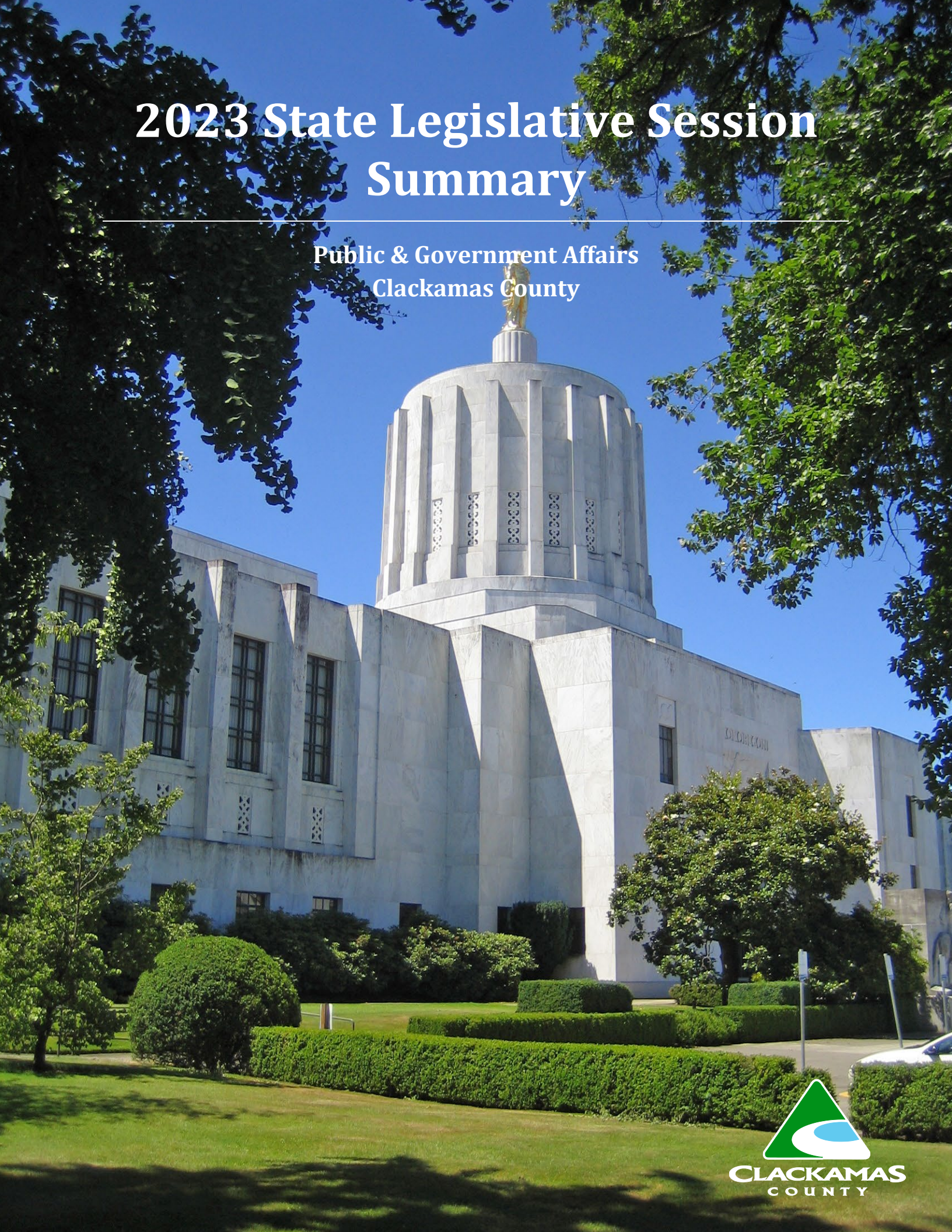


# 2023 State Legislative Session Summary

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Public & Government Affairs  
Clackamas County



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## Table of Contents

<b>2023 LEGISLATIVE REVIEW AND LOOK AHEAD</b>	<b>01</b>
<i>Prelude to Session</i>	<i>01</i>
<i>2023 Session Issues</i>	<i>01</i>
<i>Clackamas Caucus</i>	<i>03</i>
<i>Department Support and Bill Tracking</i>	<i>03</i>
<i>Key Dates and Deadlines for 2023 Interim and 2024 Short Session</i>	<i>04</i>
<b>COUNTY INITIATIVES</b>	<b>05</b>
<i>Courthouse Replacement Project</i>	<i>05</i>
<i>I-205 Improvements Project</i>	<i>06</i>
<b>COUNTY PRIORITIES</b>	<b>09</b>
<i>Rebuild the critical partnership between the state and counties</i>	<i>09</i>
<i>Regionally Balanced Approach to Land Availability and Readiness</i>	<i>09</i>
<i>Funding for local Public Safety Diversion Programs</i>	<i>10</i>
<i>Revenue and Indemnification for Contracted State Services</i>	<i>11</i>
<i>Responding to the Housing Crisis</i>	<i>12</i>
<b>OTHER SIGNIFICANT LEGISLATION</b>	<b>16</b>
<b>ATTACHMENTS</b>	
<i>Appendix A: Clackamas County 2023 State Legislative Agenda</i>	<i>18</i>
<i>Appendix B: Policy Statements, Letters, and Factsheets</i>	<i>23</i>

# 2023 LEGISLATIVE SESSION SUMMARY

## 2023 Session Review and Look Ahead

### Prelude to Session

There was great anticipation leading up to the start of the 2023 legislative session. It would be the first ‘in-person’ session in 3 years due to the impacts of the pandemic. It also would feature an overwhelming number of new legislators, particularly in the House. And even for many legislators that had served since the 2020 election, it would be the first time they governed in a building with the public present.

While the pandemic had abated, it would still be a far cry from what many long-timers would refer to as a ‘normal session.’ Intensive building construction to brace the capitol for a seismic event closed down over half of the building, cramming lobbyists and public participants into the narrow hallways outside the hearing rooms and the lobbies outside of elevators.

The financial outlook of the state, going into session, was not bright. Threats of a recession, runaway inflation, and the expiration of one-time federal investments all pointed to a very difficult budget year. This was anticipated to be especially painful in light of recent sessions that were awash in American Rescue Plan Act (ARPA) funding.

One problem Democrats did not expect to face was a disruptive walk-out such as the kind that had interrupted (and in one case ended) recent sessions. The common assumption was that Oregon voters had solved that problem through the passage of Ballot Measure 113, which amended the Oregon Constitution to disqualify members of the Oregon Legislature with ten unexcused floor session absences from serving in the legislature following their current term.

### 2023 Session Issues

#### Session Dynamics:

There were many new faces in the Oregon Capitol. New Governor, new Senate President, and relatively new Speaker. Twenty-five new members in the House and seven new members in the Senate. In all that newness was a record number of legislators of color, including five Vietnamese-Americans and 13 BIPOC legislators in total.

The high concentration of freshmen legislators also created concern about the ability of the Legislature to function as an institution. Long sessions are a) very long; b) require a balanced budget be passed; and c) Democrats were without supermajorities in each chamber, which means they did not have the votes to increase revenue without Republican support.

The concerns about the Legislature's ability to function efficiently appeared to be validated when the Senate Republicans walked out for six weeks (see "Walkout" below), but the need for a budget special session was narrowly averted and the Legislature showed it could, in fact, govern. In doing so, the Legislature was able to generously dole out funds after yet another incredible revenue forecast that increased state coffers by \$1.9 billion.

### **2023 Leadership Priorities:**

Governor Kotek made her priorities clear from the start of the legislative session: homelessness & housing, behavioral health, and education (especially childhood literacy).

Speaker Dan Rayfield made housing (HB 2001) his lead issue in his priority series of bills, followed by reproductive health and access to care (HB 2002), campaign finance and voting reform (HB 2003 and 2004), and gun safety (HB 2005-2007).

Senate President Rob Wagner included his priority series support for the semiconductor industry, tax credits to rent out housing, graduation requirements for financial literacy, and the ability for the Department of Revenue to collect race and ethnicity information.

House and Senate Republicans focused on the need to fight crime, slow inflation, and support economic development and Oregon businesses. They also touted their election gains that denied Democratic supermajorities, vowing no new taxes and protecting The Kicker.

Other legislative priorities often mentioned included addressing the public defense crisis, climate change, I-5 bridge replacement, and recovering from the pandemic by supporting the healthcare workforce.

### **Walkout:**

A lot happened over the six months of this session, but what it will likely be most remembered for is the six-week Senate Republican walkout that brought the session to a standstill. While walkouts have been a feature of most of the past several legislative sessions, this one was different in two key ways: it was both the longest walkout in legislative history, and the first to happen after voters approved a ballot measure disqualifying a legislator from seeking reelection if they have more than 10 unexcused absences (Ballot Measure 113). When the walkout began, this latter fact led some to believe that Republicans would return on day 9, as not to risk their chance at reelection. However, there was a lack of quorum on day 10, making it clear that the standoff could last much longer.

Senate Republicans most often pointed to provisions of HB 2002 as the reason for the walkout, which proposed increased access to reproductive health care and gender affirming care. They also voiced significant concern over HB 2005, a bill focused on gun violence prevention with implications for gun ownership laws in Oregon. It was long assumed that any 'deal' would need to include compromises on these two issues, but given how dug in both sides were, many thought session would end without further negotiation, while hundreds of bills languished and a special session to pass budgets seemed

inevitable. After days of tenuous negotiation, a deal materialized that included amendments to both HB 2002 and 2005, and a laundry list of other agreements that ultimately resulted in the Republicans returning to the floor.

With a quorum in the Senate, both chambers convened for the final 10 days of session to work through an incredible backlog of bills at a dizzying pace. While the Legislature was able to accomplish a significant amount of work despite the lengthy mid-session stall, the walkout meant many bills that would have otherwise passed were left on the cutting room floor. It also means 10 Senate Republicans are ineligible to run again (though they have vowed to challenge in court the Constitutionality of BM 113 provisions). And there is likely additional political fallout in light of criticism in both chambers and both parties about how the negotiations played out.

### **Clackamas Caucus**

With the support of PGA, Clackamas County's state legislative delegation formed a legislative caucus in 2019 to represent the diverse communities and address key issues affecting county residents. The bicameral and bipartisan caucus is comprised of 18 members from the county's delegation. Caucus members met throughout the legislative session to discuss issues and foster a team-oriented approach to their legislative advocacy. In 2023, the Caucus focused heavily on I-205/tolling and courthouse funding.

### **Department Support and Bill Tracking**

PGA both supports and relies on county departments in order to be successful during the legislative session. PGA works collaboratively with each department to designate a primary legislative liaison to work closely with department directors and ensure subject matter experts review each bill relevant to their respective department. This activity requires countless hours to review legislation and amendments, craft and implement legislative strategy, and develop written and spoken testimony. 2,970 bills were introduced in the 2023 session, of which Clackamas County Government Affairs staff actively tracked 1,868 (63%) that were related to local government. 127 of those bills were considered high priority legislation that PGA tracked closely, taking a position on nearly four dozen of those bills.

In addition to providing legislative support to the Board of County Commissioners (BCC) and county departments, Public & Government Affairs (PGA) worked cooperatively with numerous external partners during the session to advance the County's legislative agenda. These groups included state legislators and their staff; legislative committee staff; state agency officials; various state lobby associations, including the Association of Oregon Counties (AOC) and League of Oregon Cities (LOC); and other regional and local government partners.

## Looking Ahead: 2023 Interim and 2024 Short Session

With 2024 being a 35-day short session, leadership has talked about “co-governance” with Republicans to avoid another walkout and ensure that the Legislature is able to complete its business. This could mean that only bills or requests with bipartisan support will be able to move in the short session. Given restrictive bill limits in short session, coupled with a potential for “co-governance,” it’s likely that fewer bills will be passed in 2024 than in prior short session years.

### Key Dates & Deadlines:

- September 27-29, 2023: Legislative Days
- November 7, 2023: General Election
- November 6-8, 2023: Legislative Days
- November 9, 2023: Legislative Concept (LC) Request Deadline
- January 10-12, 2024: Legislative Days
- January 12, 2024: LC Drop Deadline
- February 5 – March 10, 2024: Short Session

# COUNTY INITIATIVES

Initiatives are policy objectives that lead the Clackamas County’s state advocacy efforts. They will directly affect Clackamas County in a meaningful way, are in the County’s Performance Clackamas Goals, or otherwise might not advance if not for Clackamas County.

The county adopted two initiatives for the 2023 legislative session, including funding for the County Courthouse Replacement Project and the I-205 Improvements Project. Details of the work and outcomes related to these initiatives are below.

Courthouse Replacement Project			
BILL	SUMMARY	POSITION	OUTCOME
<a href="#">HB 5005</a>	<b>\$30 million for the Clackamas Courthouse</b>	<b>SUPPORT</b>	<b>PASSED</b>
<p>In July 2022, the Clackamas County Board of Commissioners (BCC) approved signing an agreement to begin construction of the Clackamas Courthouse Replacement Project. That approval was given with two important letters in hand – one from the Chief Justice committing to include the state’s portion of the project in the Oregon Judicial Department (OJD) requested budget and one from the co-chairs of the Clackamas Caucus (Reps. Meek and Lewis) committing to supporting the request.</p> <p>The Chief Justice included a request of \$61 million, which was made a part of Tina Kotek’s “Governor’s Requested Budget” (GRB).</p> <p>In December 2022, Phil Lemman (OJD), David Moon (OJD), Nancy Bush, Elizabeth Comfort, Nate Boderman, Chris Lyons, and Phil Donovan met with Legislative Fiscal Office (LFO) analysts John Borden and Walt Campbell. LFO was able to review the funding request amounts and ask questions. The presentation put a lot of emphasis on cost savings efforts in the face of rising inflation costs, primarily to materials. Following that meeting, Clackamas County took the lead on filling out LFO’s Capital Funding Request form.</p> <p>When the Oregon Legislature convened, PGA did an initial round of outreach to all legislators in the Clackamas delegation to explain the project and invite legislators to the groundbreaking on February 3<sup>rd</sup>. The event immediately following the county’s legislative breakfast and was attended by Senator Meek (speaking role) and Reps. Bynum, Gamba, Hartman, Hieb, Neron, D. Nguyen, and H. Nguyen.</p> <p>Following a wet, cold and successful groundbreaking, PGA scheduled Chair Smith and Judge Steele for a round of legislative visits on February 15<sup>th</sup>. They met with leadership and members of Ways &amp; Means.</p>			



On March 9<sup>th</sup>, Judge Steele testified before the Public Safety Subcommittee. On March 31<sup>st</sup>, Judge Steele testified before the Capital Construction Subcommittee. Neither hearing generated any discussion, but PGA had prepared an FAQ in the event of legislator questions.

Around this same time, the BCC voted to stop pursuit of Project Turnkey. This generated a lot of negative legislative feedback, including legislators stopping support of the courthouse project and canceling meetings and tours. Chair Smith met with key legislators and Governor Kotek to explain the county was pursuing different strategies to address homelessness. Her message resonated strongly with Capital Construction Co-Chair Girod. Meanwhile, Governor Kotek, a strong proponent of Project Turnkey, acknowledged the issues were unrelated. PGA also received questions from legislators about Sheriff Brandenburg’s statements in the media about the county budget process and, again, following BCC discussions about defunding the county’s Office of Equity and Inclusion.

On April 20<sup>th</sup>, PGA met with legislative leadership offices, and members of Ways & Means and the Clackamas delegation to share a construction update. One outcome of this round of visits is that Rep. Neron volunteered to organize a letter of support for the courthouse for the Clackamas Caucus. The letter was signed by Senators Hansell, Meek, Taylor, Woods, and Reps. Hartman, Helfrich, Hieb, Lewis, Neron, D Nguyen, and H Nguyen.

On May 17<sup>th</sup>, Judge Steele did another round of meetings, including with Ways & Means Co-Chair Steiner and Capital Construction Co-Chair Holvey. Both expressed dismay at the “big number” associated with the project.

Once negotiations to end the Senate Republican walkout concluded, the end-of-session bills were posted and HB 5005 included \$30 million in Q-bonds for the Clackamas courthouse, roughly half of what the OJD budget requested. Benton County was allocated \$8.8m in Q-bonds, Morrow County was allocated \$12.5m in Q-bonds, Curry County was allocated \$10.6m in Q-bonds, and Deschutes County was allocated \$15 million in General Fund (less than their requested \$25 million).

## I-205 Improvements Project

BILL	SUMMARY	POSITION	OUTCOME
<b>Many</b>	<b>I-205 Tolling Pause</b>	<b>SUPPORT</b>	<b>PASSED</b>

Dating back to the summer of 2022, PGA and DTD staff met regularly with Rep. Susan McLain, co-chair of the Joint Committee on Transportation. Her district lies in Washington County, which has been an important thought partner in regional toll policy discussions. These monthly meetings allowed ClackCo to identify ODOT’s challenges engaging local communities with regularity.

Prior to session, the BCC adopted their 2023 state legislative agenda priorities that included finding funding alternatives that reduce the burden of ODOT's current tolling plan on local communities.

At the beginning of the legislative session, ODOT's "Level 2 Traffic & Revenue Study" was released (via public records request). That document validated what ClackCo had heard, but had not been able to verify, that toll revenue was inadequate to cover capital costs associated with the I-205 project, in part because so much funding was needed to stand up a new toll system. Also, the Oregon Transportation Commission meeting in January offered up several surprises: 1) the establishment of the Statewide Toll Rulemaking Advisory Committee (STRAC); 2) a Statewide Transportation Improvement Program (STIP) amendment to use \$100 million for I-205 and \$90 million for back office toll system; and 3) a \$45 million STIP amendment related to Rose Quarter.

At the initial Clackamas Caucus meeting, responding to the "finance plan" that ODOT delivered to Rep. Khanh Pham (D-East Portland), Clackamas area legislators began to appreciate how little details ODOT was sharing with Clackamas County and local communities.

On February 21st, the draft Environmental Analysis (EA) was made public with a public comment period of 45 days. County staff shared the county's EA comments and technical letter with Clackamas Caucus legislators on April 14th.

The Clackamas Caucus met on April 19th for a presentation on the EA comments from county staff and remarks by the Mayors of West Linn, Lake Oswego, Tualatin and Commissioner Savas. The meeting elicited strong alarm and even resulted in a separate one-on-one meeting with Senate President Wagner. ODOT's issuance of a draft EA was a critical moment. The document offered a clear opportunity to identify the shortcomings of ODOT's engagement with local communities.

Note: County staff provided strong support for less well-resourced communities to develop a response to ODOT, the Governor, and legislators. This was best exemplified by the April 5th joint logo letter to the Clackamas Caucus and the Joint Transportation Committee with 18 jurisdictions represented, followed by a letter with a similar message from the business community.

On April 26th, [HB 3614](#) was introduced to prohibit tolling until January 2026. Within days, nearly 30 legislators had signed on as cosponsors to the bill.

A county staff meeting with Governor Kotek's transportation advisor, Kelly Brooks, provided a glimpse that a tolling pause was under development. In that conversation, it was revealed that ODOT was using all of the "regional penny" to pay for Abernethy Bridge replacement and that a tolling pause would mean Phase II of I-205 would be put on hold.

On May 1st, legislative leaders announced the establishment of a Special Subcommittee on Transportation Planning.

On May 4th, Governor Kotek issued a directive delaying toll collection until January 2026.

We have learned that Jenn Baker, Speaker Rayfield's chief of staff, played a crucial behind-the-scenes role in responding to the concerns of caucus members.

Since session adjournment, PGA has been in touch with members of the new subcommittee and committee administration. No plans for meeting are in the works and we were advised to check back in late July.

# COUNTY PRIORITIES

Priorities are policy objectives that are elevated because of their impact to Clackamas County, or that directly affect the work, residents, or businesses of Clackamas County. Priorities are often (not always) different from initiatives because of their scale or broader inclusion of other stakeholders impacted by the policies, yet still affecting Clackamas County.

The county adopted five priorities for the 2023 regular legislative session: 1) support for rebuilding the critical partnership between the state and counties, 2) supporting a regionally balanced approach to land availability and readiness, 3) supporting funding for local public safety diversion programs, 4) supporting policies and funding to address the housing crisis and improve housing stability, and 5) supporting sufficient and predictable revenue and state indemnification of local governments in cases where the county contracts with the State to provide services. Details of the work and outcomes related to these priorities are below.

## Rebuild Critical Partnership Between the State and Counties

BILL	SUMMARY	PRIORITY	OUTCOME
N/A	Unfunded Mandates	N/A	N/A

A common theme to many bills, especially those related to housing, was the effort to minimize local control or impose actions on local governments without accompanying funding. Early in session, the BCC directed PGA to include a statement in all relevant advocacy letters or policy statements that the county is opposed to unfunded mandates.

## Regionally Balanced Approach to Land Availability and Readiness

BILL	SUMMARY	PRIORITY	OUTCOME
<a href="#">HB 3623</a>	Land Transfer Bill	SUPPORT	FAILED

A bill requested by Clackamas County, HB 3623 proposed restoration to the county of the roughly 500 acres of land that had been transferred by Metro on February 2, 2023, and a prohibition on Metro from removing future urban growth boundary lands without the consent of affected jurisdictions.

<a href="#">SB 4</a>	<b>Supersiting for the semiconductor industry</b>	<b>SUPPORT</b>	<b>PASSED</b>
<p>SB 4 would allow the Governor, on or before December 31, 2024, to issue an Executive Order to bring within existing urban growth boundary (UGB) designated lands for purposes of providing lands for the semiconductor industry, advanced manufacturing, or the related supply chain. The Governor may designate up to eight sites: two that exceed 500 acres and six at or below 500 acres.</p>			

<b>Funding for Local Public Safety Diversion Programs</b>			
<b>BILL</b>	<b>SUMMARY</b>	<b>PRIORITY</b>	<b>OUTCOME</b>
<a href="#">SB 1044</a> , <a href="#">HB 5525</a> , <a href="#">SB 5506</a>	<b>Investments</b>	<b>SUPPORT</b>	<b>PASSED</b>
<p>Funding was provided for the following:</p> <ul style="list-style-type: none"> <li>• Construction of additional substance use disorder (SUD) facility capacity - \$15 million</li> <li>• Emergency Board for “adult intensive services and diversion” - \$4.9 million</li> <li>• Emergency Board for the Criminal Justice Commission for the IMPACTS grant program - \$10 million</li> </ul>			
<a href="#">HB 5525</a>	<b>Relevant Budget Notes</b>	<b>WATCH</b>	<b>PASSED</b>
<p><b>Jail Diversion</b> Oregon Health Authority (OHA) and the Criminal Justice Commission shall collaborate on a report that clarifies the shared characteristics and unique elements of their respective programs, an overview of the budgets and funding structure for both, and recommendations for the most efficient way for Oregon to move forward with supporting community-based efforts to keep individuals with behavioral health and substance use disorder challenges to stay out of the criminal justice system. No later than January 1, 2024, both agencies shall report and provide recommendations to the subcommittee of the Joint Committee on Ways and Means with authority over human services agencies’ budgets.</p> <p><b>Behavioral Health Facility Investments</b> The Oregon Health Authority (OHA) shall submit a report on investments made to increase behavioral health facility capacity in Oregon during the 2021-23 and 2023-25 biennia, including the number and types of beds provided or anticipated, how investments are balanced between supporting the new capacity on an on-going basis and building additional beds, and data demonstrating how the medical and mental health system outcomes are impacted by the investments. No later than February 1, 2025, OHA shall report its findings to the subcommittee of the Joint Committee on Ways and Means with authority over human services agencies’ budgets.</p>			

# Revenue and Indemnification for Contracted State Services

BILL	SUMMARY	PRIORITY	OUTCOME
<a href="#">SB 1097</a>	<b>Insurance Pool for Aid and Assist</b>	<b>WATCH</b>	<b>FAILED</b>

Appropriates moneys to Oregon Department of Administrative Services to reimburse local governments, community mental health programs and providers for payment of awards, settlements and expenses incurred in civil actions arising out of services.

<a href="#">SB 219</a> , <a href="#">SB 319</a> , <a href="#">SB 5506</a>	<b>Immunity for Local Mental Health Authorities</b>	<b>SUPPORT</b>	<b>FAILED</b>
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The conversation around third party liability protection for CMHPs and providers who serve individuals on Aid and Assist was back on the table this session. Lane County worked with Senator Prozanski (D-Eugene) to have SB 319 introduced as a Senate Judiciary Committee Bill. The bill provided state indemnification for counties and CMHPs who provide community restoration services. Efforts to pass the bill faced a major setback when the Oregon Trial Lawyers Association (OTLA) pulled their support of the bill early in session and moved to a position of opposition.

SB 319 had a hearing in March. At the end of the hearing Sen Prozanski said he wanted to see the parties form a workgroup to try to get to consensus.

AOCMHP participated in the workgroup along with DAS, Lane County, OTLA, and AOC. It was clear from the beginning that DAS was opposed to indemnification and that OTLA would not agree to any version of that concept. Several conversations led to agreement on a short term risk pool and a DAS study on a longer term solution. Ultimately, SB 1097 was drafted, reflecting that agreement. Unfortunately, the bill was not introduced before the Republican walkout and never went live.

Ultimately the appropriation and workgroup language ended up in a budget note in the end of session bill, SB 5506. The bill allocated \$2.9M “for the purpose of providing reimbursement to local governments, community mental health programs established under ORS 430.620 and providers for payment of awards, settlements and expenses that are incurred in civil actions arising out of the provision of services pursuant to ORS 161.365 and 161.370.” It also included the following budget note:

*By February 1, 2024, the Department of Administrative Services shall submit a report to the Joint Committee on Ways and Means and an appropriate committee or interim committee of the Legislative Assembly with recommended solutions and a timeline for how to insure against liability arising out of the provision of services pursuant to ORS 161.365 and 161.370 for the purposes of community restoration or to restore fitness to proceed, or other behavioral health services required under a court order. The recommended solutions may include establishing an insurance pool for counties, community mental health programs and providers.*

## Responding to the Housing Crisis

BILL	SUMMARY	POSITION	OUTCOME
<a href="#">HB 2001</a> , <a href="#">HB 3395</a> , <a href="#">HB 5005</a> , <a href="#">HB 5019</a> , <a href="#">HB 5506</a> , <a href="#">HB 5511</a>	<b>Housing investments</b>	<b>SUPPORT</b>	<b>PASSED</b>

**This session the legislature made over \$1 billion in total investments toward housing in three categories: homeownership, affordable housing, and homelessness.**

### **Homeownership – \$20 million**

- \$7.5 million for down payment assistance tied to OHCS lending products
- \$2.5 million to decommission older, unsafe manufactured homes and provide loans for new, energy-efficient manufactured homes
- \$7.5 million to fund a new low-income mortgage product administered by Network for Oregon Affordable Housing (NOAH)
- \$2.5 million for foreclosure avoidance counseling

### **Affordable Housing – \$721.7 million (does not include Private Activity Bonds and revenue bonds)**

- \$600 million to develop new affordable homes with Local Innovation and Fast Track (LIFT) Rental, LIFT Homeownership and Permanent Supportive Housing (PSH) programs
- \$5 million to ensure LIFT Homeownership can reach rural communities and build the density needed in other communities to address the supply crisis
- \$50 million to preserve and improve existing affordable homes, prevent rent increases in affordable housing, and preserve manufactured home parks
- \$9.7 million for predevelopment costs for affordable housing developments
- \$4 million to establish a PSH Risk Mitigation Fund to stabilize operating costs and support the longevity of PSH developments
- \$20 million for the modular housing industry to build production capacity
- \$10 million for in-community agricultural worker housing
- \$20 million to develop the Affordable Housing Loan Guarantee Fund to support the construction financing of affordable and moderate-income housing

### **Homelessness – \$395.7 million**

- \$85.2 million to add 600 shelter beds, hire housing navigators, rehouse at least 1,200 unsheltered households, support wraparound services provided by culturally specific agencies, and support local communities for sanitation service needs in regions designated by Executive Order (EO) 23-02.
- \$33.6 million to prevent 8,750 households from becoming homeless by funding rent assistance

and eviction prevention services statewide

- \$27.4 million in homeless services response resources to add 100 shelter beds, hire street outreach workers, rehouse at least 450 unsheltered households, and support local communities for sanitation service needs in the Rural Oregon Continuum of Care
- \$4.1 million to support the emergency response efforts at OHCS and the Oregon Department of Emergency Management
- \$45.8 million to continue the operation of the 600 newly added shelter beds created by the March Housing Package in regions designated by EO 23-02
- \$39.7 million to continue rental assistance and other services for the 1,200 households rehoused through investments from the March Housing Package to prevent them from losing their housing in regions designated by EO 23-02
- \$17.5 million to maintain unit access through block leasing and other supports for people rehoused through the March Housing Package in regions designated by EO 23-02
- \$2.3 million to maintain local service provider staffing to support outreach to people experiencing homelessness & navigation to shelter in regions designated by EO 23-02
- \$39 million in a Special Purpose Appropriation (SPA) to continue rehousing efforts and rent assistance for the 100 households rehoused through investments from the March Housing Package, with 25% of resources set aside for culturally responsive organizations
- \$55 million to further prevent homelessness statewide, with 30% of resources set aside for culturally responsive organizations

[HB 2001](#),  
[HB 2889](#)

**Housing omnibus bill and Oregon Housing Needs Analysis**

**WATCH**

**PASSED**

HB 2001 was the early session omnibus bill. Among other items included in the bill are: Oregon Housing Needs Analysis, modular housing predevelopment for middle income (not at OHCS), and ag housing (not at OHCS).

HB 2889 was the technical fix bill to HB 2001, passed at the end of session. Among other things, the bill includes “urban unincorporated communities in Metro” in new requirements that apply to cities with a population of 10,000 or greater. To clarify what this means, Clackamas County has been listed as a member of an interim legislative workgroup that will develop recommendations to the 2024 legislature on 1) a definition of urban unincorporated areas, 2) roles and responsibilities for housing capacity analyses and housing production strategies for these areas, and 3) needed resources to do the work.

[HB 2680](#)

**Rental application refund**

**WATCH**

**PASSED**

Requires a landlord to refund a screening charge within 14 days if the landlord fills the unit before screening the applicant or if the landlord hasn’t screened the applicant.



<a href="#">HB 2071</a>	<b>Omnibus tax credit</b>	<b>WATCH</b>	<b>PASSED</b>
Relevant to affordable housing, this bill establishes the tax credit for sales of publicly supported housing, expands existing tax credit uses and extends sunsets for the Agricultural Worker Housing Tax Credit and the Oregon Affordable Housing Tax Credit; and extends the IDA tax credit.			
<a href="#">HB 2761</a>	<b>Mixed-income development</b>	<b>WATCH</b>	<b>PASSED</b>
Expands OHCS's ability to allow financing of certain affordable residential units within certain housing developments.			
<a href="#">HB 3151</a>	<b>Dispute Resolution Advisory Committee</b>	<b>WATCH</b>	<b>PASSED</b>
Extends the sunset for the Dispute Resolution Advisory Committee and expands grant-making authority to provide legal aid for manufactured housing tenants.			
<a href="#">HB 3197</a>	<b>Clear and objective standards</b>	<b>SUPPORT</b>	<b>PASSED</b>
Effort led by Washington County to amend existing statute to limit where "clear and objective" standards are imposed for rural housing developments. Forms a task force to study this standard within incorporated areas.			
<a href="#">HB 3414</a>	<b>Land use variances for housing</b>	<b>OPPOSE</b>	<b>FAILED</b>
Governor's bill to create Housing Accountability and Production Office and requires local governments to approve certain adjustments to land use regulations for housing development within an urban growth boundary.			
<a href="#">HB 3417</a>	<b>Housing Choice Landlord Guarantee</b>	<b>WATCH</b>	<b>PASSED</b>
Governor's bill to expand eligibility for Housing Choice Landlord Guarantee Program (HCLGP) to landlords participating in emergency response rehousing efforts. Does not commingle funds with existing HCLGP.			
<a href="#">HB 3630</a>	<b>Energy efficiency</b>	<b>WATCH</b>	<b>PASSED</b>
Contains various energy-related provisions, including directive to Oregon Dept. of Energy (ODOE) to establish a whole-home energy savings program, or "one stop shop," in consultation with Oregon Housing and Community Services (OHCS).			
<a href="#">SB 225</a>	<b>Private Activity Bonds</b>	<b>WATCH</b>	<b>PASSED</b>
Authority for Oregon Housing and Community Services (OHCS) to suballocate Private Activity Bonds.			

<a href="#"><u>SB 599</u></a>	<b>Childcare in rental dwellings</b>	<b>WATCH</b>	<b>PASSED</b>
Allows rental dwellings to be used as family childcare homes.			
<a href="#"><u>SB 611</u></a>	<b>Rent increase protections</b>	<b>WATCH</b>	<b>PASSED</b>
Modifies allowable rent increase amounts to 7% + CPI or 10%, whichever is lower.			
<a href="#"><u>SB 1013</u></a>	<b>RVs for residential use</b>	<b>SUPPORT</b>	<b>PASSED</b>
A bill requested by Chair Smith, it permits counties to allow a property owner in a rural residential zone or urban unincorporated area to site one recreational vehicle on their property for residential use.			
<a href="#"><u>SB 1069</u></a>	<b>Electronic notices and returns</b>	<b>WATCH</b>	<b>PASSED</b>
Allows electronic delivery of a written notice to a landlord or tenant and return of rent or security deposit via electronic means.			

## OTHER SIGNIFICANT LEGISLATION

Clackamas County tracks other relevant legislation based on a set of principles approved in the county’s annual State Legislative Agenda. Principles inform the county’s positioning on issues that might not be captured by the aforementioned Initiatives or Priorities, but still affect the communities or operations of the county.

Bill	Summary	Position	Outcome
<a href="#">HB 3556</a>	Abandoned RV removal and disposal	Support	Failed
<a href="#">SB 1044</a> , <a href="#">HB 2757</a> , <a href="#">HB 5525</a> , <a href="#">SB 5506</a> , <a href="#">HB 5030</a>	Behavioral health investments	Support	Passed (details below)
<a href="#">HB 3201</a>	Broadband funding – leverages up to \$700 million in federal funds	Watch	Passed
<a href="#">SB 630</a>	Brownfield funding for the development of landfill sites	Support	Failed
<a href="#">HB 2659</a>	Climate Friendly and Equitable Communities suspension	Support	Failed
<a href="#">SB 449</a>	College tuition for foster involved children	Support	Passed
<a href="#">SB 600</a>	Dispute resolution and mediation funding	Support	Failed
<a href="#">HB 3005</a> , <a href="#">HB 2727</a> , <a href="#">HB 5013</a> , <a href="#">HB 2991</a> , <a href="#">SB 599</a>	Early childhood investments	Support	Passed (details below)
<a href="#">SB 643</a>	Home kitchens	Oppose	Passed
<a href="#">HB 5026</a>	Intellectual and Developmental Disabilities (I/DD) Case Management – DHS Budget	Support	Passed
<a href="#">SB 5512</a>	Law Libraries funding	Watch	Passed
<a href="#">SB 80</a>	Local engagement on revisions to the statewide wildfire hazard map	Watch	Passed
<a href="#">HB 5026</a>	DHS Office of Resilience and Emergency Management	Support	Passed
<a href="#">SB 5512</a>	Funding to expand OJD Pretrial Release Program	Support	Passed
<a href="#">SB 5506</a>	Public Health Modernization funding - \$50 million, including \$17 million for local public health	Support	Passed
<a href="#">HB 2773</a>	Public Health workforce funding	Watch	Failed
<a href="#">SB 848</a>	Public liabilities with design professionals	Oppose	Failed
<a href="#">HB 3152</a>	Restrictions on natural gas	Oppose	Failed
<a href="#">SB 4</a> , <a href="#">HB 2009</a>	Incentives for the semiconductor industry: funding (\$210 million), extension of the Enterprise Zone Program, and an update to the Strategic Investment Program	Watch	Passed
N/A	State Medical Examiner funding	Support	Failed

<a href="#">HB 2676</a>	Strangulations forensic evidence kits	Support	Passed
<a href="#">HCR 20</a>	Willamette Falls Locks 150 <sup>th</sup> anniversary	Support	Passed

Behavioral Health Investments:

- 9-8-8 crisis line - \$22.7 million
- Mobile crisis - \$16.9 million
- Community mental health providers to expand transitional case management for houseless patients releasing from the Oregon State Hospital - \$6 million
- Coordination and care of civilly committed individuals - \$7 million
- Health Care Provider Incentive Program (HCPIP) enhancements including loan repayment, loan forgiveness, and rural insurance subsidies - \$6 million
- Advancing training opportunities for pediatricians and child psychiatry - \$3.1 million
- Expenditure of opioid settlement investments in the 2023-25 biennium - \$40 million

Early Childhood Investments:

- Early Childhood Infrastructure Fund ([HB 3005](#)) - \$50 million + \$16.7 million for shovel ready projects
- Childcare building & zoning study ([HB 2727](#)) - \$225,000
- Increased funding for Healthy Families Oregon - \$4.8 million above Current Service Level allocated in DELC budget ([HB 5013](#))
- Early childhood workforce equity ([HB 2991](#)) - \$300,000
- Protect childcare providers in rentals ([SB 599](#))

Infrastructure Investments (contained within [HB 5030](#) and [SB 5506](#)):

- Boring Oregon Foundation community center property purchase - \$850,000
- City of Estacada wastewater treatment facility - \$2.4 million
- City of Happy Valley library - \$2 million
- City of Milwaukie Johnson Creek solar project - \$375,000
- City of Molalla wastewater treatment facility - \$5 million
- City of Oregon City Main Street Phase II 10<sup>th</sup> Street to 15<sup>th</sup> Street - \$4 million
- City of West Linn water pipe/Abernethy Bridge - \$5 million
- Local government assistance to adopt Climate Friendly and Equitable Communities - \$2.69 million
- ODOT Great Streets Program - \$1 million
- Willamette Falls Locks administrative funding via HECC Budget - \$228,988
- Willamette Falls Locks capital construction funding (carry-over from 2021) - \$7.25 million

## Appendix A

# Clackamas County 2023 State Legislative Agenda

# 2023 Clackamas County

## State Legislative Policy Agenda



**Oregon counties and the state are partners  
in delivering vital public services**

Clackamas County is truly urban, suburban, rural, and wild. We are dedicated to welcoming new residents and businesses, and committed to delivering community services that are dependable, accessible, and equitable to the public.



## Clackamas County Board of Commissioners

Tootie Smith – Chair   Paul Savas   Martha Schrader   Mark Shull   Ben West

# COUNTY INITIATIVES



## Courthouse Replacement Project

Secure additional state bond funds to support the replacement of the 85-year old, structurally-deficient Clackamas County Courthouse. These state matching funds will complete the state's contribution toward this project. Clackamas County has already committed to bearing the increased costs for its share of the project, and construction began in October 2022.



## I-205 Improvements Project

Advocate for state action to ensure timely completion and diversified funding for the I-205 Improvements Project. As ODOT's primary funding mechanism, tolling must be developed and implemented in a transparent manner that mitigates all impacts of diversion into local communities, ensures equity for the most burdened users and communities, and is turned on at the same time as the regional toll program to eliminate any economic disadvantages across the region.

# COUNTY PRIORITIES

- Pursue policies and other solutions to **rebuild the critical partnership between the state and counties**, exemplifying governments working together to deliver sufficiently funded and high quality services to the public.
- Support legislation that ensures a **regionally balanced approach to land availability and readiness**, and advances the housing and employment land needs of Clackamas County.
- Support policies and funding to address the **housing crisis** and improve housing stability for low income households, including supportive housing services.
- Support legislation that provides **sufficient and predictable revenue** and **state indemnification** of local governments in cases where the county contracts with the State to provide services, such as Aid and Assist contracts for mental health programs.
- Support **funding for local public safety diversion programs** tied to drug addiction, such as crisis stabilization and detox centers, mental health facilities and services, and juvenile prevention programs.





# LEGISLATIVE PRINCIPLES

Clackamas County's policy positions will be guided by the five strategic goals below. Priority consideration will be given to policies that advance equity and inclusion, and support the county's goal of being carbon neutral by 2050.



## Grow a Vibrant Economy

The county supports legislation that incentivizes businesses to grow and prosper. Successful legislation will ensure the county has dedicated resources for attracting and growing industries and workforce, and has access to an adequate supply of shovel-ready employment lands to expand economic development opportunities.



## Build a Strong Infrastructure

The county supports legislation that encourages long-term investments in major infrastructure projects to improve the quality of life of county residents. Successful legislation will ease congestion, expand travel options, enhance seismic resiliency, spur economic growth in employment areas including the Sunrise Gateway Corridor, broaden telecommunication access, and promote science-based and ratepayer-minded water quality protections.



## Honor, Utilize, Promote & Invest in our Natural Resources

The county supports legislation that ensures effective and sustainable management and conservation of our abundant natural and agricultural resources. Successful legislation will stimulate and preserve the integrity of our natural resource-based economy, reduce and sequester carbon emissions, and adhere to the public process of Oregon's land use system.



## Ensure Safe, Healthy, and Secure Communities

The county supports legislation that improves the health, safety, and wellbeing of all county residents and communities. Successful legislation will support access to community assets, such as parks and libraries, and assist vulnerable populations including residents who are facing homelessness, substance abuse and addictions, behavioral health challenges, and public health threats. Legislation also should help to reduce the crime rate and recidivism, promote and sustain best practices for justice-involved individuals, improve emergency communications and disaster preparedness, and protect survivors of domestic violence.



## Build Public Trust through Good Government

The county supports legislation that enhances the county's ability to deliver effective, reliable, and equitable services to county residents. Successful legislation will maintain the county's financial sustainability, allocate sufficient resources for county programs, preserve state and county shared revenue agreements, support county efforts to attract and retain qualified employees, and ensure adequate community engagement. Legislation also should not impose unfunded mandates, preempt local tax sources, or restrict local government authority.

## Appendix B

Policy Statements, Letters, and Factsheets

# Replacement Clackamas County Courthouse Project Update

Spring 2023



## Project Milestone

This spring, the Clackamas County Replacement Courthouse project reached a significant milestone with the installation of a 192-foot-tall tower crane that will service construction activities over the duration of the project.

Construction is scheduled to be completed by May 2025.

## History Taking Shape

Construction began in earnest after the installation of the tower crane, and the historic building is now taking shape on the county's Red Soils campus in Oregon City.

Built in 1936, the current courthouse was designed to serve a population of less than 50,000 and can no longer adequately serve a



artist rendering

population of 420,000 that continues to grow. By replacing the functionally-obsolete current courthouse, the replacement courthouse will provide significantly more room and security for courthouse employees and visitors, and prevent delays in justice.

The project team carefully reviewed where costs could be contained and made a number of decisions to keep the cost of construction as low as possible. Clackamas County can provide documentation of those decisions.

# Replacement Clackamas County Courthouse Project Update



## Boosting the Economy

This project will generate hundreds of local jobs with competitive wages and business opportunities for local labor and suppliers.

The project team is committed to hiring local disadvantaged, minority, and women-owned businesses, as well as service-disabled veterans' businesses and small businesses in the region.

Dozens of local business representatives attended the project's first outreach event held to discuss business opportunities and potential partnerships.



## A Community of Support

Local and statewide stakeholders support this project, including:



Learn more about this historic project at [www.clackamas.us/courthouse](http://www.clackamas.us/courthouse)



KATHIE F. STEELE  
CIRCUIT COURT JUDGE

# CIRCUIT COURT OF OREGON

FIFTH JUDICIAL DISTRICT  
CLACKAMAS COUNTY COURTHOUSE  
OREGON CITY, OR 97045

(503) 655-8678  
FAX (503) 655-8491

March 31, 2023

Co-Chairs Girod and Holvey, and members of the Capital Construction Subcommittee,

For the record, my name is Judge Kathie Steele and I am here to speak in support of the state's match of the Clackamas replacement courthouse.

Built in 1936, the current Clackamas courthouse was designed to serve a population of less than 50,000 and can no longer adequately serve a population of 430,000 that continues to grow. The current courthouse is functionally obsolete, contributes to delays in justice, and poses significant safety risks. I believe everyone on the committee is familiar with the "Clackamas courthouse yardsticks" that represents the less than three feet the courthouse foundation lies from a 100-foot drop into the Willamette River.

Cost of courthouse replacement projects are a shared cost between the State and County. The Oregon Judicial Department and the County have collaborated closely over the past six years to ensure that the replacement courthouse will last for the next 50 years (and probably much, much longer).

In 2021, the Legislature approved initial funding for the replacement courthouse. Since then, the project has made great progress. The county used a "public-private partnership" (P3) for a highly competitive and transparent process to identify the most cost-effective, lowest-risk project. Under the P3, the county is always the owner, and it is a public project with hundreds of prevailing wage construction jobs and clearly articulated diversity goals.

However, like almost every capital project in Oregon, inflation reared its head and costs of the project have exceeded the pre-design estimate. OJD and the County saw this coming and proactively engaged in a value engineering effort to lower the cost of the project. To remain on track for courthouse occupancy in May of 2025, the Clackamas Board of Commissioners had to consider last July whether to commit the county to its share of the courthouse replacement.

They consulted with legislative leaders who acknowledged capital project costs across the state were rising and that they did not intend to leave projects "high and dry." With this assurance and the Chief Justice pledge to include \$61 million in the OJD requested budget, Clackamas County made its financial commitment to the replacement project and construction has begun.

I am pleased to share that the Clackamas replacement project is on track and needs the state's share of \$61 million. I urge your support.

Sincerely,

Circuit Court Judge  
Fifth Judicial District



May 30, 2023

## **HB 5005: Clackamas Courthouse Replacement Project**

Co-Chair Girod, Co-Chair Holvey and members of Capital Construction Subcommittee,

**We, the Clackamas County Senators and Representatives, write in support of the necessary funding to complete the Clackamas County Courthouse Replacement Project that is currently under construction and on track for completion in May 2025.**

Since the **Oregon Legislature approved a state funding match in 2021**, inflation and rising labor costs have increased the price tag on the courthouse project significantly from the pre-design estimate. The Oregon Judicial Department and Clackamas County pro-actively engaged in a **value engineering effort to lower costs wherever possible**. Clackamas County made its financial commitment to the replacement project and construction began in October 2022. A failure to not fund the State match would likely result in Clackamas County shouldering further financial burden with fewer resources to maintain services to constituents.

The original Clackamas County Courthouse was built in 1936 with a single courtroom for a population of less than 50,000 people. Today, **our antiquated courthouse is both functionally obsolete and seismically deficient**. The move away from the crumbling banks of the Willamette River to the Red Soils Campus, will **co-locate the courthouse with state agencies** like the Department of Human Services and Public Defense and Clackamas County's Social Services, Behavioral Health, Public Health, Juvenile Services, Veterans Services, and the Family Justice Center. Being in close proximity means that people won't have to travel all over town to access government services, and our service agencies will benefit with **improved efficiency** and collaboration.

For these reasons, among others, our **Oregon Chief Justice Walters** noted structural defects that pose threats to human health and safety and wrote, ***"I hereby reaffirm the determinations set forth in my (February) letter and intend to include in my 2023-2025 budget a request for Article XI-Q state bonds for the Clackamas County Courthouse project to meet the new amount of Authorized State Costs Under the Master Funding Agreement."*** The replacement courthouse will have 14 courtrooms (with the ability to add two more courtrooms) with the ability to serve justice in our county of over 420,000 people.

**We urge funding of the \$61 million state match in House Bill 5005.**

Thank you.



*Courtney Neron*

Representative Courtney Neron

*Mark Meek*

Senator Mark Meek

*Annessa Hartman*

Representative Annessa Hartman

*Kathleen Taylor*

Senator Kathleen Taylor

*James Hieb*

Representative James Hieb

*Aaron Woods*

Senator Aaron Woods

*Hoa Nguyen*

Representative Hoa Nguyen

*Bill Hansell*

Senator Bill Hansell

*Daniel Nguyen*

Representative Daniel Nguyen

*Janelle Bynum*

Representative Janelle Bynum

A handwritten signature in blue ink, appearing to read "Rick Lewis". The letters are cursive and connected.

Representative Rick Lewis

A handwritten signature in blue ink, appearing to read "Jeff Helfrich". The signature is more stylized and less legible than the one to its left.

Representative Jeff Helfrich





April 19, 2023

Dear Clackamas legislators and Members of the Joint Committee on Transportation:

The business community respectfully requests your immediate assistance to address our shared concerns about the proposed I-205 Toll Project. If implemented poorly, we strongly believe tolling will have a negative and detrimental impact to our economies. We support the actions requested by the agency letter dated April 6, 2023 requesting the four legislative actions summarized here:

- Direct ODOT to pause the I-205 Toll Project until it can be aligned with the Regional Mobility Pricing Program (RMPP)
- Schedule a public hearing in the Joint Committee on Transportation to discuss tolling
- Create the Regional Toll Advisory Committee (RTAC) in statute to directly advise the Oregon Transportation Commission
- Direct ODOT to develop a formula that allocates a portion of tolling revenues directly to impacted jurisdictions to address existing diversion

The importance of I-205 as a dependable and safe route for freight, regional, and interstate movement cannot be overstated. Businesses rely on certainty and predictability, but ODOT's current approach to toll I-205 ahead of the rest of the region and prior to resolving the bottleneck with Phase II construction will create more congestion, more uncertainty.

Interstate systems are intended to move people and goods, but they are also intended to support the communities they traverse by bringing other people into market areas. We are very concerned with the concept of pre-completion tolling and believe it will be wildly unpopular in

the region and could risk the success of the proposed and unproven Regional Mobility Pricing Program. ODOT projects that RMPP will come online within one year of the I-205 toll program. But please consider what one year of economic and commercial diversion will do to local businesses when people decide to shop elsewhere in the region for just one year. Moreover, if the I-205 toll program fails to garner public support and creates political pressure to kill RMPP, consider how a 30-year toll program that exists only in Clackamas County will affect where businesses grow and locate in the region.

We respectfully request your leadership to advance these solutions to ensure ODOT is meeting the needs of our shared constituents and to ensure any project that is advanced is fair, equitable, and beneficial to all Oregonians.

# Clackamas leaders: Appreciative of tolling pause, but vigilant

April 23, 2023 - Pamplin

Tootie Smith, Paul Savas, Martha Schrader, Mark Shull, Ben West, Brian Hodson, Michael Milch, Joe Buck, Denyse McGriff and Frank Bubenik

Toll collections are paused, but our work is not done.

We appreciate that Governor Kotek and the Oregon Legislature recognized that the Oregon Department of Transportation needed to slow down and to find a solution that works for everyone. Because of their actions, tolls will not be collected until 2026 and a new legislative subcommittee on Transportation Planning has been formed.

What does all of that mean?

The tolling pause is a result of many local voices speaking with a unified message — ODOT's tolling proposal would encourage motorists to divert off the interstate into local neighborhoods, decrease safety on our streets and worsen the local congestion that already exists today. Our residents are concerned that these cut through trips will lead to accidents, pollution and noise, and will make it tougher for local residents to get safely to work, school and daily activities. After many attempts by all of our communities to share concerns or propose alternatives to lessen the effects of tolling, it became clear ODOT officials felt they could not slow down nor deviate from the direction of the past Legislature, and thus were unable to respond to local concerns.

The recent direction from Governor Kotek to pause the collection of tolls is an important shift in this process. With a pause, now there is time to get this right. But ODOT must actually slow down and consider solutions that do not cause diversion.

Hope rests on the newly formed Subcommittee on Transportation Planning established by Senate President Rob Wagner and House Speaker Dan Rayfield. This subcommittee has been charged with reviewing the planning and implementation of ODOT's major transportation projects and to consider a range of funding options, which may include tolling. As this group is being formed, it is critical to weave local perspectives into the process.

We recognize ODOT has funding needs, and we know that revenue is decreasing while transportation project costs are increasing. As local agencies, we share and understand these same challenges. However, transportation funding should not be so burdensome that it encourages drivers to leave the interstate just to avoid tolls. Solutions need to encourage business and freight movement, while also benefiting the everyday driver. And most importantly, solutions need to improve safety on and off the interstate system. We must work together toward common goals and viable solutions.

We all have more work to do, and we must do that work together. The road ahead requires our full attention. We are committed to having a seat at the table, advocating on behalf of our communities, and pursuing a future in transportation funding supported by our residents.

*Co-signers of this opinion article include Clackamas County Board of Commissioners members Tootie Smith, Paul Savas, Martha Schrader, Mark Shull and Ben West. Mayors Brian Hodson, Michael Milch, Joe Buck, Denyse McGriff and Frank Bubenik signed on behalf of the cities of Canby, Gladstone, Lake Oswego, Oregon City, Tualatin and West Linn.*



TINA KOTEK  
GOVERNOR

May 4, 2023

President Rob Wagner  
900 Court Street NE, S-201  
Salem, Oregon 97301

Speaker Dan Rayfield  
900 Court Street NE, H-271  
Salem, Oregon 97301

Co-Chair Lew Frederick  
900 Court Street NE, S-419  
Salem, Oregon 97301

Co-Chair Susan McLain  
900 Court Street NE, H-493  
Salem, Oregon 97301

Dear President Wagner, Speaker Rayfield, Co-Chair Frederick, and Co-Chair McLain,

Thank you for sharing your plans to establish a Special Subcommittee on Transportation Planning of the Joint Committee on Transportation. I appreciate your partnership in providing a sustainable, safe, and robust transportation system that supports the needs of all Oregonians.

Since taking office, I have heard consistently from stakeholders and residents that they need to understand more of the impacts and tradeoffs of tolling I-205 and I-5 before these tolls take effect. While tolling must remain a critical component of how our state moves forward with funding transportation infrastructure, I see value in taking the time necessary to ensure we are doing it right. To that end, I have directed the Oregon Department of Transportation to delay all toll collection until January 1, 2026.

This revised start date will allow time for my office, the Oregon Transportation Commission, and the legislative Subcommittee on Transportation Planning to receive more information on the agency's plans to mitigate diversion and address equity concerns. Specifically, I have asked for implementation reports to be delivered to my office for review by December 15, 2023.

House Bill 2017 (2017) and House Bill 3055 (2021) affirmed tolling as a critical funding source for many of the state's largest projects. Therefore, today's announcement will impact the overall financing plan for the state's Urban Mobility Strategy, and major projects will need to immediately adjust their schedules to align with the availability of resources. To inform next steps, I have asked Director Strickler to provide me with updated finance plans for projects within ODOT's Urban Mobility Strategy by July 1, 2023.

254 STATE CAPITOL, SALEM OR 97301-4047 (503) 378-3111 FAX (503) 378-8970

[WWW.GOVERNOR.OREGON.GOV](http://WWW.GOVERNOR.OREGON.GOV)

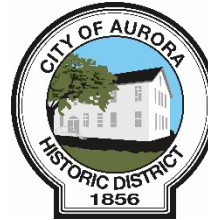
President Rob Wagner, Speaker Dan Rayfield  
Co-Chair Lew Frederick, Co-Chair Susan McLain  
May 4, 2023  
Page 2

In closing, I want to recognize the many state employees who have been working tirelessly to meet the project expectations set forth by legislature in 2017. We will need their focus, commitment, and passion to meet the collective challenges ahead more than ever before.

Sincerely,

A handwritten signature in black ink, appearing to read "Tina Kotek". The signature is fluid and cursive, with the first name "Tina" being more prominent than the last name "Kotek".

Governor Tina Kotek



## The 2023 State Legislature Must Take Action on the I-205 Toll Project April 05, 2023

Dear Clackamas County State Legislators and Members of the Joint Committee on Transportation:

The local governments listed here respectfully request your immediate assistance to address our shared concerns about the proposed I-205 Toll Project.

The importance of I-205 as a dependable and safe route for freight, regional, and interstate movement cannot be overstated. This critical need is the reason that the communities who rely on I-205 have been united in their advocacy to fix the bottleneck between Stafford Road and the Abernethy Bridge.

Unfortunately, the Oregon Department of Transportation's (ODOT) current approach to toll I-205 ahead of the rest of the region and prior to building the third lane on I-205 will have devastating impacts on neighboring communities. ODOT's plan will shift traffic from the interstate onto roadways within communities, causing increased safety risks and more congestion on local roads that are already failing.

ODOT's public engagement efforts to date have ignored and dismissed many of the questions and concerns raised by our cities, the county, the region and our shared constituents. ODOT staff have made it clear that they are being directed by the legislature to toll I-205 and that they are pursuing this approach per your direction. **We implore you to take legislative action this session to lessen the detrimental effects of the proposed tolling in our communities and your districts.**

To help you and the entire Clackamas delegation center on the shared priorities of our jurisdictions, we collectively request legislative action on the following four items that will have an immediate impact on the direction of the proposed toll program:

1. Direct ODOT to pause the I-205 Toll Project until it can be aligned with the Regional Mobility Pricing Program (RMPP), and, direct ODOT to conduct an analysis showing the full impacts of regional tolling on the overall transportation system prior to implementing tolling on any one segment;
2. Schedule a public hearing in the Joint Committee on Transportation, being mindful of the Committee's May 5<sup>th</sup> bill deadline, to provide a venue for the public to share impacts and concerns about the I-205 Toll Project, RMPP, and how ODOT plans to achieve its vision;
3. Create the Regional Toll Advisory Committee (RTAC) in statute to directly advise the Oregon Transportation Commission. Retain RTAC in perpetuity to guide development and implementation of the regional toll program. Also, create a technical committee comprised of regional technical staff to advise RTAC;
4. Direct ODOT to develop a formula that allocates a portion of tolling revenues directly to impacted jurisdictions to address existing diversion, affected transportation impacts related to tolling and congestion, operations and maintenance and new infrastructure projects for all modes beyond any NEPA required mitigations.

We respectfully request your leadership to advance these solutions to ensure ODOT is meeting the needs of our shared constituents and is only allowed to advance a project if it is fair, equitable, and beneficial to all Oregonians.



Offices of Representatives Annessa Hartman, Courtney Neron, and Jules Walters

**FOR IMMEDIATE RELEASE**

May 1, 2023

**Press Contact:**

Daniel Moltke, [Daniel.Moltke@oregonlegislature.gov](mailto:Daniel.Moltke@oregonlegislature.gov)

## **Clackamas-Area Democrats Score Big Win for Toll-Impacted Communities**

*Governor Tina Kotek pauses toll collections until 2026; new subcommittee created to oversee ODOT plans*

**SALEM, Ore** - After months of advocacy, legislative Democrats representing the Clackamas County area scored a major victory for local communities facing the impacts of tolling on I-205.

In a letter today, the Speaker of the House, the Senate President, and the Co-Chairs of the Joint Transportation Committee have announced the creation of a Special Subcommittee on Transportation Planning to oversee and monitor the Oregon Department of Transportation's (ODOT) plans to mitigate the negative impacts of tolling on vulnerable communities. In order to make sure that any tolling program is carefully considered and incorporates the feedback from impacted communities, Governor Kotek is responding to the calls of the legislators and pausing all toll collections until January 2026.

"I know firsthand that our communities have not felt heard by ODOT, and that they feel their deep concerns were being ignored by the agency," says **Rep. Annessa Hartman (D-Gladstone)**, who has been appointed to serve on the newly formed Special Subcommittee on Transportation Planning. "Since being sworn into the legislature, I've advocated fiercely in the Capitol for our voices to be heard and for ODOT to pause, listen to our constituents and get this right. There is a lot of trust that needs to be rebuilt and I am proud to serve on this committee to give our districts a seat at the table."

The Subcommittee will meet through the interim to oversee ODOT's plans to ensure safety, mitigate congestion, support our economy, reduce pollution, and ensure that the needs of local communities are being heard and incorporated into planning.

"Families and local leaders in our communities have been justifiably frustrated with ODOT's behavior," says **Rep. Jules Walters (D-West Linn)**. "This committee will give a voice to those frustrations, and the pause will give us time to ensure the agency hears them."

"Our communities should not disproportionately shoulder the cost of interstate infrastructure. A flawed tolling program would harm working families, individuals on fixed incomes, and



businesses in my community. I don't believe a toll should divide someone from their own town.” **said Rep. Courtney Neron (D-Wilsonville)** “We have an obligation to ensure community voices are heard, legislative sideboards are in place, and that ODOT cannot proceed without truly taking our needs into consideration.”

Last week, Reps. Hartman, Walters, and Neron introduced [HB 3614](#), which would pause tolling until January 2026 and establish a committee to oversee ODOT's tolling program. The bill was co-sponsored by a bipartisan, bicameral group of 31 legislators.



“Today, we are grateful that our voices are finally being heard loud and clear.” **said Rep. Annessa Hartman (D-Gladstone)**

###



## MEMORANDUM

**TO:** Tim Sekerak, Chief Clerk of the House  
Lori Brocker, Secretary of the Senate

**FROM:** Dan Rayfield, Speaker of the House   
Rob Wagner, Senate President 

**RE:** Joint Appointment – Joint Committee on Transportation Special Subcommittee on Transportation Planning

**DATE:** May 2, 2023

---

Effective immediately and pursuant to House and Senate Rules, we are creating the **Joint Committee on Transportation Special Subcommittee on Transportation Planning** and appointing the following members:

**Joint Committee on Transportation - Special Subcommittee on Transportation Planning**

Representative Nancy Nathanson, Co-Chair	Senator Lew Fredrick, Co-Chair
Representative Kevin Mannix, Co-Vice Chair	Senator Brian Boquist, Co-Vice Chair
Representative Maxine Dexter	Senator Chris Gorsek
Representative Jami Cate	
Representative Annessa Hartman	
Representative Rick Lewis	
Representative Tawna Sanchez	

If you have any questions, please contact the Senate President's Office at (503) 986-1600 or the House Speaker's Office at (503) 986-1200.

CC: Secretary of the Senate's Office  
Chief Clerk's Office  
Capitol Club



May 11, 2023

Dear Governor Kotek, Senate President Wagner, and House Speaker Rayfield:

Thank you for establishing the pause on toll collection until January 2026. This bipartisan, bicameral effort by many leaders in the state to reevaluate current plans is an example of listening to the public and working together for the benefit of our shared constituents.

The I-205 Bottleneck Project was prioritized in HB 2017 to reduce congestion on I-205 and improve safety impacts on local streets caused by drivers leaving the highway to avoid traffic. The associated I-205 Toll Project, as proposed in the Environmental Assessment, works against those goals. In particular, it would create more diversion into local communities and worsen safety conditions for the public. We hope this pause will allow ODOT and local agencies the opportunity to align priorities.

While appreciative of the pause, Clackamas County has many questions about the process moving forward. As you begin to formulate next steps, we respectfully request your commitment that local stakeholders will have meaningful access and inclusion in the work ahead. HB 3614 included a broad list of representatives who have a stake in the outcomes, including legislators, local jurisdictions, residents, business owners, freight representatives, transit providers, and others. We appreciate that structure and feel creating a workgroup or advisory committee would help bring our insight into your work. We stand ready to assist you in this effort.

Additionally, we respectfully encourage the Subcommittee to conduct analysis and contemplate solutions to the following issues:

- The I-205 Toll Project and the Regional Mobility Pricing Project (RMPP) be analyzed together to show the cumulative impacts of regional tolling on the overall transportation system. This work should be done prior to implementing tolling on any one segment.
- Ensuring aligned implementation timelines on the two toll projects.
- Safety improvements on and off the toll corridor.

- Diversion impacts that are adequately mitigated, including pre-existing diversion caused by the bottleneck on I-205, which would have been resolved with construction of Phase II of the I-205 Bottleneck Project without tolling.
- Giving confidence to affected communities in ODOT's plans and financial means to address proposed mitigation projects.
- Establishment of adequate alternative modes of travel.

Lastly, while a pause on the collection of tolls is important to get this right, we stress that the I-205 Bottleneck Project (both phases) remain a state priority as outlined in HB 2017, and that these improvements should not be delayed as a result of this pause.

In the coming weeks, we aim to work jointly with our local partners to further identify and outline our hopes for the work of the newly created Subcommittee on Transportation Planning.

Thank you for bringing transparency and legislative oversight to ODOT's tolling proposals to assure Oregonians that communities will not suffer undue safety impacts, isolation, or economic hardship. We look forward to partnering with you in this ongoing work.

Sincerely,

Clackamas County Board of Commissioners



Tootie Smith, Chair



Commissioner Paul Savas



Commissioner Martha Schrader



Commissioner Mark Shull



Commissioner Ben West

CC: Joint Committee on Transportation  
Special Subcommittee on Transportation Planning  
Clackamas Caucus  
Clackamas Cities



## OFFICES OF THE HOUSE SPEAKER AND SENATE PRESIDENT

[www.oregonlegislature.gov/rayfield](http://www.oregonlegislature.gov/rayfield)

[www.oregonlegislature.gov/wagner](http://www.oregonlegislature.gov/wagner)

The Honorable Tina Kotek  
Office of the Governor 900 Court Street  
NE Suite 254 Salem, Oregon 97301

May 1, 2023

Dear Governor Kotek,

A stable, reliable transportation system that aligns with Oregon's economic and climate goals is vital to the well-being of Oregon families. The time to repair and modernize our infrastructure is now. As the Oregon Department of Transportation (ODOT) takes on this important work, the public's confidence in the state's ability to provide clear, consistent, and accurate information about the impacts this work will have on our communities is critical. As we've discussed on several occasions, we share your concern that the agency is not meeting the mark in this regard.

It is important to clearly understand whether and how ODOT will meet our shared goals of ensuring safety, mitigating congestion, supporting our economy, and reducing pollution. While responsibility for developing and implementing plans to do so reside in the Executive Branch, the Legislative Branch has an appropriate and important oversight role to ensure that legitimate questions and concerns of legislators, impacted communities, stakeholders and Oregonians are understood, consistently communicated, and addressed.

That is why we are establishing the Special Subcommittee on Transportation Planning, which will serve as a subcommittee to the Joint Committee on Transportation. The committee's task is to review the planning and implementation of major transportation projects. The goal is to ensure transparency and accountability to the public, and evaluate effectiveness towards stated goals. It is important to thoroughly consider whether projects, like planned tolling and the Regional Mobility Pricing Project, are disproportionately impacting certain communities and that any impacts that might exist are equitable and mitigated to the fullest extent possible.

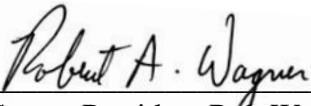
Additionally, we support your office's decision to delay I-205 toll collection and trust your ability to balance this pause with the completion of the projects outlined in House Bill 2017 (2017).

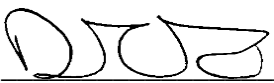
It is our shared expectation that this additional time will be utilized to:

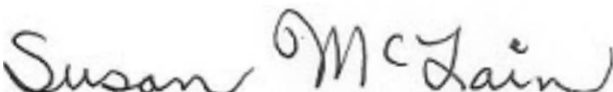
- Engage with the Joint Committee on Transportation and the newly formed Special Subcommittee on Transportation Planning.
- Engage impacted communities in a meaningful process to incorporate their feedback.
- Provide the Joint Committee on Transportation with an updated and detailed financial plan for projects within ODOT's multi-modal transportation strategy.
- Articulate how the state's transportation plans assist in meeting the state's climate goals.
- Establish a clear and equitable program to offset the impact of tolling for low-income Oregonians.
- Demonstrate community-specific mitigation strategies as it relates to potential toll-related diversion into communities.

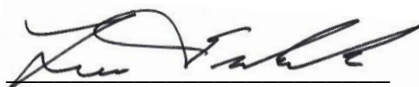
We thank you for your continued engagement and attention to these important transportation issues. We look forward to working with you and ODOT to build a better Oregon for all.

Sincerely,

  
Senate President Rob Wagner

  
House Speaker Dan Rayfield

  
Representative Susan McLain

  
Senator Lew Frederick

April 20, 2023

Attn:

Co-Chairs of the Joint Committee on Ways and Means

Co-Chairs of the Joint Committee on Ways and Means, Subcommittee on Capital Construction

*\*Delivered via email*

Dear Co-Chairs Steiner and Sanchez, and Co-Chairs Girod and Holvey:

I am writing to express my personal support for the request by the Boring Oregon Foundation for \$850,000 to purchase land as the future site of a community center in Boring, Oregon.

Boring is an unincorporated community in eastern Clackamas County outside Metro's Urban Growth Boundary just west of Highway 26. The area is known internationally for its sister community in Scotland and their annual festival – Boring and Dull Day.

The Boring Oregon Foundation has identified a preferred location and has already raised \$80,000 to contribute toward the purchase goal. This state legislative request is a meaningful contribution to ensure the community of Boring has gathering space dedicated to the community and the public. The identified property will help to enhance a strong sense of place within the community and fill an existing gap in the community's public infrastructure.

The vision for the community center is a place to gather, learn, and serve. As a Clackamas leader that lives close to Boring, I can affirm the community members regularly exemplify this vision, and I trust they will make good on the State's investment.

I urge your support for this request for the Boring community.

Sincerely,

A handwritten signature in blue ink that reads "Mark K. Shull". The signature is written in a cursive style with a large initial 'M'.

Mark Shull, Vice Chair  
Clackamas County Board of Commissioners



*from the*

## HOUSE AND SENATE MAJORITY OFFICES

### PRESS RELEASE

**Press Contacts:**

Hannah Kurowski, [Hannah.Kurowski@oregonlegislature.gov](mailto:Hannah.Kurowski@oregonlegislature.gov)

Tess Seger, [Tess.Seger@oregonlegislature.gov](mailto:Tess.Seger@oregonlegislature.gov)

## Oregon Legislature Moving on Urgent Homelessness and Housing Priorities as Housing Leaders Announce Package Proposal

*The **estimated \$200 million** package fully funds the Governor's Homelessness State of Emergency, prevents more people from becoming unhoused, makes affordable housing a top priority for the state, and more*

**SALEM, Ore.** - Today, legislative housing chairs, [Representative Maxine Dexter](#) (D-NW & Downtown Portland) and [Senator Kayse Jama](#) (D-Portland), and [Representative David Gomberg](#) (D-Lincoln & Western Benton/Lane Counties) gave a preview of the **estimated \$200 million Affordable Housing and Emergency Homelessness Response Package** (House Bill 2001/House Bill 5019). The result of a bipartisan and bicameral process, Democratic lawmakers aim to pass the final package by mid-March to urgently respond to the current housing and homelessness crisis facing Oregon.

**The proposed package:**

- Fully funds the Governor's Homelessness State of Emergency (\$130 million);
- Provides \$27 million in additional funding to address homelessness in 25 rural counties;
- Prevents more Oregonians, including unhoused youth, from becoming homeless and helps shelter unhoused communities;
- Invests in modular home production to rapidly deploy high-quality, Oregon-made affordable housing;
- Incentivizes housing development with predevelopment loans to house more working Oregonians;



- Grants farmers funds to improve the health and safety conditions of on-site housing for agricultural workers;
- Makes building affordable housing the top priority for the state through structural changes to Oregon’s land use system and partnerships with local governments.

“Every Oregonian deserves to have access to safe and affordable housing in the community of their choice,” **said Representative Dexter, who chairs the House Committee on Housing and Homelessness.** “Each of my colleagues, no matter their party affiliation or elected office, understands our communities need to see change and that we must work together to make it happen. We have answered this moment of intense need with a swift and collaborative response. I am proud to put forth this package that will deliver bold and effective relief to every corner of the state.”

“Oregonians need relief now, and they need stability in the long term. This bill accomplishes both,” **said Senator Jama, chair of the Senate Committee on Housing and Development.** “This bipartisan legislation is a great start to this session’s work on the homelessness and affordable housing crises.”

“As a legislator representing parts of rural and coastal Oregon, it was important to me that our response to homelessness reach the entire state,” **said Representative Gomberg, co-chair of the Joint Committee On Ways and Means Transportation and Economic Development Subcommittee.** “I’m proud to say we were able to secure funding that ensures our rural and coastal regions will be taken care of.”

The current proposal includes Republican and Democratic initiatives and is supported by a broad coalition of local governments and community leaders.

## PACKAGE OVERVIEW

### Affordable Housing

Recent estimates show Oregon is more than 140,000 housing units short of what is needed. This shortage is driving up housing costs, pricing families out of their homes, and exacerbating the homelessness crisis.

The Affordable Housing and Emergency Homeless Response Package helps us meet the Governor’s goal of building 36,000 affordable housing units annually by speeding up production, breaking through barriers, financing the development of affordable homes using Oregon materials, and creating jobs right here in Oregon.

**The Affordable Housing and Emergency Homelessness Response Package will:**

**Make building affordable housing Oregon’s #1 priority. (HB 2001)**

After more than 50 years of deprioritizing housing production, the proposed housing package makes structural changes to Oregon's land use system that place affordable housing as the number one priority for local governments, special districts, and state agencies. Responding to the Oregon Housing Needs Analysis (OHNA), the state will partner with and empower local governments through a foundational framework to:

- Create and implement housing production strategies;
- Streamline urbanization processes; and
- Clarify responsibilities for metro areas across the state.

Because each jurisdiction has a unique set of needs, each local government will create their own Housing Production Strategy with the support of the Department of Land Conservation and Development (DLCD) to increase affordable housing production. If production goals aren't met, DLCD will have increased tools to keep local governments accountable.

**Ramp up the production of affordable modular housing made in Oregon.** (HB 2001)

The proposal invests **\$20 million** in the production of affordable modular homes using Oregon mass timber and other conventional materials to support Oregon's homegrown industries and create good paying family wage jobs. Because modular housing is built in factories, facilities can avoid barriers typically found in traditional construction, allowing the state to dramatically increase housing supply and have consistent production in key areas, including rural regions. Off-site construction [can help reduce construction time](#) by 20-30% and help reduce total development costs by 5-20%.

Facilities receiving state investments will be required to prioritize state or local need for housing following a wildfire or other disaster to ensure the state has an immediate and steady supply of temporary or permanent units to house survivors and rebuild communities.

**Create innovative finance models to build housing for middle-income families.** (HB 2001)

The Revolving Loan Fund (**\$3 million**) supports local governments and developers in building affordable housing for working families, like teachers, construction and health care workers, and workers in other family wage jobs.

The loan fund will help with predevelopment costs to empower developers to get projects started and improve the timelines between projects by providing resources like permitting, System Development Charges (SDC), and other related costs up front.

**Improve on-site workforce housing for farmworkers.** (HB 2001)

Responding to the needs of Oregon's agricultural producers, the proposed package provides **\$5 million** in grants for farmers to improve the health and safety conditions of existing on-site housing for farmworkers. To qualify, housing must be registered as a farm worker camp with the Department of Consumer and Business Services (DCBS). Housing must be for agricultural workers, including workers who are retired or disabled, and their immediate families. The housing also must be in compliance with Oregon Occupational Safety and Health (Oregon OSHA) and DCBS guidelines.

## Homelessness Emergency Response

Every county in the state is grappling with a rise in homelessness due to out-of-control housing costs, lack of housing, and limited shelter options. The Governor took bold and urgent action when she took office, declaring a Homelessness State of Emergency to respond to this crisis. The legislature is matching her urgency and bringing the perspective of the people the Legislature represents to the solution.

### **The Affordable Housing and Emergency Homelessness Response Package will:**

#### **Fund the Governor’s Homelessness State of Emergency.** (HB 5019)

The proposal fully funds the Governor’s requested amount (**\$130 million**) for her emergency declaration. These investments allow the executive branch to work closely with local governments and service providers to get Oregonians into housing or shelter, connect them to critical support services, and quickly put people on the path out of homelessness.

#### **Respond to Oregon’s rural and coastal needs.** (HB 5019)

The homelessness crisis is impacting every corner of the state. Through a **\$27 million** investment, the proposed package funds the Rural Oregon Continuum of Care, also known as the “Balance of State,” ensuring the state’s response to homelessness reaches 25 rural counties.

#### **Prevent evictions that can lead to homelessness.** (HB 2001)

Being evicted can have devastating effects, driving families and youth into a cycle of homelessness. This package provides renters faced with eviction for non-payment with more time to access Rental Assistance and other services that will help them stay in their homes. A compromise between tenant advocates and landlords, the proposal lengthens the eviction notice timeline from 72 hours to 10 days and includes a right of redemption.

#### **Provide critical support for homeless youth.** (HB 2001 & HB 5019)

Youth homelessness is the number one predictor of adult homelessness. The proposed package invests **\$25 million** in critical support for Oregon’s most vulnerable youth and families, connecting them with rental assistance, shelter facilities, outreach, culturally-specific services, mental health or substance abuse services, other transitional options, and more.

Continuing the successful work of previous sessions, this funds the Oregon Housing and Community Services (OHCS) and the Oregon Department of Human Services (ODHS) to provide wrap-around support services for homeless youth and families through emergency rental assistance and the expansion of the Host Homes program. The state’s current programs are making a difference, with Oregon having [the nation's second-largest decrease in youth homelessness](#) between 2020 and 2021 according to the United States Department of Housing and Urban Development.

# Memo



**Date:** April 19, 2023  
**To:** Clackamas County State Legislative Delegation  
**From:** Chris Lyons, Clackamas County Government Affairs  
**Re:** Update on State Housing Funding for Clackamas County

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## Overview:

On April 10, Governor Kotek announced which communities are in line to receive state emergency funding approved by the legislature to help address the housing and homelessness crisis. Clackamas County will receive \$4.435 million to meet the rapid rehousing and street outreach deliverables outlined in its community plan, which was submitted to the State of Oregon in response to the declared state of emergency to address Oregon's long-growing unsheltered homelessness crisis. This funding will rehouse 130 households. See below for more information on the county's spending plan.

It should be noted that Clackamas County originally requested \$9.5 million from the state. However, in her remarks, Governor Kotek specifically stated she was not providing Clackamas County with the requested shelter funding citing a [lack of confidence](#) the county would increase shelter capacity.

## County Plan:

Clackamas County will leverage its comprehensive homeless services planning framework and advisory structure to meet the goals and deliverables set out in our community plan.

The county will take short- and longer-term approaches to leverage our current system of care with the funding made available by the emergency order and ongoing state commitments.

- In the short-term, the funding will be allocated on a one-time basis to existing contracted service providers and direct-service programs to quickly meet the emergency order goals.
- In the longer-term, the county will address one of its biggest gaps, which is the availability of funding to serve rural areas, outside the Metro Urban Growth Boundary (UGB). This funding will help to close a critical gap and help the county build a geographically equitable system of care that it has long needed.

The county recently entered into a contract to carry out a rural area needs assessment and develop a strategic plan. This work will help to meet short-term goals now with one-time allocations and long-term goals with allocation of ongoing resources to rural areas, and meet other system needs as part of the overall rebalancing of funding and build-out of services across the whole county.

Clackamas County contracts with culturally specific services to assist in reaching the high-risk populations experiencing unsheltered homelessness in our county, from street outreach to permanent supportive housing.

The three disproportionately high-risk groups experiencing unsheltered homelessness in Clackamas County are:

- Black, African American: 17.3%
- Native American, American Indian, Alaska Native: 6.9%

- Native Hawaiian, Pacific Islander: 2.2%

The county holds contracts with culturally specific service providers. These include:

- Black, African American: 1) Greater New Hope Family Services and 2) Up and Over
- Native American, American Indian, Alaska Native: 1) Native American Recovery Association and 2) the Native American Youth and Family Center
- Latine: 1) El Programa Hispano Católica and 2) Casa Esperanza
- BIPOC: Immigrant and Refugee Community Organization

## Consensus Technical Amendments to HB 2001

Below are two technical fixes Metro region jurisdictions agree on and recommend be handled in a technical fix bill this session.

### Current Language – Housing Need Allocation to Metro Cities

Currently, the -11 amendment of HB 2001 reflects DLCD’s understanding of Metro maintaining a role in allocating 20-year need to cities within Metro. Metro does not allocate 20-year housing need but does estimate 20-year population growth and tries to predict where growth will happen in the region by allocating a population growth estimate to every city after a Metro Urban Growth Management Decision.

### Proposed Solution

Transfer this 20-year housing need allocation responsibility to the state. Remove subsections (3) & (4) from Section 27, and clarifying that DAS allocates 20-year need for Metro cities and urban, unincorporated areas under Section 2, subsection (2) based on the 20-year total Metro calculates under Section 27.

### Current Language – Unnecessary Duplicative Requirements for Housing Capacity Analysis

In splitting apart ORS 197.296, needed housing for cities (Section 23) and Metro (Section 27) must include housing for individuals with a variety of disabilities, related to mobility or communications that require accessibility features; housing for older persons, as defined in ORS 659A.421; and housing for college or university students. If this analysis is being done at the local level it will be more accurate and will not need to be done at the regional level. If both cities and Metro do this analysis, there could be conflicting conclusions reached that would need to be mediated. Metro does not typically get into such granular details at the regional level because it is usually jurisdiction specific.

### Proposed Solution

Remove Subsections (1) (f) through (h) in Section 27 as they are not necessary in this section and determined at the local level.



Metro





January 31, 2023

**Clackamas County Board of Commissioners  
Policy Position  
Related to the ODOT Fund Exchange Program**

Clackamas County supports improvements to the Fund Exchange Program that gives the Oregon Department of Transportation more flexibility and reduces infrastructure costs for local governments to deliver local projects.

Clackamas County manages over 1,400 paved road miles, 180 bridges, and hosts the largest urban unincorporated population in Oregon, which demands increased local improvements to address safety and mobility concerns. Our ability to fund maintenance and improvements to those numerous facilities requires predictable revenue with the least amount of barriers.

For over 40 years, the Fund Exchange Program allowed our county to de-federalize dollars, allowing the roads program to use the dollars more effectively for smaller projects such as sidewalk and mobility improvements. When projects like those become federalized, they become significantly more expensive, and consequently we are able to deliver less projects to the public.

HB 2017 created restrictions that limited ODOT's ability to implement a fund exchange program, thus removing a long-standing program that enabled local governments the flexibility to deliver more projects and more affordable costs.

We urge the state legislature to reconsider those limitations, and to use HB 2101 to reestablish a flexible fund exchange program at no less than \$0.90 on the dollar.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



March 27, 2023

**Clackamas County Board of Commissioners**  
**Policy Position**  
**Relating to Suspending the Climate Friendly and Equitable Communities Rules**

**Clackamas County supports HB 2659:** This bill will suspend implementation of the Climate Friendly and Equitable Communities (CFEC) rules until such time as they are reworked to be more reasonable, equitable and workable for local communities. The county fully supports working to create more climate-friendly and equitable communities, but the rules as currently drafted are not a practical or effective way for most jurisdictions to achieve that goal.

We are particularly concerned about the CFEC rules related to parking mandates (OAR 660-012-400 through OAR 660-012-450). The current “one-size-fits-all” approach of the proposed rules does not recognize the diversity and needs of individual communities across the region and the state. A solution that may be appropriate in Portland may not work in a smaller, more suburban community on the edge of the urban growth boundary; a plan that can be meaningfully applied in a suburban community may not be manageable in a metro area elsewhere in the state.

In addition, the rules, as currently written, do not provide real options for communities that do not want to remove all parking mandates. The “options” provided are so complicated and costly to implement for a jurisdiction that does not already have a mechanism in place to price on-street parking or to mandate and enforce unbundling of parking for new development that they are all but unworkable.

We understand the intent is to reduce greenhouse gas emissions by getting people out of their cars, but the approach is not practical or equitable for many jurisdictions for a number of reasons:

1. **Lack of adequate transit:** Suburban communities, including unincorporated Clackamas County, do not have the same access to transit as an urban community like Portland. The vast majority of our transit lines are not frequent enough and do not connect enough locations that provide daily goods and services for a household to realistically not need a car at all. In addition, the perceived, and sometimes real, lack of safety of the transit options is a severe deterrent for many members of the public. We, at the county level, have little control over changes to the public transit system, which is provided by Tri-Met.



2. **Apparent contradiction with the state’s Zero Emission Vehicle (ZEV) rules:** With Oregon’s ambitious goals to have 250,000 registered ZEVs by 2025 and ZEVs be at least 90% of the new vehicles sold annually by 2035, the state is acknowledging that much of the population will continue to drive personal vehicles. These vehicles will likely help the state reach reduced greenhouse gas emission goals, but will still need somewhere to park, and likely to charge.
3. **Lack of evidence provided on how the CFEC parking rules will positively affect climate change and create more equitable communities:** Arguably, one of the best ways to affect greenhouse gas emissions is to plan complete communities that are walkable and served with adequate alternative modes of transportation. Within these communities, it may then be appropriate to reduce access to parking. Without adequate access to alternative forms of transportation – as exists in most of the areas the CFEC rules would apply – the effect is more likely to be either:
  - a. The creation of less equitable communities as we see housing that has access to parking selling or renting for a premium; or
  - b. More greenhouse gas emissions caused by higher VMT (vehicle miles travelled) from households that will move out of the urban and suburban areas to find housing they can afford with parking for the cars they need to use to get to work, school, medical appointments, or other locations that are not reasonable to reach on public transit.

We are also concerned with other aspects of the CFEC rules, related to analysis of the transportation system, including specifically the rules that prohibit approval of any land use decision relying on transportation modeling that would “increase vehicle miles traveled per capita. (OAR 660-012-0210). While the goal to reduce vehicle miles per capita traveled is worthy, such a strict mandate is extremely problematic because any development that adds vehicle trips without also increasing population violates the requirement. Local governments need flexibility to balance projects in a manner that allows them to achieve vehicle travel reduction goals while also supporting job growth and additional housing; they cannot simply stop all projects that may increase vehicle travel.

If local jurisdictions are forced to continue to implement the CFEC rules, as currently drafted, the hard work jurisdictions across the state have already been doing to create more equitable and climate-friendly communities through thoughtful land use and transportation planning will be negated. These communities may be irreparably harmed, all while the goals that the CFEC rules are attempting to achieve remain elusive.

We urge a “yes” vote on HB 2659.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



April 11, 2023

**Clackamas County Board of Commissioners  
Policy Position  
Relating to Strangulation Forensic Evidence Kits**

**Clackamas County supports HB 2676:** With one in four women and one in seven men experiencing intimate partner violence in their lifetime, domestic violence continues to be a public health emergency. A particularly dangerous type of domestic violence – strangulation – poses potentially life-threatening injuries to the victim.

Strangulation is a strong predictor of future lethality for the victim and harm for the wider community:

- Upwards of 50% of domestic violence victims have also experienced strangulation.
- One study found that 43% of victims of a domestic violence homicide had been strangled in the year preceding the murder.
- Those who have been strangled in the context of domestic violence are seven and a half times more likely to be murdered by their abuser within seven years.

The impact of strangulation has been overlooked due to the frequent lack of visual injury and insufficient training of the medical community. The Clackamas County Strangulation Response Initiative (SRI) developed the Strangulation Forensic Evidence Kit (SKIT), which became available in 2021, to address those barriers. The kit allows a comprehensive examination of survivors and forensic collection of evidence by trained personnel in medical facilities.

Although the SKIT has no cost associated with it, being cared for in the emergency room *does*, especially if scans or tests are needed to assess for damage to the neck and/or brain. Currently a victim can receive compensation for costs associated with a crime perpetrated against them through Crime Victims' Compensation; this is not currently the case for victims of strangulation. These victims too often resist the exam due to the anticipated medical costs that may be beyond their means. No victim should have to make this choice.

HB 2676 would specifically add financial coverage for these strangulation exams to the Crime Victims' Compensation Program, further reducing barriers to victims seeking and receiving necessary medical assessment and interventions.

We urge a “yes” vote on HB 2676.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



February 1, 2023

**Clackamas County Board of Commissioners**  
**Policy Position**  
**Relating to local public health workforce opportunities**

**Clackamas County supports HB 2773:** Oregon’s local public health authorities rely on a thriving workforce that reflects the diversity of our communities to effectively provide essential services, reduce health inequities, and respond quickly to a public health emergency. Building a well-funded and supported workforce is a priority for Clackamas County Public Health (CCPH), and we support additional investments that advance this effort statewide.

The ongoing response to COVID-19 clearly demonstrates the need for a robust public health system. We have seen how vital a well-supported public health workforce is to promoting public health and keeping our families and communities safe. However, CCPH continues to struggle to hire specialized positions such as registered nurses, environmental health specialists, and health impact assessment researchers.

Positions that require licensed and experienced nursing/clinical staff may take up to a year or more to fill. These critical positions all too often are left unfilled given the shortage of available applicants and the difficulties with licensing requirements. In Clackamas County, these challenges most affect programs that are central to our role as the local public health authority, including Communicable Disease and Maternal Child Health.

As we emerge from the immediate crisis of the pandemic, we must rethink our approach to public health and recommit to investing in the strategies that advance health equity. Creating a more robust public health workforce pipeline requires coordination among the entire public health system, including local, state, and tribal public health agencies, along with community-based organizations, health systems, and academic partners.

CCPH is committed to continued collaboration with state and local partners, and the county urges the state legislature to increase resources that support a strong public health workforce, including additional recruitment and retention incentives available to local public health authorities.

We urge a “yes” vote on HB 2773.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.

# Local Public Health Workforce Incentives Package HB 2773 - \$47 million

**The local public health workforce, across the country and here in Oregon, is in crisis.**

The reasons behind this crisis are multi-factorial. Many stem from chronic underinvestment in the public health system that pre-dates the COVID-19 pandemic. Others arose due to the stressful working conditions and politicization of public health that local public health workers have experienced since 2020. According to [Oregon's Local Public Health Workforce Report \(2021\)](#), local public health workers are experiencing high levels of stress due to:

- Chronic underinvestment
- "Siloed" funding streams
- Comparatively low pay for the field
- Growing number of public health crises
- Increased scrutiny and criticism
- High levels of burnout & turnover
- Low-rates of entry into the field
- Insufficient housing availability

“

**We either need to invest in public health so those with MPHs [Master of Public Health] will want to come and work in local public health or we need to train people up.**

*-Carrie Brogoitti, MPH*

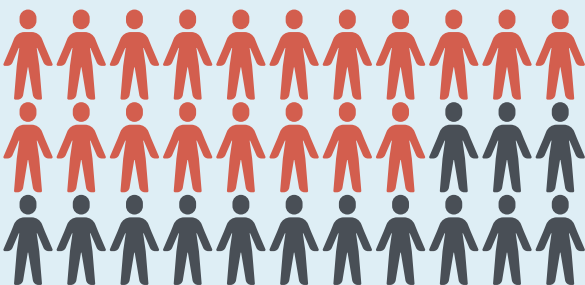
*Union County Health Administrator*

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## The Time is Now.

Taken together, these conditions have created significant barriers to meeting statewide metrics and public health prevention goals. A \$47 million investment in the public health workforce will ensure workers are adequately trained, departments are appropriately staffed, and will support sustainable growth for Oregon's healthy and resilient communities.

### LPHA Turnover During the COVID-19 Pandemic



Since March 2020, 19 of Oregon's 33 local health administrators have left their jobs. This does not account for turnover in non-leadership positions.

### HB 2773 will:

- Ensure public health workers are recruited from local communities, with a focus on rural & underserved communities
- Provide scholarships and remove barriers for those seeking public health-focused education
- Establish higher education loan repayment programs
- Provide meaningful retention bonuses for those in service to local public health

# Local Public Health Workforce Incentives Package HB 2773 - \$47 million

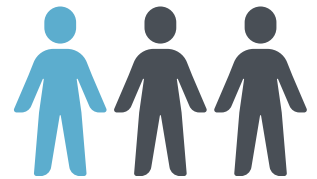
## Current pay is out of touch with local needs.



In a 2022 report by CLHO, 26 of 30 health department administrators said the wages and benefits they could offer were key barriers to recruiting and retaining qualified public health professionals. HB 2773 would provide student loan repayment and retention bonuses for professionals who work in local health departments, making local public health departments attractive and competitive employers in today's economy.

## Burnout continues to impact local public health.

21 out of 30 LPHAs interviewed said their staff have to "wear multiple hats" or fill multiple roles, and 13 reported their staff members were burnt out. This is consistent with national data which show nearly 1 in 3 public health professionals plan to leave their jobs in the next year. HB 2773 would stem this mass exodus by creating a pipeline to build up the local public health workforce and provide relief to the current workforce that has served through multiple emergencies.



## Barriers exist to getting public health education and jobs.



We know communities are best served by trusted, local people who know their communities, yet strict job qualifications and barriers to higher education keep many people in underserved and rural communities from public health jobs. HB 2773 would remove barriers to pursuing public health training and would create opportunities for fulfilling, local careers in public health in all Oregon communities.

## HB 2773 is supported by the following partners:



Urban League  
of Portland

Empowering Communities. Changing Lives.



**References:** 1) Oregon Coalition of Local Health Officials. (2022). *Oregon's Local Public Health Workforce, 2021*. [Available here](#). 2) De Beaumont Foundation. (March 2022). *Rising Stress and Burnout in Public Health: Results of a National Survey of the Public Health Workforce*. [Available here](#).



For more information, contact Sarah Lochner, Executive Director  
sarah@oregonclho.org | 503-507-7786 | oregonclho.org



Public Health  
Prevent. Promote. Protect.



February 9, 2023

Chair Maxine Dexter, Vice-Chairs Gamba & Helfrich  
Members of the House Committee on Housing and Homelessness

VIA EMAIL

Re: HB 2889

The three counties that are included in the Metro region have been long-term supporters of finding solutions to the acute need for sufficient housing of all types for the communities across our region. We appreciate the intent and work of the state to create solutions to address the statewide need to increase the rate of housing production through the Oregon Housing Needs Analysis process. However, we have concerns with HB 2889 as introduced. Before this bill is enacted, counties need technical changes to clarify the expected the roles of counties in urban planning.

First, HB 2889 declares that “unincorporated urban areas within the Metro urban growth boundary” are included in the requirements that govern cities with populations greater than 10,000 in population. This raises the following concerns:

- Metro area counties would be required to take on new responsibilities for housing analysis and reporting for a patchwork of areas that each have unique characteristics
- “Unincorporated urban areas” is an undefined term throughout the land use statutes, and could mean any of the following types of areas within the urban growth boundary:
  - in islands of unincorporated sections of cities that are surrounded by incorporated cities,
  - areas that are adjacent to existing cities that are intended for future annexation, and
  - areas that have developed but are far enough from a city’s planned development that there is an unlikelihood for annexation
- Making counties subject to all the requirements under ORS 197.268- 197.314 and ORS 197.475- 197.490 is a significant increase in planning responsibilities
- Counties have not been consulted in the conversation around enforcement or other consequences for failing to meet these new requirements

Second, the bill creates new requirements for counties:

- Counties would have to create housing capacity analyses, a new type of housing analysis that counties have not been previously required to create
- There is a fundamental shift in policy from the original intent and call of HB 2003 (2019) when the legislature explicitly excluded counties from the requirement to create Housing Production Strategies.

Third, there is a need to clarify the roles between cities and counties around planning in these areas:

- Historically, planning for unincorporated areas has been a negotiated, shared responsibility between cities and counties which would be interrupted by these new requirements, with each county partnering with their cities in different ways
- Planning and permitting for more urban development often occurs when the area is annexed into a city

Finally, the changes in responsibility in HB 2889 would add a new mandate for counties without providing any resources to develop capacity for this additional work. In the last five years, the counties in the Metro region have been required to or are now being required to enact a number of new codes in reaction to new laws and rules. However, none of those changes have come with additional funding that could sufficiently cover the added costs, which also limits our ability to continue the ongoing work to meet other planning responsibilities.

Because counties were not subject to the requirements of HB 2003 (2019), there has been minimal direct conversation with or participation by counties in the creation of the proposals in HB 2889. Therefore, we respectfully request that a work group be brought together to address the technical and capacity concerns for all local governments in the Metro region. We appreciate your consideration and look forward to working to determine the best path forward and identifying the needed resources for counties to take on any new work.

Sincerely,

Erin Doyle  
Washington County  
[Erin\\_Doyle@washingtoncountyor.gov](mailto:Erin_Doyle@washingtoncountyor.gov)

Chris Lyons  
Clackamas County  
[CLyons@clackamas.us](mailto:CLyons@clackamas.us)

Taylor Steenblock  
Multnomah County  
[taylor.steenblock@multco.us](mailto:taylor.steenblock@multco.us)



March 1, 2023

**Clackamas County Board of Commissioners  
Policy Position  
Relating to Natural Gas**

**Clackamas County opposes HB 3152:** The Board of County Commissioners supports all sources of energy and opposes legislation that would prevent the use of specific energy options.

First, Clackamas County is nearing the completion of a multi-year process to establish a climate action plan – one that will make sense for all of our residents, whether they live in urban, suburban, rural, or wild areas of our county. As part of this effort, we will pursue strategies to help us reach a goal of being carbon neutral by 2050. In the spirit of collaboration, we desire to be a partner in this statewide effort and urge the legislature to keep all energy options on the table that may help us reach this goal.

Second, Clackamas County residents rely on a variety of energy sources for their livelihoods. While each source of energy has pros and cons, we can acknowledge that appliance efficiency has improved vastly over the last several decades. However, consumer costs also have risen substantially, particularly in recent years with inflation and soaring housing costs. Removing consumer choices – and thus market competition that helps drive down costs – is more likely to increase the price of energy and place additional burdens on low-income residents.

Lastly, Clackamas County has first-hand knowledge of just how essential a diverse array of energy sources can be. During the 2021 ice storm, thousands of homes across the county lost power. Homes that had natural gas for heating, water heaters, and stoves were able to retain livability and reduce the strain on shelter services during the natural disaster. In subsequent high wind and storm events, proactive electricity shutoffs have been undertaken to prevent wildfires and protect the public. As these events become a more regular occurrence, it is important that all energy sources remain on the table as options for our residents.

We urge a “no” vote on HB 3152.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.





April 27, 2023

**Clackamas County Board of Commissioners  
Policy Position  
Relating to Clear and Objective Standards**

**Clackamas County supports HB 3197:** In 2017, the state legislature expanded the mandate requiring that local governments impose only clear and objective standards for housing developments. This expansion represented an effort to streamline the development process for proposed residential projects. Unfortunately, however, it was done in such a way that it now applies in rural areas outside of established urban growth boundaries (UGBs). As a result, it has left many counties exposed to legal challenges, as seen in Washington County, due to the difficulty in implementing updated standards that conform to the new requirement. Exempting areas outside of UGBs, as proposed by HB 3197, will do little to undermine the purpose of the requirements, which is to facilitate the provision of urban housing.

The implementation of clear and objective development standards for areas outside of UGBs will require significant local resources to adopt into local zoning codes. More importantly, given Oregon's land use goals of directing most new development to urban areas, mandating clear and objective standards in rural areas does not smooth the pathway for provision of substantial housing development.

It is NOT the county's goal to alter how land use decisions occur within the UGB – specifically the Metro UGB – or slow down housing development. Rather, it is the goal of the county to be a good service provider while also being a good steward of state land use goals.

The proposed -3 amendment lessens the efficacy of the original intent of this bill, but it does provide a compromise by removing farm and forest zones from the clear and objective standards requirement and providing additional time for counties to reach compliance in rural residential areas, particularly for those regulations that implement Statewide Planning Goals 5, 6, 7, and 15.

We urge a "yes" vote on HB 3197.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



March 23, 2023

**Clackamas County Board of Commissioners  
Policy Position  
Relating to Housing Development Variances**

**Clackamas County opposes HB 3414, and we wish to highlight the following concerns:**

**Prevents public involvement:** Top-down approaches can produce conflicts between state goals. Notably, HB 3414 is counter to the very pillar of Oregon’s unique land use system: Goal 1, Citizen Involvement. The provisions of HB 3414 supersede local development standards that were developed by gathering input from community members and implemented by volunteer Planning Commissioners and elected officials. The proposal will render all but a narrow list of development criteria effectively irrelevant.

**Does not address the housing problem:** Jurisdictions are obligated to provide clear and objective criteria for housing so that developers can have certainty as they move forward. We see this working well in Clackamas County, which has several of the state’s fastest growing cities, including Wilsonville, Happy Valley, and Estacada. The proposed variance criteria are not clear and objective and will introduce uncertainty and new avenues of legal challenge. This is counterproductive to the goal of efficient approval of additional housing units.

**Adds unnecessary bureaucracy:** The addition of a new entity to effectively manage work that already happens at the local level is redundant. Not only does the work at the local level not go away, the additional oversight effectively means there are more opportunities for conflict and poor use of public funds for a state and agency where public funding is already stretched thin.

We implore a more thoughtful solution to local land use hurdles than the prevailing efforts by the state legislature to override the intent of Oregon’s local land use system and the will of the people.

We urge a “no” vote on HB 3414.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



May 30, 2023

**Clackamas County Board of Commissioners  
Policy Position  
Relating to UGB Land Availability and Process**

Clackamas County supports a statutory fix to restore designated urban land back to the county that was removed in a recent UGB “land exchange” process, and to ensure decisions about developable land “transfers” within urban growth boundaries do not occur without the agreement of all jurisdictions tasked with managing the comprehensive plan of those lands.

In 2022, Metro initiated a process, referred to as a “land exchange,” affecting lands within the Metro Urban Growth Boundary (UGB). The goal of this effort was to expand the UGB in Washington County to allow the City of Tigard to move forward with planned housing development for their city. This is the first time this process has been implemented in the Portland metro area. The result was the removal of urban land from Clackamas County in order to add urban lands to the UGB in Washington County. This was done unilaterally, quickly and with insufficient engagement from the public, jurisdictions and stakeholders, and without the support of Clackamas County – the agency responsible for planning the lands that were removed. This represented a net loss of 572 acres of urban land in Clackamas County, which are now deemed not developable for urban purposes.

**We request the restoration of buildable land inventory to Clackamas County so that, as determined in past regional planning processes, we again have sufficient acreage to meet the county’s and the region’s housing and economic development goals.**

Metro’s responsibility to maintain a balanced inventory of buildable lands across a broad region is unique in Oregon. If a city outside the Metro UGB wants to make a similar change, the only impact is to themselves. However, Metro’s decisions impact multiple jurisdictions. We believe the processes undertaken in this work should be conducted collaboratively with all affected jurisdictions and stakeholders. Without a change to this process, Metro’s decision will set a precedent for land exchanges in the future that will again pit jurisdiction against jurisdiction. Instead, we urge the use of a regionally balanced approach to address our land availability challenges.

**With an eye toward the future, we also request that no “land exchange” occur within the Metro UGB without the consent of all the jurisdictions tasked with managing the comprehensive plan for selected lands.**

To thrive as a region, we must work together toward common goals and avoid picking winners and losers. Anything short of that will leave all Oregonians behind.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



March 28, 2023

Oregon State Legislature  
Attn: House Committee on Rules

**RE: Willamette Falls Navigation Canal and Locks 150<sup>th</sup> Anniversary**

Dear Chair Fahey and Members of the House Committee on Rules:

Clackamas County fully supports HCR 20, commemorating the 150<sup>th</sup> anniversary of the Willamette Falls Locks.

The Willamette Falls Navigation Canal and Locks are located in Clackamas County, but it connects communities throughout the Willamette Valley by bridging the upper and lower Willamette River. As such, it is both an essential piece of infrastructure to restore economic vitality to river communities as well as an historic treasure for the State of Oregon.

The Locks were built in 1873 by private owners in order to quickly and efficiently ship lumber and agriculture from the Willamette Valley into Portland. It was purchased in 1915 by the U.S. Army (later referred to as the U.S. Army Corps of Engineers - USACE) for its national economic significance and made free to commercial and public users. At times in its history, the Willamette Falls Locks supported more shipping tonnage than other water locks in the Pacific Northwest, including the Columbia River.

In 2021, the Oregon Legislature passed HB 2563 to create the Willamette Falls Locks Authority, a quasi-government agency that is tasked with receiving ownership of the Locks from the USACE and returning the facility to a safe and usable resource for economic and recreational benefit. Honoring the 150<sup>th</sup> anniversary of the opening of the Locks emphasizes the State's investment in the Willamette River, signifies the value of the Locks to river communities, and honors this historical asset that has helped Oregon's economy thrive for generations.

Sincerely,

Tootie Smith, Chair  
On behalf of the Clackamas County Board of Commissioners



1980 Willamette Falls Dr #120, PMB 195 \* West Linn, OR 97068

***Support the Willamette Falls Locks Authority  
Governor's 2023-2025 Budget***

The Governor's 2023-2025 budget includes a small amount of funding to aid with the transition from the Willamette Falls Locks Commission to a fully independent and working Willamette Falls Locks Authority. Especially with the delay in the allocation of the \$7.25 million in state bonding funding, this small item is important to guarantee the smooth and quick start up of this operational organization.

The funding is the continuation of the Oregon Solutions (OS) legislative funding related to the Locks. OS has been funded over the last several bienniums to provide facilitation and other support to the Willamette Falls Locks effort (facilitating the Commission process and then transitioning to supporting the Authority). With the Commission formally terminated, the Authority is working to begin the important tasks of hiring an Executive Director, evaluating preservation options, establishing communications tools, and overseeing the repair and reopening of the Locks.

The Governor's budget provides funding for "CUPA Willamette Falls Task Force" (CUPA standing for College of Urban and Public Affairs, where OS is housed) in the amount of \$112,204 for the FY. OS Funding comes through PSU and the Higher Education Coordinating Committee (HECC) budget.

We recommend that the funding be provided directly to the WF Locks Authority to support administrative needs (i.e., the Executive Director position), which will be matched by local donations by WFLA members. This is the best use and most immediate need, and will enable the Authority to focus on the key fundraising, planning, oversight and coordination with federal funding and repairs, and contracting tasks necessary to accelerate the process of Locks operations.



February 6, 2023

Joint Committee on Semiconductors  
Oregon State Capitol  
Salem, OR 97301

Co-Chairs Bynum and Sollman, Co-Vice Chairs Knopp and Wallan, and Members of the Committee:

Thank you for your leadership in support of Oregon's economy. This letter responds to your recent request for information on known lands that may be suitable for development for the semiconductor industry. To the best of our ability in the time given, staff from Clackamas County and some of its cities developed the following list of potential sites within our jurisdictions that meet your broad criteria of 20 to 1,000 acres. These sites have not been screened using any additional criteria, including their political viability or serviceability.

Please note that the majority of the Happy Valley sites are smaller parcels of land that, if assembled, would create larger sites and/or a "campus" of sites that could serve the larger land needs of the industry. This can be viewed on the following map. Additional resources would be needed to support this work, as well as funding for infrastructure development.

This letter does not represent a formal endorsement of or support for any of these lands for potential development. We look forward to working together and with you in the coming weeks to further refine this list based on additional criteria.

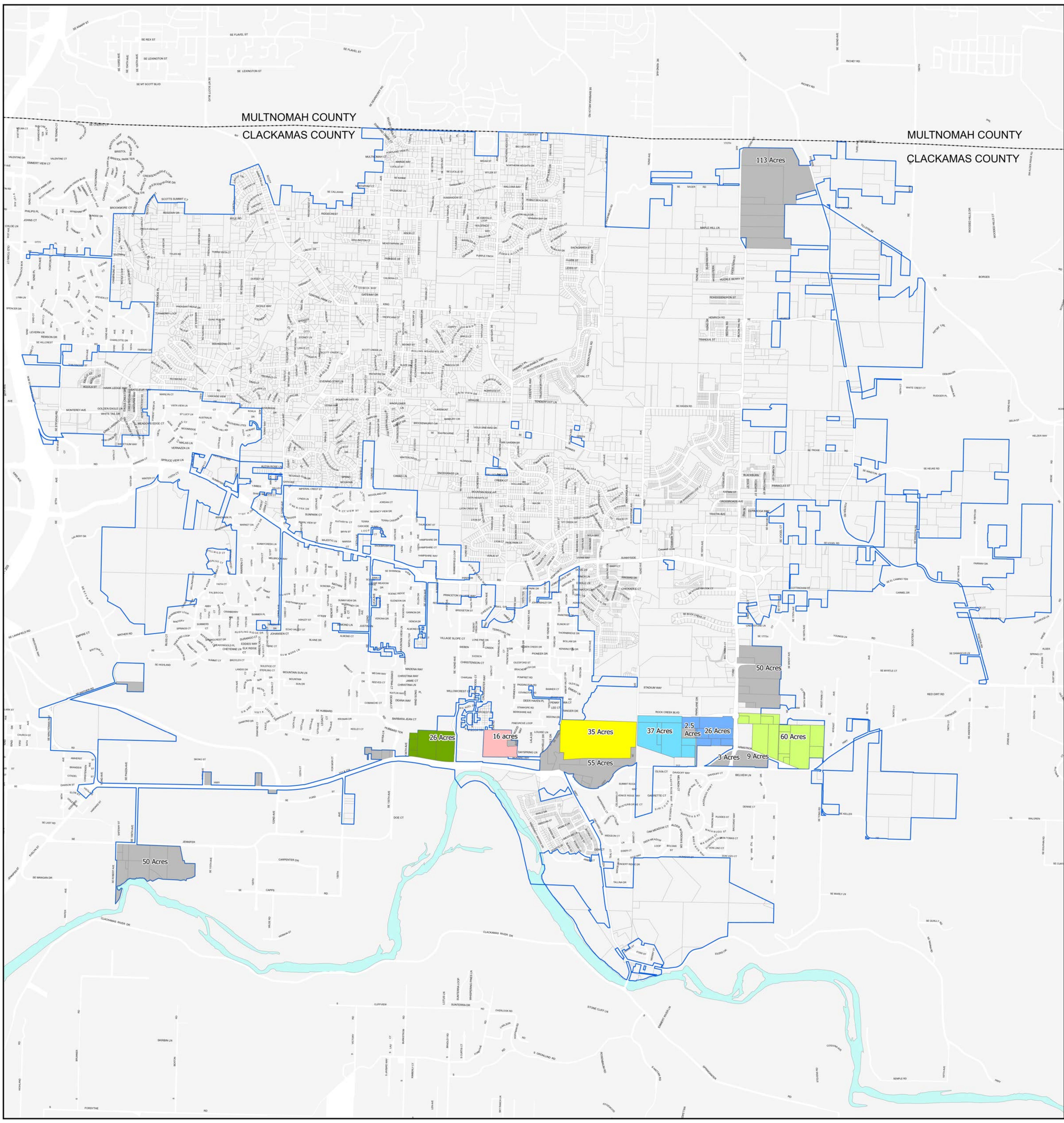
If you have any questions or would like more information, please contact Clackamas County Government Affairs Manager Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us).

Sincerely,

Gary Schmidt  
Clackamas County Administrator

Attachments

<b>Jurisdiction</b>	<b>Taxlot number/Description of area</b>	<b>Acreage</b>
Estacada	34E17B 02000 – Estacada Industrial Park. Shown on county map below in red.	50
Happy Valley	Multiple – HWY 212 & 152 <sup>nd</sup> . Shown on Happy Valley map below.	35.58
Happy Valley	Multiple – Rock Creek Employment Area. Shown on Happy Valley map below.	59.44
Happy Valley	Multiple – Rock Creek Employment Area. Shown on Happy Valley map below.	25.58
Happy Valley	Multiple – Rock Creek Employment Area. Shown on Happy Valley map below.	37.25
Happy Valley	Multiple – HWY 212 & Morning Way. Shown on Happy Valley map below.	16
Happy Valley	Multiple – HWY 212 & 136 <sup>th</sup> . Shown on Happy Valley map below.	26
Happy Valley	Multiple – view on following map. Shown on Happy Valley map below.	278
Sandy	24E10 03800. Shown on county map below in red.	25
Unincorporated Clackamas County	Located south of Lake Oswego, west of West Linn and east and north of Tualatin and bordered by I-205 to the south. Shown on county map below in green as “Stafford/Borland/Rosemont” and located within an Urban Reserve.	Approximately 3,400
Unincorporated Clackamas County	Located directly south of Stafford Triangle and to the south of I-205, following the east edge of I-5 continuing to the Wilsonville city limits to the south and then going east to Stafford Road and beyond. Shown on county map below in green as “Norwood” and located within an Urban Reserve.	Approximately 2,700
Unincorporated Clackamas County	Located south of Wilsonville and the Willamette River bordered by I-5 on the west, Arndt Road on the south, Airport Road on the east, and Miley Road on the north. Shown in county map below in green as “Clackamas County Rural Reserve South”.	Approximately 400
Unincorporated Clackamas County	Located south of 224 and the Clackamas River bordered by Clear Creek to the west, Springwater Road to the east and bisected by Springwater Road. Shown on county map below in green as “Clackamas County Rural Reserve East”.	Approximately 600
Wilsonville	31W13B 02603. Shown on county map below in red.	42.9



## Industrial Lands in Happy Valley

- Identified Industrial Sites**
- 200 Acres
  - 35.58 Acres
  - 59.44 Acres
  - 25.58 Acres
  - 37.25 Acres
  - 16 Acres
  - 26 Acres
- Other Industrial Properties 278 Acres**

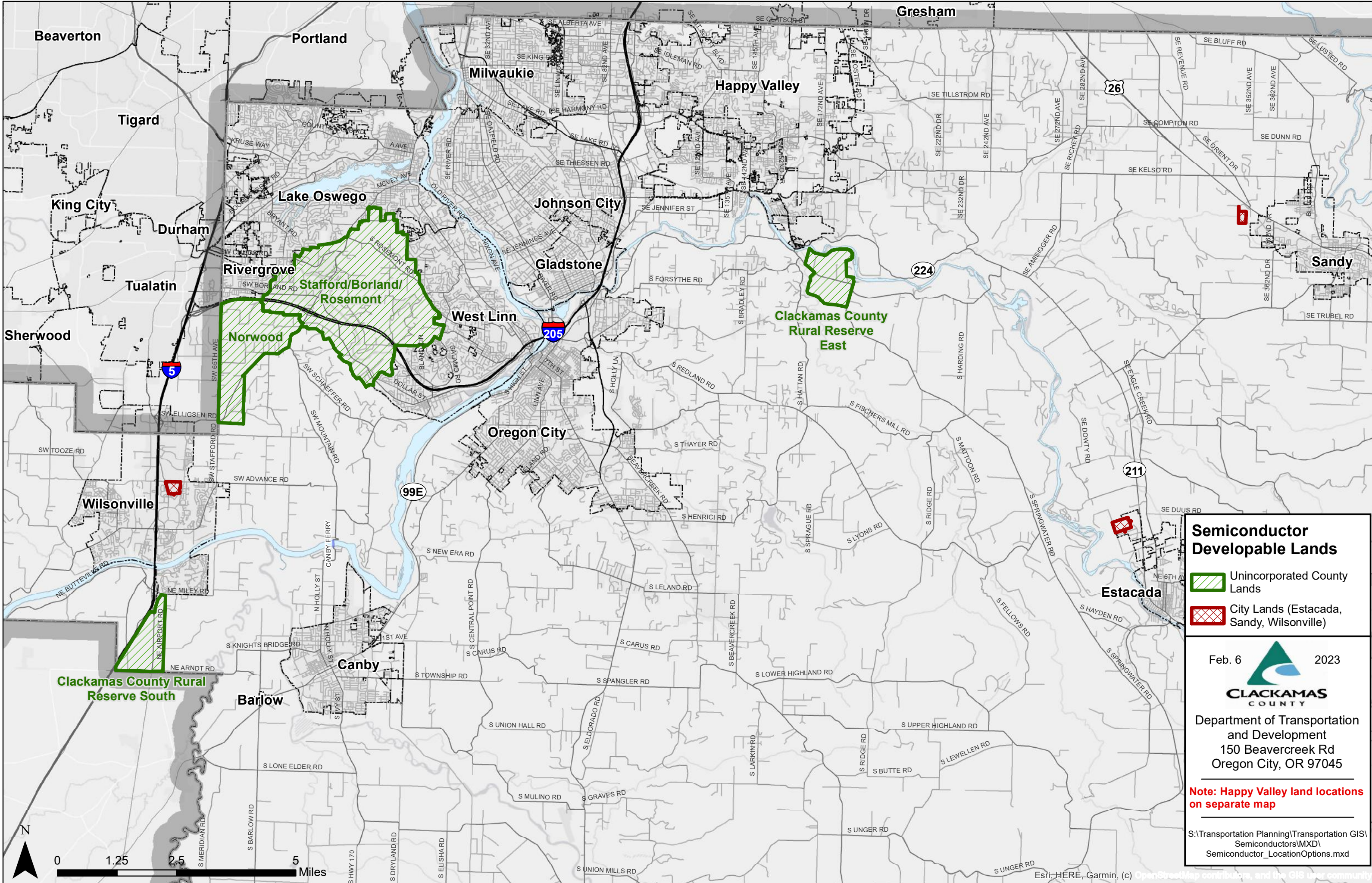
- Miscellaneous**
- Happy Valley City Boundary
  - Tax Lot Parcels
  - Clackamas County Jurisdiction



Source: Original data from Clackamas County GIS & Metro (2022)  
 The information on this map was derived from digital orthophotos from the City of Happy Valley. Care was taken in the creation of this map but it is possible that the City of Happy Valley cannot be held responsible for any errors, omissions, or other inaccuracies in the data. The City of Happy Valley does not warrant the accuracy, reliability, or completeness of the information. Although information from Land Survey maps has been used in the creation of this product, it is not intended to be used as a substitute for a Land Survey. Users are cautioned to use any information on the product before making any decisions.  
 City of Happy Valley © MapInfo/Esri For Planning/2023 Planning Metropolitan Lands in Happy Valley.sppx

Map updated 2/6/2023





**Semiconductor Developable Lands**

- Unincorporated County Lands
- City Lands (Estacada, Sandy, Wilsonville)

Feb. 6 2023

CLACKAMAS COUNTY

Department of Transportation and Development  
150 Beaver Creek Rd  
Oregon City, OR 97045

**Note: Happy Valley land locations on separate map**

S:\Transportation Planning\Transportation GIS\Semiconductors\MXD\Semiconductor\_LocationOptions.mxd





March 3, 2023

Joint Committee on Semiconductors  
Oregon State Capitol  
Salem, OR 97301

**Re: Senate Bill 4**

Dear Honorable Co-Chairs Bynum, Sollman, and Members of the Committee:

On behalf of the Clackamas County Board of Commissioners, thank you for the important work you are doing to advance Oregon's economy and the semiconductor industry.

Clackamas County strongly supports Senate Bill 4. As the Committee continues its efforts over the coming months, we encourage you to consider how all areas of the state can be part of the solution to strengthening Oregon's competitiveness.

We appreciate that the legislature is recommending substantial funding to advance the infrastructure needs and economic development of our local communities. The federal CHIPS Act funding is an essential component of this work, particularly to hasten the development of larger sites to accommodate the industry.

As the Committee has now heard, there are no lands statewide that are fully ready. We believe this effort represents a unique opportunity to address key infrastructure needs while also making strategic investments that open up more land for development.

Clackamas County is ready and willing to be part of the solution, and we would like to highlight two areas that could serve as potential sites for the industry. These areas, which are unanimously supported by the Clackamas County Board of Commissioners, are provided in more detail on the following one pagers.

Again, we commend the important work you are doing on this committee. Thank you for your leadership.

Sincerely,

Tootie Smith, Chair  
On behalf of the Clackamas County Board of Commissioners

## Activating lands to meet industrial needs

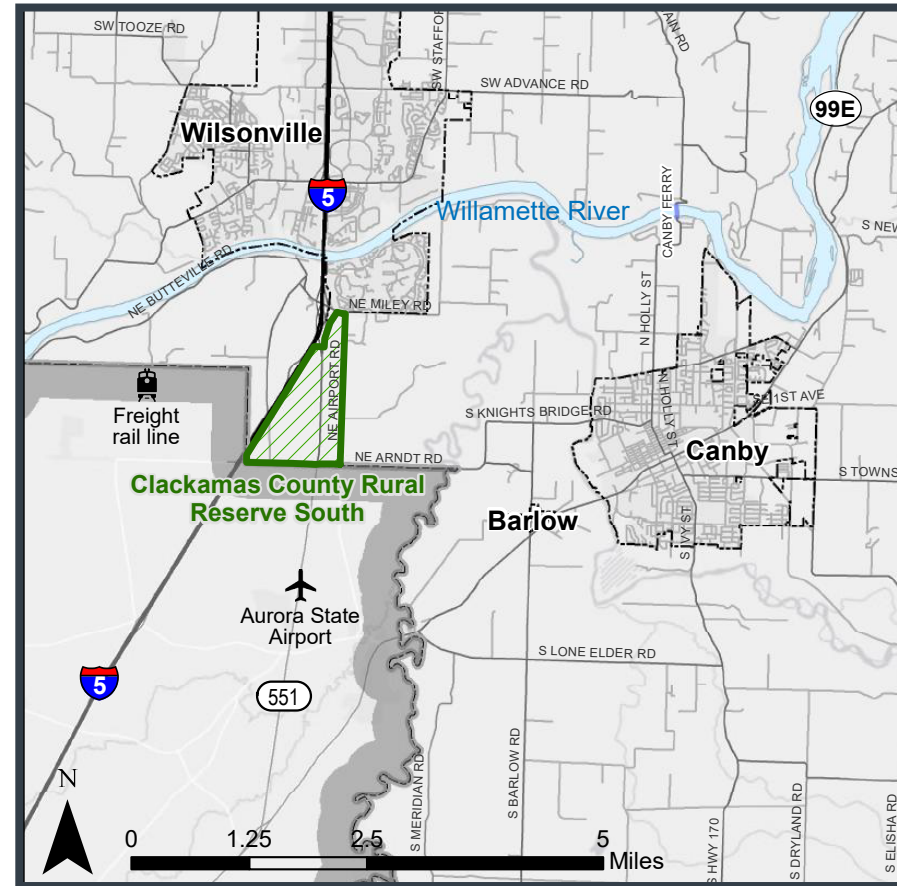
The Clackamas County I-5 South Development Opportunity site located at the I-5/Hwy 551 junction in southern Clackamas County offers great potential for future industrial use and is uniquely suited to attract and develop major semiconductor facilities and other advanced manufacturing. Located south of the city of Wilsonville near the Willamette River, the property is bordered by I-5 to the west, Arndt Road to the south, Airport Road to the east, and Miley Road to the north as shown in the county map.

The property has 382 contiguous acres under single ownership with limited existing development and a willing seller. The property can be aggregated into larger acreage if necessary, up to 500 acres. The topography is relatively flat with very limited wetlands, water bodies and protected habitats.

Significant transportation access is located next to I-5 and bisected by Hwy 551, two relatively unconstrained interchanges. It is adjacent to a regional airport and near an active freight rail line. The site sits at the southern edge of the Metro region and provides good market and workforce access from both Portland and Salem.

Multiple studies have analyzed development and economic production opportunities of this site. One study suggested a 9 million square-foot building space for 10,000 employees.

**An investment of \$5 million from the legislature to engage the community to plan for sewer, water and other infrastructure systems could ensure this property is shovel-ready for the next semiconductor industry expansion.**



## Identifying investments to meet Oregon's goals

- ✓ Up to 500 acres of flat topography
- ✓ Noteworthy transportation access to I-5 and Hwy 551
- ✓ Adjacent to Aurora State Airport
- ✓ Close to freight and commuter rail lines
- ✓ Supports economic growth and system connectivity
- ✓ Contributes to statewide workforce goals

# Sunrise Corridor Development Opportunity

2/27/2023

## Transforming vacant industrial lands into community investment

The \$4 million investment in 2021 from the Oregon legislature to prioritize inclusive community engagement to champion a shared visioning process for the Sunrise Corridor in the fast growing Happy Valley area is underway. Our team is researching critical components needed to create the conditions for our communities to thrive and we are looking ahead to create a pathway to make these recommendations come to life in the coming years.

This community-led visioning project will improve the quality of life of current and future residents by enhancing access to employment opportunities and open spaces, improving safety and connectivity,

and optimizing community resiliency for health, environment and economic futures.

The Clackamas Industrial Area and Rock Creek Industrial Areas are optimal locations to satisfy our state goals to be a leader in the semiconductor industry expansion. By combining the strategic planning efforts in Clackamas County and Happy Valley, this funding proposal would benefit our shared economic growth and employment efforts along with state goals to secure 2,000 acres of development-ready industrial land for critical semiconductor projects. This project alone would attain over 10% of the goal for Oregon's future.

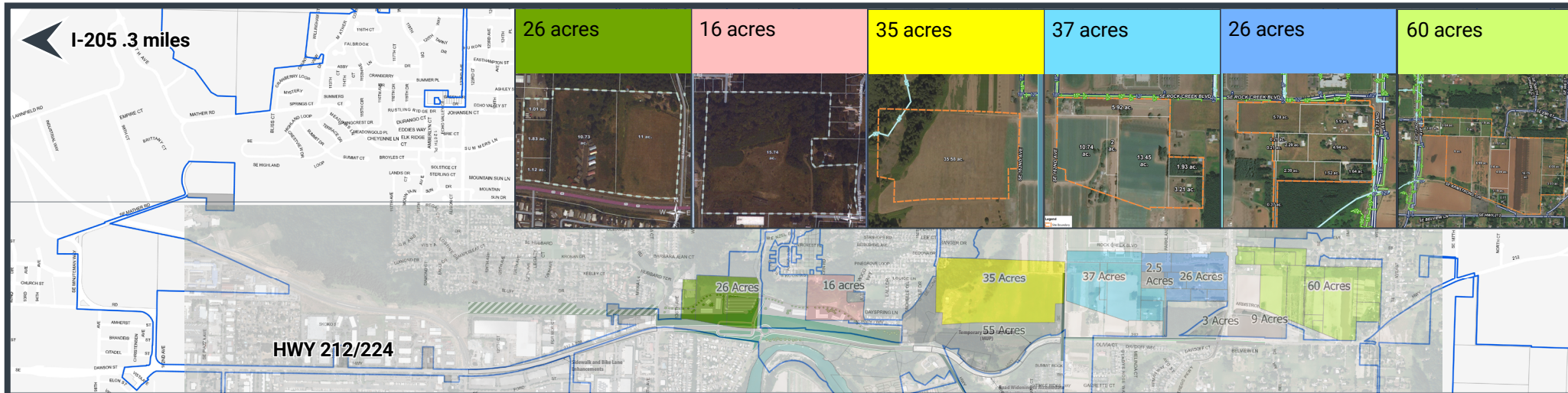
Find more information about Happy Valley's industrial land profiles at [www.happyvalleyor.gov/business/economic-development-division](http://www.happyvalleyor.gov/business/economic-development-division).

Funding options	Cost*
Happy Valley Hwy 212/ Hwy 224 Interim Improvements Project	\$15 million
Rock Creek Employment Center Infrastructure	\$70 million
Sunrise/Hwy 212 Ultimate LPA Design	\$60 million
Sunrise/Hwy 212 Right of Way Acquisition	\$150 million
Sunrise/Hwy 212 Construction	\$300 million**
<b>Total investment: \$595 million</b>	
* 2023 estimated project costs ** Right of way includes land for construction of funded project only	

### Identifying investments to meet Oregon's goals

Clackamas County and the City of Happy Valley have worked together to demonstrate viable employment lands ready for development.

- ✓ Shovel-ready projects
- ✓ Over 200 acres of industrial lands available within the Urban Growth Boundary
- ✓ Contributes to statewide workforce goals
- ✓ Increases access, especially for people of color
- ✓ Supports resiliency
- ✓ Supports economic growth and system connectivity
- ✓ Protects clean air and reduces carbon emissions
- ✓ Anti-displacement strategies in development





February 27, 2023

Joint Committee on Semiconductors  
Oregon State Capitol  
Salem, OR 97301

**Re: Senate Bill 4**

Dear Honorable Co-Chairs Bynum, Sollman, and Members of the Committee:

On behalf of the Happy Valley City Council and the Clackamas County Board of Commissioners, thank you for the important work you are doing to advance Oregon's economy and the semiconductor industry.

Over the last month, the City and County have testified in support of the industrial site readiness work and highlighted available sites within the Sunrise Corridor for the semiconductor and other support industries. The two most significant barriers to bringing these sites to market include: 1) site aggregation; and 2) infrastructure investment.

We are pleased to see financial support for site acquisition and aggregation in SB 4.

In addition, we encourage the Committee to empower the Oregon Business Development Department to utilize funds for infrastructure investments. The industrial site readiness studies completed by Metro, Port of Portland, and numerous other local governments highlighted the importance of investments in roads, sewer, and water infrastructure to make our land competitive in the semiconductor industry.

Attached to this letter is an example of the transportation infrastructure investments that are needed to bring over 200 acres of industrial lands within the UGB to the Happy Valley and Clackamas Industrial Area.

Again, we commend the important work you are doing on this committee. We hope it illuminates the need for more investments in critical infrastructure that will unlock industrial lands and provide careers to future Oregonians. Thank you for your service.

Sincerely,

Tom Ellis, Mayor  
City of Happy Valley

Tootie Smith, Chair  
On behalf of the Clackamas County  
Board of Commissioners

# Sunrise Corridor Development Opportunity

2/27/2023

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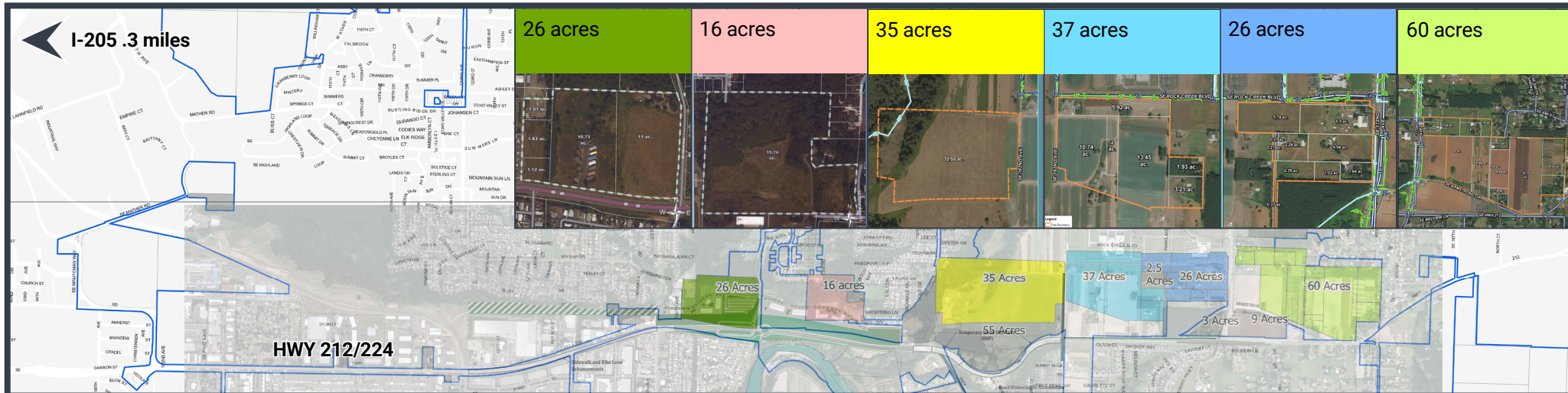
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- ✓ Contributes to statewide workforce goals
- ✓ Increases access, especially for people of color
- ✓ Supports resiliency
- ✓ Supports economic growth and system connectivity
- ✓ Protects clean air and reduces carbon emissions
- ✓ Anti-displacement strategies in development





March 9, 2023

**Clackamas County Board of Commissioners**  
**Policy Position**  
**Relating to Fitness to Proceed and Indemnity for Services**

**Clackamas County supports legislation that provides sufficient and predictable revenue and state indemnification of local government in cases where the county contracts with the State to provide services.** Additionally, we are prepared to pursue policies and solutions to rebuild the critical partnerships between the state and counties, exemplifying governments working together to deliver sufficiently funded and high quality services to the public.

A key opportunity to achieve these goals is by finding a solution of mutual benefit related to Aid and Assist. There are two bills this legislative session that seek to address Aid and Assist, but only one (SB 319) would bring us closer to our goal of rebuilding a partnership with the state.

**Clackamas County supports SB 319**, which provides Local Mental Health Authorities with the same immunity as the state when the local program provides community restoration or restoration of fitness services under contract with the state.

**Clackamas County opposes SB 219.** Section 3 sets a maximum time period to restore a defendant who lacks fitness to proceed with the charges against the defendant and requires release of the defendant when an arbitrary time period is reached whether or not the defendant has regained fitness, which may result in risks to public safety. The bill also shifts the costs of the hospital stay to the Local Mental Health Authority and the Community Mental Health Program, when the Oregon State Hospital has determined the individual no longer meets hospital level of care, regardless of whether there is an appropriate discharge plan. This places additional responsibilities on the local communities without sufficient funding and would likely bankrupt smaller programs.

We urge a “yes” vote on SB 319.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



March 28, 2023

**Clackamas County Board of Commissioners  
Policy Position  
Relating to Tuition for Foster Involved Youth**

**Clackamas County supports SB 449:** We applaud the previous work by the Oregon Legislature to fund college tuition for foster children advancing to higher institution. SB 449 expands that tuition allowance for children who have spent a designated amount of time in foster care but are no longer in foster care due to adoption.

Children in foster care and service providers are aware of the devastating decision between staying in foster care in order to gain fully covered tuition or being adopted into a forever home. We maintain this is not a choice that youth should have to make. The current policy particularly impacts older youth who are wards of the state but are in a position to be adopted.

Clackamas County has a number of programs that provide an array of services to individuals and families. We believe SB 449 would fill a key service gap, and help children and families for generations.

We urge a “yes” vote on SB 449.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.





March 1, 2023

**Clackamas County Board of Commissioners  
Policy Position  
Relating to Community Dispute Resolution Centers**

**Clackamas County supports SB 600:** Oregon’s communities benefit from services that provide quick access for pressing needs, including stable housing, community safety, and safe and healthy relationships. Community Dispute Resolution Centers (CDRC) provide mediation and training services to residents around the state who are in need of accessible, equitable, and timely dispute resolution processes.

State residents receive services from CDRCs for a variety of issues including neighbor-to-neighbor disputes, domestic relations mediation, small claims mediation, restorative justice dialogue, and landlord-tenant and eviction avoidance mediation. Training is available to those interested in becoming community mediators with the support and mentorship of CDRC staff and seasoned volunteer mediators. Simply by participating in mediation, parties observe and learn constructive communication skills that help them navigate future difficult conversations or disputes.

In Clackamas County, Resolution Services is participating in a one-year Eviction Demonstration Project funded through the University of Oregon School of Law/Oregon Office for Community Dispute Resolution. Free mediation is currently available allowing landlords and tenants to work through issues in advance of an eviction action. This is saving landlords money, keeping tenants housed, and helping parties maintain productive communication with skills and resources to address any potential future issues. The funding for this demonstration project will sunset on June 30, 2023.

Without this funding, Clackamas County is at risk of losing most, if not all, of the valuable and sought after community mediation services we provide today. As costs increase without an increase in funding, positions and services are eliminated. SB 600 will allow Resolution Services to continue to provide quality mediation and dispute resolution training services to residents of Clackamas County next year and beyond. County residents will benefit from being part of the solution in their own lives, and participating in their communities as problem-solvers and peace keepers.

We urge a “yes” vote on SB 600.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



April 25, 2023

**Clackamas County Board of Commissioners  
Policy Position  
Relating to Home Kitchens**

**Clackamas County opposes SB 643:** Home kitchens are becoming increasingly popular and serve a variety of needs, including creating opportunities for startup businesses to build a customer base and potentially transition into a larger, more traditional fixed site operation.

As a local public health authority, one of our highest priorities is ensuring the health and well-being of the community through food safety community education, routine food handler training, systematic inspections, and tracking potential foodborne outbreaks. Home kitchens present a series of concerns that, if not adequately addressed, could increase the health and safety risks of the residents of Clackamas County.

SB 643, as written, increases health and safety risks in the following ways:

- Creates considerable challenges in tracing and tracking foodborne illnesses transmitted from home kitchens;
- Limits exposure to catch improperly prepared and labeled food items that could expose individuals with severe food allergies (nuts and unidentified food additives); and
- Increases risk of exposure to environmental toxins such as mold, lead, and bacteria that can exist in homes with limited venting, air conditioning, or clean water and food storage.

SB 643 may create a perception that home kitchens are licensed and inspected in the same manner as commercial restaurants, thus leading to public confusion about the role of local health authorities. We propose that you consider alternatives in which the Oregon Department of Agriculture (ODA) works with public health experts and other key stakeholders to expand and strengthen the existing ODA domestic kitchen license process, and to create a more exhaustive and user-friendly library of home food preparation safety education and training options that are available in multiple languages and across all geographic regions.

We urge a “no” vote on SB 643 as currently written.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



March 1, 2023

**Clackamas County Board of Commissioners**  
**Policy Position**  
**Relating to Public Liability with Design Professionals**

**Clackamas County opposes SB 848:** Increased costs to deliver public construction projects hinder local governments' ability to serve the public in a meaningful and fiscally sound manner. The proposed legislation will increase costs to the public and unfairly favor architects, engineers, and land surveyors by legislating away standard contractual remedies.

The County opposes SB 848 for three reasons:

1. The County should be able to contractually require an architect, engineer, or land surveyor ("design professional") to defend their work and indemnify the County if the County receives a claim based on a faulty design or low-quality work. The design professional is in the best position to defend the quality of their actions and design. Requiring the County to defend the claim until the design professional is found to be negligent by a court or arbitrator will place an increased financial burden on public agencies for these types of claims. Counties should not be required to spend taxpayer dollars to defend a claim for a design professional's negligence.
2. There is no reason to treat design professionals differently from any other contractor, which this legislation would require. The proposed legislation gives special treatment to design professionals by essentially removing the ability to require those professions to defend a claim for their own negligence. The County requires vendors, contractors, and design professionals to indemnify and defend the County against claims alleged to arise from their negligence. If design professionals do not want to agree to a duty to defend, that should be addressed through contract negotiations, not through legislation.
3. Design professionals already have significant protection in the standard of care, which requires the design professional to exercise an ordinary degree of skill and care that would be used by other reasonably competent practitioners of the same discipline under similar circumstances and conditions. It is reasonable to expect a design professional to enter into a contract that requires it to defend against allegations that this standard is not met. This should motivate the design professionals to do their best work for the County and its taxpayers.

We urge a "no" vote on SB 848.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



April 19, 2023

**Clackamas County Board of Commissioners  
Policy Position  
Relating to On Site RVs to Address Housing Needs**

**Clackamas County supports SB 1013 with the -2 amendment:** The housing crisis affects all Oregonians. While most legislation focuses on housing solutions in the urban areas, SB 1013 offers a housing solution that extends into rural and unincorporated communities and will support families and people in need.

Current state law prohibits the use of recreational vehicles (RVs) to be used on properties as a principal residence because they are categorized as “vacation occupancy” under Oregon’s residential and landlord tenant law (90.100). However, we know that RVs are capable of providing residential occupancy when done well and in strategic uses. At a time when the cost to construct new housing is at an all-time high, RVs can serve as an affordable alternative for increasing housing stock.

SB 1013 modifies state law so that rural area landowners can site a single RV on their property for residential use, provided the owner lives on-site in a single-family dwelling and has no other dwelling units on the property. This is intended to be a permissive allowance to counties, and would require the RV to be held to county standards if adopted. As noted in the bill, counties may or may not issue guidelines according to their own standards.

This creative legislation offers flexibility to address deficits in the housing inventory, and serves as an example of an effective partnership between the state and counties to help address the state’s housing crisis. This new legislation could serve up to 100 new households immediately in Clackamas County.

We urge a “yes” vote on SB 1013.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



June 20, 2023

The Honorable Tina Kotek  
900 Court Street, Suite 254  
Salem, OR 97301

**RE: Investments in Behavioral Health**

Dear Governor Kotek:

We wish to offer our collective appreciation for your continued engagement with Clackamas County as we enhance our services focused on substance use and addiction recovery.

Per your request, we have submitted support for the behavioral health investments (mental health and substance use) in SB 1044. We are hopeful this bill or this funding passes in some form at the state legislature. Clackamas County as a Community Mental Health Program (CMHP) will be able to take advantage of this funding in many ways. For individuals with mental illness facing civil commitment proceedings, we aim to create a mobile in-reach team that can respond within the first three judicial days of the hold and guide people toward either voluntary services or connection with treatment services and appropriate housing. Likewise, jail diversion funding is a key priority for the county. We currently contract with Oregon Health Authority to meet state mandated requirements, but the current funding only allows for a single FTE to accomplish these contractual goals. The additional funding here will be welcome, but shared amongst 32 CMHPs will mean we can only use this funding to modestly enhance peer support programs, which should be part of the entire continuum of recovery services.

Whether funding from SB 1044 comes directly to CMHPs or through a Request for Proposal for both county and community-based providers to apply for, one critical element of this funding would be to allow it to be as flexible as possible. An example of flexible funds is HB 5202, Behavioral Health Housing Investment, these funds can be used for both infrastructure and for ongoing operations.

The \$15 million in SB 1044 dedicated to substance use disorder facilities and recovery centers is a substantial opportunity to partner with the state and ensure the third most populated county in Oregon has this critical infrastructure. We aim to begin working with our community based organizations (CBOs) to make sure they are in a position to receive this funding to expand into Clackamas. While Clackamas County is the primary provider of outpatient substance use and mental health services to individuals on the Oregon Health Plan and those who are uninsured, we have a long history of supporting local CBOs in the development of more intensive services such



**BOARD OF COUNTY COMMISSIONERS**  
**PUBLIC SERVICES BUILDING**  
2051 KAEN ROAD | OREGON CITY, OR 97045

as residential programs through one-time startup costs and letters of support. CBOs are in a better position to stretch these funds farther than the county and by having the CBO apply directly, versus the county applying and then contracting these services out, it reduces the administrative burden in the system.

As you noted in our last correspondence, there are other resources available in the state that can help address addiction treatment and recovery. Seventeen CBOs in the county received awards from the initial round of Behavioral Health Resource Network (BHRN) grants, and over the next eighteen years the county will directly receive a total of \$13 million from the broader Opioid Settlement. Nevertheless, we are keen to see there is adequate infrastructure in Clackamas County so these services have the firm foundation to establish a trusted role within the community.

We will look to your support to make sure adequate funding opportunities are available, like what is described in SB 1044. Counties do this work daily, and we need less state mandates and more direct flexible funding to allocate dollars in locally strategic ways. We hear directly from our communities where needs exist, and to be nimble we need your help to secure dollars that have local control.

We very much believe this is work we can do together, and appreciate your partnership in the mission to help Oregonians overcome the obstacles of addiction.

Sincerely,

Clackamas County Board of Commissioners

Tootie Smith, Chair

Commissioner Paul Savas

Commissioner Martha Schrader

Commissioner Mark Shull

Commissioner Ben West



May 18, 2023

**Clackamas County Board of Commissioners  
Policy Position  
Relating to Behavioral and Mental Health Funding**

Clackamas County supports SB 1044 and recommends quick action to fund behavioral and mental health programs throughout the state.

As the third most populated county in Oregon, we recognize a range of investments needed to have a robust response to behavioral and mental health needs, especially relating to providing treatment and recovery options for individuals struggling with addictions. We are poised now for investments in recovery treatment that will expand services to our communities and remove barriers to services. We believe SB 1044 can positively affect many areas of work at the local level, including our efforts to address the housing crisis and jail diversion.

The investments in SB 1044 also elevate funding for Community Mental Health Programs (CMHPs), making it possible for those individuals with behavioral health conditions and who are also intersecting with the legal system, including civil commitment and jail, to receive services and supports in the least restrictive community setting. This relieves pressure on our local jail and on the utilization of the Oregon State Hospital. In addition, investment in our workforce, including our workforce representing rural Clackamas County and communities of color, are key to ensuring access to necessary services and supports to those residents needing mental health and substance use services at the moment they need the services.

As this bill is finalized, we encourage a close look at how these funds will be distributed. Historically, this funding has been allocated through competitive processes, yet needs exist statewide. We strongly recommend including language in the bill to distribute the programmatic funds equitably across the state to ensure no community is without resources or has to compete for funds in order to serve their most vulnerable populations.

We urge a “yes” vote on SB 1044.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.

# Memo



**Date:** April 26, 2023  
**To:** Rep. Hoa Nguyen  
**From:** Chris Lyons, Clackamas County Government Affairs  
**Re:** Information on Community Mediation Funding for Clackamas County

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## **Origin of State Programs Appropriation Category**

In 2003, the Legislature (SB 904) transferred administration of Dispute Resolution to the University of Oregon and Portland State University. In 2013, as recommended in the Governor's budget, the Legislature separated the Educational and General (E&G) appropriation and created a new category, "State Programs", which includes public service programs across the state that are hosted at universities.

As you consider funding elements of SB 5025 for the Department of Administrative Services for appropriations to the Higher Education Coordinating Committee, we'd like to draw your attention to the Public University State Programs portion of the budget which funds Dispute Resolution. Dispute Resolution funds community mediation and public policy facilitation in all counties of the state.

The recent co-chairs budget is 2.5% down from current service level. Full funding for Dispute Resolution would be \$3,212,461.

## **Clackamas County Use of Funds:**

Clackamas County Resolutions Services (CCRS) is one of the 14 recipients of these grant funds, receiving \$58,661 a year during the biennium. In the 2019-2021 Biennium, Resolutions Services Community Mediation Program used every dollar, serving 2,043 Clackamas County residents, providing support on 1,006 cases with the help of 1,759 volunteer hours. 84% of surveyed clients reported they experience value in the services.

A substantial need exists for alternative dispute resolution services such as conciliation, negotiation, mediation, facilitation, training, outreach and other collaborative problem solving services to youth and students, families, county residents, businesses and communities.

Traditional legal mechanisms for dispute resolution are often overburdened, expensive or not appropriate. Types of community problems include housing, eviction, interpersonal, identity based, work place, animal control, property line disputes, property maintenance, issues around noise, traffic and parking, property damage, relationship issues, environmental concerns, financial, and others.

Referrals to Resolution Services decrease the burden to law enforcement, courts, housing, code enforcement and other governmental agencies. Continued and full funding will ensure CCRS can continue to provide impactful, affordable, upstream and sustainable solutions that support a healthy community



# FULLY FUND PUBLIC HEALTH MODERNIZATION 2023

## To protect all people in Oregon

In 2015, the Oregon Legislature established a requirement to modernize Oregon’s public health system by 2025. After eight years and \$60 million invested, local public health organizations have made major improvements to control communicable disease, achieve equitable health outcomes, expand epidemiology capabilities, detect environmental health threats, and prepare for emergency response. But there is still work that needs to be done. That’s why we’re urging full funding of OHA’s Public Health Modernization Policy Option Package #406 at \$286 million.

### \$286 Million will send...

<p><b>\$100 million</b></p> <p>Local Public Health Authorities</p>	<p><b>\$100 million</b></p> <p>Community Based Organizations</p>	<p><b>\$30 million</b></p> <p>Tribal Health Authorities</p>	<p><b>\$46 million</b></p> <p>Oregon Health Authority</p>	<p><b>\$10 million</b></p> <p>Reproductive Health Services</p>
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## What is Public Health Modernization?

Public Health Modernization ensures basic public protections critical to the health of all people in Oregon and future generations – no matter where they live, work, or play. The framework set in Public Health Modernization ensures all people and communities in Oregon have the same level of protection and support from our public health system.

Foundational Programs

Communicable Disease Control  
Environmental Health  
Access to Health Service  
Chronic Disease Prevention

Foundational Capabilities

- Assessment & epidemiology
- Emergency preparedness & response
- Communications
- Policy & planning
- Leadership & organizational competencies -
- Health equity & cultural responsiveness
- Community partnership development

**According to the Rede Group’s After Action Report on COVID-19, Oregon’s public health system continues to be “critically under-funded.” Fully funding Public Health Modernization will ensure that:**

- All Oregonians will be protected by the state and local public health systems as efficiently as possible
- Oregon’s governmental public health system will have the supports needed to continue implementing the Public Health Modernization Framework, and to meet programmatic and statutory requirements by 2025.



For more information, contact Sarah Lochner, Executive Director  
sarah@oregonclho.org | 503-507-7786 | oregonclho.org



# FULLY FUND PUBLIC HEALTH MODERNIZATION 2023

## To protect all people in Oregon



### 2023 Legislative Request

The Oregon Coalition of Local Health Officials requests your support of a **\$286 million investment for the 2023-25 biennium** to support Local Public Health Authorities, the OHA Public Health Division, Tribal Health Authorities, and Community Based Organizations in implementing the Public Health Modernization Framework. This investment will build critical capacity across Oregon to address health disparities and improve the public's health.

### Background:

Public Health Modernization means everyone in Oregon can expect basic public protections that are critical to their health and the health of future generations. The first steps toward public health modernization began in 2013, and progress towards these goals continues today.

Task Force on the Future of Public Health is created to assess Oregon's public health system

Initial assessments find that an **investment of \$210 million each biennium is needed** to fully implement the PHM framework

The Oregon Legislature invests \$15 million into PHM

**THE TIME IS NOW.**  
CLHO is requesting support of OHA ARB POP #406 to fund PHM at \$286 million.



### Funding Public Health Modernization is supported by the following partners:



For more information, contact Sarah Lochner, Executive Director  
sarah@oregonclho.org | 503-507-7786 | oregonclho.org



**Public Health**  
Prevent. Promote. Protect.



March 10, 2023

**Clackamas County Board of Commissioners  
Policy Position  
Relating to Law Library Funding**

**Clackamas County supports increased revenue for Law Libraries, noted in SB 5512.** Law libraries provide critical access to legal services for people who cannot afford a lawyer, as well as for small legal firms that cannot afford the fees or infrastructure to access legal reviews and historic case law. In addition to resource availability, the librarians who staff these facilities are legally trained to provide guidance and research to further support individuals and small firms searching for relevant case law and supporting materials to benefit their case and/or clients. The judicial system is big and daunting, and filled with fully resourced professionals and unfamiliar industry terms that can create significant barriers to people having fair and equitable access to justice.

The timing for an increase to law libraries is long overdue. State support has been frozen for 12 years, but the costs to provide these services have increased to account for salary and benefits, materials, and subscriptions in order to provide services to non-lawyers, solo practitioners, and others who need no-cost access to legal materials. Those increases reflect a need of \$9.8 million statewide. This year's request from the Oregon Judicial Department is a step in the right direction to meeting the long-term sustainable budgets that will keep our doors open and our services accessible to vulnerable Oregonians.

We urge a "yes" vote on SB 5512.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



March 23, 2023

**Clackamas County Board of Commissioners  
Policy Position  
Relating to Oregon Health Authority Funding**

Clackamas County appreciates the legislature's attention to the local public health needs of Oregon communities, as well as its ongoing support for sustained investments in the Oregon Health Authority (OHA) and Public Health Modernization. We are making meaningful progress in modernizing Oregon's public health system, but additional and more flexible funding is needed to continue this work.

The COVID-19 pandemic and recent response to emerging risks, including MPOX and the RSV respiratory virus, underscore the essential role of a strong public health system that relies on a diverse and supported public health workforce. These unprecedented challenges also highlighted persistent gaps in Oregon's public health infrastructure that must be addressed to better prevent and respond to future health crises and advance health equity.

Oregon is experiencing significant statewide public health workforce challenges, including burnout following the pandemic and a workforce that does not fully reflect the diversity of the communities we serve. Public Health Modernization puts Oregon on a path to creating a public health workforce pipeline but requires strategic statewide investments and coordination across the entire public health system, including local, state and tribal public health agencies, community organizations, health systems and academic partners.

Additionally, an area where we can make a significant impact is by investing in recruitment and retention incentives for public health professionals. By providing incentives such as loan repayment programs, tuition reimbursement, and competitive salaries, we can encourage more people with diverse backgrounds to pursue careers in public health and ensure that we have a supported and well-trained workforce.

Clackamas County is committed to continued collaboration with state and local partners, and we urge the state legislature to increase resources that support a strong public health workforce, including additional recruitment and retention incentives available to local public health authorities. These investments and the legislature's continued support for Public Health Modernization are crucial for supporting and improving the health and well-being of all Oregonians.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.

**MAXINE E. DEXTER, MD**  
**STATE REPRESENTATIVE**

DISTRICT 33



## **HOUSE OF REPRESENTATIVES**

**TO:** MISTY MASON FREEMAN, DIRECTOR, LEGISLATIVE POLICY AND RESEARCH OFFICE

**FROM:** REPRESENTATIVE MAXINE DEXTER, CHAIR, HOUSE COMMITTEE ON HOUSING AND HOMELESSNESS

**SUBJECT:** WORKGROUP RELATING TO URBAN UNINCORPORATED AREAS IN METRO COUNTIES

**DATE:** FEBRUARY 23, 2023

### Introduction

This memorandum is to request that the Legislative Policy and Research Office (LPRO) provide staffing for a workgroup during the 2023-25 interim relating to urban unincorporated areas (UUAs) in Metro counties. The workgroup is at the request of myself, Chair Maxine Dexter, on behalf of the House Committee on Housing and Homelessness.

### Background

Unincorporated, urbanized areas of the Metro counties contain lands with significant potential for housing production. However, under current law, these areas are not within the scope of Goal 10, meaning no statutory framework exists for projecting future housing needs or appropriately planning for this development. To address this, members of the House Committee on Housing and Homelessness and local leaders have committed to forming a workgroup of key stakeholders who will be tasked with presenting legislative recommendations to address this issue in the future.

This memorandum serves as an official request to the Legislative Policy and Research Office (LPRO) to allocate resources to support the committee in convening and managing an interim workgroup tasked with presenting legislative recommendations prior to the 2024 Session. Further details about this workgroup such as purpose, major issues, timeline, and membership are described below.

### Purpose

The purpose of this work group is to develop recommendations for the regular preparation and adoption of housing capacity analyses and housing productions strategies in urban, unincorporated areas within the Metro urban growth boundary for consideration in the 2024 Legislative Session.

### Major Issues

I request that the work group review and provide recommendations for the following:

- 1) Define urban unincorporated areas (UUAs)

- a. May include multiple definitions reflecting different characteristics
    - i. PURPOSE: differentiating UUA that is an island in an incorporated city, areas currently subject to agreements between cities and counties and areas that are solely planned/land managed by counties so that we can then establish different roles and responsibilities in each area
  - b. May use such information as proximity to urban services; current levels of development; or current urban zoning
- 2) Establish recommendations for roles and responsibilities for housing capacity analyses and housing production strategies for all areas in the metro UUA
    - a. May include the ability for cities and counties to contract for planning for housing capacity and production strategies in a UUA
    - b. Must result in capacity and strategies in all areas identified as UUA in the Metro UGB
  - 3) Identify the needed resources to meet this cyclical work across the region

### Timeline

I request that the workgroup provide preliminary recommendations to the Legislature by October 2023 and a final report to the Legislature by December 31, 2023, with recommendations for further legislative action in the 2024 session.

### Membership

The work group must include representatives from the following entities:

- Department of Land Conservation and Development
- Metro Regional Government
- Clackamas, Multnomah, and Washington County
- Beaverton, Hillsboro, Portland, Tualatin, Wilsonville, and Happy Valley
- Special districts
- Housing advocacy organizations
- Business or development organizations
- Community and equity organizations

### Staffing

I request that LPRO staff and facilitate regular meetings of the work group to address the issues as outlined above. In addition, I request that LPRO prepare the preliminary and final recommendations. LPRO may request assistance from DLCD and any other state agency as necessary.

Sincerely,



Representative Maxine Dexter, M.D.  
House District 33 (NW & Downtown Portland, Linnton, & Cathedral Park)



March 3, 2023

**Housing Authority of Clackamas County  
Policy Position  
Relating to Community Permanent Supportive Housing Risk Mitigation Funding**

**The Housing Authority of Clackamas County supports POP 104 and POP 90:** Permanent Supportive Housing is critical to ending homelessness. It is imperative that Oregon continue its investment in the structures and services to not only expand but also retain Permanent Supportive Housing capacity.

Current trends in insurance costs are having negative impacts on the ability to serve clients and address the housing crisis. Presently, 25% of recently surveyed affordable housing providers such as the Housing Authority have seen 100% insurance cost increases. The Housing Authority has seen a 51% increase per year for the last three consecutive years. Additionally, inflation has hit construction, repairs, and turnover costs dramatically. On top of inflation, Permanent Supportive Housing providers are seeing a 20% increase in property management payroll costs over the past two years. A risk mitigation pool can help keep costs from escalating, if available, by reducing a property's need to file with insurance for small to medium claims.

Additionally, the Housing Authority has developed its first Permanent Supportive Housing project, Tukwila Springs, and hopes to develop or support more development of Permanent Supportive Housing in our county. This funding will encourage this effort, enhancing a long term, whole life strategy to address the most vulnerable and highly barriered individuals.

In order to meet the state's goals of reducing homelessness and providing housing, we need investments in Permanent Supportive Housing and in reducing insurance costs.

The Housing Authority firmly supports POP 104 \$130 million investment to create 650 new Permanent Supportive Housing homes and POP 90 \$4.5 million for the Permanent Supportive Housing risk mitigation fund to house the people.

We urge a "yes" vote on both POP 90 & 104.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



Karen Brisbin  
Justice Of The Peace  
CLACKAMAS COUNTY JUSTICE COURT

11750 SE 82ND AVE SUITE D | HAPPY VALLEY, OR 97086

April 19, 2023

Dear Madam or Sir,

Clackamas County Justice Court hears violations and civil matters including small claims. The court has a long history of working successfully with the Clackamas County Resolution Services mediation program whose staff are knowledgeable, helpful and professional. Through its mandatory mediation program for small claims, the court regularly works with the mediation program to develop standard forms and processes that streamline the referral and disposition of small claims cases. The mediation program is helpful as it is able to assist parties in resolving disputes in a neutral setting as opposed to an adversarial court hearing. The program directly benefits the community as well as assisting the court in resolving small claims thus reducing the court's trial docket. More importantly, the court knows that mediation is working for the parties because it is rare that there is a non-compliance filed with the court in mediated agreement cases.

The mediation program is an integral part of the court small claims process. The court appreciates the work of the mediation program in the resolution of small claims and looks forward to the program's continuing work with the court and members of the community.

Respectfully,

**Karen Brisbin, Justice of the Peace**

Clackamas County Justice Court

11750 SE 82<sup>nd</sup> Avenue, Suite D

Happy Valley, OR 97086

Main Court: 503-794-3800

Fax: 503-794-3808

Hours of Operation: Mon- Fri, 8 a.m.-5 p.m.

[www.clackamas.us/justice](http://www.clackamas.us/justice)





April 21, 2023

Joint Committee on Ways and Means Subcommittee on Transportation and Economic Development  
Co-Chair Senator Aaron Woods and Co-Chair Representative David Gomberg

Dear Co-Chairs:

The challenging process of wildfire recovery continues to be top of mind for our respective Counties, even as we work through our third year of efforts that are critically dependent on the sufficiency of state, federal, and local resources working in concert.

Your Subcommittee has under its jurisdiction the budget of the Department of Housing and Community Services. As you heard during the Agency's budget presentation, they are implementing wildfire recovery efforts that involve some \$422M of federal funding that was appropriated by Congress to Oregon in September, 2021, as a result of President Biden signing HR 5305, the Extending Government Funding and Delivering Emergency Assistance Act.

Our shared concern is that OHCS appears to have limited accountability to the Legislature on how this significant resource will be allocated to our regions. The Agency's roll out of some \$150M in state general fund and bond revenue resources designed to address recovery needs during the '21-'23 biennium was difficult, yet became better after the then House Interim Special Committee on Wildfire Recovery inserted itself to require regular reporting on the spending plan for those dollars.

It is from this experience that we ask you to consider the following DRAFT budget note to be inserted into the budget report for SB 5511:

In managing federal funding received for disaster recovery, the Agency shall maintain adherence to the language from Public Law 117-43 "for necessary expenses for activities related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation." The Agency will ensure allocations to the wildfire impacted regions of this state are aligned with the federal appropriation language and with remaining local recovery needs. The Agency shall provide allocation models to the Legislative Fiscal Office to ensure such models are based on appropriate and relevant metrics and demonstrate local input into the model development. If the Legislative Fiscal Office determines the Agency will need to amend its required HUD Action Plan to be in compliance with this Note, the Agency shall strive to submit such amendment to the US Department of Housing and Urban Development within 90 days of that determination.



April 26, 2023

**Clackamas County Board of Commissioners**  
**Policy Position**  
**Relating to Office of Resilience and Emergency Management and Mass Care Services**

Clackamas County supports continued staffing, training, and resources of the Office of Resilience and Emergency Management (OREM) within the Oregon Department of Human Services (ODHS).

Mass Care Services are critical for responding to emergencies and disasters, and a key component of delivering these services in Clackamas County is the capacity and capability of our partners. OREM personnel have been valuable in supporting the readiness of county departments and agencies to prepare for emergency response by coordinating equipment and personnel resources.

In recent years, the Clackamas County community has experienced devastating wildfires, significant snow and ice events, and multiple record-setting heat waves. These events are occurring at an unprecedented frequency and intensity, increasing the need to provide sheltering services to vulnerable populations within Clackamas County and the broader Portland-Metro region. County personnel, partners, and resources providing life-saving services become strained with the duration and frequency required to provide these services. However, OREM personnel have ensured the continuity of these services by reliably providing trained staff to support the operation of county warming and cooling centers.

Through proactive leadership, OREM staff have connected County departments with State agencies, fostering relationships and raising awareness for resources and services that increase the County's capability to efficiently coordinate services with its vulnerable community members. OREM personnel have established partnerships to coordinate information-sharing resources that support the County's ability to proactively connect with and provide resources to community members in advance of anticipated extreme weather events and power outages. This coordination enables community members to prepare for anticipated events proactively and ensure they have adequate resources, which increases the community's resilience to the impact of extreme weather events and power outages.

We hope this letter emphasizes the crucial role of OREM and supports the sustained current staffing levels needed to maintain these partnerships and service coordination to support the Clackamas County community.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



May 18, 2023

**Clackamas County Board of Commissioners  
Policy Position  
Relating to Statewide Pretrial Release Programs**

Clackamas County supports the Oregon Judicial Department (OJD) policy option package (POP) 101, completing a statewide rollout of OJD pretrial services.

Investments in pretrial release programs work. After just two years of starting the pretrial services program in Clackamas County, overall Failure to Appear warrants were down 25%, and jail force releases were down 53%. Additionally, 60% of defendants placed onto pretrial supervision appeared at all scheduled court dates, and only 1% were arrested for new criminal activity.

Addressing the statewide gap of pretrial release officers will help ensure the eligibility of persons for court-appointed lawyers, identify and divert more candidates into treatment services instead of criminal prosecution, increase the efficiency of the criminal justice system by reducing failures to appear in court, and help prioritize use of county-funded jail beds.

POP 101 presents a good partnership between county and state roles to improve court appearance rates, ensure victim and community safety, and help reduce public defense workloads. Additional staffing of Release Assistance Officers (RAOs) will help to implement a statewide case management system, create a statewide risk assessment tool, and provide training and technical assistance to courts, court staff, and system partners.

This funding is a critical next step in the development and implementation of a pretrial risk assessment tool for jurisdictions in need, including an additional 42 RAOs. It would also continue progress on a new statewide pretrial justice case management and data information system, which will allow for more data-driven, solutions-focused decisions around pretrial policies and practices.

We urge your support to advance OJD's POP 101.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.