



**CITY COUNCIL MEETING
STAFF REPORT**

Meeting Date: January 19, 2023		Subject: 2023-24 State Legislative Agenda and 2023 State Legislative Priorities Staff Member: Mark Ottenad, Public/Government Affairs Director Department: Administration	
Action Required		Advisory Board/Commission Recommendation	
<input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input type="checkbox"/> Resolution Information or Direction <input type="checkbox"/> Information Only <input checked="" type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable Comments: Adoption during Mayor’s Business on January 19 of the 2023-24 State Legislative Agenda and 2023 State Legislative Session Priorities provide direction to staff and consultant regarding the City Council’s legislative preferences.	
Staff Recommendations: N/A			
Recommended Language for Motion: N/A			
PROJECT / ISSUE RELATES TO:			
<input type="checkbox"/> Council Goals/Priorities	<input type="checkbox"/> Adopted Master Plan(s)	<input type="checkbox"/> Not Applicable	

ISSUE BEFORE COUNCIL:

City Administration seeks adoption by the City Council of a 2023-24 State Legislative Agenda and 2023 State Legislative Session Priorities for general public-policy priorities that guide how the City reacts to specific legislative proposals that may arise during the 2023-24 sessions of the 82nd Oregon Legislative Assembly.

EXECUTIVE SUMMARY:

At the start of each two-year-long session of the Oregon legislature, the City Council adopts a State Legislative Agenda that guides how City staff and consultants evaluate proposed legislation in terms of opposing, supporting or remaining neutral. The City’s State Legislative Agenda is grounded in long-term City Council-adopted policies embodied in the Comprehensive

Plan and other master plans or specific strategy documents and highlights current Council goals and known issues under consideration.

Over the past two legislative sessions, however, unique opportunities have arisen for the City for which the City did not have specific legislative policy guidance. Subjects or issues that City master plans, Comprehensive Plan or strategic plans do not address that the City Council has expressed interest in or support for include:

- **Increasing High-Speed Broadband Distribution:** In the 2021 session, the City successfully lobbied for \$1.665 million in state funding using federal American Rescue Plan Act (ARPA) funds for the City of Sherwood – City of Wilsonville “Sherwood Broadband-Wilsonville/GovRing Expansion Project.”
- **Affordable Housing Project Support:** In the 2022 session, the City successfully lobbied for \$1.926 million in state funding for the Wilsonville Transit Center Transit-Oriented Development affordable housing project to subsidize social and transit services on the ground floor.

Other examples of timely, topical issues for which there may not be current specific City policy include dealing with homelessness and support for childcare resources.

Additionally, the City has worked during 2022 with the Office of Representative Neron, Senator-elect Woods and Legislative Counsel to advance four City Council priority legislative concepts for 2023 that have been pre-session filed as House Bills (HB):

1. Aurora State Airport Coordinated Intergovernmental Planning Between Relevant State Agencies and Affected Local Governments with Land-Use Planning Sideboards:

HB 2668 – “Relating to transportation; creating new provisions; and amending ORS 197.732, 836.608 and 836.642. Establishes Aurora State Airport Advisory Council for purpose of developing intergovernmental planning agreement among its members. Requires land use decisions to be compatible with agreement. Sunsets January 2, 2037. Amends regulations regarding through the fence airports and use of transportation facilities as basis for land use goal exceptions.”

2. SMART Service Territory Alignment with City Boundaries; Adjustment of TriMet District Boundary

HB 2666 – “Relating to TriMet. Requires the mass transit district known as TriMet to adopt ordinance to modify district boundaries to exclude specified territory. Provides that ordinance may not be referred to or by electors. Requires persons in specified territory to assess whether boundary change results in new tax liability.”

3. ODOT Public Transportation Division Study of WES North Willamette Valley Extension to Salem from Wilsonville, with Stops in Donald, Woodburn and Keizer

HB 2662 – “Relating to a study on extending the Westside Express Service commuter line to Salem; and declaring an emergency. Requires Department of Transportation, in collaboration with Tri-Met and Portland & Western Railroad to study extending Westside Express Service commuter line to Salem. Directs department to submit

findings to interim committees of Legislative Assembly related to transportation not later than September 15, 2024. Appropriates moneys from General Fund to Department of Transportation for study. Declares emergency, effective July 1, 2023.”

4. Reauthorize and Fund the Business Oregon Regionally Significant Industrial Sites (RSIS) Program

HB 2663 – “Relating to industrial site readiness; creating new provisions; amending ORS 285B.627; and declaring an emergency. Extends sunset of Oregon Industrial Site Readiness Program. Appropriates moneys for deposit in Oregon Industrial Site Readiness Program Fund. Declares emergency, effective on passage.”

Thus, the City would benefit from a Council approved set of 2023 State Legislative Session Priorities that register specific issues of concern, as well as reflect ad-hoc issues of the day for which long-term City policies may not address adequately but for which the City Council considers important. See Attachment 3 for details.

BACKGROUND INFORMATION:

Draft 2023-24 State Legislative Agenda

The City first developed a written State Legislative Agenda in 2011 with citations to specific sources of City authority for each agenda item. All of the legislative agenda items are based on policies established by the City Council over time through the Comprehensive Plan, Goal 9 Economic Opportunities Analysis and other City master plans/strategies and Council direction. Thus, the City’s State Legislative Agenda is grounded in long-term City Council-adopted policies that embrace core community values as expressed by the community’s elected officials.

In developing the City’s legislative agenda, staff reviewed existing and prior city policies and practices, examined the legislative agendas and priorities of other metro-area jurisdictions and affiliated organizations such as League of Oregon Cities (LOC), and gathered information from lobbyists and other public-affairs professionals about primary issues of concern in the 2023-24 legislative session.

Draft 2023 State Legislative Session Priorities

The City’s Draft 2023 State Legislative Session Priorities reflect current topical issues and various issues that have been raised over the past few years, some of which are similar to LOC’s 2023 legislative session priorities:

1. Infrastructure Financing and Resilience and Funding for Critical Infrastructure for Needed Housing
2. Local Funding to Address Homelessness
3. Address Measure 110 Shortcomings
4. Economic Development Incentives
5. Community Resiliency and Wildfire Planning
6. Transportation Safety Enhancement
7. Full Funding and Alignment for State Land Use Initiatives
8. Lodging Tax Flexibility

City's State Legislators

After the 2020 Decennial Census, the Oregon legislature redrew House and Senate district boundaries based on population changes. All areas of the City of Wilsonville community are now in one House District and Senate District, whereas for the past 10 years Charbonneau was segmented into a separate set of districts.

- **House District 26: Representative Courtney Neron of Wilsonville** (Democrat), who has been appointed to serve on the following committees during 2023 session:
 - Chair, Education Committee
 - Early Childhood and Human Services Committee
 - Gambling Regulation Committee
- **Senate District 13: New Senator Aaron Woods of Wilsonville** (Democrat), former City Planning Commissioner, who has been appointed to serve on the following committees during 2023 session:
 - Co-Chair, Transportation and Economic Development Subcommittee, Joint Committee on Ways and Means
 - Joint Committee on Transportation
 - Veterans, Emergency Management, Federal and World Affairs

Both of Wilsonville's legislators are supporters of public-policy positions that the City has endorsed, and specifically sponsored to become legislation all four of the City Council's priority Legislative Concepts (LC) for the 2023 session.

History of City's Legislative Engagement

The City has been engaged actively with matters before the Oregon legislature for the past two decades, primarily in a defensive posture seeking to fend off or modify legislative attempts to preempt municipal home-rule authority or super-site controversial land-uses in or near the community. A state proposal in the late 1990s to site the Coffee Creek Correctional Facility at the shuttered Dammasch State Hospital, now home to the Villebois neighborhood, galvanized the community to action and underscored the need to participate actively in legislative affairs.

During this time, the City has contracted with Greg Leo, principal of The Leo Company, who commands considerable respect from both sides of the aisle for his credible and authoritative background in local, state and federal affairs. Prior relevant positions include duty as a member of the federal Senior Executive Service (SES III) while working for the U.S. Department of Justice on Immigration Policy, Executive Director/Chief of Staff of the Oregon Republican Party, and volunteer service on the Wilsonville Budget Committee.

The City works with coalitions of organizations that share similar legislative objectives. The City coordinates closely with the League of Oregon Cities (LOC) Intergovernmental Relations staff to analyze the potential impacts of proposed legislation and to lobby legislators as needed to advance the City's positions. The City works with Clackamas and Washington Counties, the Port of Portland and Metro regional government, the latter which acts as a convening body for the 24 Portland metro-area cities. The City participates in other organizations and coalitions, including Oregon Building Officials Association, Oregon Chapter of the American Planning Association, Oregon Economic Development Association (OEDA) and Industrial Site Readiness Coalition.

For the past decade of legislative sessions, the City's mode of operation has tended to be:

- Public affairs consultant Greg Leo meets regularly with legislators, executive-agency staff and public- and private-sector lobbyists to obtain information on key bills of interest and he relays to City staff;
- Public/Government Affairs Director Mark Ottenad reviews and then forwards to appropriate staff members as need be for their review and assessment of particular issues identified in draft legislation. Critical staff assisting in these reviews include the City Manager, City Attorney, Community Development Director, Planning Director, Transit Director, Building Official, Finance Director and other staff members.
- Mark Ottenad then communicates the City position to Greg Leo and other parties, and when required composes City testimony on behalf of the Mayor and City Council on specific legislation that is then reviewed by relevant City staff prior to submission.
- Mark Ottenad and Greg Leo relay the testimony electronically and often hand-delivered printed copies to committee members. Periodically the Mayor or a City Councilor is requested to present the testimony in-person before the committee considering the bill at issue.

Requesting direct City Council testimony in-person at the State Capitol in Salem is never considered lightly by staff due to the time and travel burden placed on a volunteer member of Council; however, *in-person testimony by a local elected official is the most powerful and persuasive form of legislative input available to the City*. During 2023 session, testimony is anticipated to be presented either in-person at the State Capitol or virtually online before committees.

TIMELINE:

The 2023 “long” legislative session convenes on January 17 and is scheduled to conclude by June 25.

LOC and the Oregon Mayors Association (OMA) hosts the bi-annual “City Day at the Capitol” on Thursday, January 25, 2023, that City Council members and staff are encouraged to participate in in-person (Attachment 4, page 11).

During the course of the legislative session 3,000 to 4,000 bills may be introduced, of which several hundred may receive committee hearings. Towards the end of the session when the legislature moves into “24-hour” hearing-notice period, bills and amendments are flying. The legislative agenda is an important tool that enables the City to be responsive in a timely manner to legislative proposals.

CURRENT YEAR BUDGET IMPACTS:

No budget impacts are anticipated based solely on adoption of the legislative agenda. Other legislative-related expenses are currently budgeted.

Actions that the legislature takes can impact the City's budget directly or indirectly in a favorable or detrimental manner.

CITY MANAGER COMMENT:

The proposed 2023-24 State Legislative Agenda and 2023 State Legislative Session Priorities is in accord with Council's direction for City priorities and policies.

ATTACHMENTS:

1. Draft City of Wilsonville/SMART 2023-24 State Legislative Agenda
2. Citations to Authorities that Act as Foundation for City of Wilsonville/SMART 2023-24 State Legislative Agenda
3. Draft City of Wilsonville/SMART 2023 State Legislative Session Priorities
4. League of Oregon Cities (LOC) 2022 Quarter 4 *Local Focus* magazine:
 - 2023 Legislative Session Preview
 - 2023 Legislative Priorities
 - How Three LOC Priorities Will Have Local Impacts
 - City Day at the Capitol - January 25, 2023