



# BOARD OF COMMISSIONERS

1300 NW Wall Street, Bend, Oregon  
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FOR RECORDING STAMP ONLY

## DESCHUTES COUNTY LEGISLATIVE UPDATE

8:00 AM

FRIDAY, APRIL 28, 2023

VIA ZOOM CONFERENCE CALL

A virtual legislative update meeting was held on Friday, April 28, 2023 at 8:00 a.m. via Zoom Virtual Meeting Platform, for a weekly scheduled event during this 2023 Legislative Session.

<b>Deschutes County Attendance:</b>			
x	Commissioner Anthony DeBone	x	Nick Lelack, County Administrator
x	Commissioner Patti Adair	x	Erik Kropp, Deputy County Administrator
x	Commissioner Phil Chang	x	Whitney Hale, Deputy County Administrator
	Dave Doyle, Legal Counsel	x	Kim Riley, Assistant Legal Counsel
	David Givans, Internal Auditor	x	Robert Tintle, Chief Financial Officer
x	Chris Doty, Road Department Director	x	Janice Garceau, Health Services Director
	Kristie Bollinger, Property Manager		Stephen Gunnels, District Attorney
x	Peter Gutowsky, Community Development Director	x	Kathleen Hinman, Human Resources Director
	Keith MacNamara, Veterans' Services Manager		Deevy Holcomb, Community Justice Director
	Lee Randall, Facilities Director	x	Kevin Moriarty, Forester
x	Chad Centola, Solid Waste Director		Tim Brownell, Incoming Solid Waste Director
	Shane Nelson, Sheriff		Sara Crosswhite, 9-1-1 Director
	Steve Dennison, Clerk	x	Cheyenne Purrington, Houseless Strategies and Solutions Director
	Geoff Hinds, Fair & Expo Director		Scot Langton, Assessor
	Charles Fadeley, Justice of the Peace	x	Tania Mahood, IT Director
	Holly Harris, Health Services Deputy Director (Behavioral Health)		Will Groves, Planning Manager

x	Tom Kuhn, Public Health Program Manager		Heather Kaisner, Health Services Deputy Director (Public Health)
x	Jen Patterson, Strategic Initiatives Manager	x	Bill Kuhn, Treasurer
x	Angie Powers, BOCC Administrative Assistant		
<b>Legislators Present:</b>			
	Senator Lynn Findley		Senator Tim Knopp
	Representative Emerson Levy		Senator Dennis Linthicum
	Representative Vikki Breese Iverson		Representative Werner Reschke
x	Representative Jason Kropf	x	Andy Smith, Rep. Kropf's office
	Bryan Iverson, on behalf of Representative Vikki Breese Iverson		
<b>Others Present:</b>			
x	Doug Riggs, NW Policy Advocates President		Gabriel Velásquez, NW Policy Advocates Legislative Coordinator

## 1. Introductions

Commissioner DeBone called the meeting to order at 8:00 a.m.

**SB 847** was flagged for follow-up, as the Board hasn't officially taken a position on this bill. A letter was recently sent in regards to this bill, asking the Joint Committee on Ways and Means for flexibility in siting transitional housing accommodations, including overnight camping and safe parking options, outside the UGB on EFU and Forest zoned resource lands. Mr. Riggs reported that this bill has been sent to Ways and Means Committee, and it is unlikely to be amended in any significant way. Commissioner Chang's priority is getting near-in resource lands added to transitional housing siting. In the bill's current form, the Board acknowledged a position of **priority 2, monitor**. There is a fiscal impact statement attached to this bill, and Mr. Riggs will provide some follow-up after the May 18 revenue forecast.

## 2. Legislator Updates

Rep. Kropf shared that legislators are eagerly awaiting the May revenue forecast, and they are shifting gears to the budget phase. They have prioritized their local funding requests. Rep. Knopp had the County's courthouse expansion on his list, and Rep. Kropf had the Hawthorne Bridge on his list. Recent hearings have taken place on I-5 and I-205 large-scale transportation infrastructure packages. The ADU bill (SB 644) got off the Floor, and is on its way to the Governor's desk.

Commissioner DeBone advocated for State funding towards courthouse expansion, adding that it is critical to the County's budget.



### 3. Commissioner Updates

Peter Gutowsky summarized **HB 2516**, relative to the potential for marijuana production and cannabis tourism, which would function similar to wine tasting. It's currently in Ways & Means. He expects the bill to die due to the fiscal impacts to administer the bill. This bill has land use impacts. It was reported that AOC is actively opposing this bill. The Board adopted a position of **oppose** on HB 2516.

Mr. Gutowsky reported there was a hearing yesterday in regards to **HB 3197**, which limits clear and objective housing regulations, processes and procedures to lands within the UGB. The building industry opposes the original legislation. There is now a dash 3 amendment, which would limit the clear and objective standards to rural residential exception areas, unincorporated communities and non-resource lands plan amendment zone changes. Mr. Gutowsky said that this is an unfunded mandate, and he has concerns that it would require significant resources to come in alignment with the requirements. He believes there is a real possibility that this legislation will pass, and would expect it to be litigated extensively should it pass.

If HB 3197 passes, the County would need to update their codes. Nick Lelack said this would have impacts on wildlife, floodplains, wetlands, etc., to which clear and objective standards must be established. Mr. Riggs said that weighing in on the dash 3 amendment would be valuable, in addition to asking Washington County to consider applying the dash 3 amendment requirements to their County only. The Board expressed concerns for Community Development's long-range planning capacity being tied up with these requirements, taking their time and energy away from focusing on other important housing issues. Mr. Gutowsky will assist the Board with drafting a letter communicating their position. Mr. Riggs said there is still time to submit testimony, before 3 p.m. today (within 24 hours from hearing). The Board adopted a position of **oppose unless not amended**.

ADAIR: Move authorization of Peter Gutowsky, Community Development Director, to draft/send a letter communicating his department's and the Board's position on HB 3197 as oppose unless not amended.

CHANG: Second

VOTE: ADAIR: Yes  
CHANG: Yes  
DEBONE: Chair votes yes. Motion Carried

**SB 586**, relating to the District Attorney's Office, maintained in its current status (**priority 2, support with amendments**). Mr. Riggs reported this bill has passed the Senate on a vote of 16-12.

Robert Tintle, CFO, spoke about **HB 2980**. This bill authorizes cities and counties to adopt programs to issue grants to developers for middle income housing development. This is an opt-in program, not a mandate. Bill Kuhn, Treasurer, shared that one significant issue facing workforce housing is a lack of potential funding sources for those earning between 80-120% of the AMI (Area's Median Income). If municipalities choose to participate in this program, it would allow them to help make these projects viable. He believes this bill has some merit towards solving a real-world problem, and distinguished it from affordable housing projects. There is a 1% administrative fee the County would be able to maintain, due to administrative burden.

Commissioner Chang expressed some concern that this is a convoluted way to move money through to developers. Commissioner Chang said that although it is desirable that the state is front-loading the money, he doesn't believe 1% is enough towards the County's administrative burden.

Cheyenne Purrington reported that this program is modeled after other successful programs, and suggested to clearly outline if 1% is enough to administratively oversee the program. She added that it is appropriate to have a ceiling of 120%, but if the intent is to address the workforce, she suggested removing the affordability floor. Mr. Kuhn commented that these developers are for-profit, so removing the bottom range of 80% may not work for these developers. He added that Oregon Business Development Department already has an infrastructure financing plan, and this may explain why they are involved.

The Board adopted a position of **priority 2, support** for HB 2980.

#### 4. Updates from NW Policy Advocates

Doug Riggs reported there are six weeks remaining, and they are over halfway through this legislative session. A fifth opportunity to testify remotely on budget priorities will take place next Wednesday, and may provide an opportunity to testify in support of capital construction funding for the County's courthouse expansion project. The delegation is busy with the revenue, finance, judiciary and the Ways and Means processes.

**HB 2002**, the abortion and gender identification bill, and **HB 2005**, the gun bill, are expected to take all day on Monday and Tuesday, and committee hearings have been cancelled. He expects long debates relative to these two controversial bills.

**SB 644** passed the House unanimously and has moved onto the Governor's Office.

#### 5. Other Items

- Commissioner Adair acknowledged Clackamas County received \$94.5 million, so in comparison, Deschutes County's ask for \$25 million towards courthouse funding is an appropriate request.

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**Next Meeting:** There will be no meeting on Friday, May 5, due to AOC conflicts. The next virtual legislative update meeting is scheduled for Friday, May 12, 2023 at 8:00 a.m.

**Adjourn:** Commissioner DeBone adjourned the meeting at 9:02 a.m.

*Respectfully Submitted by:*



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**Angie Powers, BOCC Administrative Assistant**