



CITY OF SALEM

Revisions to the Agenda

City Council

555 Liberty St SE
Salem, OR 97301

Monday, September 26, 2022 6:00 PM

Virtual Meeting

3.3 j. 22-443

Priorities for 2023 Oregon Legislative Session.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance; Natural Environment Stewardship;
Safe Community; Safe, Reliable and Efficient Infrastructure; Strong and
Diverse Economy; Welcoming and Livable Community.

Attachments: 2023 Session - Legislative Policy Statements.pdf

Add - Report Added

5. a. 22-448

Motion from Councilor Vanessa Nordyke concerning a Request for
Proposals for a Mobile Crisis Unit.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Add - Report Added



Staff Report

File #: 22-443

Version: 1

Date: 9/26/2022

Item #: 3.3 j.

TO: Mayor and City Council

THROUGH:

FROM: Legislative Committee

SUBJECT:

Priorities for 2023 Oregon Legislative Session.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance; Natural Environment Stewardship; Safe Community; Safe, Reliable and Efficient Infrastructure; Strong and Diverse Economy; Welcoming and Livable Community.

SUMMARY:

The 2023 Oregon Legislative Session is set to begin January 17, 2023. Before session begins, the Legislative Committee of the City Council considers priorities to pursue during the session and policy statements to guide Salem's response to draft legislation. Bills proposed for consideration during the session are expected to be released in January 2023. When the subject of proposed legislation is outside the scope of the policy statements, the City Council's Legislative Committee reviews bills identified as critical by City staff and recommends to City Council the position the City should take on critical bills.

ISSUE:

Shall City Council approve the City of Salem's priorities and policy statements for the anticipated legislation resulting from the 2023 Oregon Legislative Session.

RECOMMENDATION:

Approve the City of Salem's priorities and policy statements for the anticipated legislation resulting from the 2023 Oregon Legislative Session.

FACTS AND FINDINGS:

The Legislative Committee met on September 23, 2022 to consider priorities for the coming session and policy statements (Attachment 1) to guide Salem's response to proposed legislation. The Legislative Committee is Mayor Bennett and Councilors Gonzalez, Hoy, and Phillips. Councilor Stapleton serves as the alternate.

The Legislative Committee is recommending three funding priorities for the session:

- Funds for River Road Slide Mitigation (\$20 million, one-time)
- Funds for Peace Plaza public square (\$2 million, one-time)
- Funds to sustain sheltering program (\$9 million annually) and Navigation Center (\$2.1 million annually); and
- Funds for a sobering center (\$1 million for two years operations).

The Committee also recommends the City pursue opportunities to an affordable housing fix that was the subject of Senate Bill 1557 in the 2022 Session related to Orchard Park apartments, a photo radar fix that would include Salem as a City able to use the technology similar to Senate Bill 560 from the 2019 Session, and support an effort to capture cost of future recreational vehicle demolition at point of sale or point of licensing - similar in scope to Senate Bill 4066 from the 2021 Session.

In response to a recent Court ruling requiring the release of pre-trial mental health patients from Oregon State Hospital, pending a status hearing, the Committee recommends that Salem make it a priority to develop or participate in support of legislation to ensure patients are returned to their jurisdiction of origin pending a status hearing, rather than being released into Salem.

BACKGROUND:

As positions are developed for individual bills, the Legislative Committee will recommend the City Council adopt positions in opposition or support. Before any official representing the City of Salem can attempt to influence legislation on an issue, the City Council must adopt a position related to that matter. To continue a coordinated and unified response during the upcoming session, and in accordance with Council Policy No. G-1, the Mayor and Councilor are asked to communicate the nature of their legislative contacts to staff via an email to Courtney Knox Busch (cbusch@cityofsalem.net <<mailto:cbusch@cityofsalem.net>>). Staff will forward the communication to the City's lobbyist, the Legislative Committee, and City Council as appropriate.

Courtney Knox Busch
Strategic Initiatives Manager

Attachments:

1. 2023 Legislative Policy Statements

2023 Legislative Policy Statements

Standing Principles: Cities are responsible for solving day-to-day public problems and responding directly to the needs of their residents. City officials should be allowed flexibility to exercise the full range of their local decision-making authority to make appropriate decisions for their communities. Because cities must determine their priorities and set their budgets through public process that reflects local choices and priorities, Salem opposes legislation that creates unfunded state mandates, increases existing costs or reduces current revenues to local governments, restricts local revenues, or otherwise preempts local government authority. Salem supports revenue reform that provides budget stability for municipalities and better enables cities to meet the service demands of the community.

Positions on Similar Bills: To make the most efficient use of staff, Legislative Committee and Council time, the City Council allows legislative positions and priorities approved by the City Council during the course of the Legislative Session to apply to future bills with substantially similar language and intent during the same Legislative Session.

Policy Areas

Economic Development: The ability of cities to provide municipal services and maintain community viability depends on a healthy local economy. Cities need economic development tools that assist in maintaining, expanding, and diversifying local economies. These tools must include appropriate state infrastructure financing programs and flexible local options.

- **Mill Creek Infrastructure:** Support continued State investment in the Mill Creek Corporate Center, which would make available much needed industrial land for future development and regional job creation.
- **Job Creation and Incentive Programs:** Oppose cuts to, or elimination of, Business Oregon's economic development programs that create and retain jobs. Oppose legislation that would include these or other similar local sources as "funds of a public agency" or alter the minimum threshold for prevailing wage requirements (on projects of more than \$750,000 in value).
- **Enterprise Zones:** Renew and preserve existing Enterprise Zone authority in order to maintain the program's effectiveness as a tool for cities to encourage business recruitment and expansion.
- **Opportunity Zones:** Support the State-designated opportunity zones via the federally designated program, and the continued linkage of State capital gains tax provisions to the federal provisions to incentivize redevelopment opportunities.
- **Urban Renewal:** Preserve urban renewal statutory authority in order to maintain the State-wide program as a tool for cities to encourage business recruitment

and retention through capital infrastructure investments. Oppose legislation which may hinder municipal appointment and decision-making authority in matters related to use of urban renewal.

- **Redevelopment of Abandoned, State Owned Properties:** Support legislation that encourages the speed of redevelopment of the North Campus, Hillcrest Youth Correctional Facility, and other surplus State-owned properties, including providing funding for selected demolition of buildings and site preparation for potential redevelopment to enhance both the livability and economic vitality of adjoining neighborhoods.
- **Economy:** Oppose cuts that disproportionately affect Salem's State workforce, or programs and services that disproportionately affect Salem businesses and residents.
- **Salem Municipal Airport:** Preserve our local municipal airport through supporting activities which allow for increased revenue options and/or grant opportunities.
- **Commercial Air Service:** Supporting commercial aviation service and funding opportunities concurrent with Council direction regarding commercial air service at Salem Municipal Airport.
- **Brownfields Redevelopment Proposal:** Support and participate in developing legislation that encourages assessment, cleanup and re-use or redevelopment of brownfields and other underutilized sites, including incentives for cleaning up and redeveloping brownfield properties.
- **Statewide Infrastructure Funds:** Support capitalization of the Special Public Works Fund and programs to provide municipalities with the incentives necessary to make industrial sites ready for development.
- **Infrastructure Investment:** Support increased state investment in local water, wastewater, stormwater, transportation, and parks infrastructure to reduce local costs and expedite construction of necessary facilities.
- **Oregon Industrial Site Readiness and Assessment Programs:** Support program implementation and funding to advance industrial sites to market-ready status and create traded sector jobs, and of grant funding to bring regionally significant industrial lands to market-ready status.

Finance, Revenue and Cost of Service: Cities continue to experience substantial difficulty in maintaining basic services and meeting the service demands of their residents, despite the slow but steady economic growth at state and national levels. Residents desire quality services and deserve to have tax dollars spent efficiently and effectively on services they deem most important. City officials must be allowed to work with their communities to determine revenue sources and service priorities.

- **COVID-19 Recovery Resources.** Support the equitable distribution of recovery resources to ensure recovery of our community, its residents, and its businesses. Oppose re-allocation of State funding, including state-shared revenues, that may

further jeopardize existing municipal programs and services, hindering our recovery.

- **Property Tax Reform:** Support the League of Oregon Cities' efforts to mitigate the tax inequities and negative fiscal impacts created by Measures 5 and 50.
- **State Shared Revenues:** Oppose any effort that violates the historic agreement between the State and local governments regarding shared revenues from liquor, cigarettes, marijuana, and 9-1-1 taxes.
- **Preemption of Local Government Taxing Authority:** Oppose legislation that restricts or pre-empts local decision making and local control over revenues, including urban renewal. Maintain local government authority to adopt revenue raising measures.
- **Modification of the Tax Structure:** Encourage and participate in efforts to evaluate changes to Oregon's current tax structure. Local government should be at the table to protect local interests.
- **System Development Charges:** Oppose attempts to limit or otherwise dilute the ability of cities to charge system development fees that fund infrastructure improvements for community growth and to mitigate deficiencies created by future growth.
- **Public Contracting Policy:** Oppose legislation that restricts local authority in public contracting policy. Support legislation that preserves the right of local government to select most appropriate service delivery method.
- **Public Records Requests and Responses.** Oppose legislation which creates unreasonable public records request response timelines, caps fees or limits recovery of expenses associated with records requests, increases the City's defensible cost to produce or retain the public record, or expands the definition of public records.

Human Resources: Personnel-related expenses account for a substantial portion of municipal expenditures. Cities should be given broad discretion to manage their work forces.

- **Employee Benefits:** Oppose legislation that requires specified benefit levels for public employees, eliminates or reduces the City's ability to continue to provide a self-insured health plan or requires the City to enter into a broad health insurance pool.
- **Managements Rights and Collective Bargaining:** Oppose legislation that broadens the scope of bargaining unit membership, mandates or guarantees staffing or scheduling levels. Oppose legislation that requires mid-term bargaining to be subject to binding arbitration or increases the scope of binding arbitration. Support efforts to provide cities with broad latitude to provide services and programs in the most efficient and cost effective manner.

- **Workers' Compensation:** Oppose legislation that erodes exclusive remedy protections; or increases benefit levels for public employees; or mandates certain illness to be presumptive and narrows self-insured rights of public employers.
- **Liability:** Oppose legislation that erodes Oregon Tort Claims Act, increases employer liability and legal defense costs, or narrows recreational or discretionary immunity.
- **Personnel Administration:** Oppose legislation that creates duplicate regulations currently mandated by federal legislation. Support legislation to streamline and clarify current contradictory legislative mandates.

Land Use: A core function of cities is planning for, managing and protecting land use and municipal services within their borders. These fundamental activities are frequently the subject of considerable community interest and are undertaken within an increasingly complex array of state and federal laws governing land use and environmental protection.

- **Local Planning Priorities:** Oppose measures that limit or pre-empt local authority to plan for and manage land uses or that hinder local decision-making in land use matters. Support measures that increase funding and other support for local planning activities, and support measures that align with land use priorities that have been established locally.
- **Annexation:** Support legislation that removes the difficulties of annexing property to create a logical and efficient City boundary supportive of urban growth, and oppose legislation that creates additional barriers to achieving land use goals under existing annexation laws—particularly in unincorporated urbanized areas located outside of city limits but within urban growth boundaries. Preserve local annexation authority and oppose measures that would be contrary to our City Charter, which emphasizes voter approval of proposed annexations.
- **Historic Preservation:** Oppose measures that limit, dilute, or pre-empt local authority to protect our historic resources. Support legislation that preserves local authority to protect our historic resources and programs that provide municipalities with additional incentives to assist with the development and implementation of our Historic Preservation Program.

Public Safety: City officials are best positioned to direct emergency response efforts that reflect community values and standards to ensure public safety within their boundaries. To achieve this, cities need adequate resources, tools and authority.

- **Public Safety Answering Points (PSAP):** Oppose legislation that pre-empts the authority of a municipality to select its own PSAP (9-1-1 center) and forces state-mandated, regional consolidation of existing PSAPs.
- **Interoperability:** Support cost effective solutions that leverage partnerships to achieve interoperability within the public safety communications system.
- **Technology and Equipment:** Support legislation that will enable police agencies to retain data gathered from electronic devices for a sufficient amount

of time to investigate and solve crimes, especially body-worn cameras. Oppose legislation that eliminates the option for cities to receive equipment from federal agencies that will increase the ability to protect residents. Oppose body camera legislation that creates unreasonable demands on city resources for required data retention and records requests.

- **Mental Health Services:** Support increased resources across the state for persons with mental health issues and those who assist them, particularly in crisis situations.
- **Oregon Resilience Plan:** Support the implementation of an ongoing, long-term resilience plan aimed at reducing risk and improving recovery from a major seismic event.
- **Hazardous Materials Transportation:** Support continuation of requiring enhanced reporting of hazardous materials transportation by rail, and funding for first responder training and equipment to enhance local emergency response capabilities to hazardous materials incidents.

Right of Way Management: In addition to water, wastewater, and stormwater services provided by the City, modern public utilities encompass a range of services including electric, gas, wireless and wireline telecommunications, cable, and broadband. Businesses and residents consider access to these services essential. Cities play an important role in ensuring that infrastructure is safely and economically placed to serve their communities by allowing carefully managed access to the public right-of-way that all cities hold in trust for their residents.

- **Authority to Manage Right-of-Way:** Salem supports policies that protect cities' local authority to manage the use of the public's right-of-way that all cities hold in trust for their residents. Salem opposes attempts at local, state, and federal levels to pre-empt or dilute this authority, including cities' right to determine the party responsible for relocation of facilities in the right-of-way.
- **Compensation for Use of Right-of-Way:** Salem supports policies that protect cities' local authority to determine and received fair and reasonable compensation for use of the public's right-of-way. Salem opposes attempts at local, state and federal levels to pre-empt or dilute this authority, to cap compensation, or to direct use of compensation. This applies to existing technology, as well as new technology such as the deployment of wireless small cell and 5G facilities.
- **Authority to Provide Municipal Broadband:** Salem supports policies that protect and enhance local government authority to provide municipal broadband without creating barriers to private investment in the telecommunications industry. Salem opposes attempts at local, state, and federal levels to pre-empt or limit cities' option and authority to provide these services.

Homelessness and Affordable Housing: Local governments are working with partners to reduce hardships that lead to homelessness and chronic homelessness within our communities, and to provide affordable housing in concert with our local development community, non-profits, and other public sector partners. Many of our unsheltered neighbors are living out doors with untreated mental illness, addiction, and chronic health conditions worsened by long periods of homelessness.

- **Homelessness:** Support additional funding for local community organizations and governments to provide more rental assistance, intensive case management, mental and behavioral health treatment, respite care, short-term sobering services and longer-term recovery programs, transitional and permanent housing programs for people experiencing homelessness, funding to prevent homelessness, and funding to reduce barriers to housing for those chronically unsheltered in our communities.
- **Affordable Housing:** Support legislation to create more affordable housing, and provide local governments additional funding for affordable housing and incentives for private sector participation in affordable housing.

Environment: City officials place high importance on protecting and enhancing the environment in order to maintain the quality of life for both current and future generations..

- **Municipal Water Rights:** Support protection and preservation of municipal water rights and drinking water sources, and affirm the needs of growing communities to have sufficient resources to efficiently serve expanding populations
- **Greenhouse Gas Emissions:** Establish ongoing, comprehensive and robust programs, partnerships, and commitments to support the reduction of greenhouse gas emissions in our community.
- **Carbon Reduction Framework:** Support efforts to cap emissions by placing a price on carbon and requiring emitters of greenhouse gases to purchase a permit from the state for each metric ton of carbon-equivalent emitted. Revenue generated from the sale of these permits should be directed into investments in clean energy, carbon-reducing transportation projects, and assistance for low-income households. Specifically, a cap and invest framework should:
 - Preserve transportation revenues available to local governments and retain flexibility in use of the revenues for local community needs.
 - Allow investment in evidence-based technologies to reduce emissions from regulated sectors and help these sectors become more efficient over time and less carbon intensive.
 - Dedicate additional revenues to support local governments in climate adaption and resilience, programs to further greenhouse gas emissions, and efforts to incent clean energy job creation and economic development opportunities.



Staff Report

File #: 22-448

Version: 1

Date: 9/26/2022

Item #: 5. a.

TO: Mayor and City Council

FROM: Councilor Vanessa Nordyke, Ward 7

SUBJECT:

Motion from Councilor Vanessa Nordyke concerning a Request for Proposals for a Mobile Crisis Unit.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

MOTION:

I move to direct staff to identify funding sources for City Council's consideration, and once that source has been budgeted, issue a Request for Proposals for a Mobile Crisis Unit to serve the city of Salem.

DISCUSSION:

Mobile crisis units save lives and save money. Cities across the country are adopting their own mobile crisis units. With an epidemic of persons experiencing mental health crises exacerbated by the pandemic, evictions, addiction, rising homelessness and more, the need for a mobile crisis unit is urgent. MCSs can address people struggling with homelessness, mental illness, addiction and other conditions. MCSs free up police officers and firefighters for higher acuity calls. As we know from prior testimony on the subject of mobile crisis units, MCUs reach vulnerable persons who do not feel comfortable requesting traditional public safety services.

The City Council has already received letters of support for the creation of a mobile crisis unit from downtown business owners, the CEO of Salem Health, the head of the Salem Area Lodging Association, mental health advocates, medical and mental health providers, and homelessness advocates from around the city. The community support for this project is strong. This MCU will complement services handled by police and fire. It will complete our public safety spectrum.

This motion is the next steep in identifying funding sources and bringing about a request for proposals for a community partner with the expertise and experience to run the MCU.

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Attachments:
None.