

AGENDA STAYTON CITY COUNCIL

Monday, July 15, 2024

Stayton Community Center 400 W. Virginia Street Stayton, Oregon 97383

HYBRID MEETING

The Stayton City Council will be holding a hybrid meeting utilizing Zoom video conferencing software. The meeting will be in-person but can also be live streamed on the City of Stayton's YouTube account. Please use the following option to view the meeting:

7:00 p.m. - City Council Regular Session - https://youtube.com/live/Ho-DcNPeKFY

<u>Public Comment and Public Hearing Testimony</u>: Meetings allow for in-person, virtual, or written public comment. If a community member has a barrier which prevents them from participating via one of the methods below, they should contact City staff at <u>citygovernment@staytonoregon.gov</u> no less than three hours prior to the meeting start time to make arrangements to participate.

Comments and testimony are limited to three minutes. All parties interested in providing public comment or testifying as part of a public hearing shall participate using one of the following methods:

- <u>In-Person Comment</u>: Parties interested in providing in-person verbal public comment shall fill out a "Request for Recognition" form available at the meeting. Forms must be filled out and submitted to the Assistant City Manager or designee prior to the meeting start time.
- <u>Video or Audio Conference Call</u>: Parties interested in providing virtual public comment shall contact City staff at citygovernment@staytonoregon.gov at least three hours prior to the meeting start time with their request. Staff will collect their contact information and provide them with information on how to access the meeting to provide comments.
- <u>Written Comment</u>: Written comment submitted to <u>citygovernment@staytonoregon.gov</u> at least three hours prior to the meeting start time will be provided to the public body in advance of the meeting and added to the City Council's webpage where agenda packets are posted.
- 1. CALL TO ORDER

7:00 PM

2. FLAG SALUTE

3. ANNOUNCEMENTS

- a. Additions to the agenda
- b. Declaration of Ex Parte Contacts, Conflict of Interest, Bias, etc.
- 4. PUBLIC COMMENT

5. CONSENT AGENDA

- a. June 17, 2024 City Council Regular Session Minutes
- b. June 17, 2024 City Council Work Session Minutes
- c. Resolution No. 1111, Authorizing a 3% Merit Increase for the City Manager, Effective July 1, 2024

6. PRESENTATIONS

7. PUBLIC HEARING

8. GENERAL BUSINESS

League of Oregon Cities Legislative Priorities

DISCUSSION

- a. Staff Report Julia Hajduk
- b. Public Comment
- c. Council Discussion

Update on Changes to Legislation Affecting Law Enforcement

DISCUSSION

- a. Staff Report Michael Meeks
- b. Public Comment
- c. Council Discussion

9. COMMUNICATION FROM CITY STAFF

10. COMMUNICATION FROM MAYOR AND COUNCIL

11. ADJOURN

The meeting location is accessible to people with disabilities. A request for an interpreter for the hearing impaired or other accommodations for persons with disabilities should be made at least 48 hours prior to the meeting. If you require special accommodations, contact City Hall at (503) 769-3425.

CALENDAR OF EVENTS

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JULY 2024				
Monday	July 15	City Council Work Session	6:00 p.m.	E.G. Siegmund Meeting Room
Monday	July 15	City Council	7:00 p.m.	https://youtube.com/live/Ho-DcNPeKFY
Wednesday	July 17	Library Board	Cancelled	
Thursday	July 18	Public Arts Commission	6:00 p.m.	Public Works / Planning Offices
Monday	July 29	Planning Commission	7:00 p.m.	Stayton Community Center
AUGUST 2024				
Monday	August 5	City Council	7:00 p.m.	https://youtube.com/live/Lj-mxqCQ5SQ
Tuesday	August 6	Parks and Recreation Board	6:00 p.m.	Public Works / Planning Offices
Monday	August 19	City Council	7:00 p.m.	https://youtube.com/live/srIRGhfmTvM
Wednesday	August 21	Library Board	Cancelled	
Monday	August 26	Planning Commission	7:00 p.m.	Stayton Community Center
SEPTEMBER 20)24			
Monday	September 2	CITY OFFICES CLOSED IN OBS	ERVANCE OF	LABOR DAY HOLIDAY
Tuesday	September 3	City Council	7:00 p.m.	https://youtube.com/live/X4qI09p4SII
Wednesday	September 4	Parks and Recreation Board	6:00 p.m.	Public Works / Planning Offices
Monday	September 16	City Council	7:00 p.m.	https://youtube.com/live/bUyCXZQ77A
Wednesday	September 18	Library Board	6:00 p.m.	Stayton Public Library
Monday	September 30	Planning Commission	7:00 p.m.	Stayton Community Center
OCTOBER 202	24			
Tuesday	October 1	Parks and Recreation Board	6:00 p.m.	Public Works / Planning Offices
Monday	October 7	City Council	7:00 p.m.	https://youtube.com/live/xRkV_sAoEv0
Wednesday	October 16	Library Board	6:00 p.m.	Stayton Public Library
Monday	October 21	City Council	7:00 p.m.	https://youtube.com/live/bFFjQQ_J9VQ
Monday	October 28	Planning Commission	7:00 p.m.	Stayton Community Center
NOVEMBER 2	024			
Monday	November 4	City Council	7:00 p.m.	https://youtube.com/live/4NtRsKXOwTs
Tuesday	November 5	Parks and Recreation Board	6:00 p.m.	Public Works / Planning Offices
Monday	November 11	CITY OFFICES CLOSED IN OBS	ERVANCE OF	VETERANS DAY HOLIDAY
Monday	November 18	City Council	7:00 p.m.	https://youtube.com/live/qoRzVbZhbW
Wednesday	November 20	Library Board	6:00 p.m.	Stayton Public Library
Monday	November 25	Planning Commission	7:00 p.m.	Stayton Community Center
Thursday	November 28	CITY OFFICES CLOSED IN ORS		THANKSCIVING DAY HOUDAY
Friday	November 29	CITT OFFICES CLOSED IN OBS	ERVANCE OF	THANKSGIVING DAY HOLIDAY

City of Stayton City Council Minutes June 17, 2024

LOCATION: STAYTON COMMUNITY CENTER, 400 W. VIRGINIA, STAYTON **Time Start:** 7:05 P.M. Time End: 8:10 P.M.

COUNCIL MEETING ATTENDANCE LOG

COUNCIL	STAYTON STAFF
Mayor Brian Quigley	Julia Hajduk, City Manager
Councilor David Giglio	Alissa Angelo, Assistant City Manager
Councilor Ben McDonald (excused)	Lance Ludwick, Public Works Director
Councilor Jordan Ohrt	Gwen Johns, Police Chief (excused)
Councilor David Patty	Janna Moser, Library Director (excused)
Councilor Stephen Sims	James Brand, Finance Director
	Jennifer Siciliano, Community & Economic Development Director
	Melanie Raba, Office Specialist

Ms. Hajduk requested to discuss ARPA grant application under General Business.
None.
None.
Motion from Councilor Patty, seconded by Councilor Sims, to approve the Consent Agenda as presented. Motion passed 4:0.
None.
Mayor Quigley opened the public hearing at 7:06 p.m. Ms. Hajduk reviewed the staff report. None. Terry Nelson, Peach Ave. Resident, spoke about expected increased traffic on Peach Ave. if the store hours are

Jeanette Philips on behalf of Ron Durham, Peach Ave. Resident, spoke about the dust in the air from traffic on the gravel road (Peach Ave.), safety for his family, driver's speed. Mayor Quigley read letters submitted by: Sara Keudell regarding the proximity of a marijuana shop to family friendly downtown businesses and keeping the town family friendly. <u>Terri Vandercoevering</u> stating that she and her family stay away from downtown due to the odor coming from the marijuana shop. <u>Sue Coffin</u> comparing the hours of operation for local pharmacies and potential safety concerns if the hours are extended. Jill Johnson regarding lawlessness as a result of drug use. Adam Culbertson, Owner of Homegrown Remedies, clarified for the record that he does not have an opinion on the ruling and that it was not his business that requested the amendment. e. Questions from the Council Council recalled the initial extension request, stating the request was to extend the operating hours to 8 p.m. Council questioned if there are increased crime trends due to sales in the evening. Sgt. Meeks responded. Council reflected on the amount of testimony against the change and lack of any show of support. f. Staff Summary Ms. Hajduk reviewed the Council's options. Mayor Quigley closed the public hearing at 7:23 p.m. Close of Public Hearing Council discussion on lack of benefit to extending marijuana Council Deliberation facilities operating hours. Council took no action on Ordinance No. 1067. Council Decision on Ordinance No. 1067 **General Business** Resolution No. 1110, Adopting Additional FY2024-25 **Fees** Staff Report – James Brand Mr. Brand reviewed the staff report. Public Comment None. Council Discussion None.

d. Council Decision	Motion from Councilor Patty, seconded by Councilor Giglio to approve Resolution No. 1110, Adopting Additional FY2024-25 Fees. Motion passed 4:0
Addition of ARPA Fund Discussion a. Staff Summary – Julia Hajduk	Ms. Hajduk reviewed the history and changes of the ARPA grant application based on Marion County concerns about the State Marine Board comments.
b. Council Discussion	Council discussed the location of the proposed kayak launch and whether the launch was not advised due to river safety.
	Council discussed paving the parking lot at Riverfront Park North and the restroom situation. Staff responded.
c. Council Decision	Motion from Councilor Patty, seconded by Councilor Ohrt to amend the language in the ARPA fund application to read:
	The projects, combined, will provide a year-round draw both inside and outside of the community. The Riverfront Park South portion of the project will improve the existing parking area by re-grading and paving the lot, installing fencing to limit overnight parking/access, removing vegetation including trees to allow better visual access to the river, provide picnic tables, signage and access to the river for fishing, wading and other recreational activities. This will provide visual and physical access to the North Santiam River that does not currently easily exist. It will also provide a better secondary access into Riverfront Park and the existing trail system. Overtime, we envision picnic structures and other amenities for families that want to come to visit Stayton or those that wish to stay in Stayton. Motion passes 3:1 (Giglio).
Communications from City Staff	Ms. Hajduk gave an update on the ice cream social summer schedule, completion of last fiscal year's audit, 4 th of July parade, and the Library's Summer Reading Program. Ms. Hajduk shared the Streets 201 video and upcoming
	survey.
Communications from Mayor and Council	Mayor Quigley thanked the Council for listening to the community's wishes.
	Nicholas Raba spoke about the upcoming Father Daughter Dance.
	Mayor Quigley spoke regarding the upcoming election and open council seats.

APPROVED BY THE STAYTON CITY COU COUNCIL.	INCIL THIS 17 TH DAY	OF JUNE 2024, BY A VOTE	OF THE STAYTON CITY
Date:	Ву:_	Brian Quigley, Mayor	
Date:	Attest:_		
		Julia Hajduk, City Manager	

Stayton City Council Work Session June 17, 2024

LOCATION: STAYTON PUBLIC LIBRARY, 515 N. FIRST AVENUE, STAYTON

Time Start: 6:15 P.M. Time End: 6:55 P.M.

MEETING ATTENDANCE LOG

	STAYTON STAFF
Mayor Brian Quigley	Julia Hajduk, City Manager
Councilor David Giglio	Alissa Angelo, Assistant City Manager
Councilor Ben McDonald (excused)	James Brand, Finance Director
Councilor Jordan Ohrt	Gwen Johns, Police Chief (excused)
Councilor David Patty	Lance Ludwick, Public Works Director (excused)
Councilor Steve Sims	Janna Moser, Library Director (excused)
	Jennifer Siciliano, Community & Economic Development (excused)
	Melanie Raba, Office Specialist

AGENDA	ACTIONS
Discuss charter review process.	City Attorney, Ross Williamson, reviewed the charter review process.

			<u> </u>
APPROVED BY THE STAYTON CITY COUN	ICIL THIS 1 ST DAY C	OF JULY 2024, BY A VOTE OF THE STAYTON (CITY COUNCIL.
Date:	Ву:		
		Brian Quigley, Mayor	
Date:	_ Attest:_		
		Julia Hajduk, City Manager	



CITY OF STAYTON

MEMORANDUM

TO: Mayor Brian Quigley and the Stayton City Council

FROM: Alissa Angelo, Assistant City Manager

DATE: July 15, 2024

SUBJECT: Merit Increase for City Manager

ISSUE

Award of a 3% merit increase for City Manager Julia Hajduk following a favorable performance review.

ENCLOSURE(S)

• Resolution No. 1111

BACKGROUND INFORMATION

On June 11, 2024, the Council met in Executive Session per ORS 192.660 to review and evaluate the employment-related performance of the City Manager. Based on Ms. Hajduk's employment agreement, the Council shall base any salary increases on the City Manager's annual performance review.

The Council appointed Councilor Patty to meet with Ms. Hajduk regarding the merit increase and proposed employment agreement revisions. A 3% merit increase effective July 1, 2024 is proposed for Ms. Hajduk.

Proposed employment agreement revisions will be brought to Council at a later meeting date.

MOTION(S)

Consent agenda approval.



RESOLUTION NO. 1111 AUTHORIZING A 3% MERIT INCREASE FOR THE CITY MANAGER EFFECTIVE JULY 1, 2024

WHEREAS, on June 11, 2024, the Council met in Executive Session per ORS 192.660 to review and evaluate the employment-related performance of the City Manager;

WHEREAS, per Ms. Hajduk's employment agreement, the Council shall base any salary increases on the City Manager's annual performance review;

WHEREAS, the Council appointed Councilor Patty to meet with Ms. Hajduk regarding the merit increase and proposed employment agreement revisions; and

WHEREAS, it is agreed Ms. Hajduk will be granted a 3% merit increase effective July 1, 2024.

NOW THEREFORE, THE CITY OF STAYTON RESOLVES:

SECTION 1. The Stayton City Council authorizes a 3% merit increase effective July 1, 2024 for City Manager Julia Hajduk.

This Resolution shall become effective upon its adoption by the Stayton City Council.

ADOPTED BY THE STAYTON CITY COUNCIL THIS 15TH DAY OF JULY 2024.

			CITY OF STAYTON
Signed:	, 2024	BY:	
ŭ <u></u>		_	Brian Quigley, Mayor
Signed:	, 2024	ATTEST: _	
			Julia Hajduk, City Manager



CITY OF STAYTON

MEMORANDUM

TO: Mayor Brian Quigley and the Stayton City Council

FROM: Julia Hajduk, City Manager

DATE: July 15, 2024

SUBJECT: League of Oregon Cities Legislative Priorities

The League of Oregon Cities (LOC) has asked cities to select their top 5 legislative priorities for the upcoming legislative year. Attachment 1 to this staff report is the Member Voter Guide prepared by the LOC. While there are many initiatives of merit, the following have been identified by staff as having the greatest potential importance to Stayton. Council input is requested to narrow down and confirm the top 5.

Initiative Topic	What LOC would propose to do	Benefit to Stayton
Infrastructure	The LOC will advocate for a comprehensive infrastructure	Potential for increased
funding (co-	package to support increased investments in water, sewer,	funding for needed
sponsored by	stormwater and roads. This includes: funding for system	infrastructure.
water and	upgrades to meet increasingly complex regulatory compliance	
wastewater	requirements; capacity to serve needed housing and economic	
committee	development; deferred maintenance costs; seismic and wildfire	
	resiliency improvements; and clarity and funding to address	
	moratoriums. The LOC will also champion both direct and	
	programmatic infrastructure investments to support a range of	
	needed housing development types and affordability.	
Employment lands	The LOC will support incentives, programs and increased	Potential for increased
readiness and	investment to help cities with the costs of making employment	funding for needed
availability	lands market-ready, including continued investment in the state	infrastructure
	brownfields programs. The LOC also recognizes the deficit of	supportive of Economic
	industrial land capacity in strategic locations and will support	development.
	efforts to build a more comprehensive industrial lands program	
	by strengthening the connection between the DLCD Goal 9	
	Program and Business Oregon IL programs and resources	
Restoration of	The LOC will introduce legislation to protect cities and other	Risk protection
recreational	landowners who open their property for recreational purposes	
immunity	from tort liability claims	
Behavioral health	The LOC will introduce and support legislation to expand access	Help law enforcement
enhancements	to behavioral health treatment beds and allow courts greater	have another tool for
	ability to direct persons unable to care for themselves into	addressing people
	treatment through the civil commitment process.	experiencing mental
		health issues

Initiative Topic	What LOC would propose to do	Benefit to Stayton
Continued	The LOC will Introduce and support legislation to allow drug	Help law enforcement
addiction policy	related misdemeanors to be cited into municipal court; provide	have more tools to
reform	stable funding for services created in HB 4002 in 2024; allow	address issues of
	more service providers to transport impaired persons to	addiction and drug use.
	treatment; establish the flow of resources to cities to support	
	addiction response; and monitor and adjust the implementation	
	of HB 4002	
Address energy	The LOC will: support actions to maintain affordable and reliable	Affordability for Stayton
affordability	energy resources; invest in programs and new technology that	residents
challenges from	support energy efficiency, renewable energy, and battery	
rising utility costs	storage to help reduce overall energy costs and demands; and	
	address grid challenges during peak energy demand and the	
	associated rising costs, while balancing the pace of energy	
	production and power supply that impact rates.	
Alcohol tax	The LOC will advocate for increased revenue from alcohol taxes.	May provide additional
	This includes support for any recommendation by the HB 3610	revenues
	Task Force on Alcohol Pricing to increase the beer and wine tax	
	that maintains 34% shared distribution to cities. This may also	
	include legislation to lift the pre-emption on local alcohol taxes	
2025	The LOC supports a robust, long-term, multimodal	Potential for increased
transportation	transportation package focused on: stabilizing funding for	funding for grants as
package	operations and maintenance for local governments and ODOT;	well as increase in local
	continued investment in transit and bike/ped programs, safety,	share of State shared
	congestion management, and completion of projects from HB	revenue for streets.
	2017. As part of a 2025 package, the funding level must maintain	
	the current State Highway Fund (SHF) distribution formula and	
	increase investments in local programs such as Great Streets,	
	Safe Routes to Schools, and the Small City Allotment Program. In	
	addition, the package should find a long-term solution for the	
	weight-mile tax that stabilizes the program with fees that match	
	heavier vehicles' impact on the transportation system. The	
	funding sources for this package should be diverse and	
	innovative. Additionally, the package should maintain existing	
	choices and reduce barriers for local governments to use	
Chift form	available funding tools for transportation investments	NA
Shift from a gas	The LOC supports replacing Oregon's gas tax with a Road User	May provide additional
tax to a road user	Fee (RUF) while protecting local government's authority to	revenues or offset
fee	collect local gas tax fees. An RUF will better measure a vehicle's	reduction in revenues
	impact on roads and provide a more stable revenue stream.	due to decline in gas tax
		revenues resulting from
		more efficient vehicles

Council Action requested:

Provide input to staff on the top 5 priorities to forward to the LOC from the list above or the full list in Attachment 1.



2024 LOC Member Voter Guide

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2024 Member Voter Guide

Background: Each even-numbered year, the LOC appoints members to serve on seven policy committees, which are the foundation of the League's policy development process. Composed of city officials, these committees analyze policy and technical issues and recommend positions and strategies for the upcoming two-year legislative cycle. This year, seven committees identified 23 legislative policy priorities to advance to the full membership and LOC Board of Directors. It's important to understand that the issues that ultimately do not rise to the top based on member ranking are not diminished with respect to their value to the policy committee or the LOC's advocacy. These issues will still be key component of the LOC's overall legislative portfolio for the next two years.

Ballot/Voting Process: Each city is asked to review the recommendations from the seven policy committees and provide input to the LOC Board of Directors, which will formally adopt the LOC's 2025-26 legislative agenda. While each city may have a different process when evaluating the issues, it's important for cities to engage with your mayor and entire council to ensure the issues are evaluated and become a shared set of priorities from your city._During its October meeting, the LOC Board will formally adopt a set of priorities based on the ranking process and their evaluation.

Each city is permitted one ballot submission. Once your city has reviewed the proposed legislative priorities, please complete the electronic ballot to indicate the top 5 issues that your city would like the LOC to focus on during the 2025-26 legislative cycle. The lead administrative staff member (city manager, city recorder, etc.) will be provided with a link to the electronic ballot. If your city did not receive a ballot or needs a paper option, please reach out to Meghyn Fahndrich at mfahndrich@orcities.org or Jim McCauley at imccauley@orcities.org.

Important Deadline: The deadline for submitting your city's vote is **5 p.m. on September 27, 2024.**

Community and Economic Development Committee

Contact: Jim McCauley, jmccauley@orcities.org

INFRASTRUCTURE FUNDING (CO-SPONSORED BY WATER AND WASTEWATER COMMITTEE)

RECOMMENDATION: The LOC will advocate for a comprehensive infrastructure package to support increased investments in water, sewer, stormwater and roads. This includes: funding for system upgrades to meet increasingly complex regulatory compliance requirements; capacity to serve needed housing and economic development; deferred maintenance costs; seismic and wildfire resiliency improvements; and clarity and funding to address moratoriums. The LOC will also champion both direct and programmatic infrastructure investments to support a range of needed housing development types and affordability.

Background: Cities continue to face the challenge of how to fund infrastructure improvements – to maintain current, build new, and improve resiliency. Increasing state resources in programs that provide access to lower rate loans and grants will assist cities in investing in vital infrastructure. Infrastructure development impacts economic development, housing, and livability. The level of funding for these programs has been inadequate compared to the needs over the last few biennia, and the funds are depleting and unsustainable without significant program modifications and reinvestments. This priority will focus on maximizing both the amount of funding and the flexibility of the funds to meet the needs of more cities across the state to ensure long-term infrastructure investment. The 2024 LOC Infrastructure Survey revealed the increasing need for water and road infrastructure funding. The results show \$11.9 billion of infrastructure funds needed (\$6.4 billion for water and \$5.5 billion for roads).

Combined with the federal-cost share decline on water infrastructure projects – despite the recent bi-partisan infrastructure law investment – cities face enormous pressure to upgrade and maintain water infrastructure. At the same time, cities across the state are working urgently to address Oregon's housing crisis. To unlock needed housing development and increase affordability, the most powerful tool the Legislature can deploy is targeted investments in infrastructure to support needed housing development.

SHELTER AND HOMELESS RESPONSE

RECOMMENDATION: The LOC will support a comprehensive homeless response package to fund the needs of homeless shelter and homeless response efforts statewide. Funding should include baseline operational support to continue and strengthen coordinated regional homeless response and include a range of shelter types and services, including alternative shelter models, safe parking programs, rapid rehousing, outreach, case management, staffing and administrative support, and other related services. The LOC will also support capital funding for additional shelter infrastructure and site preparation. Oregon's homeless response system must recognize the critical role of cities in homeless response and meaningfully include cities in regional funding and decision-making, in partnership with counties, community action agencies, continuums of care, housing authorities, and other service provider partners.

Background: The LOC recognizes that to end homelessness, a cross-sector coordinated approach to delivering services, housing, and programs is needed. Despite historic legislative investments in recent years, Oregon still lacks a coordinated, statewide shelter and homeless response system with stable funding. Communities across the state have developed regional homeless response collaboratives, beginning with the HB 4123 pilot communities funded by the Legislature in 2022 and the more recently established Multi-Agency Collaboratives and Local Planning Groups created by Governor Kotek's **Executive Order on Affordable Housing and Homelessness**. As Oregon continues to face increasing rates of unsheltered homelessness, the LOC is committed to strengthening a regionally based, intersectional state homeless response system to ensure all Oregonians can equitably access stable housing and maintain secure, thriving communities.

EMPLOYMENT LANDS READINESS AND AVAILABILITY

Legislative Recommendation: The LOC will support incentives, programs and increased investment to help cities with the costs of making employment lands market-ready, including continued investment in the state brownfields programs. The LOC also recognizes the deficit of industrial land capacity in strategic locations and will support efforts to build a more comprehensive industrial lands program by strengthening the connection between the DLCD Goal 9 Program and Business Oregon IL programs and resources.

Background: Infrastructure cost is a significant barrier for cities that are looking to increase the supply of market-ready industrial land. Cities require a supply of industrial land that is ready for development to recruit and retain business operations. For sites to be attractive to site selectors, the basic infrastructure must be built out first. For example, the Regionally Significant Industrial Site (RSIS) program within Business Oregon is designed to help cities with the cost of readiness activities

through a reimbursement program, but many cities are not able to take advantage of this program due to a lack of staff capacity and up-front capital for investments.

FULL FUNDING AND ALIGNMENT FOR HOUSING PRODUCTION

RECOMMENDATION: The LOC will advocate to maintain and increase state investments to support the development and preservation of a range of needed housing types and affordability, including: publicly supported affordable housing and related services; affordable homeownership; permanent supportive housing; affordable modular and manufactured housing; middle housing types; and moderate-income workforce housing development. In addition, the LOC will seek opportunities to address structural barriers to production of different housing options at the regional and state level. This includes: streamlining state agency programs, directives, funding metrics, and grant timelines that impact development; aligning state programs with local capital improvement and budget timelines; and increasing connections between affordable housing resources at Oregon Housing and Community Services (OHCS) with the land use directives in the Oregon Housing Needs Analysis (OHNA) and Climate Friendly and Equitable Communities (CFEC) programs at the Department of Land Conservation and Development (DLCD).

Background: Recent legislation and executive orders have made significant changes to the state's land use planning process, including new housing production directives for cities and counties. These updates have resulted in extensive, continuous, and sometimes conflicting efforts that are not supported by adequate state funding. Cities do not have the staff capacity or resources needed to implement existing requirements. Additional state support is needed to assist local implementation, including technical assistance and education for local staff and decision makers, and workforce development. The state should prioritize implementation and coordination of existing programs in the 2025-2026 legislative sessions before considering any new policies.

General Government Committee

Contact: Scott Winkels, swinkels@orcities.org

RESTORATION OF RECREATIONAL IMMUNITY

RECOMMENDATION: The LOC will introduce legislation to protect cities and other landowners who open their property for recreational purposes from tort liability claims.

Background: An adverse court ruling stemming from a recreational injury sustained on a city owned trail opened cities and other public and private landowners to tort claims for injuries sustained by people who are recreating. The Legislature enacted a temporary restoration of the immunity in 2024 that will expire

on July 1, 2025. Legislation to make the immunity permanent will be needed for cities to offer recreational amenities without fear of tort liability lawsuits or excessive risk premiums.

BEHAVIORAL HEALTH ENHANCEMENTS

RECOMMENDATION: The LOC will introduce and support legislation to expand access to behavioral health treatment beds and allow courts greater ability to direct persons unable to care for themselves into treatment through the civil commitment process.

Background: While Oregon has historically ranked at or near the bottom nationally for access to behavioral healthcare, the state has made significant investments over the past four years. It will take time for investments in workforce development and substance abuse treatment to be realized, and areas for improvement remain. The standard for civilly committing a person into treatment remains very high in Oregon, and as a result, individuals who present a danger to themselves or others remain untreated, often producing tragic results. Additionally, the number of treatment beds for residential care does not meet demand, with services unavailable in multiple areas of the state.

CONTINUED ADDICTION POLICY REFORM

RECOMMENDATION: The LOC will Introduce and support legislation to allow drug related misdemeanors to be cited into municipal court; provide stable funding for services created in HB 4002 in 2024; allow more service providers to transport impaired persons to treatment; establish the flow of resources to cities to support addiction response; and monitor and adjust the implementation of HB 4002.

Background: The Legislature passed significant changes to Oregon's approach to the current addiction crisis with the creation of a new misdemeanor charge designed to vector defendants away from the criminal justice system and into treatment. Changes also included: sentencing enhancements for drug dealers; investments in treatment capacity; and expanded access to medical assisted addiction treatment. HB 4002 did not include stable funding for the services created or provide cities with direct access to resources, or the ability to cite the new offense into municipal courts. Additionally, the new law will likely require adjustments as the more complicated elements get implemented.

Energy and Environment Committee

Contact: Nolan Pleše, nplese@orcities.org

BUILDING DECARBONIZATION, EFFICIENCY, AND MODERNIZATION

RECOMMENDATION: The LOC will support legislation to protect against any rollback and preemptions to allow local governments to reduce greenhouse gas emissions from new and existing buildings while ensuring reliability and affordability. In addition, the LOC will lead and back efforts that support local governments, including statewide capacity, expertise, and resources to allow local governments to pursue state and federal funding and continue to support off-ramps for local governments unable to meet the state's new building performance standards.

Background: Homes and commercial buildings consume nearly one-half of all the energy used in Oregon, according to the Oregon Department of Energy. Existing buildings can be retrofitted and modernized to become more resilient and efficient, while new buildings can be built with energy efficiency and energy capacity in mind.

Oregon cities, especially small to mid-sized and rural communities, require technical assistance and financial support to meet the state's goals. Without additional support, some communities will be unable to meet the state's building performance standards. Off-ramps are necessary to protect cities unable to meet the state's goals to ensure they are not burdened by mandates they can't meet.

Some initiatives may include local exceptions for building energy codes and performance standards, statewide home energy scoring, or financial incentives from the Infrastructure Investment and Jobs Act (IIJA), the Inflation Reduction Act (IRA), state incentives, and other financial incentives like CPACE (Commercial property-assessed clean energy).

For cities to meet their climate resilience and carbon reduction goals while maintaining home rule authority, their flexibility must be preserved to allow for a successful transition from fossil fuels. State pre-emptions should not prohibit cities from exceeding state goals and achieving standards that align with their values.

INVESTMENT IN COMMUNITY RESILIENCY AND CLIMATE PLANNING RESOURCES

RECOMMENDATION: The LOC will support investments that bring resiliency and climate services (for mitigation and adaptation) together in coordination with public and private entities, and work to fill the existing gaps to help communities get high-quality assistance. These resources are needed for local governments to effectively capture the myriad of available state and federal funding opportunities that cannot be accessed due to capacity and resource challenges. The LOC will work with partners to identify barriers and potential

solutions towards resiliency opportunities, such as local energy generation and battery storage, and to support actions that recognize local control.

Background: Oregon communities have unique resources and challenges, and increasingly need help to plan for climate and human-caused impacts and implement programs to reduce greenhouse gases. Oregon should focus on maintaining the reliability of the grid while supporting safe, healthy, cost-effective energy production that includes external costs.

Although many opportunities for building resiliency exist, not all will not be built or managed by cities. Cities support efforts to build resiliency hubs in coordination with public, private, and non-profit interests and will seek more investments in programs that support resiliency hubs.

Cities also have a broad range of perspectives on how to address the impacts of the climate crisis. Concerns about costs and reliability during this energy transition have surfaced in many cities. At the same time, others who share those concerns also aim to have stronger requirements that meet their cities' climate goals. To meet these challenges, cities oppose additional mandates but support exceptions and additional support that recognize each city's unique perspectives, resources, and experience while preserving local authority.

Oregon's small to mid-sized communities and rural communities are particularly in need of technical assistance, matching funds, and additional capacity to address climate impacts. Without assistance, these communities face unfunded mandates due to low resources and capacity challenges to go after many available opportunities.

ADDRESS ENERGY AFFORDABILITY CHALLENGES FROM RISING UTILITY COSTS

RECOMMENDATION: The LOC will: support actions to maintain affordable and reliable energy resources; invest in programs and new technology that support energy efficiency, renewable energy, and battery storage to help reduce overall energy costs and demands; and address grid challenges during peak energy demand and the associated rising costs, while balancing the pace of energy production and power supply that impact rates.

Background: In recent years, rising utility costs have increased the energy burden on Oregonians, particularly low-income Oregonians, those with fixed incomes, and those who are unable to work. Costs contributing to these increases include, infrastructure upgrades, maintenance, and modernization, climate impacts from increased extreme weather events (wildfires, ice storms, snowstorms, flooding, etc.) and mitigation costs associated with them, fuel costs, inflation, legislative and gubernatorial actions, and investments in new energy-producing technology, and battery storage, are some of many reasons that are impacting utility rates.

While many investment opportunities exist, more cooperation and collaboration

needed to find a path forward that reduces the need for large rate increases that impact Oregonians. Rate increases should balance and prioritize vital labor, infrastructure, and mitigations necessary to sustain present and future energy demands with compensation.

In addition, the LOC would advocate for new tools and utilizing existing tools to modernize rate structures to provide flexibility and account for the time of year of rate increases (phasing in of rate increases) and recognize the higher burden for low and moderate-income and fixed-income Oregonians.

Finance and Taxation Committee

Contact: Lindsay Tenes, Itenes@orcities.org

LODGING TAX FLEXIBILITY

RECOMMENDATION: The LOC will advocate for legislation to increase flexibility to use locally administered and collected lodging tax revenue to support tourism-impacted services.

Background: In 2003, the Legislature passed the state lodging tax and restricted local transient lodging tax (TLT) by requiring that revenue from any new or increased local lodging tax be spent according to a 70/30 split: 70% of local TLT must be spent on "tourism promotion" or "tourism related facilities" and up to 30% is discretionary funds.

Tourism has created an increased demand on municipal service provision. Some of the clearest impacts are on roads, infrastructure, public safety, parks, and public restrooms. Short term rentals and vacation homes also reduce the housing supply and exacerbate housing affordability issues.

Cities often play an active role in tourism promotion and economic development efforts, but requiring that 70% of lodging tax revenue be used to further promote tourism is a one-size fits all approach that does not meet the needs of every tourism community. Cities must be allowed to strike the balance between tourism promotion and meeting the needs for increased service delivery for tourists and residents.

MARIJUANA TAX

Legislative Recommendation: The LOC will advocate for legislation that increases revenue from marijuana sales in cities. This may include proposals to restore state marijuana tax losses related to Measure 110 (2020), and to increase the 3% cap on local marijuana taxes.

Background: The state imposes a 17% tax on recreational marijuana products. Until

the end of 2020, cities received 10% of the state's total tax revenues (minus expenses) on recreational marijuana products. Measure 110 largely shifted the allocation of state marijuana revenue by capping the amount that is distributed to the recipients that previously shared the total amount (the State School Fund, the Oregon Health Authority, the Oregon State Police, cities and counties) and diverted the rest to drug treatment and recovery services. Starting in March of 2021, quarterly revenue to cities from state marijuana taxes saw a decrease of roughly 74%. Marijuana revenue has also been on a downward trend because the market is oversaturated, which has continually reduced sale prices (high supply, steady demand). Marijuana is taxed on the price of the sale and not on volume.

ALCOHOL TAX

RECOMMENDATION: The LOC will advocate for increased revenue from alcohol taxes. This includes support for any recommendation by the HB 3610 Task Force on Alcohol Pricing to increase the beer and wine tax that maintains 34% shared distribution to cities. This may also include legislation to lift the pre-emption on local alcohol taxes.

Background: Cities have significant public safety costs related to alcohol consumption and must receive revenue commensurate to the cost of providing services related to alcohol.

Oregon is a control state and the Oregon Liquor and Cannabis Commission (OLCC, formerly known as the Oregon Liquor Control Commission) acts as the sole importer and distributor of liquor. Cities and other local governments are preempted from imposing alcohol taxes. In exchange, cities receive approximately 34% share of net state alcohol revenues. The OLCC has also imposed a 50-cent surcharge per bottle of liquor since the 2009-2011 biennium, which is directed towards the state's general fund. Oregon's beer tax has not been increased since 1978 and is \$2.60 per barrel, which equates to about 8.4 cents per gallon, or less than 5 cents on a six-pack. Oregon's wine tax is 67 cents per gallon and 77 cents per gallon on dessert wines. Oregon has the lowest beer tax in the country and the second lowest wine tax.

Broadband, Cybersecurity, Artificial Intelligence (AI), and Telecommunications Committee

Contact: Nolan Plese, npleše@orcities.org

DIGITAL EQUITY AND INCLUSION

RECOMMENDATION: The LOC will support legislation and policies that help all individuals and communities have the information technology capacity needed for full participation in our society, democracy, and economy through programs such as digital

navigators, devices, digital skills, and affordability programs like the Affordable Connectivity Program (ACP) and the Oregon Telephone Assistance Program (OTAP – also known as Lifeline) that meet and support community members where they are.

Background: Connectivity is increasingly relied on for conducting business, learning, and receiving important services like healthcare. As technology has evolved, the digital divide has become more complex and nuanced. Now, the discussion of the digital divide is framed in terms of whether a population has access to hardware, to the Internet, to viable connection speeds, and to the skills they need to effectively use it. Recognizing individual knowledge and capacity, abilities, and lived experience is now vital, and programs that offer devices, digital literacy skills, cybersecurity, and support for internet affordability, are critical to closing the digital divide.

CYBERSECURITY & PRIVACY

RECOMMENDATION: The LOC will support legislation that addresses privacy, data protection, information security, and cybersecurity resources for all that use existing and emerging technology like artificial intelligence (AI) and synthetic intelligence (SI), including, but not limited to: funding for local and state government cyber and information security initiatives; interagency and government coordination and cooperative arrangements for communities that lack capacity; statewide resources for cyber and AI professionals and workforce development; vendor and third-party vendor accountability; regulations of data privacy; or standards for software/hardware developers to meet that will make their products more secure while ensuring continued economic growth. The LOC will oppose any unfunded cybersecurity and/or AI mandates and support funding opportunities to meet any unfunded insurance requirements.

Background: Society's continued reliance on technology will only increase with the emergence of artificial intelligence (AI) and synthetic intelligence (SI). This will mean an increased risk for cybercrimes. Cybersecurity encompasses everything that pertains to protecting our sensitive and privileged data, protected health information, personal information, intellectual property, data, and governmental and industry information systems from theft and damage attempted by criminals and adversaries.

Cybersecurity risk is increasing, not only because of global connectivity but also because of the reliance on cloud services to store sensitive data and personal information. As AI and SI technology and adoption accelerate, the ability to guard against cyber threats and threats created through AI will increase. Strengthening coordination between the public and private sectors at all levels is essential for decreasing risks and quickly responding to emerging threats. This ensures resilience is considered to reduce the damage caused by cyber threats.

RESILIENT, FUTUREPROOF BROADBAND INFRASTRUCTURE AND PLANNING INVESTMENT

RECOMMENDATION: The LOC will support legislation to ensure broadband systems are built resiliently and futureproofed, while also advocating for resources to help cities with broadband planning and technical assistance through direct grants and staff resources at the state level. The LOC will oppose any preemptions that impede local government's ability to maintain infrastructure standards in the local rights-ofway. Municipalities' have a right to own and manage access to poles and conduit and to become broadband service providers.

Background:

Broadband Planning and Technical Assistance

Most state and federal broadband infrastructure funding requires communities to have a broadband strategic plan in place in order to qualify. Many cities do not have the resources or staff capacity to meet this requirement. Cities will need to rely on outside sources or work with the state for assistance and support the state setting up an office to aid local governments.

Resilient and Long-Term Systems

As broadband continues to be prioritized, building resilient long-term networks will help Oregonians avoid a new digital divide as greater speeds are needed with emerging technologies like artificial intelligence (AI). Important actions that will ensure resilient broadband include: dig once policies; investing in robust middle-mile connections; ensuring redundancy and multiple providers in all areas' sharing current and future infrastructure to manage overcrowding in the right-of-way (ROW); and undergrounding fiber instead of hanging it on poles. Additionally, infrastructure should be built for increased future capacity to avoid a new digital divide by allowing Oregon to determine speeds that reflect current and future technology.

Optional Local Incentives to Increase Broadband Deployment

Cities need flexibility to adequately manage public rights-of-ways (ROW). Instead of mandates, the state should allow cities the option to adopt incentives that could help streamline broadband deployment. Flexibility for cities to fund conduit as an eligible expense for other state infrastructure (most likely water or transportation projects) would reduce ROW activity. Additionally, local governments can work with state and federal partners to streamline federal and state permitting to reduce delays in broadband deployment.

Regulatory Consistency Amidst Convergence

With rapid changes in communication, standards and policy should keep pace. When a converged technology utilizes differing communications technologies, it may be

required to adhere to multiple standards and regulations, or providers may argue that some parts of their service is not subject to regulations. The LOC will support legislation that addresses the inconsistency of regulations applied to traditional and nontraditional telecommunications services as more entities move to a network-based approach.

ARTIFICIAL INTELLIGENCE (AI)

RECOMMENDATION: The LOC will support legislation that promotes secure, responsible and purposeful use of artificial intelligence (AI) and synthetic intelligence (SI) in the public and private sectors while ensuring local control and opposing any unfunded mandates. Cities support using AI for social good, ensuring secure, ethical, non-discriminatory, and responsible AI governance through transparent and accountable measures that promotes vendor and third-party vendor accountability, improving government services while protecting sensitive data from use for AI model learning, and fostering cross-agency, business, academic, and community collaboration and knowledge sharing.

Background: While artificial intelligence (AI) and synthetic intelligence (SI) are not new, the recent advancements in machine learning and the exponential growth of artificial and synthetic intelligence require governments and providers to be responsible and purposeful in the use of this technology. The opportunities and risks that AI and SI present demand responsible values and governance regarding how AI systems are purchased, configured, developed, operated, or maintained in addition to ethical policies that are transparent and accountable. Policies should also consider the implication of AI on public records and retention of information on how AI is being used. Additionally, governments need to consider how procurements are using AI, how they are securing their systems, and any additional parties being used in the process.

Al systems and policies should:

- Be Human-Centered Design Al systems are developed and deployed with a human-centered approach that evaluates Al-powered services for their impact on the public.
- Be Secure & Safe Al systems should maintain safety and reliability, confidentiality, integrity, and availability through safeguards that prevent unauthorized access and use to minimize risk.
- Protect Privacy Privacy is preserved in all AI systems by safeguarding personally identifiable information (PII) and sensitive data from unauthorized access, disclosure, and manipulation.
- Be Transparent The purpose and use of AI systems should be proactively communicated and disclosed to the public. An AI system, its data sources,

operational model, and policies that govern its use should be understandable, documented, and properly disclosed publicly.

- Be Equitable Al systems support equitable outcomes for everyone; urban, rural, suburban, frontier, and historically underrepresented communities. Bias in Al systems should be effectively managed to reduce harm to anyone impacted by its use.
- Provide Accountability Roles and responsibilities govern the deployment and maintenance of AI systems. Human oversight ensures adherence to relevant laws and regulations and ensures the product's creator is ultimately responsible for reviewing the product prior to release and held accountable.
- Be Effective Al systems should be reliable, meet their objectives, and deliver precise and dependable outcomes for the utility and contexts in which they are deployed.
- Provide Workforce Empowerment Staff are empowered to use AI in their roles through education, training, and collaborations that promote participation and opportunity.

Transportation Committee

Contact: Jim McCauley, jmccauley@orcities.org

2025 TRANSPORTATION PACKAGE

RECOMMENDATION: The LOC supports a robust, long-term, multimodal transportation package focused on: stabilizing funding for operations and maintenance for local governments and ODOT; continued investment in transit and bike/ped programs, safety, congestion management, and completion of projects from HB 2017. As part of a 2025 package, the funding level must maintain the current State Highway Fund (SHF) distribution formula and increase investments in local programs such as Great Streets, Safe Routes to Schools, and the Small City Allotment Program. In addition, the package should find a long-term solution for the weight-mile tax that stabilizes the program with fees that match heavier vehicles' impact on the transportation system. The funding sources for this package should be diverse and innovative. Additionally, the package should maintain existing choices and reduce barriers for local governments to use available funding tools for transportation investments.

Background: Oregon has one of the country's most transportation-dependent economies, with 400,000 jobs (1 in 5) related directly to transportation via rail, road, and ports. The State Highway Fund (SHF) is the primary revenue source for the state's transportation infrastructure, and comes from various sources, including gas

and diesel tax, weight mile tax, vehicle registration fees, vehicle title fees, and driver's license fees. These funds are distributed using a 50-30-20 formula, with 50% to the state, 30% to counties, and 20% to cities. Continued investment in transportation infrastructure is critical for public safety objectives such as "Safe Routes to Schools" and the "Great Streets" program. The Legislature must develop a plan to match inflationary costs and a plan to transition from a gas tax to an impact fee based on miles traveled to stabilize transportation investment.

FUNDING AND EXPANDING PUBLIC AND INTER-COMMUNITY TRANSIT

RECOMMENDATION: The LOC supports expanding funding for public transit operations statewide, focusing on inter-community service, service expansion, and a change in policy to allow for the use of funds for local operations and maintenance.

Background: During the 2017 session, HB 2017 established Oregon's first statewide comprehensive transit funding by implementing a "transit tax," a state payroll tax equal to one-tenth of 1%. This revenue source has provided stable funding of more than \$100 million annually.

These funds are distributed utilizing a formula. Investments made since the 2017 session helped many communities expand and start transit and shuttle services to connect communities and provide transportation options. Many communities, however, still lack a viable public transit or shuttle program and would benefit greatly from expanded services.

SHIFT FROM A GAS TAX TO A ROAD USER FEE

RECOMMENDATION: The LOC supports replacing Oregon's gas tax with a Road User Fee (RUF) while protecting local government's authority to collect local gas tax fees. An RUF will better measure a vehicle's impact on roads and provide a more stable revenue stream.

Background: Oregon's current gas tax is 40 cents per gallon. Depending on the pump price, the gas tax represents a small portion of the overall cost of gas. Due to the improved mileage of new vehicles and the emergence and expected growth of electric vehicles, Oregon will continue to face a declining revenue source without a change in the fee structure. Capturing the true impact of vehicles on the transportation system requires a fee structure that aligns with use of roads. The federal tax has remained at 18 cents per gallon since 1993, effectively losing buying power or the ability to keep up with inflation.

COMMUNITY SAFETY AND NEIGHBORHOOD LIVABILITY

RECOMMENDATION: The LOC supports a strong focus on funding safety improvements on large roads, such as highways and arterials, that run through all communities. This includes directing federal and state dollars toward safety improvements on streets that meet the Great Streets criteria but are not owned by ODOT, and increasing funding for the

Great Streets program. For those cities that don't qualify for existing programs, ODOT should explore funding opportunities for cities with similar safety needs. Additionally, more funding should be directed to the Highway Safety Improvement Program (HSIP) and All Roads Transportation Safety (ARTS) programs.

Background: Community safety investment remains a critical challenge for local governments, reducing their ability to maintain a transportation system that supports the safe and efficient movement of people and goods. Traffic fatalities and serious injuries continue to grow to record levels in many communities. The lack of stable funding for these basic operations and maintenance functions prevents local governments from meeting core community expectations. Without increases in funding for transportation, this problem is expected to get even worse, as costs for labor and materials continue to increase.

Water and Wastewater Committee

Contact: Michael Martin, mmartin@orcities.org

INFRASTRUCTURE FUNDING (CO-SPONSORED BY COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE)

RECOMMENDATION: The LOC will advocate for a comprehensive infrastructure package to support increased investments in water, sewer, stormwater and roads. This includes: funding for system upgrades to meet increasingly complex regulatory compliance requirements; capacity to serve needed housing and economic development; deferred maintenance costs; seismic and wildfire resiliency improvements; and clarity and funding to address moratoriums. The LOC will also champion both direct and programmatic infrastructure investments to support a range of needed housing development types and affordability.

Background: Cities continue to face the challenge of how to fund infrastructure improvements – to maintain current, build new, and improve resiliency. Increasing state resources in programs that provide access to lower rate loans and grants will assist cities in investing in vital infrastructure. Infrastructure development impacts economic development, housing, and livability. The level of funding for these programs has been inadequate compared to the needs over the last few biennia, and the funds are depleting and unsustainable without significant program modifications and reinvestments. This priority will focus on maximizing both the amount of funding and the flexibility of the funds to meet the needs of more cities across the state to ensure long-term infrastructure investment. The 2024 LOC Infrastructure Survey revealed the increasing need for water and road infrastructure funding. The results show \$11.9 Billion of infrastructure funds needed (\$6.4 billion for water and \$5.5

billion for roads).

Combined with federal-cost share decline on water infrastructure projects – despite the recent bi-partisan infrastructure law investment – cities face enormous pressure to upgrade and maintain water infrastructure. At the same time, cities across the state are working urgently to address Oregon's housing crisis. To unlock needed housing development and increase affordability, the most powerful tool the Legislature can deploy is targeted investments in infrastructure to support needed housing development.

PLACE-BASED PLANNING

RECOMMENDATION: The LOC will advocate for funding needed to complete existing place-based planning efforts across the state and identify funding to continue the program for communities that face unique water supply challenges.

Background: Oregon's water supply management issues are complex. In 2015, the Legislature created a place-based planning pilot program in Oregon administered through the Oregon Water Resources Department that provides a framework and funding for local stakeholders to collaborate and develop solutions to address water needs within a watershed, basin, surface water, or groundwater. In 2023, the Legislature passed a significant bipartisan Drought Resilience and Water Security package (BiDRAWS), which included \$2 million into a place-based planning water fund to continue efforts to address a basin-by-basin approach.

OPERATOR-IN-TRAINING APPRENTICESHIPS

RECOMMENDATION: The LOC will advocate for funding for apprenticeship training programs and the expansion of bilingual training opportunities to promote workforce development of qualified wastewater and drinking water operators due to the significant lack of qualified operators.

Background: Water utilities must resolve a human-infrastructure issue in order to keep our water and wastewater systems running. Currently, water utilities face challenges in recruiting, training, and retaining certified operations employees. In addition, retirements of qualified staff over the next decade will exacerbate the problem.

In 2023, the Legislature approved one-time funding for the development of a training facility for certified operators and technical assistance staff in partnership with the Oregon Association of Water Utilities. Sustained funding for regional training facilities and direct funding for utilities hosting training programs is needed to train the next generation of water and wastewater operators.