

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF DETERMINING THAT)	ORDINANCE NO. 18-1423
AFFORDABLE HOUSING IS A MATTER OF)	
METROPOLITAN CONCERN AND)	Introduced by the Metro Council
UNDERTAKING AN AFFORDABLE HOUSING)	
FUNCTION)	

WHEREAS, both nationally and in the Metro region, rents and housing prices are rising faster than incomes, increasingly limiting mid-and lower-income households to neighborhoods farther from jobs, transit, social services and other services and amenities; and

WHEREAS, in 2015, in partnership with Oregon Opportunity Network, Metro researched strategies from around the country, engaging experts and stakeholders to identify the most pressing barriers to making housing affordable and uncover promising solutions, with guidance from a technical work group with diverse expertise on housing issues; and

WHEREAS, in 2015, Metro created the Equitable Housing Initiative to better coordinate efforts already underway and find shared understanding of needs, opportunities and best practices, supporting local jurisdictions, housing developers and advocates to put those best practices to work and build their own capacity to conduct research and develop policies and resources; and

WHEREAS, in 2016, Metro and its regional partners convened a regional housing summit to dig deeper into a challenge that has been called a state of emergency by advocates and local and state officials; and

WHEREAS, in early 2018 Metro convened two advisory committees of experts and stakeholders totaling more than 50 members, funded community partner engagement with diverse residents throughout the region, and gathered input from leaders of communities large and small; and

WHEREAS, national economic forces and growth patterns have pushed the affordable housing crisis in metropolitan regions across the country, and strong continuing growth has impacts across city and county lines, making a regional approach appropriate and necessary in addition to the ongoing local efforts aimed at easing the crisis; and

WHEREAS, Title 7 Housing Choice of Metro Code Chapter 3.07 Urban Growth Management Functional Plan, Metro Code Section 3.07.750 Technical Assistance, encourages cities and counties to take advantage of the programs of technical and financial assistance provided by Metro to help achieve the goal; and

WHEREAS, on January 25, 2007, the Metro Council amended and adopted the Regional Framework Plan and the Metro Code, via Ordinance No. 06-1129B, which took effect on April 25, 2007 (“For the Purpose of Amending the Regional Framework Plan to Revise Metro Policies on Housing Choice and Affordable Housing and Amending Metro Code Sections 3.07.710 through 3.07.760 to Implement the New Policies”); and

WHEREAS, on January 15, 2009, the Metro Council adopted Ordinance No. 08-1204A (“For the Purpose of Determining that Implementing Transit-Oriented Development is a Matter of Metropolitan Concern”), which provides strategic investment to help more people live, work and shop in

neighborhoods served by transit, and which has been also used as a tool to provide funding for affordable housing in neighborhoods served by transit;

WHEREAS, the Metro Council has acknowledged that continued and accelerated population growth is likely to negatively affect the availability and affordability of housing in the Metro region, and that the lack of sufficient funding for affordable housing remains a major barrier to the production of affordable housing; and

WHEREAS, it is the Metro Council's goal that the Metro region grow and reinvest in ways that assure a high quality of life for residents of all incomes, races and ethnicity, including the development and preservation of housing affordable to families and individuals of modest means in mixed-use, walkable neighborhoods close to services and public transit; and

WHEREAS, the Metro Charter, adopted in 1992 by the region's voters, charges the agency with "planning and policy making to preserve and enhance the quality of life and the environment for ourselves and future generations;" and the long-range regional blueprint for compact and efficient growth adopted by the Metro Council in 1995 and six desired regional outcomes adopted by the council in 2010 further position housing choice in vibrant communities as central to creating a livable region for all; and

WHEREAS, Chapter II Section 4 of the Metro Charter, entitled "Jurisdiction of Metro," provides that, "Metro has jurisdiction over matters of metropolitan concern. Matters of metropolitan concern include the powers granted to and duties imposed on Metro by current and future state law and those matters the Council by ordinance determines to be of metropolitan concern. The Council shall specify by ordinance the extent to which Metro exercises jurisdiction over matters of metropolitan concern"; and

WHEREAS, Chapter II Section 7 (1) of the Metro Charter, entitled "Assumption Ordinance," provides that "The Council shall approve by ordinance the undertaking by Metro of any function not authorized by Sections 5 and 6 of this charter. The ordinance shall contain a finding that the function is of metropolitan concern and the reasons it is appropriate for Metro to undertake it;" Section 7(2)(a) of the Metro Charter provides that an ordinance authorizing provision or regulation by Metro of a local government service function must be approved by the voters of Metro or a majority of the members of the Metropolitan Policy Advisory Committee ("MPAC"), and voter approval occurs by "approval of a referred measure (1) authorizing the function or (2) relating to finances and authorizing financing or identifying funds to be used for exercise of the function"; and

WHEREAS, in February of 2010 the Metro Council passed Ordinance No. 10-1231B ("For the Purpose of Determining That Providing Financial Resources to Increase the Supply of Affordable Housing is a Matter of Metropolitan Concern") ("2010 Affordable Housing Ordinance"), which including the finding that "providing Metro funding for increasing the Metro region's supply of affordable housing is a function of metropolitan concern" and "undert[aking] jurisdiction over increasing the Metro Area's supply of affordable housing, by utilizing Metro funds to provide short-term loans to assist in the development of additional affordable housing in the Metro Area," and identified \$850,000 in limited duration funds to "aid in the construction of ownership or rental housing for persons and families of below average incomes in the centers, corridors and station areas designated for growth in Metro's 2040 Regional Framework Plan, with such available for uses such as pre-development work, land acquisition and construction"; and

WHEREAS, the need for affordable housing has dramatically increased in the Metro region in the years following the 2010 Affordable Housing Ordinance, and despite the efforts of Metro and local governments and others to increase affordable housing, the demand for affordable housing is outpacing

the funding and supply, and the need goes well beyond the funding levels undertaken in the 2010 Affordable Housing Ordinance; and

WHEREAS, the Oregon legislature has placed on the November 2018 ballot a constitutional amendment that would facilitate financing of affordable housing with general obligation bonds by allowing general obligation bond funds to be used together with funds from non-governmental entities;

WHEREAS, on June 7, 2018 Metro referred to the voters a measure that would authorize financing for affordable housing in the Metro region by the proposed issuance of \$652.8 million in general obligation bonds to provide affordable housing for low-income families, seniors, veterans and people with disabilities in the Metro region; and Metro will work with local government partners and other stakeholders that currently provide affordable housing development, funding and services in the region; and the bond proceeds will allow Metro and its local government partners to increase the regional supply of affordable housing with a much greater impact; Now Therefore:

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. In accordance with Metro Charter Chapter II, Sections 4, 7(1) and 7(2)(a), the Metro Council finds that affordable housing is a matter of metropolitan concern; and Metro assumes and undertakes jurisdiction over affordable housing, including but not limited to granting bond funds to local governments and/or local housing authorities, and for Metro and local governments and/or local housing authorities to finance, acquire, develop, re-develop, preserve, own, operate and/or manage affordable housing and land for affordable housing in the Metro region; such assumption and undertaking shall be effective upon voter approval of a referred affordable housing measure authorizing financing or identifying funds to be used for exercising the foregoing affordable housing activities.
2. In accordance with Metro Charter Chapter II, Section 7(1), Metro's undertaking and assumption of the function referenced above is supported and justified by the recitals set forth herein and by the Metro Council's findings contained in the 2015 Equitable Housing Initiative, the 2006 Regional Housing Choices Implementation Strategy report, which recommended that Metro should direct effort towards development of new resources for affordable housing and advocate for increased funding at the Federal, State, and regional levels; by the findings set forth in the 2010 Affordable Housing Ordinance; and by the evidence indicating that a coordinated regional approach, in addition to the existing local efforts, is needed to address the region's affordable housing crisis.

ADOPTED by the Metro Council this _____ day of _____ 2018.

Tom Hughes, Council President

Attest:

Approved as to Form:

Miranda Mishan, Recording Secretary

Alison R. Kean, Metro Attorney

