the construction of new housing units has not kept pace with demand. These challenges have impacted many residents in Gresham, particularly households with lower incomes. The Metro Regional Affordable Housing Bond Program is a significant funding source for the three-county Portland metropolitan region. The investment of funds from the regional affordable housing bond can complement efforts to create a full range of quality housing for current and future residents.

The City of Gresham has over 111,000 residents living in over 43,000 housing units citywide. Gresham has become more diverse; our population is approximately six percent African American, double the region's rate, and seventeen percent Hispanic, 1.5 times the region's rate. Families comprise a significant share of households, with nearly a quarter of the City's residents under 18. Seniors comprise thirteen percent of the population. The City is committed to supporting a variety of housing types to meet the needs of all residents at all stages in life.

This Local Implementation Strategy (LIS) is the City of Gresham's approach to invest regional bond funds for the development and construction of regulated affordable housing within the City. This Local Implementation Strategy (LIS) will guide the City's efforts as it identifies key investments as part of the Metro Affordable Housing Bond. This document provides the planning context and considerations related to project selection, implementation, and ongoing operations to ensure that investments provide the greatest public benefits to Gresham residents and the region as a whole.

### **Summary**

Gresham Housing Production Targets	
Total regulated affordable housing units	187
Number of units at 30% of Area Median Income (AMI)	77
Number of family sized units with 2 or more bedrooms	93

- This LIS provides the strategy to meet the Housing Production Targets required in the table above.
- Gresham's role in the development of regulated housing has traditionally been in the administration of Housing and Urban Development (HUD) grant funding.
- The City anticipates a solicitation process to identify experienced third-party developers to finance and construct units.
- Gresham has been working with an existing developer base that has developed over 2,200 units of regulated affordable housing; Gresham is also exploring relationships with



developers that have not worked in the City. Proven experience to deliver the unit targets and further equity goals will be a necessary component of developer selection.

- Gresham has been actively reviewing potential projects within the City development pipeline that could be candidates for Bond funds. There is opportunity to fund development that has already progressed in project development.
- While the Metro Bond resources are substantial, these funds will need to be combined with other public and private funding sources. Gresham has limited capacity to directly fund capital and operating costs, but does have incentive programs to support housing development.
- There are opportunities and constraints to provide additional capital funding. Gresham has incentive programs, but limited capital funding for housing development. While programs such as Local Innovation and Fast Track (LIFT) and Low Income Housing Tax Credits (LIHTC) are contemplated as a source of funding, access to Section 8 Project-based vouchers within Multnomah County are limited. No Section 8 Project-based vouchers have been identified to date for implementation in Gresham.
- Development of ownership housing is a component of this LIS. There is significant interest to allocate a portion of available bond funding towards ownership housing.

### **City of Gresham housing resources**

Gresham is the fourth most populous city in Oregon, and the second most populous in the Portland metropolitan region. Housing costs have been historically lower in Gresham relative to Portland and the region; however, costs are rising with demand, and vacancies are low. The need for housing in good condition that fit the incomes of local households is significant. To address the community's complex housing needs, Gresham has established a variety of near and long-term tools, resources and administrative structures suited to its current capacity.

The City utilizes Housing and Urban Development (HUD) grant funding as a primary means of funding regulated affordable housing and community development resources. Gresham is a Federal Entitlement jurisdiction and receives Community Development Block Grant (CDBG) and HOME Investment Partnership Program (HOME) funds. As a member of the Consortium, Gresham operates under the 2016-2020 Consolidated Plan. Gresham participates with the Consolidated Plan Jurisdictions (Portland, Gresham and Multnomah County) in regional planning concerning housings, public services, homelessness, special needs, economic development and transportation. Through an annual competitive project selection process Gresham evaluates potential recipient projects for HOME and CDBG investments. Eligible activities including the acquisition of real property, rehabilitation of residential properties, provision of public facilities and improvements, homeownership assistance, tenant-based assistance, new construction of housing, demolition, relocation and assistance to for-profit businesses for economic development activities. For HOME program rental housing, at least 90% of the benefitting families must have incomes at or below 60% of the area median income. The remaining 10% of the families benefited must have incomes at or below 80% of the area median income. Assistance to homebuyers and homeowners must be to families with incomes

at or below 80% of the area median income. Gresham is directly responsible for administering the CBDG and HOME funding selection process. Gresham contracts with Portland Housing Bureau for the administration of some responsibilities such as construction monitoring.

Gresham's Vertical Housing Development Zone was created to encourage mixed-use development in the Downtown and Civic neighborhoods. Eligible projects include commercial space on the ground floor with housing above. Projects meeting the criteria receive a partial property tax exemption for 10 years, based on the number of equalized floors of residential development. The abatement is 20-80%. As housing development efforts evolve, there may be an opportunity to evaluate the boundary of the Vertical Housing Development Zone, so future projects may leverage housing development programs.

System Development Charges (SDCs) are one-time fees paid by all new development in Gresham for wastewater, water, stormwater, transportation and parks — collected by the City when a development permit is issued. Gresham's incentive allows for deferral of SDC payments until occupancy, or financing SDCs over a period of up to 10 years. To qualify for deferral or financing of SDCs, the City must obtain a superior lien on the property. As such, this program may not accommodate all new or expanding developments.

Gresham has developed a land use process for Innovative Housing Demonstration Projects, which create housing choices that are not generally allowed in the City. Cottage cluster housing has recently been approved using this process. The initiative responds to changing household size and composition and an interest in more efficiently using urban residential land. Projects must promote a sense of community and be compatible with adjacent developments.

A limited quantity of properties owned by the City of Gresham and the Gresham-Rockwood Urban Renewal Agency may be considered housing development assets. These properties are primarily in downtown Gresham. An initial assessment of land has been completed and Gresham will continue to evaluate whether there is a strong candidate for housing development.

There are several non-profit and private development partners with experience developing housing in Gresham. Moving forward these partnerships can be a significant resource for units developed in the bond program. Partnerships have been cultivated through the HOME and CBDG project selection processes, land use application review, and collaborative efforts to develop Gresham's Civic neighborhood. For example, Station 162 Apartments is a successful completed project developed by QUAD, Inc., which contains below market rents for households with incomes below 60% of area median income. Twenty-five one-bedroom units are specially designed for residents who use wheelchairs and 19 units are targeted for elderly residents. Habitat for Humanity has built and sold over 100 homes in Gresham. HOME funds helped support the acquisition of the 1.6-acre Glisan Gardens site, which includes housing appropriate for multigenerational households. Today over 70 children live at Glisan Gardens. Human Solutions manages nearly 200 units of regulated housing in the City. Cascadia Behavioral Health

operates over 80 units. There are over 1,000 regulated housing units on Low Income Housing Tax Credit (LIHTC) properties in Gresham.

### **Framework Targets from the Metro Bond Program**

The adopted Metro [Affordable Housing Bond Program Work Plan](#) identifies bond targets for partner jurisdictions. Overall, the Regional Bond Program is anticipated to develop 3,900 housing units, of which 1,600 will be for units below 30% of Area Median Income (AMI), and 1,950 will be for units with two-bedrooms or more. The Metro Work Plan identifies a target of 187 units for Gresham, of which 77 will be for units below 30% AMI, and 93 will be for two bedrooms or more.

The Initial Housing Bond Framework calls for distribution of targets and funding to counties on the basis of assessed value, but provides flexibility for how partners within each county further distribute targets and funding. If an alternative distribution is not agreed to by partners for distribution of funding within a county, assessed value will be used as the basis of distribution to all partners. Metro's Regional Site Acquisition Program aims to distribute investments proportionately across the region to support local progress toward the Unit Production Targets. In the event that regional investments are not proportionately distributed, the Unit Production Targets may be adjusted pursuant to a Work Plan amendment. For acquired properties, the targets and cap on homes for households making 61-80% of AMI will be applied upon turnover.

### **Advancing Racial Equity**

The City of Gresham is committed to furthering racial equity in City policies, practices, and projects. The Metro Housing Bond implementation is an important opportunity to make investments that can address historic imbalances in housing patterns, access, and opportunity. This work is demonstrated in the City Core Values: Equity. This is also codified in the City work regarding housing to date, specifically federal investments in the Community Development Block Grant (CBDG) and HOME programs. In this work, the City is committed to Affirmatively Further Fair Housing, and uphold fair housing and non-discriminatory practices in operating City programs. This means that City work related to housing is actively addressing significant disparities in access to community assets, and overcoming the unequal and separate living patterns which have resulted from historic policies in housing.

This LIS ensures that racial equity considerations guide and are integrated throughout all aspects of Program implementation, including community engagement, project location prioritization, tenant screening and marketing, resident services, and inclusive workforce strategies.



*Core Values of the City of Gresham*

### **Affirmatively Furthering Fair Housing**

The City of Gresham is committed to taking active steps beyond simply combating discrimination to foster more inclusive communities and access to community assets for all. This includes providing fair housing choice, where individuals and families have the information, options, and protection to live where they choose without unlawful discrimination and other barriers.

It is apparent that there are disparities in housing access and income. For example, there are significant differences in the rate of home ownership. In Gresham, the home ownership rate for white households is 65%<sup>1</sup>; in other words, sixty-five percent of white households own a home. This is 27% higher than the home ownership rate for Hispanic households (47%). The ownership gap is even higher for African American households; there is a 39% gap between the ownership rate of white and African American households (25%). The home ownership rates in Gresham are larger than the gap within the metropolitan region overall (29% for African Americans; 20% for Hispanic households). Investments in home ownership opportunities for communities of color is one of the themes that has emerged in both demographic information and community engagement. There are also similar differences in income. The median income of white households in Gresham (\$54,318<sup>2</sup>) is more than \$9,000 higher than Hispanic households (\$45,043), and more than \$30,000 higher than African American households (\$23,716).

<sup>1</sup> All ownership data from ACS 2017 1-year, Tables B25003, B25003A, B25003B, B25003I

<sup>2</sup> All income data from ACS 2017 1-year, Tables B19013, B19013A, B19013B, B19013

## Equity Themes

Several themes have emerged that this LIS responds to as part of the ongoing engagement related to housing policy in the City, and the Metro Housing Bond implementation specifically. These include:

- Residents should have choices for where to live, including the opportunity to remain in the community one lives in now.
- The City should support the development of assets and opportunities in historically underserved areas.
- City investments related to the bond program should create opportunities to participate in the wealth created, specifically for historically marginalized communities. This includes jobs and other workforce opportunities in the program, as well as family asset and equity building, and meaningful ways to foster generational wealth.
- The City will administer the program to ensure meaningful participation in decisions being made, specifically for those who will be affected by the decisions.

## Equity Actions

Based on demographics, needs shared, and the community themes, the following actions have been identified in this LIS. Among the actions included in the development plan and other sections of this LIS are:

- **Home Ownership:** Home ownership has not historically been an attainable option for African American, Hispanic, or other historically marginalized communities. Homeownership resources to these communities as part of Gresham's LIS is a means of addressing these historic inequities. Home ownership is also an effective way to stabilize families, allowing them a chance to live in a neighborhood more permanently, as well as build generational wealth.
- **Business and Workforce Equity Goals:** This LIS identifies a requirement for all organizations funded through the program to submit a solicitation plan for subcontracting, with supports for access, opportunity, and education. This LIS also establishes a MWESB target of 20%, and recognizes the Gresham City policy to Buy Local to support purchasing from local businesses in East County.<sup>3</sup>
- **Culturally specific programming and supportive services:** This LIS identifies that all investment proposals by a third party must demonstrate culturally-specific programming through partnerships with existing organizations with trust and experience in communities being served, and to demonstrate a residential services and site management program.

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<sup>3</sup> City of Gresham Resolution No.3015, effective 5/18/2010.

- **Reduce barriers to find and apply for housing:** This LIS identifies that all investment proposals must include an engagement plan and identify strategies to eliminate barriers in accessing housing for communities of color and historically marginalized communities. The City will make resources such as the Fair Housing Council of Oregon’s [Inclusive Communities Toolkit](#) available to all project proposals, and require that they demonstrate actions to build long-term community support as identified in the toolkit.

## **II. Strategy Development**

The City of Gresham developed this local implementation strategy through a variety of coordinated efforts that reflect community interest in stable, affordable housing. The cornerstone of this effort has been the needs expressed by City residents through a variety of engagement discussions. Staff incorporated the existing Housing Policy and identified existing conditions and needs based on demographics, housing stock, supply, and the current portfolio of affordable housing units. The strategy was refined over the course of several City Council Policy Development discussions, including in March and July of 2019. Below is a summary of the several components that contributed to the overall strategy.

### **Housing Policy Background**

The City recognizes addressing housing issues is fundamental to community vitality, advancing equity, and promoting greater economic benefits. Gresham’s existing housing policy, internal resources and stakeholder feedback will guide future bond investments. The Housing Policy is a local framework for decision-making and is crafted to foster specific housing characteristics and quantities adequate for Gresham’s current and future residents. To this aim Gresham emphasizes:

- Promoting home-ownership;
- Prioritizing the rehabilitation of the existing aging housing stock;
- Avoiding concentrations of any one housing type;
- Promoting mixed use development in its core areas;
- Fostering creative housing types, such as cottage developments, cohousing and accessory dwellings; and
- Developing partnerships with the private sector.

Gresham’s proactive strategies for advancing housing opportunities fall under the overarching categories of research, partnerships, infrastructure development and program expansion.

Infrastructure & Program Development priorities include investing in capital improvements that enhance residential and mixed-use developments, increasing the number and diversity of programs that promote the rehabilitation of existing housing stock, and fine-tuning the CDBG/HOME application process.

Expanding and developing partnerships with private and non-profit housing providers shall promote collaboration on the siting of market rate and affordable housing. These efforts shall support the development of:

- Multi-family housing units that offer more bedrooms,
- Smaller sized multi-family and single-family housing units,
- Units that allow residents to age in place,
- The proper proportion of workforce and higher end housing,
- Supportive and deeply affordable housing options.

The City of Gresham facilitates a competitive process annually for the distribution of CDBG and HOME funds. As a Federal Entitlement jurisdiction and a member of the Consortium the City participates in regional planning and recognizes the three broad needs identified in the Consolidated Plan. Each need contains a corresponding goal for the City:

- Need: Affordable Housing Choice; Goal: Increase and preserve affordable housing choice.
- Need: Basic services and homeless prevention/intervention; Goal: Reduce homelessness and increase stability.
- Need: Community and Economic Development; Goal: Infrastructure, facilities and economic development.

Gresham continually evaluates new approaches to accelerate housing development. These strategies include but are not limited to the feasibility of City land banking, revitalization programs for urban centers, marketing city-owned properties, and refining permitted land uses and densities. As Gresham's efforts advance, opportunity mapping may also help assess specific locations for housing of varying types and densities in relation to services and amenities.

### Housing Needs

This section provides an overview of identified housing needs within the City based on the Housing Needs Analysis and community meetings.

Gresham has over 43,000 housing units Citywide. Of those, approximately 47% are multifamily units, which is higher than the regional rate (38%), and slightly higher than the rate in the City of Portland (44%). Gresham's rents have increased since the Great Recession, but at a lower rate relative to other communities in the Metro region that have seen substantial new development. As rents have increased in other communities, some households have relocated to Gresham in search of lower housing costs, creating more competition for the city's lower cost housing supply. Sales of ownership housing have increased at a rate similar to the rest of the metro region and remain more affordable relative to the region. Based on the 4<sup>th</sup> quarter of 2018 home sales, Gresham is one of the last places in the region to purchase a home for less than \$320,000. Despite the change in housing costs, overall household incomes in Gresham have not kept pace. Approximately 62% of renter households and 29% of owner households spend more than 30% of their household income on housing. Most residents of Gresham commute outside the City to their jobs.

Housing providers have developed approximately 2,200 regulated affordable housing units within Gresham. This is a little over 11% of the City's total rental housing, and about 6% of all housing. Gresham's housing stock also contains market-based units that are affordable to lower income households. These units are frequently older, have fewer amenities, and/or less expansive furnishings, and therefore command lower rental prices. One measure to assess housing units is by the Co-Star rating system. In Gresham, approximately 87% of units are identified as one, two, or three-star based on the Co-Star system, which is higher than the 74% of such units regionwide. Another measure is by units available under the area median income. Based on the Comprehensive Housing Affordability Strategy (CHAS) data, approximately 90.3% of units are available below 80% of Area Median Income (AMI); regionwide only Forest Grove and Cornelius have a higher share of units available below 80% AMI. Approximately 55% of multifamily units in Gresham were constructed prior to 1990, which creates opportunity for the construction of new high quality housing units.

Family housing typically contains more than one-bedroom, and is an identified need within the region. Gresham's multifamily housing stock is different from the regional supply in this regard. According to Co-star data, over 60% of multifamily units in Gresham are two-bedroom or larger. At the same time, the need for homes with at least two-bedrooms continues to be a consistent request expressed in community meetings.

The City's Housing Needs Analysis estimates that 10,400 new dwellings will be needed in 2032. It is anticipated that 62% of the new demand will be for home-ownership units. The anticipated proportion of ownership units falls short at 54%, suggesting a re-balancing of the housing tenure will need to occur to accommodate the projected demand. As a result, Gresham is attentive to fostering home-ownership opportunities.

Housing needs are shaped by the characteristics of Gresham's current and expected population and the qualities of existing housing. Gresham has been experiencing a shift in the make-up of its population relating to overall diversity, family size and the age of its residents. It also experiences the effects of historical housing development trends. The housing needs and market analysis in Gresham's Housing Policy and the Consolidated Plan provide a more detailed overview of current and projected conditions.

#### Recommendations from the City's Housing Policy

On March 12, 2019, staff presented an overview of the Bond Work Program to Gresham City Council. Staff received feedback and developed the following guiding principles to shape the future City work program.

#### **Guiding Principles for Affordable Housing Bond Investment Opportunity**

- Provide a range of housing types and sizes that reflect the needs of Gresham's citizens through all life stages and circumstances.



- Support the development of housing that reflects the square footage and number of bedrooms needed.
- Ensure that new housing developments are of high quality.

### **Location**

- Avoid concentrations of any one housing type: strive to balance investments throughout the City.
- Permit appropriate housing types in locations that most benefit the viability of the overall City and its centers.
- Ensure new housing developments complement or enhance the character of existing quality neighborhood development.
- Promote a mix of housing types where appropriate.

### **Housing Types**

- Promote home ownership.
- Endorse incentives promoting the rehabilitation of deteriorated but still good quality housing.
- Provide opportunity for mixed use developments.

### **Community Discussions and Feedback**

Community feedback has been essential to the development of this LIS. A number of related efforts have informed the approach. First, the City has utilized existing processes and feedback. For example, the City conducts an annual community needs meeting every fall to discuss priorities for investments, and feedback from these conversations have informed the priorities. The City has also engaged the Coalition of Gresham Neighborhood Associations and other bodies to help inform the priorities and community needs. The City has held sessions with practitioners in affordable housing in east County. This has included a listening session with Home Forward residential service coordinators and a summit of approximately twenty-five organizations that provide residential services and housing. The Gresham Task Force on Housing was a citizen stakeholder group that met from the Fall of 2018 through the Spring of 2019 to review the City's existing work and recommend strategies to further housing in the City. Testimony was heard at every meeting regarding housing needs. This LIS incorporates actions from the recommendation of the Housing Task Force.

Most importantly, the City has engaged community organizations that have trust relationships within communities that will be impacted by the bond. For example, staff conducted interviews with organizations that work with populations of seniors, residents with physical disabilities and mental health support, including QUAD Inc. and Cascadia Behavioral Health. Gresham staff also met with staff at the three school districts within Gresham (Centennial, Gresham-Barlow, and Reynolds). Gresham has also worked with members in the African American, Hispanic, and Slavic communities within the City. This current draft of the LIS (September 2019) incorporates the feedback to date. There will be additional outreach to communities prior to the final adoption of the LIS, identified for the fall of 2019.

## Who we are engaging – demographics in the City of Gresham

Gresham has become more racially diverse in the last twenty years, and is one of the most diverse communities in the state. The Hispanic population in the City is currently 17%, which is about 1.5 times the region as a whole (12%), and the African American population is 6.4%, which is a higher rate than the City of Portland (5.3%), and almost double the rate in the region overall (2.7%)<sup>4</sup>.

The City has increasingly become a place for families. About two-thirds of the households in Gresham are families with children, and Gresham has a higher proportion of young residents compared to the Portland metro area and cities of similar size. Over 28% of the City – which means over 26,000 residents – are under the age of 20<sup>5</sup>. Gresham's senior population represents about 13.1% of the population, which is similar to the rate in the region (14.4%)<sup>6</sup>

The diversity in the City of Gresham is one of the strengths of the City, and an important asset from which to build. City neighborhoods such as Rockwood are among the youngest and most diverse in the Metro region<sup>7</sup> and state of Oregon. Gresham has also been the first home in the state for many refugee and immigrant households. The foreign-born population Citywide is 17.3%, which is about 1.4 times the regionwide rate (12.5%), and more than one and a half times the rate in Oregon (9.9%). There are some census tracts in the City where the foreign-born population exceeds 30%<sup>8</sup>.

## Key themes from engagement

Themes and feedback from engagement to date include:

### Affordability

- There are fewer safe and affordable choices for low income families, especially those with children.
- Seniors, particularly those on fixed incomes, are finding less options for housing.
- Increased competition due to rising rents and cost; families are moving east to seek more affordable housing.
- Less available for 'working families' in between market rate and deeply affordable housing.
- There are fewer choices for ownership housing, especially for communities of color.

### Services

- There is a desire that any new investment includes the necessary services for residents, and also increase services within the neighborhood overall.

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<sup>4</sup> Race and Ethnicity from ACS 2017 1-year, Table B03002

<sup>5</sup> ACS 2017 1-year; Table B09001

<sup>6</sup> ACS 2017 1-year, Table S0101

<sup>7</sup> Portland Business Journal, *Portland metro's 25 most diverse ZIP codes*, January 2019.

<sup>8</sup> Foreign-born from ACS 2017 1-year; Table B05012

- On-site services are desired with any investment. This includes financial assistance (subsidies as well as educational resources), culturally appropriate services and activities, health care (including mental health and addiction services), and childcare assistance.
- A concern about the lack of childcare options, activities and programs for children has been a consistent theme expressed in nearly every engagement opportunity. The cost of childcare has become very expensive, with few affordable options. There is a need for more activities for children.
- There is also an expressed need for permanent supportive housing services that can provide resources for families that have experienced homelessness. Access to community health workers is strongly supported.
- Consider including on-site management for any investment. There is a desire to ensure that all investments are well managed, and that residents know who to talk with when questions about the property or their residence arise.

#### Location

- Safety, security and a sense of well-being are essential. Residents want to feel safe and part of the community where they live. Investments should nurture a sense of welcoming to residents.
- Invest near jobs and schools. When looking for housing, residents prefer to find neighborhoods near where they work and children attend school. Proximity to schools, and maintaining stability in schools, is identified as a key priority.
- Transit access is important. Proximity to MAX or frequent bus is consistently rated as a high priority when looking for a home. But transit is harder for families with children, particularly with the distances and level of transit service in east county.
- Access to a grocery store and daily needs has been the third priority listed. Residents want to find affordable options to meet the daily needs of their household.
- Residents also expressed a desire for improved sidewalks, lighting, and safety improvements. There is an identified need for parks and programs for youth in the community.
- A lot of older buildings need maintenance. Residents want to see buildings in their community maintained and updated.

#### Barriers

- Residents experience discrimination and lack of their cultural understanding. This was identified as the primary barrier for people of color. There is a need for culturally responsive services, and training for staff.
- Screening criteria has been raised as a significant barrier to residents applying for housing. It is requested that bond investments consider lower barrier screening that balances access to target populations, project operations, and community stability.
- Tenants have a difficult time understanding rights; make it easy to find and lease units, and understand rights as a tenant. Need for coaching and navigation support. Many

agencies dedicate a significant amount of resources for residential service coordination, coaching and navigation, but more resources are needed.

- Cost and navigation: Understanding the application process, and how complicated the ‘maze’ of programs can be (navigation), plus the costs of deposits and fees.

A more detailed list of community needs and considerations is identified in the engagement report.

### **Local Implementation Strategy Approval**

It is anticipated that further community engagement will lead to the final LIS, which is scheduled to be reviewed by Gresham City Council, the Metro Housing Bond Oversight Committee, and subsequently by Metro Council in the fall of 2019.

### **III. Implementation Timing**

Implementation of Bond funded projects is anticipated to occur over a period of **five to seven years**. This time will allow for the identification of sites, securing needed resources for capital and operations, developing partnerships with developers and service providers, and completing construction. During this period, community needs and opportunities may change. New census data will become available, new community planning efforts will be initiated or completed, and new resources or opportunities may become available while other resources or opportunities may not materialize as anticipated. In addition, certain framework goals may be easily fulfilled while others may prove more challenging. Because of the dynamic nature of this work, Gresham proposes to periodically review this Local Implementation Strategy.

Gresham staff proposes a portfolio-based approach to manage the number of units and unit targets to be delivered by the bond. The City anticipates issuing a solicitation for projects shortly after this LIS and the Metro-City of Gresham Intergovernmental Agreement is approved.

Gresham proposes to monitor and adjust this LIS based on the commitment and/or expenditure of bond resources to specific projects. Gresham will use a tracking worksheet to monitor bond investments made into individual projects, the project’s yield of unit production targets, and the overall portfolio of unit production relative to bond investments. This will provide an ongoing, up-to-date evaluation to guide selection of subsequent projects and keep resource investments on track with unit production. Another area of monitoring and review will be racial equity outcomes – namely, the performance of each project and the overall project portfolio in achieving the racial equity components contained in this LIS. If these ongoing reviews indicate that a modification to the LIS is advisable, the amendment process will include community outreach and engagement, review and amendment by the Gresham City Council and submittal to Metro for review and approval.

#### **IV. Organizational Plan for Implementation**

Gresham will use a combination of staff and consultants to administer this LIS. City staff will be responsible for community engagement and outreach, project selection process, project documentation and funding processes, as well as overall program monitoring and reporting. Gresham may utilize consultants with expertise in financial packaging of affordable housing to review proposed projects during the selection and commitment phases. Similarly, Gresham may engage consultants or partner with other project funders to leverage their expertise in construction management to help oversee project development. Some aspects of implementation will require the development of systems new to Gresham, or that are not efficient for the handful of projects that are expected to be funded with the Housing Bond. In these cases, City staff may work with consultants and/or other agencies for various components of project implementation.

Metro has also committed \$563,305 for bond implementation to augment Gresham's staffing plan for bond implementation. Initially, Gresham anticipates these funds will help support a City position for project implementation. This would include community engagement, racial equity strategies, contracting, and monitoring regulatory compliance agreements. Any administrative funding from bond proceeds must be consistent with the requirements of Oregon law and the Bond Measure and Metro will, in consultation with bond and tax counsel, request certification from jurisdictions that proceeds are being applied to qualified capital costs.

#### **V. Project Selection Process**

Gresham will work in partnership with developers/owners that are skilled and interested in providing affordable housing and services in the community. The City of Gresham itself does not intend to be a developer or owner of housing funded under the Bond, but may choose to acquire land on a strategic basis. The primary role of the City in implementation will be to provide financing to private and nonprofit development partners for delivery of the housing production targets identified in this LIS. Gresham currently anticipates that the Bond funds will provide support for **approximately four regulated affordable housing investments**. The final number of projects may vary.

Gresham's Community Development and Housing Subcommittee (CDHS) advises City Council on community development and housing goals, objectives, policies, programs, projects, and budgets to assist low to moderate-income residents. Their primary function is to recommend projects and budgets for the use of Gresham's allocation of U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) funds each year. These projects include the construction and renovation of affordable housing, down payment assistance grants to first-time homebuyers, and tenant-based rental assistance. This subcommittee is comprised of seven to eleven Council appointed Gresham residents and includes individuals with diverse backgrounds in the banking,

healthcare, automotive, and construction industries as well as several local small business owners. In addition to their role on the CDHS many members further contribute to the Gresham community through work with other local organizations. The group includes individuals who participate in volunteer work with local nonprofits, a member of Gresham's Housing Task Force, and a member of TriMet's Board of Directors. The subcommittee promotes greater public understanding of community development and housing matters for low- and moderate-income residents.

The Community Development and Housing subcommittee will provide feedback to staff on the selection of regulated affordable housing site investments. For all proposed applicants, staff will conduct a completeness check and forward to CDHS for evaluation. CDHS will review proposals and submit recommendations of finalists to City Council for consideration and approval.

### **Sites identified by the City**

The City of Gresham is exploring sites the City already owns, controls, or has already advanced towards development of new housing units. The City may also choose to purchase property on a strategic basis. With City Council approval, the City of Gresham will consider direct investment for the following types of projects if they are viable for regulated affordable housing development, help fulfill production targets and implement Local Implementation Strategy goals:

- Strategic real estate acquisition: The City may choose to purchase property that will contribute to the completion of the City unit target goals. The purchase of land is an allowable use under the bond, and will be subject to current opportunities that may exist in the real estate market. The real estate market in Gresham is fluid, and the City may need to respond to market opportunities as they arise. Property acquisition may include land without housing, or may include housing units to be acquired, rehabilitated, and include a new regulatory agreement for affordability. Given this LIS's policy priorities for ownership housing and deeply affordable units (below 30% AMI), real estate acquisition will focus on these two priorities for real estate acquisition.
- City supported project: The City may choose to invest in a project for new construction if: a) the developer currently has site control or land is in public ownership; b) has already been selected as part of a public competitive process; c) the development already contemplates public funding that can further leverage bond funds; and d) the development has demonstrated significant project development such as completing land use review and/or design review and approvals.

### **Sites identified by Metro**

Metro Regional Site Acquisition will be spending \$62,016,000 regionwide to acquire and develop affordable housing. Metro intends to invest these regional funds proportionately in implementing jurisdictions based on the share of regional assessed value. Initial estimates

identify a proportional share for Gresham of just under \$3 million (\$2,972,999). Projects developed on Metro-acquired properties will contribute to the City's unit production targets. While it is undetermined whether any such sites will be in Gresham, the City will work with Metro to identify potential strategic sites that will contribute to the completion of Gresham's identified unit targets, and the City is committed to working closely with Metro should such sites be identified and agreed upon by both parties for acquisition and investment. If such sites are identified and meet LIS criteria, Metro and Gresham will plan to jointly select a developer/owner and/or project through a competitive process.

### **Solicitations**

The project selection process will include public and open solicitations via Notice of Funds Availability (NOFA), Requests for Qualification (RFQ), Requests for Proposals (RFP) and/or another competitive public process. Staff and the CDHS will review proposals and make recommendations to the City Council. The recommended project(s) and feedback will be presented as a recommendation to City Council for their selection decision.

Every solicitation document will include a set of expectations for all developers/owners to ensure selected projects achieve both the framework goals and racial equity outcomes. These requirements include a 60-year regulatory agreement for new construction and 30-year regulatory agreement for acquisition and rehabilitation projects, inclusion of minority and women owned contractor participation in the development process, strategies to support marketing and identifying residents for the units. Specific requirements are fully described in the Project Selection Criteria and Project Implementation sections below.

The City of Gresham anticipates two solicitations: an initial one for construction or rehabilitation to create new regulated affordable housing rental units, and a second one specifically for ownership housing of new regulated affordable units. The initial solicitation will establish a clear path for achieving City unit production targets at 30% AMI. Developer/owners are encouraged to work closely with the City to ensure that their proposals for all solicitations are responsive to the needs identified in this LIS and comply with all requirements of this LIS and the bond framework.

### **VI. Leveraging Other Affordable Housing Resources**

The Metro Affordable Housing Bond is a significant funding source for affordable housing in the region. It complements other State and Federal sources and provides an opportunity to increase the number of units that can be developed. While the Metro Bond resources are substantial, in order to accomplish the unit targets of the Bond, these funds will need to be combined with other public and private funding sources. There are several principles that will guide our efforts to leverage the Bond funds:

- Maximize the use of non-competitive resources. For example, the 4% Low Income Housing Tax Credit (LIHTC) program is available on a non-competitive basis to provide equity for affordable housing development. This program is especially useful for larger projects or

scattered site projects that can be bundled to achieve the scale desired by equity investors. Developing projects in Qualified Census Tracts (QCTs) or Difficult to Develop Areas (DDAs) can maximize the usefulness of the 4% tax credits.

- Maximize use of private resources. Some projects will generate sufficient income to be able to make debt service payments on loans from private banks. While ensuring that projects have appropriate operating budgets and reserves, private debt should be secured for projects whenever feasible. This will be more difficult to achieve for projects with a significant share of units below 30% AMI. Owner mortgages are also an available resource for ownership housing.
- Home Investment Partnership Grant (HOME): Gresham administers funds from HUD on an annual basis. Regional Bond projects have the potential to utilize HOME grants with bond funds.
- Vertical Housing Tax Credit: Gresham's current Vertical Housing Development Zone encourages mixed-use development in Gresham's regional center. Projects meeting the criteria receive a partial property tax exemption for 10 years, based on the number of equalized floors of residential development (the abatement is 20-80%).
- SDC financing: Gresham's incentive allows for deferral of SDC payments until final occupancy, or financing SDCs at a competitive interest rate over a period of up to 10 years.
- Pre-development services: Gresham staff will be available to assist projects with the land use, design review, and building permitting process in order to be as efficient as possible in City approvals.
- Seek other existing affordable housing resources (Federal, State and County resources). Gresham recognizes that despite the substantial amount of Bond, projects may have financing gaps that are best filled with other traditional affordable housing program resources. Sources such as State Document Recording Fee, OAHTC, and other sources may be needed to complete financing packages for specific projects. Gresham recognizes that due to the existing commitment to the Portland Housing Bond, use of Section 8 project-based vouchers for the Regional Bond will be limited in Multnomah County. Gresham will work to explore additional resources that could include HUD-VASH vouchers, Multifamily LIFT Rentals, the Federal Housing Trust Fund, and other sources. Gresham will work with other funders in a transparent way to find the most effective and efficient way to bring these resources to Regional Bond funded housing projects.
- Gresham is participating in ongoing conversations to identify necessary capital and operating resources. There is a need for continued conversations with Home Forward, Multnomah County, and the Joint Office on Homelessness to explore additional resources to support operating costs for units to meet the target for 30% AMI units.
- Support the pipeline of other affordable housing projects: While much of Gresham's efforts during the implementation of the Affordable Housing Bond will be focused on moving the pipeline of Bond funded projects forward, the ongoing availability of other Federal and State affordable housing resources mean that there is a likelihood of other projects moving forward during the same timeframe. Gresham will monitor the pipeline of projects being



proposed in Gresham and will collaborate with developers to identify the most appropriate funding packages and other support that can be provided to those projects.

## **VII. Project Selection Criteria**

Gresham will consider a number of factors in the selection of Housing Bond projects. These include but may not be limited to Gresham's Affordable Housing Goals; Metro Targets; Racial Equity; Capacity and Readiness to Proceed; and Operations and Management. The following section will describe each of these criteria.

### **Metro Framework Unit Production Targets**

Every project must contribute to the City's goals under the Metro Framework. As stated earlier, Gresham has the following targets:

Gresham Housing Production Targets	
Total regulated affordable housing units	187
Number of units at 30% of Area Median Income (AMI)	77
Number of family sized units with 2 or more bedrooms	93

Gresham does not expect that each project will reflect the ratios expressed by these targets, but instead will ensure that the overall portfolio of funded projects will achieve or exceed this mix.

In some cases, projects will be targeted to low wage earners, while others may be targeted to people with disabilities or other special needs, or people who have experienced homelessness. Projects that include 30% AMI units will require consistent, ongoing funding to maintain rents at this level of affordability, and the corresponding supportive services needed. Properties that are selected will need to demonstrate sources for consistent, ongoing funding.

Gresham will consider the inclusion of 61%-80% AMI units when they can allow for a site to be developed with a mix of income ranges, help the City to meet unit production targets, or be developed in areas with a smaller share of units available at this income range.

### **Gresham's Affordable Housing Goals**

Gresham will align the housing developed from the bond to support local goals and policies. This will include the existing adopted housing policy, goals identified in the Consolidated Plan, recommendations from the Gresham Task Force on Housing, and from community engagement while developing this LIS. Consistent with the feedback developed from this work, Gresham criteria will include:

- Ownership housing as a component of the bond. For investments that are not explicitly investing in ownership housing, the City will seek ways an investment can demonstrate

programs that promote home ownership, or opportunities to increase asset building. This could include, for example, incorporating Individual Development Accounts (IDA) for residents or other strategies.

- A priority to rehabilitate deteriorating but still good quality housing. This can prevent rent increases in some areas of the City while increasing the quality and habitability of housing.
- A priority for a mix of uses. For new construction investments, the City will be looking for efforts to create mixed-use developments that can provide commercial services and/or resources that benefit residents, particularly the services identified from public engagement.
- A priority for a mix of incomes. The City will prioritize investments and an overall portfolio of units that avoid concentrations of a specific income level. This will help create mixed-income and inclusive communities as well as geographic variation that increases choices for residents. New housing will benefit the overall viability of the City and its centers to enhance the quality of neighborhood development. For investments identified in areas with existing stock of affordable housing, the project must demonstrate opportunities to increase education, recreation, and/or employment in order to increase services in the community. The City will also consider investments for areas that have historically lacked a supply of affordable housing but are located near transit, groceries, and other services identified from public outreach.

## **Racial Equity**

Gresham's approach to racial equity in project selection is shaped by community engagement and will include factors such as:

- Location Strategy
  - Consistent with Gresham's Affordable Housing Goals listed above, the overall portfolio of sites should increase choice for residents on where to live. This includes:
  - Providing new affordable housing in high opportunity neighborhoods and sites. This would include sites that have good access to educational, economic, recreational opportunities in addition to access to transit. Development proposals should demonstrate an analysis of these opportunities and community assets in relation to the project area by utilizing resources including the [Opportunity Atlas](#) or other tools.
  - Increasing affordable housing in areas with existing underserved diverse populations, including areas with increasing housing cost. For investments in these areas, the project must demonstrate community development opportunities that will increase overall services in the neighborhood. Gresham will support development proposals by providing demographic and socioeconomic data.
- Fair Housing Strategies
  - Development proposals will abide by best practices to affirmatively further fair housing, and will incorporate practices to reduce and eliminate barriers to housing for historically marginalized communities.

- Development proposals will be assessed by taking proactive steps beyond simply combating discrimination to foster more inclusive communities and access to community assets for all regardless of protected class status under fair housing laws, including: address significant disparities in access to community assets, overcome segregated living patterns and support and promote integrated communities, end racially and ethnically concentrated areas of poverty, and foster and maintain compliance with civil rights and fair housing laws.
- Business and Workforce Equity Goals
  - Development projects will work with Gresham to select multiple quality conscious and financially sound subcontractors and suppliers, consistent with the City's Buy Local Policy; and to support minority, women, and veteran owned businesses and emerging small businesses from the Gresham community. The Gresham City Council defines "local" as businesses that have a physical location in the City of Gresham or in East County jurisdictions.
  - Gresham intends to provide professional, supplier, and construction contracting opportunities to disadvantaged, minority, women, or emerging small businesses certified pursuant to ORS 200.055 ("Certified Firms"), and to encourage the participation of businesses owned by veterans, and businesses with a physical location in the City of Gresham. Gresham identifies a target goal of 20% utilization for Certified Firms in connection with this LIS.
  - Gresham anticipates a requirement that Developer shall prepare a competitive subcontractor bidding process ("Solicitation Plan") as part of the project materials. The Developer shall include provisions in its contract with its General Contractor that require the General Contractor to adhere to the Solicitation Plan for encouraging Certified Firms to bid on the Project.
- Culturally Specific Programming and Supportive Services
  - Gresham recognizes that culturally specific programs can achieve strong outcomes for diverse groups in the community. As such, it will be supporting project teams that provide culturally specific resources and services.
  - Public outreach, notices regarding the project and leasing opportunities will be communicated to emerging community and immigrant media publications and City neighborhood organizations.
  - Programming and non-housing related uses on a development site should draw from City efforts involving diversity, equity, and inclusion.
  - Gresham may require that project sponsors use low barrier screening criteria that balances access to target populations, project operations, and community stability. Project sponsors will be required to review appeals to denials of standard screening criteria that take into consideration efforts of applicants that demonstrate stability and potential for residential success. Project sponsors are also required to review appeals if the disqualifying aspects of a denial are related to a disability and make reasonable accommodations as appropriate.

## **Connection to Services**

Gresham expects that Resident Service Coordination will be provided at all projects, appropriate to the level of need of the target population. Resident Services will focus on residential stability in order to be successful in their tenancy or mortgage payments, helping residents access mainstream services for which they may be eligible, and community building activities.

Projects serving high needs populations will require robust supportive services to ensure resident stability and positive outcomes. Gresham may require full-time on-site management of projects developed with Regional Bond funds. Gresham will work with existing service providers in the City to leverage resources that may be available. Gresham will evaluate a projects' target population and service plan to ensure that it is appropriate and durable.

### **Project Cost/Leveraging Funds**

The City plans to use Bond funds to support a portfolio of projects that provide the best return on investment in the form of long-term, sustainable affordable housing. These projects will be characterized by quality design and durable construction. When possible, they will use cost effective sustainable building measures to create efficient use of energy and water and select materials to create healthy living environments. They will be well-aligned with the needs of the target households in terms of space, amenities and service requirements, and will be valuable assets in the communities in which they are located. The City's Urban Planning and Design department will be available as a technical resource and provide information regarding best practices in design within Gresham.

The blend of funding sources will have an impact on both hard and soft costs. Hard costs will be impacted by development standards of investors, lenders and other public funders. Soft costs will vary with requirements for specific legal, accounting, reserve requirements, and fees. Leverage will also be impacted by the service needs of the residents.

The City will evaluate all proposed projects to ensure that the costs are reasonable and appropriate to the specific project, focusing on the amount of Bond funds requested relative to the housing product(s) delivered. This evaluation may consider:

- Scale appropriate to the target population and income levels.
- Scale appropriate to the size of the units, including number of bedrooms.
- Scale appropriate to the neighborhood in which the project is located.
- Costs associated with mixed-use or mixed-income projects.
- Quality of construction materials.
- Costs associated with service needs of the target population.
- Resident amenities and other services provided.
- Project-related public infrastructure costs.
- Reasonable fees and reserves.

The City recognizes that in order to accomplish the overall unit production target, it will need to have an **average Housing Bond expenditure per unit of approximately \$143,000**. Gresham expects that some projects may receive significantly less Bond funds than this amount, while others may receive significantly more, depending in part on the factors listed above. Gresham will monitor the overall pipeline of projects to ensure that the target number of units will be achieved.

### **Capacity/Readiness to Proceed**

Gresham recognizes that regulated affordable housing is a specialty business that differs in many ways from market rate housing or other real estate development. Gresham will seek to partner with non-profit, for-profit, or governmental organizations that have demonstrated skills as affordable housing developer/owners. Expertise with the framework target unit types and with the specific population proposed by a project, will also be considered.

Timely implementation of the Housing Bond is critically important. Gresham will prioritize projects that have a clear path to timely completion. This may include a priority for projects that have appropriate zoning, have secured much or all of the other financing sources, have secured needed service partnerships, and have secured necessary land use approvals. While Gresham may not make funding commitment until projects meet “ready to proceed” criteria, Gresham suggests that interested developers begin conversations with Gresham at the earliest stages of pre-development to ensure that project programming aligns with the Implementation Strategy.

## **VIII. Project Implementation**

### **Review & Approval of Projects**

Bond funded projects are anticipated to go through a multi-stage review and approval process as follows:

- **Concept Endorsement**
  - Gresham concept endorsement. To be forwarded to Metro for concept endorsement a project must, at a minimum, include a preliminary development plan, preliminary estimate of total development costs, preliminary estimate of needed Housing Bond funds, and an identified development team. The Community Development and Housing subcommittee will provide feedback to staff on the selection of regulated affordable housing site investments. CDHS will review proposals and submit recommendations of finalists to City Council for consideration and approval. The concept endorsement will be reviewed and approved for forwarding to Metro by the Community Development Director or designee.
  - Metro concept endorsement. Gresham staff, in conjunction with Metro staff, will present the project to Metro for endorsement by the Metro COO. Metro will review the project for conformance to the adopted Local Implementation Strategy and the Bond Framework.
- **Approval and Funding Authorization**

- Gresham project approval & funding authorization. As the project moves towards financial closing, Gresham will review final project details and present to City Council for action appropriate to the project. Funding approval will be done by City Manager or City Manager designee and subject to City contracting policy.
- Metro project approval & funding authorization. Gresham staff, in conjunction with Metro staff, will present the project to Metro for final approval and funding authorization.
- Release of Funds. Once a project has received approval by the Gresham City Council and Metro, funds will be released to the City of Gresham and disbursed to the project in accordance with the provisions of the project documents and Metro Intergovernmental Agreement.

## **Project Closing**

- Metro-Approved Regulatory Agreement. All projects will be required to execute a Metro-approved Regulatory Agreement that acknowledges the use of Metro Housing Bond funds and the restrictions associated with the use of such funds. The Regulatory Agreement shall be recorded against the project at or prior to closing.
- Period of Affordability. The Regulatory Agreement will generally specify a 60-year period of affordability for new construction, and for acquisition projects that are more than 10 years old, a period of no less than 30 years. The Regulatory Agreement will provide a first right of refusal for qualified nonprofit organizations or government entities to acquire the project upon expiration of the affordability period.
- Accomplishment of Framework Targets. The Regulatory Agreement will also specify the level of affordability and the unit bedroom sizes of the project.
- Reporting Requirements & Monitoring During Operations. The Regulatory Agreement or similar agreement will also provide requirements for periodically providing information relating to the project's financial performance, physical condition, occupancy, tenant income verification, and voluntarily collected tenant demographics. The reports will be made for the benefit of both Metro and Gresham. The agreement shall also stipulate physical access to the property when requested by Metro, Gresham, or other project financing partners.
- Jurisdiction Documents. The City of Gresham will require a variety of other documents relating to the project. These may include:
  - Disposition & Development Agreements. In the case of properties controlled by the City of Gresham, the City will develop agreements relating to the transfer of property or initiate a long-term ground lease to the developer/owner and associated development commitments.
  - Gresham will develop documents relating to the form of investment of Bond Funds. These may vary depending on projected cash flow of different projects and may take the form of cash flow dependent loans or grants. In general, Gresham will support the allocation of modest amounts of program income to restricted reserve accounts dedicated first to the provision of Resident Services. Projects that

are expected to have more significant program income may have requirements for cash flow dependent distributions to the City.

▪ Gresham will specify requirements relating to implementation of Racial Equity Strategies. Strategies will be developed for each project, and requirements will be documented in agreements with the City. This will include:

- **MWESB (Minority, Women, Emerging Small Business and Disabled Veterans) Contracting.** Project sponsors will be requested to achieve a target of 20% of total development costs for contracts to certified minority, women, and emerging small businesses pursuant to ORS 200.055. Specific NOFAs, RFQs, or RFPs may have additional goals and/or requirements. Project sponsors will be required to provide documentation of contracting efforts and results.
- **Workforce and Apprenticeship Participation.** Gresham is interested in encouraging participation in project workforce hours by minorities, women and disabled veterans. Gresham will work with Metro, other implementing jurisdictions, and with project sponsors to explore ways to maximize participation in project workforce hours. Gresham will explore opportunities to coordinate additional outreach efforts across the region through partnerships with trusted community organizations and community leaders. Gresham may require monitoring or reporting of job training of apprentices, and seek opportunities to formalize mentorship resources.
- **Affirmative Marketing, Tenant Selection & Lease-Up.** Consistent with the Bond Framework and with community feedback, Gresham will work with developers/owners to ensure that Bond financed housing serves communities of color, families with children and multiple generations, people living with disabilities, seniors, veterans, households experiencing or at risk of homelessness, and households at risk of displacement. Gresham will require that project developers/owners make units available to minorities and disadvantaged populations using best practices. In general, this will require:
  - Affirmative outreach and marketing to target populations. Developers/owners, and their property management companies (if applicable) will be expected to engage in proactive efforts to make disadvantaged populations aware of the availability of units, and the process and timeline for application. The City will work with project sponsors to help identify specific target populations for each project and will review the proposed outreach and marketing strategy for each project. Consistent with the feedback provided in the community engagement phase, affirmative marketing may include working with community-based organizations that serve communities of color, low-income and/or special needs populations.
  - The City of Gresham will require project sponsors use low barrier

screening criteria that balances access to target populations, project operations, and community stability. Typical requirements may include less than standard market apartment income-to-rent ratios, reduced credit history requirements, and criminal history requirements that are most directly tied to tenant success. Project sponsors will be required to review appeals to denials of standard screening criteria that take into consideration efforts of applicants that demonstrate stability and potential for tenant success. Project sponsors are also required to review appeals if the disqualifying aspects of a denial are related to a disability and make reasonable accommodations as appropriate.

### **Project Monitoring**

Projects will be subject to monitoring throughout the development process and period of affordability. The monitoring process and expectations will be documented in agreements with the City. In general, this will include:

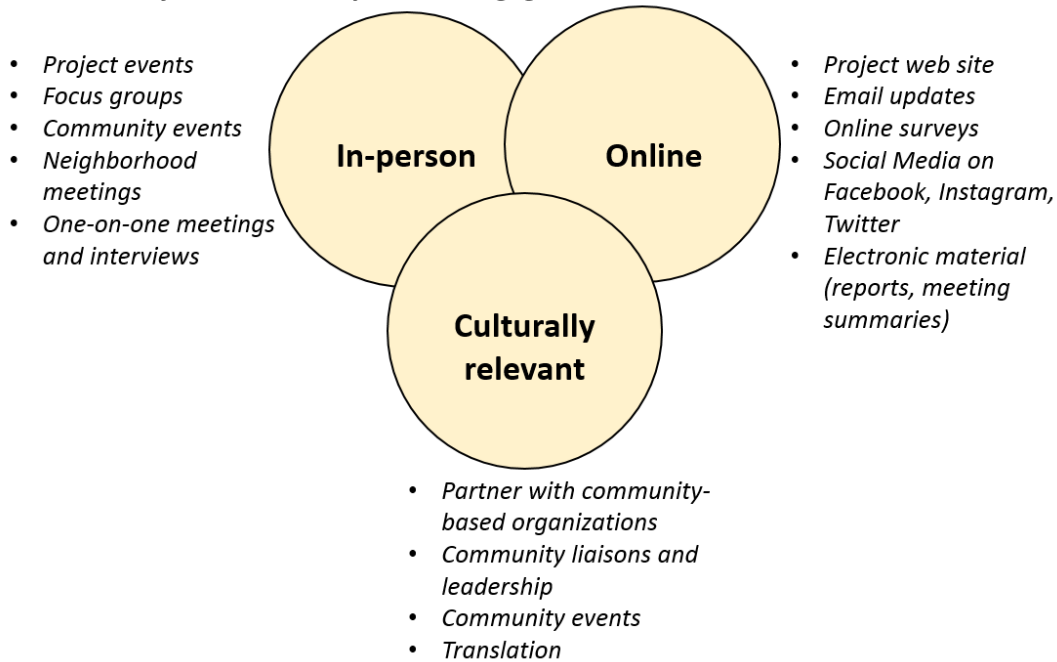
- Monitoring During Development & Lease Up. Gresham will require monthly reports during the project development and lease up period, and will conduct monthly site inspections in coordination with other funding partners to ensure progress to on-time and on-budget completion. Gresham will sign off of any change orders and on monthly draw requests.
- During Operations. Gresham will require annual reports that include information about project physical condition, fiscal condition, occupancy, tenant income verification, and voluntarily collected tenant demographics. Gresham will conduct periodic site inspections in coordination with other funding partners.

### **IX. Ongoing Public Engagement**

Staff will use multiple methods of outreach to inform community members about the bond implementation process and major project milestones to ensure community members stay informed. Staff will provide information to assist the public in understanding the decisions made throughout the planning process and implementation information will be made broadly accessible through multiple means, channels, and sources. Opportunities for such feedback will be provided via open houses, housing forums, and City Council meeting, as well as online.



***All project communication should include in-person opportunities, online opportunities, and a focus on culturally relevant engagement to communities that reside in Gresham.***



As identified in the themes for racial equity of this LIS, the City will administer the program to ensure meaningful participation in decisions being made, specifically for those who will be affected by the decisions. A number of attributes will be included in all future engagement, such as culturally specific opportunities and updates with community based organizations that will include opportunities to build long-term capacity for continued civic engagement. This program is an opportunity to increase the capacity of both City staff and organizations within the community that will extend beyond this program.

## **CITY OF GRESHAM COMMUNITY ENGAGEMENT GOALS**

- 1** Build + strengthen trust
- 2** Create opportunities for inclusive + culturally relevant participation
- 3** Collaborate + inform decision-making
- 4** Build long-term capacity for civic engagement
- 5** Facilitate early + ongoing participation
- 6** Communicate the vision + related benefits

The City will maintain a project web site and an email list to share updates for the project. Staff contact will be available, including arranging in-person meetings as requested. The City will also promote, publish and share information in multiple formats and languages as needed. The City

will also ensure that opportunities are available by being held at different times and different locations, as well as coordinated with significant community events in which people currently gather. The City will work to ensure that ongoing engagement is timely, transparent, and include materials in a culturally appropriate way. The City will also develop evaluation measures that allow for feedback and adjustments to the engagement strategy.

## **X. Reporting on the Implementation Strategy**

### **Annual Report**

Gresham staff will prepare a publicly available annual report to City Council on overall progress of this LIS. The report will be made available to the public and interested stakeholders. The report will include information on committed and completed projects (e.g. project status, Bond funding amounts, total project cost, and units produced by unit size, type and income level served). The report will also include information on overall progress toward achievement of the framework goals and balance of funding available.

### **Reporting to Metro**

Gresham will submit annual reports to Metro in accordance with the Intergovernmental Agreement (IGA).

Implementation of the regional affordable housing bond program in the City of Gresham is an important project that will support a wide range of housing and services for our residents. Community engagement is critical to ensuring that the City investment maximizes public benefits and advances racial equity. City staff has been meeting with organizations, service providers, and those directly impacted by the housing market. Input received shapes this Local Implementation Strategy (LIS). The City of Gresham will continue to coordinate with our regional neighbors, such as Metro, Portland Housing Bureau, Home Forward, local jurisdictions and bordering community organizations to make sure efforts are not being duplicated, as well as identifying opportunities to collaborate when possible. Many of the engagement efforts described in this report were done in collaboration with Home Forward.

### **Questions asked of the community**

Throughout the engagement process to date, there have been a consistent set of questions for discussion to help inform the LIS.

- What are the ways you currently find out about housing?
- What types of services and amenities would help you? (both on-site and in neighborhood)
- What kinds of housing do you look for? (Number of bedrooms, rental, ownership?)
- What would help you to find housing, and what challenges or barriers do you have?

Many of the engagement meetings have been coordinated with focus groups and other efforts that have included a wider discussion of housing concerns, issues, opportunities, and assets.

### **Summary of findings**

Themes and feedback from engagement to date include:

#### **Affordability**

- There are fewer safe and affordable choices for low income families, especially those with children.
- Seniors, particularly those on fixed incomes, are finding less options for housing.
- Increased competition due to rising rents and cost; families are moving east to seek more affordable housing.
- Less available for 'working families' in between market rate and deeply affordable housing.
- There are fewer choices for ownership housing, especially for communities of color.

#### **Services**

- There is a desire that any new investment includes the necessary services for residents, and also increase services within the neighborhood overall.

- On-site services are desired with any investment. This includes financial assistance (subsidies as well as educational resources), culturally appropriate services and activities, health care (including mental health and addiction services), and childcare assistance.
- A concern about the lack of childcare options, activities and programs for children has been a consistent theme expressed in nearly every engagement opportunity. The cost of childcare has become very expensive, with few affordable options. There is a need for more activities for children.
- There is also an expressed need for permanent supportive housing services that can provide resources for families that have experienced homelessness. Access to community health workers is strongly supported.
- Consider including on-site management for any investment. There is a desire to ensure that all investments are well managed, and that residents know who to talk with when questions about the property or their residence arise.

#### Location

- Safety, security and a sense of well-being are essential. Residents want to feel safe and part of the community where they live. Investments should nurture a sense of welcoming to residents.
- Invest near jobs and schools. When looking for housing, residents prefer to find neighborhoods near where they work and children attend school. Proximity to schools, and maintaining stability in schools, is identified as a key priority.
- Transit access is important. Proximity to MAX or frequent bus is consistently rated as a high priority when looking for a home. But transit is harder for families with children, particularly with the distances and level of transit service in east county.
- Access to a grocery store and daily needs has been the third priority listed. Residents want to find affordable options to meet the daily needs of their household.
- Residents also expressed a desire for improved sidewalks, lighting, and safety improvements. There is an identified need for parks and programs for youth in the community.
- Residents want to see buildings in their community maintained and updated. A lot of older buildings need maintenance.

#### Barriers

- Residents experience discrimination and lack of their cultural understanding. This was identified as the primary barrier for people of color. There is a need for culturally responsive services, and training for staff.
- Screening criteria has been raised as a significant barrier to residents applying for housing. It is requested that bond investments consider lower barrier screening that balances access to target populations, project operations, and community stability.
- Tenants have a difficult time understanding their rights; make it easy to find and lease units, and understand rights as a tenant. Need for coaching and navigation support. Many agencies dedicate a significant amount of resources for residential service coordination, coaching and navigation, but more resources are needed.

- Cost and navigation: Understanding the application process, and how complicated the ‘maze’ of programs can be (navigation), plus the costs of deposits and fees.

### Impact of findings

A summary of some key elements of the LIS that have been shaped by the engagement findings identified above are included in the table below.

<b>Affordability</b>	<ul style="list-style-type: none"> <li>- Shaped equity themes and actions, including creation of opportunities for wealth creation as part of the program.</li> <li>- Informed a priority for ownership housing as a component of the bond portfolio to stabilize communities.</li> <li>- Confirmed need to invest in family-size housing as a component of the bond.</li> <li>- Confirmed identified need to consider units that allow residents to age in place.</li> </ul>
<b>Services</b>	<ul style="list-style-type: none"> <li>- Shaped project selection criteria, including Gresham’s Affordable Housing Goals to prioritize mixed use investments with services such as childcare, residential service coordinators, financial assistance, and childcare.</li> <li>- Shaped the project selection criteria regarding connection to services.</li> </ul>
<b>Location</b>	<ul style="list-style-type: none"> <li>- Shaped the equity themes identified in the LIS, including the need to increase choices for residents and remain in existing communities.</li> <li>- Informed the location strategy for project selection criteria, which includes increasing housing in areas with underserved diverse populations, as well as providing housing in areas with access to transit and proximity to schools and work.</li> </ul>
<b>Barriers</b>	<ul style="list-style-type: none"> <li>- Shaped the equity themes and actions, including need to reduce barriers to find and apply for housing.</li> <li>- Shaped the equity actions regarding culturally specific programming and supportive services for residents.</li> <li>- Shaped the project selection criteria regarding connection to services.</li> <li>- Informed the requirements for developer plans and documentation regarding affirmative marketing, tenant selection &amp; lease-up.</li> </ul>

### Engagement approaches

- Incorporate existing outreach regarding housing, including Community Needs Hearings and Consolidated Plan.
  - To good stewards of resources, the City of Gresham started by understanding previous outreach that has recently been done. Over the last few years there has also been significant outreach, including in the Rockwood and West Gresham neighborhoods. This work focused on bringing diverse voices to the table from underrepresented communities of color. Similar data has been collected through community needs assessment hearings for our Housing and Urban Development (HUD) consolidated plan. These along with other information start as a foundation for outreach.
- Incorporate the data from Metro’s Community Partners Report.

- This is valuable outreach, and the City will take into account groups that have already been engaged in this process and where there are additional conversations to be had around more specific topics as needed, should some of these community partners pertain to East County.
- Resident Services Meeting
  - This meeting spoke with individuals in the multifamily housing sector that work closely with residents of existing properties in East County. Meeting with Residential Service Coordinators, in collaboration with Home Forward, allowed the City to hear from individuals that have trust relationships with residents.
- East County Community Based Organization Meeting
  - This meeting was in collaboration with Home Forward and Portland Housing Bureau. It involved service providers from a number of organizations that work closely with residents in East County. These community partners, like the Residential Service Coordinators, are ideal conduits for gathering information from underrepresented, hard to reach populations within the Gresham community.
- Coalition of Gresham Neighborhood Associations
  - Staff presented the policy outcomes and approach of the Local Investment Strategy to the Coalition of Gresham Neighborhood Associations on July 13, 2019. Key themes included: housing should be built for low-income and those at risk of homelessness, working families, and seniors; housing should include family units and ownership housing; and there are needs for childcare, parks and recreation for children, and more grocery stores. There was also interest in supportive housing and wrap around services. One note of caution was to be intentional with mixed-use buildings; some have been developed where ground floor retail has not been commercially strong. There was also significant interest in being financially stable and ensuring that all investments are a good use of public dollars and limit financial risk to the City.
- Gresham Planning Commission
  - Staff provided an overview of the housing bond and local implementation strategy on March 25, 2019. The Commission and staff discussed various points of the project including the financial aspects of the project and how that will be managed, public engagement and its connection to planning efforts such as the innovative housing project, and accessible housing. Staff presented the LIS to the Planning Commission on October 28, 2019.
- Gresham City Council review and discussion
  - Gresham City Council has discussed the proposed local investment plan on March 12, 2019 and July 9, 2019. These meetings including establishing the policy goals and guiding principles for the Local Implementation Strategy, a review of the Local Implementation Strategy elements, and the approach to project development and selection.
- Gresham Task Force on Housing

- The Gresham Task Force on Housing was convened by Gresham City Council to facilitate a wide-ranging discussion regarding housing challenges, opportunities, The Gresham Task Force on Housing convened monthly from September 2018 – May 2019. The Task Force was comprised of community members, including property managers, community organizations, those directly impacted by the renting and home ownership market. This group developed recommendations for investment of housing in the City and the services the City can provide to support residents in the City. Public testimony was received at each meeting that discussed barriers and challenges to current housing in the City. The final strategy identified key areas for future investment of the Housing Bond, including considering land trusts and land acquisition, new construction of deeply affordable housing, and ownership housing. The Task Force also explored incentives to support efficient and cost-effective development.
- Nonprofit and developer outreach
  - The City has met with over twenty organizations to discuss housing barriers and opportunities in the City, including Human Solutions, Cascade Behavioral Health, Casa of Oregon, Habitat for Humanity, Proud Ground, Community Development Partners, Albertina Kerr, Wells Fargo, Home Forward, Home First Development, El Progamma Hispano Catolico (EPHC), Manufactured Housing/Oregon State Tenants Association (OSTA), Beyond Black CDC and others.

### **Engagement with communities of color**

Gresham has become more racially diverse in the last twenty years, and engagement with communities of color and historically marginalized community members is essential to the success of this program. The Hispanic population of Gresham is 17%, which is about 1.5 times the region as a whole, and the African American population is 6.4%, almost double the region as a whole. The approach to date has included: drawing from existing reports and work done with communities of color and housing in East County; ensuring that City meetings are done according to best practices for engaging communities, including providing language services; and partnering with culturally-specific community based organizations with existing relationships within the City of Gresham.

In partnership with Home Forward, the City of Gresham has been working with El Progamma Hispano Catolico (EPHC) to identify needs within the Lantinx Community. The development of the Local Investment Strategy was informed by work performed by EPHC in partnership with the Corporation for Supportive Housing in the summer of 2019. This work included focus groups and listening sessions in June 2019 which identified the housing experiences and community needs of residents relating to supportive housing as well as recommendations and opportunities for strategic advocacy. In addition, two additional focus groups were conducted by EPHC in partnership with Home Forward in September 2019; one of which was done in Spanish. These focus groups explored key questions regarding types of housing, location, services and needs.

As part of this LIS, the City has also been working with African American community organizations to engage residents in Gresham. The City has been working with Beyond Black this fall to conduct focus group interviews with residents in the City of Gresham. The City is exploring additional engagement with the African American community in the winter of 2019. City staff has also met with the Nehemiah Group to discuss service needs, development, and job and workforce opportunities. The City has conducted initial outreach to the Slavic community; there is a need for continued and sustained engagement with leaders in the Slavic community. Engagement with communities of color will continue throughout the life of the City implementation program. One important theme with residents has been that many have moved to East County from somewhere else; from displacement, or arriving from a different country. Businesses and services have not been developed to fully support social ties and community development. Staff has heard the need to support the systems for residents to feel fully welcome in the community. It is important to develop services and businesses that focus on communities of color, and ensure that new housing provides culturally relevant services and support.

#### **City Engagement with special needs communities**

City of Gresham staff held meetings with Cascadia Behavioral Health and QUAD Inc. The discussions identified several considerations. There is an increasing need for housing for seniors and residents with physical disabilities and mental health needs. There is a demand for supportive services and case managers. Many of the historic support structures have been in downtown Portland, and some people are interested in moving further east to access daily needs. Transit is also very important; most residents with physical disabilities that QUAD Inc. serves do not drive, so they are reliant on transit to meet daily needs or rely on delivery visits. Special consideration needs to be paid to the design of buildings, and QUAD, Inc. provided a lot of insight into their Station 162 development. All of the units in the building are accessible for individuals in wheel chairs or age-adaptable. The community rooms and meeting spaces are flexible. This LIS is also informed by information from Gresham homeless services staff, who work directly with residents facing housing instability in the City.

#### **City Engagement with Schools**

Gresham staff met with representatives of the three school districts in Gresham (Centennial, Gresham-Barlow, and Reynolds) on July 30, 2019. Housing stability and homelessness is a significant challenge for the school districts and the families, with the homeless count near 10% for some of the districts. Staff discussed the Federal McKinney-Vento Act and its requirements. Maintaining a stable school environment is a key to educational success, and mobility is a common barrier. It takes four to six months to academically recover after changing schools. Staff discussed best practices, including avoid using the word 'homeless' in contacts with families and youth, increasing awareness, and coordination with community service agencies. While the need for services is a consistent challenge, staff discussed opportunities to make the services currently available more widely understood and accessed. For example, there has been coordination with City homeless services staff, and there are opportunities to communicate resources that are unique to Gresham such as the rental inspection program. In addition, there is interest to coordinate future bond program investments with the school districts. For



example, staff at the school districts are an important resource for future public engagement to ensure that services on properties can address needs for families in the district. Development teams will be encouraged to engage school staff contacts.

### **On-going engagement opportunities**

There are a number of activities that will support future development with housing bond resources.

- **Feedback Sessions:** Going forward, the City anticipates future hosted meetings by community organizations for feedback, review, and engagement of the ongoing bond program administration.
- **Housing events:** City of Gresham staff will be available to present and discuss bond resources at existing events. There is a strong interest to engage the community at standing events and community meetings in which people already gather.
- **City of Gresham program administration:** The City of Gresham will have public engagement staff to support the bond program, and is planning to provide resources to community organizations as part of a liaison program for engagement with communities of color.
- **Developer requirements:** All development teams will be required to conduct meaningful community based engagement as stipulated in the LIS requirements and the future development solicitation.

## **Attachment 1**

### **Summary of Community Needs Meetings**

The Gresham Local Investment Strategy has incorporated the housing needs and opportunities that have been expressed at public meetings over the last few years. Previous engagement has been an important starting point to recognize the considerations raised by residents. This summary shares the comments expressed at community needs meetings at the City regarding housing, most recently in November 2018. These meetings discussed positive and challenges to community experiences, community services, and barriers to housing:

- Attendees highlighted the lack of affordable housing, high move-in costs, and the stigma around multi-family or low-income housing.
- Participants shared their experiences with unfair treatment from landlords and emphasized the need for advocacy and communication with landlords and property management.
- Discussions called attention to senior citizen's housing needs and their increased vulnerability due to rising rents and property taxes. Seniors are often on fixed incomes and cannot afford drastic increases in their expenses. Many programs to prevent homelessness are only available to families with children.
- Participants identified activities for youth as an area of high need and noted the closing of Skate World has had a negative impact on the community. The group recommends improved and additional parks and a new community center.
- Increased housing costs have highlighted the need for affordable healthcare, as many citizens cannot afford both and are going without medical care so they can afford rent.
- Participants highlighted the lack of jobs, especially living wage jobs, in the Gresham area and noted that many historical employers have left the area due to increasing rents.
- Attendees suggested that the City partner with community colleges and local businesses to create career pathways for youth to receive training and get connected with jobs upon program completion.
- Street improvements including better lighting, improved signage, additional flashing beacon cross walks, pothole repairs and increased parking were identified as areas of need by participants.
- Participants noted certain low-income neighborhoods lack grocery stores, making it difficult for residents to buy affordable food for their families.

#### **Services Needed**

- Need for more youth programs (after school programs) and additional childcare options
- Gresham needs parks for all age groups, public pools
- Need for areas with more sidewalks, tree maintenance, street lighting, and safety
- Better coordination with TriMet for access to stops and street lighting
- Better access to food and groceries
- Need for mental health services
- Increase of legal services, particularly in other languages including Spanish

### **Infrastructure Needed**

- **Parking and street improvements:** Participants expressed concern about increasing demand for parking as new developments come into the area and the population continues to increase. The groups specifically mentioned a need for more flashing beacon crossings, better lighting, improved signage and more sidewalks.
- **Grocery Stores:** Many neighborhoods where working people live lack adequate grocery stores.
- **Community Center:** The Gresham area could benefit from a community center.
- **Better Bus Stops:** Many bus stations are not covered, which makes them less accessible to families with children in certain weather

### **Housing**

- **Affordability:** There are fewer safe and affordable choices for low income families, especially those with children. There is increased competition for affordable units as more families are pushed East due to Portland's rising rents. Many residents, especially seniors, are going without necessities such as medical care and food in order to afford rent.
- **Senior Citizen Renters:** There is an increased need for housing for seniors in the area.
- **Senior Citizen Homeowners:** Seniors who own their homes and are on a fixed income may not be able to afford the increased taxes, putting them at risk for homelessness.
- **Low Income Families & Move-in Costs:** Many families who may be able to afford an apartment still cannot find a place to rent because landlords will require two times the rent as a deposit. Landlords may also force low income families to sign longer term leases that they may not be able to commit to. If the family can find a unit to rent, move-in costs deplete all their resources.
- **Stigma Around Multi-Family Housing:** There is a negative perception around "affordable" or multi-family housing projects.
- **Homelessness:** Homelessness overall is increasing in the area due to rising rents and an increase in population as people from Portland get pushed East for more affordable housing.
- **Advocacy & Communication with Property Managers:** Service providers who build relationships with their clients' property managers have an easier time keeping their clients housed. The property manager will be more likely to work with the service provider on behalf of the client when they have a positive relationship with the service provider.

## Attachment 2



### **Focus Group with Internal Community Services staff working in East County**

Notes from April 23, 2019 discussion

#### Attending:

- Melissa Arnold, facilitating (RCSC manager)
- Odalis Perez-Crouse (Goals manager)
- Rebecca Enriquez, RCSC
- Jessica Rayos, Goals coordinator
- Nikki Long, Goals coordinator
- Anna Wilson, RCSC
- Tabetha Suda Opoka, RCSC

Observers: Gresham staff Brian Monberg (housing policy) and Alex Logue (community engagement); Pamela Kambur, Home Forward staff working on East County engagement

#### **What are some of the most important locational factors for residents choosing their housing?**

- Transportation (can take 2-3 buses to reach places)
  - Transit can be anxiety provoking (presents barriers for riders with mental health concerns or undocumented status)
  - Transit can be impossible for mom with 3 small children without stroller or car seats
- Grocery stores
- Proximity to services (example: food pantry)
- Proximity to youth programming

#### **What do people look for at their apartment community? What type of housing is needed?**

- Space for community gatherings (community rooms)
  - Balance bringing services to the property with encouraging people to self-advocate and go out into community
  - Central City Concern model is good with service providers on first floor
- Mixed communities: example of New Columbia with grocery, rentals and homeownership
- Biggest desire: single family homes or duplexes where there is a yard and they get practice of what it's like to be a homeowner (paying utilities, yardwork, etc.)
- Studios and 1-bedrooms are lacking in Home Forward's portfolio in East County
  - Needed by seniors and single parents who's kids have moved out
- Larger family units also needed (recognize need for a mix)
- Well insulated (need to avoid huge utility bills)
- Overall energy-efficient (appliances, insulation)

- Elevator access needed (not just for seniors and physically disabled; helpful for families too)
- Desire for washer, dryers and air conditioners in units
- Outdoor space “that makes you proud of where you live”
- Durable flooring materials
- Focus on safety; adequate lighting
- Adequate space for garbage and recycling (larger properties need multiple locations for enclosures)
- Containers for pet waste disposal and needle disposal
- Seismic safety
- Recognition that noise from kids is natural

**What are some of the most common barriers to accessing affordable housing?**

- Money for security deposits
- Expenses related to moving
- Jargon is hard to navigate
- Leases are not easy to understand; even when translated into other languages
- Requirements related to standards for numbers of bedrooms household is eligible for (concern with having children of different genders or ages having to share rooms)
- Screening criteria regarding credit history and criminal backgrounds limit access
- People don’t understand how to request reasonable accommodations

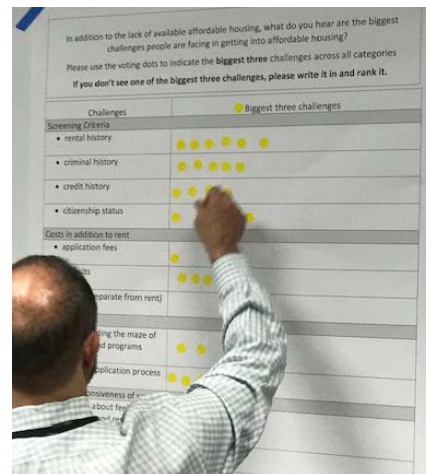
**How do people find affordable housing?**

- Finding information about current availability is difficult
- People have to try multiple methods
  - Events
  - Internet
  - Community partner agencies and non-profits
    - Especially housing case managers that help people fill out the paperwork
  - Culturally-specific advocacy groups

**Initial take-aways: Brian and Alex thanked participants for their expert input. He noted a few things that struck him:**

- Need for an east county “resource guide”
- Need for jurisdictions to consider how can we support housing case managers better help people access affordable housing
- Transit can be a barrier – can we consider using Metro’s “Regional Travel Options” grant program for innovative ride-share options to help for situations where transit is just not reasonable
- Need for more ADA, accessible and visitable options
- Need to balance need for studios/1-bedrooms with need for larger 2+ bedroom apartments

### Attachment 3 - Community Partners Focus Group



#### *Input for Affordable Housing Planning in east Multnomah County* **Executive Summary**

During May 2019, 24 social service providers and affordable housing advocates representing 19 agencies serving areas of East Multnomah County (east of I-205) came together for a discussion in four key areas:

- 1) Housing location preferences;
- 2) Types of housing needs;
- 3) Social services needed; and
- 4) Barriers to access.

Agency participants included specialties in workforce training, healthcare, food insecurity, housing providers, crisis services, and advocates working with specific communities of color. Participants were asked to respond from the perspective of the people they serve in order to help decision-makers better understand priorities. The focus group questions were composed by the host agencies\* as a way to verify, prioritize, and identify gaps from comments gathered through outreach by communities of color during Spring 2018 (prior to passing the regional affordable housing bond).

A series of questions at each “station” around the room allowed participants to respond with comments and/or “dots” (priority votes). After all participants had rotated to each station, a large group discussion gathered additional comments. Below are the primary themes that came through in each topic area during the stations and large group discussion:

#### 1) Housing location preferences –

- a. Amenities - When given a wide range of community amenities, access to bus or MAX was the highest priority, followed by proximity to a school where students are already enrolled. Access to a grocery store came in as the third highest priority. Overall, safety and social connections were identified as drivers of location choice.

- b. Willingness to relocate for better services - When asked to choose between an existing neighborhood or moving to a similarly affordable home in an “opportunity neighborhood” (with higher school rankings, more amenities, etc.), more than half the participants (56%) believe their clients would choose to stay in their existing neighborhoods. There was a strong belief that closeness to social networks of friends and family were key determinants of choice, especially during times of economic stress.

2) Types of housing needs –

- a. Unit sizes - A continuum was provided that included small units (studio & 1-bedroom) on one end and larger units (2, 3, & 4 bedrooms) on the other. The majority of participants (64%) indicated larger units are the highest priority in order to accommodate larger families and intergenerational families from immigrant communities. A 50/50 mix of housing types was indicated by 21% and another 14% indicated a need for smaller units to house seniors and previously homeless individuals.
- b. Homeownership opportunities – Advocates emphasized that options for affordable homeownership need to be considered as part of the Metro affordable housing bond implementation.
- c. Design features needed - better sidewalks & streetlights; safe and green areas for children to play outdoors; needs for greater ADA accessibility, better soundproofing & insulation; larger community rooms; laundry facilities; safer enclosures for recycling/refuse; and safe areas for walking pets.
- d. Populations needing assistance – Participants advocated for households at 30% MFI who need resident services support to be successful (i.e. Not only the current focus on the wrap-around supports needed as Permanent Supportive Housing); expressed needs for more culturally sensitive programming and staffing; identified needs of LGBTQ, foster kids, and survivors of trafficking/sex workers, plus people with a range of disabilities (in addition to populations typically served); and suggested congregate SRO (single-room occupancy) models for chronically homeless.
- e. Differences between jurisdictions in East County – In East Portland, lack of sidewalks is a key factor leading to needs for better pedestrian safety/lighting. Also needs for affordable grocery stores; more parks, and coordination with community-driven planning efforts. In Gresham, concerns about stabilizing rents and potential displacement were high, especially for the diverse population in Rockwood and the Rockwood Rising development. In Wood Village, issues around older trailer parks are impacting vulnerable immigrant families (many from indigenous areas of Mexico that are non-Spanish speaking). In Troutdale, workforce housing and rent burden (costs of housing) are issues. In Fairview, similar to all communities, transportation access was cited as a concern.

### 3) Social Services Needed –

- a. Four top priorities - The following services surfaced as the top four: (i) Financial assistance (subsidies such as vouchers, down payments, etc.); (ii) Culturally appropriate services and activities; (iii) Mental health and addiction services; and (iv) Childcare assistance.
- b. Permanent Supportive Housing (PSH) - In prioritizing populations who need PSH services, over 78% of the participants indicated that the east county focus should be on services for families who have experienced homelessness. When prioritizing the types of PSH services, access to Community Health Workers (a peer support model providing knowledge in criminal justice, mental health and substance abuse issues) were strongly supported and prioritized above more traditional counseling models. The need for culturally-specific services was also highlighted.

### 4) Barriers to Access –

- a. Screening criteria – Identified as the largest barrier during the voting process, 49% indicated issues of rental history, criminal background, credit history, and citizenship status seriously limit access to affordable housing.
- b. Racial discrimination and lack of cultural responsiveness – During the large group discussion, race was called out as a primary barrier to housing access for people of color. Along with lack of training for property management staff (including topics of racial justice, equity and trauma-informed practices), the lack of culturally responsive services was highlighted.
- c. Overall costs and navigation - Understanding the application process and maze of programs (navigation), plus the associated costs of deposits/fees also were identified as barriers (32% combined).
- d. Supporting access – Participants indicated a large number of staff positions in their agencies that provide housing advocacy, plus direct coaching and navigation supports for their clients. They indicated a need for better education so clients know their rights under fair housing and tenant laws.

In closing, on-going outreach to those most impacted by the lack of affordable housing is essential. In addition, continued collaboration between housing and social service providers is needed to address systemic barriers to initial access to affordable housing and on-going success.



Organizations represented	
Sherry Gray	Bridge Housing Corporation
Jim Hlava	Cascadia Behavioral Health
Mary-Rain O'Meara	Central City Concern
Mercedes Elizalde	Central City Concern
Yesenia Delgado	El Programa Hispano Catolico
Steve Lara	El Programa Hispano Catolico
Erika kennel	Habitat for Humanity Portland/Metro East
Jamie Johnson	Human Solutions
Sarah Schobert	Human Solutions
Andy Miller	Human Solutions
RJ Strangland	Impact NW
Debbie D. Cabraces	Latino Network
David Dimatteo	Latino Network
Anne Sires	Metropolitan Family Services
Natalie Martin	NARA NW
Tony Bethune	New Avenues for Youth
Michelle DePass	Portland Housing Bureau
Tiana Hammon	Portland Opportunities Industrialization Center (POIC)
Jackie Keogh	Proud Ground
Erik Pattison	Rose CDC
Kirsten Wageman	Snowcap
Laura Gumpert	Trash for Peace
Christine Sanders	Wallace Medica Concern
Victoria Libov	Worksystems, Inc.

## Attachment 4

### Key topics identified by Communities of Color Outreach under contract to Metro – Spring 2018

<b>Location criteria</b>	<ul style="list-style-type: none"> <li>Near schools, parks/pools, community centers, public transportation (LN)</li> <li>Near stores that have fresh food and produce; no liquor stores; near where the jobs are (BPI)</li> <li>Near areas where low-income families already live and have community ties (LN &amp; V-LC)</li> <li>Do not assure preference for "opportunity zones" – instead remain in schools/areas people are already living (WH)</li> <li>Stabilize and strengthen where people already live – stop displacement of people of color (BPI)</li> </ul>
<b>Type of housing</b> (# bedrooms; affordability goals, etc.)	<ul style="list-style-type: none"> <li>At least 2-bedroom; preferably 3+ bedrooms (LN); 3+ bedrooms focus for new construction (WH &amp; BPI)</li> <li>Multigenerational housing; housing for different sizes of families (V-LC &amp; NAYA &amp; APANO)</li> <li>Larger units have multiple bathrooms (especially of concern by youth; 11 in household getting ready for school) (LN &amp; NAYA)</li> <li>Need community spaces with apartment buildings (LN); play areas (BPI)</li> <li>No charges for parking (LN)</li> <li>Mobile home park preservation and purchase for affordable housing (V-LC)</li> <li>Purchase existing market-rate buildings and assure existing residents are protected (V-LC)</li> <li>Housing that creates community: gardens, shared outdoor spaces (V-LC)</li> <li>Housing that creates culturally sensitive, Native community owned and operated housing development (NAYA)</li> <li>Ensure community-based and organizations of color develop and own properties developed by bond funds (WH)</li> <li>Serve low-income elderly, families w/kids in school, mental health challenges (BPI)</li> </ul>
<b>Resources needed for success</b>	<ul style="list-style-type: none"> <li>Culturally specific and responsive services (NAYA)</li> <li>Respond when people bring their issues to the attention of agency representatives (BPI)</li> </ul>
<b>Understanding and accessing affordable rentals</b>	<ul style="list-style-type: none"> <li>Demystify the housing systems (NAYA)</li> <li>Availability for undocumented households (V-LC)</li> <li>Education about screening criteria and how anti-discrimination is enforced (LN)</li> <li>Consider administrative preference policy for communities of color (WH)</li> <li>Address housing discrimination (BPI) and racial diversity access (BPI)</li> </ul>
<b>Engagement process</b>	<ul style="list-style-type: none"> <li>Desire to remain involved in decisions moving forward (LN)</li> <li>Get information out to where people are (BPI)</li> </ul>
<b>Other concerns</b>	<ul style="list-style-type: none"> <li>Landlord-tenant relations (respect, repairs, rent increases) (LN)</li> <li>Home ownership for undocumented families (V-LC); needed to build intergenerational wealth (APANO)</li> <li>Culturally responsive homeownership funding (NAYA)</li> <li>Funding to prevent displacement (NAYA)</li> </ul>
<b>Key:</b> LN – Latino Network summary V-LC – Verde-Living Cully (Cully Housing Action Team) NAYA – Native American Youth and Family Center WH – Welcome Home APANO – Asian Pacific American Network of Oregon BPI – Black Parent Initiative	

## **Attachment 5: Interview with QUAD, Inc.**

On August 19, 2019 Gresham staff conducted a phone interview with Quad, Inc. staff to discuss the needs and opportunities for residents with disabilities. Brian Monberg facilitated the call for the City of Gresham. Curt Germundson and Alena Guggemos participated for Quad, Inc.

Below provides a summary of the residents served, housing needs, and attributes of housing.

### **Residents served**

- Quad Inc. serves residents that are low-income, primarily reliant on a wheelchair for mobility, medically stable, and able to show good judgment in managing their own care and personal needs. Qualifying persons pay 30% of adjusted gross income for rent and a monthly utility allowance.
- Over 12,000 people in metro Portland have limited independence due to a disability that requires full-time, permanent wheelchair use.

### **Housing Needs**

- Currently have a waitlist of over 100 individuals to move into one of Quad's five properties.
- There is demand to serve individuals with mental health needs. There is a demand for supportive services and case managers for mental health support.
- Quad receives a lot of requests for low-income housing for seniors. They may not need a fully accessible unit, but there are very limited choices for housing units outside of assisted living that may have roll-in showers, no stairs and/or on-site support. This is very hard for those with low incomes.

### **Attributes of housing**

- Increasing demand for east county: Many people are looking for housing outside of downtown Portland, and interest in moving further to east to access daily needs.
- Residents seek studio, 1-bed, and 2-bed units.
- Transit really important – most residents with disabilities do not drive, so they are reliant on transit to meet daily needs, or rely on delivery or visits via transit.
- Interested in services that can be brought directly to the building, such as food and health (nutrition, cooking classes, food delivery), medical appointments, or veterinary appointments. These are hard to do within the apartment units.
- Housing design: buildings designed with spaces for residents to meet life needs and goals. For example, having rooms that can be shared office or meeting space for medical visits and other appointments. Residents are interested in cooking and nutrition, but there are very few accessible community gardens.

## **Attachment 6: Community Interviews**

In November of 2019, Beyond Black Community Development Corporation conducted interviews with community members that gave feedback on what they look for in housing, and challenges that they have faced over the years. All of the interviewees identified as African American and live in Gresham.

Below provides a summary of the responses.

### **How do you find housing?**

- Housing Authority
- Internet & word of mouth
- Internet
- By being out and about
- Online, housing brochures
- Human Solutions or Stark Firs Management
- I look for housing when I am out and about driving around. I search for 'for rent' signs. I call realtors. I use rent.com and the internet/Google (online searching). I also use word of mouth and community boards at the grocery store.
- Ask a friend or someone I know. Ask for recommendations from the community. You get a recommendation from someone you know that has experience living in that situation; lived experience.
- Online and from recommendations of friends and family.

### **What kind of housing? And what attributes are important to you?**

- 2 bedroom, 2 bath, affordable housing where they don't raise the rent frequently. I would rather move back to NE Portland.
- More diverse communities. Attributes: parks, schools
- parks, transportation, shopping, housing needed: An apt. W/multiple bathroom, 1-2 bdrm. In a low crime neighborhood.
- I need income based housing, section 8 or voucher based. Stores, public transportation & the library are important to me.
- At least a 2bd. apt, condo, or townhome. Should be all electric.
- Close to shopping, parks, and public transportation.
- Also I would like it to be in a low crime area, because I like nice things and don't want my home broken into.
- Parking, like a garage or driveway is important.
- Washer/dryer hookup in the unit is preferred over having to travel to a Laundromat. A pool and exercise room are also preferred.
- I look for 1-2 bed apts. Attributes I need are close to a bus & store. I also want washer/dryer hookup in the apt. I need the apt. to be on the main level/first floor. Tenant & visitor parking are important & I'd like it to be close to my front door. Multiple bathrooms in my apt., and a great internet signal are very important.

- Access to public transit, parks, grocery stores, community centers, and work are all extremely important amenities in a community.
- Renting or Own: Personally, he would like to own a home but can't because of where he is financially. He feels as though that for a lot of people that he is connected to in the community owning a home is far fetch and out of reach. Primarily because they don't have enough income, credit score and or knowledge on the difference responsibilities that come with owning vs. renting.
- Access to public transit, parks, grocery stores, community centers, and work are all extremely important amenities in a community.
- Activities that are family friendly. Seems like there is more to do in Portland. It would be nice to have more food/restaurant options.

### **What are challenges or barriers to housing?**

- price range, rent control and gentrification
- Cost and the housing has to be affordable.
- maintaining a stable rent, no frequent rent increases, and at least a good landlord, one that will take care of the apartment as they should.
- Expenses, you have to get an apt. you can afford. Barriers - area, activities in the community (ie. crime)
- Population overcrowding, pricing (cost of living) depending on the area, homeless population.
- Barriers & challenges could be budgeting/money management, ethnicity- depending on if the neighborhood is diverse, ability to pay all the move in fees, etc.
- Renting: the size of the living quarters is small and the rental costs are steadily increasing.
- Education – knowing what opportunities are available for future home owners is ideal. Many don't plan for the future because we are focus on the day to day.
- Costs of living has gone up and the rental costs is steadily increasing.

## Attachment 7: Gresham City Council Listening Session




On September 24, 2019, Gresham City Council hosted a listening session at St. Aidan's Episcopal Church to discuss and listen to housing needs in the City of Gresham. A brief presentation, including an overview of the housing bond, was followed by small group discussion at stations that included: the Gresham Task Force on Housing final recommendations; Gresham Rental Inspection Housing Program; Gresham CDBG/HOME program; and the Gresham Local Implementation Strategy public review draft. Copies of the Draft LIS were available at the meeting. Below is a summary of comments that pertain to the housing bond and new housing investments.

- Manufactured homes don't fit the mold in housing policy, but their owners and occupants should not be forgotten. Not enough funding is available to revitalize manufactured homes.
- The City is encouraged to participate with Habitat for Humanity when considering Metro Housing Bond implementation.
- Housing support staff are critical resources and should be embedded within low income rental communities.
- Most existing apartments on the market are too small for families. It would be helpful to have more low-income apartment units in Gresham large enough to accommodate families.
- Government housing assistance can change which not only affects access and availability. For example, there is concern voiced regarding federal government rule changes on public benefits. Concern regarding the change to the "public charge" rule and its impacts to benefits and immigration was voiced.
- (From property company employees) Many renters struggle with the criteria needed to qualify for affordable housing, such as income. Our company lowered income barriers and gives rejected applicants a second change to apply. Other management companies should have this practice.

- Having a housing navigator at the City would be helpful. Such a person could, for example, guide community members through all the different requirements different properties have, such as Section 8 vouchers. {Note: Landlords cannot refuse to rent to an applicant, or treat an applicant or tenant differently, because the applicant is using a Section 8 voucher or other local, state, or federal rental housing assistance. Nor can landlords advertise “no Section 8.” This has been in effect since 2014 from HB2639.}
- The ‘maze’ of housing services is a nightmare. Streamlining services would help.
- There is a need for housing resources to refer people to. Private companies would like a list, but keeping and maintaining one is not really their job.
- The system is difficult to navigate for different languages such as Spanish.
- The City should be building new affordable senior housing.
- When “AMI” is used, actual income is rarely shared, making it difficult for a reader to know what’s being discussed.

In addition to the draft Local Implementation Strategy, the following materials were shared at the listening session:



# METRO HOUSING BOND:

## Gresham's Local Investment Strategy

**The City of Gresham's Local Investment Strategy (LIS) is the locally administered plan for investing regional bond funds for development & construction of housing.**

**DEVELOPMENT PLAN**

- 2-4 Housing Investments for 187 new housing units
- Metro targets: 40% of units are deeply affordable (77); 50% family units (93)
- Gresham plan proposes a 'portfolio approach': each investment may include a mix of affordable, deeply affordable, and family units.

POLICY PRIORITIES		
<b>Home ownership</b> <ul style="list-style-type: none"> <li>• 3rd-party development with organizations such as Habitat for Humanity and Proud Ground</li> <li>• Co-operative model with organizations such as Casa of Oregon</li> <li>• Land acquisition</li> <li>• Building purchase for renovation and/or conversion</li> <li>• Zombie property conversion</li> </ul>	<b>Rehabilitation of existing properties</b> <ul style="list-style-type: none"> <li>• Building purchase and acquisition by 3rd party organization</li> </ul>	<b>New construction of affordable housing</b> <ul style="list-style-type: none"> <li>• Partner with experienced developer that can successfully complete and manage housing units</li> <li>• Prioritize investments that have completed substantive level of project development</li> </ul>

CITY OF GRESHAM





# METRO BOND: What we have heard

Affordability/ Communities Served	Housing Needs	Services	Location and Amenities	Barriers
<ul style="list-style-type: none"> <li>• There are fewer safe and affordable choices for low income families, especially those with children.</li> <li>• Seniors, particularly those on fixed incomes, are finding less options for housing.</li> <li>• Increased competition due to rising rents; families are moving east.</li> <li>• Less available for 'working families' in between market rate and deeply affordable housing.</li> <li>• There are fewer choices for ownership housing, especially for communities of color.</li> </ul>	<ul style="list-style-type: none"> <li>• Larger homes (2,3&amp;4 bedrooms) are needed for families.</li> <li>• Also consider a 'continuum' which includes smaller units for seniors and/or other single persons</li> <li>• Additional options for home ownership: there are less choices for home ownership in areas of the City.</li> </ul>	<ul style="list-style-type: none"> <li>• On-site services such as jobs, education, healthcare are desired with any investment</li> <li>• Culturally appropriate services and activities</li> <li>• Healthcare should include mental health and addiction services</li> <li>• Lack of childcare options, activities and programs for children.</li> <li>• Consider including on-site management for any investment.</li> </ul>	<ul style="list-style-type: none"> <li>• Invest near jobs and schools.</li> <li>• A lot of older buildings need maintenance.</li> <li>• Transit access is important, but is harder for families with children, particularly with the distances and amount of service in east county.</li> <li>• Access to a grocery store.</li> </ul>	<ul style="list-style-type: none"> <li>• Discrimination and lack of cultural understanding</li> <li>• Tenants have a difficult time understanding rights; make it easy to find and lease units, and understand rights as a tenant. Need for coaching and navigation support.</li> <li>• Cost and navigation: Understanding the application process, and how complicated the 'maze' of programs can be (navigation), plus the costs of deposits and fees.</li> </ul>

### Administrative Share Funding and LIP Anticipated Timeline

Total Administrative Share available as of the Effective Date: \$563,305.00

The parties expect to review the following schedule on an annual basis; provided, however, the schedule set forth below may only be revised or amended upon written agreement by both LIP and Metro.

<b>Fiscal year</b>	<b>Annual Administrative Share Allocation</b>	<b>Percent of total Admin Share</b>	<b>LIP Anticipated Timeline/ Program Milestones</b>
Year 1: 2019-20	\$0	0%	Release of NOFA
			Developer Selection
			Metro annual report
Year 2: 2020-21	\$140,826	25%	Development Contract(s) Negotiation
			Release of Second NOFA (if needed)
			Metro annual report
Year 3: 2021-22	\$168,991	30%	Complete DDA #1
			Metro annual report
Year 4: 2022-23	\$140,826	25%	Complete remaining DDAs (potentially 2 and 3)
			Groundbreaking #1
			Metro annual report
Year 5: 2023-24	\$56,330	10%	Remaining Groundbreaking(s)
			Certificate of Occupancy and Lease-Up
Year 6: 2024-25	\$28,166	5%	Compliance and reporting
Year 7: 2025-26	\$28,166	5%	Compliance and reporting

After recording return to:  
Office of Metro Attorney  
600 NE Grand Avenue  
Portland, OR 97232-2736  
Attn: \_\_\_\_\_

**DECLARATION OF AFFORDABLE HOUSING  
LAND USE RESTRICTIVE COVENANTS**

This Declaration of Affordable Housing Land Use Restrictive Covenants (this "Declaration") is entered into as of \_\_\_\_\_, 2020 (the "Effective Date"), by and between Metro, a municipal corporation of the State of Oregon ("Metro") and \_\_\_\_\_ ("Owner").

**RECITALS**

A. Owner is the owner of certain real property commonly known as \_\_\_\_\_ in \_\_\_\_\_, Oregon, and legally described on Exhibit A attached hereto.

B. Owner and Metro are parties to that certain Intergovernmental Agreement dated \_\_\_\_\_, 20\_\_ (the "IGA"), pursuant to which Metro provided to Owner certain funds applied by the Owner to acquire the Property, which funds were proceeds of certain general obligation bonds issued by Metro for the limited purpose of funding affordable housing projects as authorized by Measure 26-199 approved by the voters on November 6, 2019 (the "Ballot Title").

C. Owner plans to improve a \_\_\_\_ acre parcel [and modify an existing building from its current use as a \_\_\_\_\_] into [BRIEFLY DESCRIBE DEVELOPMENT PLAN].

D. The parties expect that the Property will be redeveloped and comprised of approximately \_\_\_\_\_ units of affordable housing (the "Project"). At initial occupancy, the Project will serve qualifying persons that earn \_\_\_\_% or less of area median income (AMI).

E. As required by the IGA, and as consideration for Metro's provision of general obligation bond funds to the Owner to acquire the Property, Owner agrees to the restrictions, covenants and obligations set forth herein.

**SECTION 1  
PROPERTY USE RESTRICTIONS**

**1.1 Affordable Housing Land Use.** For the term of this Declaration, the Property and the Project shall at all times be owned, developed, constructed, improved and operated solely as "Affordable Housing" within the meaning of the Ballot Title and as described in the Metro Housing Program Work Plan approved by the Metro Council on January 31, 2019 (the "Work Plan"). For

purposes of the Ballot Title and the Work Plan, “Affordable Housing” is defined as improvements for residential units occupied by households earning 80% or less of median gross household income, adjusted for household size, for the Portland, Oregon metropolitan statistical area as established each year by the U.S. Department of Housing and Urban Development.

1.2 **Nondiscrimination.** In accordance with Title VI of the Civil Rights Act, as amended; 42 U.S.C. Section 2000d; Section 303 of the Age Discrimination Act of 1975, as amended; 42 U.S.C. Section 6102; Section 202 of the Americans With Disabilities Act of 1990; 42 U.S.C. Section 12132, no owner of the Property shall discriminate against any employee, tenant, patron or buyer of the Property improvements because of race, color, creed, national origin, sex, age or disability. In addition, any such owner shall comply, to the extent applicable to the Property, with the applicable federal implementing regulations of the above-cited laws and other applicable state and federal laws. “Owner” shall mean the fee simple title holder to the Property or any part thereof, including contract buyers, but excluding those having such interest merely as security for the performance of an obligation.

1.3 **Running with the Land.** Owner hereby declares that the Property subject to this Declaration shall be held, sold and conveyed subject to the forgoing land use restrictions and covenants, which shall run with the Property and shall be binding on all parties having or acquiring any right, title or interest in the Property or any part thereof, and shall inure to the benefit of Metro. Owner agrees that any and all requirements of the laws of the State of Oregon to be satisfied in order for the provisions of this Declaration to constitute deed restrictions and covenants running with the land shall be deemed to be satisfied in full, and that any requirements of privileges of estate are intended to be satisfied, or in the alternate, that an equitable servitude has been created to ensure that these restrictions run with the Property for the term of this Declaration.

## SECTION 2 GENERAL PROVISIONS

2.1 **Enforcement.** Metro shall have standing, and may bring an action at law or equity in a court of competent jurisdiction to enforce all restrictions and covenants established by this Declaration and to enjoin violations, ex parte, if necessary. The failure to enforce any provision shall in no event be deemed a waiver of the right to do so thereafter. If legal proceedings of any type are begun so as to enforce the Declaration, the prevailing party shall recover reasonable attorney’s fees, including attorney’s fees on appeal. However, attorney’s fees shall not be recovered by a prevailing party that initiated the legal proceedings unless the initiating party provided 30 days’ written notice to the other party, its successors, and assigns, prior to filing any legal action.

Metro is the only party entitled to enforce the restrictions and covenants set forth herein. Nothing in this Declaration gives, is intended to give, or will be construed to give or provide any benefit or right, whether directly, indirectly, or otherwise, to third persons.

2.2 **Duration.** Subject to the provisions of the IGA providing for the early termination of this Declaration upon the occurrence of certain events or conditions, or otherwise upon mutual consent of the parties, the restrictions established by this Declaration shall run with and bind the Property in perpetuity.

2.3 **Amendment.** This Declaration may not be amended or revoked except by written

**2.4 Limitation of Liability of Metro.** Under no circumstances shall Metro have any liability to Owner, its successors and assigns, or other user or tenant, lessee, guest or invitee of Owner, its successors and assigns, by virtue of Metro's enforcement or failure to enforce the rights established by this Declaration, and Owner, its successors and assigns, should defend and hold harmless Metro from same.

**2.6 Breach of Agreements.** Owner represents and warrants that this Declaration does not violate any of the terms or conditions of any other agreement to which Owner is a party, or to which the Property is subject.

---

Title:

This instrument was acknowledged before me on \_\_\_\_\_, 2020, by \_\_\_\_\_, as \_\_\_\_\_, of \_\_\_\_\_, an Oregon \_\_\_\_\_.

Page 3 of 5

METRO

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

State of Oregon                    )  
  ss.  
County of \_\_\_\_\_)

        This instrument was acknowledged before me on \_\_\_\_\_, 2020, by  
\_\_\_\_\_, as \_\_\_\_\_, of \_\_\_\_\_, an Oregon \_\_\_\_\_.

\_\_\_\_\_  
(Signature of Notarial Officer)

**Exhibit A**

**Property Legal Description**

## EXHIBIT D to IGA

### Required Project Completion Reporting

#### Immediate Post Closing (within 10 business days after closing):

- ☐ Copy of recorded Metro approved restrictive covenant
- ☐ Copy of settlement statement

#### Post Construction Completion (within 3 months of recorded temporary certificate of occupancy):

- ☐ Metro project closeout form attesting to use of Metro bond funds for capital costs
- ☐ Copy of temporary certificate of occupancy
- ☐ Resident Services Plan (OHCS form)
- ☐ Affirmative Fair Housing Marketing Plan (HUD Form)
- ☐ Community engagement report
- ☐ MWESB/COBID participation outcomes
- ☐ Workforce outcomes report, if project has stated workforce goals
- ☐ Draft project summary

#### Post-Occupancy (within 3 months of 95% occupancy):

- ☐ Marketing and application outcomes report
- ☐ Final project summary



Agenda Item No. 3.3

**Resolution No. 20-5065**, For the Purpose of Establishing the Parks and Nature Fund  
and for Amending the FY 2019-20 Budget and Appropriations Schedule

*Resolutions*

Metro Council Meeting  
Thursday, February 04, 2020  
Metro Regional Center, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ESTABLISHING A PARKS	)	RESOLUTION NO 20-5065
AND NATURE FUND AND FOR AMENDING THE	)	Introduced by Andrew Scott, Interim Chief
FY 2019-20 BUDGET AND APPROPRIATIONS	)	Operating Officer, with the concurrence of
SCHEDULE	)	Council President Lynn Peterson
	)	

WHEREAS, voters in the Metro region approved a \$475,000,000 bond measure in November 2019 (the "Parks and Nature Measure") to fund programs designed to protect natural areas in greater Portland and connect people to nature close to home, as described in the ballot title for the Parks and Nature Measure; and,

WHEREAS, the Metro Council has reviewed and considered the need to establish a Parks and Nature Fund to appropriate bond proceeds; and

WHEREAS, the need for the increase of appropriations has been justified; and

WHEREAS, Metro Code chapter 2.02.040 requires Metro Council approval to add any new position to the budget; and

WHEREAS, ORS 294.338(4) allows an increase in appropriations due to the sale of general obligation bonds approved by the voters during the current fiscal year when authorized by an official resolution or ordinance of the governing body stating the need for the recognition, now, therefore

BE IT RESOLVED,

1. That the Parks and Nature Fund is hereby established as of FY 2019-20.
2. That the FY 2019-20 Budget and Schedule of Appropriations are hereby amended as shown in the column entitled "Revision" of Exhibits A and B to this Resolution for the purpose of recognizing bond proceeds, approving new FTE and providing for increased appropriations.

ADOPTED by the Metro Council this 6<sup>th</sup> day of February, 2020.

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Lynn Peterson, Council President

APPROVED AS TO FORM:

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Carrie MacLaren, Metro Attorney

**Exhibit A**  
**Resolution 20-5065**  
**Schedule of Appropriations**

	<b><u>Current</u></b> <b><u>Appropriation</u></b>	<b><u>Revision</u></b>	<b><u>Revised</u></b> <b><u>Appropriation</u></b>
PARKS AND NATURE FUND			
Parks and Nature		10,000,000	10,000,000
Non-Departmental			
Interfund Transfers			
Contingency			
<i>Total Appropriations</i>		10,000,000	10,000,000
Unappropriated Balance		-	-
Total Fund Requirements	\$0	\$10,000,000	\$10,000,000
Total Appropriations	841,460,783	10,000,000	851,460,783
Total Unappropriated Balance	507,926,111		507,926,111
	1,349,386,894	10,000,000	1,359,386,894
<b>All Other Appropriations Remain as Previously Adopted</b>			

**Exhibit B**  
**Resolution 20-5065**  
**Schedule of FTE**

	<b>Current FTE</b>	<b>Revision</b>	<b>Revised FTE</b>
PARKS AND NATURE FUND			
TOTAL FUND FTE	0.00	6.00	6.00
TOTAL FTE	987.56	6.00	993.56

All Other FTE Remain as Previously Adopted

IN CONSIDERATION OF RESOLUTION 20-5065, FOR THE PURPOSE OF ESTABLISHING THE  
PARKS AND NATURE FUND AND FOR AMENDING THE FY 2019-20 BUDGET AND  
APPROPRIATIONS SCHEDULE

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Date: January 23, 2020

Department: Parks and Nature

Meeting date: February 6, 2020

Prepared by: Lisa Houghton, Financial  
Planning Manager, ext. 1829

Presenter: Lisa Houghton, Financial Planning  
Manager, ext. 1829

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**ISSUE STATEMENT**

This resolution will authorize the creation of the Parks and Nature Fund, recognition of \$10,000,000 in bond proceeds, \$10,000,000 in additional appropriations and 6.00 additional FTE in the FY 2019-20 Budget.

**ACTION REQUESTED**

Council adoption of Resolution 20-5065

**IDENTIFIED POLICY OUTCOMES**

Council adoption will allow the Parks and Nature department to begin implementation of the program and projects outlined in the November 2019 Parks and Nature Measure in the current fiscal year.

**POLICY QUESTION**

Does Council support implementation of the new programs and projects outlined in the November 2019 Parks and Nature Measure in the current fiscal year?

**POLICY OPTIONS FOR COUNCIL TO CONSIDER**

Adoption of the resolution will provide sufficient appropriations and FTE to accommodate the changes in current year operations as outlined in the background section below. Lack of Council adoption will delay planned programs and projects until FY 2020-21.

**STAFF RECOMMENDATIONS**

The Interim Chief Operating Officer recommends adoption of Resolution 20-5065.

**STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION**

**Known Opposition/Support/Community Feedback:** None known

**Legal Antecedents:** ORS 294.338(4) allows an increase in appropriations due to the sale of general obligation bonds approved by the voters during the current fiscal year when authorized by an official resolution or ordinance of the governing body stating the need for the recognition. Metro code chapter 2.02.040 requires the Metro Council to approve the addition of any position to the budget.

**Anticipated Effects:** This action provides for the anticipated issuances of bonds in the spring of 2020 by establishing the Parks and Nature fund and authorizing the recognition of bond proceeds, additional appropriations and FTE.

**Financial Implications (current year and ongoing):**

This resolution establishes the Parks and Nature Fund, authorizes recognition of \$10,000,000 in bond proceeds, authorizes \$10,000,000 of appropriations and adds 6.00 FTE in the Parks and Nature Fund. Future budgets will include debt service payments on the issued bonds and program and project related appropriations and FTE.

**BACKGROUND**

On November 5, 2019, voters across greater Portland approved a \$475,000,000 Parks and Nature general obligation bonds measure. The bond proceeds will be used to increase access to nature for people in the Metro region, continue our regional investments designed to improve water quality in local rivers and streams, restore fish and wildlife habitat, help prevent flooding in urban areas and protect and restore culturally significant plant communities. Metro will distribute funds to cities, counties and other local park providers across greater Portland for local water quality, wildlife habitat and park capital maintenance projects, as well as provide funding for community-led Nature in Neighborhoods grants, regional trails and large-scale nature projects that also address community issues such as jobs, housing and transportation. Bond funds will be used to maintain regional parks, including Oxbow and Blue Lake, by updating infrastructure and increasing opportunities for low-income families and communities of color to connect with nature close to home.

To begin the work essential to program implementation this amendment requests the following:

*Establishment of a the Parks and Nature Fund*

The planned spring 2020 issuance of the Parks and Nature bonds will be the first in a series of bond issuances authorized by passage of the November 2019 measure. As such, there is not an existing fund to account for the program's transactions. Establishing a new Parks and Nature Fund is necessary to provide appropriate oversight and accounting for the program's transactions. Similar to other general obligations bond issuances, all debt service payments will be accounted for in the existing General Obligation Debt Service Fund.

*6.00 FTE; total Personnel Services appropriations of approximately \$236,000*

Positions requested include:

- 1.00 FTE Principal Regional Planner (Strategic Funding Project Manager) who will be responsible for planning, organizing and coordinating the implementation of bond measure, including developing the strategy and leading the execution for refinement. Metro will be selecting projects and setting up decision-making processes across six program areas: land purchase and restoration, improvements at Metro parks, Nature in Neighborhoods capital grants, "local share" money to support local park providers, walking and biking trails, and complex community projects such as providing public access to Willamette Falls.

- 1.00 FTE Senior Public Affairs Specialist (Strategic Funding Community Involvement Specialist) who will design, implement and facilitate opportunities for partners and community members to give input into the way Metro invests bond proceeds.
- 1.00 FTE Administrative Specialist III (Strategic Funding Administrative Specialist) to provide administrative support to staff including scheduling meetings internally and with jurisdictional and community partners, organizing filing protocols, providing logistical support for community events, maintaining spreadsheets and databases and other support functions.
- 1.00 FTE Assistant GIS Specialist who will be responsible for assisting with the management of GIS data, mapping and supporting applications that support the implementation of the 2019 parks and nature bond measure. The incumbent will produce custom maps, reports for Metro staff or other jurisdictions and assist with any related data management needs.
- 1.00 FTE Program Manager (Capital Investments Program Coordinator) to design and implement decision-making processes for the capital grant program selection in consultation with internal and external partners. They'll develop and organize the policy and program for the local share acquisition and park improvement projects, conduct outreach to potential grant applicants and local share recipients, and manage grant and jurisdictional contracts.
- 1.00 FTE Real Estate Negotiator who will acquire property in one or more of the regional target areas identified for acquisition. Responsibilities will include real estate negotiations, coordination with outside consultants and providers, real estate due diligence, preparation for closings and active role in public refinement process.

Annualized costs for the 6.00 FTE are estimated at \$632,600; costs for the remainder of this fiscal year are estimated at \$236,000.

*Materials and Services Appropriations of approximately \$9,764,000*

In addition to the \$236,000 personnel service costs associated with requested 6.00 FTE, other programs costs will occur as implementation moves forward. Anticipated costs include land acquisition costs, contracted property services and other material and service costs of approximately \$9,764,000.

**ATTACHMENTS:**

- Resolution 20-5065
- Exhibit A – Schedule of Appropriations
- Exhibit B – Schedule of FTE

Agenda Item No. 3.4

**Resolution No. 20-5077**, For the Purpose of Seeking an Exemption from Competitive Bidding and Procurement of Construction Manager General Contractor Services by Competitive Request for Proposals for the Oregon Convention Center Staff Space Renovations Project

*Resolutions*

Metro Council Meeting  
Thursday, February 04, 2020  
Metro Regional Center, Council Chamber



BEFORE THE METRO CONTRACT REVIEW BOARD

IN CONSIDERATION OF RESOLUTION )  
NO. 20-5077 FOR THE PURPOSE OF ) RESOLUTION NO. 20-5077  
AUTHORIZING AN EXEMPTION FROM )  
COMPETITIVE BIDDING AND ) Introduced by Interim Chief Operating  
PROCUREMENT OF CONSTRUCTION ) Officer Andrew Scott in concurrence with  
MANAGER GENERAL CONTRACTOR ) Council President Lynn Peterson  
SERVICES BY COMPETITIVE )  
REQUEST FOR PROPOSALS FOR THE )  
OREGON CONVENTION CENTER )  
STAFF SPACE RENOVATIONS )  
PROJECT

WHEREAS, the Metro Oregon Convention Center (OCC) intends to renovate its staff areas to increase workplace density, improve conditions, strategically align work groups, and improve guest experience during Metro fiscal years 2020 and 2021; and

WHEREAS, ORS 279C.335 and Metro Local Contract Review Board Administrative Rule ("LCRB Rule") 49-0130 require that all Metro public improvement contracts shall be procured based on competitive bids, unless exempted by the Metro Council, sitting as the Metro Contract Review Board; and

WHEREAS, Metro LCRB Rule 49-0620(1) authorizes the Metro Contract Review Board to exempt a public improvement contract from competitive bidding and direct the appropriate use of alternative contracting methods that take account of market realities and modern innovative contracting and purchasing methods, so long as they are consistent with the public policy of encouraging competition, subject to the requirements of ORS 279C.335; and

WHEREAS, ORS 279C.335(4)(c) and ORS 279C.337 require that Construction Manager – General Contractor ("CM/GC") services be procured in accordance with the administrative rules adopted by the Oregon State Attorney General and further set forth in LCRB Rule 49-0690; and

WHEREAS, said statute and rule require that the Metro Contract Review Board hold a public hearing and adopt written findings establishing, among other things, that the exemption of a public improvement contract from competitive bidding is unlikely to encourage favoritism in the awarding of public improvement contracts; said exemption is unlikely to substantially diminish competition for public improvement contracts; and that said exemption will likely result in substantial cost savings to Metro; now therefore

BE IT RESOLVED THAT THE METRO CONTRACT REVIEW BOARD:

1. Exempts from competitive bidding the procurement and award of a CM/GC public improvement contract for the renovation of the Oregon Convention Center staff areas.
2. Adopts as its findings in support of such exemption the justification, information and reasoning set forth on the attached Exhibit A, which is incorporated herein by reference as if set forth in full; and
3. Authorizes the Chief Operating Officer to:
  - 3.1 Prepare a form of Request for Proposals for CM/GC services that includes as evaluation criteria for contractor selection: the contractor's proposed contract management fees for pre-construction services, contractor's proposed overhead and profit costs for construction services, contractor's demonstrated complex public improvement project experience and expertise, the contractor's demonstrated CM/GC project experience, the contractor's record of completion of projects of similar type, scale and complexity, the contractor's demonstrated quality and schedule control, the contractor's experience in incorporating sustainability construction practices and design into projects, and the contractor's demonstrated commitment to workforce diversity and record of use of subcontractor businesses Certified by the Office of Business Inclusion and Diversity (COBID) and any other criteria to ensure a successful, timely, and quality project, in the best interest of Metro and in accord with ORS 279C.335(4)(c) and LCRB Rule 49-0690; and
  - 3.2 Following the approval of said form of Request for Proposals and Contract by the Office of the Metro Attorney, to issue such approved form, and thereafter to receive responsive proposals for evaluation; and
  - 3.3 Following evaluation of the responses in the Request for Proposals, authorizes the Chief Operating Officer to execute a contract with the most advantageous proposer to renovate the Oregon Convention Center staff areas.

ADOPTED by the Metro Council this \_\_\_\_\_ day of February, 2020.

---

Lynn Peterson, Council President

Approved as to Form:

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Carrie MacLaren, Metro Attorney

## **OCC Staff Space Renovations – Exhibit A**

### **Findings in Support of an Exemption from Competitive Bidding and Authorizing the Procurement by RFP of General Construction Services for Oregon Convention Center Staff Space Renovations project**

Pursuant to ORS 279C.335(2) and (4), and Metro Code Section 2.04.054(c), the Metro Contract Review Board makes the following findings in support of exempting the procurement of the Oregon Convention Center Staff Space Renovations project from competitive bidding, and authorizing use of a Request For Proposal (RFP) solicitation for a Construction Manager General Contractor (CM/GC) public improvement construction contract:

#### **A. The exemption is unlikely to encourage favoritism or substantially diminish competition.**

The Metro Contract Review Board finds that exempting the procurement of the construction of the Oregon Convention Center Staff Space Renovations project from competitive bidding is “unlikely to encourage favoritism in the awarding of public contracts or to substantially diminish competition for public contracts” as follows: The RFP will be formally advertised with public notice and disclosure of the alternative contracting method and will be made available to all qualified contractors. Award of the contract will be based on the identified selection criteria and dissatisfied proposers will have an opportunity to protest the award. Full and open competition based on the objective selection criteria set forth in the Metro Contract Review Board resolution will be sought, and the contract will be awarded to the most advantageous proposer. Competition for the RFP will be encouraged by: Posting on ORPIN (Oregon Procurement Information Network), public advertisements placed in the Portland Business Tribune and other minority business publications; performing outreach to local business groups representing minorities, women, and emerging small businesses and by contacting contractors known to Metro to potentially satisfy the RFP criteria. The subcontractor selection process will be a low bid competitive method for contracts by requiring a minimum of three bids per scope, unless there is an approved exception. Competition among subcontractors will be encouraged by: contacting local subcontractors—including minority owned, women owned, and emerging small businesses registered with the state Certification Office of Business Inclusion and Diversity (COBID)—notifying them of any opportunities within their area of expertise and by performing outreach to local business groups representing these businesses.

#### **B. The exemption will likely result in substantial cost savings to Metro.**

The Metro Contract Review Board finds that exempting the procurement of the construction of the Oregon Convention Center Staff Space Renovations project from competitive bidding will likely result in substantial costs savings to Metro, considering the “type, cost and amount of the Contract,” the 14 factors required by ORS 279C.335(2)(b), and the “additional findings” per Metro Local Contract Review Board (LCRB) Administrative Rule 49-0630(3)(B) as follows:

**Type, Cost and Amount of the Contract:** (type of project, budgeted/expected overall cost (of project), budgeted/expected contract amount)

The CM/GC method is a common procurement practice. Area agencies such as City of Portland, Tri-Met, and Port of Portland utilize the CM/GC process for their large, complex projects. The General Contractor is brought on board earlier in the design process in order to provide constructability and logistics expertise to the construction documentation process. CM/GC offers a distinct advantage over traditional design-bid-build (low bid) method to enhance participation by COBID contractors. The current estimate for the entire project is \$3.5 million.

## OCC Staff Space Renovations – Exhibit A

### 13 Statutory Factors

1. **Number of entities available to bid:** The complex logistics associated with executing the project and prescribed timeline dictated by facility events are likely to discourage bidders from participating in a traditional design-bid-build process. The opportunity to partner with the architecture and engineering team and perform investigative early work is likely to encourage more bidders.
2. **Construction budget and future operating costs:** Using an RFP process to select a General Contractor will allow Metro to obtain cost reductions through pre-construction services by the contractor during the design phase, including a constructability review, value engineering, and other services. Involving the contractor early in the design process fosters teamwork that results in a better design, fewer change orders, and faster progress with fewer unexpected delays, resulting in lower costs to Metro. The ability to have the General Contractor do early work prior to completion of design shortens the overall duration of construction, resulting in less disruption and risk to revenue generation to Oregon Convention Center. Faster progress and an earlier completion date will also help Metro avoid the risk of inflationary increase in materials and construction labor costs. Contractor constructability review also allows for an ongoing review of the long term operating costs of design options, allowing for midcourse design choices leading to a project having lower long term operating maintenance and repair costs.
3. **Public Benefits:** The procurement of a CM/GC construction contract through the RFP process will help realize Metro's goal of obtaining COBID participation by enabling a qualitative review of proposers' approach to COBID outreach and mentoring partnerships.
4. **Value Engineering:** The process will enable the contractor to work with the project architect and Oregon Convention Center staff to help reduce construction costs by providing early input and constructability review to designers, avoiding costly redesign and change orders, and providing opportunities for the architects and contractor to work together on both practical and innovative solutions to complex design issues. This type of contract will allow the designers to more easily explore with the contractor the feasibility of innovative design solutions and incorporate ongoing value engineering.
5. **Specialized Expertise Required:** The contractor and subcontractors must be able to demonstrate in their proposal that they have experience working on public projects; understand the logistics of client, general public and staff traffic control; access; removing demolished materials, etc. The selection of a contractor with such specialized expertise to construct the project will result in a substantially lower risk to Metro, because it increases the likelihood of the project being completed on or ahead of schedule, resulting in lower costs and increased benefit to the community. The ability to factor expertise and experience into contractor selection is inherent in the RFP process, but is not part of the traditional low bid process.
6. **Reduces risk to Metro and the public.** The risks to Oregon Convention Center's ongoing operations and future sales posed by the inability of the contractor to meet the schedule deadlines will be reduced by the selection of the contractor based on the demonstrated ability to perform the work as specified, rather than awarding the project to the low bidder.
7. **Exemption's effect on funding:** Does not apply.

## OCC Staff Space Renovations – Exhibit A

8. **Better Control of Impact of Market Conditions on Cost and Time to Complete:** Does not apply.
9. **Technical complexity:** The exemption will allow the contractor to pre-qualify/select subcontractors that have demonstrated technical expertise, knowledge, and experience with the logistical challenges of demolition and construction in a public events site, all of which can be factored into the contractor selection in the RFP process. The selection of a contractor with demonstrated experience and success in implementing similar projects will result in a substantially lower risk to Metro, because it increases the likelihood of the project being completed on budget, with fewer construction delays and change orders, resulting in lower costs and increased benefit to the community. The RFP process will take into account each contractor's past performance and technical knowledge. Based on the necessary quality of the finished project, and the technical complexity of the undertaking, the Procurement Manager believes an alternative contracting process to be necessary and in the best interest of the agency.
10. **New construction, renovation or remodel:** This renovation project is a series of linked phases, the start of the next phase contingent on completion of the previous, subject to constraints of events booked in the facility. Bringing a contractor on board sooner will ensure the project is completed within the constraints of interlinked phases and client events thus reducing the schedule impact risk to Metro.
11. **Occupancy during construction:** The building will remain occupied during the construction period. The contractor will be responsible for carefully coordinating construction events with building operations to minimize disruptions for clients, staff and general public.
12. **Phased Construction Work:** This project requires the contractor to navigate two simultaneous phasing constraints. 1. To minimize staff disruption, four distinct staff work areas will be sequenced to start contingent on completion of the previous phase. 2. Booked events in the facility place unique restrictions on construction, limiting access and types of activities depending on extent and nature of each event. The construction work plan must be phased in anticipation of these event-driven constraints.
13. **Availability of personnel, consultant and legal counsel with CM/GC expertise.** The Office of Metro Attorney, Project Manager, and Project Architect have the necessary qualifications and expertise to negotiate, administer, and enforce the terms of Metro's CM/GC public improvement contract, including prior experience governing large CM/GC projects and managing them to a successful completion.

### **Additional Findings:**

1. **Industry practices, surveys, trends.** The industry-accepted benefits of the CM/GC method include:
  - Results in a better design that meets the owner's objectives
  - Encourages competition, especially for COBID subcontractors
  - May be completed in a faster time frame
  - When skillfully managed, costs less than a design-bid-build project that is designed and constructed in the traditional manner, due to opportunities for value engineering early in the design process.
  - Reduces the risks of delays, cost overruns, and disputes
  - Limits the number of change orders for unforeseen conditions

## OCC Staff Space Renovations – Exhibit A

### 2. Past experience and evaluation of Metro CM/GC projects.

The \$40 million OCC Plaza & Renovation project was substantially complete in October 2019. The benefits to the OCC Plaza & Renovation Project achieved through the CM/GC process include:

- Cost reductions through pre-construction services by the contractor during the design phase, including a constructability review (e.g., materials, phasing, layout and design) and value engineering.
- On a project of this size and complexity, one would ordinarily expect a ratio of at least ten percent or greater in change orders increasing the cost of construction. Change orders were not only below ten percent, they included a number of leveraged additions requested by the OCC, made possible by overall value of the project.
- Phased construction was able to start while integrated delivery planning for future phases was still being developed. This kept the project on schedule and allowed for ongoing construction activities during daily OCC business operations.
- The project exceeded 50 percent COBID subcontractor participation. This unprecedented achievement accounts for approximately \$16 million going to the local COBID subcontractor community.
- With pre-construction time to develop community partnerships and leverage relationships with subcontractors, the project met workforce diversity goals achieving 35 percent of project work hours attributed to non-white workers.
- Partnering with the OCC through preconstruction planning and ongoing coordination the OCC was able to safely maintain normal business operations. Validated by this fact: during 14 months of Plaza & Renovation Project construction the OCC achieved record event sales and attendance.

### 3. Benefits and drawbacks of CM/GC to the Oregon Convention Center Staff Space Renovations project.

The CM/GC method provides an invaluable means of addressing risks to Metro presented by the project's site conditions and timeline.

- Phasing the work addresses the risks and constraints of:
  - Facility must remain open and operational throughout construction.
  - Widespread public access is required and a quality guest experience is essential to revenue generation.
- Potentially unknown conditions can be discovered and addressed in the pre-construction period, avoiding risk of schedule delays and costly change orders.

By involving the contractor extensively during the design process, Oregon Convention Center will be able to better account for, plan around, and address the above factors prior to and during construction. This avoids project delays and expensive change orders, helps to reduce liability and revenue risks to Metro, and provides a foundation of cooperation upon which a high-quality result may be achieved, on schedule and on budget. Pre-construction services provided during the process include a constructability review, value engineering, and other service during design. Involving a contractor during the design fosters teamwork that results in a better design, faster progress with fewer delays, and less costs.

Given Metro's favorable past experience with CM/GC, staff foresees no drawbacks to adopting the CM/GC method to implement the Oregon Convention Center Staff Space Renovations project.

## STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 20-5077 FOR THE PURPOSE OF AUTHORIZING AN EXEMPTION FROM COMPETITIVE BIDDING AND PROCUREMENT OF CONSTRUCTION MANAGER GENERAL CONTRACTOR SERVICES BY COMPETITIVE REQUEST FOR PROPOSALS FOR THE OREGON CONVENTION CENTER STAFF SPACE RENOVATIONS PROJECT

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Date: January 22, 2020  
Department: Oregon Convention Center

Prepared by: Brent Shelby  
503-731-7808

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## ACTION REQUESTED

Approve the recommendation to authorize the alternative procurement of Construction Manager General Contractor services by a competitive Request for Proposals, for the Oregon Convention Center Staff Space Renovations project.

## STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

- **Known Opposition:** None
- **Legal Antecedents:** LCRB Rule 49-0620(1), 49-0130, and 49-0690; Oregon Revised Statutes 279C.335 and ORS 279C.337.
- **Anticipated Effects:** Public procurement process will be open and competitive, but items other than cost will be considered in the awarding of the contract. Increased use of COVID subcontractors is anticipated.
- **Budget Impacts:** The RFP process offers safeguards for schedule and cost control of the project, including early involvement by construction contractor in the design process, as well as limited change orders.

## BACKGROUND

The Oregon Convention Center is beginning a project to renovate staff areas to increase workplace density, improve conditions, strategically align work groups, and improve guest experience. Since opening in 1990, the Oregon Convention Center has understandably prioritized building space for event and public use. Over 30 years, existing offices and interstitial spaces have been adapted without specific standards to accommodate growing staff needs.

In 2019, a cross-divisional internal work group worked with Convergence Architecture to create a plan for space for growing staff, codify new workplace standards that address equity, emerging work trends, and prioritize needs. From this work, four areas were identified as top priorities for renovation. Future projects would address the deferred lower priorities. The top four priorities are:

- **River Room** – this unoccupied area in the building will be renovated into offices to provide space relief to growing staff population, as well as a new, secure “staff only” building entrance separate from public lobbies

- North Holladay Office – these offices will be renovated to increase workplace density, security, improve HVAC and circulation
- Guest Services – in addition to renovating offices to meet new density and quality standards, this phase of work will include public guest amenities in a new highly-visible reception, business center and public safety hub at the MLK lobby
- King Boardroom – this phase of work addresses the relocation of building reception to the new Guest Services Hub by reconfiguring the former reception/entry to King Boardroom, adding a vestibule and prioritizing secure access to administration areas

These four areas constitute a single project of inter-linked phases whereby staff will be rearranged and moved corresponding with completion of each phase. The value of this work is approximately \$3.5 million. This work will be performed while the Oregon Convention Center is occupied and operational.

For this project the Metro procurement manager believes that a value-based selection process for a Construction Manager General Contractor is more appropriate than a traditional, design-bid-build process (which solely considers lowest bid price). An alternative qualifications based procurement method, a Request for Proposals, enables Metro to specifically request and qualitatively evaluate proposers' prior experience with the unique parameters of the project including experience with occupied, operational sites; demonstrated successes with compressed schedules; cost control; limited staging space and phased construction. Metro can also evaluate proposers' approach to Certification Office of Business Inclusion and Diversity (COBID) subcontractor outreach and partnership as well as workforce diversity. This delivery method offers a better ability for public agencies to increase the use of COBID firms in sub-contracting opportunities.

The attached resolution and findings in Exhibit A further describe the specialized nature of this project and advantages of Construction Manager General Contractor delivery method. Oregon Convention Center, CPMO staff, and the Office of the Metro Attorney concur with these findings.

Therefore, staff seeks Council authorization to pursue the alternative procurement of Construction Manager General Contractor services by a competitive Request for Proposals, for the Oregon Convention Center Staff Space Renovations project. This will allow Metro to consider cost as well as experience and expertise in completing similar projects and in selecting the most advantageous contractor for this project.

## **ATTACHMENTS**

Exhibit A: Findings in Support of an Exemption from Competitive Bidding and Authorizing the Procurement by RFP of General Construction Services for Oregon Convention Center Staff Space Renovations Project.



Agenda Item No. 4.1

**Resolution No. 20-5068**, For the Purpose of Adding Two New Projects to the 2018-21  
Metropolitan Transportation Improvement Program Involving Ride Connection in  
Support of Senior and Disabled Persons Needs and ODOT in Support of the Columbia  
Bottomlands Conservation Project

*Resolutions*

Metro Council Meeting  
Thursday, February 04, 2020  
Metro Regional Center, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADDING TWO NEW	)	RESOLUTION NO. 20-5068
PROJECTS TO THE 2018-21 METROPOLITAN	)	
TRANSPORTATION IMPROVEMENT	)	Introduced by: Chief Operating Officer
PROGRAM INVOLVING RIDE CONNECTION IN	)	Andrew Scott in concurrence with
SUPPORT OF SENIOR AND DISABLED	)	Council President Lynn Peterson
PERSONS NEEDS AND ODOT IN SUPPORT OF	)	
THE COLUMBIA BOTTOMLANDS		
CONSERVATION PROJECT (JA20-07-JAN)		

WHEREAS, the Metropolitan Transportation Improvement Program (MTIP) prioritizes projects from the Regional Transportation Plan (RTP) to receive transportation related funding; and

WHEREAS, the Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council approved the 2018-21 MTIP via Resolution 17-4817 on July 27, 2017; and

WHEREAS, JPACT and the Metro Council must approve any subsequent amendments to add new projects or substantially modify existing projects in the MTIP; and

WHEREAS, the U.S. Department of Transportation (USDOT) has issued clarified MTIP amendment submission rules and definitions for MTIP formal amendments and administrative modifications that both ODOT and all Oregon MPOs must adhere to which includes that all new projects added to the MTIP must complete the formal amendment process; and

WHEREAS, MTIP amendments now must also include assessments for required performance measure compliance, expanded RTP consistency, and strive to meet annual Metro and statewide obligation targets resulting in additional MTIP amendment processing practices and procedures; and

WHEREAS, Ride Connection, a non-profit organization that provides free transportation services to people with disabilities and older adults has been operating since 1986 to provide customer-focused, safe, reliable transportation options for individuals in Clackamas, Multnomah, and Washington counties; and

WHEREAS, Ride Connection has successfully obtained a discretionary Federal Transit Administration (FTA) federal grant award of \$96,921 from the FY 2019 Access and Mobility Partnership Grant Program; and

WHEREAS, the grant award supporting Ride Connection's Providence Health and Services Mobility Resource Desk project will be used to implement mobility management services focused at two Providence hospitals for senior and disabled persons, offering individual travel options, counseling and clinic support to integrate transportation referrals; and

WHEREAS, MTIP programming is required in order for Ride Connection to submit and secure their FTA Transit Award Management System (TrAMS) grant approval to begin expending the federal FTA funds; and

WHEREAS, the Oregon Department of Transportation's (ODOT) Columbia Bottomlands Mitigation/Conservation project is intended to develop a long term mitigation conservation bank in the

lower Willamette Watershed that will generate credits for aquatic resources to be used by the greatest number of Endangered Species Act listed fish species; and

WHEREAS, the Columbia Bottomlands mitigation bank site will meet long-term mitigation needs for STIP projects in the Lower Willamette watershed that spans much of ODOT Region 1 and a portion of Region 2; and

WHEREAS, the proposed bank at Columbia Bottomlands will also increase the speed of permit approvals by avoiding compensatory mitigation design for individual projects, at the same time providing economies of scale that reduce environmental mitigation costs; and

WHEREAS, the application of compensatory mitigation includes the use of off-site restoration activities to mitigate unavoidable disturbances that occur during the construction phase of a project resulting in the generation of conservation credits supporting specific ecological needs; and

WHEREAS, the requested funds would establish a large scale aquatic resource restoration site at the Columbia Bottomlands location (along Highway 30 near Scappoose); and

WHEREAS, MTIP programming is required for the Columbia Bottomlands project and will add the Preliminary Engineering plus Right-of Way phases to the 2018-21 MTIP with the entire project including the Construction phase planned for federal fiscal year 2022 added to the new draft 2021-2026 MTIP; and

WHEREAS, the Columbia Bottomlands Mitigation/Conservation project required approval from the Oregon Transportation Commission (OTC) which occurred during their December 2019 meeting resulting in an approved total funding commitment to the project totaling \$2,950,000; and

WHEREAS, the a review of Appendix F, Environmental Assessment and Potential Mitigation Strategies, to the approved 2018 Regional Transportation Plan affirms consistency between the Columbia Bottomlands Mitigation/Conservation project and the RTP; and

WHEREAS, the MTIP's financial constraint finding is maintained as proof of funding has been verified from the FTA Access and Mobility Partnership program for Ride Connection and OTC for the Columbia Bottomlands Mitigation/Conservation project; and

WHEREAS, no negative impacts to air conformity will exist as a result of the changes completed through the January Formal MTIP Amendment consisting of both projects; and

WHEREAS, both projects successfully completed a required 30-day public notification/opportunity to comment period without any significant issues raised; and

WHEREAS, Metro's Transportation Policy and Alternatives Committee (TPAC) received their notification, amendment summary overview, and recommended approval to Metro Joint Policy Advisory Committee on Transportation (JPACT) on January 10, 2020; and

WHEREAS, JPACT received their notification on January 16, 2020 and provided an approval recommendation to Metro Council; now therefore

BE IT RESOLVED that the Metro Council hereby adopts the recommendation of JPACT on February 6, 2020 to formally amend the 2018-21 MTIP to include Ride Connection's Providence Health and Services Mobility Resource Desk project and ODOT's Columbia Bottomlands Mitigation/Conservation project.

ADOPTED by the Metro Council this \_\_\_\_ day of \_\_\_\_\_ 2020.

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Lynn Peterson, Council President

Approved as to Form:

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Carrie MacLaren, Metro Attorney

**2018-2021 Metropolitan Transportation Improvement Program  
Exhibit A to Resolution 20-5068**



<b>Proposed January 2020 Formal Amendment Bundle</b> <b>Amendment Type: Formal/Full</b> <b>Amendment #: JA20-07-JAN</b> <b>Total Number of Projects: 2</b>					
<b>ODOT Key #</b>	<b>MTIP ID #</b>	<b>Lead Agency</b>	<b>Project Name</b>	<b>Project Description</b>	<b>Description of Changes</b>
Project #1 Key <b>20274</b> New Project	TBD	Ride Connection	<b>Providence Health and Services Mobility Resource Desk</b>	Implement mobility management services focused at two Providence hospitals for senior and disabled persons, offering individual travel options, counseling and clinic support to integrate transportation referrals.	<b><u>ADD NEW PROJECT:</u></b> The formal amendment adds Ride Connection's new 5310 grant award project that will support senior, and Disabled needs as noted in the project description
Project #2 Key <b>22075</b> New Project	TBD	ODOT	<b>Columbia Bottomlands Mitigation/ Conservation</b>	Develop a long term mitigation/conservation bank in the Lower Willamette Watershed that generates credits for aquatic resources to be used by the greatest number of Endangered Species Act (ESA) listed fish species	<b><u>ADD NEW PROJECT:</u></b> The formal amendment adds ODOT's Columbia Bottomlands Mitigation/Conservation project to the 2018 MTIP. PE and ROW phases are added now. The entire project will be added to the new draft 2021-26 MTIP including the construction phase planned or FY 2022



**Metro**  
**2018-21 Metropolitan Transportation Improvement Program (MTIP)**  
**PROJECT AMENDMENT DETAIL WORKSHEET**

**Formal Amendment**  
**NEW PROJECT**  
Initial Programming

<b>Lead Agency: Ride Connection</b>					Project Type: Transit		<b>ODOT Key: 20274</b>	
<b>Project Name: Providence Health and Services Mobility Resource Desk</b>  <b>Project Status: T21</b> = Identified in Transit Plan and approved by Board. Moving forward to program in MTIP  <b>Short Description: Implement mobility management services focused at two Providence hospitals for senior and disabled persons, offering individual travel options, counseling and clinic support to integrate transportation referrals.</b>					ODOT Type: Transit		<b>MTIP ID: TBD</b>	
					Performance Meas: No		<b>Status: T21</b>	
					Capacity Enhancing: No		<b>Comp Date: 12/31/2021</b>	
					Conformity Exempt: Yes		RTP ID: 10927	
					On State Hwy Sys: No		RFFA ID: N/A	
					Mile Post Begin: N/A		RFFA Cycle: N/A	
					Mile Post End: N/A		UPWP: No	
					Length: N/A		UPWP Cycle: N/A	
			1st Year Program'd: 2020		Past Amend: 0			
			Years Active: 1		OTC Approval: No			
<b>Detailed Description: Implement mobility management services focused at two Providence hospitals and local social services for senior and disabled persons. A Ride Connection Mobility Specialist will collaborate with staff from Impact NW, a local social services provider to provide individual travel options counseling and clinic level support to integrate transportation referral processes to achieve long term goals of (1) developing and documenting replicable process management for active mobility management with clinic staff that can be implemented at additional locations, (2) reduce no-shows to healthcare appointments, and (3) integrate mobility management practices into the Epic EMR system</b>								
<b>STIP Description:</b> Ride Connection, a regional community-based human services transportation provider, will partner with Providence Health and Services, a major regional healthcare system, to increase access to healthcare services by providing mobility management services at two hospitals.								
<b>PROJECT FUNDING DETAILS</b>								
Fund Type	Fund Code	Year	Planning	Preliminary Engineering	Right of Way	Construction	Other (Transit)	<b>Total</b>
<b>Federal Funds</b>								
5310	F160	2020					\$ 96,921	\$ 96,921
							\$	-
							\$	-
							<b>Federal Totals:</b>	<b>\$ 96,921</b>
<b>Federal Fund Obligations:</b>								Federal Aid ID
<b>EA Number:</b>								
<b>Initial Obligation Date:</b>								
<b>State Funds</b>								
							\$	-
							<b>State Total:</b>	<b>\$ -</b>

<b>State Fund Obligations:</b>							
<b>EA Number:</b>							
<b>Initial Obligation Date:</b>							
<b>Local Funds</b>							
<b>Local</b>	<b>Match</b>	<b>2020</b>					
<b>Other</b>	<b>OTH0</b>	<b>2020</b>					
						<b>Local Total</b>	
Phase Totals Before Amend:		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Phase Totals After Amend:		\$ -	\$ -	\$ -	\$ -	\$ 121,891	\$ 121,891
						Year Of Expenditure (YOE): \$ 121,891	
<b>Notes and Summary of Changes:</b>							
Red font = prior amended funding or project details. Blue font = amended changes to funding or project details. Black font indicates no change has occurred.							
<b>Amendment Summary:</b>							
_The formal amendment adds the new 5310 grant award for Ride Connection to Implement mobility management services focused at two Providence hospitals for senior and disabled persons, offering individual travel options, counseling and clinic support to integrate transportation referrals.							
> Will Performance Measurements Apply: No							
<b>RTP References:</b>							
> RTP ID: 10927 - Operating Capital: Information Technology Phase I							
> RTP Description: Communication System							
> Exemption Status: Project is an exempt, non-capacity type project per 40 CFR 93.126, Table 2 - Mass Transit - Operating assistance to transit agencies							
> A UPWP amendment does not apply.							
<b>Fund Codes:</b>							
> 5310 = Federal National Highway Performance Program funding allocated to ODOT							
> Local = General local funds provided by the lead agency as part of the required match or to cover overmatching project costs and needs							
> Other = Additional local funds committed to the project above the required minimum match and referred to as "overmatch".							



Metro  
2018-21 Metropolitan Transportation Improvement Program (MTIP)  
PROJECT AMENDMENT DETAIL WORKSHEET

**Formal Amendment**  
**ADD NEW PROJECT**  
Initial Programming

<b>Lead Agency:</b> ODOT	Project Type:	Other	<b>ODOT Key:</b>	<b>22075</b>
<b>Project Name:</b> Columbia Bottomlands Mitigation/Conservation	ODOT Type	Preserve	<b>MTIP ID:</b>	<b>TBD</b>
	Performance Meas:	?	<b>Status:</b>	<b>2</b>
	Capacity Enhancing:	No	<b>Comp Date:</b>	<b>12/30/2023</b>
	Conformity Exempt:	Yes	RTP ID:	Appdnx F
	On State Hwy Sys:	No	RFFA ID:	N/A
	Mile Post Begin:	N/A	RFFA Cycle:	N/A
	Mile Post End:	N/A	UPWP:	N/A
	Length:	N/A	UPWP Cycle:	N/A
	1st Year Program'd:	2020	Past Amend:	0
	Years Active:	1	OTC Approval:	Yes
STIP Amend #	18-21-3403	MTIP Amend #	JA20-07-JAN	

**Detailed Description:** In the northwestern Portland area from the Columbia River west to US 30, and the St Helens area in the north (Outside MPO Boundary) then south to NW St Helens Rd just north of the Smith and Bybee Wetlands area, establish the Columbia Bottomlands Mitigation/Conservation Bank to generate conservation credits for future ODOT project impacts to aquatic resources and Endangered Species Act (ESA) listed fish species

**STIP Description:** Develop a long term mitigation/conservation bank in the Lower Willamette Watershed that generates credits for aquatic resources to be used by the greatest number of Endangered Species Act (ESA) listed fish species practicable.

PROJECT FUNDING DETAILS								
Fund Type	Fund Code	Year	Planning	Preliminary Engineering	Right of Way	Other (Utility Relocation)	Construction	Total
<b>Federal Funds</b>								
								\$ -
								\$ -
							<b>Federal Totals:</b>	<b>\$ -</b>
<b>Federal Fund Obligations:</b>								Federal Aid ID
<b>EA Number:</b>								
<b>Initial Obligation Date:</b>								
<b>State Funds</b>								
State	S010	2020		\$ 6,977				\$ 6,977
State	S010	2021			\$ 1,000,000			\$ 1,000,000
State	S010	2022					\$ 1,550,000	\$ 1,550,000
								\$ -
							<b>State Total:</b>	<b>\$ 1,006,977</b>



<b>State Fund Obligations:</b>							
<b>EA Number:</b>							
<b>Initial Obligation Date:</b>							
<b>Local Funds</b>							
Other	OTH0	2020		\$	393,023		\$ 393,023
							\$ -
							\$ -
						<b>Local Total</b>	<b>\$ 393,023</b>
Phase Totals Before Amend:		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Phase Totals After Amend:		\$ -	<b>\$ 400,000</b>	<b>\$ 1,000,000</b>	\$ -	\$ 1,550,000	<b>\$ 1,400,000</b>
						Year Of Expenditure (YOE):	
						\$	<b>2,950,000</b>
<b>Notes and Summary of Changes:</b>							
<p>&gt; Red font = prior amended funding or project details. Blue font = amended changes to funding or project details. Black font indicates no change has occurred.</p> <p>&gt; Total estimated project cost is \$2,950,000</p> <p>. Construction phase estimated cost is \$1,550,000. Programming for construction is planned for FY 2022 and will occur in the 21-26- MTIP</p>							
<b>Amendment Summary:</b>							
<p>The formal amendment adds the new ODOT environmental mitigation project to the 2018 MTIP. OTC approval was required and occurred during their December 2019 meeting. PE and ROW phases are being added now as the construction phase is planned for FY 2022. The full project will be included in the new draft 2021-2026 MTIP. The total project cost with the construction phase is estimated at \$2.95 million. State funds are being committed to fund the project.</p>							
> Will Performance Measurements Apply:							
<b>RTP References:</b>							
> RTP ID: Appendix F							
> RTP Description: Environmental Assessment and Potential Mitigation Strategies							
> Air Quality Exemption Status: The project appears exempt under 40 CFR 93.126, Table 2 - Other - Engineering to assess social, economic, and environmental effects of the proposed action or alternatives							
<b>Fund Codes:</b>							
> State = General State funds committed to the project							
> Other = General local funds committed to the project by a local agency that are not specifically related to a required match to federal funds.							

Date: Wednesday, January 22, 2020  
To: Metro Council and Interested Parties  
From: Ken Lobeck, Funding Programs Lead, 503-797-1785  
Subject: January 2020 MTIP Formal Amendment & Approval Request of Resolution 20-5068

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## STAFF REPORT

FOR THE PURPOSE OF ADDING TWO NEW PROJECTS TO THE 2018-21 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM INVOLVING RIDE CONNECTION IN SUPPORT OF SENIOR AND DISABLED PERSONS NEEDS AND ODOT IN SUPPORT OF THE COLUMBIA BOTTOMLANDS CONSERVATION PROJECT(JA20-07-JAN)

## BACKGROUND

### What This Is:

The January 2020 Formal Metropolitan Transportation Improvement Program (MTIP) Formal/Full Amendment proposes to add Ride Connection's Providence Health and Services Mobility Resource Desk project and ODOT's Columbia Bottomlands Mitigation/Conservation project to the MTIP through approval of Resolution 20-5068.

### What is the requested action?

**JPACT requests Metro Council approve the January 2020 formal amendment under Resolution 20-5068 for Ride Connection's Providence Health and Services Mobility Resource Desk and ODOT's Columbia Bottomlands Mitigation/Conservation new projects enabling the projects to be amended correctly into the 2018 MTIP with final approval to occur from USDOT.**

Proposed January 2020 Formal Amendment Bundle Amendment Type: <b>Formal/Full</b> Amendment #: <b>JA20-07-JAN</b> Total Number of Projects: 2					
ODOT Key #	MTIP ID #	Lead Agency	Project Name	Project Description	Description of Changes
Project #1 Key <b>20274</b> New Project	TBD	Ride Connection	<b>Providence Health and Services Mobility Resource Desk</b>	Implement mobility management services focused at two Providence hospitals for senior and disabled persons, offering individual travel options, counseling and clinic support to integrate transportation referrals.	<b><u>ADD NEW PROJECT:</u></b> The formal amendment adds Ride Connection's new 5310 grant award project that will support senior, and Disabled needs as noted in the project description

ODOT Key #	MTIP ID #	Lead Agency	Project Name	Project Description	Description of Changes
Project #2 Key 22075 New Project	TBD	ODOT	Columbia Bottomlands Mitigation/Conservation	Develop a long term mitigation/conservation bank in the Lower Willamette Watershed that generates credits for aquatic resources to be used by the greatest number of Endangered Species Act (ESA) listed fish species	<b><u>ADD NEW PROJECT:</u></b> The formal amendment adds ODOT's Columbia Bottomlands Mitigation/Conservation project to the 2018 MTIP. PE and ROW phases are added now. The entire project will be added to the new draft 2021-26 MTIP including the construction phase planned or FY 2022

A detailed summary of the new projects is provided below.

Project 1: Providence Health and Services Mobility Resource Desk (New Project)	
Lead Agency:	Ride Connection
ODOT Key Number:	20274
	MTIP ID Number: TBD
Projects Description:	<p>Project Snapshot:</p> <ul style="list-style-type: none"> <li>Proposed improvements – Implement mobility management services focused at two Providence hospitals for senior and disabled persons, offering individual travel options, counseling and clinic support to integrate transportation referrals.</li> <li>Source: New project to the MTIP</li> <li>Funding: Source of funding is a competitive discretionary grant from the Federal Transit Administration Access &amp; Mobility Partnership Grants FY 2019 grant program</li> <li>Type: Transit</li> <li>Location: MPO regional area</li> <li>Cross Street Limits: N/A</li> <li>Overall Mile Post Limits: N/A</li> <li>Current Status Code: = Transit status "T21" = Identified in Transit Plan and approved by Board. Moving forward to program in MTIP</li> <li>STIP Amendment Number: 18-21-3391</li> <li>MTIP Amendment Number: JA20-07-JAN</li> </ul>
What is changing?	<p><b><u>AMENDMENT ACTION: ADD NEW PROJECT</u></b></p> <p>The formal amendment adds Ride Connection's Providence Health and Services Mobility Resource Desk new project to the 2018 MTIP. The project's originates from a competitive discretionary grant from FTA's Access and Mobility Partnership Grant Program, FY 2019 funding cycle.</p> <p><b><u>About the FTA Access &amp; Mobility Partnership Grant Program</u></b></p>

Access and Mobility Partnership Grants seek to improve access to public transportation by building partnerships among health, transportation and other service providers. This

program provides competitive funding to support innovative projects for the transportation disadvantaged that will improve the coordination of transportation services and nonemergency medical transportation services.

State	Project Sponsor	Project Description	Funding Amount
AL	United Way of Central Alabama, Inc.	The United Way of Central Alabama will receive funding to serve as a centralized resource center, including provider referrals and a central call center, promoted through a public awareness campaign.	\$148,000
OR	Ride Connection, Inc.	Ride Connection, Inc. will receive funding to increase access to healthcare services by providing mobility management services focused on two hospitals and local social services, offering individual travel options, counseling and clinic support to integrate transportation referrals.	\$96,921

Eligible applicants are organizations that are eligible to be recipients and sub-recipients of the Enhanced Mobility for Seniors and Individuals with Disabilities Program, (defined under 49 U.S.C. 5310):

- Designated recipients
- States and local governmental authorities
- Private nonprofit organizations
- Operators of public transportation

### **About Ride Connection**

Ride Connection is a non-profit organization that provides free transportation services to people with disabilities and older adults. In coordination with community partners, Ride Connection provides customer-focused, safe, reliable transportation options for individuals in Clackamas, Multnomah, and Washington counties of the State of Oregon, which include urban, suburban, exurban and rural areas.

In the mid-1980s a TriMet citizen committee recommended that a volunteer program could better meet the transportation needs of older adults and people with disabilities. The first rides were done in 1986 as a TriMet project. Ride Connection was then incorporated as a private nonprofit in May 1988 with a vision to serve this population with a more adaptable, accessible service than traditional public transit. The relationship between TriMet and Ride Connection represents a unique blending of public and private resources and serves as a model of effective regional cooperation and collaboration.

### **About the Providence Health and Services Mobility Resource Desk Project**

This project will benefit older adults, people with disabilities and low-income individuals by embedding a Mobility Specialist within the established Providence Health and Services Resource Desks located at

	<p>Providence Professional Plaza and Providence Milwaukie Hospital. Providing mobility management services at these locations will improve access to the transportation system for the purpose of healthcare and extend the established partnerships of Ride Connection, Providence and Impact Northwest from exclusively direct transportation service provision, to site specific mobility management activities including:</p> <ul style="list-style-type: none"> <li>• Individualized Options Counseling that connects older adults, people with disabilities and low-income persons with transportation resources to help them access healthcare services at Providence locations and life activities that are social determinants of health.</li> <li>• Location specific travel needs analysis and information and referral data resource that integrates with the Resource Desk system, documents the available public and private transportation resources and their effectiveness in providing transportation based on attributes including Medicaid eligibility, Income /cost, geographic travel sheds and connectivity.</li> <li>• Clinic level relationship building, needs assessment, work flow analysis and development of process recommendations to create successful referrals. Collaboration to establish processes to reduce missed appointment rates at clinics.</li> <li>• Providence staff will cross train the Mobility Specialist in the use of the Providence Epic Electronic Medical Records system to assist in patient referral processes and data gathering for evaluation of project outcomes. Epic is the most widely used Electronic Medical/Health Record system in hospitals in the US and the cross training and policy documentation for Mobility Management use for the Epic system will provide replicable uses across additional locations.</li> <li>• Provision of an option to provide immediate need, non-emergency transportation using available public and private transportation resources.</li> <li>• Distribution of transit fare to include more individuals with incomes under 150% of the FPL. Integration of fare assistance with options counseling and referral to fixed route travel training programs.</li> <li>• Services will be provided in both English and Spanish with options to provide additional languages through translation services.</li> </ul>
Additional Details:	<p>The FTA competitive grant award falls under the larger FTA Section 5310 funding program that has a purpose of assisting private nonprofit groups in meeting the transportation needs of older adults and people with disabilities when the transportation service provided is unavailable, insufficient, or inappropriate to meeting these needs.</p>

Why a Formal amendment is required?	Per the FHWA/FTA/ODOT/MPO approved Amendment Matrix, adding a new project to the MTIP requires a formal/full amendment.
Total Programmed Amount:	The FTA grant award is \$96,921. The grant requires a minimum local match of 20%. Ride Connection is providing slightly above the 20% match requirement. The total project cost estimate is \$121,891.
Added Notes:	The project is expected to last about a year. The point of contact for additional projects is Emily Motter, Chief Development Officer, tel; 503-528-1766, email - <a href="mailto:emotter@rideconnection.org">emotter@rideconnection.org</a>

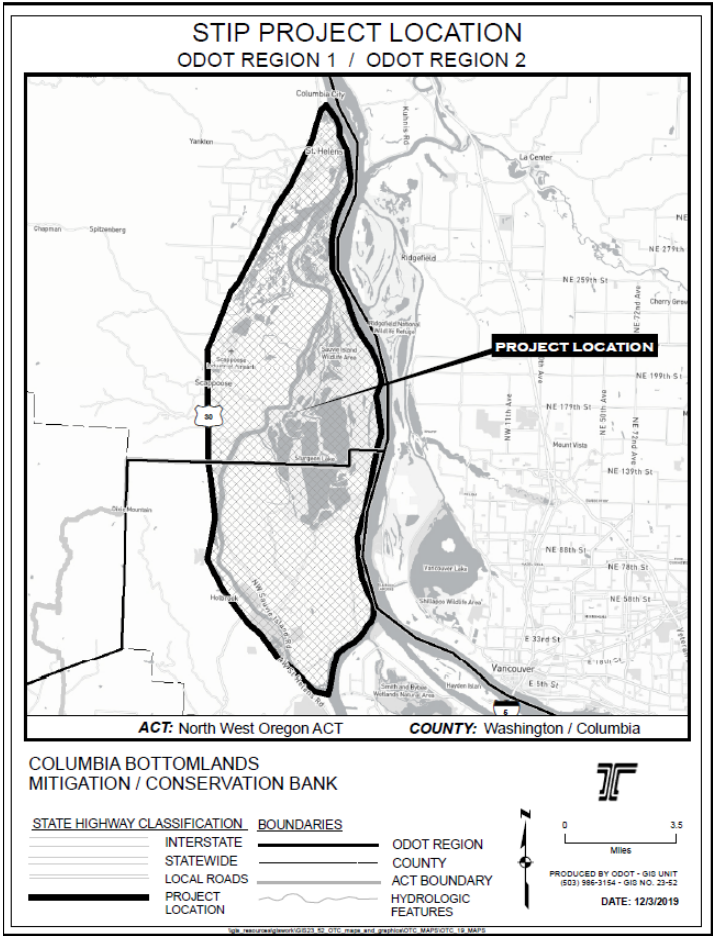
<b>Project 2:</b>	<b>Columbia Bottomlands Mitigation/Conservation (New Project)</b>		
Lead Agency:	<b>ODOT</b>		
ODOT Key Number:	<b>22075</b>	MTIP ID Number:	TBD
Projects Description:	<p>Project Snapshot:</p> <ul style="list-style-type: none"> <li>Proposed improvements: Develop a long term mitigation/conservation bank in the Lower Willamette Watershed that generates credits for aquatic resources to be used by the greatest number of Endangered Species Act (ESA) listed fish species</li> <li>Source: New project to the MTIP</li> <li>Funding: Source of funding is State funds approved by OTC during their December 2019 meeting</li> <li>Type: Other</li> <li>Location: In NW Portland area on the Columbia River watershed which covers ODOT Regions 1 and into 2</li> <li>Cross Street Limits: West to US 30 and the St Helens area in the north and then south to NW ST Helens Rd just north of the Smith and Bybee Wetlands area</li> <li>Overall Mile Post Limits: N/A</li> <li>Current Status Code: = 2 = Pre-design/project development activities (pre-NEPA) (ITS = ConOps.)</li> <li>STIP Amendment Number: 18-21-3403</li> <li>MTIP Amendment Number: JA20-07-JAN</li> </ul>		
What is changing?	<p><b>AMENDMENT ACTION: ADD NEW PROJECT</b></p> <p>The formal amendment adds ODOT's Columbia Bottomlands Mitigation/Conservation project to the 2018 MTIP.</p> <p>From the OTC Staff Report:</p> <p>ODOT has identified a need in the Lower Willamette watershed area for a compensatory mitigation bank to generate conservation credits that compensate for future ODOT projects impacts to aquatic resources and Endangered Species Act (ESA) listed fish species.</p> <p>The Columbia Bottomlands mitigation bank site identified in this proposal will meet long-term mitigation needs for STIP projects in the Lower Willamette watershed that spans much of Region 1 and a portion of Region 2. There are currently limited aquatic resource banks in the watershed and banked aquatic resource mitigation credits are an identified critical path item for project delivery in this area. The proposed bank at Columbia</p>		

Bottomlands will also increase the speed of permit approvals by avoiding compensatory mitigation design for individual projects, at the same time providing economies of scale that reduce environmental mitigation costs.

Compensatory mitigation is the use of off-site restoration activities to mitigate unavoidable disturbance that occurs during the construction phase of a project. The currency for offsetting this disturbance is a conservation credit which is a unit measure of ecological benefit generated by a restoration project for a specific ecological need (water quality, wildlife habitat). Credits are considered banked when they're certified and ready for use.

The requested funds would establish a large scale aquatic resource restoration site at the Columbia Bottomlands location (along Highway 30 near Scappoose). Once restoration activities have achieved a healthy, stable level of measureable benefit conservation credits could be certified. These credits would be then available to offset unavoidable disturbance by future projects in the same watershed. Such projects could include a future Interstate 5 bridge replacement project over the Columbia River. The Columbia Bottomlands is the identified highest ecological priority area (Attachment 1) within the Lower Willamette Watershed and is where we will locate the bank.

Additional Details:





	With approval, the agency will initiate a Request for Proposals (RFP) for a full-outsourced “Turnkey” compensatory mitigation/conservation bank project. The project will include site selection planning, acquisition, preliminary engineering and construction. Our target restoration goal is to generate a minimum of 10 acre-credits of aquatic resources usable by the greatest number of ESA listed fish species practicable.																																									
Why a Formal amendment is required?	Per the FHWA/FTA/ODOT/MPO approved Amendment Matrix, adding a new project to the MTIP requires a formal/full amendment.																																									
Total Programmed Amount:	<p>OTC approved a total of \$2,950,000 of State funds for the project. In the 2018-21 MTIP, the PE and ROW phases will be programmed. The entire project will be programmed in the 2021-2026 MTIP including the construction phase which will be programmed in 2022.</p> <p><b>STIP Amendment Funding Summary</b></p> <table><tr><th>Project</th><th>Current Funding</th><th>Proposed Funding</th></tr><tr><td>Site Mitigation and Repair 2020 (KN 20291)</td><td>\$1,006,977</td><td>\$0</td></tr><tr><td>Mitigation Banking Program</td><td>\$1,943,023</td><td></td></tr><tr><td>Columbia Bottomlands Mitigation/Conservation Bank</td><td></td><td>\$2,950,000</td></tr><tr><td><b>TOTAL</b></td><td><b>\$2,950,000</b></td><td><b>\$2,950,000</b></td></tr></table> <p><b>Columbia Bottomlands mitigation/conservation bank (KN 22075)</b></p> <table><tr><th rowspan="2">PHASE</th><th rowspan="2">YEAR</th><th colspan="2">COST</th></tr><tr><th>Current</th><th>Proposed</th></tr><tr><td>Preliminary Engineering</td><td>2020</td><td>0</td><td>\$400,000</td></tr><tr><td>Right of Way</td><td>2021</td><td>0</td><td>\$1,000,000</td></tr><tr><td>Utility Relocation</td><td>N/A</td><td>0</td><td>\$0</td></tr><tr><td>Construction</td><td>2022</td><td>0</td><td>\$1,550,000</td></tr><tr><td colspan="2"><b>TOTAL</b></td><td></td><td><b>\$2,950,000</b></td></tr></table>	Project	Current Funding	Proposed Funding	Site Mitigation and Repair 2020 (KN 20291)	\$1,006,977	\$0	Mitigation Banking Program	\$1,943,023		Columbia Bottomlands Mitigation/Conservation Bank		\$2,950,000	<b>TOTAL</b>	<b>\$2,950,000</b>	<b>\$2,950,000</b>	PHASE	YEAR	COST		Current	Proposed	Preliminary Engineering	2020	0	\$400,000	Right of Way	2021	0	\$1,000,000	Utility Relocation	N/A	0	\$0	Construction	2022	0	\$1,550,000	<b>TOTAL</b>			<b>\$2,950,000</b>
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Added Notes:	OTC approval was required and occurred during their December 2019 meeting.																																									

Note: The Amendment Matrix located on the next page is included as a reference for the rules and justifications governing Formal Amendments and Administrative Modifications to the MTIP that the MPOs and ODOT must follow.

## METRO REQUIRED PROJECT AMENDMENT REVIEWS

In accordance with 23 CFR 450.316-328, Metro is responsible for reviewing and ensuring MTIP amendments comply with all federal programming requirements. Each project and their requested changes are evaluated against multiple MTIP programming review factors that originate from 23 CFR 450.316-328. The programming factors include:



- Verification as required to programmed in the MTIP:
  - Awarded federal funds and is considered a transportation project
  - Identified as a regionally significant project.
  - Identified on and impacts Metro transportation modeling networks.
  - Requires any sort of federal approvals which the MTIP is involved.
- Passes fiscal constraint verification:
  - Project eligibility for the use of the funds
  - Proof and verification of funding commitment
  - Requires the MPO to establish a documented process proving MTIP programming does not exceed the allocated funding for each year of the four year MTIP and for all funds identified in the MTIP.
- Passes the RTP consistency review:
  - Identified in the current approved constrained RTP either as a stand- alone project or in an approved project grouping bucket
  - RTP project cost consistent with requested programming amount in the MTIP
  - If a capacity enhancing project – is identified in the approved Metro modeling network
- Satisfies RTP goals and strategies consistency: Meets one or more goals or strategies identified in the current RTP.
- If not directly identified in the RTP's constrained project list, the project is verified to be part of the MPO's annual Unified Planning Work Program (UPWP) if federally funded and a regionally significant planning study that addresses RTP goals and strategies and/or will contribute or impact RTP performance measure targets.
- Determined the project is eligible to be added to the MTIP, or can be legally amended as required without violating provisions of 23 CFR450.300-338 either as a formal Amendment or administrative modification:
  - Does not violate supplemental directive guidance from FHWA/FTA's approved Amendment Matrix.
  - Adheres to conditions and limitation for completing technical corrections, administrative modifications, or formal amendments in the MTIP.
  - Is eligible for special programming exceptions periodically negotiated with USDOT as well.
  - Programming determined to be reasonable of phase obligation timing and is consistent with project delivery schedule timing.

ODOT-FTA-FHWA Amendment Matrix	
Type of Change	
FULL AMENDMENTS	
1. Adding or cancelling a federally funded, and regionally significant project to the STIP and state funded projects which will potentially be federalized	
2. Major change in project scope. Major scope change includes:	
• Change in project termini - greater than .25 mile in any direction	
• Changes to the approved environmental footprint	
• Impacts to AQ conformity	
• Adding capacity per FHWA Standards	
• Adding or deleting worktype	
3. Changes in Fiscal Constraint by the following criteria:	
• FHWA project cost increase/decrease:	
• Projects under \$500K – increase/decrease over 50%	
• Projects \$500K to \$1M – increase/decrease over 30%	
• Projects \$1M and over – increase/decrease over 20%	
• All FTA project changes – increase/decrease over 30%	
4. Adding an emergency relief permanent repair project that involves substantial change in function and location.	
ADMINISTRATIVE/TECHNICAL ADJUSTMENTS	
1. Advancing or Slipping an approved project/phase within the current STIP (If slipping outside current STIP, see Full Amendments #2)	
2. Adding or deleting any phase (except CN) of an approved project below Full Amendment #3	
3. Combining two or more approved projects into one or splitting an approved project into two or more, or splitting part of an approved project to a new one.	
4. Splitting a new project out of an approved program-specific pool of funds (but not reserves for future projects) or adding funds to an existing project from a bucket or reserve if the project was selected through a specific process (i.e. ARTS, Local Bridge...)	
5. Minor technical corrections to make the printed STIP consistent with prior approvals, such as typos or missing data.	
6. Changing name of project due to change in scope, combining or splitting of projects, or to better conform to naming convention. (For major change in scope, see Full Amendments #2)	
7. Adding a temporary emergency repair and relief project that does not involve substantial change in function and location.	

- Reviewed and initially assessed for Performance Measurement impacts to include:
  - Safety
  - Asset Management - Pavement
  - Asset Management – Bridge
  - National Highway System Performance Targets
  - Freight Movement: On Interstate System
  - Congestion Mitigation Air Quality (CMAQ) impacts
  - Transit Asset Management impacts
  - RTP Priority Investment Areas support
  - Climate Change/Greenhouse Gas reduction impacts
  - Congestion Mitigation Reduction impacts
- MPO responsibilities completion:
  - Completion of the required 30 day Public Notification period:
  - Project monitoring, fund obligations, and expenditure of allocated funds in a timely fashion.
  - Acting on behalf of USDOT to provide the required forum and complete necessary discussions of proposed transportation improvements/strategies throughout the MPO.

## APPROVAL STEPS AND TIMING

Metro's approval process for formal amendment includes multiple steps. The required approvals for the January 2020 Formal MTIP amendment (JA20-07-JAN) will include the following:

<u>Action</u>	<u>Target Date</u>
• Initiate the required 30-day public notification process.....	January 7, 2020
• TPAC notification and approval recommendation.....	January 10, 2020
• JPACT approval and recommendation to Council.....	January 16, 2020
• Completion of public notification process.....	February 5, 2020
• <b>Metro Council approval.....</b>	<b>February 6, 2020</b>

Notes:

- \* If any notable comments are received during the public comment period requiring follow-on discussions, they will be addressed by JPACT.

USDOT Approval Steps:

<u>Action</u>	<u>Target Date</u>
• Metro development of amendment narrative package .....	February 11, 2020
• Amendment bundle submission to ODOT for review.....	February 12, 2020
• Submission of the final amendment package to USDOT.....	February 12, 2020
• ODOT clarification and approval.....	Late February, 2020
• USDOT clarification and final amendment approval.....	Early to mid-March 2020

## ANALYSIS/INFORMATION

1. **Known Opposition:** None known at this time.
2. **Legal Antecedents:** Amends the 2018-2021 Metropolitan Transportation Improvement Program adopted by Metro Council Resolution 17-4817 on July 27, 2017 (For The Purpose of Adopting the Metropolitan Transportation Improvement Program for the Portland Metropolitan Area).
3. **Anticipated Effects:** Enables the projects to obligate and expend awarded federal funds.
4. **Metro Budget Impacts:** None to Metro

**RECOMMENDED ACTION:**

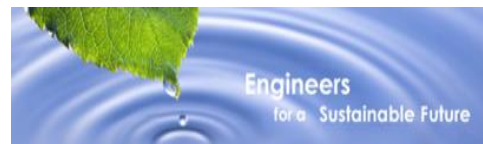
**JPACT recommends Metro Council approve Resolution 20-5068 under MTIP Amendment JA20-07-JAN allowing the MTIP to add Ride Connection's Providence Health and Services Mobility Resource Desk new project and ODOT's Columbia Bottomlands Mitigation/Conservation new project**

Approval Summary:

- TPAC approval: January 10, 2020
- JPACT approval: January 16, 2020

Note: No attachments

Materials following this page were distributed at the meeting.



6 February 2020

## **Metro Council Testimony – TriMet Transportation Program Funding**

Council President Peterson, Members of the Council, I am Tracy Farwell, a member of Engineers for a Sustainable Future, an organization of Portland area engineers meeting frequently to find opportunities to join the conversation about the climate crisis and appropriate actions to be taken, guided by the numbers.

Two days ago, more than 500 Oregon health leaders declared that climate change now poses a public health emergency. This report emphasizes the threat that diesel-fueled public transportation represents, and strongly advocates for zero emissions vehicle technology.

[Omit to stay under 2 minutes

Sustainable Engineers are committed to supporting this advocacy, calling attention to the urgency of taking effective action in the near term. It is our conviction that TriMet will not take immediate action without decisive intervention from Metro Council leadership, given that the TriMet Board has approved acquisition of 150 diesel buses without stipulating any timeline that ends diesel bus buys. Moreover, TriMet states it plans to continue diesel bus buys for another 5 years.]

I suppose you notice that metropolitan Oregonians are hostages in this faceoff between, on one side, public investment of public monies by unelected TriMet authorities, who cannot be recalled, dictating public health risks from decades of uninterrupted diesel pollution and, on the other side, public health professionals. Who would approve such a plan? No one. What elected public authority is assessing TriMet's zero emissions fleet transition program against criteria that include public health? No such effort has been announced or is underway.

Such programs are properly approved before they are formally given a go-ahead. In the case of TriMet there is no external approval. We and our climate allies (still forming up) will demand that Metro identify and cost-out a Zero Emissions Fleet Transition Plan, secure funding, and stand up a program management office to get this job done on an emergency schedule. TriMet can implement the plan under emergency supervision. Public health demands it, and TriMet is not responsive.

Reference: Neighbors for Clean Air, News Release 5 February 2020

**TELL METRO COUNCIL TO SAY NO TO A \$3B PLAN THAT ACHIEVES NEARLY ZERO CLIMATE AND AIR QUALITY BENEFITS.**



6 February 2020

6 February 2020

## Appendix

### 500 Oregon Health Leaders Declare Climate Change A Public Health Emergency

The [Oregon Public Health Association](https://www.opb.org/news/article/oregon-health-leaders-declare-climate-change-public-health-emergency/) and 40 other health organizations on Tuesday February 4, 2020 announced their unified front on climate action.

<https://www.opb.org/news/article/oregon-health-leaders-declare-climate-change-public-health-emergency/>

### How do we compute the rate of emergency carbon emissions reduction?

Unless global greenhouse gas emissions fall by 7.6 per cent each year between 2020 and 2030, the world will miss the opportunity to get on track towards the 1.5°C temperature goal of the Paris Agreement.

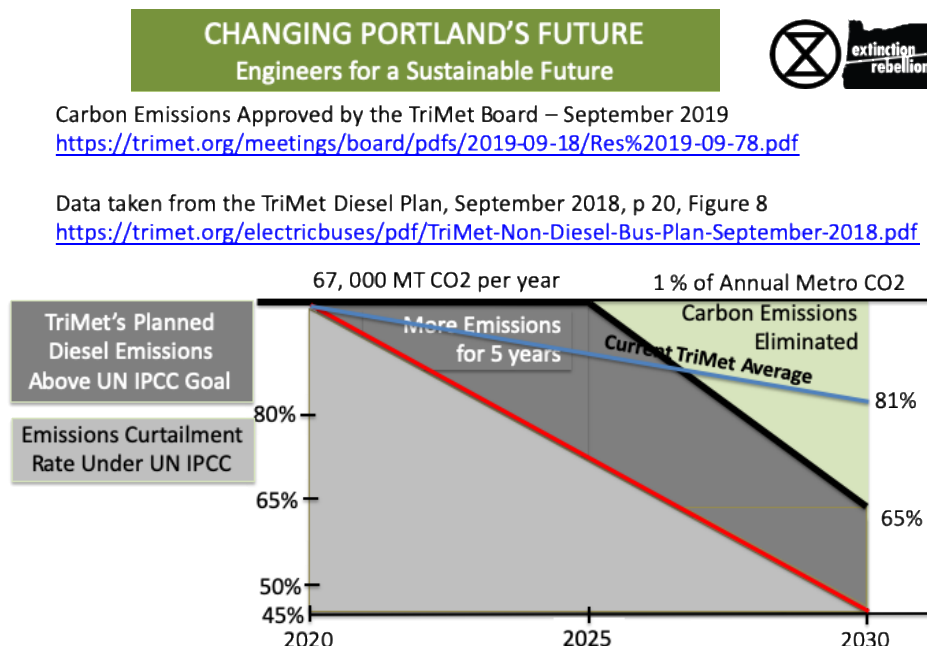
<https://www.unenvironment.org/news-and-stories/press-release/cut-global-emissions-76-percent-every-year-next-decade-meet-15degc>

Use the mortgage rate equation – everybody knows how to do this.

Determine the amount of carbon reduction accomplished in 10 years at an annual carbon cut rate of 7.6% from 2020 level.

Target level =  $(1 - 0.076)^{10} = 0.45 = 45\%$  of 2020 emissions, a 2030 goal we dare not exceed.

What is TriMet planning? Fleet emissions will still be 81% in 2020 (estimated from figure below).



This means TriMet plans an average reduction of only 2% over 10 years.

Proof:

Target level =  $(1 - x)^{10} = 0.81 = 81\%$ . By cut-and-try,  $x = 0.02 = 2\%$ .

TriMet is not responsive, even before the public health emergency declaration.

6 February 2020

## **Frequently Asked Questions - TriMet**

### **Q1 Why is TriMet Acquiring New Diesel Buses?**

They say it is for normal replacement and for extending services. The TriMet fleet is made up of 668 buses, and diesel consumption is 6 million gallons annually.

### **Q2 Are there Non-Diesel Alternatives?**

Yes. Seattle has committed to transitioning their fleet to battery electric buses, while still operating the legacy electric trolley fleet. New York's MTA is retiring all diesel buses, transitioning to an electric fleet. California has mandated electric buses.

### **Q3 Has the TriMet Board of Directors Set a Target Date for Retiring the Diesel Fleet?**

No. Their authorization for the diesel bus buy (159 buses) is open-ended.

### **Q4 What is TriMet Doing About the Transition to Clean Fuels?**

TriMet is duplicating the same kind of clean fuel evaluation other transit operators have already completed. Electric buses are being evaluated. TriMet is critical of their reliability performance without issuing any reliability or maintainability reports to compare with other fleets.

### **Q5 Has TriMet Committed to a Carbon Emission Reduction Goal?**

Yes. Twenty years out: Zero emissions in 2040. At 10 years in 2030 TriMet fleet emissions will be down 35% at best.

### **Q6 How much time remains in the Climate Crisis?**

The UN IPCC SR15 report states that it is too dangerous to reduce carbon emissions any less than 45% in 10 years time, and there are no do-overs. TriMet has no stated goal in 10 years, to justify starting 2020 by buying more diesel buses. TriMet leadership states "reductions" will be made. This is not a "major action." The majority of TriMet bus buys are worst available technology.

<https://news.trimet.org/2019/12/trimet-announces-major-actions-to-reduce-its-carbon-footprint/>

### **Q7 Has TriMet Management Published Their Carbon Emissions Reduction Profile?**

No. But this can be derived from their theoretical diesel bus replacement data. Their commitment to ending the public health threat from diesel fuels is to stop buying diesel buses in 5 years, which is allowed by the TriMet Board.

### **Q8 Is There Any Indication the TriMet Board Committed to Constraining TriMet Diesel Emissions to Meet the Urgent Demands of Portland's Public Health and Climate Crises?**

No. This is why the campaign to recall the Board is so important. If the present gross inaction from the Board of Directors and TriMet management authorities continues, their pollution plan depicted in the following graphic will continue to erode the last ten years remaining for us to secure a safe and habitable environment.



6 February 2020

### Other Dire Facts

The Board of Directors is not elected by the public.

TriMet public transit authorities are not elected by the public.

Management is NOT planning to REDUCE carbon emissions next year, the year after that, or after that.

TriMet is not seeking funds from the Nov 2020 ballot funding measure to fix this.

TriMet is mandating diesel pollution for at least 5 years, despite its known public health threats.

<https://news.trimet.org/2019/12/trimet-announces-major-actions-to-reduce-its-carbon-footprint/>

TriMet is dismissing available electric bus alternatives due to undisclosed business criteria.

TriMet has been unaccountable to anyone for its decades of inattention to harmful PDX emissions.

Management has a history of issuing disinformation to deflect any obligation for fleet reform.

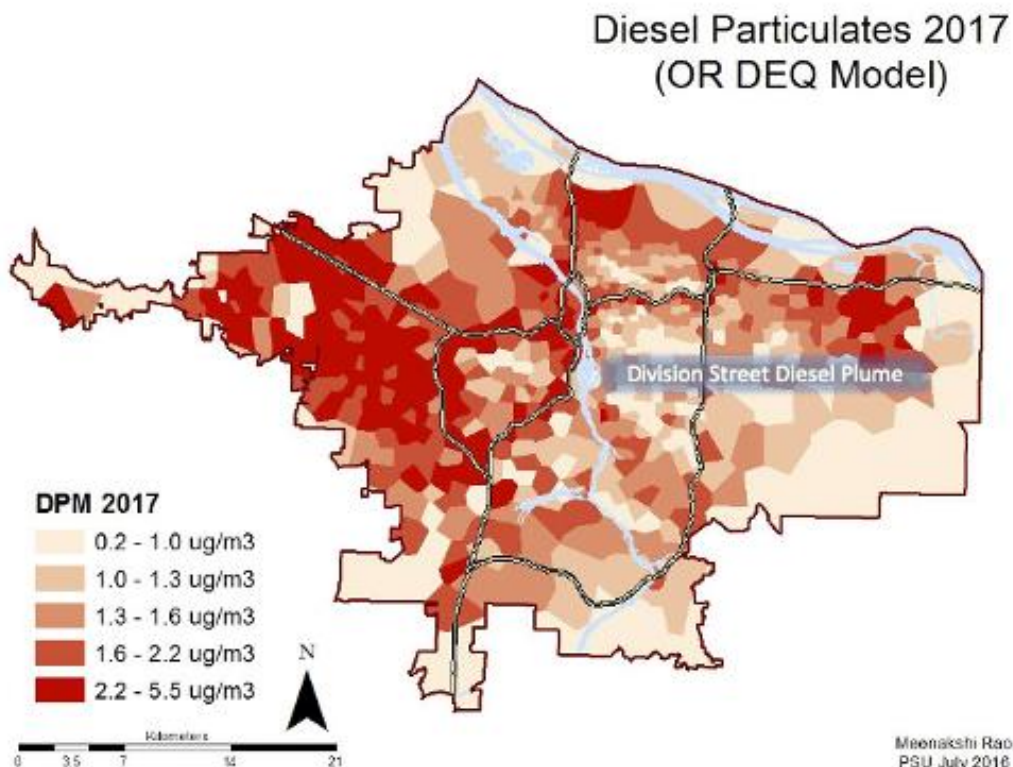
<https://pamplinmedia.com/pt/9-news/341731-221727-agency-still-relies-on-dirty-diesel-fleet->

Management has a history falling behind other transit agencies who have adopted clean fleets.

<https://pamplinmedia.com/pt/9-news/341732-221728-trimet-slow-to-board-electric-bus-bandwagon>

A new plume of diesel particulates is being mandated for an area of Southeast Portland where air quality is currently not reported as high in particulates. See appended pollution map.

DPM = Diesel Particulate Matter



# **Metro**

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



**Metro**

## **Minutes**

**Thursday, January 30, 2020**

**2:00 PM**

**Revised 01/29**

**Metro Regional Center, Council chamber**

**Council meeting**

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

**Present:** 6 - Council President Lynn Peterson, Councilor Sam Chase, Councilor Shirley Craddick, Councilor Craig Dirksen, Councilor Christine Lewis, and Councilor Juan Carlos Gonzalez

**Excused:** 1 - Councilor Bob Stacey

**2. Public Communication**

Dani Boss, City of Portland: Ms. Boss testified on the Expo Center Development Opportunity Study. As Director of Sales and Marketing at the Red Lion Hotel in Jantzen Beach, she spoke to the economic importance of the Expo Center and the positive impacts it has for local businesses. She shared concerns about how local businesses would suffer if the Expo Center's model were to significantly change.

Les Poole, City of Gladstone: Mr. Poole requested that the Metro Council make a stronger commitment to a careful analysis of its financial impacts, particularly in regards to their work related to transportation issues and investments. He also shared concerns about Metro's potential transportation investments measure and its costs.

Ronald Swaren, City of Portland: Mr. Swaren testified on the I-5 Rose Quarter Improvement project. He shared concerns about Metro's involvement in the projects as well as the proposed costs.

Ron Buel, City of Portland: Mr. Buel testified on Metro's potential transportation bond measure. He urged the Council to support investments that would address climate change and air pollution. He expressed opposition to funding future highway projects.

**3. Consent Agenda****Approval of the Consent Agenda**

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

**Aye:** 6 - Council President Peterson, Councilor Chase, Councilor Craddick, Councilor Dirksen, Councilor Lewis, and Councilor Gonzalez

**Excused:** 1 - Councilor Stacey

3.1 Consideration of the Council Meeting Minutes for January 23, 2020

**4. Presentations**

4.1 Hyatt Regency Final Project Report

Council President Peterson called on Mr. Scott Cruickshank, Director of Visitor Venues, and Ms. Hillary Wilton and Ms. Ashley McCarron, Metro staff, to present the Hyatt Regency Final Project Report. Mr. Cruickshank recognized the staff and project partners that worked on the hotel and thanked them for their contributions. He provided a brief history of the project, beginning with the opening of the Oregon Convention Center in 1990. He then gave an overview of the hotel, noting that it featured 20 meeting rooms and 39,000 square feet of event space. Ms. Wilton then presented the project's Community Construction Training programs, noting that the hotel project adopted the highest workforce social equity goals at the time. She reviewed the goals for this aspect of the project and highlighted the impressive outcomes of the project. Mr. Cruickshank then shared the forecasts of the economic benefits of the hotel and informed the Council that the Hyatt Regency was exceeding these estimates, providing significant economic benefits to the region.

*Council Discussion*

Councilors expressed their support for the project and thanked Metro staff and project staff for all of their work. Councilors Craddick and Chase praised the model for the project, noting that it provided significant economic

development and career opportunities to the community.

Councilor Dirksen highlighted the impressive construction of the hotel and how it added to the vitality of the district.

#### 4.2 Employment Agreement Audit

Council President Peterson called on Mr. Brian Evans, Metro Auditor, to present the Employment Agreement Audit. Mr. Evans provided an overview of the audit, highlighting the different approval processes for agreements and recommendations to improve Metro's employment agreement protocols. He shared complications that arose due to the current system, including that there were discrepancies among agreements and a lack of clarity about who had the authority to approve subsequent amendments to agreements. His recommendations were as follows: increase transparency and clarify approval authority, specify within resolutions if the approval was one-time or for future employees in the same position, specify within resolutions if approval had been delegated for subsequent amendments, analyze separation amounts periodically and compare them to appropriate benchmarks, and create and utilize a consistent process to review employment agreements and separation agreements for compliance with Metro Code and related delegated authority approvals.

President Peterson then called on Mr. Andrew Scott, Interim Chief Operating Officer, to provide the management response. He agreed that Metro should be clear and transparent with regards to the approval authority for employment agreements. He recommended that Council delegate authority to the COO to approve all employment agreements for director-level positions and above, while also clarifying the parameters of those employment agreements. He also proposed discussing these clarifications and receiving direction from Council at a future work session.

*Council Discussion*

---

Councilors agreed to discuss the recommendations further at a February work session. They thanked Mr. Evans for his work.

## 5. Resolutions

### 5.1 Resolution No. 20-5073, For the Purpose of Adopting an Agenda for the 2020 Oregon Legislative Session

Council President Peterson called on Mr. Andy Shaw and Ms. Anneliese Koehler to present Resolution No. 20-5073. Mr. Shaw explained that adoption of the resolution would approve Metro's legislative principles and priorities for the 2020 Oregon Legislative Session. Ms. Koehler then provided an overview of the principles and priorities proposed, including legislation related to addressing climate change and developing a program for product stewardship for mattresses.

#### *Council Discussion*

There was none.

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

**Aye:** 6 - Council President Peterson, Councilor Chase, Councilor Craddick, Councilor Dirksen, Councilor Lewis, and Councilor Gonzalez

**Excused:** 1 - Councilor Stacey

### 5.2 Resolution No. 20-5069, For the Purpose of Supporting Statewide Product Stewardship Legislation for Mattresses

Councilor Craddick called on Ms. Pam Peck and Mr. Scott Klag, Metro staff, to present the resolution. Ms. Peck explained that approval of the resolution would support statewide project stewardship legislation for mattresses. She noted that this work was part of the recycling system improvement policy work that Council directed staff to pursue at its December 3 work session. Mr. Klag gave an overview of the state's legislation and discussed key

elements of the bill, including the significant need for mattress recycling and how the program would function, including how it would collaborate with businesses.

*Council Discussion*

Councilor Craddick expressed support for both the resolution and statewide legislation. Councilor Dirksen asked about how mattresses were currently disposed of and why the legislation was significant.

**A motion was made by Councilor Craddick, seconded by Councilor Dirksen, that this item be approved. The motion passed by the following vote:**

**Aye:** 6 - Council President Peterson, Councilor Chase, Councilor Craddick, Councilor Dirksen, Councilor Lewis, and Councilor Gonzalez

**Excused:** 1 - Councilor Stacey

- 5.3 Resolution No. 20-5075, For the Purpose of Authorizing an Exemption from Competitive Bidding and Procurement of Construction Manager General Contractor Services by Competitive Request for Proposals for the Oregon Convention Center VIP Suite B and Prefunction A & C Restrooms

Council President Peterson recessed the meeting of the Metro Council and convened the Metro Contract Review Board. She then called on Ms. Gabriele Schuster and Mr. Dan Hoskin, Metro staff, to provide a presentation on Resolution No. 20-5075.

Ms. Schuster explained that the resolution would authorize an alternative procurement method for the construction of the Oregon Convention Center's VIP Suite B and Prefunction A and C restrooms. She noted that the state's contracting rules required all public improvement projects to be procured through competitive bidding, but that there were certain exceptions within the rules. She stated that the law permitted procurement through request for proposal (RFP) if the method was unlikely to encourage favoritism and would likely result in substantial cost savings and other

benefits to Metro. Ms. Schuster explained that given the complexity of the project, Procurement Services staff recommended this alternative procurement method in the form of an RFP.

*Council Discussion*

Councilor Dirksen expressed his support for the alternative approach as it allowed staff to address the unique needs of certain projects when necessary. Councilor Lewis asked staff to describe the complexities of the project. Mr. Hoskin gave an overview of the project, including working around the general public and events without serious impact to cost and public safety.

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

**Aye:** 6 - Council President Peterson, Councilor Chase, Councilor Craddick, Councilor Dirksen, Councilor Lewis, and Councilor Gonzalez

**Excused:** 1 - Councilor Stacey

5.3.1 Public Hearing for Resolution No. 20-5075

Council President Peterson opened up a public hearing on Resolution No. 20-5075 and requested that those wishing to testify come forward to speak. Seeing none, Council President Peterson gavelled out of the public hearing. She then adjourned the Metro Contract Review Board and re-convened the meeting of the Metro Council.

**6. Chief Operating Officer Communication**

Mr. Andrew Scott, Interim Chief Operating Officer, provided an update on the Chief Operating Officer recruitment.

**7. Councilor Communication**

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Councilor Lewis provided an update on the Oak Grove - Lake Oswego Pedestrian/Bicycle Bridge policy meeting.

**8. Adjourn**

There being no further business, Council President Hughes adjourned the Metro Council meeting at 3:31 p.m. The Metro Council will convene the next regular council meeting on February 6 at 2:00 p.m. at the Metro Regional Center in the council chamber.

Respectfully submitted,



Nellie Papsdorf, Legislative and Engagement Coordinator

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF JANUARY 30, 2020**

<b>ITEM</b>	<b>DOCUMENT TYPE</b>	<b>DOC DATE</b>	<b>DOCUMENT DESCRIPTION</b>	<b>DOCUMENT No.</b>
<b>3.1</b>	Minutes	01/23/20	Council Meeting Minutes for January 23, 2020	013020c-01
<b>4.1</b>	PowerPoint	01/30/20	Hyatt Regency Portland at the Oregon Convention Center	013020c-02



Metro

# Affordable Housing Bond

Housing Bond  
Implementation IGA for City  
of Gresham

February 6, 2020



# Gresham's strategy

- \$26.7M to fund 187 affordable homes
- \$563K in program administration funding
- Engagement efforts with Home Forward
- 4 projects +/- anticipated
- 20% goal of total development costs awarded to contracts with COBID certified firms
- City Council approved the IGA on Feb. 4



# Oversight Committee recommendations

Recommendation for approval

Consideration for the City's ongoing implementation and monitoring:

- Further define strategies and outcomes that will be measured to demonstrate the advancement of racial equity.





# Intergovernmental agreement

Metro staff will review projects at concept and final stage for consistency with LIS

Restrictive covenants for long-term affordability

Annual LIS progress reports, including racial equity outcomes

Annual disbursement of administrative funding

Annual financial reporting on expenditures



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