



Agenda/Notes

Office of Governor Tina Kotek
RJC Housing and Homelessness Committee
February 21, 2025 – Zoom
2:30 – 4:00pm
Facilitator: Javier Cervantes

MEMBERS

X	Chris Bonner		Jimmy Jones	X	Melinda Bell
X	Cameron Herrington	X	Kim McCarty	X	Nathan Teske
	Cathryn Murray	E	Marisa Zapata		William Miller
X	Jackie Follis	X	Maria "Meg" Guerrero		

OTHER ATTENDEES

	Andre Bealer	X	Svetha Ambati	X	Matthew Tschabold
X	Javier Cervantes	X	Yasmin Solorio	X	Renee Stineman (DOJ)
X	Jeffrey Grant (DOJ)	X	Tanisha Rosas (OHCS)	X	Michael Parkhurst (OHCS)

Topic/Lead	Notes/Main Points	Decisions/Action Items
Introductions	<i>Kim and Meg provide introductions.</i>	
Committee Priorities GRB Investments and Advocacy (All)- 15 minutes	<p>Matt: The full RJC has gone through a process on how they want to go through endorsements for legislation. I have a sheet I can walk through; purpose is to provide information and what is in the Governor's recommended budget.</p> <p><i>Matt shares "2025 legislative session policy and budget priorities" document</i></p> <p>Left column is budget priorities for governor. Right column are policy priorities associated with that.</p> <p>Javier: This document from Matt will be extremely helpful in your advocacy. This offers us the opportunity to cross reference the workplan priorities. The endorsement items will be ready for the Thursday RJC meeting.</p> <p>Kim: Thanks for the refresh, Matt. Would like to hear from the committee members the priorities you'd like to elevate.</p> <p>Meg: Looking forward to hearing from the other members to get a final decision.</p>	Co-chairs to meet with Javier to discuss drafting letter on priorities.

	<p>Javier: Will pull up the workplan to discuss. There is places at the various stages where we can make progress.</p> <p>Meg: Will you be able to help us with drafting a letter?</p> <p>Javier: We cannot draft the letter unfortunately. The committee must craft the language. Matt and Svetha can guide factual elements on legislation you're trying to support. We can provide support with editing and refining language.</p> <p>Meg: Matt, what is more effective – in person or a letter, or both?</p> <p>Matt: Because there's a deadline coming up, on the budget side, you have time. It's useful to know what all priorities you have as a budget standpoint. Then the council through the process will decide how they want to hand the various committee budget priorities. I think it makes sense to convey that to Ways and Means as a whole. For policy bills its harder since they move independently, but I think letter for those is fine.</p> <p>Javier: As a committee, we have to follow the endorsement process. Though people can still advocate on their interests as individuals. Meg and Kim, you and I can set up conversations offline.</p>	
<p>OHCS presentation on preservation framework</p> <p>(Michael Parkhurst, OHCS)- 15 minutes</p>	<p><i>Michael Parkhurst shares "OHCS Preservation Update RJC Housing Committee 2_21_2025" slides.</i></p> <p>Michael: The challenge with affordable housing, is you have limited income but you don't have control over the expenses. Housing is going to need reinvestment at some point. You lose your affordable housing; it's a big deal. There are a lot of things going on that makes it hard – rising operating costs, insurance, security, interest rates, lower rent collections. Reminding folks it's the <i>people</i> living in the housing is why we are doing this. It's the north star in preservation efforts.</p> <p>Projects with Expiring Rent Restrictions. Risk of Loss - Physical/Financial Challenges. Properties that are really overdue for maintenance/rehab.</p> <p>Risk of Loss: Manufactured Home Parks. Typically in Oregon it's the formation of co-ops. Theres few non-profit owned parks. We see about 2-3 parks a year preserved.</p>	

Michael gives overview of the online preservation dashboard.

https://public.tableau.com/app/profile/oregon.housing.and.community.services/viz/PreservationDB_16751260585460/Dashboard1

It updates periodically. Prioritizing Resources: Focus on Risk to Tenants. We are looking at different ways this affects vulnerable populations. There are policy levels we need to look at to support tenants. Anticipating preservation impacts of new and emerging programs. Balancing needs of rural and urban communities.

Nathan: Question on the RD properties. Assuming your aware that RD does allow owners to readvertise loans. Is that an option?

Michael: That's typically what we do with RD loans. RD has noticed its ridicule to amortize small loans.

Kim: Does OHCS have a good understanding of the demographic for these buildings and the needs for each buildings?

Michael: Short answer is no. We have demographic on some properties on our portfolio.

Cameron: Wanted to share information for the rest of the council. Proposals are being considered by the legislature that Housing Alliance, who I represent, and many of you, other housing providers, and advocates are working on related to preservation of affordable housing for this session - including more bond funding to preserve those projects, some additional tools to support the residents of properties that are expiring and at risk of converting to market rate, and some tools to help support the affordable housing providers that are facing those escalating costs, and real challenges with their operating budgets. I'm not sure Javier and the chairs but when is the right time to go over some of those proposals? All those proposals directly respond to the big challenges that Michael's numbers just illustrated.

Meg: We should be working in alliance. When do you think or how soon do you think you need the support of this team?

Cameron: We meet every other month?

Javier: Every month during session.

	<p>Cameron: If there is time next month, would be happy to work with you on that. Would love to have those numbers on your slides, it will help with advocacy.</p>	
<p>Task Force on Modernizing Grant Funding and Contracting Legal Sufficiency Presentation</p> <p>(Renee Stineman & Jeff Grant, DOJ)- 15 minutes</p>	<p><i>Renee Stineman shares slides on DOJ Sufficiency Review.</i></p> <p>Renee: We will talk about staffing, timelines, life cycle of a grant, DOJ involvement on DOJ's grant making, and legal sufficiency and what's required to get legal suffice review and why its important.</p> <p>General Counsel staffing. We have about 74 AAGs approved for legal sufficiency review. Lawyers are divided into six sections, and are organized by subject matter and expertise.</p> <p><i>DOJs Role in agency grant life cycle.</i></p> <p>Jeff: When an agency submits a grant agreement with recipients or stand up a new grant program the agency itself will begin its own process of getting together the necessary documents, the solicitation documents, request for proposals, requests for applications, it will get the template grant form together, get that drafted and it may need to draft a program manual or program administrative rules. It will work on getting all of those documents in place and once it's assembled, it requests that an attorney is assigned to review the project. Then our staff gets that request and within about a day or less assigns that to an attorney, like myself. The first peak at the grant that we usually get is at this stage, where the agency gives us the RFP or the solicitation documents, and the proposed template, and maybe some of the other background documents, and we'll review those. If all looks good, we approve it but it's not approved legal sufficiency at that point - it's just approved to use for the solicitation and then it goes back to the agency. They solicit proposals, issue the intent to award, pick who should be getting the money, do some negotiating with the selected grantees, finalize scope of works, amounts, etc. Then at that point, the agency comes back to us after they fill in the grant template that we've looked at previously with the project specific details and fills in essentially a complete grant agreement and submits it back to us for legal sufficiency approval. We review it at that point for legal sufficiency approval. Some back and forth probably happens and then once everything is in order we give the official notification, usually an e-mail, that this grant agreement is approved for legal sufficiency.</p>	

Renee: I think it is not uncommon for people to assume that DOJ and legal sufficiency review are part from the beginning to the end in controlling or much more involved in the lifecycle of a grant. I think that is because we're often asked about how long does it take to do legal sufficiency review and "why is this grant taking this long" and however long the grant process takes is independent of how long legal sufficiency review takes. It's not the same, there's an overlap in that there is a part where DOJ is responsible for legal sufficiency review but it's not the entire time. We'll talk a little bit about how we do legal sufficiency interview and why even that timeline can really depend on what is happening with the agency and what the needs are and how we're working with them because of all that when we think about time and our timeliness, we track a different set of data. We are responsible for tracking substantive response timeline.

Jeff: Request essentially comes after sort of the long process of creating the program or getting the grant agreement together but once you have a project specific grant agreement that is sent to a reviewing AG that starts our short clock for the five days. And for us a substantive response is one: we approve the document because everything is good but more commonly there are some issues that need to be resolved or fixed within the document itself; some edits or additional information added. So what I would do would be to add some red lines to the grant agreement that provides fixes that are needed to ask for additional information and send that back to the agency. E-mail is our substantive response and that would probably necessitate some back and forth with the agency before we get to a point where the document is in a state that we approve it for legal sufficiency.

Renee: One of the things we are asked about frequently and is whether we really have to do legal sufficiency on grants and contracts.

Jeff: There's a state law that requires the attorney general to approve all public contracts. The attorney general of course being the AG's like myself who are assigned the work, assign's AG to create rules/procedures for who that takes place, and authorize exemptions for legal sufficiency approval process.

Renee: What are the consequences if someone does not

have legal sufficiency approval?

Jeff: State can't legally pay out the money. OARS Chapter 137, Division 45 – DOJ rules for review of public contracts. General rule: all public contracts exceed \$250 thousand. OAR 137-045-0015 prescribes condition for legal sufficiency approval. It provides list to ensure items are checked off.

Renee: Can you walk us through what you review when looking for legal sufficiency approval.

Jeff: Elements are

- Ensuring it's a written agreement
- Agency has statutory authority and appropriation.
- Ensuring its consistent with federal and state statutes/rules
- Ensure it goes through state or federal constructional limitations
- Look for termination opportunity, defaults and remedies (if they need to out of compliance and remedy)
- Clear, complete statement of work
- Executed certifications – if needed.
- Essential contract elements.

Renee: Are there benefits having contracts go through legal sufficiency review?

Jeff: Helps ensure agency achieves its contract (grant) aims. Confirms agency authority to bind the state and use public funds in the way its proposed confirm compliance with applicable laws. Limits risk to the state.

Melinda: Looking at slides that had all the counties, didn't see washing county, why is that?

Javier: That might be the presentation before hand.

Melinda: Ok sorry.

Renee: Added in the chat the group we spoke in front of.

<https://www.oregon.gov/das/Procurement/Documents/Modernizing-Grant-Funding-And-Contracting-Full-Report-09132024-Final.pdf>

Meg: How many applications each lawyer reviews?

Renee: Depends, some can be done quickly, others take

	<p>quite some time. Don't have the data point.</p> <p>Meg: Thank you for the information, don't worry about it was just curious.</p>	
<p>Federal Landscape Conversation,</p> <p>I.E., risks on affordable housing, impacts on immigrants & refugees, any new issues emerging? (All)- 10 minutes</p>	<p>Kim: Giving us feedback on priorities related to governor's budget. When we were setting the agenda, a number of announcements were made by the federal government making folks pause on a lot of items. Taskforce on modernizing grant funding – work that's been happening for some time. Wanted to give an opportunity to uplift any concerns from the federal level that will affect the state.</p> <p>Javier: Have you heard anything being adversely impacted.</p> <p>Matt: W are tracking with OHCS on the funds <i>they</i> receive since we are not tied to other agencies.</p> <p>Javier: Thanks, Matt. Any questions?</p> <p><i>No questions from the committee.</i></p>	
<p>Recruitment Update (Javier)- 5 minutes</p>	<p>Javier: Recruitment is open and closes March 14th. Please share out recruitment out.</p>	

<p>Meeting Materials</p>	<div>   </div> <div> 2025 HHI Policy and Budget Priorities Fin: OHCS Preservation Update RJC Housing </div>
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