



City of Salem
Legislative Committee
September 23, 2022

Si necesita ayuda para comprender esta información, por favor llame 503-588-6255

PARTICIPANTS

Committee Members

Mayor Chuck Bennett, Chair; Councilor Jose Gonzalez, Councilor Chris Hoy, Councilor Trevor Philips, and Councilor Stapleton (alternate)

Staff

Justin Martin, Perseverance; Courtney Knox Busch, City Managers Office: Tiffany Corbett Enterprise Services; Josh Eggleston, Finance; Greg Hadley, Fire; Eunice Kim, Community Development; Sara Long, Urban Development; Allison Pavelek, Human Resources; Jason Pulley, Public Works; Treven Upkes, Police; Marc Weinstein, Legal; and Ryan Zink, Franchise

AGENDA

1. Welcome and Call to Order
2. Legislative Session Updates, Justin Martin
3. 2023 Legislative Policy Statements for recommendation to City Council
4. 2023 Legislative Priorities for recommendation to City Council
 - a. Funds for River Road Slide Mitigation (\$20 million)
 - b. Funds for Peace Plaza public square (\$2 million)
 - c. Policy for affordable housing fix (Orchard Park example, SB 1557, 2022 Session)
 - d. Policy for photo radar fix to include Salem (SB 560, 2019 Session)
 - e. Support Towing Association in effort to capture cost of future recreational vehicle demolition at point of sale or point of licensing (similar in scope to SB 4066, 2021 Session)
 - f. Funds to sustain sheltering program and Navigation Center, funds for mobile crisis response and sobering center
5. Updates and Information Sharing
 - a. Authority to move tents and structures from unreasonable locations (dangerous roadways or environmentally sensitive areas)
6. Adjourn

Next Meeting: December 9

This meeting is being conducted virtually, with remote attendance by the governing body. No in-person attendance is possible. Interested persons may view the meeting online on [YouTube](#). Please submit written comments on agenda items, or pre-register to provide Public Comment on items not on the agenda, by 5 p.m. or earlier one day prior to the day of the meeting at cbusch@cityofsalem.net

Special accommodations are available, upon request, for persons with disabilities or those needing sign language interpretation, or languages other than English. To request accommodations or services, please call 503-540-2371 (TTD/TTY 503-588-6439) at least two business days in advance.

It is the City of Salem's policy to assure that no person shall be discriminated against on the grounds of race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity, and source of income, as provided by Salem Revised Code 97. The City of Salem also fully complies with Title VI of the Civil Rights Act of 1964, Americans with Disabilities Act of 1990, and related statutes and regulations, in all programs and activities.

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.

River Road Slide Mitigation

South River Road in Salem is a vital thoroughfare which provides access for 12,000 vehicles per day to the I-5 corridor and downtown Salem for residents of south Salem, Independence, Monmouth, and other areas of Polk County. One quarter-mile stretch of the roadway in south Salem, between Minto Brown Park and downtown Salem, is susceptible to rock slides, which results in a hazard to the public and road closures. The adjacent BNSF-owned railroad tracks are also susceptible to a large slide. For more than 30 years the City of Salem has been actively working to minimize the frequency and impact of rock and mud slides. Due to the high costs associated with permanent slide protection measures and a lack of funding, the City has not been able to fully mitigate the danger to the public and the impact of closures on this critical transportation corridor.

Use of South River Road

- Daily traffic:
 - 5878 vehicles are continuing west (south) towards Minto Park or points further southwest such as Independence, Monmouth, and unincorporated areas of Marion and Polk Counties.
 - 6172 vehicles are traveling east (north), towards downtown Salem and the I-5 corridor.
- Almost 93% of traffic is personal vehicles (motorcycles, cars, 2-axel pickups).
- An estimated 2,000 households are in or near the Salem City limits that likely rely on River Road as a primary access route.

Impact of Slide Events

Since 2005, 21 slide events have occurred. River Road closures as a result of these slide events are estimated to average at least two days per slide.



January 2018: Backhoe removing slide debris



December 2014: Slide in background



Impaired Emergency Response

If nothing is done to help with slide mitigation, in the event of a major earthquake that causes the Center St and Marion St bridge to collapse, the volume of debris that comes down the hillside would make River Road impassable. Other than ferries, this is the only other route that allows access to/from Salem and points further southwest such as Independence, Monmouth, and unincorporated areas of Marion and Polk Counties.

Winter 2010-11: Large boulder in roadway narrowly missed vehicle as it passed.

Scope of Construction. If funding becomes available, the City would design and construct approximately 1,300 feet of wall along the two slide-prone stretches of South River Road. Total estimated cost for design, property acquisition, and construction is approximately \$20 million.

Salem Civic Center: Peace Plaza Beautification

The Salem Civic Center, built between 1970 and 1972, celebrated the 50th anniversary of its grand opening on Thursday, August 18, 2022. The complex, including Central Fire Station No. 1, Mirror Pond, Pringle Creek, the City Hall Parking Garage, City Hall (and the City Council's Chambers), and Plaza Fountain are contributing resources of the almost 13-acre site, which has been nominated as the Salem Civic Center Historic District for the National Register of Historic Places. The Salem Public Library and Library Parking Garage, both recently renovated, are also on the site.



Originally intended as the main entrance to City Hall, the Plaza sits between City Hall and the Library, featuring the Crescent Probe sculpture by James Hansen. The space is open, and access is provided via multiple directions and methods. The entire plaza is concrete and features 33 concrete triangles of varying sizes arranged in a circle. Some now support wood benches. In 1988, the Peace Wall was added on the east side of the plaza. Flagpoles were installed to display flags from Salem's Sister Cities.

Scope of Construction. If funding becomes available, the City is prepared to begin design on the estimated \$1.8 million project. The project would prepare Peace Plaza, at Salem's Civic Center as an attractive, use-able and active community asset. Some Improvements would include restoration of the water fountain feature, to meet current health standards, additional parking to promote accessibility and use, as well as greenspace enhancements to create a more inviting plaza.

Sustaining Sheltering Resources

In Salem, our City Council has allocated \$23.33 million in one-time resources during FY 22 and FY 23 to expand sheltering options and manage health, safety and livability concerns in our community. The one-time resources includes almost one-third of our ARPA allocation and State sheltering resources, received in past Legislative Session.

The 2022 point in time count identified more than 1,566 living unsheltered in our community. According to the Mid-Valley Homeless Alliance [Gap Analysis report](#) in August 2021, more among Salem's unsheltered population are living chronically homeless— 49% of Salem's population compared to 37% in Oregon.

Our existing one-time funds will be exhausted by June 30, 2024 and the micro-shelter communities and our navigation center will be forced to close barring any new revenue or other financial support for these emergency sheltering services.

Continue Emergency Shelter *The City of Salem seeks direct funding support from the State of Oregon during the 2023 Legislative Session to continue providing emergency shelter through micro-shelter village communities and Safe Park Programs.*

- Three **micro-shelter communities**, with support of our non-profits service providers, serving 232 people. We partner with Church of the Park and Catholic Community Services. Each micro-shelter community takes about \$1.5 million each year to operate. Our aim is to lease properties because available funding for this investment expires June 30, 2024.
- **Navigation Center** – Through a separate \$5 million grant from the State of Oregon, we've purchased a building for low-barrier sheltering of 50 people in each 120-day cohort with wraparound service support. We estimate that available operating dollars for this investment will begin to lower service level on June 30, 2024. The navigation center will operate 24-hours a day, seven days a week, with intensive case management to connect people to public benefits, health services, and permanent housing. A navigation center differs from traditional shelter models which require sobriety upon entry, segregate by gender, and offer little to no space for personal possessions or pets.



Meeting Needs of Unsheltered in Salem

In our community, the service network in Salem is designed with the goal of transitioning participants to permanent supportive housing or other appropriate housing, and may provide triage services to connect the individual to services, such as health and mental health care, other basic services, and temporary indoor shelter. The model relies on partnerships with local health providers, law enforcement, non-profit organizations, and government.

The 2022 point in time count identified more than 1,566 living unsheltered in our community. According to the Mid-Valley Homeless Alliance [Gap Analysis report](#) in August 2021, more among Salem's unsheltered population are living chronically homeless— 49% of Salem's population compared to 37% in Oregon.

The proposal recognizes the growing cost to our communities of chronically homeless who exhibit signs of behavioral health challenges, including substance abuse. There are no safe places for people to become sober. The system lacks flexibility and capacity to respond to individual needs. Services for those in need of mental health care are severely limited and there are no locations to safely experience psychosis or other behavioral health crisis.

Support Services. *The City of Salem seeks direct funding support from 2023 legislative session to grow our response to much-needed support services to respond to the unhoused emergency across our community.*

- **Behavioral Health** Local governments need immediate local access to mental health care for those in need, a location to safely experience psychosis or other behavioral health crisis. Our counties and State Hospital need help meeting the need.
- **Community-Based Mobile Crisis Response** Mobile crisis response teams are an alternative to public safety response to people experiencing behavioral health crises. Calls that may be considered non-emergency in nature, not requiring Police or Fire/Emergency medical attention, are dispatched to the mobile response team. The program would provide a mobile crisis team designed to reduce calls for service which are currently requiring police or fire department responses. The model can also reduce and divert emergency room visits and people being sent to jail. Based on information gathered from an RFI and research into experience of other communities the City would need to support, on an annual basis, approximately \$1.21 to \$1.74 million for this service.
- **Sobering Center.** The purpose of a sobering facility is to provide a safe, clean, and supervised environment for acutely intoxicated individuals to become sober and eligible for further treatment and other services, 24 hours each day, seven days a week. Without a facility dedicated to sobering, individuals are either: (a) admitted to area emergency rooms (via ambulance at their expense, if they volunteer) for sobering purposes or, (b) if a crime has been committed, to the already over-crowded jail facility, at a cost to the facility and at an opportunity cost to the community. Persons admitted to the hospital for alcohol intoxication generally stay for up to four hours or more, twice the length of time of a typical emergency room patient.