

## CITY OF SALEM LEGISLATIVE SUBCOMMITTEE

Si necesita ayuda para comprender esta información, por favor llame 503-588-6178

Disability-related modification or accommodation, including auxiliary aids or services, in order to participate in this meeting or event, are available upon request. Sign language and interpreters for languages other than English are also available on request. To request such an accommodation or interpretation, contact the ADA Liaison at 503.588.6255 at least **two business days** before meeting; or TTD/TTY telephone (503) 588-6439, is also available 24 hours a day, seven days a week.

### LEGISLATIVE COMMITTEE

#### Members

Mayor Bennett, Chair  
Councilor Tom Andersen  
Councilor Chris Hoy  
Councilor Jim Lewis

#### Staff

Justin Martin, Perseverance  
Debra Aguilar (Police)  
Courtney Knox Busch (City Manager's Office)  
Tiffany Corbett (Information Technology)  
Greg Hadley (Fire)  
Jason Pulley (Public Works)  
Jessica Blakely (Salem Housing Authority)  
Josh Eggleston (Finance)  
Eunice Kim (Community Development)  
Sara Long (Urban Development)  
Allison Pavelek (Human Resources)  
Marcus Pitts (Human Resources)  
Marc Weinstein (Legal)  
Ryan Zink (Budget)

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 also fully complies with Title VI of the Civil Rights Act of 1964, and Americans with Disabilities Act of 1990, and related statutes and regulations, in all programs and activities.

*Declare potential or actual conflicts of interest prior to each item on the agenda.*

### MEETING AGENDA

January 22, 2021 11:00 AM - 12:00 PM  
Virtual Meeting on Zoom Platform  
Watch on City's YouTube Channel

1. Welcome and Call to Order
2. Legislative Session Update, Justin Martin
3. 2021 Legislative Priorities
  - Secure funding support for:
    - Navigation Center
    - Sobering Center
    - Yaquina Hall (affordable housing)
    - Community mental health impacts
  - Protect Drinking Water Source
    - Canyon community wildfire clean up
  - Secure COVID-19 Recovery Resources
4. 2021 Session
  - Legislative Policy Statements
  - Pipes for local water projects (HB 2310)
  - Middle housing land division (HB 2565, HB 2283, SB 458)
  - Climate and equity (HB 2488)
  - Public records (HB 2224, HB 2487, HB 2485)
5. Adjourn

## Legislative Committee

### Report Date: January 19, 2021

### City of Salem

Bill Number	Position	Priority
<a href="#">HB 2283</a> <a href="#">INTRO</a>	Oppose	1
Relating to land division for residential development. Allows land division to separate dwelling units for new middle housing allowed in cities. 1/18/2021 - HB 2283 is nearly identical to SB 458.  Would preempt local authority by requiring the City to approve land divisions for middle housing. It appears that approval would be required without going through the land division process; without having lots meet size, setbacks, and other standards; without ensuring access and utilities for each lot; and without having to submit anything for review. The bill is overly broad. While the bill encourages home ownership opportunities, there are a lot of technical issues that need to be addressed.		
<a href="#">HB 2310</a> <a href="#">INTRO</a>	Oppose	1
Relating to materials for local water projects; prescribing an effective date. Prohibits local government, local contracting agency or local contract review board from enacting, adopting or enforcing ordinance, resolution, rule or other law that prohibits, restricts or limits evaluation, comparison or use of pipe or piping materials for water project if pipe or piping materials meet current standards or performance specifications of specified organizations and moneys appropriated from State Treasury directly or indirectly provided funding for water project. 1/19/2021 - Prohibits the City from enacting rules that specify the type of pipe (material) to be used in water and wastewater projects that receive state funding components. The City specifies pipe type in its design standards which are promulgated under Administrative Rule 109-001 to 109-007. The bill would remove local control for design of certain aspects of water and wastewater infrastructure projects.		
<a href="#">HB 2488</a> <a href="#">INTRO</a>	Watch	1
Relating to addressing climate justice through land use planning; declaring an emergency. Requires Land Conservation and Development Commission to make changes to statewide land use planning goals by December 31, 2026, to address climate justice by addressing climate change adaptation and mitigation and environmental justice for disadvantaged communities. 1/19/2021 - HB 2488 would require the City to update its Comprehensive Plan and land use regulations to comply with statewide planning goals that would be updated to address climate change and equity. The State would update the goals by December 2026, and the City would need to be in compliance within 90 days of the goals' adoption. The State would also set interim standards by July 2021 that would apply to City land use decisions until the City complied with the updated statewide planning goals. The bill aligns with the City's adopted policy statement to support the reduction of greenhouse gas emissions, but State funding, technical assistance, and a longer timeframe - more than 90 days - are needed to support local implementation. Changes required at the local level could be significant.		
<a href="#">HB 2565</a> <a href="#">INTRO</a>	Oppose	1
Relating to land division for residential development. Allows partition to separate dwelling units for new duplexes allowed in cities. 1/18/2021 - HB 2565 is similar to HB 2283 and SB 458, but it applies only to duplexes. If small lot attached homes are desired, the City already allows townhouses, which are attached units on individual lots.		
<a href="#">SB 458</a> <a href="#">INTRO</a>	Oppose	1
Relating to land division for residential development. Allows land division to separate dwelling units for new middle housing allowed in cities. 1/18/2021 - SB 458 would preempt local authority by requiring the City to approve land divisions for middle housing. It appears that approval would be required without going through the land division process; without having lots meet size, setbacks, and other standards; without ensuring access and utilities for each lot; and without having to submit anything for review. The bill is		

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<a href="#">HB 2224</a> <a href="#">INTRO</a>	Oppose	2
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Relating to public records; prescribing an effective date.

Limits amount public body may charge for public employee time for responding to public records request.

1/19/2021 - Bill amends the public records law to limit City's ability to charge more than \$25 per hour for staff time in collecting, reviewing, and preparing documents in response to a public records requests. Prevents DA from providing an opinion on a fee waiver or PRR denial if the DA receives any financial support from the County or public agency that holds the records, and requires the public body to cover any costs of the AG in preparing the response. If the denial of access to records is upheld by the DA or AG's Office, the requestor may seek binding arbitration instead of seeking an injunction in circuit court. Bill limits the ability of the City to recuparate its true costs in responding to a PRR. May lead to expensive litigation as to what "financial support" of the district attorney means. The DA's office provides a less formal process for independent review of City PRR denial matters, loss of this resource will also add cost to the City as it will have to cover the AG's cost in preparing the response, even if the City's denial of access to the records is upheld.

<a href="#">HB 2485</a> <a href="#">INTRO</a>	Oppose	2
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Relating to public records; declaring an emergency.

Requires state agencies to reduce public records request fees by 50 percent if request is made in public interest, and requires state agencies to entirely waive fees if public records request is in public interest and narrowly tailored.

1/19/2021 - Requires state agencies and local governments to reduces fees by at least 50% in responding to a PRR whenever the request is in the public's interest. Requires fees be waived completely when the request is in the public interest and the request is "narrowly tailored" such that the records are set out with specificity and only records that are in the public interest are sought. A request by news media is considered in the public interest. Does away with current process of allowing the City to balance its costs and burdens in responding to a PRR with the public interest in responding, with appeal oversight to revise denial. Mandate reductions of fees regardless of costs and burdens to the City. Also does not define what constitutes "news media" so unclear if a blogger with a limited audience will now have cost free access to all public records regardless of the intention of the requests.

<a href="#">HB 2487</a> <a href="#">INTRO</a>	Oppose	2
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Relating to public records about public safety officers.

Modifies provisions relating to public records about public safety officers.

1/19/2021 - Bill would no longer exempt from disclosure under public records law information about a personnel investigation of a police officer if the investigation does not result in discipline of the officer. Under current law, this information is exempt from disclosure except under certain circumstances, including: the employee consents to disclosure or the public interest requires disclosure of the information, or the public body determines that not disclosing the information would adversely affect the confidence of the public in the public body. The current law allows for a balancing between the confidential nature of personnel matters and investigations and the public interest. This Bill would strip away this balancing and provide access to personnel investigations against officers where no discipline results.