

CITY OF PORTLAND

2015 State Legislative Agenda



City of Portland Council

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Priorities



Mental Health

Objective:

Support efforts to gain state funding for facilities where people experiencing mental health crises can receive care, including increased investments in community-based mental healthcare services.

Issue:

Nationally, the mental health care system is failing to meet the needs of patients and communities, and Oregon is no exception. A fragmented and underfunded mental health care system has resulted in local fire departments, and law enforcement becoming the de facto social service providers to citizens experiencing mental health crisis, or suffering from illness without sufficient treatment.

An underfunded state system for providing mental health services directly impacts the City of Portland through increased demand for emergency and police services. Not only does sheer call volume increase when services are not appropriately funded, but this impacts quality of life issues for people needing specific help for mental health with preventable issues including general health issues, trauma, substance abuse, and crime, all of which transfers increased costs to our economy. Even when people are able to seek mental health care services, they are often unable to receive treatment in a timely manner due to a shortage of mental health care providers in the state.

In partnership with stakeholders, the City will support the appropriation of state funding to support acute psychiatric care that is available 24 hours a day, seven days a week. These acute psychiatric services will provide immediate care to people in crisis. Appropriately trained staff will provide immediate assessment, treatment, and monitoring. Before discharge, patients will receive step-down services including referrals to sub-acute and respite care; partial hospitalization; outpatient services and community-based care. Increased funding for both residential and step-down services is needed.

There is an urgent need to develop an integrated system of care for people with mental illness. The availability of acute psychiatric care services coordinated with a fully funded community mental health care system is an important step in the right direction. The City will support efforts to appropriate state funding for facilities where people experiencing mental health crises can receive care, including increased investments in community-based mental healthcare services.

Transportation

Objective:

Support funding to maintain and support transportation infrastructure across all modes and make Oregon's roadways safer.

Issue:

A safe, reliable and well-maintained transportation system provides a critical foundation for our economic development and community livability. However, financial support from the federal government for transportation is waning and the need for ongoing safety and maintenance projects outpaces available revenue at the state and local levels. The City of Portland supports a multi-faceted approach to enhancing the state transportation funding model to better meet basic needs. These reforms include:

Gas Tax

As vehicles become more efficient and people drive less, the gas tax is unable to keep pace with roadway maintenance needs. Indexing the gas tax in a way that considers fuel efficiency and inflation would act as a stop-gap measure to prevent further erosion of maintenance and operations funds.

Median Barriers

Highway crashes are incredibly dangerous, and when vehicles can cross into oncoming traffic the result is often much worse. Washington State aggressively pursued a cable median barrier program over a decade ago and has seen a 75 percent reduction in the fatal and disabling crash rate. While the Portland metropolitan area mostly has these protections in place, policies and funding are needed to erect median barriers along highways across all of Oregon.

ConnectOregon

ConnectOregon provides state funding for non-roadway transportation modes, including investments in public transit operations and pedestrian, bicycle, and passenger rail transportation in addition to marine, freight rail, and aviation investments. Robust funding of this multi-modal transportation infrastructure tool is critical.

Orphan Highways

Jurisdictional transfer can help realign responsibility and authority over orphan highways, however the process can be expensive due to necessary upgrades to roadways and ongoing maintenance costs of the newly transferred lanes. Dedicated state funding to assist in the transfer of orphan highways is necessary to help transfer more orphan highways. Even if investments sufficient to facilitate jurisdictional transfer are out of reach, additional state investments should address the unique issues associated with these urban highways as appropriate.

Studded Tires

Studded tires produce a disproportionate amount of wear on our roadways and lead to unsafe pavement rutting. The recently released ODOT 2014 Studded Tire Study shows that while studded tire use is declining, their impact will cost the state highway system \$44.2 million in repairs between 2012 and 2022. Local authority to avoid or recoup costs from this disproportionate wear will help keep roadways safer.

Affordable Housing

Objective:

Support legislation to repeal the state preemption on inclusionary zoning and restore funding to critical housing resources.

Issue:

Inclusionary Zoning

Inclusionary zoning is a practical tool that allows local jurisdictions to require that affordable housing units be built along with market-rate housing. Inclusionary zoning is not a one-size-fits-all solution. It allows local communities to customize a housing policy that meets the needs of their residents. This tool is an effective response to “exclusionary” development practices which prioritize market-rate urban development at the expense of affordable housing.

A lack of affordable homes means many families are unable to live in resource rich communities and are segregated to more distressed areas. These areas are often far from jobs, concentrating poverty and causing traffic congestion and high commuting costs. Inclusionary zoning policy is a proven way to change this challenging community dynamic.

Repealing the preemption and restoring local control would enable local jurisdictions to use this tool and work with developers and communities to find balanced approaches. The City of Portland will support legislation to repeal the preemption on inclusionary zoning.

Housing Funding

The City also supports funding critical housing resources such as the Emergency Housing Account (EHA) and the State Homeless Assistance Program (SHAP), as well as support for state bonding authority to be used for the development of affordable housing. Housing stability increases educational outcomes, community health, and public safety.

The EHA was created to assist persons who are homeless or at risk of becoming homeless, targeting those who are elderly, disabled, farm workers, or Native Americans. Designated lead agencies coordinate the use of these funds through an inclusive community planning process. SHAP funds emergency shelters and related auxiliary services. Community action agencies administer the program at the local level, encouraging people to access permanent solutions.

The City of Portland will support state funding for these critical housing resources and the use of state bonding authority for the development of affordable housing.

Earned Sick Leave

Objective:

Support legislation that expands earned sick leave to allow Oregon workers to keep their jobs while taking necessary time off when they or their family are sick, injured, or in need of preventative health care. Oppose legislation that preempts or interferes with Portland's enacted earned sick leave ordinance.

Issue:

Forty percent of all private-sector workers and eighty percent of low-income workers receive no paid sick days when they or a family member fall ill. This forces low-income workers to choose between providing for their families or going to work sick. Employees who come to work sick may spread their illness, which is estimated to cost the national economy \$160 billion annually in lost productivity. Earned sick leave allows workers to stay home to take care of themselves or a sick family member, or to visit a doctor without losing pay for that time off work. In 2013, after a unanimous vote by City Council, Portland became the fourth U.S. city to enact an ordinance enabling workers to earn paid sick time.

Portland's Protected Sick Time ordinance took effect on January 1, 2014, and workers began earning sick time while they work. Employees in Portland who have earned sick time may use it for issues related to their own health; to care for the health of a family member; or to address issues caused by domestic violence, sexual harassment, assault or stalking. Sick time may be used in increments of one hour or and may be used to cover all or part of a shift.

Portland's Protected Sick Time ordinance mitigates the spread of disease and allows employees to care for themselves and family members, making Portland a healthier, more productive community. Ensuring that all workers have the time it takes to care for themselves and family members is practical, equitable, and preventative. The City of Portland supports expanding earned sick leave statewide to protect Oregon workers, businesses, and consumers.

Brownfield Cleanup

Objective:

Support legislation to promote redevelopment of brownfield sites through funding, financing and policy changes that bolster cleanup efforts.

Issue:

Brownfields—properties that are contaminated or suspected to be contaminated—exist in communities throughout Oregon due to a legacy of past use. Vacant and underutilized brownfields pose an obstacle to community and economic development, as well as a public health concern. Cleanup and redevelopment of brownfield properties is a key growth strategy for meeting economic, environmental, and social goals for the City of Portland. The City of Portland has identified over 900 acres of potential brownfields in the city, and is targeting redevelopment of 60 percent of its brownfields by 2035. Redevelopment of the full inventory of brownfield properties has the potential to provide over 31,000 gross jobs and generate approximately \$240 million per year in state and local income, property and business tax revenues.

Brownfield sites come in an array of sizes and conditions, therefore a multi-faceted approach is necessary to aggressively address remediation needs. The City of Portland is working with a diverse group of stakeholders to develop and promote tools, new and existing, to cleanup more brownfield properties. Tools include recapitalizing Business Oregon's Brownfields Redevelopment Fund, land bank authority, and tax incentives. The City of Portland supports these efforts to identify, adopt, and strengthen a full range of options to promote local redevelopment of brownfields.

Gun Safety

Objective:

Support statewide efforts to protect public safety by closing loopholes in background check requirements for the purchase of firearms and other common sense gun safety measures.

Issue:

In 2013, there were 461 deaths due to firearms in Oregon. Nationwide, over 30,000 people are killed by firearms every year. More than twice as many are injured. Oregon, along with the rest of the country, has experienced numerous mass casualty and tragic gun violence incidents in recent history. Public safety is a fundamental priority for the City of Portland and gun violence poses a serious threat to the security of our community.

Under current law, a prospective purchaser must undergo a background check before buying a gun at a gun show or from federally licensed firearms dealers. However, in Oregon, background checks are not required for private party sales, through newspaper ads or on the internet. Robust background checks for the purchase or transfer of firearms are an effective preventative measure against gun violence. The City of Portland will work to actively support common sense legislation to close loopholes in background check requirements for the purchase of firearms.

Recreational Marijuana

Objective:

Advocate for lifting the preemption on local taxing authority over the emerging recreational marijuana market.

Issue:

The recent legalization of recreational marijuana poses a wide array of changes and challenges for the City of Portland and other local governments. Along with Portland, at least 70 cities in Oregon have enacted local taxes on recreational marijuana. The emerging recreational marijuana market will require the City to play a significant role in both ensuring a smooth implementation and reasonable enforcement of the new law.

Although a revenue sharing formula exists within the new law directing a portion of state tax dollars to local governments, the amount received is likely to be insufficient to meet the regulatory and enforcement demands required of our police officers, fire and building inspectors, licensing officials, and neighborhood livability program. Further, the language of the statute requires cities to spend state shared revenue on “public safety” even though local government responsibilities are much more extensive. Local taxing authority would allow cities to raise revenue and provide flexible use for a variety of affected city services.

The City will also support legislation that provides local governments with flexibility to accommodate the emerging recreational market and protect public health, safety and livability. For example, the City will support policies that require recreational outlets to be in compliance with local zoning, fire, and building codes as a condition of licensing and meaningful input on the merits of licensing decisions.

Support for Rural Communities

Objective:

Support and advocate for issues of importance to our rural partners that will enhance the health, growth, and vitality of the entire state.

Issue:

The health and economic vitality of urban and rural communities in Oregon are intertwined. The City will continue to work with its rural partners on issues that disproportionately affect rural communities.

Support funding requests for the Statewide Programs of Oregon State University

The Statewide Public Service Programs are central to OSU's land-grant mission. These programs address emerging issues important to communities, families, and industries in both rural and urban Oregon. This year, the OSU Board of Trustees is requesting \$16 million for new and expanded programs to address major challenges facing Oregon. These new programs combine the strengths of all three Statewides to provide integrated solutions in five key areas: Sustainable Management of Working Landscapes; Ensuring Water Quality and Quantity; Promoting Public Health, Food Safety and Security; Technologies for Business Development and Value Added Manufacturing; and Educating the Workforce of Tomorrow. The City of Portland will support OSU's efforts to fund these new and expanded programs.

Rehabilitate Rural Main Streets

Many historic buildings across Oregon remain unused or underused due to the high cost of restoration, code upgrades, and seismic reinforcement. These structures tend to be in old neighborhoods and rural areas and are usually interwoven into those communities. Deteriorating, old buildings affect the value of adjoining properties. However, repairing a few key historic buildings can catalyze new development and economic activity around them. Rehabilitation projects are labor intensive and create family wage construction jobs, in addition to renewing commercially viable spaces where Oregonians work, eat, shop, recreate and reside. The City of Portland will support efforts to create a historic rehabilitation incentive that includes a dedicated set aside for rural communities.

Initiatives



Fixed Photo Radar

Objective:

Introduce legislation to allow the use of fixed photo radar cameras on urban high crash corridors to reduce fatalities and severe injuries on our roadways.

Issue:

The City of Portland is home to about 15 percent of the state's population but suffers from 22 percent of the state's crashes. The number of Oregonians killed on Portland roadways has remained stubbornly flat over the past 20 years. In 2013, 36 people died in traffic crashes in Portland and many more were injured. Urban high crash corridors—high-volume, multi-lane arterial roadways—account for over half of all pedestrian fatalities and serious injuries despite being only four percent of Portland's streets.

The economic and societal costs of these crashes are immense. The Center for Disease Control estimates the impact of lost work and medical costs due to traffic fatalities to be \$422 million a year in Oregon. The National Safety Council estimates the cost of traffic fatalities and injuries to be \$150 million a year in the City of Portland alone.

In order to address this serious health and safety issue, the City of Portland will seek to expand its authority to use fixed photo radar cameras along its urban high crash corridors. The National Highway Traffic Safety Administration finds that photo radar systems reduce crashes in the range of 20-25 percent. This is a significant crash reduction that would have immediate positive outcomes for our community.

Minority and Women-Owned Business Enterprises Contracting Integrity

Objective:

Introduce legislation to delegate authority to local jurisdictions to ensure integrity in Minority and Women-Owned Business Enterprises (MWBE) contracting programs.

Issue:

MWBE certified firms are used on various types of government-funded projects, including public improvement contracts, loans and grants. The City of Portland is committed to reversing historic discrimination and supporting social equity in public contracting. At the same time, the City has received a number of complaints that state-certified MWBEs are acting as fronts for non-certified firms on City-funded projects by accessing work on these projects and passing the work on to non-certified firms. This fraud undermines the City's efforts to reverse historic discrimination and support social equity in contracting opportunities, and represents a misappropriation of limited public resources.

The governing state statute and accompanying regulations prevent the City from effectively enforcing MWBE program requirements, holding MWBEs accountable for fraudulent conduct on City-funded projects, and ensuring legitimate MWBE firms have access to City contracts, loans and grants.

The City will pursue statutory changes that provide the affected public contracting agency the authority to take enforcement action against MWBEs that engage in prohibited or fraudulent conduct on government-funded projects.

On-Body Cameras for Police Officers

Objective:

Pursue legislation to enable law enforcement to implement the use of on-body cameras by police officers.

Issue:

The Portland Police Bureau (PPB) is planning to institute the use of on-body cameras by police officers over the next fiscal year. This effort is a critical piece of the City's continued efforts on police reform and accountability pursuant to the recent settlement agreement between the City of Portland and the U.S. Department of Justice. On-body cameras provide an opportunity to strengthen officer accountability and decrease use of force incidents. A recent study found a 40 percent reduction in total complaints for officers wearing cameras, and a 75 percent reduction in use of force complaints. This technology also has the benefit of protecting officers from unsubstantiated citizen complaints.

In order to proceed with implementation legally and effectively, the following statutory changes are required:

Extend the statutory exemption given to police officers operating a vehicle-mounted video camera to police officers wearing on-body cameras.

Officers operating on-body cameras require the same flexibility as officers utilizing vehicle-mounted video cameras. Current law requires police officers to specifically inform citizens that their conversation or interaction is being recorded. Failure to do so constitutes a Class A misdemeanor. The Legislature granted law enforcement an exemption to this statute for the use of vehicle-mounted video cameras when an officer is in uniform and displaying a badge, unless reasonable opportunity exists to inform citizens they are being recorded. The City of Portland will advocate for a similar exemption for on-body cameras.

Create a public records exemption for on-body camera footage.

The ability for recorded data to be obtained by news media and aired publicly could violate the privacy of citizens, jeopardize sensitive police investigations and legal proceedings, and place an unsustainable burden on law enforcement administrators.

On-body camera technology is becoming increasingly popular in law enforcement agencies across the nation. However, public records laws are causing many agencies to delay purchasing and implementing this new technology. Some agencies are receiving blanket requests for body camera footage. These requests can amount to hundreds of hours of footage and often need to be redacted to blur faces and other sensitive information, or to mute audio. Moreover, these requests for footage present significant privacy concerns, as police interactions often take place inside homes and involve traumatic and sensitive interactions with citizens. The City of Portland will advocate for a narrowly tailored public records exemption for on-body camera footage that balances transparency and privacy interests.

Reconnect Forest Park

Objective:

Request funding for future planning and development of the Forest Park Entrance.

Issue:

Forest Park is one of the country's largest forested natural areas within city limits, with over 5,100 wooded acres. The Park has tremendous ecological, recreational and health benefits for the region. However, Forest Park suffers from a lack of a recognizable entry point. The acquisition of a key piece of property at the intersection of NW Yeon/Hwy 30 and NW Kittridge affords an opportunity to create the entry point long envisioned for the park. This entrance is identified as a project in the Forest Park Natural Resources Management Plan (NRMP), adopted by City Council in 1995, for development of a regional trailhead that would include parking, seasonal restrooms, a drinking fountain and a multi-use, ADA accessible trail to connect with Leif Erikson and Fire Lane 1. Because the entrance is located on a brownfield site, a feasibility study to identify site opportunities and constraints is critically important to the development of this entryway.

The City of Portland will seek state funds to help conduct a feasibility study and initial designs to redevelop this industrial property immediately adjacent to the Park into a trailhead and stewardship center to welcome visitors to Portland's largest natural area.

Seismic Retrofit Financing

Objective:

Support legislation authorizing local governments and private lenders to partner when making financing available for seismic retrofits.

Issue:

The Cascadia Subduction Zone poses a serious threat to Oregon communities. In the event of a substantial earthquake, many buildings will present significant dangers to people inside and outside those structures due to old construction techniques that did not take heightened seismic standards into consideration, including unreinforced masonry (URM) buildings. The City of Portland has approximately 1,200 to 1,300 URM buildings that will present a threat to public health and safety when a major seismic event occurs. These URMs also pose a risk to the City's economic vitality and recovery post-earthquake. Retrofitting URMs is often prohibitively expensive for property owners. Additional tools are needed to foster these necessary upgrades.

The City of Portland will seek authority for local governments and private lenders to provide loans, capitalized by general revenue bonds, for cost-effective seismic retrofits to commercial and industrial buildings.

Policy Positions



Consumer Protection

Legal Aid Funding

Objective:

Support legislation to direct unclaimed class-action judgment awards to an endowment fund for legal aid services in Oregon, rather than return them to the defendant.

Issue:

The overwhelming majority of states allow residual damages in a class action suit—damages determined by the degree of harm caused, but not claimed, by members of the class—to be distributed to a charitable purpose. All but two other states have already adopted similar legislation directing unclaimed class action funds to be put to public purpose, and 11 states specifically direct some of that funding to legal aid.

National standards define minimally adequate legal aid services as two legal aid lawyers per 10,000 low income citizens. Currently, Oregon is meeting only half that need. At least 850,000 Oregonians meet the income qualifications for legal aid assistance. The current legal aid budget supports approximately 90 legal aid lawyers working throughout Oregon, or one legal aid attorney per 9,444 low-income Oregonians.

The concept of using unclaimed class action awards to create an endowment fund for legal aid services is an innovative way to better serve Oregon's most vulnerable families, while ensuring that defendants are held accountable. The City of Portland supports legislation that ensures thousands of deserving Oregon families receive quality legal services.

Economic Development

Film and Video Tax Credit

Objective:

Support efforts to expand the Oregon Production Investment Fund's (OPIF) tax rebate cap in order to promote Oregon's growing film and television production industry.

Issue:

Film and television production is a growth industry in Portland and across the Oregon. This is largely due to the success of the OPIF and the Greenlight Oregon Labor Rebate programs. In recent years, the television shows Grimm, Leverage, and Portlandia set up ongoing production in the Portland area. This is in addition to growth in local film and commercial production. According to the Oregon Film & Video Office, in 2011 alone, over \$130 million was spent in Oregon on film, television, and television commercial production.

In 2003, the Legislature created the OPIF which provides a tax rebate on 20 percent of goods and services and 10 percent of Oregon-based payroll for any project or series that spends a minimum of \$750,000. Oregon's program is one of 40 state film incentive programs nationally, but in the lower third in financial benefit to the film industry.

The Greenlight Oregon Labor Rebate provides an additional rebate on 6.2 percent of payroll for which Oregon withholding applies. The rebate applies to a single project or series spending more than \$1 million annually, or to commercial production companies spending \$1 million or more annually in Oregon. The OPIF and the Greenlight Oregon Labor Rebate may be combined for 20 percent of goods and services and 16.2 percent payroll rebate.

The potential for further growth in the film and television industry is great, as are the potential employment and economic impacts for the region. In order to remain competitive in this industry, Oregon must maintain, and ideally expand, these incentive programs. Due to revenue constraints, when the OPIF and Greenlight Oregon Labor Rebate were renewed by the Legislature in 2011, the OPIF was capped at a reduced amount—currently \$6 million per year. The OPIF is fully utilized, limiting the ability of the state to successfully attract new film and television productions that create quality jobs and build Oregon's national and international brand. The City of Portland supports expanding OPIF's tax rebate cap.

Economic Development

Urban Renewal

Objective:

Oppose legislation that would financially weaken or reduce the City's ability to use urban renewal statutes as a tool for economic development, redevelopment, and neighborhood improvement.

Issue:

Urban renewal programs rely on tax increment financing, which is essential for the City of Portland to achieve outcomes in adopted strategies for economic development, redevelopment, and affordable housing. Tax increment financing currently comprises nearly 90 percent of the Portland Development Commission budget and the resources are essential to continue the City's pursuit of an aggressive strategy to create one of the world's most desirable and equitable cities by investing in job creation, innovation, affordable housing, and economic opportunity throughout Portland.

Urban renewal occurs throughout the City of Portland, from downtown to East Portland, in both traditional urban renewal areas and Neighborhood Prosperity Initiative districts. The City of Portland values urban renewal as a critical tool for achieving goals of prosperity for all Portlanders and would actively oppose any legislation to its detriment.

Workforce

Objective:

Support investments in local Workforce Board programs and initiatives that enhance on-the-job training programs; address employee training, retention, and advancement; and provide opportunities for youth to learn marketable skills through real work experience.

Issue:

Oregon's quality of life and long-term prosperity are dependent on a healthy, diverse economy with family wage jobs. A report issued by the Brookings Institution earlier this year found that employment prospects for teens and young adults has plummeted since 2000. Nationally, over 5 million young people ages 16 to 24 are both out of school and out of work. From 2000 to 2011, the Portland-Vancouver metro area had the 25th largest drop in youth employment in the country, falling from 44.4 to 26 percent. For low-income youth and youth of color, employment rates are as low as 12 percent. At the same time, adult job seekers must acquire the skills they need to support themselves and to meet the staffing needs of regional industry. The City of Portland supports investments in critical workforce programs designed

Economic Development

to build a skilled and well-educated workforce that supports a diverse economy with family wage jobs. These programs include:

- Investments in local workforce boards to enhance critical job training programs like Back to Work Oregon, National Career Readiness Certificates, and on-the-job training programs.
- Funding for an Oregon Employer Workforce Training program that will fund community projects to address employee training, retention, and advancement.
- Investments to create a Youth Employment program that provides work opportunities to Oregonians between 16 and 24 years of age.

Education

Education Funding

Objective:

Actively advocate for adequate and stable funding for early childhood through post-secondary education, including additional investments in science, technology, engineering, and mathematics (STEM) and career and technical education (CTE).

Issue:

The City of Portland has long recognized that quality education and workforce development programs are major drivers and sustainers of a stable diversified economy and healthy community. There is no better long-term investment in the state than ensuring a high quality public education for every child. For every dollar we invest in public education we avoid the greater long-term costs of incarceration and human services. Further, increased focus on STEM and CTE programs and post-secondary education will result in a better educated workforce, which is vital to a robust and sustainable economy.

The City of Portland supports broad investment in public education through a continued focus on State School Fund appropriations and targeted investments in early childhood, workforce, and post-secondary education. The City also supports maximizing state funding for education by limiting Lottery Commission rates paid to retailers to ensure that growing profits are reinvested in our public education system.

With its education partners, the City will work to support adequate and stable funding for all Pre-K12 school districts and post-secondary institutions. This funding is essential for excellent education programs and safe and healthy school facilities for all students.

Energy

Solar Energy

Objective:

Support legislation to promote and strengthen distributed solar programs in Oregon.

Issue:

Globally and domestically, the cost of installing solar electric technology has become more affordable, spurring new demand for on-site solar energy. However, the sunset of the Solar Payment Pilot and decreasing Energy Trust incentives have negatively impacted the solar industry in Oregon.

Oregon's solar policy framework consists of several key foundational statutes: the net-metering and interconnection laws, the Renewable Electricity Standard, the Oregon Residential Energy Tax Credit, establishment of Energy Trust and the payment of incentives to customers for renewable energy development, and most recently the pilot production-based incentive program (Oregon Solar Payment Option pilot program).

Distributed, customer-scale solar generation is a critical part of reaching climate and economic development goals. Consumers overwhelmingly favor more options for solar energy. The City of Portland will strongly support expansion of the distributed solar market as a tool with the potential to create jobs, reduce carbon, improve air quality and improve energy security.

Environment & Sustainability

Department of Environmental Quality Materials Management

Objective:

Support the Department of Environmental Quality's (DEQ) proposal to increase materials management fees.

Issue:

The DEQ's Materials Management Program is 100 percent fee-based. Most of these fees have not been revised or adjusted for over 20 years. The permit fee funds DEQ's solid waste permit processing and compliance activities. The disposal fees currently fund programs to reduce risks at waste disposal sites and to reduce the amount, toxicity and other impacts of solid waste generated and disposed in Oregon. The City of Portland and other stakeholders worked with DEQ to help reduce waste generation and increase waste recovery, which lead to a trend of declining revenue and service capability for DEQ. In order to generate adequate and stable funding for DEQ, the City will support the agency's request to phase in an increase to its solid waste disposal tipping fees.

Diesel Emissions

Objective:

Support statewide legislation to regulate diesel emissions and improve air quality for Oregonians.

Issue:

Emissions from diesel equipment are toxic to humans. The emissions, also known as particulate matter or "PM," are so small they can cross through our lungs directly into our bloodstream causing cancer, asthma, strokes, heart attacks and premature death. According to the Oregon Department of Environmental Quality, each ton of diesel PM emissions released in Portland results in almost \$400,000 in environmental and public health costs. North Portland has the highest level of diesel PM in the state, nearly 20 times the health standard.

The City of Portland has been working to reduce diesel emissions since 2006, retrofitting all of the City's construction equipment with diesel exhaust filters as part of a federal grant project. However, addressing diesel emissions through City policy alone is exceedingly difficult, and the aggregate benefits of such efforts are limited. The City of Portland supports statewide legislation to regulate diesel emissions and promote better air quality for all Oregonians.

Environment & Sustainability

Oregon Department of Fish and Wildlife Funding

Objective:

Advocate for adequate funding of Oregon Department of Fish and Wildlife (ODFW) programs that impact City of Portland services.

Issue:

The City of Portland works closely with state agencies and often relies upon the programs and services that they provide. State budget decisions that impact the delivery of agency services also impact City of Portland services. The ODFW's fiscal year 2015-2017 budget proposal includes elimination of certain positions within the agency and shifting funding for other positions and programs from hunting and fishing license fees to the General Fund. These budget cuts could negatively affect many areas of Portland's Bureau of Environmental Services' work, including: watershed restoration; Portland Harbor planning and prioritization; permitting, zoning and development; salmon recovery implementation; and Clean Water Act and National Pollutant Discharge Elimination System compliance work. The City will support funding requests to maintain these critical services.

Reduce Carbon Emissions

Objective:

Support policies that limit Oregon's carbon footprint, mitigate climate change and improve air quality.

Issue:

The City of Portland is committed to promoting a prosperous, low-carbon economy. A clean environment is crucial to a healthy and resilient community. Increased carbon dioxide is a well-known contributor to global warming. Limiting our carbon footprint will help increase our resiliency and improve our environment. The City supports the following legislative efforts:

Clean Fuels Program

Approximately one-third of Oregon's greenhouse gases come from transportation sources. Utilizing cleaner fuels will help reduce these emissions. The Clean Fuels Program aims to reduce the carbon content of fuels in Oregon and aligns Oregon with California and Washington to create a west coast market for alternative fuels. The City of Portland supports removing the sunset on the Clean Fuels Program.

Carbon Tax

The Legislative Revenue Office along with Portland State University's Northwest Economic Research Center conducted a study on the impact of a carbon tax on Oregon's economy. The tax is intended to

Environment & Sustainability

reduce carbon emissions by making fossil fuels more expensive but also generate revenue that may be used to fund other carbon-reduction work and/or to reduce other taxes, such as corporate or personal income taxes. The study ran five separate models, divided Oregon into six regions and looked at impacts to 70 industry sectors, and found opportunities to both reduce carbon emissions and improve the economy. The City will look for additional opportunities to advance carbon-reducing policies as supported by the study.

Equity

Ban the Box

Objective:

Support legislation to remove questions about prior criminal histories from job and housing applications.

Issue:

In Oregon, even as the economy is improving, it is still difficult for people with criminal records to find work. Research confirms that a criminal record reduces the likelihood of a job callback by nearly 50 percent. Blanket exclusions on housing applications for people with previous convictions create barriers to housing and lead to homelessness. Employment and stable housing are the most effective tools to reduce recidivism, resulting in a safer community and lower cost to taxpayers.

“Banning the box,” refers to removing the area on many employment and housing applications that asks whether an applicant has been convicted of a crime or been incarcerated. Some employment applications may even inquire into arrests. Removing this threshold inquiry allows employers to make individualized assessments instead of blanket exclusions and consider the age of the offense and its relevance to the job. It allows applicants to explain their previous convictions at the interview stage, after they have been deemed otherwise qualified for the job. “Banning the box” requires employers and landlords to only deny applicants based on their criminal histories if the employer determines that there is a direct relationship between a job and an applicant’s criminal history; or if an applicant poses a threat to other tenants.

The City of Portland will support legislation to ease barriers and create fair chances for all people with previous arrests or conviction records to compete for employment and housing.

Credential Equity

Objective:

Support coalition efforts to establish a work group to research and guide the Legislature on establishing a foreign vocational credential or license transfer system.

Initiative:

Immigrants often cannot access employment with international credentials, even when they are able to show years of work experience in the field. The report, “The African Immigrant and Refugee Community in Multnomah County: An Unsettling Profile,” a collaboration between Coalition of Communities of Color and Portland State University states, “The portion of our community that faces challenges in having credentials recognized in the USA is large: at levels of almost one-in-two educated and credentialed adults.”

Equity

Barriers to professional practice are particularly daunting in the medical profession. To obtain state licensure, physicians must take a series of U.S. Medical Licensing Examinations in medical sciences, clinical sciences and care delivery. Exam fees range from \$500-\$1,100 each, and applicants who fail any one of the exams must pay to take it again. Foreign-trained physicians have a significantly lower pass rate than U.S.-trained medical doctors.

The greatest barrier to recertification, however, for immigrant and refugees in the medical profession is the Graduate Medical Education system (“residency”) itself. Annual competition for almost 27,000 residency positions is fierce and includes not only U.S. citizens, but also immigrants, refugees, and J-1 and H-1B visa holders. A number of studies have found that native-born physicians with U.S. medical degrees receive preferential treatment.

The City of Portland will support creating a legislative work group on establishing a foreign vocational credential or license transfer system that will report its findings back to the Legislature.

General Government

Maintain Local Public Contracting Authority

Objective:

Protect the City of Portland's authority to set standards and procedures for local public contracting while preventing new burdensome requirements on the City's procurement processes.

Issue:

The City of Portland has a long-term interest in protecting local authority to set policies regarding contracting for services and products. Ongoing changes in state contracting law can create burdens on those awarding and administering contracts. While the purposes for such laws are often positive, they are many times also vague or unenforceable. In addition, the City of Portland has taken significant local action by passing a series of resolutions aimed at increasing fairness in the local public contracting process. Mandatory state standards in public contracting often have the ancillary effect of burdening and complicating the City's ability to create local standards and procedures that are responsive to community needs and mindful of efficiency in administration.

The City of Portland supports simplification in the contracting process and preservation of local control in public contracting.

Minimum Wage

Objective:

Support legislation to raise the state minimum wage.

Issue:

A family of four who makes \$23,550 per year is considered to be in poverty. Oregonians making minimum wage in 2015 will earn only \$19,240 per year. According to the National Low Income Housing Coalition's "Out of Reach 2013 Report," a single mother in Oregon must work 72 hours per week at minimum, or make at least \$16.38 per hour at 40 hours per week, in order to provide adequate and affordable housing for her and her children.

More and more new jobs pay at or near the minimum wage. While Oregon has long been ahead of most states, our current minimum wage is not enough. No one who works should have to live near or below the poverty line. No one who works should have to rely on government assistance programs to survive and feed their family. Contrary to the stereotype of teenagers earning a few extra dollars, the median minimum wage earner is a woman in her 30s working full-time to support her family.

The City of Portland will support statewide efforts to raise Oregon's minimum wage and provide economic security for hardworking families.

General Government

Preemptions of Local Government Authority

Objective:

Strongly oppose legislation that would preempt the City's authority and support legislation to lift existing preemptions.

Issue:

The City of Portland will oppose efforts to preempt its authority to develop and enforce local ordinances, manage its bureaus and their functions, raise local revenues, or avoid state imposed tax expenditures on local government. For example, the City will oppose efforts to preempt or alter:

- Franchise fee authority;
- Law enforcement investigative authority;
- Local improvement district authority;
- Earned sick leave ordinance;
- Ability to impose business license taxes; and
- Utility license fee authority.

Conversely, the City will support efforts to remove preemptions on local government authority, such as allowing greater autonomy in day-to-day operations or increased authority to levy taxes or fees. Examples include existing statutes that preempt local authority to:

- Levy taxes on alcohol, tobacco and marijuana products; and
- Enact a local minimum wage.

Timeliness of First Time Loss Payments

Objective:

Support legislation that improves the process for paying first time loss temporary disability payments.

Issue:

The statute governing timeliness of an injured worker's first payment of temporary disability benefits currently provides that the first installment of time loss is due no later than 14 days after the employer has notice or knowledge of the claim. This is true even in cases where time loss begins after the employer has knowledge of the claim. Because of issues with interpretation of the employer date of knowledge of a claim, the current statute creates administrative concerns for claims processors in determining when first payments are due.

General Government

The City of Portland will support legislation that provides that the first payment of time loss be due no later than 14 days after the employer has both notice or knowledge of the claim and knowledge of the worker's authorized disability. This revision will improve overall compliance for claims processors, provide more accurate first payments resulting in fewer adjustments to subsequent payments, create more consistency in processing, and will not negatively impact workers.

Housing

Individual Development Account

Objective:

Support efforts to renew and expand the Individual Development Account (IDA) Program by extending the program sunset date to 2021 and incrementally increasing the total donation cap to \$25 million.

Issue:

The IDA currently allows a 75 percent tax credit for donations to the Program, capped at a total of \$10 million per year in donations and \$7.5 million per year in foregone revenue. This credit is scheduled to sunset in 2016. Many first-time homeownership service providers rely heavily on the IDA Program for their clients' down payments. Losing this tax credit would significantly impact the IDA Program and reduce the number of first-time homebuyers in Portland.

The City of Portland will work with housing partners to extend the IDA Program sunset date and increase its total donation cap.

Oregon Affordable Housing Tax Credit

Objective:

Support legislation to raise the annual cap on the Oregon Affordable Housing Tax Credit.

Issue:

The Oregon Affordable Housing Tax Credit (OAHTC) is one of the most important tools available to build and maintain affordable housing that provides the foundation for stronger communities. Increasing the annual cap on the credit from the current limit of \$17 million will ensure more people in Oregon communities have a safe, stable and affordable place to call home.

The OAHTC is a state income tax credit available to financial institutions that use it to lower rents in affordable housing projects across the state. Lenders reduce interest rates on permanent mortgage loans provided to sponsors of affordable housing by four percent to claim the tax credit. In return, sponsors either reduce rents charged to low income tenants or increase their ability to leverage private resources to preserve rent-subsidized properties or manufactured home parks. Lower income tenants or manufactured home park co-op members benefit from these investments through the OAHTC for twenty years. Nearly all of the households that benefit from this program earn less than half of the Area Median Income (AMI) and in many cases, below 30 percent of AMI.

The OAHTC produces significant public benefits for communities by encouraging the development and preservation of safe, decent and affordable housing. Without the leverage of the OAHTC, housing

Housing

resources would not stretch as far, and much affordable housing simply would not be built. Increasing the cap will ensure that this tool continues to strengthen communities throughout Oregon. In partnership with the Oregon Housing Alliance, the City of Portland will support efforts to raise the cap on the OAHTC.

Tax Exemption on Land-Banked Properties

Objective:

Support a property tax exemption for non-profit owners of vacant land being land-banked for future construction of affordable housing.

Issue:

The City of Portland will support efforts by Habitat for Humanity (Habitat) in seeking a property tax exemption for properties owned by a non-profit and being land-banked for future construction of affordable housing. Habitat affiliates, including Habitat for Humanity Portland Metro East, often purchase land as it becomes available and then fundraise for home construction costs. The holding period often presents significant costs for Habitat, including paying property taxes on the vacant properties. In partnership with the Oregon Housing Alliance, the City of Portland will support this initiative on behalf of Habitat.

Infrastructure

Levees

Objective:

Support stakeholder efforts to secure state funding dedicated to levee accreditation to ensure access to the Federal Emergency Management Agency flood insurance program for property owners protected by levees.

Issue:

The City of Portland is currently engaged in an Oregon Solutions process to explore options related to the recertification of the levees along the Columbia River. Thousands of properties around Oregon are protected by levee systems. These properties are at risk of losing access to the National Flood Insurance Program due to new federal policies for levee accreditation in the wake of Hurricanes Katrina and Sandy. Dedicated state funding to levee accreditation signals our region's commitment to protecting public safety and ensuring economic prosperity to our federal partners. The City will work with other stakeholders to advocate for funding to assist in the recertification and remediation process.

Public Safety

Local Authority in Liquor Licensing Process

Objective:

Support legislation that requires applicants for liquor licenses to comply with local regulations. Maintain the 45 day timeline for local governments to issue a recommendation on a liquor license application to the Oregon Liquor Control Commission (OLCC).

Issue:

Under current law, whether or not an applicant for a liquor license is in compliance with local zoning, fire, or building codes is not a permissible consideration for the OLCC when approving a liquor license. Compliance with these basic safety standards should be a factor for consideration when deciding to issue a new license or suspend an existing license. Further, local governments currently have 45 days to issue a recommendation on the merits of a liquor license application. This process involves notifying neighbors, neighborhood associations, and businesses, as well as investigating the background and history of the applicants and location. Any reduction in this timeline would adversely impact the City's ability to staff the program at appropriate levels.

The City will support legislation to allow the OLCC to consider compliance with local regulations when issuing liquor licenses and will oppose efforts to shorten the 45 day timeline for local recommendations.

Medical Marijuana

Objective:

Support legislation to clarify and enhance public safety and local control related to Oregon's medical marijuana program.

Issue:

In 2013, House Bill 3460 established a means for registering the 150-200 medical marijuana dispensaries that had been operating in the state illegally but with the forbearance of most law enforcement agencies. While the legislation successfully created a licensing system and safety regulations, more work is needed to ensure public safety and local control.

The City of Portland continues to work to identify potential barriers and opportunities that exist within the medical marijuana system and the emerging recreational market. For example, the City will support comprehensive licensing and regulation of growers, manufacturers of marijuana products, dispensaries and others involved in the seed to sale production of medical marijuana.

Revenue

State Shared Revenue

Objective:

Preserve the City's share of state liquor, tobacco, and 9-1-1 emergency communications revenues, which fund essential public services.

Issue:

Under current statutes, Oregon cities receive a portion of state revenues from liquor and tobacco taxes and 9-1-1 telephone taxes. The monies that the City of Portland receives fund essential services.

Liquor & Tobacco Taxes

The City receives more than \$13 million in revenue from liquor and tobacco taxes through the state shared revenue funding formula. The shared revenues received from the state are allocated into the City's General Fund and are an important source of funding for the City's public safety budget and other essential services. Any cuts to this funding source would significantly impact the City's ability to adequately fund public safety and other important services.

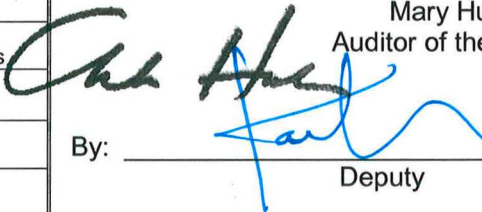
Emergency Communications

The City of Portland's Bureau of Emergency Communications (BOEC) provides 9-1-1 call answering and dispatch services to all of the police, fire and medical responders in Multnomah County. The City supports the maintenance of the shared revenue formula, as any cut to it would significantly hinder BOEC operations and the ability to dispatch emergency services in a timely manner.

Agenda No.
REPORT
 Title

the City of Portland

Accept 2015 State Legislative Agenda (Report)

INTRODUCED BY Commissioner/Auditor: Mayor Hales	CLERK USE: DATE FILED <u>JAN 08 2015</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Hales Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Novick	Mary Hull Caballero Auditor of the City of Portland  By: _____ Deputy
BUREAU APPROVAL Bureau: Office of Government Relations Bureau Head: Martha Pellegrino	ACTION TAKEN: JAN 08 2015 SUBSTITUTE ACCEPTED As Amended
Prepared by: Andy Smith Date Prepared: 12/31/2014	
Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
City Auditor Office Approval: required for Code Ordinances	
City Attorney Approval: required for contract, code, easement, franchise, charter, Comp Plan	
Council Meeting Date January 8, 2015	

AGENDA TIME CERTAIN <input checked="" type="checkbox"/> Start time: 2:00 PM Total amount of time needed: 1 hour (for presentation, testimony and discussion)	FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
CONSENT <input type="checkbox"/> REGULAR <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)	1. Fritz 2. Fish 3. Saltzman 4. Novick Hales	1. Fritz 2. Fish 3. Saltzman 4. Novick Hales	YEAS <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
		NAYS 	