

MORROW COUNTY BOARD OF COMMISSIONERS MEETING AGENDA

Wednesday, January 20, 2021 at 9:00 a.m.

Bartholomew Building Upper Conference Room

110 N. Court St., Heppner, Oregon

See Zoom Meeting Information on Page 2

1. **Call to Order and Pledge of Allegiance: 9:00 a.m.**
2. **City/Citizen Comments:** Individuals may address the Board on issues not on the agenda
3. **Open Agenda:** The Board may introduce subjects not already on the agenda
4. **Consent Calendar**
 - a. Approve Accounts Payable & Payroll Payables
 - b. Sign Vehicle title for Insurance Processing
 - c. Letter to the Eastern Oregon Jobs Council and the Eastern Oregon Workforce Board Recommending Commissioner Representatives
 - d. Appoint Budget Officer
5. **Business Items**
 - a. Acknowledge retirement of Operations Lieutenant Terry Harper and promotion of Criminal Sergeant Brian Snyder to Operations Lieutenant
 - b. **9:30 a.m.:** PGE Update on Decommissioning of Boardman Coal Fire Plant (Chris Bozzini, Decommissioning Project Manager, PGE)
 - c. Review Draft Comment Letter to the Oregon Department of Energy regarding the Notice of Intent for the Wheatridge Wagon Trail Solar Project (Tamra Mabbott, Planning Director)
 - d. Review Draft Comment Letter to the Land Conservation and Development Commission regarding its Draft Report to the Legislature - Regional Housing Needs Assessment (Tamra Mabbott)
 - e. Statewide Transportation Improvement Plan Application, Fiscal Years 2021-2023 (Katie Imes, Coordinator, The Loop)
 - f. Order No. OR-2021-1 Authorizing the Treasurer to Invest Funds (Jaylene Papineau, Treasurer)
 - g. Order No. OR-2021-2 Appointing Commissioner Representative and Alternate to the Columbia Development Authority (Darrell Green, Administrator)
 - h. Review Columbia River Enterprise Zone III Draft Intergovernmental Agreements
 - i. Morrow County Emergency Operations Center Update
 - j. Building Project Update
6. **Department Reports**
 - a. Juvenile Department Quarterly Report (Christy Kenny)
 - b. The Loop Quarterly Report (Katie Imes)
 - c. Emergency Management Quarterly Report (John Bowles)
7. **Correspondence**
8. **Commissioner Reports**
9. **Sign documents**
10. **Adjournment**

Agendas are available every Friday on our website (www.co.morrow.or.us/boc under "Upcoming Events"). Meeting Packets are also available the following Monday.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to Roberta Lutcher at (541) 676-5613.

Pursuant to ORS 192.640, this agenda includes a list of the principal subjects anticipated to be considered at the meeting; however, the Board may consider additional subjects as well. This meeting is open to the public and interested citizens are invited to attend. Executive sessions are closed to the public; however, with few exceptions and under specific guidelines, are open to the media. The Board may recess for lunch depending on the anticipated length of the meeting and the topics on the agenda. If you have anything that needs to be on the agenda, please notify the Board office before noon of the preceding Friday. If something urgent comes up after this publication deadline, please notify the office as soon as possible. If you have any questions about items listed on the agenda, please contact Darrell J. Green, County Administrator at (541) 676-2529.

Zoom Meeting Information

Join Zoom Meeting:

<https://zoom.us/j/5416762546>

PASSWORD: 97836

Meeting ID: 541-676-2546

Zoom Call-In Numbers for Audio Only:

- 1-346-248-7799, Meeting ID: 541 676 2546#
- 1-669-900-6833, Meeting ID: 541 676 2546#
- 1-312-626-6799, Meeting ID: 541-676-2546#
- 1-929-436-2866, Meeting ID: 541-676-2546#
- 1-253-215-8782, Meeting ID: 541-676-2546#
- 1-301-715-8592, Meeting ID: 541-676-2546#



AGENDA ITEM COVER SHEET
Morrow County Board of Commissioners
(Page 1 of 2)

(For BOC Use)
Item #
4b

Please complete for each agenda item submitted for consideration by the Board of Commissioners
(See notations at bottom of form)

Presenter at BOC: Kate Knop
Department: Finance
Short Title of Agenda Item:
(No acronyms please)

Phone Number (Ext): (541) 676-5615
Requested Agenda Date: 01/20/2021

Disposition of Asset / Title Transfer

This Item Involves: (Check all that apply for this meeting.)

- Order or Resolution
Ordinance/Public Hearing:
1st Reading 2nd Reading
Public Comment Anticipated:
Estimated Time:
Document Recording Required
Contract/Agreement
Appointments
Update on Project/Committee
Consent Agenda Eligible
Discussion & Action
Estimated Time:
Purchase Pre-Authorization
Other

N/A

Purchase Pre-Authorizations, Contracts & Agreements

Contractor/Entity:
Contractor/Entity Address:
Effective Dates - From: Through:
Total Contract Amount: Budget Line:
Does the contract amount exceed \$5,000? Yes No

Reviewed By:

Department Director Required for all BOC meetings
Administrator Required for all BOC meetings
County Counsel *Required for all legal documents
Finance Office *Required for all contracts; other items as appropriate.
Human Resources *If appropriate

Note: All other entities must sign contracts/agreements before they are presented to the Board of Commissioners (originals preferred). Agendas are published each Friday afternoon, so requests must be received in the BOC Office by 1:00 p.m. on the Friday prior to the Board's Wednesday meeting. Once this form is completed, including County Counsel, Finance and HR review/sign-off (if appropriate), then submit it to the Board of Commissioners Office.

AGENDA ITEM COVER SHEET
Morrow County Board of Commissioners
(Page 2 of 2)

1. ISSUES, BACKGROUND, DISCUSSION AND OPTIONS (IF ANY):

Morrow County's insurance company, CIS, has requested the title to the 1991 GMC Dump Truck, VIN 4V2SCBCF3MU508387, Oregon plate number E177131, be signed and delivered to them, in order to complete the auto insurance claim filed in September 2020. This vehicle was a total loss due to fire and will be permanently removed from service.

2. FISCAL IMPACT:

Reimbursement of lost asset will be accounted for in 201-220-3-30-3450 "Sale of Equipment".

3. SUGGESTED ACTION(S)/MOTION(S):

Authorize the County Administrator to sign title on behalf of the County; then title will be forwarded to CIS Insurance.

Attach additional background documentation as needed.



Board of Commissioners

P.O. Box 788 • Heppner, OR 97836
541-676-5613
www.co.morrow.or.us

Commissioner Don Russell, Chair
Commissioner Jim Doherty
Commissioner Melissa Lindsay

January 20, 2021

Eastern Oregon Work Force Board
Bill Rosholt, Executive Director
P.O. Box 933
La Grande, OR 97850

Dear Mr. Rosholt,

At the January 13, 2021 meeting of the Morrow County Board of Commissioners, the Commissioners voted to recommend the following appointments:

1. Commissioner Don Russell to the Eastern Oregon Jobs Council and the Eastern Oregon Workforce Board, and
2. Commissioner Melissa Lindsay as Alternate to Commissioner Russell on the Eastern Oregon Jobs Council and the Eastern Oregon Workforce Board

Please consider the requested appointments at the next Board meeting and notify us of the term dates, if accepted.

Sincerely,

Don Russell
Chair

Jim Doherty
Commissioner

Melissa Lindsay
Commissioner



AGENDA ITEM COVER SHEET
Morrow County Board of Commissioners
 (Page 1 of 2)

(For BOC Use)
 Item #
 4d

Please complete for each agenda item submitted for consideration by the Board of Commissioners
 (See notations at bottom of form)

Presenter at BOC: Darrell Green

Phone Number (Ext):

Department:

Requested Agenda Date: 1/20/2020

Short Title of Agenda Item:

(No acronyms please)

Nomination of Budget Officer for Fiscal Year 2021-2022

This Item Involves: (Check all that apply for this meeting.)

- | | |
|---|---|
| <input type="checkbox"/> Order or Resolution | <input type="checkbox"/> Appointments |
| <input type="checkbox"/> Ordinance/Public Hearing: | <input type="checkbox"/> Update on Project/Committee |
| <input type="checkbox"/> 1st Reading <input type="checkbox"/> 2nd Reading | <input type="checkbox"/> Consent Agenda Eligible |
| <input type="checkbox"/> Public Comment Anticipated: | <input checked="" type="checkbox"/> Discussion & Action |
| Estimated Time: | Estimated Time: 5 minutes |
| <input type="checkbox"/> Document Recording Required | <input type="checkbox"/> Purchase Pre-Authorization |
| <input type="checkbox"/> Contract/Agreement | <input type="checkbox"/> Other |

N/A

Purchase Pre-Authorizations, Contracts & Agreements

Contractor/Entity:

Contractor/Entity Address:

Effective Dates – From:

Through:

Total Contract Amount:

Budget Line:

Does the contract amount exceed \$5,000? Yes No

Reviewed By:

_____	Department Director	Required for all BOC meetings
<i>Darrell Green</i>	DATE	
_____	Administrator	Required for all BOC meetings
<i>1/15/21</i>	DATE	
_____	County Counsel	*Required for all legal documents
_____	DATE	
_____	Finance Office	*Required for all contracts; other items as appropriate.
_____	DATE	
_____	Human Resources	*If appropriate
_____	DATE	

*Allow 1 week for review (submit to all simultaneously). When each office has notified the submitting department of approval, then submit the request to the BOC for placement on the agenda.

Note: All other entities must sign contracts/agreements before they are presented to the Board of Commissioners (originals preferred). Agendas are published each Friday afternoon, so requests must be received in the BOC Office by 1:00 p.m. on the Friday prior to the Board's Wednesday meeting. Once this form is completed, including County Counsel, Finance and HR review/sign-off (if appropriate), then submit it to the Board of Commissioners Office.

AGENDA ITEM COVER SHEET
Morrow County Board of Commissioners
(Page 2 of 2)

1. ISSUES, BACKGROUND, DISCUSSION AND OPTIONS (IF ANY):

Per 2017 ORS 294.331 - Budget Officer

The governing body of each municipal corporation shall, unless otherwise provided by county or city charter, designate one person to serve as budget officer. The budget officer, or the person or department designated by charter and acting as budget officer, shall prepare or supervise the preparation of the budget document. The budget officer shall act under the direction of the executive officer of the municipal corporation, or when no executive officer exists, under the direction of the governing body. (1963 c576 5)

We need to appoint a Budget Officer for the upcoming fiscal year.

2. FISCAL IMPACT:

None.

3. SUGGESTED ACTION(S)/MOTION(S):

Motion to appoint Finance Director, Kate Knop, as the Budget Officer for the 2021-2022 fiscal year.

Attach additional background documentation as needed.

Boardman Decommissioning Update

LENNA COPE

PORTLAND GENERAL ELECTRIC

JANUARY 20, 2021

MORROW COUNTY BOARD OF COMMISSIONERS MEETING



**Let's
meet the
future
together.**



Boardman History



Site Certificate Application



Site Certificate Application first submitted
February 28, 1973



Site Certificate Approved March 24, 1975



Began commercial operation August 3, 1980



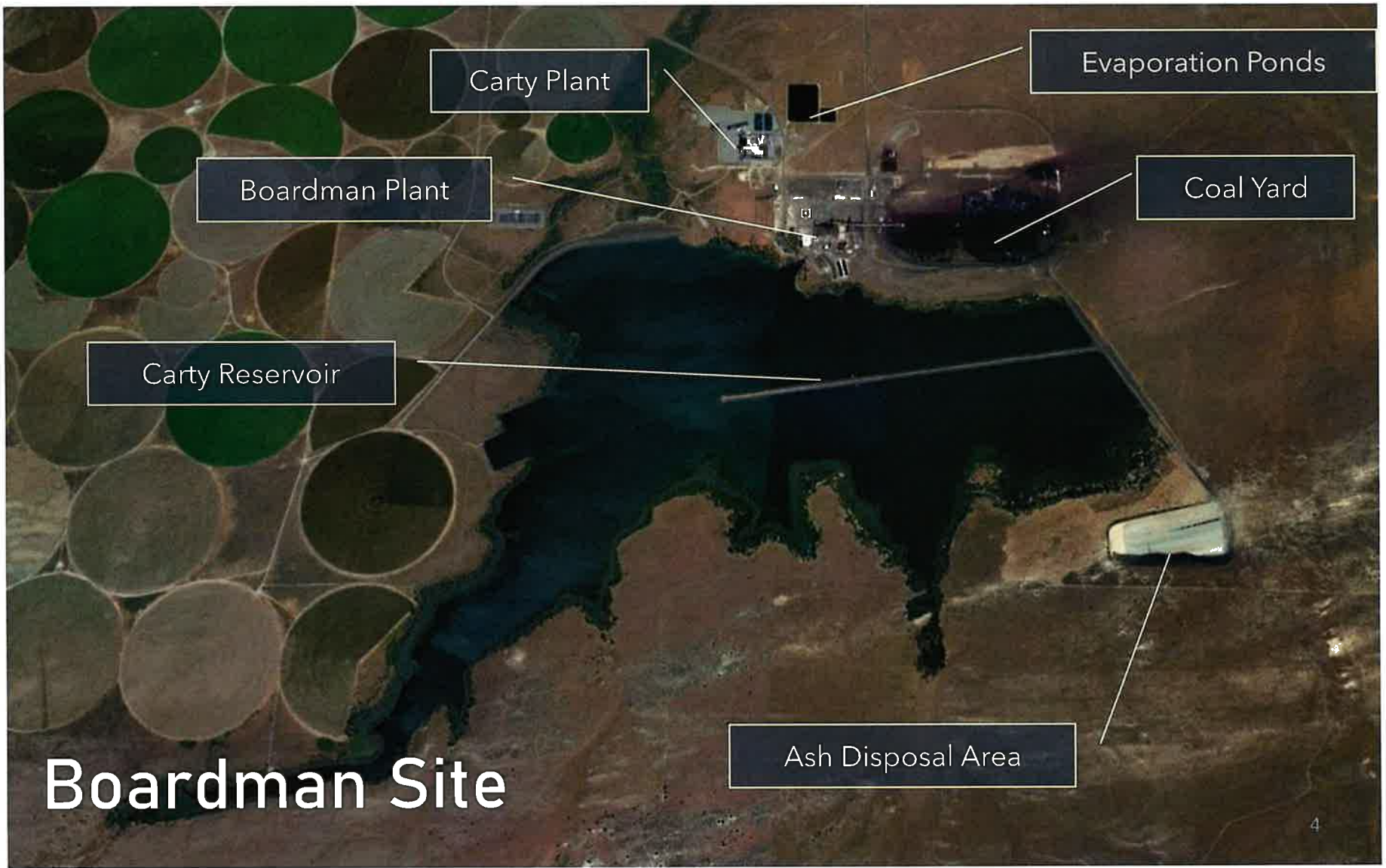
Amended nine times, last time May 2013



Ceased Burning Coal
October 15, 2020

Generated 97,039,654 MWhr
Operated 196,440 hours
Coal burned 56,116,406 tons





Carty Plant

Boardman Plant

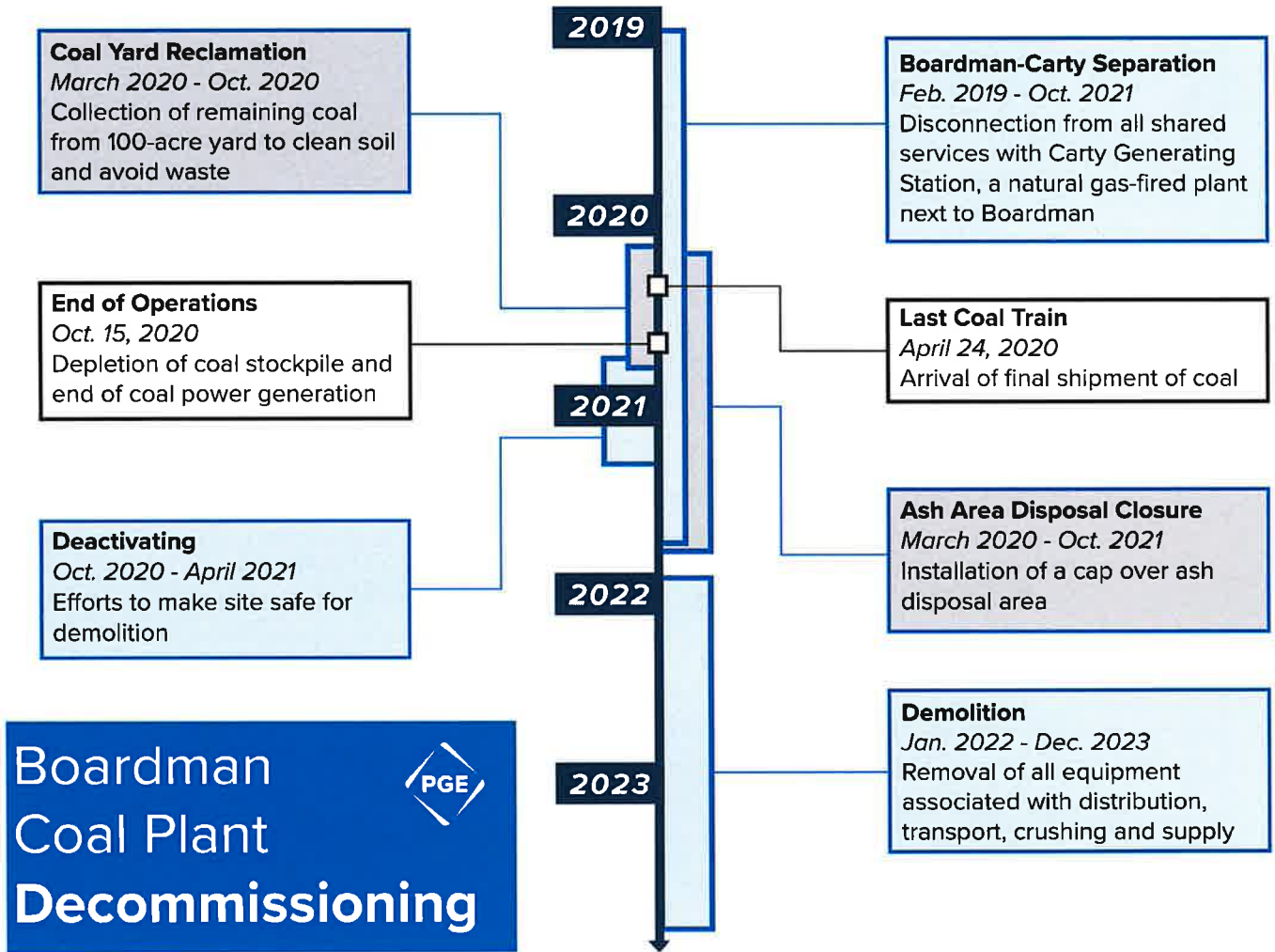
Carty Reservoir

Evaporation Ponds

Coal Yard

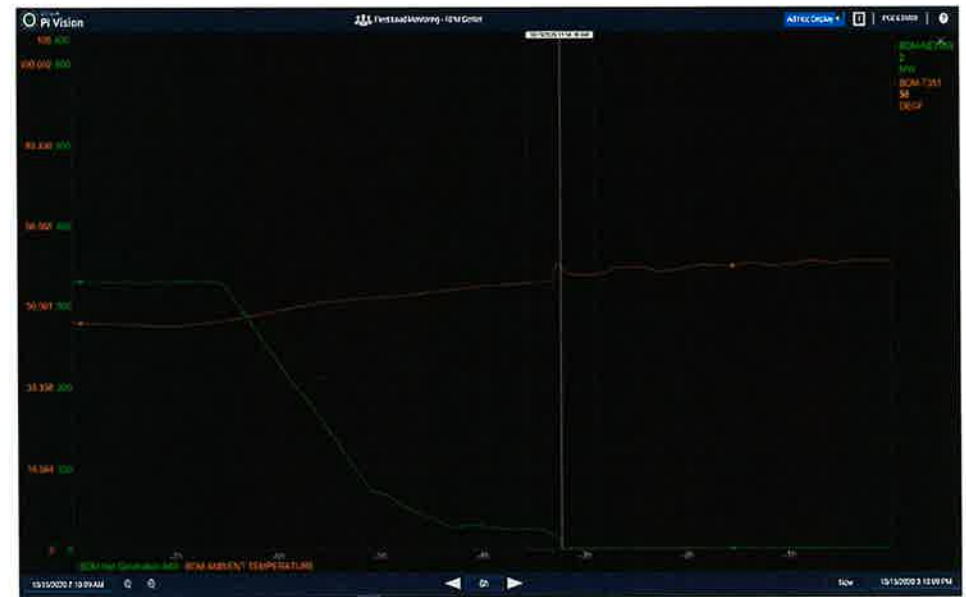
Ash Disposal Area

Boardman Site



End of Operations

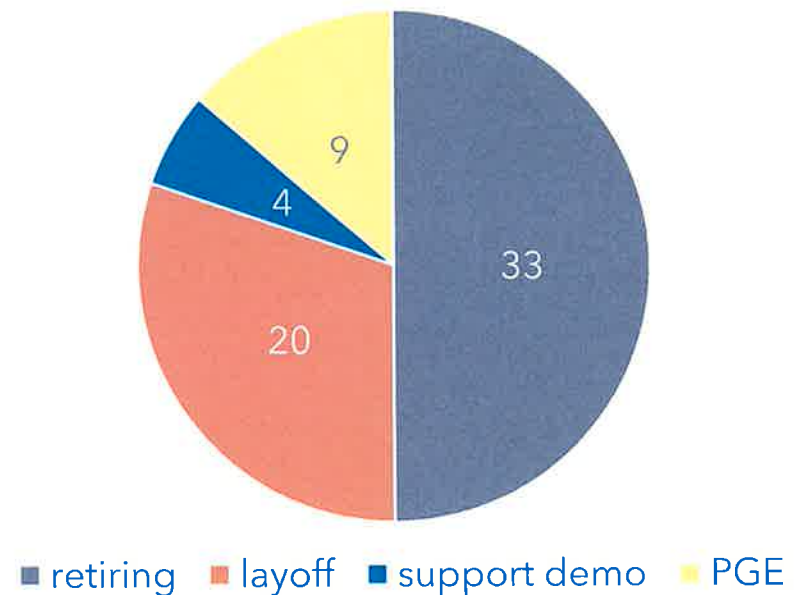
- Plant shut down on October 15, 2020
 - Balance between operating into Q4 versus being stuck with significant coal on the ground on December 31, 2020
- Plant currently in decommissioning phase using plant staff
- Initial round of retirements and layoffs on November 5
- Post-closure security will continue through 2021 and then turn the site over to demo contractor



Plant Worker Transition

- WARN Act notification issued on September 1, 2020
- 67 employees at close (down from 110)
 - Plant staff will be used for decommissioning
 - Layoff/retirements will be phased with milestones at the end of:
 - Operation
 - 2020
 - Decommissioning
 - Demolition
- Comprehensive retention and severance packages provided and educational opportunities

Current Staff Transition



Carty Independence

- Boardman and Carty plants share infrastructure that must be separated prior to demolition
- Carty infrastructure separation includes:
 - Septic
 - Backup power
 - Potable water controls
 - Fire water line
 - Intake structure
- Carty reservoir operations being evaluated to minimize cost
- 2021 for construction work
- Carty independence is the critical path for the decommissioning process



Coal Yard Reclamation

- Reclamation from March to October 2020
- 40,033 tons of coal reclaimed, used as fuel
- Revegetate area expected by January 2021
- Reclamation returned \$1.8M of coal for fuel and saved \$2.8M in disposal costs



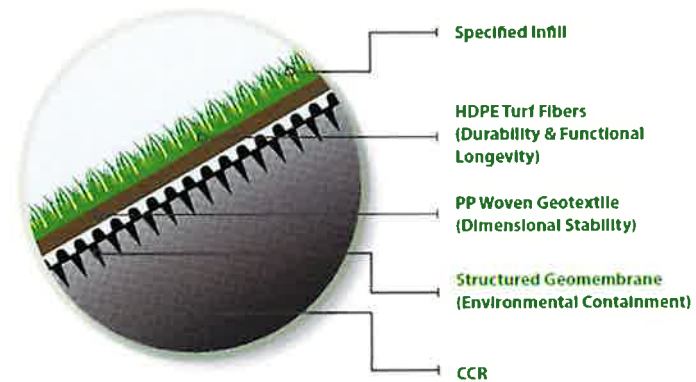
Ash Disposal Area Closure

Ash Disposal Area

- Designing geomembrane cap - ClosureTurf®
- Construction in 2021
- 30 years of groundwater monitoring and O&M



Tan



Permits and Agreements

- Update permitting and agreements
 - Carty Site Certificate Amendment
 - Termination:
 - Multi-Species Candidate Conservation Agreement with Assurances (MSCCAA) in 2020
 - Boardman Site Certificate in 2021
 - Idaho Power Memorandum of Understanding covering:
 - Reimbursement of asset transfers
 - Real property disposition
 - Working together during decommissioning/demolition
 - Budgeting
 - Long-term management of ash disposal area (groundwater monitoring, retaining share of liability)



Decommissioning and Asset Disposition

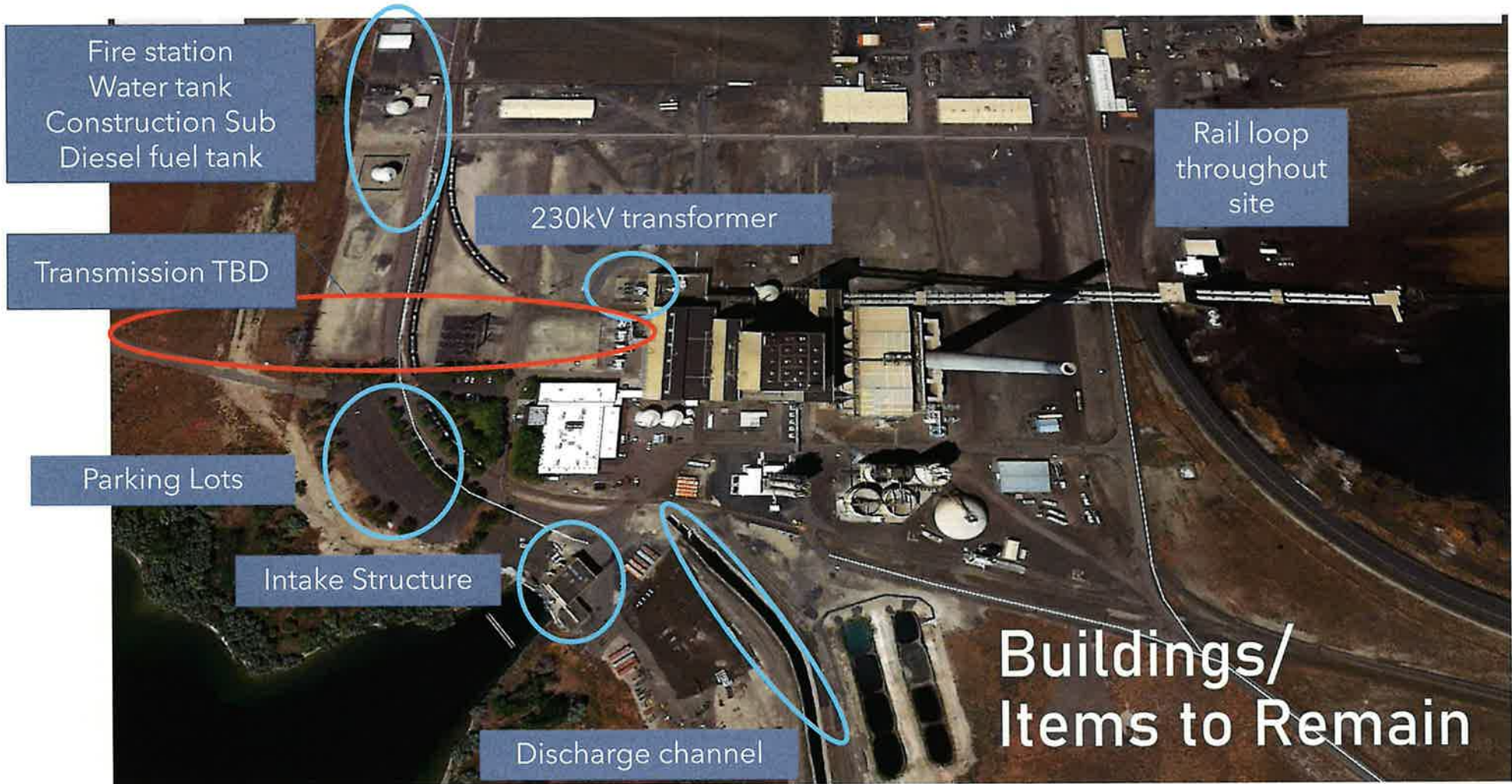
- Decommissioning includes:
 - Draining all fluids and oil from equipment
 - Cleaning and washing the plant, cleaning tanks, removing ash from plant systems
 - Removing universal waste, radioactive sources
 - Removing underground storage tanks
- Asset disposition – supply chain managing
 - Other plants identified assets they want
 - Look to scrappers or specific vendors to buy items
 - Remaining material goes to demolition contractor



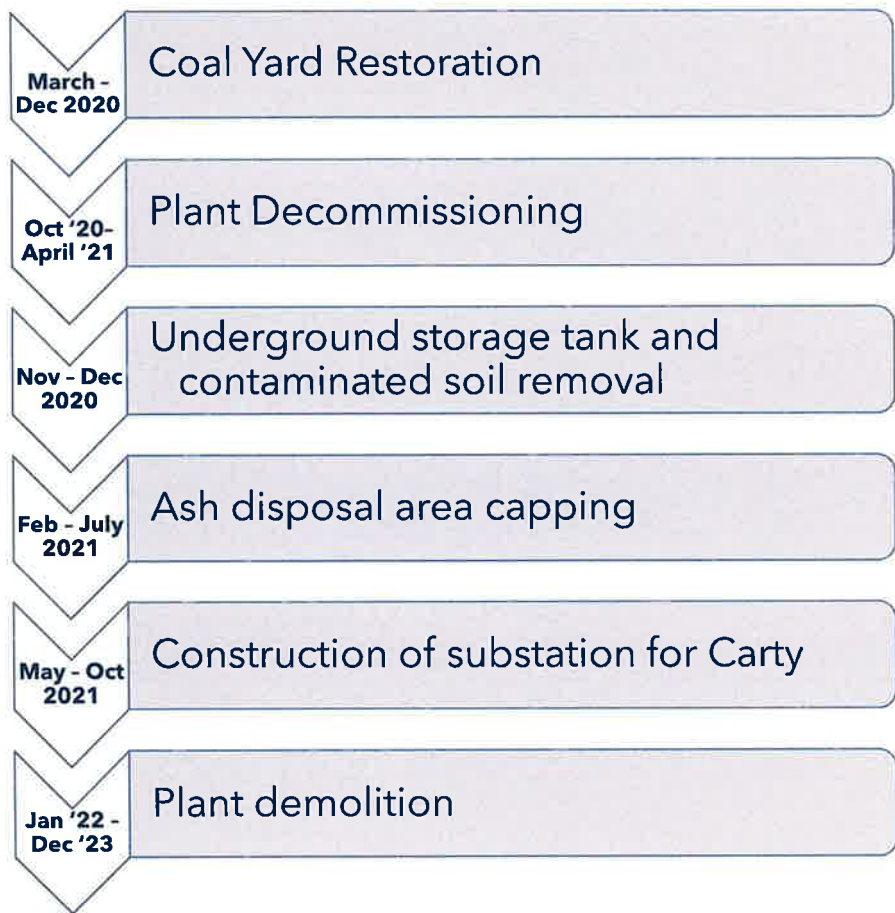
Demolition

- Identify what to keep
- Environmental Regulated Materials assessment
 - Identify asbestos and lead paint
- Make the plant cold, dark and dry during decommissioning
 - Have the plant ready for a demolition contractor to abate and demolish
- Plan and design site demolition
 - Remove buildings and utilities to two feet below grade
 - Abandon utilities deeper than two feet
 - Site restoration
 - Revegetate coal yard
 - Cap ash disposal area
 - Gravel power block area
- Contractor procurement through Request for Qualifications, Request for Proposals
- Turn the site over to demolition contractor in 2022





Milestones and Costs



Employee costs \$14M	Planning and management \$2.0M	Coal yard \$2.8M
Ash disposal area \$8.4M	Decommissioning \$2.5M	Asset write-off \$7.3M
Abatement and demolition \$34M	Long-term site care \$3.8M	Total \$75M

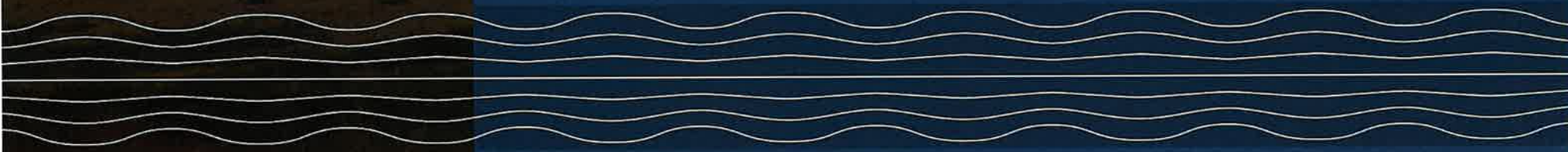


Summary

- Safety is critical and primary success factor
- Last day of operation 10/15/2020
- Managing staff accordingly
- Significant work to be performed over next several years
- Carty independence is the critical pathway
- Many groups across the company are providing input and support to the overall program



Appendix





AGENDA ITEM COVER SHEET
Morrow County Board of Commissioners
(Page 2 of 2)

1. ISSUES, BACKGROUND, DISCUSSION AND OPTIONS (IF ANY):

As a follow up to this topic as discussed by Board on January 6, 2021, staff mailed a public notice to property owners adjacent to the proposed new solar facility. Property owners were invited to submit comment or ask questions of the issues raised in the attached county letter addressing the Notice of Intent.

Memo from Chase McVeigh Walker, Siting Analyst with Oregon Department of Energy, Energy Facility Siting Council (EFSC) requests that Morrow County provide comment on the Notice of Intent (NOI) for Wheatridge East, LLC Wagon Trail Solar Project, a 500 megawatt project located on approximately 4,500 acres of land entirely within Morrow County.

On November, 20, 2020, Morrow County was appointed by the EFSC as a Special Advisory Group (SAG) for the proposed facility. This appointment was made in accordance with Oregon Administrative Rule (OAR) 345-001-0010(51). As a SAG Morrow County is a "reviewing agency" for the EFSC review.

Project location is shown on the attached maps from the Notice of Intent, including, Figure 1 Vicinity Map; Figure 2 Facility Layout; Figure 3 Recreation, Historic and Scenic Areas; Figure 4 Study Area Boundaries; Figure 5 Topography. Solar arrays will be located, in part, adjacent to wind turbines.

See attached draft letter to EFSC from County with summary of the local, applicable standards. Comment deadline is January 22, 2020.

EFSC hosted an virtual informational meeting on Thursday, January 7th at 5:30 pm.

2. FISCAL IMPACT:

N/A

3. SUGGESTED ACTION(S)/MOTION(S):

Consider draft letter and comments from public and/or property owners.
Approve attached letter.

Attach additional background documentation as needed.

January 20, 2021

Chase McVeigh Walker, Senior Siting Analyst
Oregon Department of Energy
550 Capitol Street NE
Salem, OR 97301

RE: Request for Comments on the Notice of Intent submitted by Wheatridge East Wind, LLC for the proposed Wagon Trail Solar Project in Morrow County.

Dear Mr. McVeigh Walker,

Thank you for the opportunity to comment on the Notice of Intent and to provide the applicable substantive criteria for the Wagon Trail Solar Project. The Morrow County Board of Commissioners also acts as the Special Advisory Group (SAG) as appointed by the Energy Facility Siting Council (EFSC). As requested in your December 21, 2020 letter, Morrow County provides a response in accordance with OAR 345-015-0120, below.

OAR 345-015-0120 standards are shown below in bold, followed by a response in standard font.

- (a) The name, address and telephone number of the agency contact person assigned to review the application.** The local contact person is Tamra Mabbott, Planning Director, tmabbott@co.morrow.or.us, (541) 922-4624.
- (b) Comments on aspects of the proposed facility that are within the particular responsibility or expertise of the reviewing agency.** Morrow County has responsibility for land use planning and regulation, county road maintenance, construction and access management, weed control and solid waste. As part of our land use review process, we coordinate with local, state and federal agencies.
- (c) Recommendations regarding the size and location of analysis area.** Figure 4 in the NOI shows proposed study areas. For public services, study area includes the Town of Lexington. Morrow County recommends the study area be expanded to include the Town of Ione and the Cities of Heppner and Boardman. Ione, Heppner and Boardman offer more services such as food, dining, hotel and RV camping and will likely be impacted. The project is located in a remote, rural area and based on experience with other renewable energy construction projects in Morrow County, all towns within a 30-mile area are impacted. Some of those impacts are positive, for example, additional commerce for grocery and lodging businesses. Some of the impacts have had negative impacts, for example temporary construction workers occupying non-permitted camping areas which presents public health and fire and safety concerns.

Other analysis areas proposed appear to be adequate.

(d) A list of studies that should be conducted to identify potential impacts of the proposed facility and mitigation measures. Based on adopted Morrow County ordinances, policies and plans, we would require the following: wildlife and habitat studies; an analysis of current noxious and invasive weeds and a mitigation plan; Traffic Impact Analysis; a review of possible flood and other hazards; a cultural resource analysis of the lands; an assessment of socioeconomic impacts.

(e) If the applicant has identified one or more proposed corridors in Exhibit D of the NOI as required by OAR 345-020-0011(1)(d), a discussion of the relative merits of the corridors described in the NOI and recommendations, if any, on the selection of a corridor; Can you give some examples?

Page 8 of the NOI claims the “facility will utilize up to 8 miles of 230-kV transmission line. Morrow County requests additional information about the transmission lines and their proposed locations. Additionally, where new transmission lines will be constructed as part of this solar facility, Morrow County requests that the transmission lines be permitted as part of this project in order to fully assess the impacts of the entire project, including the transmission lines.

(f) A list of statutes, administrative rules and local government ordinances administered by the agency that might apply to construction or operation of the proposed facility and a description of any information needed for determining compliance. Morrow County applicable ordinances include the following: Morrow County Comprehensive Plan, Morrow County Zoning Ordinance, Morrow County Subdivision Ordinance, Morrow County Transportation System Plan, Morrow County Public Works Policy on Renewable Energy Development, Morrow County Solid Waste Ordinance, Morrow County Code Enforcement Ordinance, Morrow County Weed Control Ordinance, and the Morrow County Natural Hazard Mitigation Plan. A detailed list is attached and is also accessible on the county website.

(g) A list of any permits administered by the agency that might apply to construction or operation of the proposed facility and a description of any information needed for reviewing a permit application.

Conditional Use Permit (including Articles 3, 4 and 6 standards)

Site Plan Review

Zoning Permit

Road Use Agreement (to be provided by County after completion of Traffic Analysis)

(h) For tribes affected by the proposed facility, a list of tribal codes that the tribe recommends to the Council for its review of the application and specific information regarding the proposed facility or study areas described in the NOI that is necessary for determining compliance with those tribal codes. Morrow County is not a tribal entity. This standard does not apply.

Thank you for your consideration of comments regarding the Notice of Intent submitted by Wheatridge East Wind, LLC for the Wagon Trail Solar Project in Morrow County.

If you have any comments or questions about this or the Ordinances, Plans and Policies

referenced herein, please contact Tamra Mabbott, Planning Director, (541) 922-4624, tmabbott@co.morrow.or.us, or Matt Scrivner, Public Works Director, (541) 989-8584 mscrivner@co.morrow.or.us.

Thank you for your outreach consideration of applicable Morrow County Policies, Standards, Plans and Regulations.

Sincerely,

Don Russell
Chair

Jim Doherty
Commissioner

Melissa Lindsay
Commissioner

Applicable Plans, Ordinances, Policies, Morrow County

Morrow County Comprehensive Plan (MCCP)

- Citizen Involvement Policies
- General Land Use Policies
- Agricultural Lands Policies
- Economic Policies
- Housing Policies
- Public Facilities and Services Policies
- Energy Policies

<https://www.co.morrow.or.us/planning/page/comprehensive-plan>

Morrow County Zoning Ordinance (MCZO)

- Article 3 Section 3.00 Exclusive Farm Use Zone
 - Section 3.010(B)24 and (25), 3.010 (D)(9) and D(10) Utility Facility Service Lines and Utility Facilities Necessary for Public Service
 - Section 3.010(N) Transportation Impacts
- Article 3.010(C)(24) Solar Facilities and (K)(3) Commercial Facilities for Generating Power, Photovoltaic Solar Power Generation Facility
- Article 4 Supplementary Procedures (relative to access, parking and related measure)
 - Section 4.165 Site Plan Review
 - Section 4.170 Site Development Review
- Article 6 Conditional Uses
 - Section 6.020 General Criteria
 - Section 6.025 Resource Zones Standards for Approval (same as ORS 215.296)
 - Section 6.030 General Conditions
 - Section 6.040 Permit and Improvements Assurance

<https://www.co.morrow.or.us/planning/page/zoning-ordinance>

Oregon Revised Statutes and Oregon Administrative Rules

ORS 215.243 Agricultural Lands Policy

ORS 215.296 Standards for Approval of Certain Uses in EFU Zones

https://www.oregonlegislature.gov/bills_laws/ors/ors215.html

OAR 660-033-0130 (38) Standards for Solar Facilities

<https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=3083>

OAR 660-004 Exception Process for Goal 3 Exception

<https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=3054>

Morrow County Transportation System Plan (TSP)

Chapter 6 Transportation System Plan

Appendix D Traffic Impact Analysis Guidelines

Road Use Agreement (sample to be provided)

https://www.co.morrow.or.us/sites/default/files/fileattachments/planning/page/12211/tsp_complete_document.pdf

Morrow County Public Works Renewable Energy Project Development Policy

https://www.co.morrow.or.us/sites/default/files/fileattachments/public_works/page/1141/renewable_energy_development_policy_september2010.pdf

Morrow County Solid Waste Management Ordinance, Section 5.000 Public Responsibilities

https://www.co.morrow.or.us/sites/default/files/fileattachments/public_works/page/2181/ordinance2008_update-1.pdf

Morrow County Code Enforcement Ordinance

https://www.co.morrow.or.us/sites/default/files/fileattachments/planning/page/11881/2019_code_enforcement_final.pdf

Morrow County Weed Control Ordinance

https://www.co.morrow.or.us/sites/default/files/fileattachments/public_works/page/2361/morrow_county_weed_ordinance.pdf

Morrow County Multi-Jurisdictional Natural Hazard Mitigation Plan

https://www.co.morrow.or.us/sites/default/files/fileattachments/planning/page/2451/nhmp_2016_final_adoption.pdf



Wagon Trail Solar Project



Figure 1
Vicinity Map

MORROW COUNTY, OREGON

- Site Boundary
- City/Town
- Interstate Highway
- US Highway
- State Highway
- County Boundary



Data Sources	Reference Map
<p>NextEra-Project Infrastructure; USDA-Aerial Imagery; ESRI; County boundaries</p>	

P:\GIS_PROJECTS\NextEra\WagonTrail_Solar\USD\NOI_20200201\NextEra_VicinityMap_11170_20200202.mxd

1:200,000 WGS 1984 UTM Zone 11N



NOT FOR CONSTRUCTION

FIGURE PROJECT\NewEra\WagonTrail_Solar\MapDocs\NewEra_WagonTrail_NSO_Figures\Facility_Layout_L1117_20201022.mxd









Wagon Trail Solar Project



Figure 2 Facility Layout

MORROW COUNTY, OREGON

-  Site Boundary
-  Overlapping Site Boundary
-  Substation
-  Transmission Line
-  State Highway
-  County Boundary



Data Sources

Reference Map

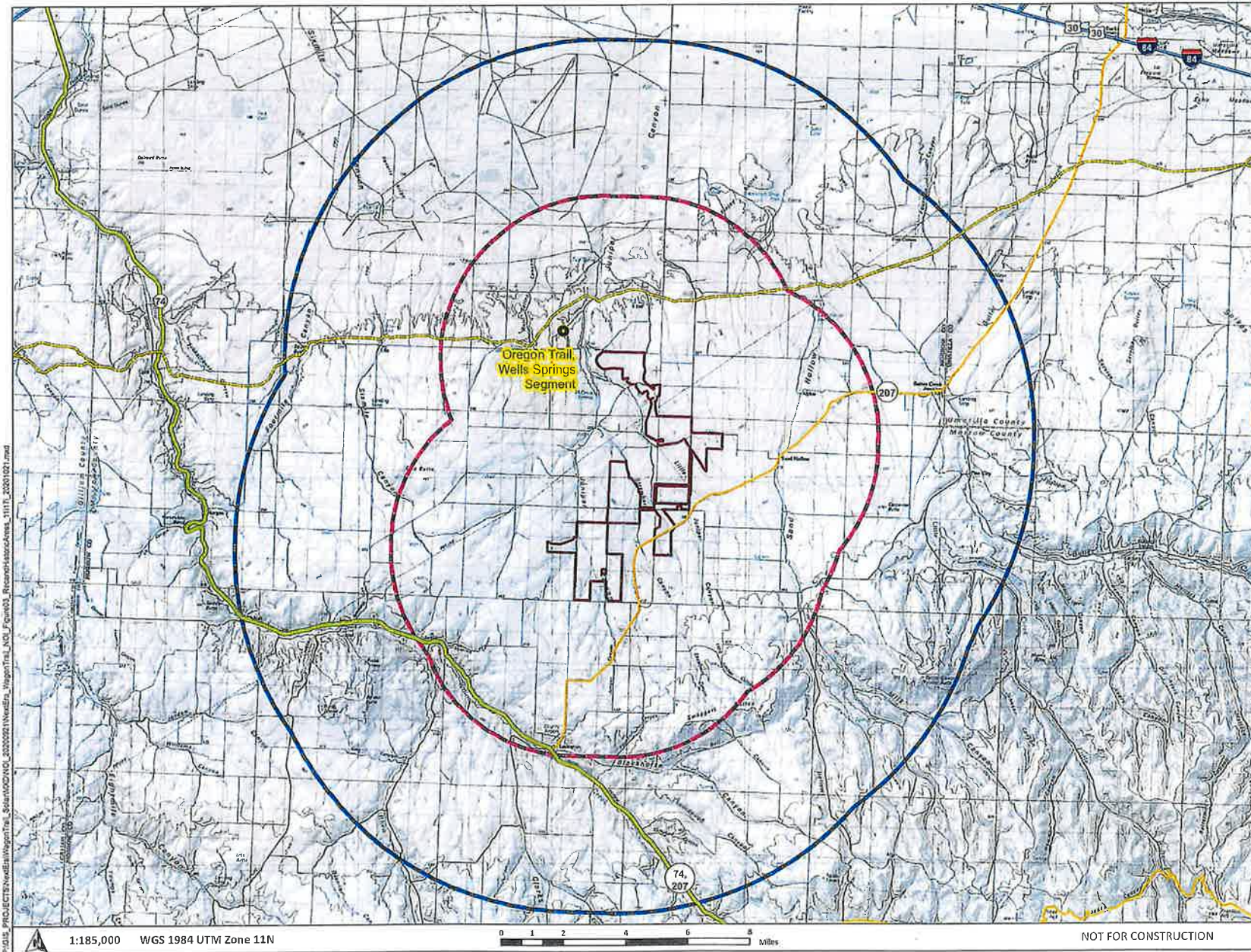
NewEra-Project Infrastructure;
USDA-Aerial Imagery; ESRI-
County Boundaries



1:75,000 WGS 1984 UTM Zone 11N

0 0.5 1 2 3 4 Miles

NOT FOR CONSTRUCTION



Wagon Trail Solar Project



Figure 3
Recreation, Historic and Scenic Areas

MORROW COUNTY, OREGON

- Site Boundary
- 5 miles, Recreation Study Area
- 10 miles, Scenic Resources Study Area
- County Boundary
- Interstate Highway
- US Highway
- State Highway
- National Register Historic Place
- Oregon Trail
- Blue Mountain Scenic Byway



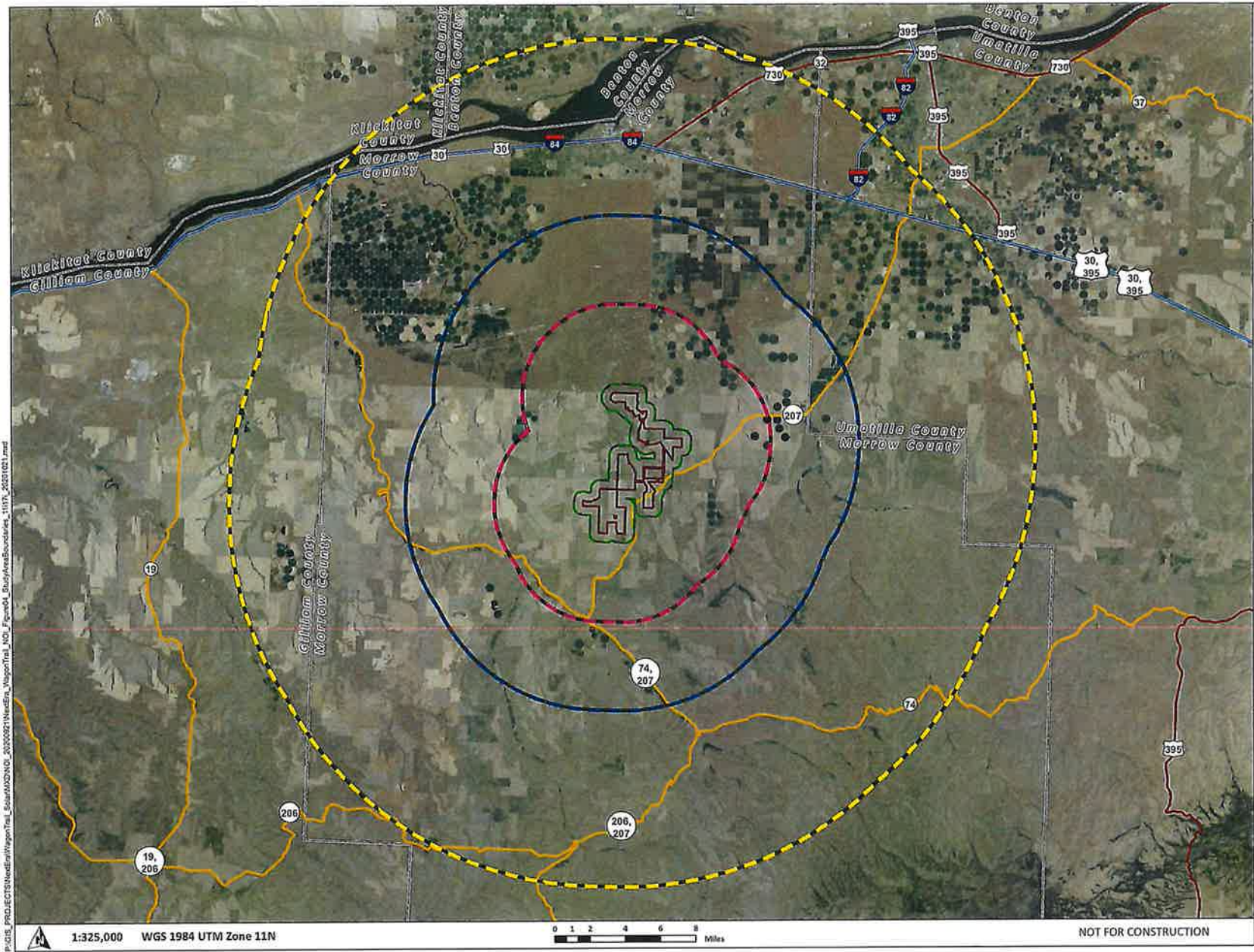
Data Sources	Reference Map
<p>NextEra-Project Infrastructure; USDA-Aerial Imagery; ESRI- County Boundaries</p>	<p>Canada</p>

FILE: PROJECTS\NewEa\WagonTrs_Solar\00\NOL_20200201\NextEra_WagonTrail_NOL_Figure03_RecreationHistoricAreas_11111_20201021.mxd

1:185,000 WGS 1984 UTM Zone 11N

0 1 2 4 6 8 Miles

NOT FOR CONSTRUCTION



Wagon Trail Solar Project



**Figure 4
Study Area Boundaries**

MORROW COUNTY, OREGON

- Site Boundary
- Interstate Highway
- US Highway
- State Highway
- County Boundary
- Study Area**
- 0.5 miles, Land Use and Fish and Wildlife Habitat
- 5 miles, Recreation and Threatened and Endangered Species
- 10 miles, Scenic Resources and Public Services
- 20 miles, Protected Areas



Data Sources

NextEra-Project Infrastructure;
USDA-Aerial Imagery; ESRI-
County Boundaries

Reference Map

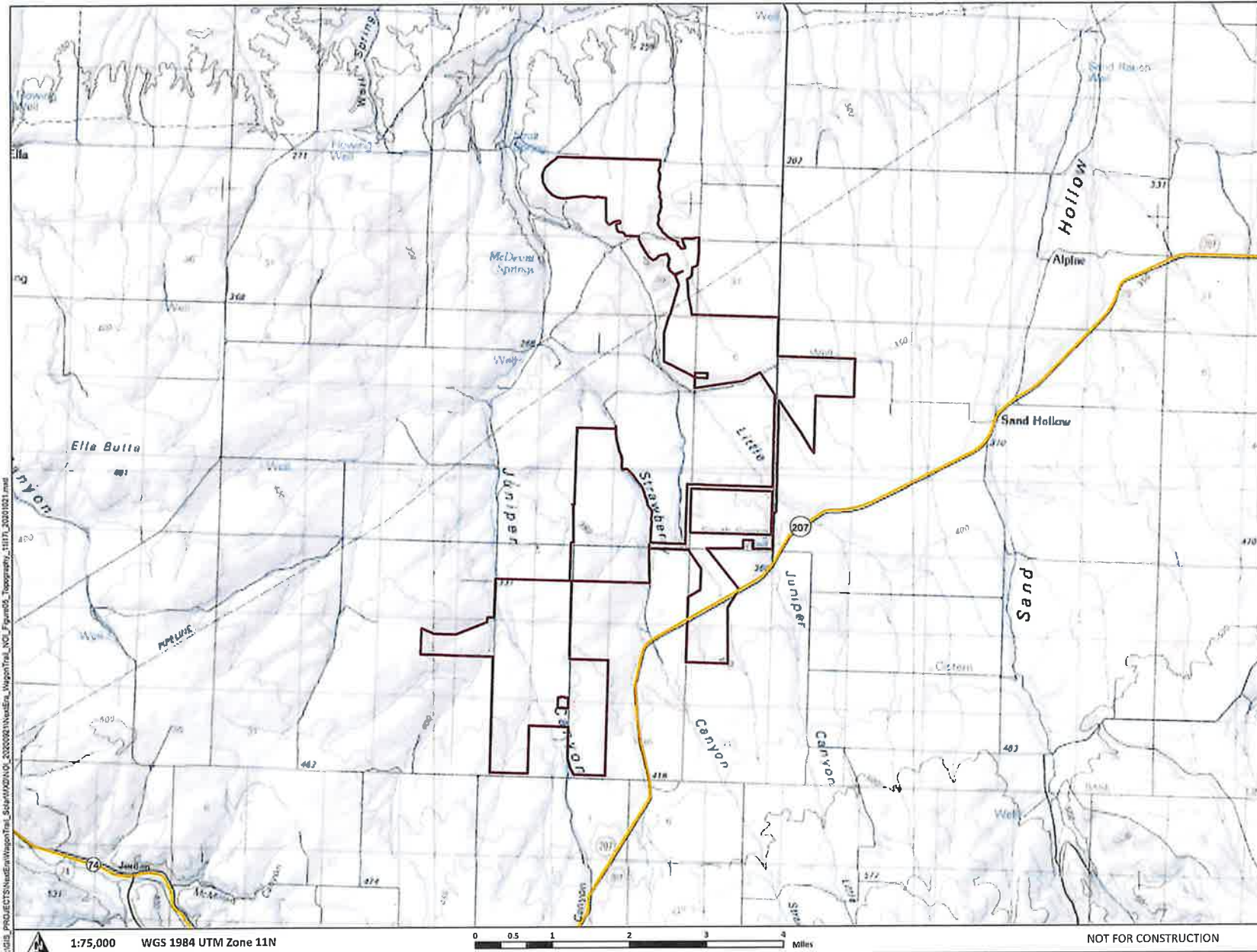


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1:325,000 WGS 1984 UTM Zone 11N

0 1 2 4 6 8 Miles

NOT FOR CONSTRUCTION



**Wagon Trail
Solar Project**



**Figure 5
Topography**

MORROW COUNTY, OREGON

- Site Boundary
- State Highway
- County Boundary



Data Sources

Reference Map

NextEra-Project Infrastructure;
USDA-Aerial Imagery; ESRI-
County Boundaries



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1:75,000 WGS 1984 UTM Zone 11N

0 0.5 1 2 3 4 miles

NOT FOR CONSTRUCTION



Oregon

Kate Brown, Governor



OREGON
DEPARTMENT OF
ENERGY

550 Capitol St. NE
Salem, OR 97301
Phone: 503-378-4040
Toll Free: 1-800-221-8035
FAX: 503-373-7806
www.oregon.gov/energy

MEMORANDUM

To: Morrow County Board of County Commissioners

From: Chase McVeigh Walker, Senior Siting Analyst
Oregon Department of Energy
550 Capitol Street NE
Salem, OR 97301
Phone: (503) 934-1582
Email: chase.mcveigh-walker@oregon.gov

Date: December 21, 2020

Re: Request for comments on the Notice of Intent submitted by Wheatridge East Wind, LLC for the proposed Wagon Trail Solar Project in Morrow County. Comment deadline is January 22, 2020.

Introduction

On November 3, 2020, the Oregon Department of Energy (Department), staff to the Oregon Energy Facility Siting Council (EFSC), received a Notice of Intent (NOI) from Wheatridge East Wind, LLC, a wholly owned subsidiary of NextEra Energy Resources LLC to file an application for site certificate for the proposed Wagon Trail Solar Project. The NOI is for a proposed photovoltaic solar energy facility that would have a generating capacity of up to 500 megawatts (MW). The energy facility would be constructed within a site boundary of approximately 4,500 acres within Morrow County (see Figure 1 of this memo). Proposed related or supporting facilities to the solar energy facility would consist of 34.5-kilovolt (kV) collector lines (underground or overhead); distributed battery storage; up to four collector substations; one operations and maintenance building; up to three meteorological towers; site access; service roads, perimeter fencing and gates; and up to four temporary construction areas. The energy facility and its related or supporting facilities are herein referred to as the “proposed facility.”

The NOI can be downloaded from the ODOE project website here:

<https://www.oregon.gov/energy/facilities-safety/facilities/Pages/WTS.aspx>

On November 20, 2020, the Morrow County Board of Commissioners was appointed by EFSC as a Special Advisor Group for the proposed facility. Under Oregon Administrative Rule (OAR) 345-001-0010(51), the Morrow County Board of Commissioners as a Special Advisory Group is a “reviewing agency” for the EFSC review.

Information Needed from Reviewing Agencies

Please provide the Department verification of the Comprehensive Plan and ordinances that are applicable to the proposed facility.

In accordance with OAR 345-015-0120, the Department requests the following information:

- 1) The name, address and telephone number of the agency contact person assigned to review the application.
- 2) Comments on aspects of the proposed facility that are within the particular responsibility or expertise of the reviewing agency.
- 3) Recommendations regarding the size and location of analysis area(s) (see below for more information).
- 4) A list of studies that should be conducted to identify potential impacts of the proposed facility and mitigation measures.
- 5) A list of statutes, administrative rules and local government ordinances administered by the agency that might apply to construction or operation of the proposed facility and a description of any information needed for determining compliance.
- 6) A list of any permits administered by the agency that might apply to construction or operation of the proposed facility and a description of any information needed for reviewing a permit application.

The NOI, announcements and notices about the proposed facility will be posted on ODOE’s website at: <https://www.oregon.gov/energy/facilities-safety/facilities/Pages/WTS.aspx>

Evaluation of Study/Analysis Areas

An analysis area is the area the applicant must describe the proposed facility’s potential impacts in the application for a site certificate. Analysis areas are the minimum areas an applicant must study for potential impacts from the construction and operation of a proposed facility. For all potential impacts, the analysis area includes at a minimum all the area within the “site boundary” as defined in OAR 345-001-0010(54). The Department requests your assistance determining the appropriate size of the analysis areas for the proposed facility.

The NOI includes an assessment of potential environmental impacts from construction and operation of the facility based on a study area set in rule. The study areas vary for different resources, but all include the site boundary, and, if applicable, an additional buffer (noted in parenthesis): NOI Figures 3 and 4 show the boundaries and topography of the study areas as defined by OAR 345-001-0010(59) for land use (0.5 miles), fish and wildlife habitat (0.5 miles), recreational opportunities (5 miles), threatened and endangered species (5 miles), scenic

resources (10 miles), public services (10 miles), and protected areas (20 miles). For all other resources, the study area is the site boundary.

In the application for site certificate, the analysis areas can be equivalent to the study areas, or the analysis areas can be different. The analysis areas will be established by the Department in the Project Order, but your input is necessary to help establish appropriate analysis areas based on specific knowledge you may have of the area. Ultimately, EFSC will evaluate whether or not design, construction, operation, and retirement of the proposed facility, taking into account mitigation, are likely to result in a significant adverse impact to resources protected by EFSC standards.

If your agency believes that any of these analysis areas should be increased (or decreased) based upon nearby resources, please provide this information in your comments on the NOI. This information will be used to assist the Department in development of the Project Order.

EFSC Review Process

Wheatridge East Wind, LLC must obtain a site certificate from the Oregon Energy Facility Siting Council (EFSC) in order to construct and operate the proposed facility. The applicant must demonstrate that the proposed facility meets EFSC standards established under ORS 469.501 and set forth in OAR Chapter 345, Divisions 22 and 24 as well as all other applicable statutes, rules and standards (including those of other state agencies or local governments).

The Department requests that reviewing agencies provide comments on the NOI and submit statutes, rules, and standards applicable to this facility. The reviewing agency responses will form the basis of the Project Order, which establishes the site certificate application requirements. While the EFSC review process includes several opportunities for reviewing agency comment and input, your comments on the NOI are critical to ensure your agency's requirements are accurately reflected in the Project Order.

Your responses will inform development of the Project Order, which establishes the site certificate application requirements. While the EFSC review process includes several opportunities for comment and input, your comments on the NOI are critical to ensure your jurisdiction's requirements are accurately reflected in the Project Order.

A description of the EFSC review process is available on our website at:

<http://www.oregon.gov/energy/facilities-safety/facilities/Documents/Fact-Sheets/EFSC-Process-Flowchart.pdf>

Information Submittal

Please send your comments to the project Siting Analyst, Chase McVeigh-Walker, at the contact information provided above, no later than **January 22, 2021**. If you require additional time, please contact the Siting Analyst.

Cost Recovery

The time that your agency spends during the EFSC review process is eligible for reimbursement. To be able to be reimbursed, the Department needs an executed Interagency Agreement in place with your agency. If you have questions about your Interagency Agreements in place, how or what type of work may be reimbursed contact ODOE's Fiscal Analyst Sisily Fleming at sisily.fleming@oregon.gov or 503-378-8356.

Informational Meeting

The Department will host a remote public informational meeting on January 7, 2021 at 5:30 pm via WebEx. Informational meetings provide an opportunity for the public to ask questions about the proposed facility and review process. We encourage you to attend and participate. To participate, you may use one of the options below:

WebEx Link:

<https://odoe.webex.com/odoe/onstage/g.php?MTID=e98bcc8fab753a2ab2a4dc000be8e746>

Dial in: 1-408-418-9388, Access Code: 173 209 0142

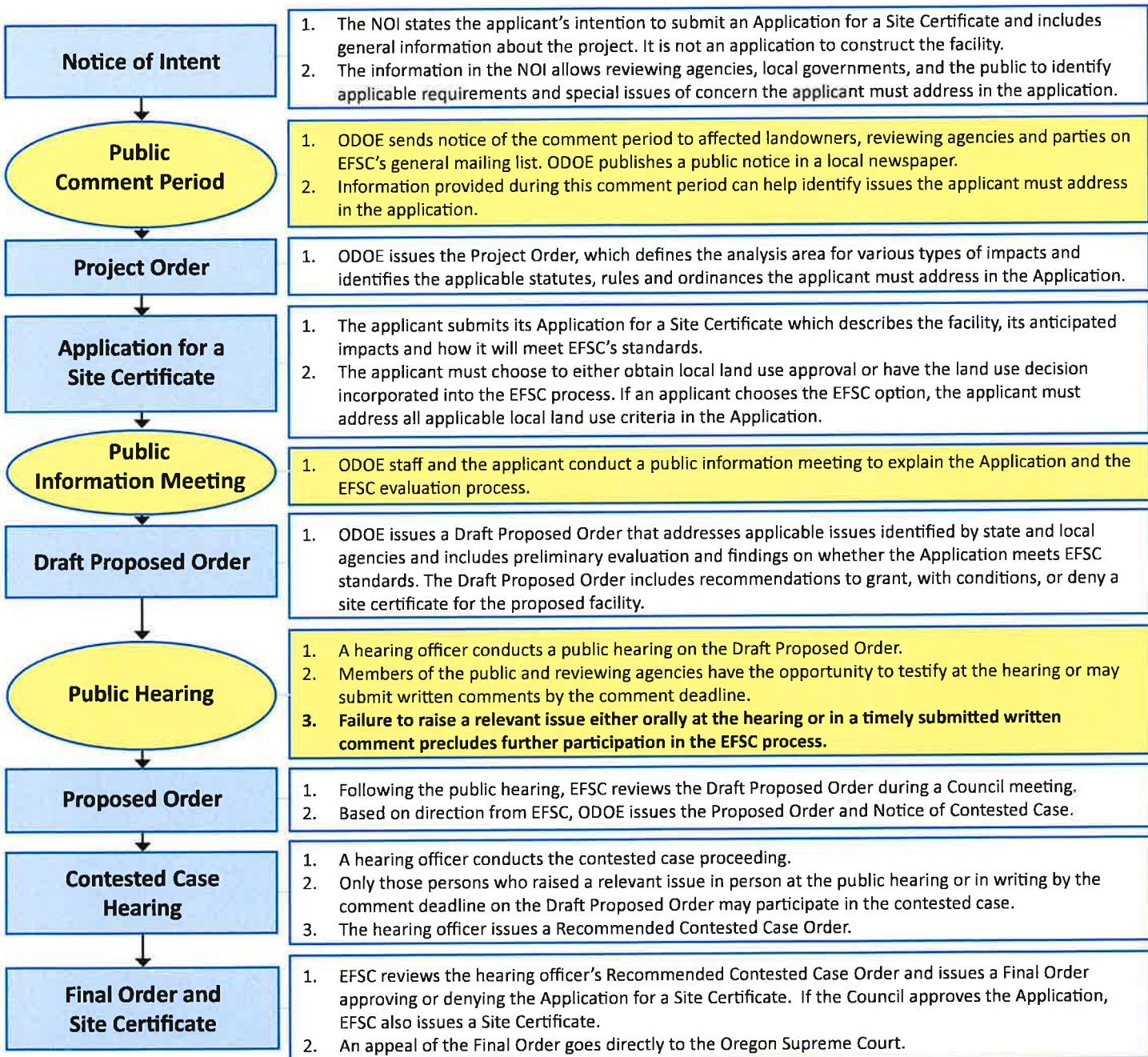
Facility Location Map

A vicinity map is included on the next page. Additional maps can be found in the NOI. The Department maintains an online mapping program where the proposed facility site and regional location can be viewed via hyperlink: <https://arcg.is/1Gf8CK>. If you are interested in receiving GIS shape files of the facility site boundary, please contact the project Siting Analyst at the contact information provided above.

SITING OF ENERGY FACILITIES IN OREGON

EFSC Process Flowchart

The Oregon Department of Energy administers the Energy Facility Siting Council facility siting process, which consolidates state agency and local government regulations into a single review process. State agencies and local governments participate throughout the process. The three yellow stages indicate where public participation is encouraged.





AGENDA ITEM COVER SHEET
Morrow County Board of Commissioners
(Page 1 of 2)

(For BOC Use)
Item #
5d

Please complete for each agenda item submitted for consideration by the Board of Commissioners
(See notations at bottom of form)

Presenter at BOC: Tamra Mabbott
Department: Planning
Short Title of Agenda Item:

Phone Number (Ext):
Requested Agenda Date: 1/20/2021

(No acronyms please)

Letter to Land Conservation and Development Commission on
Regional Housing Needs Assessment Report to the Legislature

This Item Involves: (Check all that apply for this meeting.)

- Order or Resolution
Ordinance/Public Hearing:
1st Reading 2nd Reading
Public Comment Anticipated:
Estimated Time:
Document Recording Required
Contract/Agreement
Appointments
Update on Project/Committee
Consent Agenda Eligible
Discussion & Action
Estimated Time: 20 minutes
Purchase Pre-Authorization
Other Informational

N/A

Purchase Pre-Authorizations, Contracts & Agreements

Contractor/Entity:
Contractor/Entity Address:
Effective Dates - From: Through:
Total Contract Amount: Budget Line:
Does the contract amount exceed \$5,000? Yes No

Reviewed By:

Tamra Mabbott 1/15/2021 Department Director Required for all BOC meetings
Darrell Green 1/25/21 Administrator Required for all BOC meetings
County Counsel *Required for all legal documents
Finance Office *Required for all contracts; other items as appropriate.
Human Resources *If appropriate

Note: All other entities must sign contracts/agreements before they are presented to the Board of Commissioners (originals preferred). Agendas are published each Friday afternoon, so requests must be received in the BOC Office by 1:00 p.m. on the Friday prior to the Board's Wednesday meeting. Once this form is completed, including County Counsel, Finance and HR review/sign-off (if appropriate), then submit it to the Board of Commissioners Office.

AGENDA ITEM COVER SHEET
Morrow County Board of Commissioners
(Page 2 of 2)

1. ISSUES, BACKGROUND, DISCUSSION AND OPTIONS (IF ANY):

In 2019 the Oregon Legislature passed HB 2003 and directed state agencies (Department of Land Conservation & Development Commission (DLCD) and Oregon Housing and Community Services (OHCS) to hire staff, promulgate Administrative Rules, draft a Regional Housing Needs Assessment (RHNA) and report back to the 2021 Legislature.

The January 21, 2021, LCDC meeting includes an agenda item to discuss the draft aforementioned report to the 2021 Legislature.

Comments for Board of Commissioner consideration relative to the draft RHNA report are attached. The primary message is to underscore the unique challenges rural communities have with housing and more specifically an anticipated challenge to implement a new housing program.

Background materials are attached:

HB 2003 (2019)

LCDC January 21, 2021 Agenda

Draft RHNA Report

Letter for BOC.

2. FISCAL IMPACT:

N/A

3. SUGGESTED ACTION(S)/MOTION(S):

Approve attached letter.

Attach additional background documentation as needed.

Enrolled
House Bill 2003

Sponsored by Representative KOTEK; Representatives FAHEY, KENY-GUYER, WILDE

CHAPTER

AN ACT

Relating to buildings; creating new provisions; amending ORS 197.296, 197.299, 197.303, 197.319, 197.320, 215.416, 215.441, 227.175, 227.500 and 455.062 and section 1, chapter 47, Oregon Laws 2018, and section 3, chapter 97, Oregon Laws 2019 (Enrolled Senate Bill 39); and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) As used in this section:

(a) "Area median income" means the median income for households established by the United States Department of Housing and Urban Development.

(b) "Existing housing stock" means housing, by affordability level and type, actually constructed in a city or Metro.

(c) "High income" means above 120 percent of the area median income.

(d) "Housing shortage" means the difference between the estimated housing units of different affordability levels and housing types needed to accommodate the existing population and the existing housing stock, measured in dwelling units.

(e) "Low income" means income above 50 percent and at or below 80 percent of the area median income.

(f) "Metro" means a metropolitan service district organized under ORS chapter 268.

(g) "Moderate income" means income above 80 percent and at or below 120 percent of the area median income.

(h) "Region" has the meaning given that term in ORS 284.752.

(i) "Very low income" means income at or below 50 percent of the area median income.

(2) The Housing and Community Services Department, in coordination with the Department of Land Conservation and Development and the Oregon Department of Administrative Services, shall develop a methodology for calculating:

(a) A regional housing needs analysis that identifies the total number of housing units necessary to accommodate anticipated populations in a region over the next 20 years based on:

(A) Trends in density and in the average mix of housing types of urban residential development;

(B) Demographic and population trends;

(C) Economic trends and cycles; and

(D) Equitable distribution of publicly supported housing within a region.

(b) An estimate of existing housing stock of each city and Metro.

(c) A housing shortage analysis for each city and Metro.

(d) An estimate of the number of housing units necessary to accommodate anticipated population growth over the next 20 years for each city and Metro.

(3) The methodologies for calculating the regional housing needs analysis, the estimate of existing housing stock, the housing shortage analysis and the estimate of housing necessary to accommodate growth that are developed under subsection (2) of this section must classify housing by:

(a) Housing type, including attached and detached single-family housing, multifamily housing and manufactured dwellings or mobile homes; and

(b) Affordability, by housing that is affordable to households with:

(A) Very low income;

(B) Low income;

(C) Moderate income; or

(D) High income.

(4) No later than September 1, 2020, the Housing and Community Services Department, in coordination with the Department of Land Conservation and Development and the Oregon Department of Administrative Services, shall conduct for each region a regional housing needs analysis and, for each city and Metro, shall estimate existing housing stock, conduct a housing shortage analysis and estimate the housing necessary to accommodate growth.

(5) In developing the methodologies and conducting the analyses under this section, the Housing and Community Services Department may:

(a) Consult or contract with subject matter experts, cities and Metro, regional solutions centers described in ORS 284.754 (2) and other jurisdictions that have created or conducted regional housing needs analyses.

(b) Consider the most recent consolidated population forecast produced by the Portland State University Population Research Center in making any relevant calculation or forecast.

(c) Consider any other relevant existing analyses, data and other information collected or produced by state agencies or public entities.

(d) Make changes to the regional boundaries in order to make regions more accurately align with shared employment, transportation or housing market dynamics.

SECTION 2. (1) No later than March 1, 2021, the Housing and Community Services Department, in consultation with the Department of Land Conservation and Development and the Oregon Department of Administrative Services, shall submit a report, in the manner provided in ORS 192.245 to an appropriate committee of the Legislative Assembly, that summarizes the findings of the regional housing needs analysis, estimate of housing stock, housing shortage analysis and estimate of housing necessary to accommodate growth conducted under section 1 (4) of this 2019 Act.

(2) No later than March 1, 2021, the Department of Land Conservation and Development, in consultation with the Oregon Department of Administrative Services and the Housing and Community Services Department, shall submit a report, in the manner provided in ORS 192.245, to an appropriate committee of the Legislative Assembly that evaluates:

(a) Whether a regional housing needs analysis and housing shortage analysis described in section 1 of this 2019 Act could appropriately allocate among the cities or local governments in a region the housing shortage described;

(b) How a regional housing needs analysis and housing shortage analysis may compare to existing assessments of housing need and capacity conducted by local governments under ORS 197.296 (3) and (10) in terms of:

(A) Cost and cost effectiveness;

(B) Reliability and accuracy;

(C) Repeatability; and

(D) Predictability;

(c) How a regional housing needs analysis and housing shortage analysis may relate to statewide planning goals related to housing and any rules and policies adopted pursuant to these goals and ORS 197.295 to 197.314;

(d) Whether different boundaries would be more appropriate for defining regions within the regional housing needs analysis based on:

(A) Relevance of data in appropriately defining a commuting, employment or housing market; or

(B) Ease or cost of collecting or analyzing data;

(e) Other ways in which the regional housing needs analysis or housing shortage analysis could be improved; and

(f) Whether the regional housing needs analysis, or an improved version, could serve as an acceptable methodology statewide for land use planning relating to housing.

(3) In preparing the report required under subsection (2) of this section, the Department of Land Conservation and Development may consult or contract with other state agencies, subject matter experts, private firms, local governments, regional solutions centers described in ORS 284.754 (2) and other jurisdictions that have created or conducted regional housing needs analyses.

SECTION 3. Sections 4 to 6 of this 2019 Act are added to and made a part of ORS 197.295 to 197.314.

SECTION 4. (1) A city with a population greater than 10,000 shall develop and adopt a housing production strategy under this section no later than one year after:

(a) The city's deadline for completing a housing capacity analysis under ORS 197.296 (2)(a);

(b) The city's deadline for completing a housing capacity analysis under ORS 197.296 (10)(b); or

(c) A date scheduled by the Land Conservation and Development Commission following the allocation of housing capacity to the city by a metropolitan service district under ORS 197.299 (2)(d).

(2) A housing production strategy must include a list of specific actions, including the adoption of measures and policies, that the city shall undertake to promote development within the city to address a housing need identified under ORS 197.296 (6) for the most recent 20-year period described in ORS 197.296 (2)(b). Actions under this subsection may include:

(a) The reduction of financial and regulatory impediments to developing needed housing, including removing or easing approval standards or procedures for needed housing at higher densities or that is affordable;

(b) The creation of financial and regulatory incentives for development of needed housing, including creating incentives for needed housing at higher densities or that is affordable; and

(c) The development of a plan to access resources available at local, regional, state and national levels to increase the availability and affordability of needed housing.

(3) In creating a housing production strategy, a city shall review and consider:

(a) Socioeconomic and demographic characteristics of households living in existing needed housing;

(b) Market conditions affecting the provision of needed housing;

(c) Measures already adopted by the city to promote the development of needed housing;

(d) Existing and expected barriers to the development of needed housing; and

(e) For each action the city includes in its housing production strategy:

(A) The schedule for its adoption;

(B) The schedule for its implementation;

(C) Its expected magnitude of impact on the development of needed housing; and

(D) The time frame over which it is expected to impact needed housing.

(4) The housing production strategy must include within its index a copy of the city's most recently completed survey under section 1 (2), chapter 47, Oregon Laws 2018.

(5) The adoption of a housing production strategy is not a land use decision and is not subject to appeal or review except as provided in section 5 of this 2019 Act.

SECTION 5. (1) No later than 20 days after a city's adoption or amendment of a housing production strategy under section 4 of this 2019 Act, a city shall submit the adopted strategy or amended strategy to the Department of Land Conservation and Development.

(2) The submission under subsection (1) of this section must include copies of:

(a) The signed decision adopting the housing production strategy or amended strategy;

(b) The text of the housing production strategy clearly indicating any amendments to the most recent strategy submitted under this section;

(c) A brief narrative summary of the housing production strategy; and

(d) The information reviewed and considered under section 6 (2) of this 2019 Act.

(3) On the same day the city submits notice of the housing production strategy or amended strategy, the city shall provide a notice to persons that participated in the proceedings that led to the adoption of the strategy and requested notice in writing.

(4) Within 10 days of receipt of the submission under subsection (1) of this section, the department shall provide notice to persons described under ORS 197.615 (3).

(5) The notices given under subsections (3) and (4) of this section must state:

(a) How and where materials described in subsection (2) of this section may be freely obtained;

(b) That comments on the strategy may be submitted to the department within 45 days after the department has received the submission; and

(c) That there is no further right of appeal.

(6) Based upon criteria adopted by the Land Conservation and Development Commission, including any criteria adopted under section 6 (2) of this 2019 Act, the department shall, within 120 days after receiving the submission under subsection (1) of this section:

(a) Approve the housing production strategy;

(b) Approve the housing production strategy, subject to further review and actions under section 6 (2) of this 2019 Act; or

(c) Remand the housing production strategy for further modification as identified by the department.

(7) A determination by the department under subsection (6) of this section is not a land use decision and is final and not subject to appeal.

SECTION 6. (1) The Land Conservation and Development Commission, in consultation with the Housing and Community Services Department, shall adopt criteria for reviewing and identifying cities with a population greater than 10,000 that have not sufficiently:

(a) Achieved production of needed housing within their jurisdiction; or

(b) Implemented a housing production strategy adopted under section 4 of this 2019 Act.

(2) The criteria adopted by the commission under subsection (1) of this section may include the city's:

(a) Unmet housing need as described in ORS 197.296 (6);

(b) Unmet housing need in proportion to the city's population;

(c) Percentage of households identified as severely rent burdened as described in section 1, chapter 47, Oregon Laws 2018;

(d) Recent housing development;

(e) Recent adoption of a housing production strategy under section 4 of this 2019 Act or adoption of actions pursuant to a housing production strategy;

(f) Recent or frequent previous identification by the Department of Land Conservation and Development under this section; or

(g) Other attributes that the commission considers relevant.

(3) The Department of Land Conservation and Development may review cities under the criteria adopted under subsection (2) of this section for the purposes of prioritizing actions by the department, including:

- (a) Awarding available technical or financial resources;
- (b) Providing enhanced review and oversight of the city's housing production strategy;
- (c) Requiring a report and explanation if a city does not implement an action within the approximate time frame scheduled within a housing production strategy;
- (d) Entering into agreements with the city relating to the city's modification or implementation of its housing production strategy; or
- (e) Petitioning the commission to act under ORS 197.319 to 197.335 to require the city to comply with ORS 197.295 to 197.314 or statewide land use planning goals related to housing or urbanization.

SECTION 7. No later than December 31, 2019, the Land Conservation and Development Commission shall adopt a schedule by which metropolitan service districts and cities described in ORS 197.296 (2)(a)(B) and (10)(c)(B) shall demonstrate sufficient buildable lands. Dates in the schedule may not be earlier than two years following the commission's creation of rules implementing sections 4 to 6 of this 2019 Act and the amendments to ORS 197.296 and 197.299 by sections 8 and 9 of this 2019 Act.

SECTION 8. ORS 197.296 is amended to read:

197.296. (1)(a) The provisions of subsections (2) to (9) of this section apply to metropolitan service district regional framework plans and local government comprehensive plans for lands within the urban growth boundary of a city that is located outside of a metropolitan service district and has a population of 25,000 or more.

(b) The Land Conservation and Development Commission may establish a set of factors under which additional cities are subject to the provisions of this section. In establishing the set of factors required under this paragraph, the commission shall consider the size of the city, the rate of population growth of the city or the proximity of the city to another city with a population of 25,000 or more or to a metropolitan service district.

(2)(a) *[At periodic review pursuant to ORS 197.628 to 197.651 or at any other legislative review of the comprehensive plan or regional framework plan that concerns the urban growth boundary and requires the application of a statewide planning goal relating to buildable lands for residential use,]* A local government shall demonstrate that its comprehensive plan or regional framework plan provides sufficient buildable lands within the urban growth boundary established pursuant to statewide planning goals to accommodate estimated housing needs for 20 years:

(A) At periodic review under ORS 197.628 to 197.651;

(B) As scheduled by the commission:

(i) At least once each eight years for local governments that are not within a metropolitan service district; or

(ii) At least once each six years for a metropolitan service district; or

(C) At any other legislative review of the comprehensive plan or regional framework plan that concerns the urban growth boundary and requires the application of a statewide planning goal relating to buildable lands for residential use.

(b) The 20-year period shall commence on the date initially scheduled for completion of the *[periodic or legislative]* review **under paragraph (a) of this subsection.**

(3) In performing the duties under subsection (2) of this section, a local government shall:

(a) Inventory the supply of buildable lands within the urban growth boundary and determine the housing capacity of the buildable lands; and

(b) Conduct an analysis of housing need by type and density range, in accordance with ORS 197.303 and statewide planning goals and rules relating to housing, to determine the number of units and amount of land needed for each needed housing type for the next 20 years.

(4)(a) For the purpose of the inventory described in subsection (3)(a) of this section, "buildable lands" includes:

- (A) Vacant lands planned or zoned for residential use;
- (B) Partially vacant lands planned or zoned for residential use;
- (C) Lands that may be used for a mix of residential and employment uses under the existing planning or zoning; and
- (D) Lands that may be used for residential infill or redevelopment.

(b) For the purpose of the inventory and determination of housing capacity described in subsection (3)(a) of this section, the local government must demonstrate consideration of:

- (A) The extent that residential development is prohibited or restricted by local regulation and ordinance, state law and rule or federal statute and regulation;
- (B) A written long term contract or easement for radio, telecommunications or electrical facilities, if the written contract or easement is provided to the local government; and
- (C) The presence of a single family dwelling or other structure on a lot or parcel.

(c) Except for land that may be used for residential infill or redevelopment, a local government shall create a map or document that may be used to verify and identify specific lots or parcels that have been determined to be buildable lands.

(5)(a) Except as provided in paragraphs (b) and (c) of this subsection, the determination of housing capacity and need pursuant to subsection (3) of this section must be based on data relating to land within the urban growth boundary that has been collected since the last [*periodic*] review [*or*] **under subsection (2)(a)(B) of this section** [*five years, whichever is greater*]. The data shall include:

- (A) The number, density and average mix of housing types of urban residential development that have actually occurred;
- (B) Trends in density and average mix of housing types of urban residential development;
- (C) Demographic and population trends;
- (D) Economic trends and cycles; and
- (E) The number, density and average mix of housing types that have occurred on the buildable lands described in subsection (4)(a) of this section.

(b) A local government shall make the determination described in paragraph (a) of this subsection using a shorter time period than the time period described in paragraph (a) of this subsection if the local government finds that the shorter time period will provide more accurate and reliable data related to housing capacity and need. The shorter time period may not be less than three years.

(c) A local government shall use data from a wider geographic area or use a time period for economic cycles and trends longer than the time period described in paragraph (a) of this subsection if the analysis of a wider geographic area or the use of a longer time period will provide more accurate, complete and reliable data relating to trends affecting housing need than an analysis performed pursuant to paragraph (a) of this subsection. The local government must clearly describe the geographic area, time frame and source of data used in a determination performed under this paragraph.

(6) If the housing need determined pursuant to subsection (3)(b) of this section is greater than the housing capacity determined pursuant to subsection (3)(a) of this section, the local government shall take one or more of the following actions to accommodate the additional housing need:

(a) Amend its urban growth boundary to include sufficient buildable lands to accommodate housing needs for the next 20 years. As part of this process, the local government shall consider the effects of measures taken pursuant to paragraph (b) of this subsection. The amendment shall include sufficient land reasonably necessary to accommodate the siting of new public school facilities. The need and inclusion of lands for new public school facilities shall be a coordinated process between the affected public school districts and the local government that has the authority to approve the urban growth boundary;

(b) Amend its comprehensive plan, regional framework plan, functional plan or land use regulations to include new measures that demonstrably increase the likelihood that residential development will occur at densities sufficient to accommodate housing needs for the next 20 years without

expansion of the urban growth boundary. A local government or metropolitan service district that takes this action shall monitor and record the level of development activity and development density by housing type following the date of the adoption of the new measures; or

(c) Adopt a combination of the actions described in paragraphs (a) and (b) of this subsection.

(7) Using the analysis conducted under subsection (3)(b) of this section, the local government shall determine the overall average density and overall mix of housing types at which residential development of needed housing types must occur in order to meet housing needs over the next 20 years. If that density is greater than the actual density of development determined under subsection (5)(a)(A) of this section, or if that mix is different from the actual mix of housing types determined under subsection (5)(a)(A) of this section, the local government, as part of its periodic review, shall adopt measures that demonstrably increase the likelihood that residential development will occur at the housing types and density and at the mix of housing types required to meet housing needs over the next 20 years.

(8)(a) A local government outside a metropolitan service district that takes any actions under subsection (6) or (7) of this section shall demonstrate that the comprehensive plan and land use regulations comply with goals and rules adopted by the commission and implement ORS 197.295 to 197.314.

(b) The local government shall determine the density and mix of housing types anticipated as a result of actions taken under subsections (6) and (7) of this section and monitor and record the actual density and mix of housing types achieved. The local government shall compare actual and anticipated density and mix. The local government shall submit its comparison to the commission at the next [*periodic review or at the next legislative*] review of its urban growth boundary[, *whichever comes first*] **under subsection (2)(a) of this section.**

(9) In establishing that actions and measures adopted under subsections (6) and (7) of this section demonstrably increase the likelihood of higher density residential development, the local government shall at a minimum ensure that land zoned for needed housing is in locations appropriate for the housing types identified under subsection (3) of this section and is zoned at density ranges that are likely to be achieved by the housing market using the analysis in subsection (3) of this section. Actions or measures, or both, may include but are not limited to:

(a) Increases in the permitted density on existing residential land;

(b) Financial incentives for higher density housing;

(c) Provisions permitting additional density beyond that generally allowed in the zoning district in exchange for amenities and features provided by the developer;

(d) Removal or easing of approval standards or procedures;

(e) Minimum density ranges;

(f) Redevelopment and infill strategies;

(g) Authorization of housing types not previously allowed by the plan or regulations;

(h) Adoption of an average residential density standard; and

(i) Rezoning or redesignation of nonresidential land.

(10)(a) The provisions of this subsection apply to local government comprehensive plans for lands within the urban growth boundary of a city that is located outside of a metropolitan service district and has a population of less than 25,000.

(b) [*At periodic review pursuant to ORS 197.628 to 197.651 or at any other legislative review of the comprehensive plan that requires the application of a statewide planning goal relating to buildable lands for residential use.*] **As required under paragraph (c) of this subsection,** a city shall, according to rules of the commission:

(A) Determine the estimated housing needs within the jurisdiction for the next 20 years;

(B) Inventory the supply of buildable lands available within the urban growth boundary to accommodate the estimated housing needs determined under this subsection; and

(C) Adopt measures necessary to accommodate the estimated housing needs determined under this subsection.

(c) The actions required under paragraph (b) of this subsection shall be undertaken:

- (A) At periodic review pursuant to ORS 197.628 to 197.651;
- (B) On a schedule established by the commission for cities with a population greater than 10,000, not to exceed once each eight years; or
- (C) At any other legislative review of the comprehensive plan that requires the application of a statewide planning goal relating to buildable lands for residential use.

[(c)] (d) For the purpose of the inventory described in this subsection, "buildable lands" includes those lands described in subsection (4)(a) of this section.

SECTION 8a. If House Bill 2001 becomes law, section 8 of this 2019 Act (amending ORS 197.296) is repealed and ORS 197.296, as amended by section 5, chapter _____, Oregon Laws 2019 (Enrolled House Bill 2001), is amended to read:

197.296. (1)(a) The provisions of subsections (2) to (9) of this section apply to metropolitan service district regional framework plans and local government comprehensive plans for lands within the urban growth boundary of a city that is located outside of a metropolitan service district and has a population of 25,000 or more.

(b) The Land Conservation and Development Commission may establish a set of factors under which additional cities are subject to the provisions of this section. In establishing the set of factors required under this paragraph, the commission shall consider the size of the city, the rate of population growth of the city or the proximity of the city to another city with a population of 25,000 or more or to a metropolitan service district.

(2)(a) [At periodic review pursuant to ORS 197.628 to 197.651 or at any other legislative review of the comprehensive plan or regional framework plan that concerns the urban growth boundary and requires the application of a statewide planning goal relating to buildable lands for residential use,] A local government shall demonstrate that its comprehensive plan or regional framework plan provides sufficient buildable lands within the urban growth boundary established pursuant to statewide planning goals to accommodate estimated housing needs for 20 years:

(A) At periodic review under ORS 197.628 to 197.651;

(B) As scheduled by the commission:

(i) At least once each eight years for local governments that are not within a metropolitan service district; or

(ii) At least once each six years for a metropolitan service district; or

(C) At any other legislative review of the comprehensive plan or regional framework plan that concerns the urban growth boundary and requires the application of a statewide planning goal relating to buildable lands for residential use.

(b) The 20-year period shall commence on the date initially scheduled for completion of the [periodic or legislative] review under paragraph (a) of this subsection.

(3) In performing the duties under subsection (2) of this section, a local government shall:

(a) Inventory the supply of buildable lands within the urban growth boundary and determine the housing capacity of the buildable lands; and

(b) Conduct an analysis of existing and projected housing need by type and density range, in accordance with all factors under ORS 197.303 and statewide planning goals and rules relating to housing, to determine the number of units and amount of land needed for each needed housing type for the next 20 years.

(4)(a) For the purpose of the inventory described in subsection (3)(a) of this section, "buildable lands" includes:

(A) Vacant lands planned or zoned for residential use;

(B) Partially vacant lands planned or zoned for residential use;

(C) Lands that may be used for a mix of residential and employment uses under the existing planning or zoning; and

(D) Lands that may be used for residential infill or redevelopment.

(b) For the purpose of the inventory and determination of housing capacity described in subsection (3)(a) of this section, the local government must demonstrate consideration of:

(A) The extent that residential development is prohibited or restricted by local regulation and ordinance, state law and rule or federal statute and regulation;

(B) A written long term contract or easement for radio, telecommunications or electrical facilities, if the written contract or easement is provided to the local government; and

(C) The presence of a single family dwelling or other structure on a lot or parcel.

(c) Except for land that may be used for residential infill or redevelopment, a local government shall create a map or document that may be used to verify and identify specific lots or parcels that have been determined to be buildable lands.

(5)(a) Except as provided in paragraphs (b) and (c) of this subsection, the determination of housing capacity pursuant to subsection (3)(a) of this section must be based on data relating to land within the urban growth boundary that has been collected since the last review [*or six years, whichever is greater*] **under subsection (2)(a)(B) of this section.** The data shall include:

(A) The number, density and average mix of housing types of urban residential development that have actually occurred;

(B) Trends in density and average mix of housing types of urban residential development;

(C) Market factors that may substantially impact future urban residential development; and

(D) The number, density and average mix of housing types that have occurred on the buildable lands described in subsection (4)(a) of this section.

(b) A local government shall make the determination described in paragraph (a) of this subsection using a shorter time period than the time period described in paragraph (a) of this subsection if the local government finds that the shorter time period will provide more accurate and reliable data related to housing capacity. The shorter time period may not be less than three years.

(c) A local government shall use data from a wider geographic area or use a time period longer than the time period described in paragraph (a) of this subsection if the analysis of a wider geographic area or the use of a longer time period will provide more accurate, complete and reliable data relating to trends affecting housing need than an analysis performed pursuant to paragraph (a) of this subsection. The local government must clearly describe the geographic area, time frame and source of data used in a determination performed under this paragraph.

(6) If the housing need determined pursuant to subsection (3)(b) of this section is greater than the housing capacity determined pursuant to subsection (3)(a) of this section, the local government shall take one or both of the following actions to accommodate the additional housing need:

(a) Amend its urban growth boundary to include sufficient buildable lands to accommodate housing needs for the next 20 years. As part of this process, the local government shall consider the effects of measures taken pursuant to paragraph (b) of this subsection. The amendment shall include sufficient land reasonably necessary to accommodate the siting of new public school facilities. The need and inclusion of lands for new public school facilities shall be a coordinated process between the affected public school districts and the local government that has the authority to approve the urban growth boundary.

(b) Amend its comprehensive plan, regional framework plan, functional plan or land use regulations to include new measures that demonstrably increase the likelihood that residential development will occur at densities sufficient to accommodate housing needs for the next 20 years without expansion of the urban growth boundary. A local government or metropolitan service district that takes this action shall adopt findings regarding the density expectations assumed to result from measures adopted under this paragraph based upon the factors listed in ORS 197.303 (2) and data in subsection (5)(a) of this section. The density expectations may not project an increase in residential capacity above achieved density by more than three percent without quantifiable validation of such departures. For a local government located outside of a metropolitan service district, a quantifiable validation must demonstrate that the assumed housing capacity has been achieved in areas that are zoned to allow no greater than the same authorized density level within the local jurisdiction or a jurisdiction in the same region. For a metropolitan service district, a quantifiable validation must demonstrate that the assumed housing capacity has been achieved in areas that are

zoned to allow no greater than the same authorized density level within the metropolitan service district.

(c) As used in this subsection, "authorized density level" has the meaning given that term in ORS 227.175.

(7) Using the housing need analysis conducted under subsection (3)(b) of this section, the local government shall determine the overall average density and overall mix of housing types at which residential development of needed housing types must occur in order to meet housing needs over the next 20 years. If that density is greater than the actual density of development determined under subsection (5)(a)(A) of this section, or if that mix is different from the actual mix of housing types determined under subsection (5)(a)(A) of this section, the local government, as part of its periodic review, shall adopt measures that demonstrably increase the likelihood that residential development will occur at the housing types and density and at the mix of housing types required to meet housing needs over the next 20 years.

(8)(a) A local government outside a metropolitan service district that takes any actions under subsection (6) or (7) of this section shall demonstrate that the comprehensive plan and land use regulations comply with goals and rules adopted by the commission and implement ORS 197.295 to 197.314.

(b) A local government shall determine the density and mix of housing types anticipated as a result of actions taken under subsections (6) and (7) of this section and monitor and record the actual density and mix of housing types achieved following the adoption of these actions. The local government shall compare actual and anticipated density and mix. The local government shall submit its comparison to the commission at the next *[periodic review or at the next legislative]* review of its urban growth boundary, *whichever comes first* **under subsection (2)(a) of this section.**

(9) In establishing that actions and measures adopted under subsections (6) and (7) of this section demonstrably increase the likelihood of higher density residential development, the local government shall at a minimum ensure that land zoned for needed housing is in locations appropriate for the housing types identified under subsection (3) of this section, is zoned at density ranges that are likely to be achieved by the housing market using the analysis in subsection (3) of this section and is in areas where sufficient urban services are planned to enable the higher density development to occur over the 20-year period. Actions or measures, or both, may include but are not limited to:

- (a) Increases in the permitted density on existing residential land;
- (b) Financial incentives for higher density housing;
- (c) Provisions permitting additional density beyond that generally allowed in the zoning district in exchange for amenities and features provided by the developer;
- (d) Removal or easing of approval standards or procedures;
- (e) Minimum density ranges;
- (f) Redevelopment and infill strategies;
- (g) Authorization of housing types not previously allowed by the plan or regulations;
- (h) Adoption of an average residential density standard; and
- (i) Rezoning or redesignation of nonresidential land.

(10)(a) The provisions of this subsection apply to local government comprehensive plans for lands within the urban growth boundary of a city that is located outside of a metropolitan service district and has a population of less than 25,000.

(b) *[At periodic review pursuant to ORS 197.628 to 197.651 or at any other legislative review of the comprehensive plan that requires the application of a statewide planning goal relating to buildable lands for residential use,]* **As required under paragraph (c) of this subsection,** a city shall, according to rules of the commission:

- (A) Determine the estimated housing needs within the jurisdiction for the next 20 years;
- (B) Inventory the supply of buildable lands available within the urban growth boundary to accommodate the estimated housing needs determined under this subsection; and
- (C) Adopt measures necessary to accommodate the estimated housing needs determined under this subsection.

(c) **The actions required under paragraph (b) of this subsection shall be undertaken:**

(A) **At periodic review pursuant to ORS 197.628 to 197.651;**

(B) **On a schedule established by the commission for cities with a population greater than 10,000, not to exceed once each eight years; or**

(C) **At any other legislative review of the comprehensive plan that requires the application of a statewide planning goal relating to buildable lands for residential use.**

[(c)] (d) For the purpose of the inventory described in this subsection, "buildable lands" includes those lands described in subsection (4)(a) of this section.

SECTION 9. ORS 197.299 is amended to read:

197.299. (1) A metropolitan service district organized under ORS chapter 268 shall complete the inventory, determination and analysis required under ORS 197.296 (3) not later than six years after completion of the previous inventory, determination and analysis.

(2)(a) The metropolitan service district shall take such action as necessary under ORS 197.296 (6)(a) to accommodate one-half of a 20-year buildable land supply determined under ORS 197.296 (3) within one year of completing the analysis.

(b) The metropolitan service district shall take all final action under ORS 197.296 (6)(a) necessary to accommodate a 20-year buildable land supply determined under ORS 197.296 (3) within two years of completing the analysis.

(c) The metropolitan service district shall take action under ORS 197.296 (6)(b), within one year after the analysis required under ORS 197.296 (3)(b) is completed, to provide sufficient buildable land within the urban growth boundary to accommodate the estimated housing needs for 20 years from the time the actions are completed.

(d) The metropolitan service district shall consider and adopt new measures that the governing body deems appropriate under ORS 197.296 (6)(b) **and shall allocate any housing capacity that is not accommodated under this section to be accommodated by the application of ORS 197.296 (6)(b) by cities within the metropolitan service district with a population greater than 10,000.**

(e) **Cities to which housing capacity is allocated under paragraph (d) of this subsection shall take steps, at least once every six years as scheduled by the Land Conservation and Development Commission, to demonstrably increase the likelihood that residential development will occur at densities sufficient to accommodate housing needs for the next 20 years as required by ORS 197.296 (6)(b).**

(3) The [*Land Conservation and Development*] commission may grant an extension to the time limits of subsection (2) of this section if the Director of the Department of Land Conservation and Development determines that the metropolitan service district has provided good cause for failing to meet the time limits.

(4)(a) The metropolitan service district shall establish a process to expand the urban growth boundary to accommodate a need for land for a public school that cannot reasonably be accommodated within the existing urban growth boundary. The metropolitan service district shall design the process to:

(A) Accommodate a need that must be accommodated between periodic analyses of urban growth boundary capacity required by subsection (1) of this section; and

(B) Provide for a final decision on a proposal to expand the urban growth boundary within four months after submission of a complete application by a large school district as defined in ORS 195.110.

(b) At the request of a large school district, the metropolitan service district shall assist the large school district to identify school sites required by the school facility planning process described in ORS 195.110. A need for a public school is a specific type of identified land need under ORS 197.298 (3).

(5) Three years after completing its most recent demonstration of sufficient buildable lands under ORS 197.296, a metropolitan service district may, on a single occasion, revise the determination

and analysis required as part of the demonstration for the purpose of considering an amendment to the metropolitan service district's urban growth boundary, provided:

(a) The metropolitan service district has entered into an intergovernmental agreement and has designated rural reserves and urban reserves under ORS 195.141 and 195.145 with each county located within the district;

(b) The commission has acknowledged the rural reserve and urban reserve designations described in paragraph (a) of this subsection;

(c) One or more cities within the metropolitan service district have proposed a development that would require expansion of the urban growth boundary;

(d) The city or cities proposing the development have provided evidence to the metropolitan service district that the proposed development would provide additional needed housing to the needed housing included in the most recent determination and analysis;

(e) The location chosen for the proposed development is adjacent to the city proposing the development; and

(f) The location chosen for the proposed development is located within an area designated and acknowledged as an urban reserve.

(6)(a) If a metropolitan service district, after revising its most recent determination and analysis pursuant to subsection (5) of this section, concludes that an expansion of its urban growth boundary is warranted, the metropolitan service district may take action to expand its urban growth boundary in one or more locations to accommodate the proposed development, provided the urban growth boundary expansion does not exceed a total of 1,000 acres.

(b) A metropolitan service district that expands its urban growth boundary under this subsection:

(A) Must adopt the urban growth boundary expansion not more than four years after completing its most recent demonstration of sufficient buildable lands under ORS 197.296; and

(B) Is exempt from the boundary location requirements described in the statewide land use planning goals relating to urbanization.

SECTION 10. ORS 197.303 is amended to read:

197.303. (1) As used in ORS [197.307] **197.295 to 197.314**, "needed housing" means all housing on land zoned for residential use or mixed residential and commercial use that is determined to meet the need shown for housing within an urban growth boundary at price ranges and rent levels that are affordable to households within the county with a variety of incomes, including but not limited to households with low incomes, very low incomes and extremely low incomes, as those terms are defined by the United States Department of Housing and Urban Development under 42 U.S.C. 1437a. "Needed housing" includes the following housing types:

(a) Attached and detached single-family housing and multiple family housing for both owner and renter occupancy;

(b) Government assisted housing;

(c) Mobile home or manufactured dwelling parks as provided in ORS 197.475 to 197.490;

(d) Manufactured homes on individual lots planned and zoned for single-family residential use that are in addition to lots within designated manufactured dwelling subdivisions; and

(e) Housing for farmworkers.

(2) Subsection (1)(a) and (d) of this section does not apply to:

(a) A city with a population of less than 2,500.

(b) A county with a population of less than 15,000.

(3) A local government may take an exception under ORS 197.732 to the definition of "needed housing" in subsection (1) of this section in the same manner that an exception may be taken under the goals.

SECTION 10a. If House Bill 2001 becomes law, section 10 of this 2019 Act (amending ORS 197.303) is repealed and ORS 197.303, as amended by section 6, chapter _____, Oregon Laws 2019 (Enrolled House Bill 2001), is amended to read:

197.303. (1) As used in ORS 197.295 to 197.314, "needed housing" means all housing on land zoned for residential use or mixed residential and commercial use that is determined to meet the need shown for housing within an urban growth boundary at price ranges and rent levels that are affordable to households within the county with a variety of incomes, including but not limited to households with low incomes, very low incomes and extremely low incomes, as those terms are defined by the United States Department of Housing and Urban Development under 42 U.S.C. 1437a. "Needed housing" includes the following housing types:

(a) Attached and detached single-family housing and multiple family housing for both owner and renter occupancy;

(b) Government assisted housing;

(c) Mobile home or manufactured dwelling parks as provided in ORS 197.475 to 197.490;

(d) Manufactured homes on individual lots planned and zoned for single-family residential use that are in addition to lots within designated manufactured dwelling subdivisions; and

(e) Housing for farmworkers.

(2) For the purpose of estimating housing needs, as described in ORS 197.296 (3)(b), a local government shall use the population projections prescribed by ORS 195.033 or 195.036 and shall consider and adopt findings related to changes in each of the following factors since the last [*periodic or legislative review or six years, whichever is greater,*] **review under ORS 197.296 (2)(a)(B)** and the projected future changes in these factors over a 20-year planning period:

(a) Household sizes;

(b) Household demographics [*in terms of age, gender, race or other established demographic category*];

(c) Household incomes;

(d) Vacancy rates; and

(e) Housing costs.

(3) A local government shall make the estimate described in subsection (2) of this section using a shorter time period than since the last [*periodic or legislative review or six years, whichever is greater,*] **review under ORS 197.296 (2)(a)(B)** if the local government finds that the shorter time period will provide more accurate and reliable data related to housing need. The shorter time period may not be less than three years.

(4) A local government shall use data from a wider geographic area or use a time period longer than the time period described in subsection (2) of this section if the analysis of a wider geographic area or the use of a longer time period will provide more accurate, complete and reliable data relating to trends affecting housing need than an analysis performed pursuant to subsection (2) of this section. The local government must clearly describe the geographic area, time frame and source of data used in an estimate performed under this subsection.

(5) Subsection (1)(a) and (d) of this section does not apply to:

(a) A city with a population of less than 2,500.

(b) A county with a population of less than 15,000.

(6) A local government may take an exception under ORS 197.732 to the definition of "needed housing" in subsection (1) of this section in the same manner that an exception may be taken under the goals.

SECTION 11. ORS 197.319 is amended to read:

197.319. (1) Before a person may request adoption of an enforcement order under ORS 197.320, the person shall:

(a) Present the reasons, in writing, for such an order to the affected local government; and

(b) Request:

(A) Revisions to the local comprehensive plan, land use regulations, special district cooperative or urban service agreement or decision-making process which is the basis for the order; or

(B) That an action be taken regarding the local comprehensive plan, land use regulations, special district agreement, **housing production strategy** or decision-making process that is the basis for the order.

(2)(a) The local government or special district shall issue a written response to the request within 60 days of the date the request is mailed to the local government or special district.

(b) The requestor and the local government or special district may enter into mediation to resolve issues in the request. The Department of Land Conservation and Development shall provide mediation services when jointly requested by the local government or special district and the requestor.

(c) If the local government or special district does not act in a manner which the requestor believes is adequate to address the issues raised in the request within the time period provided in paragraph (a) of this subsection, a petition may be presented to the Land Conservation and Development Commission under ORS 197.324.

(3) A metropolitan service district may request an enforcement order under ORS 197.320 (12) without first complying with subsections (1) and (2) of this section.

SECTION 12. ORS 197.320 is amended to read:

197.320. The Land Conservation and Development Commission shall issue an order requiring a local government, state agency or special district to take action necessary to bring its comprehensive plan, land use regulation, limited land use decisions or other land use decisions **or actions** into compliance with the goals, acknowledged comprehensive plan provisions, [or] land use regulations **or housing production strategy** if the commission has good cause to believe:

(1) A comprehensive plan or land use regulation adopted by a local government not on a compliance schedule is not in compliance with the goals by the date set in ORS 197.245 or 197.250 for such compliance;

(2) A plan, program, rule or regulation affecting land use adopted by a state agency or special district is not in compliance with the goals by the date set in ORS 197.245 or 197.250 for such compliance;

(3) A local government is not making satisfactory progress toward performance of its compliance schedule;

(4) A state agency is not making satisfactory progress in carrying out its coordination agreement or the requirements of ORS 197.180;

(5) A local government has no comprehensive plan or land use regulation and is not on a compliance schedule directed to developing the plan or regulation;

(6) A local government has engaged in a pattern or practice of decision making that violates an acknowledged comprehensive plan or land use regulation. In making its determination under this subsection, the commission shall determine whether there is evidence in the record to support the decisions made. The commission shall not judge the issue solely upon adequacy of the findings in support of the decisions;

(7) A local government has failed to comply with a commission order entered under ORS 197.644;

(8) A special district has engaged in a pattern or practice of decision-making that violates an acknowledged comprehensive plan or cooperative agreement adopted pursuant to ORS 197.020;

(9) A special district is not making satisfactory progress toward performance of its obligations under ORS chapters 195 and 197;

(10) A local government's approval standards, special conditions on approval of specific development proposals or procedures for approval do not comply with ORS 197.307 (4) or (6);

(11) A local government is not making satisfactory progress toward meeting its obligations under ORS 195.065; [or]

(12) A local government within the jurisdiction of a metropolitan service district has failed to make changes to the comprehensive plan or land use regulations to comply with the regional framework plan of the district or has engaged in a pattern or practice of decision-making that violates a requirement of the regional framework plan[.]; **or**

(13) A city is not making satisfactory progress in taking actions listed in its housing production strategy under section 4 of this 2019 Act.

SECTION 13. Section 1, chapter 47, Oregon Laws 2018, is amended to read:

Sec. 1. (1) For purposes of this section:

(a) A household is severely rent burdened if the household spends more than 50 percent of the income of the household on gross rent for housing.

(b) A regulated affordable unit is a residential unit subject to a regulatory agreement that runs with the land and that requires affordability for an established income level for a defined period of time.

(c) A single-family unit may be rented or owned by a household and includes single-family homes, duplexes, townhomes, row homes and mobile homes.

(2)(a) The Housing and Community Services Department shall annually provide to the governing body of each city in this state with a population greater than 10,000 the most current data available from the United States Census Bureau, or any other source the department considers at least as reliable, showing the percentage of renter households in the city that are severely rent burdened.

(b) *[The Housing and Community Services Department, in collaboration with]* The Department of Land Conservation and Development, **in consultation with the Housing and Community Services Department**, shall develop a survey form on which the governing body of a city may provide specific information related to the affordability of housing within the city, including~~], but not limited to:]~~

[(A)] the actions relating to land use and other related matters that the *[governing body]* city has taken to **encourage the development of needed housing**, increase the affordability of housing and reduce rent burdens for severely rent burdened households~~]; and].~~

[(B)] *The additional actions the governing body intends to take to reduce rent burdens for severely rent burdened households.]*

(c) *[If the Housing and Community Services Department determines that at least 25 percent of the renter households in a city are severely rent burdened,]* The Department of Land Conservation and Development shall provide the governing body of the city with the survey form developed pursuant to paragraph (b) of this subsection.

(d) The governing body of the city shall return the completed survey form to the *[Housing and Community Services Department and the]* Department of Land Conservation and Development *[within 60 days of receipt]* **at least 24 months prior to a deadline for completing a housing production strategy under section 4 of this 2019 Act.**

(3)(a) In any year in which the governing body of a city is informed under this section that at least 25 percent of the renter households in the city are severely rent burdened, the governing body shall hold at least one public meeting to discuss the causes and consequences of severe rent burdens within the city, the barriers to reducing rent burdens and possible solutions.

(b) The Housing and Community Services Department may adopt rules governing the conduct of the public meeting required under this subsection.

(4) No later than February 1 of each year, the governing body of each city in this state with a population greater than 10,000 shall submit to the Department of Land Conservation and Development a report for the immediately preceding calendar year setting forth separately for each of the following categories the total number of units that were permitted and the total number that were produced:

- (a) Residential units.
- (b) Regulated affordable residential units.
- (c) Multifamily residential units.
- (d) Regulated affordable multifamily residential units.
- (e) Single-family units.
- (f) Regulated affordable single-family units.

SECTION 14. Section 15 of this 2019 Act is added to and made a part of ORS chapter 197.

SECTION 15. (1) As used in this section, "public property" means all real property of the state, counties, cities, incorporated towns or villages, school districts, irrigation districts, drainage districts, ports, water districts, service districts, metropolitan service districts, housing authorities, public universities listed in ORS 352.002 or all other public or municipal corporations in this state.

(2) Notwithstanding any land use regulation, comprehensive plan, or statewide land use planning goal, a local government may allow the development of housing on public property provided:

(a) The real property is not inventoried as a park or open space as a protective measure pursuant to a statewide land use planning goal;

(b) The real property is located within the urban growth boundary;

(c) The real property is zoned for residential development or adjacent to parcels zoned for residential development;

(d) The housing complies with applicable land use regulations and meets the standards and criteria for residential development for the underlying zone of the land or the adjacent residential land described in paragraph (c) of this subsection;

(e) At least 50 percent of the residential units provided under this section is affordable to households with incomes equal to or less than 60 percent of the area median income, as defined in ORS 456.270; and

(f) The affordability of the residential units described in paragraph (e) of this subsection is subject to an affordable housing covenant, as described in ORS 456.270 to 456.295, held by the local government or the Housing and Community Services Department and with a duration of no less than 60 years.

(3) Notwithstanding any statewide land use planning goal, a local government may amend its comprehensive plan and land use regulations to allow public property to be used for the purposes described in subsection (2) of this section.

SECTION 16. Notwithstanding ORS 197.646, a local government required to comply with the amendments to ORS 197.312 by section 6, chapter 745, Oregon Laws 2017, shall adopt land use regulations, or adopt amendments to its comprehensive plan, to comply with the amendments to ORS 197.312 by section 6, chapter 745, Oregon Laws 2017, no later than the effective date of this 2019 Act.

SECTION 17. ORS 215.416 is amended to read:

215.416. (1) When required or authorized by the ordinances, rules and regulations of a county, an owner of land may apply in writing to such persons as the governing body designates, for a permit, in the manner prescribed by the governing body. The governing body shall establish fees charged for processing permits at an amount no more than the actual or average cost of providing that service.

(2) The governing body shall establish a consolidated procedure by which an applicant may apply at one time for all permits or zone changes needed for a development project. The consolidated procedure shall be subject to the time limitations set out in ORS 215.427. The consolidated procedure shall be available for use at the option of the applicant no later than the time of the first periodic review of the comprehensive plan and land use regulations.

(3) Except as provided in subsection (11) of this section, the hearings officer shall hold at least one public hearing on the application.

(4)(a) A county may not approve an application if the proposed use of land is found to be in conflict with the comprehensive plan of the county and other applicable land use regulation or ordinance provisions. The approval may include such conditions as are authorized by statute or county legislation.

(b)(A) A county may not deny an application for a housing development located within the urban growth boundary if the development complies with clear and objective standards, including but not limited to clear and objective design standards contained in the county comprehensive plan or land use regulations.

(B) This paragraph does not apply to:

(i) Applications or permits for residential development in areas described in ORS 197.307 (5); or

(ii) Applications or permits reviewed under an alternative approval process adopted under ORS 197.307 (6).

(c) A county may not [*reduce the density of*] **condition** an application for a housing development **on a reduction in density** if:

(A) The density applied for is at or below the authorized density level under the local land use regulations; and

(B) At least 75 percent of the floor area applied for is reserved for housing.

(d) A county may not [*reduce the height of*] **condition** an application for a housing development **on a reduction in height** if:

(A) The height applied for is at or below the authorized height level under the local land use regulations;

(B) At least 75 percent of the floor area applied for is reserved for housing; and

(C) Reducing the height has the effect of reducing the authorized density level under local land use regulations.

(e) Notwithstanding paragraphs (c) and (d) of this subsection, a county may [*reduce the density or height of*] **condition** an application for a housing development **on a reduction in density or height only** if the reduction is necessary to resolve a health, safety or habitability issue or to comply with a protective measure adopted pursuant to a statewide land use planning goal. **Notwithstanding ORS 197.350, the county must adopt findings supported by substantial evidence demonstrating the necessity of the reduction.**

(f) As used in this subsection:

(A) "Authorized density level" means the maximum number of lots or dwelling units or the maximum floor area ratio that is permitted under local land use regulations.

(B) "Authorized height level" means the maximum height of a structure that is permitted under local land use regulations.

(C) "Habitability" means being in compliance with the applicable provisions of the state building code under ORS chapter 455 and the rules adopted thereunder.

(5) Hearings under this section shall be held only after notice to the applicant and also notice to other persons as otherwise provided by law and shall otherwise be conducted in conformance with the provisions of ORS 197.763.

(6) Notice of a public hearing on an application submitted under this section shall be provided to the owner of an airport defined by the Oregon Department of Aviation as a "public use airport" if:

(a) The name and address of the airport owner has been provided by the Oregon Department of Aviation to the county planning authority; and

(b) The property subject to the land use hearing is:

(A) Within 5,000 feet of the side or end of a runway of an airport determined by the Oregon Department of Aviation to be a "visual airport"; or

(B) Within 10,000 feet of the side or end of the runway of an airport determined by the Oregon Department of Aviation to be an "instrument airport."

(7) Notwithstanding the provisions of subsection (6) of this section, notice of a land use hearing need not be provided as set forth in subsection (6) of this section if the zoning permit would only allow a structure less than 35 feet in height and the property is located outside the runway "approach surface" as defined by the Oregon Department of Aviation.

(8)(a) Approval or denial of a permit application shall be based on standards and criteria which shall be set forth in the zoning ordinance or other appropriate ordinance or regulation of the county and which shall relate approval or denial of a permit application to the zoning ordinance and comprehensive plan for the area in which the proposed use of land would occur and to the zoning ordinance and comprehensive plan for the county as a whole.

(b) When an ordinance establishing approval standards is required under ORS 197.307 to provide only clear and objective standards, the standards must be clear and objective on the face of the ordinance.

(9) Approval or denial of a permit or expedited land division shall be based upon and accompanied by a brief statement that explains the criteria and standards considered relevant to the deci-

sion, states the facts relied upon in rendering the decision and explains the justification for the decision based on the criteria, standards and facts set forth.

(10) Written notice of the approval or denial shall be given to all parties to the proceeding.

(11)(a)(A) The hearings officer or such other person as the governing body designates may approve or deny an application for a permit without a hearing if the hearings officer or other designated person gives notice of the decision and provides an opportunity for any person who is adversely affected or aggrieved, or who is entitled to notice under paragraph (c) of this subsection, to file an appeal.

(B) Written notice of the decision shall be mailed to those persons described in paragraph (c) of this subsection.

(C) Notice under this subsection shall comply with ORS 197.763 (3)(a), (c), (g) and (h) and shall describe the nature of the decision. In addition, the notice shall state that any person who is adversely affected or aggrieved or who is entitled to written notice under paragraph (c) of this subsection may appeal the decision by filing a written appeal in the manner and within the time period provided in the county's land use regulations. A county may not establish an appeal period that is less than 12 days from the date the written notice of decision required by this subsection was mailed. The notice shall state that the decision will not become final until the period for filing a local appeal has expired. The notice also shall state that a person who is mailed written notice of the decision cannot appeal the decision directly to the Land Use Board of Appeals under ORS 197.830.

(D) An appeal from a hearings officer's decision made without hearing under this subsection shall be to the planning commission or governing body of the county. An appeal from such other person as the governing body designates shall be to a hearings officer, the planning commission or the governing body. In either case, the appeal shall be to a de novo hearing.

(E) The de novo hearing required by subparagraph (D) of this paragraph shall be the initial evidentiary hearing required under ORS 197.763 as the basis for an appeal to the Land Use Board of Appeals. At the de novo hearing:

(i) The applicant and other parties shall have the same opportunity to present testimony, arguments and evidence as they would have had in a hearing under subsection (3) of this section before the decision;

(ii) The presentation of testimony, arguments and evidence shall not be limited to issues raised in a notice of appeal; and

(iii) The decision maker shall consider all relevant testimony, arguments and evidence that are accepted at the hearing.

(b) If a local government provides only a notice of the opportunity to request a hearing, the local government may charge a fee for the initial hearing. The maximum fee for an initial hearing shall be the cost to the local government of preparing for and conducting the appeal, or \$250, whichever is less. If an appellant prevails at the hearing or upon subsequent appeal, the fee for the initial hearing shall be refunded. The fee allowed in this paragraph shall not apply to appeals made by neighborhood or community organizations recognized by the governing body and whose boundaries include the site.

(c)(A) Notice of a decision under paragraph (a) of this subsection shall be provided to the applicant and to the owners of record of property on the most recent property tax assessment roll where such property is located:

(i) Within 100 feet of the property that is the subject of the notice when the subject property is wholly or in part within an urban growth boundary;

(ii) Within 250 feet of the property that is the subject of the notice when the subject property is outside an urban growth boundary and not within a farm or forest zone; or

(iii) Within 750 feet of the property that is the subject of the notice when the subject property is within a farm or forest zone.

(B) Notice shall also be provided to any neighborhood or community organization recognized by the governing body and whose boundaries include the site.

(C) At the discretion of the applicant, the local government also shall provide notice to the Department of Land Conservation and Development.

(12) A decision described in ORS 215.402 (4)(b) shall:

(a) Be entered in a registry available to the public setting forth:

(A) The street address or other easily understood geographic reference to the subject property;

(B) The date of the decision; and

(C) A description of the decision made.

(b) Be subject to the jurisdiction of the Land Use Board of Appeals in the same manner as a limited land use decision.

(c) Be subject to the appeal period described in ORS 197.830 (5)(b).

(13) At the option of the applicant, the local government shall provide notice of the decision described in ORS 215.402 (4)(b) in the manner required by ORS 197.763 (2), in which case an appeal to the board shall be filed within 21 days of the decision. The notice shall include an explanation of appeal rights.

(14) Notwithstanding the requirements of this section, a limited land use decision shall be subject to the requirements set forth in ORS 197.195 and 197.828.

SECTION 18. ORS 227.175 is amended to read:

227.175. (1) When required or authorized by a city, an owner of land may apply in writing to the hearings officer, or such other person as the city council designates, for a permit or zone change, upon such forms and in such a manner as the city council prescribes. The governing body shall establish fees charged for processing permits at an amount no more than the actual or average cost of providing that service.

(2) The governing body of the city shall establish a consolidated procedure by which an applicant may apply at one time for all permits or zone changes needed for a development project. The consolidated procedure shall be subject to the time limitations set out in ORS 227.178. The consolidated procedure shall be available for use at the option of the applicant no later than the time of the first periodic review of the comprehensive plan and land use regulations.

(3) Except as provided in subsection (10) of this section, the hearings officer shall hold at least one public hearing on the application.

(4)(a) A city may not approve an application unless the proposed development of land would be in compliance with the comprehensive plan for the city and other applicable land use regulation or ordinance provisions. The approval may include such conditions as are authorized by ORS 227.215 or any city legislation.

(b)(A) A city may not deny an application for a housing development located within the urban growth boundary if the development complies with clear and objective standards, including [*but not limited to*] clear and objective design standards contained in the city comprehensive plan or land use regulations.

(B) This paragraph does not apply to:

(i) Applications or permits for residential development in areas described in ORS 197.307 (5); or

(ii) Applications or permits reviewed under an alternative approval process adopted under ORS 197.307 (6).

(c) A city may not [*reduce the density of*] **condition** an application for a housing development **on a reduction in density** if:

(A) The density applied for is at or below the authorized density level under the local land use regulations; and

(B) At least 75 percent of the floor area applied for is reserved for housing.

(d) A city may not [*reduce the height of*] **condition** an application for a housing development **on a reduction in height** if:

(A) The height applied for is at or below the authorized height level under the local land use regulations;

(B) At least 75 percent of the floor area applied for is reserved for housing; and

(C) Reducing the height has the effect of reducing the authorized density level under local land use regulations.

(e) Notwithstanding paragraphs (c) and (d) of this subsection, a city may [*reduce the density or height of*] **condition** an application for a housing development **on a reduction in density or height only** if the reduction is necessary to resolve a health, safety or habitability issue or to comply with a protective measure adopted pursuant to a statewide land use planning goal. **Notwithstanding ORS 197.350, the city must adopt findings supported by substantial evidence demonstrating the necessity of the reduction.**

(f) As used in this subsection:

(A) "Authorized density level" means the maximum number of lots or dwelling units or the maximum floor area ratio that is permitted under local land use regulations.

(B) "Authorized height level" means the maximum height of a structure that is permitted under local land use regulations.

(C) "Habitability" means being in compliance with the applicable provisions of the state building code under ORS chapter 455 and the rules adopted thereunder.

(5) Hearings under this section may be held only after notice to the applicant and other interested persons and shall otherwise be conducted in conformance with the provisions of ORS 197.763.

(6) Notice of a public hearing on a zone use application shall be provided to the owner of an airport, defined by the Oregon Department of Aviation as a "public use airport" if:

(a) The name and address of the airport owner has been provided by the Oregon Department of Aviation to the city planning authority; and

(b) The property subject to the zone use hearing is:

(A) Within 5,000 feet of the side or end of a runway of an airport determined by the Oregon Department of Aviation to be a "visual airport"; or

(B) Within 10,000 feet of the side or end of the runway of an airport determined by the Oregon Department of Aviation to be an "instrument airport."

(7) Notwithstanding the provisions of subsection (6) of this section, notice of a zone use hearing need only be provided as set forth in subsection (6) of this section if the permit or zone change would only allow a structure less than 35 feet in height and the property is located outside of the runway "approach surface" as defined by the Oregon Department of Aviation.

(8) If an application would change the zone of property that includes all or part of a mobile home or manufactured dwelling park as defined in ORS 446.003, the governing body shall give written notice by first class mail to each existing mailing address for tenants of the mobile home or manufactured dwelling park at least 20 days but not more than 40 days before the date of the first hearing on the application. The governing body may require an applicant for such a zone change to pay the costs of such notice.

(9) The failure of a tenant or an airport owner to receive a notice which was mailed shall not invalidate any zone change.

(10)(a)(A) The hearings officer or such other person as the governing body designates may approve or deny an application for a permit without a hearing if the hearings officer or other designated person gives notice of the decision and provides an opportunity for any person who is adversely affected or aggrieved, or who is entitled to notice under paragraph (c) of this subsection, to file an appeal.

(B) Written notice of the decision shall be mailed to those persons described in paragraph (c) of this subsection.

(C) Notice under this subsection shall comply with ORS 197.763 (3)(a), (c), (g) and (h) and shall describe the nature of the decision. In addition, the notice shall state that any person who is adversely affected or aggrieved or who is entitled to written notice under paragraph (c) of this subsection may appeal the decision by filing a written appeal in the manner and within the time period provided in the city's land use regulations. A city may not establish an appeal period that is less than 12 days from the date the written notice of decision required by this subsection was mailed. The notice shall state that the decision will not become final until the period for filing a local ap-

peal has expired. The notice also shall state that a person who is mailed written notice of the decision cannot appeal the decision directly to the Land Use Board of Appeals under ORS 197.830.

(D) An appeal from a hearings officer's decision made without hearing under this subsection shall be to the planning commission or governing body of the city. An appeal from such other person as the governing body designates shall be to a hearings officer, the planning commission or the governing body. In either case, the appeal shall be to a de novo hearing.

(E) The de novo hearing required by subparagraph (D) of this paragraph shall be the initial evidentiary hearing required under ORS 197.763 as the basis for an appeal to the Land Use Board of Appeals. At the de novo hearing:

(i) The applicant and other parties shall have the same opportunity to present testimony, arguments and evidence as they would have had in a hearing under subsection (3) of this section before the decision;

(ii) The presentation of testimony, arguments and evidence shall not be limited to issues raised in a notice of appeal; and

(iii) The decision maker shall consider all relevant testimony, arguments and evidence that are accepted at the hearing.

(b) If a local government provides only a notice of the opportunity to request a hearing, the local government may charge a fee for the initial hearing. The maximum fee for an initial hearing shall be the cost to the local government of preparing for and conducting the appeal, or \$250, whichever is less. If an appellant prevails at the hearing or upon subsequent appeal, the fee for the initial hearing shall be refunded. The fee allowed in this paragraph shall not apply to appeals made by neighborhood or community organizations recognized by the governing body and whose boundaries include the site.

(c)(A) Notice of a decision under paragraph (a) of this subsection shall be provided to the applicant and to the owners of record of property on the most recent property tax assessment roll where such property is located:

(i) Within 100 feet of the property that is the subject of the notice when the subject property is wholly or in part within an urban growth boundary;

(ii) Within 250 feet of the property that is the subject of the notice when the subject property is outside an urban growth boundary and not within a farm or forest zone; or

(iii) Within 750 feet of the property that is the subject of the notice when the subject property is within a farm or forest zone.

(B) Notice shall also be provided to any neighborhood or community organization recognized by the governing body and whose boundaries include the site.

(C) At the discretion of the applicant, the local government also shall provide notice to the Department of Land Conservation and Development.

(11) A decision described in ORS 227.160 (2)(b) shall:

(a) Be entered in a registry available to the public setting forth:

(A) The street address or other easily understood geographic reference to the subject property;

(B) The date of the decision; and

(C) A description of the decision made.

(b) Be subject to the jurisdiction of the Land Use Board of Appeals in the same manner as a limited land use decision.

(c) Be subject to the appeal period described in ORS 197.830 (5)(b).

(12) At the option of the applicant, the local government shall provide notice of the decision described in ORS 227.160 (2)(b) in the manner required by ORS 197.763 (2), in which case an appeal to the board shall be filed within 21 days of the decision. The notice shall include an explanation of appeal rights.

(13) Notwithstanding other requirements of this section, limited land use decisions shall be subject to the requirements set forth in ORS 197.195 and 197.828.

SECTION 19. ORS 215.441 is amended to read:

215.441. (1) If a church, synagogue, temple, mosque, chapel, meeting house or other nonresidential place of worship is allowed on real property under state law and rules and local zoning ordinances and regulations, a county shall allow the reasonable use of the real property for activities customarily associated with the practices of the religious activity, including:

- (a) Worship services.
- (b) Religion classes.
- (c) Weddings.
- (d) Funerals.
- (e) Meal programs.
- (f) Child care, but not including private or parochial school education for prekindergarten through grade 12 or higher education.

(g) Providing housing or space for housing in a building **or buildings** that [is] **are** detached from the place of worship, provided:

(A) At least 50 percent of the residential units provided under this paragraph are affordable to households with incomes equal to or less than 60 percent of the median family income for the county in which the real property is located;

(B) The real property is in an area zoned for residential use that is located within the urban growth boundary; and

(C) The housing or space for housing complies with applicable land use regulations and meets the standards and criteria for residential development for the underlying zone.

(2) A county may:

(a) Subject real property described in subsection (1) of this section to reasonable regulations, including site review or design review, concerning the physical characteristics of the uses authorized under subsection (1) of this section; or

(b) Prohibit or restrict the use of real property by a place of worship described in subsection (1) of this section if the county finds that the level of service of public facilities, including transportation, water supply, sewer and storm drain systems is not adequate to serve the place of worship described in subsection (1) of this section.

(3) Notwithstanding any other provision of this section, a county may allow a private or parochial school for prekindergarten through grade 12 or higher education to be sited under applicable state law and rules and local zoning ordinances and regulations.

(4) Housing and space for housing provided under subsection (1)(g) of this section must be subject to a covenant appurtenant that restricts the owner and each successive owner of [the] a building or any residential unit contained in [the] a building from selling or renting any residential unit described in subsection (1)(g)(A) of this section as housing that is not affordable to households with incomes equal to or less than 60 percent of the median family income for the county in which the real property is located for a period of 60 years from the date of the certificate of occupancy.

SECTION 20. ORS 227.500 is amended to read:

227.500. (1) If a church, synagogue, temple, mosque, chapel, meeting house or other nonresidential place of worship is allowed on real property under state law and rules and local zoning ordinances and regulations, a city shall allow the reasonable use of the real property for activities customarily associated with the practices of the religious activity, including:

- (a) Worship services.
- (b) Religion classes.
- (c) Weddings.
- (d) Funerals.
- (e) Meal programs.
- (f) Child care, but not including private or parochial school education for prekindergarten through grade 12 or higher education.

(g) Providing housing or space for housing in a building **or buildings** that [is] **are** detached from the place of worship, provided:

(A) At least 50 percent of the residential units provided under this paragraph are affordable to households with incomes equal to or less than 60 percent of the median family income for the county in which the real property is located;

(B) The real property is in an area zoned for residential use that is located within the urban growth boundary; and

(C) The housing or space for housing complies with applicable land use regulations and meets the standards and criteria for residential development for the underlying zone.

(2) A city may:

(a) Subject real property described in subsection (1) of this section to reasonable regulations, including site review and design review, concerning the physical characteristics of the uses authorized under subsection (1) of this section; or

(b) Prohibit or regulate the use of real property by a place of worship described in subsection (1) of this section if the city finds that the level of service of public facilities, including transportation, water supply, sewer and storm drain systems is not adequate to serve the place of worship described in subsection (1) of this section.

(3) Notwithstanding any other provision of this section, a city may allow a private or parochial school for prekindergarten through grade 12 or higher education to be sited under applicable state law and rules and local zoning ordinances and regulations.

(4) Housing and space for housing provided under subsection (1)(g) of this section must be subject to a covenant appurtenant that restricts the owner and each successive owner of *[the]* a building or any residential unit contained in *[the]* a building from selling or renting any residential unit described in subsection (1)(g)(A) of this section as housing that is not affordable to households with incomes equal to or less than 60 percent of the median family income for the county in which the real property is located for a period of 60 years from the date of the certificate of occupancy.

SECTION 21. ORS 455.062 is amended to read:

455.062. (1) A Department of Consumer and Business Services employee acting within the scope of that employment may provide typical plans and specifications:

(a) For structures of a type for which the provision of plans or specifications is exempted under ORS 671.030 from the application of ORS 671.010 to 671.220 and exempted under ORS 672.060 from the application of ORS 672.002 to 672.325; and

(b) Notwithstanding ORS 671.010 to 671.220 and 672.002 to 672.325, for structures that are metal or wood frame Use and Occupancy Classification Group U structures under the structural specialty code.

(2) A Department of Consumer and Business Services employee, who is licensed or registered under ORS 671.010 to 671.220 or 672.002 to 672.325, who is acting within the scope of that employment and who is providing typical plans and specifications under subsection (1) of this section, is not required to seal or sign the typical plans and specifications and is not subject to disciplinary action under ORS 671.010 to 671.220 or 672.002 to 672.325 based on providing those typical plans and specifications.

~~[(2)]~~ (3) A building official or inspector, as those terms are defined in ORS 455.715, when acting within the scope of direct employment by a municipality, may provide typical plans and specifications for structures of a type for which the provision of plans or specifications is exempted under ORS 671.030 from the application of ORS 671.010 to 671.220 and exempted under ORS 672.060 from the application of ORS 672.002 to 672.325.

~~[(3)]~~ This ~~[section]~~ **subsection** does not alter any applicable requirement under ORS 671.010 to 671.220 or 672.002 to 672.325 regarding stamps and seals for a set of plans for a structure.

SECTION 21a. If Senate Bill 39 becomes law, ORS 455.062, as amended by section 2, chapter 97, Oregon Laws 2019 (Enrolled Senate Bill 39), and section 21 of this 2019 Act, is amended to read:

455.062. (1) A Department of Consumer and Business Services employee acting within the scope of that employment may provide typical drawings and specifications:

(a) For structures of a type for which the provision of drawings or specifications is exempted under ORS 671.030 from the application of ORS 671.010 to 671.220 and exempted under ORS 672.060 from the registration requirements of ORS 672.002 to 672.325; and

(b) Notwithstanding ORS 671.010 to 671.220 and 672.002 to 672.325, for structures that are metal or wood frame Use and Occupancy Classification Group U structures under the structural specialty code.

(2) A Department of Consumer and Business Services employee, who is licensed or registered under ORS 671.010 to 671.220 or 672.002 to 672.325, who is acting within the scope of that employment and who is providing typical [plans] drawings and specifications under subsection (1) of this section, is not required to seal or sign the typical [plans] drawings and specifications and is not subject to disciplinary action under ORS 671.010 to 671.220 or 672.002 to 672.325 based on providing those typical [plans] drawings and specifications.

(3) A building official or inspector, as those terms are defined in ORS 455.715, when acting within the scope of direct employment by a municipality, may provide typical drawings or specifications for structures of a type for which the provision of drawings or specifications is exempted under ORS 671.030 from the application of ORS 671.010 to 671.220 and exempted under ORS 672.060 from the registration requirements of ORS 672.002 to 672.325. This subsection does not alter any applicable requirement under ORS 671.010 to 671.220 or 672.002 to 672.325 regarding stamps and seals for a set of plans for a structure.

SECTION 21b. If Senate Bill 39 becomes law, section 3, chapter 97, Oregon Laws 2019 (Enrolled Senate Bill 39), is amended to read:

Sec. 3. The amendments to ORS 455.062 and 672.060 by sections 1 and 2 [of this 2019 Act], chapter 97, Oregon Laws 2019 (Enrolled Senate Bill 39), and section 21a of this 2019 Act apply to work performed, and offers made, on or after the effective date of [this 2019 Act] chapter 97, Oregon Laws 2019 (Enrolled Senate Bill 39).

SECTION 22. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Land Conservation and Development, for the biennium beginning July 1, 2019, out of the General Fund, the amount of \$1,000,000, to provide technical assistance to local governments to implement sections 4 to 6 and 15 of this 2019 Act and the amendments to ORS 197.296, 197.299, 197.303, 197.319, 197.320, 215.416, 215.441, 227.175 and 227.500 and section 1, chapter 47, Oregon Laws 2018, by sections 8 to 13 and 17 to 20 of this 2019 Act.

SECTION 23. In addition to and not in lieu of any other appropriation, there is appropriated to the Housing and Community Services Department, for the biennium beginning July 1, 2019, out of the General Fund, the amount of \$655,274, for research, administration and reporting that relate to a regional housing needs analysis described in section 1 of this 2019 Act.

SECTION 24. (1) Sections 4 to 6 of this 2019 Act and the amendments to ORS 197.296, 197.299, 197.303, 197.319 and 197.320 and section 1, chapter 47, Oregon Laws 2018, by sections 8 to 13 of this 2019 Act become operative on January 1, 2020.

(2) The Land Conservation and Development Commission, the Department of Land Conservation and Development and the Housing and Community Services Department may take any action before the operative date specified in subsection (1) of this section that is necessary for the departments and the commission to exercise, on or after the operative date specified in subsection (1) of this section, all of the duties, functions and powers conferred on the departments and the commission by sections 4 to 6 of this 2019 Act and the amendments to ORS 197.296, 197.299, 197.303, 197.319, 197.320 and section 1, chapter 47, Oregon Laws 2018, by sections 8 to 13 of this 2019 Act.

SECTION 25. This 2019 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect on its passage.

Passed by House June 26, 2019

.....
Timothy G. Sekerak, Chief Clerk of House

.....
Tina Kotek, Speaker of House

Passed by Senate June 30, 2019

.....
Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2019

Approved:

.....M.,....., 2019

.....
Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2019

.....
Bev Clarno, Secretary of State



Meeting Notice and Agenda Land Conservation and Development Commission



Meeting:
Thursday, January 21, 2021
8:30 AM

Teleconference/Webinar
Please see page 5 for details

Meeting:
Friday, January 22, 2021
8:30 AM

Thursday, January 21, 2021, 8:30 AM

Item 1 **Approve Agenda**

Item 2 **Director's Report**

The commission will receive an update by the director on recent matters concerning the department.
Public comment will not be accepted.
Briefing. The commission will not be asked to take action on this item.

Item 3 **Government to Government Report**

Staff will present the 2020 Government to Government Report for discussion.

Staff Contact: Kirstin Greene, Deputy Director
kirstin.greene@state.or.us, (503) 373-0050

Public comment will not be accepted.

Briefing. The commission will not be asked to take an action on this item.

Item 4 **Public Comment**

This part of the agenda is for comments on topics not scheduled elsewhere on the agenda. The chair may set time limits (usually three minutes) for individual speakers. The maximum time for all public comments under this agenda item will be limited to 15 minutes. The commission is unable to take action, at this meeting, on items brought to their attention in this forum.

Item 5 **Commission Business**

The commission will receive a Budget and Management subcommittee report and conduct other commission business.

Staff Contact: Carol Bovett, Administrative Services Division Manager
carol.bovett@state.or.us, (503) 798-3621

Public comment will not be accepted.

Action. The commission will be asked to take an action on this item.

Item 6 Southern Willamette Valley Regional Partner Updates

Springfield officials will report on natural resource inventories and assessments currently being conducted under Statewide Planning Goal 5 to plan for the development and conservation of wetland, riparian corridor, and wildlife habitat areas within new urban growth boundary expansion areas. Lane County officials will report on collaboration with department staff and regional solutions team members on response and recovery for the Holiday Farm Wildfire.

Staff Contact: Patrick Wingard, South Willamette Valley Regional Representative
patrick.wingard@state.or.us, (541) 393-7675

Public comment will be accepted.

Briefing. The commission will not be asked to take action on this item.

Lunch

Item 7 Review of Regional Housing Needs Analysis Report to Legislature

Staff will provide an update and draft Legislative Report on the Regional Housing Needs Analysis (RHNA) required by HB 2003 (2019). The department is soliciting commission feedback and guidance on the findings and recommendations on the report, especially with regard to broad policy direction.

Staff Contact: Sean Edging, Housing Policy Analyst
sean.edging@state.or.us, (971) 375-5362

Public testimony will be accepted.

Briefing. The commission will not be asked to take an action on this item.

Item 8 Update on Implementation of New Housing Rules

The commission will receive an update from the department on further implementation of rules for allowance of middle housing (HB 2001). The update will include discussion of local government implementation of the new rules.

Staff Contact: Ethan Stuckmayer, Senior Planner of Housing Programs
ethan.stuckmayer@state.or.us, (503) 302-0937

Public comment will be accepted.

Briefing. The commission will not be asked to take action on this item.

Friday, January 22, 2021, 8:30 AM

Item 9 Executive Session

The commission will meet in Executive Session to discuss potential litigation and is closed to the public. The Executive Session will be held pursuant to ORS 192.660(2)(h).

Item 10 Update on Climate Friendly and Equitable Communities Rulemaking

Staff will update the commission on the progress of the Climate Friendly and Equitable Communities Rulemaking, as well as provide an update on the Every Mile Counts interagency work.

Staff Contact: Bill Holmstrom; Transportation Planner
bill.holmstrom@state.or.us; (971) 375-5975

Public comment will be accepted.

Briefing. The commission will not be asked to take action on this item.

Item 11 Annual Sage Grouse Report and Five-Year Rule Review

The commission will receive an annual report on implementation of the Sage-Grouse protection measures adopted by the commission in 2015, and will also conduct a five-year review of the Sage-Grouse rule.

Staff Contact: Jon Jinings, Community Services Specialist
jon.jinings@state.or.us, (541) 325-6928

Public comment will be accepted.

Action. The commission will be asked to take an action on this item.

Lunch

Item 12 2021 Legislative Update

Staff will brief the commission on potential legislative issues in the 2021 Regular Session.

Staff Contact: Palmer Mason, Senior Policy Advisor
palmer.mason@state.or.us, (503) 269-2040

Public comment will be accepted.

Briefing. The commission will not be asked to take action on this item.

Item 13 Commission Review of City of Bend's Implementation of House Bill (HB) 3450

The commission will review and make a decision regarding the City of Bend's decision implementing HB 3450, which allows the city to create new mixed-use residential development opportunities within areas designated in the city's comprehensive plan for employment uses.

Staff Contact: Scott Edelman, Central Oregon Regional Representative
scott.edelman@state.or.us, (541) 306-8530

Public testimony will be accepted.

Action. The commission will be asked to take an action on this item.

Item 14 City of Redmond Affordable Housing Pilot Project

The commission will consider the City of Redmond's Affordable Housing Pilot Project application, originally submitted in 2018 under House Bill 4079. The Oregon Legislature passed House Bill 2336 in 2019, authorizing the commission to consider and approve a second "large city" project.

Staff Contact: Scott Edelman, Central Oregon Regional Representative
scott.edelman@state.or.us, (541) 306-8530

Public testimony will be accepted.

Action. The commission will be asked to take an action on this item.

Item 15 Other Business

The commission reserves this time, if needed, for other business.

Item 16 Placeholder Request to Appeal

State law requires commission approval of a DLCD director's decision to seek review of a local government land use decision. Only the director or department staff on the director's behalf, the applicant, and the affected local government may submit written or oral testimony concerning commission approval of a director's recommendation to file or pursue an appeal, or intervention in an appeal, of a land use decision, expedited land division, or limited land use decision. This item is scheduled as a placeholder as the department does not anticipate making such a request.

Adjourn

The Land Conservation and Development Commission

Oregon's seven-member Land Conservation and Development Commission, assisted by the Department of Land Conservation and Development, adopts state land use goals, assures local plan compliance with the goals, coordinates state and local planning and manages the coastal zone program. Commissioners are unpaid citizen volunteers appointed by the Governor and confirmed by the Senate. Commissioners are appointed to four-year terms and may not serve for more than two consecutive terms. The statute establishing the commission, ORS chapter 197, also directs that members be representative of the state. The commission meets approximately every two months to conduct its business and direct the work of the department.

Commissioners:	Robin McArthur, Chair (Portland)	Katie Pearmine, Vice-chair (Portland)
	Anyeley Hallová (Portland)	Nick Lelack (Bend)
	Gerard Sandoval, P.h.D. (Willamette Valley)	Stuart Warren (Southern Oregon)
	Kaety Jacobson (Coast)	

Although the Department of Land Conservation and Development (DLCD) offices are closed to the public right now due to Coronavirus Health concerns, community members can view or participate in the Department of Land Conservation and Development Commission's (LCDC) **January 21-22, 2021 meeting** in a number of ways. Please participate according to your intent below:

- 1) If you do not intend to testify, please view the **virtual** meeting via livestream on Granicus: https://lcd.granicus.com/ViewPublisher.php?view_id=1
- 2) If you do not have access to a computer, a telephone option is available:
(888) 683-5191 (Toll Free) or (855) 880-1246 (Toll Free)
Webinar ID: 863-0972-6115
Password: 202101
- 3) If you intend to testify, please pre-register here so that we have your name in the queue: <https://www.oregon.gov/lcd/commission/pages/public-comment.aspx>
- 4) If you intend to testify, please join by Zoom - Thursday, Friday or both.
Webinar link: <https://us02web.zoom.us/j/86309726115?pwd=cE91NzR2WGdjNHA0MDdFUkxVkdJdz09>
- 5) If you intend to testify, and do not have access to a computer, please call Esther Johnson before **Tuesday, January 19, 2021**. Phone participants will be able to enter the testimony queue the day of the meeting by pressing ***9**.

The **virtual commission** meeting will be conducted using Zoom Webinar. When you join, please use your full name so it is easier to identify attendees and manage public comments. Participants will be in listen-only mode **until they are called on to testify**. To indicate your desire to make public comment, please sign up online. If you have any questions, please contact Esther Johnson, Commission Assistant, at (503) 383-8911 or esther.johnson@state.or.us.

Meeting Materials associated with the agenda items will be available at:
<https://www.oregon.gov/lcd/Commission/Pages/LCDC-Meeting-January.aspx>

You may submit public testimony up to the day of the meeting, however, we kindly ask that you submit testimony at least five business days in advance of the meeting so the commission has the opportunity to review and consider your comments. Submission options include:

Complete a Testimony Sign Up Form here: <https://www.oregon.gov/LCD/Commission/Pages/Public-Comment.aspx>

Submit your written comments to esther.johnson@state.or.us

Please Note: Every effort will be made to consider items as they are indicated. However, the agenda and the order of agenda items are subject to change.

Please address questions to the Commission Assistant at esther.johnson@state.or.us or (503) 383-8911.

Americans with Disabilities Act: The Oregon Department of Land Conservation and Development will make reasonable accommodations upon request. Please contact us at least 72 hours before the meeting. Call Esther Johnson at (503) 383-8911, esther.johnson@state.or.us, or by TTY: Oregon Relay Services (800) 735-2900.



Regional Housing Needs Analysis Draft Legislative Report

Note: The contents of this report are provided in a draft format. The final document will be submitted in a format as specified in ORS 192.245.

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Executive Summary

Note: ORS 192.245 requires an executive summary of no greater than two pages with a link or instructions for accessing the full report. Because this report is in a draft state and subject to significant revisions before the final version, an executive summary is not provided. The final report will include an executive summary in conformance with ORS 192.245.



Legislative Context and House Bill 2003

In 2019, the Oregon Legislature passed, and Governor Brown signed into law, House Bill 2003. As House Speaker Tina Kotek, testified, “this bill is designed to improve our implementation of Goal 10, our statewide housing goal, so that we live up to its intent. Implementation of this goal requires that we ‘provide for the housing needs of citizens of the state [and]... encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density.’”

Provisions of this bill include requirements for cities to conduct studies of their housing needs on a more regular schedule and to compel cities to take steps to achieve the necessary housing production to meet the need identified in that analysis. DLCD published this schedule according to statute, and this requirement is now in effect.

The bill also directed Oregon Housing and Community Services (OHCS) to develop a methodology to estimate the number of households in each region and housing need for each income level now and over the next 20 years. The Regional Housing Needs Analysis (RHNA) methodology allocates those housing units from the regional level to the city level. The result is an estimate of the number of homes needed by household income level for each of Oregon’s 241 cities. More detail about the methodology, allocation, and results can be accessed via the summary report provided by OHCS.

Finally, the bill directs the Department of Land Conservation and Development (DLCD) to develop a report to the Legislature that provides an assessment of the RHNA conducted by OHCS, a comparison of a RHNA to the existing statewide housing capacity analyses, and recommendations for how a RHNA could best be incorporated into the existing statewide housing planning framework. The bill directs the department to evaluate the following factors as they relate to the analysis:

(a) Whether a regional housing needs analysis and housing shortage analysis described in section 1 of this 2019 Act could appropriately allocate among the cities or local governments in a region the housing shortage described;

(b) How a regional housing needs analysis and housing shortage analysis may compare to existing assessments of housing need and capacity conducted by local governments under ORS 197.296 (3) and (10) in terms of:

(A) Cost and cost effectiveness;

(B) Reliability and accuracy;

(C) Repeatability; and

(D) Predictability;

(c) How a regional housing needs analysis and housing shortage analysis may relate to statewide planning goals related to housing and any rules and policies adopted pursuant to these goals and ORS 197.295 to 197.314;

(d) Whether different boundaries would be more appropriate for defining regions within the regional housing needs analysis based on:



(A) Relevance of data in appropriately defining a commuting, employment or housing market; or

(B) Ease or cost of collecting or analyzing data;

(e) Other ways in which the regional housing needs analysis or housing shortage analysis could be improved; and

(f) Whether the regional housing needs analysis, or an improved version, could serve as an acceptable methodology statewide for land use planning relating to housing.

In addressing the factors listed above, this report assesses the implementation of a Regional Housing Needs Analysis through a lens of achieving more affordable, fair, and equitable housing outcomes and addresses the following three core questions:

1. How the OHCS-recommended RHNA methodology compares to the existing statewide housing planning framework.
2. How a RHNA could be best implemented to support the legislative intent of better achieving affordable, fair, and equitable housing outcomes.
3. If a RHNA is not implemented, what alternatives to a RHNA could be implemented that support the legislative intent of better achieving more affordable, fair, and equitable housing outcomes.

Existing Goal 10 Framework

Housing Capacity Analyses

Housing capacity analyses, otherwise known as “housing needs analyses” or “HNAs”, are the current primary document local jurisdictions use to fulfill statewide planning Goal 10 obligations related to housing. At its core, a housing capacity analysis consists of a housing projection over a 20-year horizon based on a population forecast, an inventory of lands available for housing, an analysis of the suitability of residential lands to accommodate needed housing, and a list of actions a local jurisdiction may consider to accommodate needed housing if there is an identified deficiency.

Previously, housing capacity analyses were embedded into the statewide comprehensive planning framework, and are updated through Periodic Review or through a Post Acknowledgement Plan Amendment. Over time, as legislatively-approved funding for Periodic Review diminished, HNAs and Housing Elements of comprehensive plans increasingly became outdated, as they were only amended through voluntary action of a local jurisdiction, typically coinciding with Urban Growth Boundary amendment proposals. House Bill 2003 reprioritizes more frequent HNA updates by directing the Land Conservation and Development Commission to adopt a schedule for cities above 10,000 population to update their HNAs, either once every six years for cities within the Metro boundary or once every eight years for cities outside the Metro boundary. The commission adopted this schedule on November 11, 2020.

Housing Production Strategies

House Bill 2003 creates a new requirement for cities to adopt a housing production strategy report within a year of the deadline for adoption of a housing capacity analysis. The housing production strategy report acts as an extension of the housing needs analysis process and must



list specific actions a city will take – such as revising regulations or providing financial incentives – to promote the development of any identified housing need.

Through rulemaking for housing production strategies, it became clear that the current framework for housing planning did too little to address affordable, fair, and equitable housing outcomes, especially for communities with historically unmet housing need. To better address this inadequacy, staff developed and the commission adopted administrative rules for housing production strategies that reinforced the affirmative obligation for local jurisdictions to directly address equity at every stage of housing planning from data collection to community outreach to policy decisions.

Continuing Work

While the provisions of House Bill 2003 make significant strides in more explicitly addressing equity in the statewide housing planning framework, participants throughout this process have emphasized that these changes will not be sufficient to achieve the legislative vision to increase affordable, fair, and equitable housing outcomes on their own.

It is clear that significantly more work is needed to realign the vision and implementation of Goal 10. As part of the Regional Housing Needs Analysis pilot, staff sought to begin some of the conversations needed to reflect on the impacts of our housing planning system on affordable, fair, and equitable housing outcomes, how a RHNA could work within this framework, and what measures are needed to implement a housing planning system that better achieves statutory and legislative intent.

Implementation Framework for a Regional Housing Needs Analysis

To understand how a Regional Housing Needs Analysis could fit into the Goal 10 framework, it is useful to consider both Housing Needs Analyses and housing production strategies as documents that use **data** to inform **policy**. More specifically, these documents outline a process in which data and information on housing need informs local policy decisions to fulfill Goal 10 obligations to accommodate and promote the development of needed housing.

Both documents begin with a data-driven analysis that provides information on housing need. This data informs community conversations that determine local policy priorities, and ultimately, this process results in policy actions that local jurisdictions implement, or plan to implement, to address identified need. In a housing capacity analysis, these actions are specific to planned capacity. In other words, these policies focus on whether there is enough land in a city zoned to the appropriate densities to *accommodate needed housing* that serves the identified need. Accommodating needed housing means ensuring there is a sufficient amount of land zoned to a density that would allow for the development of the number of units identified in the housing needs projection.

While housing capacity analyses ensure that there is a sufficient amount of land within a city UGB to accommodate projected housing need, it does not ensure that the needed housing will actually be built, especially in a manner that serves the entire spectrum of need. Housing production strategies build on this initial process to more comprehensively address housing need and directly address fair housing and equity. First, in recognition that housing needs projections do not consider housing equity directly, a housing production strategy begins with a contextualization of housing need in the housing capacity analysis to consider housing equity



issues directly (e.g. race and ethnicity, disability status, the number of people experiencing homelessness, etc.). This information, in conjunction with conversations with current and future residents and producers, inform local policy actions to *promote the development of needed housing* that serves identified need.

In considering the incorporation of a RHNA into this planning framework, it is important to emphasize that its implementation would affect the **housing needs projection** and **contextualized housing need** of the Goal 10 process, as illustrated in the diagram below. In other words, the implementation of a RHNA would only affect the data used to identify and contextualize housing need, while policy decisions, such as when and how to accommodate and encourage housing production to address need, would remain the responsibility of local jurisdictions.

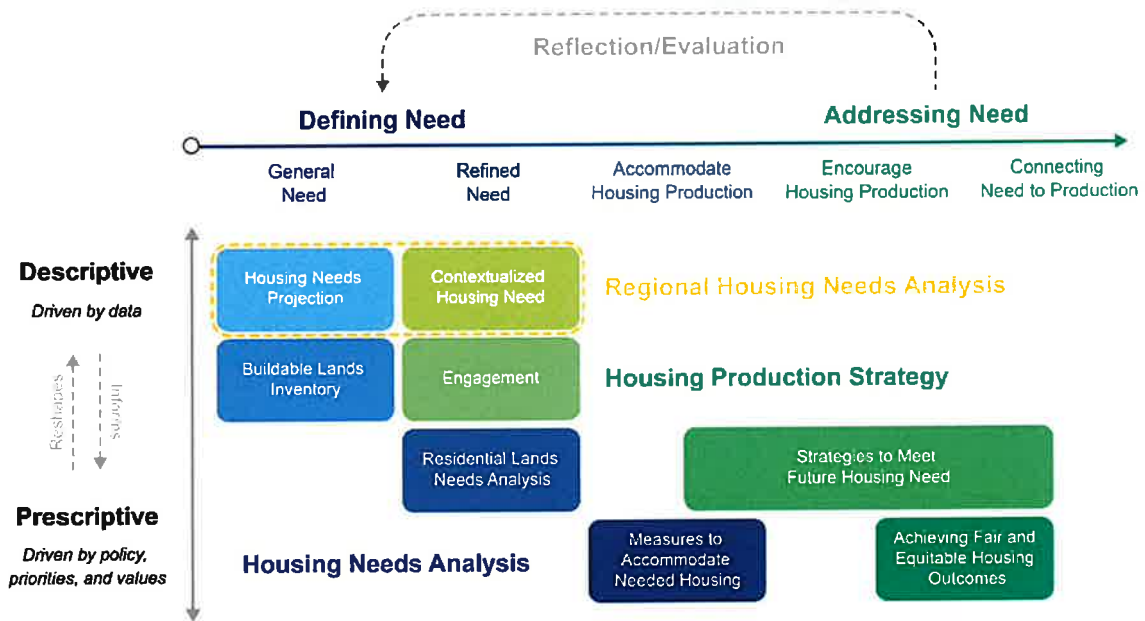


Figure 1. A diagram depicting how a RHNA could incorporate into the existing housing capacity analysis & housing production strategy Framework.



More specifically, a RHNA would necessarily shift the existing housing needs projection from independent local analyses to a regional analysis and subsequent allocations to cities and counties. Under such a framework, need is defined at the regional level and each local jurisdiction is responsible for a share of that need.

To implement the allocated need from the RHNA, a local government would undergo the remaining steps of the current Goal 10 housing planning process, in which they complete a housing capacity analysis (often known as a “buildable lands inventory”) and housing production

Figure 2. The current Goal 10 framework in comparison to a RHNA framework.

strategy. Within the housing capacity analysis, the local government would inventory and assess the capacity of existing lands to support the allocated need and consider measures to *accommodate* the need identified in the RHNA. Then, the local government would complete a housing production strategy, in which they identify strategies that *promote* the development of housing and address fair and equitable housing outcomes. Cities above 10,000 are already required to complete this process periodically, either once every six years for cities within the Portland Metro Region or once every eight years for cities outside of the Metro Region.

Accountability

A key consideration is how RHNA implementation could measure and enforce accountability. Members of the House Bill 2003 Rules Advisory Committee and the Housing Production Strategy Technical Advisory Committee discussed the balancing of realistic expectations for local governments to fund or incentivize housing production with demonstrating clear progress towards comprehensively addressing housing need. In recognition that local jurisdictions are only one actor in a complex network of actors that affect housing production, the department understands it is unreasonable to hold local jurisdictions to specific numeric housing unit production thresholds in the Housing Production Strategy. However, there is a clear understanding that local jurisdictions have an obligation to reduce barriers and increase incentives for the production of more affordable housing options. In other words, a city if a city is not meeting its identified housing need, the reasons need to be outside of the city’s control. Examples of such reasons include high interest rates, lack of construction labor, or a national recession.

To address this balance, staff developed an approach that required local jurisdictions to develop strategies that comprehensively address all identified housing needs. While local governments are not held to specific numerical thresholds of housing production, they are required to report on strategy implementation and progress toward meeting identified housing need. Similarly, if a



strategy fails in its implementation, local jurisdictions are required to ensure that the housing need that the strategy was intended to fulfill is met, either through a new strategy or combination of existing strategies.

Within such a framework, the RHNA could be adapted to identify the overall housing need within a region and allocate this need to local jurisdictions that they would respond to via a housing capacity analysis and housing production strategy. Such an approach would create clear obligations for a local jurisdiction to accommodate and encourage housing production, but it would not serve as a numeric threshold that a local jurisdiction must meet or face enforcement from the state for factors outside of a local government's control.

Regional Housing Needs Analysis Assessment – House Bill 2003, Section 2 (2)(a) to (d)

This section responds to House Bill 2003, Section 2 (2)(a) through (d), which lists several consideration factors in evaluating the RHNA methodology and allocation produced by OHCS.

Section 2 (2)(a)

(a) Whether a regional housing needs analysis and housing shortage analysis described in section 1 of this 2019 Act could appropriately allocate among the cities or local governments in a region the housing shortage described;

Department staff find that there are significant implications of the current housing needs projection system in terms of estimating and addressing housing need to support more affordable, fair, and equitable housing outcomes. While these are discussed in greater detail in Section 2 2(c) below, the current system chronically underestimates lower-income housing need, does not enforce responsibilities of local governments to comprehensively address housing need, and perpetuates patterns of segregation, exclusion, and inequity within a region. The Regional Housing Needs Analysis methodology addresses these issues in two key ways – it uses a methodology that more accurately captures need, and it allocates a share of regional need to local cities and counties.

A Regional Housing Needs Analysis could appropriately allocate the described housing shortage in a region. However, there are three key components needed to ensure such a methodology and allocation leads to more affordable, fair, and equitable housing outcomes:

- 1. A shared responsibility among local, regional, and state governments to address affordability** – Department staff understand that, according to affordable housing developers, that affordable housing development viability varies significantly between communities. While Goal 10 and accompanying statute and administrative rule have outlined a clear intent for local cities and counties to plan for regional housing need and affordability, the provision of housing options at a range of affordability levels and densities varies based on the political willingness of a particular community to work to fulfill that housing need. The RHNA allocation provides a framework that imparts a shared responsibility among communities to address the overall housing need of a region that does not exist today.
- 2. Realistic and productive expectations and accountability** – During rulemaking for housing production strategies, participants raised a key concern that local governments, while they control many levers that influence housing development, are only one actor in a complex network that affect the actual development of housing on the ground. During



this process, representatives of local jurisdictions expressed anxiety that jurisdictions would be required to meet targets for housing production or face consequences from the state, which could penalize jurisdictions for circumstances that are beyond their control. To address this, staff developed an enforcement framework that ensures *action*, instead of achieving *results*. Such a framework ensures that jurisdictions are held accountable for implementing strategies that comprehensively address housing need. Such a framework would be useful for the implementation of a RHNA and allow the methodology to be more ambitious in estimating housing need.

- 3. Directed and coordinated state and local resources, investment, and capacity** – In discussing the barriers that impede the development of affordable housing options, participants strongly indicated that the most critical barrier for the provision of both market-provided and regulated affordable housing options is the sufficient provision of infrastructure. How local, regional, and state governments direct resources and investment in infrastructure significantly impacts the viability and affordability of housing development, and is one of the most powerful policy levers available to incentivize the provision of smaller, more affordable housing options.

Additionally, stakeholders raised several implementation considerations that need to be addressed to ensure the successful implementation of a RHNA into the existing Goal 10 framework:

Allocating Need within the Metro Region

Given the unique complexity of the land use planning process in the Portland Metro Region, staff recognizes that layering the current allocation of housing need without deliberate and thorough consideration of Metro's Urban Growth Management Functional Plan would create confusion and conflict with many aspects of urban growth in this region. To address this, the implementation of a RHNA should develop a specific allocation methodology for the Metro region – both within and outside of the UGB – that aligns with Metro's urban growth framework. In order for this allocation to achieve a similar outcome, it must incorporate the following elements:

1. A shared responsibility to address affordable housing within a region.
2. Reinforced responsibility for the implementing agency (Metro) to use its statutory authority to enforce accountability.

Regional Job Distribution

Through conversations with a variety of stakeholders, the OHCS project team developed an allocation methodology that considered the location of jobs in determining how housing need is allocated to local cities. This is not an explicit consideration in the development of housing capacity analyses today.

While the methodology of the RHNA is expected to result in a greater overall estimated housing need than in the current Goal 10 framework, a consequence of incorporating job location into the allocation is that it directs housing development away from communities with a lower regional job share and towards communities with higher regional job shares. This could be a desirable outcome if one of the overall policy intents of a future RHNA methodology is to provide housing options closer to where people work.



The relationship between housing and jobs is even more significant in consideration of how a RHNA would function in the Portland Metro region, where the urban growth management framework guides the location and development of employment opportunities. Implementation of a housing allocation should be aligned with this framework to avoid confusion and regulatory complexity, but the development of such an allocation should be guided by direction from the Legislature about where housing *should* be planned for and built.

Section 2 (2)(b)

(b) How a regional housing needs analysis and housing shortage analysis may compare to existing assessments of housing need and capacity conducted by local governments under ORS 197.296 (3) and (10) in terms of: (A) Cost and cost effectiveness; (B) Reliability and accuracy; (C) Repeatability; and (D) Predictability

The core benefit of a RHNA is providing a transparent, consistent, standardized methodology that can be applied in regions throughout the state and improved over time as better information and methods become available. Such an analysis could provide more detailed and comprehensive housing information to local jurisdictions, especially in areas of the state with less data available about housing. Additionally, conducting a RHNA at the statewide level reduces the need for demographic expertise and analysis in housing planning processes at the local level, leaving more time and resources for engagement and policy discussions that a local jurisdiction must incorporate into housing capacity analyses and housing production strategies.

Housing capacity analyses and housing production strategies will continue to play a critical role through the implementation of a RHNA as processes that determine what policy responses a local government will employ to address housing need. The RHNA provides data to inform these processes in both the housing needs projection portion of a housing capacity analysis and the contextualized housing need portion of a housing production strategy. This report will compare these specific elements to the RHNA methodology in relationship to the criteria outlined in Section 2 (2)(b)(A) through (D).

Cost and cost effectiveness

While the nominal cost of conducting a housing needs projection and contextualized housing need analysis are relatively minor at the local level, the current structure has significant impacts on how local jurisdictions spend time and resources in addressing housing need. While these analyses are typically considered technical in nature, they have significant policy implications at the local level. A consequence of this dynamic is that estimates and methodologies used to develop estimates are often the subject of significant political and legal scrutiny, with special interest groups seeking to affect final adopted estimates to achieve their desired outcomes.

In particular, the housing needs projection has been historically the subject of contention in local housing planning processes, because the estimate has implications for a significant question: "How much will our community grow?" The housing needs projection serves as a factual base that justifies policy actions to accommodate housing need, such as expansion of an Urban Growth Boundary or upzoning of an existing residential area, and local planners and decision makers face significant pressure to adjust estimates to align with the interests of members of the community. Additionally, participants can challenge these factual bases through the land use appeal process, costing local jurisdictions time and resources to defend methodologies and



estimates they employ in their housing needs projection. This contention and risk of appeal has resulted in a housing planning landscape in which only a small subset of private planning practitioners have the expertise necessary to develop a housing capacity analysis that minimizes risk of challenge and remand through the land use appeal process.

One specific advantage of a state-provided housing needs projection, similar to the Oregon Population Forecast Program, is that implementing a uniform methodology statewide offers the ability to reduce contention surrounding the factual base of housing capacity analyses. This would allow local jurisdictions to spend more time and resources dedicated towards policy conversations geared towards *how* they comprehensively address housing need, instead of *whether* they address certain needs.

Finally, it is important to note that the RHNA does not provide a statewide inventory of buildable lands, which is often subject to similar pressures and dynamics due to their inherent policy implications. There are significant challenges in concentrating such an analysis at the state level, due to both the sheer scale of collecting and analyzing geospatial information statewide as well as the implicit policy decisions that coincide with where housing can and should be built. The Department of Land Conservation and the Land Conservation and Development Commission can address buildable lands inventory methodological assumptions through clarifications to existing administrative rule to provide clearer parameters on how local jurisdictions can inventory lands available for development, without centralizing the process at the state. This would ensure that buildable lands inventories are more consistent between local jurisdictions and reduce political pressure on the underlying assumptions to deliver a certain policy outcome.

Reliability and Accuracy

The RHNA methodology includes provisions to more comprehensively define both market and publicly-supported housing need over a 20-year horizon in consideration of regional factors, current housing underproduction, and disproportionate housing needs for demographic groups. Many of these factors are often overlooked in current housing capacity analyses, including housing need for people with low income, people over 65, people with disabilities, people with limited English proficiency, and people experiencing homelessness. Many of these factors are now required in the contextualization of housing need in the housing production strategy. A RHNA could serve as a significant resource for local jurisdictions that would otherwise be required to conduct this analysis individually.

This is not to imply that the housing need identified in the RHNA provides the most accurate assessment of housing need in all scenarios. As detailed in the OHCS summary report, the project team needed to weigh a variety of factors to develop a methodology that can be applied consistently and statewide. As a result, data on housing need that is not provided by the Census and available at more localized scales, such as housing for people experiencing homelessness, could be more accurate at the local level, depending on regional data availability. However, an advantage of considering these factors at a statewide and regional scale is greater ability to solicit input from a wide range of housing, economic, and demographic experts throughout the state. Through these conversations, a variety of policy options have been identified to better capture and address housing need by race and ethnicity, disability status, and for Tribal



Nations. Specific recommendations are discussed in greater detail in the *Recommendations* section.

The Regional Housing Needs Analysis can establish a foundation for providing a reasonably accurate set of baseline estimates that local jurisdictions can address through the Goal 10 process. For data that varies in quality between geographies, it is important for jurisdictions to be able to further contextualize and provide nuance where better information may be available. This is especially important in estimating housing need for people experiencing homelessness. Because data provided by the U.S. Census Bureau omits this information, the RHNA methodology utilizes two alternative data sources to provide regional estimates. The two sources selected by OHCS that can be analyzed and applied statewide include the US Department of Housing and Urban Development (HUD) Point-in-Time (PIT) count¹ and McKinney-Vento data². While these sources provide a useful baseline estimate that addresses a need that has been historically omitted in housing planning efforts, both sources still underestimate the full scope and spectrum of need. There are a variety of localized sources that may be able to further contextualize this need, and allowing jurisdictions to use such sources, so long as they do not diminish local responsibility to address housing need for people experiencing homelessness, should be encouraged to allow communities to develop more informed policy responses.

Repeatability

Another advantage of the Regional Housing Needs Analysis is establishing a framework that allows meaningful comparisons in need between geographies and over time. Under the current framework, comparisons of local housing needs projections from separate local jurisdictions is challenging, because local governments may use different assumptions and data sources to arrive at estimates. More significantly, in order to evaluate the efficacy of policy measures over time, it is necessary to understand how need has changed over time, which is challenging under the current framework as housing capacity analyses are typically challenging to compare to historic analyses. Local governments have over time used significantly different assumptions to determine housing need. These factors make continued assessment of policy action over time a significant challenge. While the methodology of a RHNA would certainly evolve over time, at a minimum, it would provide cities more comparable temporal benchmarks by which they can more comprehensively assess policy efficacy.

Comparing need is only one component necessary to evaluate the efficacy of implemented policy actions. Staff expect a continuing challenge to be the tracking of unit development and affordability over time, especially units that are built in response to specific policy actions. For example, it can be challenging to understand the effectiveness of changes to system development charges, because it is difficult to assess whether unit production is the result of

¹ The Point-in-Time (PIT) count is a count of sheltered and unsheltered people experiencing homelessness on a single night in January. The US Department of Housing and Urban Development (HUD), requires that Continuums of Care conduct an annual count of people experiencing homelessness who are sheltered in emergency shelter, transitional housing, and Safe Havens on a single night. Continuums of Care also must conduct a count of unsheltered people experiencing homelessness every other year (odd numbered years). PIT reports can be accessed at the following link: <https://www.hudexchange.info/programs/coc/coc-homeless-populations-and-subpopulations-reports/>

² Under the McKinney-Vento Act, all public schools are required to identify, enroll, and stabilize the education of children and youth experiencing homelessness. School districts also must submit data to the state education agency, which in turn must submit data to the U.S. Department of Education. Statewide data can be accessed at the following link: <https://nche.ed.gov/data/>



such changes or in response to other market or policy factors. While required local jurisdiction reporting of permitted and produced units under House Bill 4006 will help this dynamic by tracking overall unit production for cities above 10,000 each calendar year, staff see a need for continued work to assess effectiveness over time.

Predictability

Staff see a continuing challenge under the current framework in the appropriate timing of a housing capacity analysis. Local jurisdictions often face difficult decisions as to whether to move forward with an analysis during specific political and funding cycles or when more recent population projection information is available. The addition of statutory deadlines to housing capacity analyses and subsequent housing production strategies under House Bill 2003 adds an additional timing factor for local jurisdictions to consider. Jurisdictions will now need to consider when to begin a housing capacity analysis process to meet the statutory deadline of once every six years for cities within the Metro or once every eight years for cities outside of the Metro.

The Regional Housing Needs Analysis will face similar timing considerations, and because many of the methodological factors are sensitive to changing conditions of available data, year-to-year changes can result in fairly significant changes to the resultant housing needs projection. To address changing conditions, the OHCS project team recommends a variety of methodological changes to ensure the estimate is more consistent year-to-year.

The uncertainty associated with changing conditions will continue to be an implementation consideration in any housing planning process. To provide greater certainty, it will be important for RHNA implementation to coincide with other timing considerations in the statewide planning framework, most notably the Oregon Population Forecast Program, the housing capacity analysis schedule established by House Bill 2003, and Metro's urban growth management process.

Concurrency

As a result of the public process to create a methodology, staff find that there is a significant predictability consideration with regard to the "concurrency requirement" applicable to housing capacity analyses. Specifically, if a housing need identified in a housing capacity analysis is greater than the housing capacity within an urban growth boundary, ORS 197.296(6) requires local jurisdictions to either amend its urban growth boundary or adopt "efficiency measures" that increase the likelihood of residential development within an existing urban growth boundary. Further case law clarified that this requirement must be completed concurrent with the adoption of a housing capacity analysis and accompanied amendments to a comprehensive plan.³

As a consequence of these requirements, cities that have identified a land deficit for any specified residential housing need in a housing capacity analysis are required to address that deficit concurrent with adoption of the analysis. Typically, this is accomplished in one of three ways:

³ *Friends of Yamhill County, Community Development Law Center, and 1000 Friends of Oregon vs. City of McMinnville*. LUBA No. 2001-093



1. Change zoning and comprehensive plan designations within the UGB to address the deficit,
2. Adopt efficiency measures expected to increase residential capacity for the needed housing types such as new zoning districts, increased densities, or expanding permitted use types in residential zones, or
3. Expand the UGB to accommodate all residential land needs over the planning period.

In a number of cases, the “concurrency requirement” has resulted in significant delays in the adoption of housing capacity analysis. For example, Salem is currently working through the “Our Salem” visioning and comprehensive plan update process in part to address a deficit of high density residential land that was identified in a 2015 housing capacity analysis. In Corvallis, a similar issue delayed adoption of the 2016 housing capacity analysis until 2019. Additionally, McMinnville has recently adopted an urban growth boundary expansion based on a housing capacity analysis from 2003, due to appeals and delay in addressing a remanded Court of Appeals decision.

House Bill 2003 sought to address delays in housing planning processes through the establishment of a regular schedule by which housing capacity analyses and housing production strategies must be adopted, but it is important to note that the establishment of such a schedule does not change the underlying factors that have contributed to significant delays in the Goal 10 planning process. In order for the implementation of a Regional Housing Needs Analysis to provide greater predictability with regard to Goal 10 planning, it will be necessary to pair the implementation of such an analysis with greater clarity and certainty on what actions a local jurisdiction can or must implement to address an identified housing need.

Section 2 (2)(b) Conclusion

While there are continued implementation considerations for the incorporation of a RHNA into the existing Goal 10 planning framework, it is clear that the incorporation of such an analysis can produce more accurate and consistent results and set the groundwork to reflect on how effective policies are in addressing need. To enhance cost and cost effectiveness, reliability and accuracy, repeatability, and predictability, a RHNA should incorporate the following elements, which are discussed in greater detail in the recommendations section:

1. Develop a schedule to conduct a RHNA that aligns with both statewide and Metro-specific housing planning processes.
2. Incorporate forecasts disaggregated by race and disability, forecasts for tribal-owned lands, and estimates of people experiencing homelessness into the Oregon Population Forecast Program and build on existing data collection efforts to improve future need analyses.
3. Develop a transparent process to receive feedback and update the methodology periodically as better data and methods become available.
4. For housing needs where data quality varies between regions, allow local governments to further contextualize estimated housing needs.
5. Provide greater clarity and certainty on other elements of housing capacity analyses through statute or rule to increase accountability and reduce local political contention and delay, including buildable lands inventories and actions a local jurisdiction can or must take to accommodate needed housing.



Section 2 (2)(c)

(c) How a regional/ housing needs analysis and housing shortage analysis may relate to statewide planning goals related to housing and any rules and policies adopted pursuant to these goals and ORS 197.295 to 197.314;

Oregon's Statewide Planning Goal 10

Oregon's Statewide Planning Goal 10 requires comprehensive plans to "encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density." Historically, the implementation of this concept was a technical exercise, in which an objective analysis of data on housing need and capacity was assumed to result in the development of policies that comprehensively address this need. In practice, the emphasis on technical analysis without consideration for how these analyses affect equitable outcomes has resulted in a housing planning landscape that has not sufficiently addressed the needs of Oregonians throughout the state.

House Bill 2003 implements a paradigm shift in how local jurisdictions plan to accommodate housing. With the adoption of administrative rules for housing production strategies, it is now clearly articulated in statute and administrative rule that local jurisdictions have an affirmative obligation to plan in consideration of fair and equitable housing outcomes and addressing existing patterns of segregation and disparity. In evaluating the RHNA, while there are variety of technical and implementation considerations to weigh, the core question the department considered in this section is *how the current technical processes implementing Goal 10 affect affordable, fair, and equitable housing outcomes.*

Statutory Intent to Address Regional Need

There is a language in both statute and administrative rule that clearly demonstrate an intent for local jurisdictions to plan and address regional housing needs, in recognition that housing markets do not start and stop at city limits or an individual city's Urban Growth Boundary. In ORS 197.303, the definition for "needed housing" requires consideration of housing affordability for households within the county, rather than within the city. This regional intent is further clarified in administrative rule both within and outside of the Portland Metro Region. Statewide, local governments are required to "consider the needs of the relevant region in arriving at a fair allocation of housing types and densities"⁴. Additionally, Metro is required to ensure that "needed housing is provided for on a regional basis through coordinated comprehensive plans"⁵.

While the intent of regional coordination and planning have been indicated in statute and rule, there have been challenges with implementing an accountability framework to realize this intent. In most cities throughout the state, there are no clear analyses that provide a comprehensive regional housing need that is actionable by local governments, nor is there sufficient clarity on the responsibilities of local governments to address regional affordability. In the Portland Metro Region, regional affordable housing need is defined through a series of voluntary affordable

⁴ Land Conservation and Development. Regional Coordination, Oregon Administrative Rules, 660-008-0030

⁵ Land Conservation and Development. Regional Coordination, Oregon Administrative Rules, 660-007-0050



housing production goals under Title 7 of the Urban Growth Management Functional Plan, and Metro measures progress through required biennial reporting. Metro has not received reports from local governments in recent years. Similarly, this framework imparts no clear and shared responsibility for local governments to address the overall regional need, and issues of housing affordability and equity are only addressed when there is political will to do so at the local level.

Projecting Inequitable Outcomes

During rulemaking for housing production strategies, participants raised the significant concern regarding the insufficiency of housing needs projections to appropriately define need, especially need for people with lower incomes or communities with historically unmet needs. As a result, administrative rules reinforce the responsibilities of local jurisdictions to consider these needs more deliberately, but this does not address the underlying concerns with housing needs projections. More specifically, the housing needs projection contains two significant limitations that hinder achieving more affordable, fair, and equitable housing outcomes:

1. The housing needs projection tends to consistently **underestimate housing need**, especially for households with lower income and households with historically unmet needs, such as people of color, people with disabilities, or people experiencing homelessness.
2. Because a housing needs projection occurs within the boundaries of local cities, it tends to **reinforce geographic disparities** based on the existing economic characteristics of residents.

Underestimating Need

The purpose of a housing needs projection is to define housing need over a 20-year horizon that a city must address through policy actions. It is a critical component of a housing capacity analysis, because it comprises a part of the factual basis used to justify implementation of policies outlined in a housing capacity analysis and now, a housing production strategy. These projections have evolved significantly over time to increase their accuracy and ability to be implemented, including the development of the Oregon Population Forecast Program to ensure that local governments apply a consistent statewide methodology for population projections as relevant to housing forecasts.

However, even with these incremental improvements over time, there are a variety of housing needs that have not historically been considered in this analysis. Housing need that is more specific to equitable outcomes, such as housing need for people with disabilities and housing need by race and ethnicity, have since been addressed through housing production strategies with requirements to further “contextualize” housing need, but these do not affect the overall quantity of housing units that a local government must accommodate through a housing capacity analysis.

There are two key factors not considered under current housing needs projections that significantly impact the number and affordability of units a local government must accommodate, **underproduction and housing for people experiencing homelessness**. Currently, there is no available statewide methodology for estimating and incorporating underproduction into housing needs projections, in part because estimates can vary widely by the underlying assumptions and methodologies that are applied. The consequence of this is that



housing needs projections carry an implicit assumption that there is no housing underproduction at year zero. Additionally, housing for people experiencing homelessness is increasingly recognized as a need that should be addressed through the Goal 10 process, but there are no statutory or rule requirements in place that require this consideration in the housing needs projection.

The RHNA addresses these two critical shortcomings of current housing needs projections by establishing a consistent methodology to estimate current underproduction and incorporating estimates for the number of people experiencing homelessness. As the results of this analysis suggest, the omission of these two factors in housing needs projections has resulted in consistent underestimation of need, especially for households with lower income, which in turn, have resulted in local governments accommodating fewer units than are actually needed to provide sufficient housing options for residents.

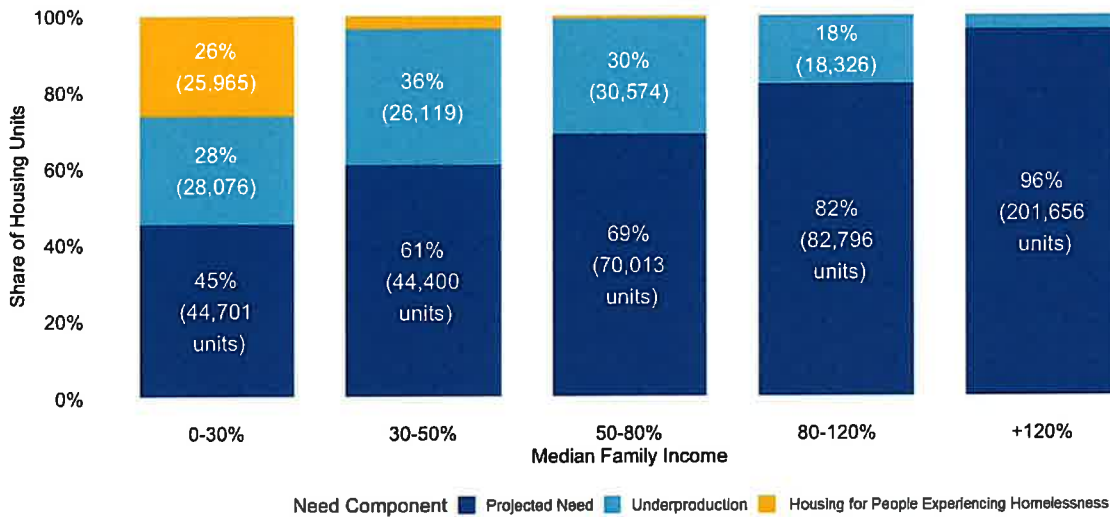


Figure 3. RHNA Statewide housing need estimates by Median Family Income (MFI). Source: ECONorthwest analysis; PSU, 2020-2070 Coordinated Population Forecasts; HUD, FY 2018 Income Limits; U.S. Census Bureau, 2018 ACS 1-year PUMS estimates; HUD, 2019 PIT count; ODE, SY 2018-2019 McKinney Vento data.



Reinforcing Geographic Disparity

In addition to underestimation, there is a statistical consequence of the current structure of housing needs projection that impacts a local jurisdiction's responsibility to plan for lower-income housing. Because housing needs projections are currently applied within the boundaries of a city, the projection represents the income distribution of that city. This means that housing needs projections tend to estimate a greater proportion of higher-income housing in affluent communities and a greater proportion of lower-income housing in less affluent communities or communities with a greater amount of affordable housing. This has a tendency to reinforce existing disparities, because communities that implement exclusionary policies to prevent lower-income households from living in the city are not held responsible in future planning processes for addressing that need. Similarly, jurisdictions that are successful in providing affordable housing options carry a greater future proportional lower-income housing obligation as a consequence of that success.

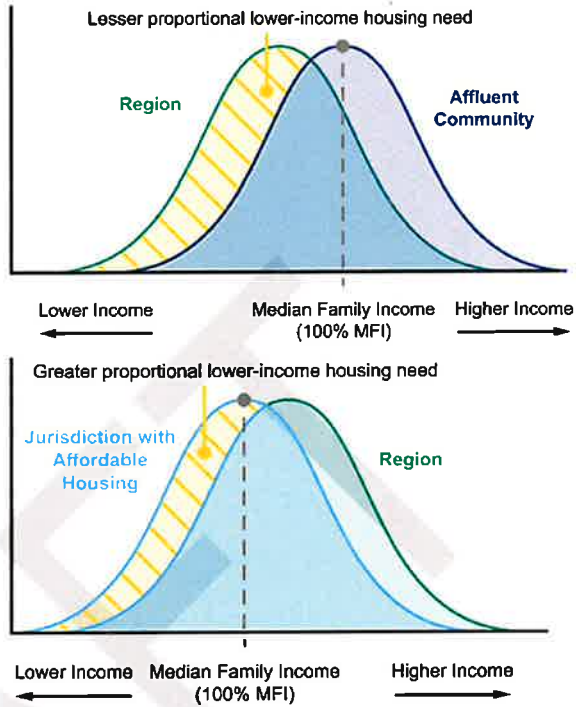


Figure 4. Illustration depicting how a localized housing needs projection reinforces geographic income disparities. Please note that these diagrams are illustrative and do not represent actual income distributions.

A Regional Housing Needs Analysis addresses this disparity via an allocation of regional housing need to cities and counties. Instead of local cities and counties responding to only the housing needs of residents within their boundaries, an appropriately structured allocation establishes a *shared responsibility* for local jurisdictions within a region to plan for a proportionate share of regional housing need, including housing that is affordable to households with lower income.

It is important to note that allocations can vary in their ability to impart a shared responsibility to address housing and affordability. One key criticism of the California RHNA model is the development of allocation methodologies at the regional level, which has led to processes in which communities with significant political influence weigh the factors in the allocation to result in allocations that are more acceptable to the political interests of the community. An oft-cited example of this is the City of Beverly Hills, which was allocated a total of three housing units from the Southern California Association of Governments in the 2013-2021 Regional Housing Needs Allocation Cycle.⁶

⁶ Fuller and Doughery, Feb 2018. *California Today: The Beverly Hills Affordable Housing Loophole*. *The New York Times*. Retrieved from: <https://www.nytimes.com/2018/02/05/us/california-today-beverly-hills-affordable-housing.html>



Housing Type

As discussed in the OHCS summary report, the Regional Housing Needs Analysis methodology was unable to produce a forecast of housing types due to a combination of poor data availability and the inherent policy consideration surrounding what the future mix of housing types *should* be. Of course, the mix of housing types within a housing capacity analysis and housing production strategy will play a pivotal role in the development of housing options that comprehensively address the identified housing need of a RHNA.

Currently, the housing mix of housing capacity analyses are directed by the provisions of ORS 197.296, which requires cities to determine housing capacity and need based on: (1) an analysis of residential development, (2) trends in residential density and mix, and (3) demographic and economic trends. The statute requires the analysis of housing mix and density to include the past five years or the timeframe extending to the last periodic review, whichever timeframe is greater. Through this process, a city must plan lands within its existing UGB and any expansion area so that there are sufficient buildable lands in each plan district to meet the city's anticipated needs for particular needed housing types. When a city projects a certain housing mix, it must explain why that housing mix will provide sufficient buildable lands to meet its projected future housing needs over the planning period, and that projection and explanation must be supported by an adequate factual base.

Staff recognize that housing needs projections consistently underestimate the housing needs of households with lower incomes, and it is clear that accommodating housing that will serve this need will require changes to the existing mix and density of housing types. However, under current housing capacity analyses, local residents, interests, and governing bodies often pressure practitioners to project a future mix of housing types that is substantially similar to what exists today. Stakeholders have indicated that in order to achieve a successful implementation of a RHNA, it will be important for the state to provide clear direction on the types of housing that should be planned for future development. However, even within this general policy framework a local government has significant flexibility to plan for different mixes of housing types that will meet the need of underserved households. For example, one city might emphasize higher density multi-family housing; another might emphasize smaller “infill” projects in existing residential neighborhoods, and another might encourage the development of new manufactured home parks to meet these housing needs. The ultimate choice of housing types to meet a need is best left to the local government – what is important is that the local government must demonstrate that the mix of housing types projected actually satisfies that need.

Section 2 (2)(c) Conclusion

While there will certainly be a need for further discussion on developing an allocation framework that can be implemented statewide, there are several elements necessary to ensure such a process results in an allocation framework that achieves legislative intent:

- **Strong and clear policy direction** – Underlying an allocation of housing is an important question: “Where *should* we build housing?” In order to develop an allocation that best implements legislative intent, there should be clearly identified policy priorities that the



allocation works to achieve. This includes consideration about the appropriate role of job location in the allocation of housing.

1. **The appropriate role of job location in the allocation of housing** – Where people live plays a significant role with regard to access to opportunity and the commuting choices individuals make. The pilot methodology allocates housing, in part, based on the existing distribution of jobs, which has a tendency to concentrate housing in regional job centers. The state should provide clear direction on what the appropriate relationship between jobs and housing should exist within a RHNA allocation methodology.
 2. **The intended future mix of housing types** – In order to incorporate a future projection of housing types into the allocation methodology, there needs to be both clear indication of the intended future mix of housing types as well as better data on the existing mix of housing types. Alternatively, it is also possible to keep the consideration of housing mix as part of a local housing capacity analysis, but this should be paired with clear parameters from the state on how local jurisdictions should project future housing mix to comprehensively address need.
 3. **Consideration of historic patterns of segregation and exclusion** – The OHCS project team has explored the role of past exclusionary policy throughout this project, and have considered pathways to more directly bring such considerations into local planning processes. There are two challenges for continued consideration:
 - What are the best methods to *measure* patterns of segregation and exclusion?
 - When patterns of segregation and exclusion are identified, what is the appropriate *policy response*?
- **A productive accountability framework** – As discussed previously in this report, developing an accountability framework focused on *action* to address housing need is a more productive and realistic expectation for local jurisdictions than simply focusing on results. It is also important to emphasize that the implementation of allocations and subsequent actions to address need identified in the RHNA will require implementing agencies to take a proactive role in ensuring that meaningful action to address need is moving forward. This will include providing additional clarification of specific responsibilities through implementing statutes and rule, building capacity through funding and education, and leveraging statutory authority to enforce accountability, when necessary.

Section 2 (2)(d)

Whether different boundaries would be more appropriate for defining regions within the regional housing needs analysis based on: (A) Relevance of data in appropriately defining a commuting, employment or housing market; or (B) Ease or cost of collecting or analyzing data;

The boundaries utilized in the RHNA methodology were the result of the OHCS project team engaging in conversations with stakeholders, analysis of commute-sheds, considerations of regional government structures, and limitations of the available data to construct boundaries. Both OHCS and DLCDC recognize that the resultant region boundaries do not perfectly align with



what are commonly considered to be regional housing markets. In discussions with regional stakeholders, the agencies have identified the following regional boundary considerations:

- **Central Oregon** – Within the Central Oregon region, the aggregation of Census data did not allow for the grouping of three counties typically considered part of a broader regional housing market: Crook, Jefferson, and Deschutes Counties. The resulting data limitations required consolidation of Crook and Jefferson Counties into the larger northeastern region, which both agencies recognize as an inaccurate representation that should be addressed.
- **South Coast** – The South Coast and Southern Oregon have housing markets that are separated by considerable distance and also have very different market forces affecting them. The South Coast experiences significantly different market pressures and there is no significant commute connection between the coast and inland Southern Oregon. However, because Douglas and Lane counties extend from the I-5 corridor to the coast, portions of the South Coast are difficult to break apart into separate analysis geographies. At this time, it would not be practical to “break apart” these counties from an analytical standpoint, and it is not yet clear if having disaggregated US Census Public Use Microdata Sample (PUMS) data would allow such a configuration.
- **Metro Cities and Counties outside of the Metro Urban Growth Boundary** – The regional housing market in the Portland Metro Region does not end at the Urban Growth Boundary. However, the regulatory regime within the Metro Urban Growth Boundary requires discussion about the appropriate relationship for communities within and outside of the Portland Metro Boundary. It may be desirable to treat the full tri-county area as a complete housing region, but if this is the case, there will need to be deliberate and directed conversations about the appropriate relationship between the Metro and cities and counties outside of the Metro UGB. Cities outside of the Metro boundary may object to a RHNA that is prepared by Metro, since Metro has no existing statutory authority over them.

It is important to note that the process of defining regional boundaries is challenging given the apparent mismatch between data collection and aggregation at the U.S. Census Bureau and state and local considerations of what constitutes a regional housing market. With this in mind, developing boundaries for the RHNA that closer reflect regional housing markets would require the following elements:

1. **A data source that aggregates at smaller geographies than Public Use Microdata Areas (PUMAs)** – The key limitation for defining boundaries were the geographies at which Public Use Microdata Samples are aggregated. The studied regions were the best configuration of regions in light of these constraints, but these regions could be further refined if data was aggregated at smaller geographies. The OHCS report includes data options that would enable this refinement.
2. **Directed conversations with stakeholders on appropriate boundaries** – The OHCS project team has started a very important conversation with stakeholders about the appropriate boundaries for defining housing markets, and in general, found that larger regions were generally more desirable. However, if there are further implementation actions to define more accurate regions, this will require additional conversations with stakeholders in light of new constraints and considerations.



Recommendations – House Bill 2003, Section 2 (2)(e) & (f)

Section 2(2) of House Bill 2003 also requires the agency to consider recommendations in relationship to the Regional Housing Needs Analysis developed by OHCS. Specifically:

(e) Other ways in which the regional housing needs analysis or housing shortage analysis could be improved; and

(f) Whether the regional housing needs analysis, or an improved version, could serve as an acceptable methodology statewide for land use planning relating to housing

DLCD has approached developing and considering policy recommendations to the Legislature in light of the drive behind recent housing planning efforts, House Bills 2001 and 2003, in addition to the existing policy direction and intent outlined in statute and rule. In order to provide more a comprehensive and actionable set of recommendations, DLCD approached this section through a lens of achieving more affordable, fair, and equitable housing outcomes.

Additionally, the department recognizes that the Legislature will face a variety of urgent issues in the 2021 Legislative Session, and there are still important implementation considerations to address in relationship to a RHNA that will require additional discussion. In recognition of this, the Department structures recommendations into **long-term recommendations** that outline the implementation structure for a Regional Housing Needs Analysis or similar housing planning reform and **near-term recommendations** that could be implemented within the biennium, improve housing planning and equitable outcomes, and build towards the implementation of a RHNA or similar in the future.

Long-Term Recommendations

Implementation of a RHNA

A Regional Housing Needs Analysis can serve as an acceptable methodology statewide for land use planning relating to housing. Such a framework provides the basis for implementing a system of shared responsibility and accountability in comprehensively addressing housing need. As discussed previously in this report, there are three key components needed to ensure that a RHNA would result in more affordable, fair, and equitable housing outcomes:

1. A **shared responsibility** among local, regional, and state governments to address affordability;
2. Realistic and productive **expectations and accountability**; and
3. Directed and coordinated **state and local resources**, investment, and capacity.

To address each of these components, the Department outlines several recommendations and continued considerations for the implementation of a Regional Housing Needs Analysis.

Shared Responsibility

The key function of a Regional Housing Needs Analysis is to establish a clear, shared responsibility to address regional housing need and affordability among state, regional, and local governments. Establishing this responsibility within the context of a RHNA requires the establishment of a statewide housing need estimate methodology, the development of an



allocation of housing need from the region to cities and counties, and implementation responsibility to address the allocated housing need.

- 1. To establish a statewide housing need estimate methodology, direct Oregon Housing and Community Services to conduct a statewide Regional Housing Needs Analysis once every five years to inform both short-term (5 year) and long-term (20-year) housing planning horizons.**

Staff have identified several timing considerations with relationship to a housing capacity analysis that must be worked out in order to facilitate the effective implementation of a RHNA. The key uncertainty with regard to timeline for housing capacity analyses include addressing the concurrency issue described earlier in this report. Part of this uncertainty is the appropriate year for analysis, which is addressed via the housing capacity analysis schedule. Under this framework, local jurisdictions would be required to address the 20-year need projected from the deadline of the housing capacity analysis, so it will be important to ensure that the RHNA includes a method to interpolate results appropriately. However, it will also be important to address the underlying contentious factors including but not limited to “not in my backyard” dynamics that can delay the adoption of housing capacity analyses today. After consulting with a range of experts, advocates, and partners, staff believe the adoption of housing needs analyses can be better accomplished by way of state policy guidance and administrative rule to provide clearer parameters on accommodating identified housing need.

Staff also emphasize that it will be important for the RHNA implementing agency to consider factors that were not included in the original pilot, including measures of access to opportunity, measures of racial and economic segregation, and specific measures to estimate people experiencing homelessness, discussed in greater detail in a later recommendation. These factors should be addressed directly through the Goal 10 housing planning process, especially via the housing production strategy.

- 2. To develop an allocation, direct Oregon Housing and Community Services to develop an allocation methodology with clear policy direction from the legislature. These include the following considerations:**
 - The relationship between jobs and housing**
 - The intended future mix of housing types**
 - Consideration of historic patterns of segregation and exclusion**

One of the key criticisms of the California RHNA system in terms of achieving more affordable, fair, and equitable housing outcomes is the significant variation that exists between regional allocations of housing need identified in the RHNA. Because of the significant policy implications of any allocation methodology, each regional allocation methodology is subject to a large degree of contention between communities within the region, and often the results of such allocations have reinforced patterns of exclusivity within regions.

OHCS has developed an allocation methodology that best reflects both DLCD and OHCS understanding of the legislative intent behind a RHNA, but it is clear that any allocation methodology must address the underlying policy question of where housing *should* be built. By providing clear direction on this question will help ensure that any allocation will better achieve



the intent of the legislature and avoid some of the shortcomings associated with California's RHNA allocation model. The categories above reflect the most prominent factors that arose during the pilot suggesting the need for policy guidance to develop an appropriate allocation methodology to achieve; however, this list is not necessarily exhaustive and there may be other factors to consider, such as the relationship between housing production, transportation, and climate change.

- 3. To implement an allocation, clarify the responsibility of local cities and counties to appropriately respond to allocations provided by the RHNA, and reinforce the implementing agencies role in the development of measures and strategies to accommodate and encourage the development of needed housing through Goal 10.**

A key consideration of this process was whether the allocation results of the RHNA would replace the housing needs projections of local jurisdictions. There is a spectrum of options that range from an allocation that fully replaces housing needs projections to an allocation that is voluntary, and each option has distinct policy implications. As an allocation becomes more rigid, it leaves less ability for local jurisdictions to develop housing needs estimates that are sensitive to local conditions. A few examples have arisen through discussion with stakeholders including communities with a significant share of students or communities with a significant regional job share. However, a voluntary allocation, while providing a data resource that could support local planning efforts, could significantly undermine local responsibility to address low-income housing need of the region at large and continue a housing planning framework that does not comprehensively address affordability.

There are also allocation options between the two ends of this spectrum. One hybrid approach staff considered is an allocation that provides affordable housing estimates that local jurisdictions must respond to through Goal 10 housing planning processes, but providing higher-income, "market rate" housing allocations as an optional housing needs projection that would not be subject to appeal.

Under any allocation methodology there will be a need to clarify how local jurisdictions can appropriately respond through housing capacity analyses and housing production strategies, and how they can demonstrate that a need or portion of need has been addressed through. Acceptable methods for demonstrating meeting affordable housing need through Goal 10 can be clarified through administrative rule, providing clear direction for local jurisdictions in addressing affordable housing need.

Regional Considerations

There are still continued regional considerations for the implementation of a future RHNA, specifically in relationship to what regions are appropriate and how a RHNA intersects with region-specific considerations. To address these, we recommend incorporating the following recommendations into any implementation of a RHNA:

- 1. To develop regional boundaries that better reflect regional housing markets, enter an agreement with the U.S. Census Bureau to acquire disaggregated ACS PUMS data, and direct the agency to clarify appropriate regional housing boundaries through administrative rule.**



2. **In the Metro region, direct either Oregon Housing and Community Services or Metro to develop an allocation methodology that ensures an equitable regional allocation of low-income housing need and is consistent with OAR Chapter 660, Division 7 and Metro’s Urban Growth Management Functional Plan. Ensure that the allocation is guided by the same policy direction that drives statewide allocation development and reinforce the responsibility of implementing agencies to enforce accountability.**
3. **In regions with a significant share of second homes, separate second home estimates from housing need estimates, as there is not the same obligation to plan to accommodate second homes. However, local governments should recognize second homes will comprise a share of future housing demand, the magnitude of which will vary depending upon a local government’s policies regarding short-term and vacation rentals.**

Realistic and Productive Expectations and Accountability

In recognition of the important role that local jurisdictions play in the development of housing, and that they represent one actor in a complex network that affect housing development on the ground, staff developed an accountability framework in rulemaking for housing production strategies that focuses on *actions* to address housing need, rather than meeting specific results with threat of potential enforcement action. The department recommends the continuation and reinforcement of this accountability framework. This approach will require significant discussion to clarify the responsibilities of state, regional, and local governments to comprehensively address housing need, but the alternative of basing accountability on the number of units produced does not reflect the reality that meaningful implementation will require the coordinated efforts of all levels of government and housing development.

An accountability framework must be paired with an appropriate incentive and enforcement framework to ensure that Oregon’s local governments can comprehensively address housing need. House Bill 2003 provided tools to the Land Conservation and Development Commission to enforce the implementation of housing capacity analyses and housing production strategies as required by the bill. These tools were reinforced in rule to develop an approach that utilizes the full range of tools available, while ensuring that the agency always begins with a collaborative, solution-oriented approach.

It is important to note that these tools do have limitations in their ability to achieve intended outcomes. Most of the work related to implementation and enforcement completed by staff are through capacity building, education, and incentives. Staff has the opportunity and pleasure to work with a broad range of knowledgeable and passionate planners throughout the state, and the majority of enforcement work happens through collaborative problem solving with local jurisdictions. However, there are instances in which the department needs to utilize enforcement authority to enforce state statute and administrative rule. The Department would use these actions as a last resort, because they cost significant time and resources to conduct and they are limited in their ability to achieve compliance with applicable statute and rule.



Directed and Coordinated State and Local Resources

In considering the role of the state in implementing the allocation of a RHNA, there are two primary themes that have been raised through stakeholder discussion warranting state consideration. These include how the state allocates the provision of **resources to build capacity and enforce accountability** and continued consideration how **statewide policy affects the feasibility of smaller, more affordable housing types**. To address each of these, staff recommends the following:

- 1. Leverage state resources to build capacity and enforce accountability, especially those related to infrastructure and public services. Direct state resources for the planning and provision public facilities and transportation to support the development of smaller and more affordable housing types, and consider how these investments can be used to leverage the implementation of a RHNA.**

In developing an accountability framework, there needs to be special consideration to how state and local governments invest in public facilities to support the development of housing. Through stakeholder conversations, the Department consistently heard that the key barrier to the development of housing that addresses need stems from a lack of resources to fund the provision of adequate infrastructure. Stakeholders have indicated that one of the strongest tools available to the state to achieve more affordable, fair, and equitable housing outcomes is through how the state structures existing and future investments to transportation and other public facilities.

- 2. Consider longer-term statewide policy options that increase the availability of smaller, more affordable housing, increase housing choice, and build on House Bills 2001 and 2003.**

Participants throughout housing production strategy rulemaking and the RHNA methodology development and outreach identified a variety of barriers to the development of housing that exist at the state level. In order to make meaningful progress on the implementation of a RHNA, it will be important for continued state consideration of policies that can remove barriers to the provision of housing build on the work of House Bills 2001 and 2003. The following are examples of longer-term policy considerations staff heard from stakeholders:

- Small-scale condominium reform that allows for middle housing homeownership opportunities.
- A more flexible, small-scale lot division pathway that allows for simplified subdivision of middle housing, allowing for fee-simple ownership options and greater diversity of middle housing form.
- Revisions to planning requirements and building code that enable the provision of a greater variety of affordable housing options.
- Revisions to public facilities plans and System Development Charges to encourage the development of smaller, more infrastructure-efficient housing options
- Evaluation of systems of land and property taxation on the provision of smaller and more affordable housing.



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- o Considerations on the inflexibility of rural lands to allow for the provision of workforce housing.

Needed Measures in Lieu of a RHNA

Through this process of evaluating the RHNA and the overall Goal 10 housing planning framework, it became very clear that while there has been an intent for regional collaboration and accountability in housing planning reflected in statute and administrative rule, there have not been clear parameters that implement a system of regional accountability. A consequence of this is that the ability for local jurisdictions to meaningfully identify and address regional housing considerations, such as housing for lower-incomes or addressing segregation and exclusion, is limited by the political priorities of the community.

The RHNA implements a housing planning framework that better ensures a system of shared responsibility and accountability in the development of needed housing. If the RHNA is not implemented, there is still a need for an implementation mechanism that ensures a broader regional system of accountability in providing needed housing. Other states have developed such models, including Massachusetts with Chapter 40B of the Comprehensive Permit Act, otherwise known as the “Anti-Snob Zoning” Act or New Jersey with requirements for a “fair share” of affordable housing through the Mount Laurel doctrine and subsequent fair housing legislation. If a RHNA is not implemented, we recommend directing the agency to further explore alternative models of implementing a system of regional accountability within the existing Goal 10 framework. The implementation of such a framework will require the following elements:

- Clearly defined shares of housing affordable to households with lower income that local governments must plan for and clear policy guidance on intended housing outcomes and clarify through administrative rule how local governments can satisfy state expectations.
- Refinements to OAR Chapter 660, Division 7 and 8 to more comprehensively address housing need and clarify local and regional responsibilities.
- Similar enforcement and accountability measures as recommended for the implementation of a RHNA to ensure legislative expectations are met.

Near-Term Recommendations

Put Equity at the Center

As discussed in greater detail in the OHCS Summary Report, the findings of the RHNA identify distinct and disproportionate unmet housing needs that have historically not been addressed within Goal 10 planning processes. In many cases, identified housing disparities are intersectional and compound with other demographic characteristics, especially disability, race, ethnicity, and English proficiency.

Through rulemaking for housing production strategies, it became clear to staff that state and local governments have a direct responsibility to plan in consideration of these disparities and to strive to achieve more affordable, fair, and equitable housing outcomes. The resulting administrative rules for housing production strategies reflects this understanding, but it is important to emphasize that this is the first step towards developing a housing planning framework that comprehensively incorporates equity.



In discussions for the housing production strategy and RHNA, it became clear that there are existing pathways to improve the current Goal 10 framework, while allowing for future integration with a RHNA or similar framework. The following recommendations would build on the ongoing implementation of House Bill 2003 and provide local jurisdictions with additional tools to better understand and address equity considerations in housing planning processes.

1. Reinforce state and local obligations to plan to disrupt patterns of segregation and exclusion, affirmatively further fair and equitable housing outcomes, and align with statewide climate mitigation and adaptation efforts.

Early in housing production strategy rulemaking, the new requirement was initially interpreted and conceptualized as a “follow up” to the housing capacity analysis, and through extensive discussion, evolved into a process that aims to more directly address fair and equitable housing outcomes that have been historically omitted in housing planning processes. Additionally, the agency has been working on a variety of efforts related to climate mitigation and adaptation in response to Governor Brown’s Executive Order 20-04. DLCD worked with 25 state agencies to update the 2010 Oregon Climate Change Adaptation Framework and, more importantly, recommend how best to implement programmatic and policy changes that will prepare our environment, economy, local governments, and people for the effects of climate change. Additionally, DLCD worked with the Oregon Department of Transportation, Oregon Department of Energy, and the Oregon Department of Environmental Quality to implement the Statewide Transportation Strategy. The four agencies developed an initial Statewide Transportation Strategy Multi-Agency Implementation Work Plan that covers a two year period, from June 2020-June 2022. As part of this work plan, DLCD has initiated the Climate Friendly & Equitable Communities rulemaking that will reduce greenhouse gas emissions from the transportation sector by requiring the implementation of plans in metropolitan areas to meet greenhouse gas reduction goals. These factors represent some of the most important considerations for building affordable, inclusive, and climate-resilient communities throughout the state. We recommend reinforcing the agency’s responsibility to continue the work necessary to realize these outcomes through the implementation of House Bills 2001 and 2003.

2. Incorporate additional demographic information into the Oregon Population Forecast Program to better understand and address housing needs for groups with historically unmet housing need, including communities of color, people with disabilities, people experiencing homelessness, and tribal nations.

Cities greater than 10,000 in population now have an explicit requirement to consider housing need for communities of color, people with disabilities, people experiencing homelessness, and state and federal protected classes generally through the housing production strategy. In discussions with members at the Population Research Center, staff have identified the possibility to include some or all of these elements in the Oregon Population Forecast Program (OPFP) and set a foundation to better understand and ultimately address these needs.

a. Communities of Color

Local jurisdictions are required by OAR 660-008-0050(1)(a)(A) to contextualize housing need with need disaggregated by race and ethnicity and considering housing inequity and segregation explicitly. To build on this requirement, we recommend incorporating estimates and



projections by race and ethnicity into population estimates and projections. Through discussion, we have learned that while there are technical considerations for the best approach to incorporate such demographic information, it would be feasible to incorporate these estimates into the OPFP. Additionally, specific geographic levels and which measures of race and ethnicity should be considered by the Racial Justice Council and other state agencies such as the Oregon Health Authority and Oregon Department of Transportation as these agencies have expressed a need for including this information in population projections for planning purposes.

b. People with Disabilities

The Regional Housing Needs Analysis developed by OHCS identifies a distinct and disproportionate housing need for people with disabilities. To estimate this need, the RHNA utilizes disability status data collected by the U.S. Census Bureau, which includes the following:

- hearing difficulty
- vision disabilities
- self-care difficulty (having difficulty bathing or dressing)
- independent living difficulty (having difficulty doing errands alone)
- ambulatory difficulty (having serious difficulty walking or climbing stairs)
- cognitive difficulty (having difficulty remembering, concentrating, or making decisions)

Oregon has 570,000 persons with disabilities, accounting for 14% of the state's population, many of whom experience disproportionate rates of cost burdening and barriers in accessing adequate housing that serves their needs. In response to this significant unmet need, administrative rules for housing production strategies requires local jurisdictions to consider and address needs for people with disabilities. Incorporating this information into population estimates and forecasts will enable jurisdictions to better respond to this need in housing planning processes.

Additionally, there are additional policy options that would enable the state to better understand the range and severity of need through leveraging existing reporting requirements. The Oregon Health Authority conducts a regular health survey called the Behavioral Risk Factors Surveillance System (BRFSS), which collects information on a variety of public health topics, including information on people with disabilities reported at state and county levels. Development of an additional BRFSS module to collect information on housing that is incorporated into the population forecast program will provide a much better understanding of the scope and severity of need. In building a better understanding of housing need for people with disabilities, it will be important to carefully consider disabilities that are often overlooked, such as people with schizophrenia or Post-Traumatic Stress Disorder.

c. People Experiencing Homelessness

People experiencing homelessness have historically been unaccounted for in housing capacity analyses. Even as policymakers have increasingly recognized the importance of addressing the housing need for people experiencing homelessness, it functioned as an optional element to address within a housing capacity analysis and methodologies to estimate the number of people experiencing homelessness vary widely and typically underestimate the full scope of need.



In recognition of this gap, housing for people experiencing homelessness was a key priority in rulemaking for housing production strategies. Under OAR 660-008-0050(1)(a)(E), local jurisdictions are now required to estimate the number of people experiencing homelessness within their communities and adopt strategies that address the identified need in their housing production strategies. They are also required to consider and report how adopted strategies will help provide more housing choices for people experiencing homelessness.

The Regional Housing Needs Analysis also addressed this deficiency by incorporating a baseline estimate of homelessness for each region within the state as part of the overall needs projection. The methodology utilizes data from the U.S. Census Bureau, which does not capture people experiencing homelessness. To address this, the RHNA estimates regional populations of people experiencing homelessness using Point-in-Time (PIT) count and McKinney-Vento data to establish a baseline statewide estimate.

Such an estimate could be incorporated into the existing Certified Population Estimates for Oregon, which would ensure that all jurisdictions have a baseline estimate of people experiencing homelessness captured in the PIT and McKinney-Vento data sets without needing to spend time and resources conducting the analysis for the housing production strategy. Even these datasets have significant limitations in their ability to accurately capture the need, so local cities and counties should be able to further contextualize these estimates with local data sources, as available, so long as they do not diminish local responsibility to address housing need for people experiencing homelessness.

Staff emphasize that this estimate should be revised to incorporate estimates provided in the Annual Homeless Assessment Report (AHAR) developed by the U.S. Department of Housing and Urban Development (HUD). To guide the development of an appropriate methodology estimate, we recommend directing the department to work with the Homelessness Research and Action Collaborative (HRAC) to develop an appropriate methodology and method for incorporating the estimate into annual Certified Population Estimates.

In discussions with service providers and affordable housing developers statewide, the incorporation of housing need for people experiencing homelessness into housing planning processes is recognized as a good first step towards better addressing this need at the local level. However, they also emphasized the importance of developing a *comprehensive statewide framework for addressing housing need*, including a process to clarify how local cities and counties can remove barriers, develop policies, and align with service providers to more comprehensively address need. Additionally, this process would require state-level considerations around the range of long-term housing options, short-term shelter options, services, and other factors needed to address need. They also emphasized that in order for this need to be comprehensively addressed, the state will need to take a proactive role in setting policy direction, directing resources, enforcing accountability, and facilitating education with regard to housing for people experiencing homelessness.

d. Tribal Nations

The RHNA was unable to develop estimates of housing need for the nine federally-recognized tribes in Oregon, because Tribal Nations are sovereign and not subject to requirements of cities and counties under the statewide land use planning program, tribal-owned lands and indigenous



community populations are consolidated with county estimates. However, in recognition that Tribal Nations have unique housing needs than the rest of the area outside of an Urban Growth Boundary in a county, it is important that a RHNA include information on this need for tribal governments to use as they plan for the housing needs of their members on and off Tribal Trust (reservation) lands.

To this end, the Department recommends incorporation of tribal-owned lands into the Oregon Population Forecast System. Additionally, staff engaged in government-to-government consultation with various staff working within tribal governments, who recommended additional policy considerations that better address housing needs for tribal members. Staff heard that, while there are policy options that can get better estimates of housing need for tribal members, there needs to be an accompanying implementation framework that actively addresses barriers to housing need in Tribal Nations. Otherwise, the improved data will do little to address the underlying need experienced by Tribal members.

Through these conversations, staff learned about a variety of barriers tribal housing authorities face in the development of housing, including a federal funding framework that is becoming increasingly limited. Additionally, a variety of state and federal programmatic and policy barriers prevent the distribution of resources to Tribal Nations to provide affordable housing, and development circumstances that are increasingly more expensive and difficult to finance than in other areas in the state. Many of these conversations were specific to publicly-supported affordable housing, but it is clear that barriers like these exist at various levels of government throughout a variety of agencies and entities and affect the viability of developing housing options for tribal members.

To address these issues, staff recommends the following be further explored with staff and leadership of Tribal Nations:

1. Conduct a **separate data collection process** to understand housing need for tribal members that live elsewhere in the state. Any effort should recognize and anticipate a lack of trust in government within these communities.
2. Direct **state policy action** to address housing need for members of Tribal Nations. While better measuring need is a good step forward, the effort spent measuring these issues means very little if they are not accompanied with policy actions to address the need. While the statewide land use planning system does not typically intersect with the housing work that Tribal Nations conduct, there is a clear need for policies at various state agencies that better supports the provision of housing to support tribal nations, especially publicly supported housing.

Address Goal 10 Gaps

Another major theme of discussions with stakeholders are the gaps that exist within the current Goal 10 planning framework that have a significant impact on addressing housing need. Two significant gaps identified during these discussions included housing planning for *small cities and rural areas* and *infrastructure planning and finance*. While both of these will require significant consideration in the implementation of a RHNA, in the near-term, the department can work to address gaps and better consider future action through the recommendations below. Both recommendations can be implemented as part of continued planning assistance funding



for the implementation of House Bills 2001 and 2003 and would enable the agency to consider a wider range of planning projects that implement the letter and spirit of the bills.

- 1. Allow the agency to pilot and evaluate one or more housing capacity analyses/housing production strategies that address gaps in Goal 10 planning requirements (i.e. rural areas and small cities), conducted at a county or regional level and provided for use by cities under 10,000 population and other entities, including Tribal Nations.**

This recommendation is in recognition that the requirements of House Bill 2003 do not apply to cities below 10,000 or counties. With the capacity constraints that exist within these communities, it would not be practicable to extend this requirement to smaller cities. However, stakeholders raised an idea of allowing smaller cities and rural areas to “pool resources” to engage in a housing planning process that would allow them to update significantly outdated housing capacity analyses and housing elements of comprehensive plans. Additionally, we have heard an increased need for increased meaningful consultation and collaboration between local and regional governments and various Tribal Nations. By exploring a pilot project aimed at addressing both of these issues, the agency can evaluate whether and how such an approach could be utilized statewide to address housing planning gaps in the implementation of a RHNA.

- 2. Allow the agency to provide technical assistance for public facilities planning that promotes the development of middle housing and smaller, more affordable housing options, especially through adjustments to how infrastructure is financed, including System Development Charges (SDCs).**

One of the most significant considerations in rulemaking for House Bills 2001 and 2003 was the availability and sufficiency of infrastructure in the development of middle housing. One clear takeaway from this process is that our current framework for financing and constructing infrastructure *disincentivizes the development of smaller and more affordable housing types* that use infrastructure and public facilities in a more efficient manner than single-family detached dwellings.

Allowing planning assistance from either House Bills 2001 or 2003 to projects that evaluate and adjust public facilities plans to encourage the development of middle housing and/or smaller, more affordable housing types in general would build on the work of both bills by encouraging the development of legalized middle housing options and provide the agency with a series of tools and practices local jurisdictions can consider to encourage the development of smaller, more affordable housing types through future housing production strategies. Planning assistance provided via House Bill 2001 will likely need to be more specifically focused on Middle Housing development, while House Bill 2003 funding would broaden the scope to include multi-family dwellings and other smaller, more affordable housing types.

Continue Development of the RHNA

While this report concludes that the implementation of a Regional Housing Needs Analysis would address some of the critical shortfalls of the current housing planning framework, we have identified a number of implementation considerations that will require additional conversations and discussions to work out. These include:



-
- How a Regional Housing Needs Analysis would function in alignment with the Metro Urban Growth Management Functional Plan and the tri-county area within and outside of the Metro.
 - If constructing alternative regional boundaries is a future possibility, how boundaries should be arranged to best reflect regional housing markets, such as in Central Oregon and the South Coast.
 - Continued clarification on the expectations and responsibilities of state, regional, and local entities to address housing need and affordability through Goal 10 planning processes.
 - Developing a framework for access to opportunity that recognizes the balance between bringing people to opportunity and bringing opportunity to people while emphasizing the importance of individual choice and agency.
 - Encourage the department to review and potentially amend administrative rules related to improving the ability of Goal 10 and related rules to plan for housing capacity, including evaluations to buildable lands inventories and measures to accommodate needed housing.

January 20, 2021

Robin McArthur, Chair
Land Conservation and Development Commission
Via Electronic Submittal

RE: Agenda Item 7
Regional Housing Needs Assessment and HB 2003

Dear Chair McArthur and Members of the Commission,

Morrow County appreciates the opportunity to comment on this agenda item, the Commission's draft report to the Oregon Legislature on the Regional Housing Needs Assessment (RHNA/HNA), as required in HB 2003 (2019). The draft report devotes special attention to homelessness and minority populations and could likewise devote attention to the unique challenges in *rural* communities.

The work conducted by the Housing Team at the Department of Land Conservation and Development (DLCD) staff over the past year has been ambitious, inclusive, and comprehensive. We applaud their efforts and especially appreciate outreach in eastern Oregon.

Rural Challenges in the Context of Housing

Funding for infrastructure is a disproportionate steep hurdle for small cities, given their limited access to capital and bonding. Staffing capacity for planning in small cities generally is limited, despite the very capable people who run those cities.ⁱ It is not unusual for a city to have only one or two employees to carry out all the duties of a single town. Staffing capacity to implement recommendations in the RHNA would too be limited.

While we believe in the uniqueness of every county and city, we offer Morrow County's *rural* perspective to illustrate. Morrow County has a population of 12,825 and one of the largest Latino populations in the state. We may soon be the first 'minority majority' county in the state.ⁱⁱ Our vast landscape is largely agricultural lands. We enjoy some of the highest average wages in the state, placing third or fourth annually,ⁱⁱⁱ a rank that is directly attributable to the Port of Morrow, Oregon's largest inland Port. Industrial job creation is challenged however, by a need for workforce housing. In 2017, the Port estimated that 70% of its workforce, approximately 6,000 full time employees, travel to work from outside the City of Boardman,^{iv} even while the City and Port have implemented creative, clever and effective housing incentive programs. The other four cities also have

incentives and even advocacy groups designed to promote housing.

In 2019, Morrow County, together with the five cities, completed a Buildable Lands Analysis and Housing Strategy, which incorporated data and analysis similar to that contemplated in the RHNA. Our staff is working to implement the recommendations and we realize it takes time to realize the benefits of changes to Plans and Codes. But the point here is that even with a new and robust RHNA approach, unless resources are made directly to help rural areas with implementation, there likely will be no measurable effect in Morrow County given the rural constraints listed above. To remedy this and to expedite progress in increasing housing options, we offer some suggestions in the context of your draft RHNA and Report to the Oregon Legislature.

Consider placing housing staff in the rural regions, with the purpose of implementing the Housing Production Strategy (HPS) and otherwise supporting planning and development. The same is true for DLCDC staff working in rural areas.

1. By shifting to a regional approach with aggregated data, there is the real potential to exacerbate the urban-rural divide. Aggregated regional data is less accurate and difficult to use as a basis for effective housing policy. For example, in several Morrow County cities, the growth rate has been at or below one percent. It is not clear how regional data would benefit the small cities. As an alternative, consider providing grants to small cities to help implement HPS and HNA.
2. Accountability metrics described on Page 7 of the report would be challenging for small cities to meet. Even one or two new homes in a small community would be considered successful. A focus on incentives, rather than compliance would be more welcome. Create, for example, a rural affordable housing incentive for developers who invest in rural communities. Or streamline the building inspector certification process for inspectors working in rural areas by allowing reciprocity with the State of Washington, mentorship programs and streamlining certification programs. The same with construction trades – provide special incentives and funding for rural training programs so rural areas have access to journeyman electricians and plumbers.
3. Page eight of the draft report finds that “While Goal 10 and accompanying statute and administrative rule have outlined a clear intent for local cities and counties to plan for regional housing need and affordability, the provision of housing options at a range of affordability levels and densities varies based on the political willingness of a particular community to work to fulfill that housing need. The RHNA allocation provides a framework that imparts a shared responsibility among communities to address the overall housing need of a region that does not exist today.” We take exception to this conclusion, based in large part on our track record of implementing creative housing incentive programs at the local level, and in the tremendous growth of the Latino population, including home ownership. We think state resources would be better spent on incentives rather than enforcing a numeric performance metric.

4. We concur with your finding three on page nine, that is, a very significant barrier to housing is the provision of sufficient infrastructure. Here again, rural areas have less capital and capacity to fund very costly infrastructure. Emphasis on funding resources would be a better way to help rural areas develop more housing.
5. The “concurrency requirement” described on page 13 has the potential to add to the burden of rural areas that are already understaffed. We agree that a change to ORS 197.296(6) would help streamline planning and urban growth boundary (UGB) considerations.

In summary, we applaud your efforts and that of your staff. We applaud the Oregon Legislature for taking a close look at the connection between land use planning and housing. We ask that you look at housing planning through a rural lens and also consider flexibility in helping rural communities reach local housing goals.

If you would like further information about our local housing policies and programs, or our Zoning Ordinance and Comprehensive Plan, please contact Tamra Mabbott, Planning Director (541) 922-4624, tmabbott@co.morrow.or.us.

Thank you for your considerable outreach and coordination.

Sincerely,

Don Russell
Chair

Jim Doherty
Commissioner

Melissa Lindsay
Commissioner

CC: Association of Oregon Counties (AOC) Legislative Committee
Senator Bill Hansell
Representative Greg Smith
Ryan Neal, Port of Morrow
County Planning Commission
Cities of Boardman, Irrigon, Heppner, Lexington, Ione

ⁱ Report to Oregon House Committee on Agriculture by Department of Land Conservation and Development on the outcome of the Eastern Oregon Economic Opportunities Analysis, January 2019.
https://www.oregon.gov/lcd/UP/Documents/HouseNR_EOEOA.pptx_v2.pdf

ⁱⁱ “Oregon By the Numbers” November, 2020, OSU Extension and Ford Family Foundation, pages 108-109.
https://www.tfff.org/sites/default/files/OregonByTheNumbers2020_23Nov.pdf

ⁱⁱⁱ State of Oregon Employment Department

^{iv} “Economic and Community Benefits Analysis Update,” 2017, Port of Morrow.

AGENDA ITEM COVER SHEET
Morrow County Board of Commissioners
(Page 2 of 2)

1. ISSUES, BACKGROUND, DISCUSSION AND OPTIONS (IF ANY):

See Attached Executive Summary and the Statewide Transportation Improvement Fund Application.

2. FISCAL IMPACT:

Estimated Revenue from the Statewide Transportation Improvement Plan \$554,086 for Fiscal Years 2021-2023

3. SUGGESTED ACTION(S)/MOTION(S):

Prioritize Projects if needed.

Motion to approve the Statewide Transportation Improvement Fund Plan Application for Fiscal Years 2021-2023.

Attach additional background documentation as needed.



Statewide Transportation Improvement Fund Plan
Biennium 2021-2023

Executive Summary of Projects

1. Capital Projects

- a. Local match for capital vehicles \$48,000
- b. Capital technology enhancements at bus shelters and stops (iTransitNW) \$38,000
- c. Local match to purchase land for bus barn \$20,000 (if no County owned site is identified in planning process)
- d. Local match for bus barn construction \$113,000
- e. Bus stop signage, shelters, and passenger amenities \$39,500

Capital Projects Total = \$258,500

2. Operations Projects

- a. Dispatcher and Bus Drivers \$267,000
- b. Coordinated Plan Update \$16,000
- c. Local Match for Bus Barn Planning \$10,000
- d. Marketing and Outreach \$15,000
- e. Other emerging opportunities to come before the QE and Advisory Committee

Operations Projects Total = \$308,000

Grand Total Projects 1. & 2. = \$566,500

3. Operations Reserve – Est. Carry Over Funds from FY 2019-2021 \$500,000

Preservation of pending STIF Discretionary funded projects for FY 2021-2023

- 1) Boardman Circulator - \$170,000
- 2) Hermiston to Boardman Connector- \$90,000
- 3) Heppner to Boardman Connector - \$156,000
- 4) Arlington to Boardman Connector- \$170,000

Estimated Total of pending STIF Discretionary projects = \$586,000

Oregon Department of Transportation



STIF Plan

FY 2021-23

1. Qualified Entity

Qualified Entity Name

Morrow County

Qualified Entity Address

110 N. Court St.

Address Line 1

Heppner

City

Oregon

State

97836

Zip Code

STIF Plan Contact Name

Katie Imes

STIF Plan Contact Title

Transportation Coordinator

STIF Plan Contact Email

kimes@co.morrow.or.us

STIF Plan Contact Phone Number

(541) 676-5667

Employer Identification Number (EIN)

93-6002308

Will any of the projects in this STIF Plan use funds jointly managed with one or more other Qualified Entities?

Yes

Upload documentation of joint management agreement.

MOU-UC-MC-CTUIR 8-2020.pdf

resolution 2018 22.pdf

1.2 Public Transportation Service Providers in this STIF Plan

Provider 1

The Qualified Entity is the only Public Transportation Service Provider in this STIF Plan.

Yes

Service Provider Name

Morrow County - The Loop

2. Advisory Committees

2.1 Advisory Committee Website

By checking this box I agree all Advisory Committee requirements of OARs 732-040-0030, 732-040-0035 and 732-042-0020 have been met, including but not limited to, required constituencies, bylaws that include method for determining high percentage of Low-Income Households, public meetings, review and prioritization of STIF Plan Projects.

Advisory Committee Web Address

<https://www.co.morrow.or.us/theloop>

If this information is not available on a website, you must upload other documentation that demonstrates how Advisory Committee information was published.

STIF_COMM_Bylaws.pdf

Limit 100 MB

3. Local Plan Compliance

3.1 Existing Local Plans from which project(s) are derived.

Local Plan 1

Local Plan Name

Morrow County Coordinated Human Services Public Transportation Plan

Governing Body that adopted Local Plan

Morrow County Board of Commissioners

Plan Adoption Date

10/3/2016

Local Plan Web Address

<https://www.co.morrow.or.us/theloop>

Upload copy of Local Plan if it is not available on a website.

Morrow County Coordinated Plan FINAL.pdf

Limit 100 MB

Local Plan 2

Local Plan Name

Morrow County/Umatilla County Transit Development Strategy

Governing Body that adopted Local Plan

Morrow County Board of Commissioners

Plan Adoption Date

1/1/2018

Local Plan Web Address

https://www.co.morrow.or.us/theloop

Upload copy of Local Plan if it is not available on a website.

UC_MC Transit Development Strategy Plan.pdf

Limit 100 MB

3.2 Local Plan requirements

I agree that all Local Plans are consistent with the STIF requirements specified in OAR 732-040-0005(18)

Yes

No, one or more Local Plans are not yet consistent with STIF rule requirements.

4. Accountability

You may insert a web address in place of a description or document upload, as long as the information is sufficient enough to warrant approval of the STIF Plan and comply with STIF Rule.

4.1 Accountability methods

By checking this box I affirm that all of the necessary policies and procedures are in place to ensure compliance with OAR 732, Divisions 40 and 42, and to achieve the goals and outcomes specified in this STIF Plan, including, but not limited to program and financial management, operations management, procurement, use and maintenance of equipment, records retention, compliance with state and federal laws, civil rights and compliance with ADA.

By checking this box I affirm that all of the necessary policies and procedures are in place to ensure compliance of all Sub-Recipients with OAR 732, Divisions 40 and 42, and to achieve the goals and outcomes specified in this STIF Plan, address deficiencies in Sub-Recipient performance, and to ensure the Qualified Entity can accomplish the applicable requirements of these rules, including but not limited to, audit and compliance requirements, accounting requirements, capital asset requirements and reporting requirements.

4.2 Sub-Allocation method

Describe the Qualified Entity’s method for sub-allocating STIF Formula Fund moneys and the collaborative process used to work with Public Transportation Service Providers and other potential Sub-Recipients, as relevant, to develop the sub-allocation method.

Morrow County is the qualified entity and the only public transportation provider in Morrow County is The Loop Morrow County Transportation. Morrow County used public meetings and had meetings with potential Sub-Recipient for allocating funds for the STIF Formula Fund moneys.

Limit 1000 Characters

4.3 High Percentage of Low-Income Households

Explain how the STIF Plan defines and identifies communities with a high percentage of Low-Income Households.

An area is determined to have a high percentage of low-income households when its proportion of population with income at or below 200% of the federal Poverty Level is greater than the State of Oregon's as a whole. Morrow County identifies low-income households through the transit sketch planning tool Remix, provided by Oregon Department of Transportation - Public Transportation. Attached are the calculations for Morrow County Low-Income Households.

Limit 1000 Characters

Upload Response

Morrow County Low-Income Percentages .pdf

Limit 100 MB

5. STIF Plan Period and Adoption

5.1 Period Covered By STIF Plan

Provide start and end dates for projects proposed for funding in this STIF Plan. The earliest possible start date for the initial solicitation cycle is July 1, 2021.

Start Date:

7/1/2021

End Date

6/30/2023

5.2 STIF Plan Adoption

STIF Plan Advisory Committee recommendation date

1/12/2021

6. Projects

6.1 Project Detail Entry

Project 1

Public Transportation Service Provider or Qualified Entity Name

Morrow County

Project Name

Capital Projects

Limit 50 characters

Project Description

Funds capital projects in the following priority:

- 1) Up to \$48,000 for local match on capital vehicles;
- 2) Up to \$38,000 for capital technology enhancements on buses, bus shelters and bus stops;
- 3) Up to \$20,000 for local match to purchase land for bus barn (if no County owned site is identified in planning process);
- 4) Up to \$113,000 for local match to develop and construction of a bus barn;
- 5) Up to \$39,500 for bus stop signage, shelters, and passenger amenities.

Limit 1000 Characters

Do you plan to expend funding in a future STIF Plan period?

- Yes
 No

Project budget share to improve, expand or maintain public transportation service

Improve or Expand Service

100%

Local Plan from which this project is derived:

Morrow County Coordinated Human Services Public Transportation Plan

Local Plan page number

6-1, 6-2, 6-4,

Multi-Phase Project

Is your project part of a larger, multi-phase project?

No

6.1.1 Project Scope

Task 1

Task Description

Local match for up to five vehicles.

Examples:

- Purchase and installation of up to 12 branded bus stop signs.
- This task provides resources for additional peak service to accommodate increased demand associated with implementation of the Youth Fare program.

Limit 250 Characters

Category

Vehicle Purchase 111-00

- Equipment Purchase
- Facility Purchase
- Signs/Shelters Purchase
- Operations 30.09.01 (Operating Assistance)
- Planning 44.20.00
- Preventive Maintenance 11.7A.00
- Project Administration 11.79.00
- Mobility Management 11.7L.00
- Communications 44.26.14
- Program Reserve 11.73.00
- Capital 117-00 Other Capital Items (Bus)

By checking this box, I affirm that all projects requesting funds for capital expenses are in compliance with the Capital Asset Requirements outlined in OAR 732-042-0040.

What type of capital vehicle purchases are included in this task?

- Replacement
- Expansion
- Lease
- Rebuild
- Vehicle Overhaul

Vehicle Expansion 11.13

11.13 Vehicle Information

Vehicle ALI	Make/Model	Quantity	Cost Each	Total	Length	# of seats / # ADA stations	# of seats with ADA deployed	Fuel System
11.13.15 Vans	ADA Minivan	1	\$49,100.00	\$49,100.00	< 20'	5 eg 20/2	4	Gas
11.13.04 Bus < 30 FT	Cutaway	3	\$93,915.00	\$281,745.00	< 30'	14 eg 20/2	12	Gas
11.13.04 Bus < 30 FT	Cutaway	1	\$134,029.00	\$134,029.00	30'	30 eg 20/2	28	Gas
				\$464,874.00				

6.1.2 Expenditure Estimates

Expenditures by Fund Source and Fiscal Year

Enter estimates of all expenditures for activities in this task denoting both fund source and fiscal year of expenditure. Do not select more than eight fund sources.

Fund Type	FY 2022	FY 2023	FY 2024	FY 2025	Total
STIF	\$48,000.00	\$0.00			\$48,000.00
Federal	\$0.00	\$0.00			\$0.00
Other State	\$0.00	\$0.00			\$0.00
Local	\$0.00	\$0.00			\$0.00
Other Funds	\$0.00	\$0.00			\$0.00
FY19-21 Unspent STIF Funds	\$0.00	\$0.00			\$0.00
FY19-21 STIF Interest Accrued	\$0.00	\$0.00			\$0.00
FY19-21 Program Reserve	\$0.00	\$0.00			\$0.00
	\$48,000.00	\$0.00	\$0.00	\$0.00	\$48,000.00

By checking this box, I confirm that this project task is only funded by STIF.

6.1.3 Outcome Measures

Optional Outcome Measures

Please select at least one optional outcome measure that best reflects the benefit of this task.

Outcome Measure 1

All Project Types

Other Measure

Vehicle Deliveries Accepted

Number of Units:

Task 2

Task Description

Capital improvements necessary to participate in the iTransitNW Network.

Examples:

- Purchase and installation of up to 12 branded bus stop signs.
- This task provides resources for additional peak service to accommodate increased demand associated with implementation of the Youth Fare program.

Limit 250 Characters

Category

- Vehicle Purchase 111-00
- Equipment Purchase
- Facility Purchase
- Signs/Shelters Purchase
- Operations 30.09.01 (Operating Assistance)
- Planning 44.20.00
- Preventive Maintenance 11.7A.00
- Project Administration 11.79.00
- Mobility Management 11.7L.00
- Communications 44.26.14
- Program Reserve 11.73.00
- Capital 117-00 Other Capital Items (Bus)

By checking this box, I affirm that all projects requesting funds for capital expenses are in compliance with the Capital Asset Requirements outlined in OAR 732-042-0040.

Equipment Purchase

Equipment Information

Description	Quantity	Unit Cost	Total Cost
iTransitNW tech equipment	1	\$38,000.00	\$38,000.00
			\$38,000.00

6.1.2 Expenditure Estimates

Expenditures by Fund Source and Fiscal Year

Enter estimates of all expenditures for activities in this task denoting both fund source and fiscal year of expenditure. **Do not select more than eight fund sources.**

Fund Type	FY 2022	FY 2023	FY 2024	FY 2025	Total
STIF	\$38,000.00	\$0.00			\$38,000.00
Federal	\$0.00	\$0.00			\$0.00
Other State	\$0.00	\$0.00			\$0.00
Local	\$0.00	\$0.00			\$0.00
Other Funds	\$0.00	\$0.00			\$0.00
FY19-21 Unspent STIF Funds	\$0.00	\$0.00			\$0.00
FY19-21 STIF Interest Accrued	\$0.00	\$0.00			\$0.00
FY19-21 Program Reserve	\$0.00	\$0.00			\$0.00
	\$38,000.00	\$0.00	\$0.00	\$0.00	\$38,000.00

By checking this box, I confirm that this project task is only funded by STIF.

6.1.3 Outcome Measures

Optional Outcome Measures

Please select at least one optional outcome measure that best reflects the benefit of this task.

Outcome Measure 1

All Project Types

Other Measure

Capital Improvements Completed

Number of Units:

iTransitNW base equipment put into service

Task 3

Task Description

Local match against the possibility that we will have to buy land (if no county owned site is identified). Assumes 20% match on a Section 5339 application.

Examples:

- Purchase and installation of up to 12 branded bus stop signs.
- This task provides resources for additional peak service to accommodate increased demand associated with implementation of the Youth Fare program.

Limit 250 Characters

Category

- Vehicle Purchase 111-00
- Equipment Purchase
- Facility Purchase
- Signs/Shelters Purchase
- Operations 30.09.01 (Operating Assistance)
- Planning 44.20.00
- Preventive Maintenance 11.7A.00
- Project Administration 11.79.00
- Mobility Management 11.7L.00
- Communications 44.26.14
- Program Reserve 11.73.00
- Capital 117-00 Other Capital Items (Bus)

117-00 Other Capital Items Activity Type

- Third Party Contracts 11.71
- Force Accounts 11.72
- Real Estate (R/W) 11.75
- Real Estate (Other) 11.76

Real Estate (Other) 11.76 Activity Detail

- | | |
|---|--|
| <input checked="" type="radio"/> 11.76.91 Acquisition | <input type="radio"/> 11.76.92 Relocation (Actual) |
| <input type="radio"/> 11.76.93 Demolition | <input type="radio"/> 11.76.94 Appraisal |
| <input type="radio"/> 11.76.95 Utility Relocation | <input type="radio"/> 11.76.96 Construction |
| <input type="radio"/> 11.76.97 Rehabilitation | <input type="radio"/> 11.76.98 Lease |

Other Capital Items Task Category

Task Category Amount

\$20,000.00

6.1.2 Expenditure Estimates

Expenditures by Fund Source and Fiscal Year

Enter estimates of all expenditures for activities in this task denoting both fund source and fiscal year of expenditure. Do not select more than eight fund sources.

Fund Type	FY 2022	FY 2023	FY 2024	FY 2025	Total
STIF	\$0.00	\$20,000.00			\$20,000.00
Federal	\$0.00	\$0.00			\$0.00
Other State	\$0.00	\$0.00			\$0.00
Local	\$0.00	\$0.00			\$0.00
Other Funds	\$0.00	\$0.00			\$0.00
FY19-21 Unspent STIF Funds	\$0.00	\$0.00			\$0.00
FY19-21 STIF Interest Accrued	\$0.00	\$0.00			\$0.00
FY19-21 Program Reserve	\$0.00	\$0.00			\$0.00
	\$0.00	\$20,000.00	\$0.00	\$0.00	\$20,000.00

By checking this box, I confirm that this project task is only funded by STIF.

6.1.3 Outcome Measures

Optional Outcome Measures

Please select at least one optional outcome measure that best reflects the benefit of this task.

Outcome Measure 1

All Project Types

Other Measure

Capital Improvements Completed

Number of Units:

Land purchased

Task 4

Task Description

Local match for the development and construction of a bus barn.

Examples:

- Purchase and installation of up to 12 branded bus stop signs.
- This task provides resources for additional peak service to accommodate increased demand associated with implementation of the Youth Fare program.

Limit 250 Characters

Category

- Vehicle Purchase 111-00
- Equipment Purchase
- Facility Purchase
- Signs/Shelters Purchase
- Operations 30.09.01 (Operating Assistance)
- Planning 44.20.00
- Preventive Maintenance 11.7A.00
- Project Administration 11.79.00
- Mobility Management 11.7L.00
- Communications 44.26.14
- Program Reserve 11.73.00
- Capital 117-00 Other Capital Items (Bus)

117-00 Other Capital Items Activity Type

- Third Party Contracts 11.71
- Force Accounts 11.72
- Real Estate (R/W) 11.75
- Real Estate (Other) 11.76

Third Party Contracts 11.71 Activity Detail

- | | |
|---|--|
| <input type="radio"/> 11.71.01 Preliminary Engineering | <input type="radio"/> 11.71.02 Final Design Services |
| <input type="radio"/> 11.71.03 Project Management | <input type="radio"/> 11.71.04 Construction Management |
| <input type="radio"/> 11.71.05 Insurance | <input type="radio"/> 11.71.06 Legal |
| <input type="radio"/> 11.71.07 Audit | <input checked="" type="radio"/> 11.71.08 Construction (Force Account) |
| <input type="radio"/> 11.71.09 Rolling Stock Rehab (FA) | <input type="radio"/> 11.71.10 Inspection (FA) |
| <input type="radio"/> 11.71.11 Other | <input type="radio"/> 11.71.12 Capital Cost of Contracting |

Other Capital Items Task Category

Task Category Amount

\$113,000.00

6.1.2 Expenditure Estimates

Expenditures by Fund Source and Fiscal Year

Enter estimates of all expenditures for activities in this task denoting both fund source and fiscal year of expenditure. **Do not select more than eight fund sources.**

Fund Type	FY 2022	FY 2023	FY 2024	FY 2025	Total
STIF	\$0.00	\$113,000.00			\$113,000.00
Federal	\$0.00	\$0.00			\$0.00
Other State	\$0.00	\$0.00			\$0.00
Local	\$0.00	\$0.00			\$0.00
Other Funds	\$0.00	\$0.00			\$0.00
FY19-21 Unspent STIF Funds	\$0.00	\$0.00			\$0.00
FY19-21 STIF Interest Accrued	\$0.00	\$0.00			\$0.00
FY19-21 Program Reserve	\$0.00	\$0.00			\$0.00
	\$0.00	\$113,000.00	\$0.00	\$0.00	\$113,000.00

By checking this box, I confirm that this project task is only funded by STIF.

6.1.3 Outcome Measures

Optional Outcome Measures

Please select at least one optional outcome measure that best reflects the benefit of this task.

Outcome Measure 1

All Project Types

Other Measure

Capital Improvements Completed

Number of Units:

Bus Barn Constructed

Task 5

Task Description

This project is to provide bus stop shelters, signage and installation of passenger amenities. These improvements will benefit all riders including students grades 9-12 who will be first time target constituents of Morrow County public transportation

Examples:

- Purchase and installation of up to 12 branded bus stop signs.
- This task provides resources for additional peak service to accommodate increased demand associated with implementation of the Youth Fare program.

Limit 250 Characters

Category

- Vehicle Purchase 111-00
- Equipment Purchase
- Facility Purchase
- Signs/Shelters Purchase
- Operations 30.09.01 (Operating Assistance)
- Planning 44.20.00
- Preventive Maintenance 11.7A.00
- Project Administration 11.79.00
- Mobility Management 11.7L.00
- Communications 44.26.14
- Program Reserve 11.73.00
- Capital 117-00 Other Capital Items (Bus)

By checking this box, I affirm that all projects requesting funds for capital expenses are in compliance with the Capital Asset Requirements outlined in OAR 732-042-0040.

Signs/Shelters Purchase

Signs/Shelters Information

Description	Quantity	Unit Cost	Total Cost
Shelters	4	\$7,000.00	\$28,000.00

Shelter Installation	4	\$1,000.00	\$4,000.00
Signs (includes poles and installation	15	\$500.00	\$7,500.00

\$39,500.00

6.1.2 Expenditure Estimates

Expenditures by Fund Source and Fiscal Year

Enter estimates of all expenditures for activities in this task denoting both fund source and fiscal year of expenditure. Do not select more than eight fund sources.

Fund Type	FY 2022	FY 2023	FY 2024	FY 2025	Total
STIF	\$0.00	\$39,500.00			\$39,500.00
Federal	\$0.00	\$0.00			\$0.00
Other State	\$0.00	\$0.00			\$0.00
Local	\$0.00	\$0.00			\$0.00
Other Funds	\$0.00	\$0.00			\$0.00
FY19-21 Unspent STIF Funds	\$0.00	\$0.00			\$0.00
FY19-21 STIF Interest Accrued	\$0.00	\$0.00			\$0.00
FY19-21 Program Reserve	\$0.00	\$0.00			\$0.00
	\$0.00	\$39,500.00	\$0.00	\$0.00	\$39,500.00

By checking this box, I confirm that this project task is only funded by STIF.

6.1.3 Outcome Measures

Optional Outcome Measures

Please select at least one optional outcome measure that best reflects the benefit of this task.

Outcome Measure 1

All Project Types

Other Measure

Capital Improvements Completed

Number of Units:

4 bus stop shelters and 15 bus stop signs

6.2 Allocation of STIF funds by project

STIF Criteria

1. Increased frequency of bus service to areas with a high percentage of Low-Income Households.
2. Expansion of bus routes and bus services to serve areas with a high percentage of Low-Income Households.
3. Fund the implementation of programs to reduce fares for public transportation in communities with a high percentage of Low-Income Households.
4. Procurement of low or no emission buses for use in areas with 200,000 or more.
5. The improvement in the frequency and reliability of service between communities inside and outside of the Qualified Entity's service area.
6. Coordination between Public Transportation Service Providers to reduce fragmentation in the provision of transportation services.
7. Implementation of programs to provide student transit service for students in grades 9-12.

FY 2022 STIF Total
\$86,000.00

FY 2023 STIF Total
\$172,500.00

Fund Allocation (Must not exceed 100% per criterion per fiscal year)

If some criteria don't apply, fill in with zeros. Do not add or remove additional criterion.

Criterion	FY 2022	FY 2023	FY 2024	FY 2025
Criterion 1	28.0%	0.0%		
Criterion 2	46.0%	72.0%		
Criterion 3	0.0%	0.0%		
Criterion 4	0.0%	0.0%		

Criterion 5	0.0%	0.0%		
Criterion 6	21.0%	23.0%		
Criterion 7	5.0%	5.0%		
	100.00%	100.00%	0.00%	0.00%

6.3 Oregon Public Transportation Plan Goals

Select at least one goal.

For more information about these goals, please refer to page eight of the [Oregon Public Transportation Plan](#).

Select the OPTP goals that apply to your STIF Plan Projects.

- Goal 1 Mobility: Public Transportation User Experience
- Goal 2: Accessibility and Connectivity
- Goal 3: Community Livability and Economic Vitality
- Goal 4: Equity
- Goal 5: Health
- Goal 6: Safety and Security
- Goal 7: Environmental Sustainability
- Goal 8: Land Use
- Goal 9: Funding and Strategic Investment
- Goal 10: Communication, Collaboration, and Coordination

6.4 Project Summary

Project Name
Capital Projects

STIF Project Grand Total
\$258,500.00

FY 2022 STIF Project Total	FY 2023 STIF Project Total
\$86,000.00	\$172,500.00

FY 2022 percent of STIF Funds supporting student transportation	FY 2023 percent of STIF Funds supporting student transportation
5%	5%

Project 2

Public Transportation Service Provider or Qualified Entity Name

Morrow County

Project Name

Operations Projects

Limit 50 characters

Project Description

Delivers the operations and planning components of the Morrow County Loop program necessary to preserve and expand existing services - in the following priority:

- 1) Up to \$267,000 to preserve and expand existing staff and services;
- 2) Up to \$16,000 for a complete rewrite of Morrow County's Coordinated Plan;
- 3) Up to \$10,000 for Bus Barn Planning Project Match;
- 4) Up to \$15,000 for Marketing and Outreach.

Limit 1000 Characters

Do you plan to expend funding in a future STIF

Plan period?

- Yes
- No

Project budget share to improve, expand or maintain public transportation service

Improve or Expand Service

100%

Local Plan from which this project is derived:

Morrow County Coordinated Human Services Public Transportation Plan

Local Plan page number

6-1,6-2, 6-3, 6-7, 6-9

Multi-Phase Project

Is your project part of a larger, multi-phase project?

No

6.1.1 Project Scope

Task 1

Task Description

Supports the on-going expenses of delivering public transit services in Morrow County that were established under the first cycle of STIF Formula and STIF Discretionary awards.

Examples:

- Purchase and installation of up to 12 branded bus stop signs.

- This task provides resources for additional peak service to accommodate increased demand associated with implementation of the Youth Fare program.

Limit 250 Characters

Category

- Vehicle Purchase 111-00
- Equipment Purchase
- Facility Purchase
- Signs/Shelters Purchase
- Operations 30.09.01 (Operating Assistance)
- Planning 44.20.00
- Preventive Maintenance 11.7A.00
- Project Administration 11.79.00
- Mobility Management 11.7L.00
- Communications 44.26.14
- Program Reserve 11.73.00
- Capital 117-00 Other Capital Items (Bus)

Specify the mode that this task will support.

- Fixed Route
- Demand Response

Operations Task Category

Task Category Amount

\$267,000.00

6.1.2 Expenditure Estimates

Expenditures by Fund Source and Fiscal Year

Enter estimates of all expenditures for activities in this task denoting both fund source and fiscal year of expenditure. Do not select more than eight fund sources.

Fund Type	FY 2022	FY 2023	FY 2024	FY 2025	Total
STIF	\$137,000.00	\$130,000.00			\$267,000.00
Federal	\$0.00	\$0.00			\$0.00
Other State	\$0.00	\$0.00			\$0.00
Local	\$0.00	\$0.00			\$0.00
Other Funds	\$0.00	\$0.00			\$0.00

FY19-21 Unspent STIF Funds	\$0.00	\$0.00	\$0.00
FY19-21 STIF Interest Accrued	\$0.00	\$0.00	\$0.00
FY19-21 Program Reserve	\$0.00	\$0.00	\$0.00

\$137,000.00 \$130,000.00 \$0.00 \$0.00 \$267,000.00

By checking this box, I confirm that this project task is only funded by STIF.

6.1.3 Outcome Measures

Minimum required measures for operations tasks

Revenue Miles	Revenue Hours	Rides
48,000	2,400.00	1,200

Number of people with access to transit (within ½ mile of transit stop for fixed route)

3,825

Number of Low-Income Households with access to transit (within ½ mile of transit stop for fixed route)

23,905

Is this project supporting student transportation?

Yes

Choose at least one

Operations

- Number of students in grades 9-12 with free or reduced fare transit pass
- Number of students in grades 9-12 attending a school served by transit
- Number of rides provided to students in grades 9-12
- Other

Operations - Demand Response

- Number of students in grades 9-12 served by demand response

Number of students in grades 9-12 attending a school served by transit

275

Number of students in grades 9-12 served by demand response

275

Optional Outcome Measures

Please select at least one optional outcome measure that best reflects the benefit of this task.

Task 2

Task Description

Morrow County Coordinated Plan Rewrite

Examples:

- Purchase and installation of up to 12 branded bus stop signs.
- This task provides resources for additional peak service to accommodate increased demand associated with implementation of the Youth Fare program.

Limit 250 Characters

Category

- Vehicle Purchase 111-00
- Equipment Purchase
- Facility Purchase
- Signs/Shelters Purchase
- Operations 30.09.01 (Operating Assistance)
- Planning 44.20.00
- Preventive Maintenance 11.7A.00
- Project Administration 11.79.00
- Mobility Management 11.7L.00
- Communications 44.26.14
- Program Reserve 11.73.00
- Capital 117-00 Other Capital Items (Bus)

Planning Task Category

Task Category Amount

\$16,000.00

6.1.2 Expenditure Estimates

Expenditures by Fund Source and Fiscal Year

Enter estimates of all expenditures for activities in this task denoting both fund source and fiscal year of expenditure. Do not select more than eight fund sources.

Fund Type	FY 2022	FY 2023	FY 2024	FY 2025	Total
STIF	\$16,000.00	\$0.00			\$16,000.00
Federal	\$0.00	\$0.00			\$0.00
Other State	\$0.00	\$0.00			\$0.00
Local	\$0.00	\$0.00			\$0.00
Other Funds	\$0.00	\$0.00			\$0.00
FY19-21 Unspent STIF Funds	\$0.00	\$0.00			\$0.00
FY19-21 STIF Interest Accrued	\$0.00	\$0.00			\$0.00
FY19-21 Program Reserve	\$0.00	\$0.00			\$0.00
	\$16,000.00	\$0.00	\$0.00	\$0.00	\$16,000.00

By checking this box, I confirm that this project task is only funded by STIF.

6.1.3 Outcome Measures

Optional Outcome Measures

Please select at least one optional outcome measure that best reflects the benefit of this task.

Outcome Measure 1

All Project Types

Other Measure

Plans Adopted

Number of Units:

1 Coordinated Plan adopted

Task 3

Task Description

Bus Barn Planning - Local Match

Examples:

- Purchase and installation of up to 12 branded bus stop signs.
- This task provides resources for additional peak service to accommodate increased demand associated with implementation of the Youth Fare program.

Limit 250 Characters

Category

- Vehicle Purchase 111-00
- Equipment Purchase
- Facility Purchase
- Signs/Shelters Purchase
- Operations 30.09.01 (Operating Assistance)
- Planning 44.20.00
- Preventive Maintenance 11.7A.00
- Project Administration 11.79.00
- Mobility Management 11.7L.00
- Communications 44.26.14
- Program Reserve 11.73.00
- Capital 117-00 Other Capital Items (Bus)

Planning Task Category

Task Category Amount

\$10,000.00

6.1.2 Expenditure Estimates

Expenditures by Fund Source and Fiscal Year

Enter estimates of all expenditures for activities in this task denoting both fund source and fiscal year of expenditure. Do not select more than eight fund sources.

Fund Type	FY 2022	FY 2023	FY 2024	FY 2025	Total
STIF	\$10,000.00	\$0.00			\$10,000.00
Federal	\$0.00	\$0.00			\$0.00
Other State	\$0.00	\$0.00			\$0.00
Local	\$0.00	\$0.00			\$0.00

Other Funds	\$0.00	\$0.00	\$0.00
FY19-21 Unspent STIF Funds	\$0.00	\$0.00	\$0.00
FY19-21 STIF Interest Accrued	\$0.00	\$0.00	\$0.00
FY19-21 Program Reserve	\$0.00	\$0.00	\$0.00
	\$10,000.00	\$0.00	\$0.00
		\$0.00	\$10,000.00

By checking this box, I confirm that this project task is only funded by STIF.

6.1.3 Outcome Measures

Optional Outcome Measures

Please select at least one optional outcome measure that best reflects the benefit of this task.

Outcome Measure 1

All Project Types

Other Measure

Plans Adopted

Number of Units:

1.0 Plans Adopted

Task 4

Task Description

Development and delivery of brand materials for promotion, outreach, and marketing.

Examples:

- Purchase and installation of up to 12 branded bus stop signs.
- This task provides resources for additional peak service to accommodate increased demand associated with implementation of the Youth Fare program.

Limit 250 Characters

Category

Vehicle Purchase 111-00

- Equipment Purchase
- Facility Purchase
- Signs/Shelters Purchase
- Operations 30.09.01 (Operating Assistance)
- Planning 44.20.00
- Preventive Maintenance 11.7A.00
- Project Administration 11.79.00
- Mobility Management 11.7L.00
- Communications 44.26.14
- Program Reserve 11.73.00
- Capital 117-00 Other Capital Items (Bus)

Communications Task Category

Task Category Amount

\$15,000.00

6.1.2 Expenditure Estimates

Expenditures by Fund Source and Fiscal Year

Enter estimates of all expenditures for activities in this task denoting both fund source and fiscal year of expenditure. Do not select more than eight fund sources.

Fund Type	FY 2022	FY 2023	FY 2024	FY 2025	Total
STIF	\$7,500.00	\$7,500.00			\$15,000.00
Federal	\$0.00	\$0.00			\$0.00
Other State	\$0.00	\$0.00			\$0.00
Local	\$0.00	\$0.00			\$0.00
Other Funds	\$0.00	\$0.00			\$0.00
FY19-21 Unspent STIF Funds	\$0.00	\$0.00			\$0.00

FY19-21 STIF Interest Accrued	\$0.00	\$0.00		\$0.00
FY19-21 Program Reserve	\$0.00	\$0.00		\$0.00
	\$7,500.00	\$7,500.00	\$0.00	\$0.00
				\$15,000.00

By checking this box, I confirm that this project task is only funded by STIF.

6.1.3 Outcome Measures

Optional Outcome Measures

Please select at least one optional outcome measure that best reflects the benefit of this task.

Outcome Measure 1

Communications

Number of impressions (# of times a person receives the information, tracked by advertisers) or other measures that indicate how many people receive information about transit service.

3,000

Number of new users due to communications (could be determined by asking a question about how the rider learned about this service as part of a regular onboard survey)

500

All Project Types

6.2 Allocation of STIF funds by project

STIF Criteria

1. Increased frequency of bus service to areas with a high percentage of Low-Income Households.
2. Expansion of bus routes and bus services to serve areas with a high percentage of Low-Income Households.
3. Fund the implementation of programs to reduce fares for public transportation in communities with a high percentage of Low-Income Households.
4. Procurement of low or no emission buses for use in areas with 200,000 or more.
5. The improvement in the frequency and reliability of service between communities inside and outside of the Qualified Entity's service area.

6. Coordination between Public Transportation Service Providers to reduce fragmentation in the provision of transportation services.

7. Implementation of programs to provide student transit service for students in grades 9-12.

FY 2022 STIF Total
\$170,500.00

FY 2023 STIF Total
\$137,500.00

Fund Allocation (Must not exceed 100% per criterion per fiscal year)

If some criteria don't apply, fill in with zeros. Do not add or remove additional criterion.

Criterion	FY 2022	FY 2023	FY 2024	FY 2025
Criterion 1	45.0%	30.0%		
Criterion 2	30.0%	45.0%		
Criterion 3	0.0%	0.0%		
Criterion 4	0.0%	0.0%		
Criterion 5	10.0%	10.0%		
Criterion 6	10.0%	10.0%		
Criterion 7	5.0%	5.0%		
	100.00%	100.00%	0.00%	0.00%

6.3 Oregon Public Transportation Plan Goals

Select at least one goal.

For more information about these goals, please refer to page eight of the [Oregon Public Transportation Plan](#).

Select the OPTP goals that apply to your STIF Plan Projects.

- Goal 1 Mobility: Public Transportation User Experience
- Goal 2: Accessibility and Connectivity
- Goal 3: Community Livability and Economic Vitality
- Goal 4: Equity
- Goal 5: Health
- Goal 6: Safety and Security
- Goal 7: Environmental Sustainability
- Goal 8: Land Use

- Goal 9: Funding and Strategic Investment
- Goal 10: Communication, Collaboration, and Coordination

6.4 Project Summary

Project Name

Operations Projects

STIF Project Grand Total

\$308,000.00

FY 2022 STIF Project Total	FY 2023 STIF Project Total
\$170,500.00	\$137,500.00

FY 2022 percent of STIF Funds supporting student transportation	FY 2023 percent of STIF Funds supporting student transportation
5%	5%

Project 3

Public Transportation Service Provider or Qualified Entity Name

Morrow County

Project Name

Operations Reserve

Limit 50 characters

Project Description

Preserving services created by STIF Discretionary and Formula. In order of priority, the following projects will have our remaining resources (and those carried over) placed in reserve:

- 1) Boardman Circulator - Annual Estimated Cost = \$170,000;
- 2) Hermiston to Boardman Connector - Annual Estimated Cost = \$90,000;
- 3) Heppner to Boardman Connector - Annual Estimated Cost = \$156,000;
- 4) Arlington to Boardman - Annual Estimated Cost = \$170,000;
- 5) Other emerging opportunities to come before the QE and Advisory Committee.

Limit 1000 Characters

Do you plan to expend funding in a future STIF Plan period?

- Yes
- No

Project budget share to improve, expand or maintain public transportation service

Improve or Expand Service

100%

Local Plan from which this project is derived:

Morrow County/Umatilla County Transit Development Strategy

Local Plan page number

47,48,49,50

Multi-Phase Project

Is your project part of a larger, multi-phase project?

No

6.1.1 Project Scope

Task 1

Task Description

Projects in description partially funded by STIF Formula resources carried over from previous cycle.

Examples:

- Purchase and installation of up to 12 branded bus stop signs.
- This task provides resources for additional peak service to accommodate increased demand associated with implementation of the Youth Fare program.

Limit 250 Characters

Category

- Vehicle Purchase 111-00
- Equipment Purchase
- Facility Purchase
- Signs/Shelters Purchase
- Operations 30.09.01 (Operating Assistance)
- Planning 44.20.00
- Preventive Maintenance 11.7A.00
- Project Administration 11.79.00
- Mobility Management 11.7L.00
- Communications 44.26.14
- Program Reserve 11.73.00
- Capital 117-00 Other Capital Items (Bus)

Program Reserve Task

Category

Task Category Amount

\$500,000.00

6.1.2 Expenditure Estimates

Expenditures by Fund Source and Fiscal Year

Enter estimates of all expenditures for activities in this task denoting both fund source and fiscal year of expenditure. **Do not select more than eight fund sources.**

Fund Type	FY 2022	FY 2023	FY 2024	FY 2025	Total
STIF	\$0.00	\$0.00			\$0.00
Federal	\$0.00	\$0.00			\$0.00
Other State	\$0.00	\$0.00			\$0.00
Local	\$0.00	\$0.00			\$0.00
Other Funds	\$0.00	\$0.00			\$0.00
FY19-21 Unspent STIF Funds	\$250,000.00	\$250,000.00			\$500,000.00
FY19-21 STIF Interest Accrued	\$0.00	\$0.00			\$0.00
FY19-21 Program Reserve	\$0.00	\$0.00			\$0.00
	\$250,000.00	\$250,000.00	\$0.00	\$0.00	\$500,000.00

By checking this box, I confirm that this project task is only funded by STIF.

6.1.3 Outcome Measures

Optional Outcome Measures

Please select at least one optional outcome measure that best reflects the benefit of this task.

6.2 Allocation of STIF funds by project

STIF Criteria

1. Increased frequency of bus service to areas with a high percentage of Low-Income Households.

2. Expansion of bus routes and bus services to serve areas with a high percentage of Low-Income Households.
3. Fund the implementation of programs to reduce fares for public transportation in communities with a high percentage of Low-Income Households.
4. Procurement of low or no emission buses for use in areas with 200,000 or more.
5. The improvement in the frequency and reliability of service between communities inside and outside of the Qualified Entity's service area.
6. Coordination between Public Transportation Service Providers to reduce fragmentation in the provision of transportation services.
7. Implementation of programs to provide student transit service for students in grades 9-12.

Fund Allocation (Must not exceed 100% per criterion per fiscal year)

If some criteria don't apply, fill in with zeros. Do not add or remove additional criterion.

Criterion	FY 2022	FY 2023	FY 2024	FY 2025
Criterion 1	19.0%	19.0%		
Criterion 2	19.0%	19.0%		
Criterion 3	19.0%	19.0%		
Criterion 4	0.0%	0.0%		
Criterion 5	19.0%	19.0%		
Criterion 6	19.0%	19.0%		
Criterion 7	5.0%	5.0%		
	100.00%	100.00%	0.00%	0.00%

6.3 Oregon Public Transportation Plan Goals

Select at least one goal.

For more information about these goals, please refer to page eight of the Oregon Public Transportation Plan.

Select the OPTP goals that apply to your STIF Plan Projects.

- Goal 1 Mobility: Public Transportation User Experience
- Goal 2: Accessibility and Connectivity

- Goal 3: Community Livability and Economic Vitality
- Goal 4: Equity
- Goal 5: Health
- Goal 6: Safety and Security
- Goal 7: Environmental Sustainability
- Goal 8: Land Use
- Goal 9: Funding and Strategic Investment
- Goal 10: Communication, Collaboration, and Coordination

6.4 Project Summary

Project Name
Operations Reserve

7. STIF Plan Summary

STIF Plan Total
\$566,500.00

FY 2022 Total STIF Funds	FY 2023 Total STIF Funds
\$256,500.00	\$310,000.00

FY 2022 Student STIF Funds	FY 2023 Student STIF Funds
\$12,825.00	\$15,500.00

FY 2022 Percent of STIF Funds supporting student transportation	FY 2023 Percent of STIF Funds supporting student transportation
5.00%	5.00%

Effective Date

This STIF Plan shall become effective as of the date it is approved by the Oregon Transportation Commission and it shall terminate as of the end date specified in Section 5 of the approved STIF Plan.

Signature

This STIF Plan serves as a legally binding agreement between the Qualified Entity and the State of Oregon, acting by and through its Department of Transportation.

Download the signature page here [STIF Plan signature page](#).

AGENDA ITEM COVER SHEET
Morrow County Board of Commissioners
(Page 2 of 2)

1. ISSUES, BACKGROUND, DISCUSSION AND OPTIONS (IF ANY):

ORS 294.004 (2)
(See Attached)

ORS 294.035
(See Attached)

ORS 294.125
(See Attached)

BOC needs to sign an updated "Authorization to Invest Funds" through the end of the current fiscal year (June 30th, 2021)

2. FISCAL IMPACT:

If the order is not signed, all county money will be moved from accounts that accrue interest to non-interest accruing accounts. The County will then be losing that interest income.

3. SUGGESTED ACTION(S)/MOTION(S):

BOC signs Order authorizing investment of funds.

Attach additional background documentation as needed.

ORS 294.004 (2)

294.004 Definitions. For the purposes of this chapter, unless the context requires otherwise:

(2) "Custodial officer" means the officer having custody of the funds of any county, municipality, political subdivision or school district.

ORS 294.035

294.035 Investment of funds of political subdivisions; approved investments. (1) Subject to ORS 294.040 and 294.135 to 294.155, the custodial officer may invest any sinking fund, bond fund or surplus funds in the custody of the custodial officer in the bank accounts, classes of securities at current market prices, insurance contracts and other investments listed in this section, but only after obtaining from the governing body of the county, municipality, political subdivision or school district a written order that has been entered in the minutes or journal of the governing body.

(2) This section does not:

(a) Limit the authority of the custodial officer to invest surplus funds in other investments when the investment is specifically authorized by another statute.

(b) Apply to a sinking fund or a bond fund established in connection with conduit revenue bonds issued by a county, municipality, political subdivision or school district for private business entities or nonprofit corporations.

(3) Investments authorized by this section are:

(a) Lawfully issued general obligations of the United States, the agencies and instrumentalities of the United States or enterprises sponsored by the United States Government and obligations whose payment is guaranteed by the United States, the agencies and instrumentalities of the United States or enterprises sponsored by the United States Government.

(b) Lawfully issued debt obligations of the agencies and instrumentalities of the State of Oregon and its political subdivisions that have a long-term rating of A- or an equivalent rating or better or are rated on the settlement date in the highest category without any refinement or gradation for short-term municipal debt by a nationally recognized statistical rating organization.

(c) Lawfully issued debt obligations of the States of California, Idaho and Washington and political subdivisions of those states if the obligations have a long-term rating of AA- or an equivalent rating or better or are rated on the settlement date in the highest category for short-term municipal debt by a nationally recognized statistical rating organization.

(d) Time deposit open accounts, certificates of deposit and savings accounts in insured institutions as defined in ORS 706.008, in credit unions as defined in ORS 723.006 or in federal credit unions, if the institution or credit union maintains a head office or a branch in this state.

(e) Share accounts and savings accounts in credit unions in the name of, or for the benefit of, a member of the credit union pursuant to a plan of deferred compensation.

(f) Fixed or variable life insurance or annuities as defined in ORS 731.170 and guaranteed investment contracts issued by life insurance companies authorized to do business in this state.

(g) Trusts in which deferred compensation funds from other public employers are pooled, if:

(A) The purpose is to establish a deferred compensation plan;

(B) The trust is a public instrumentality of such public employers and described in section (2)(b) of the Investment Company Act of 1940, 15 U.S.C. 80a-2(b), as amended, in effect on September 20, 1985, or the trust is a common trust fund described in ORS 709.170;

(C) Under the terms of the plan the net income from or gain or loss due to fluctuation in value of the underlying assets of the trust, or other change in such assets, is reflected in an equal increase or decrease in the amount distributable to the employee or the beneficiary thereof and, therefore, does not ultimately result in a net increase or decrease in the worth of the public employer or the state; and

(D) The fidelity of the trustees and others with access to such assets, other than a trust company, as defined in ORS 706.008, is insured by a surety bond that is satisfactory to the public employer, issued by a company authorized to do a surety business in this state and in an amount that is not less than 10 percent of the value of such assets.

(h)(A) Banker's acceptances, if the banker's acceptances are:

(i) Guaranteed by, and carried on the books of, a qualified financial institution;

(ii) Eligible for discount by the Federal Reserve System; and

(iii) Issued by a qualified financial institution whose short-term letter of credit rating is rated in the highest category without any refinement or gradation by one or more nationally recognized statistical rating organizations.

(B) For the purposes of this paragraph, "qualified financial institution" means:

(i) A financial institution that is located and licensed to do banking business in the State of Oregon; or

(ii) A financial institution that is wholly owned by a financial holding company or a bank holding company that owns a financial institution that is located and licensed to do banking business in the State of Oregon.

(C) A custodial officer shall not permit more than 25 percent of the moneys of a local government that are available for investment, as determined on the settlement date, to be invested in banker's acceptances of any qualified financial institution.

(i)(A) Corporate indebtedness subject to a valid registration statement on file with the Securities and Exchange Commission or issued under the authority of section 3(a)(2) or 3(a)(3) of the Securities Act of 1933, as amended. Corporate indebtedness described in this paragraph does not include banker's acceptances. The corporate indebtedness must be issued by a commercial, industrial or utility business enterprise, or by or on behalf of a financial institution, including a holding company owning a majority interest in a qualified financial institution.

(B) Corporate indebtedness must be rated on the settlement date P-1 or Aa3 or better by Moody's Investors Service or A-1 or AA- or better by S&P Global Ratings and Fitch Ratings or an equivalent rating by any nationally recognized statistical rating organization.

(C) Notwithstanding subparagraph (B) of this paragraph, the corporate indebtedness must be rated on the settlement date P-2 or A3 or better by Moody's Investors Service or A-2 or A or better by S&P Global Ratings and Fitch Ratings or an equivalent rating by any nationally recognized statistical rating organization when the corporate indebtedness is:

(i) Issued by a business enterprise that has its headquarters in Oregon, employs more than 50 percent of its permanent workforce in Oregon or has more than 50 percent of its tangible assets in Oregon; or

(ii) Issued by a holding company owning not less than a majority interest in a qualified financial institution, as defined in paragraph (h) of this subsection, located and licensed to do banking business in Oregon or by a holding company owning not less than a majority interest in a business enterprise described in sub-subparagraph (i) of this subparagraph.

(D) A custodial officer may not permit more than 35 percent of the moneys of a local government that are available for investment, as determined on the settlement date, to be invested in corporate indebtedness, and may not permit more than five percent of the moneys of a local government that are available for investment to be invested in corporate indebtedness of any single corporate entity and its affiliates or subsidiaries.

(j) Repurchase agreements whereby the custodial officer purchases securities from a financial institution or securities dealer subject to an agreement by the seller to repurchase the securities. The repurchase agreement must be in writing and executed in advance of the initial purchase of the securities that are the subject of the repurchase agreement. Only securities described in paragraph (a) of this subsection may be used in conjunction with a repurchase agreement and such securities shall have a maturity of not longer than three years. The price paid by the custodial officer for such securities may not exceed amounts or percentages prescribed by written policy of the Oregon Investment Council or the Oregon Short Term Fund Board created by ORS 294.885.

(k) Shares of stock of any company, association or corporation, including but not limited to shares of a mutual fund, but only if the moneys being invested are funds set aside pursuant to a local government deferred compensation plan and are held in trust for the exclusive benefit of participants and their beneficiaries.

(L) The investment pool as defined in ORS 294.805 and, with the approval of the State Treasurer, any other commingled investment pool that may be established in the discretion of the State Treasurer for investment of the funds of local governments. The State Treasurer may require the governing body of a local government to enter into an investment agreement with the State Treasurer as a condition of investing funds in a commingled investment pool under this paragraph. [Amended by 1957 c.53 §1; 1957 c.689 §1; 1965 c.404 §1; 1973 c.157 §1; 1973 c.288 §1; 1974 c.36 §9; 1975 c.359 §3; 1977 c.300 §1; 1981 c.804 §84; 1981 c.880 §13; 1983 c.456 §2; 1985 c.256 §2; 1985 c.440 §1; 1985 c.690 §2; 1987 c.493 §1; 1991 c.459 §379; 1993 c.59 §1; 1993 c.452 §1; 1993 c.721 §1; 1995 c.79 §102; 1995 c.245 §2; 1997 c.249 §91; 1997 c.631 §446; 1999 c.601 §1; 2001 c.377 §43; 2003 c.405 §1; 2005 c.443 §§13,13a; 2009 c.821 §25; 2013 c.192 §1; 2014 c.18 §1; 2019 c.587 §52]

ORS 294.125

294.125 Investment of funds authorized by order of governing body; limitations. (1) Subject to ORS 294.040 and 294.135 to 294.155, the custodial officer of any county, municipality, school district or other political subdivision of this state may, after having obtained a written order from the governing body of the county, municipality, school district or other political subdivision, which order shall be spread upon the minutes or journal of the governing body, invest any sinking fund, bond fund or surplus funds belonging to that county, municipality, school district or other political subdivision in the bank accounts, classes of securities at current market prices, insurance contracts and other investments described in ORS 294.035. However, notwithstanding any provision of ORS 190.003 to 190.250, except as provided in ORS 294.035:

(a) No custodial officer of any political subdivision of this state may accept for investment or invest the funds of any other political subdivision of this state; and

(b) No such political subdivision may tender funds for investment to the custodial officer of any other such political subdivision.

(2) Subject to ORS 294.040, 294.135 to 294.155 and subsection (1) of this section, the custodial officer of a port organized under ORS chapter 777 or 778 may invest any sinking fund, bond fund or surplus funds belonging to the port in interest-bearing revenue bonds issued by an export trading corporation formed by the port under ORS 777.755 to 777.800. A custodial officer of a port shall not invest in the aggregate more than \$3 million in revenue bonds issued by an export trading corporation. [1981 c.880 §5; 1983 c.200 §17; 1995 c.245 §6]

**BEFORE THE BOARD OF COMMISSIONERS
FOR MORROW COUNTY, OREGON**

IN THE MATTER OF AUTHORIZING)
THE COUNTY TREASURER)
TO INVEST FUNDS) ORDER NO. OR-2021-1

This matter having come before the Morrow County Board of Commissioners this 20th day of January 2021, at a properly organized meeting, a quorum having been present and all notice and procedural requirements having been met, the Morrow County Board of Commissioners does hereby make the following findings and issue the following **ORDER:**

That the Morrow County Treasurer is a "custodial officer" as defined by ORS 294.004 (2);

That the Morrow County Treasurer is authorized to invest funds of this body by virtue of ORS 294.035, 294.125, and other general authorization:

Therefore, it is hereby ordered that the Treasurer of Morrow County is authorized to invest the funds of this body, subject to all statutory guidelines and provision, from January 20, 2021 until June 30, 2021, unless amended earlier by the Board of Commissioners:

It is further ORDERED that this ORDER be spread upon the minutes/journal of this body.

SO ORDERED this 20th day of January 2021.

MORROW COUNTY BOARD OF COMMISSIONERS

Don Russell, Chair

Approved as to Form:

Jim Doherty, Commissioner

Morrow County Counsel

Melissa Lindsay, Commissioner

**BEFORE THE BOARD OF COMMISSIONERS
FOR MORROW COUNTY, OREGON**

In the Matter of Appointments)
to Columbia Development) **Order No. OR-2021-2**
Authority Board)

WHEREAS pursuant to ORS Chapter 190, Morrow County, along with Umatilla County, Port of Morrow, Port of Umatilla, and the Confederated Tribes of the Umatilla Indian Reservation, established the Umatilla Army Depot Reuse Authority by intergovernmental agreement on May 15, 1995;

WHEREAS the intergovernmental agreement has been extended a number of times, and in 2014, the agreement was amended and restated and the entity renamed to Columbia Development Authority;

WHEREAS under the terms of the intergovernmental agreement, the authority board shall consist of five members, one representative of each party, along with an alternate, to be appointed by the government body for terms of four years.

NOW THEREFORE the Board of Commissioners orders that the following are appointed to the Columbia Development Authority Board for a term beginning January 1, 2021 and expiring December 31, 2024:

- A. County representative:
- B. Alternate:

Dated this 20th day of January 2021.

MORROW COUNTY BOARD OF COMMISSIONERS

Don Russell, Chair

Jim Doherty, Commissioner

Melissa Lindsay, Commissioner

**INTERGOVERNMENTAL AGREEMENT FOR
THE COLUMBIA RIVER ENTERPRISE ZONE III,
WITHIN A CITY AREA OF INFLUENCE
INCLUDING APPOINTMENT OF THE BOARD OF DIRECTORS
AND DUTIES OF THE BOARD**

THIS INTERGOVERNMENTAL AGREEMENT (IGA) is made and entered into pursuant to Oregon Revised Statute (ORS) Chapter 190 by and between Morrow County, the Port of Morrow and CITY hereafter referred to as the "Entities". The Sponsors of CREZ III are Morrow County and Port of Morrow as defined by ORS 285C.050(19). This IGA is for the purpose of establishing a Board of Directors which will manage the CREZ III when a project lies within a city area of influence as identified on Exhibit B attached. This IGA will be attached as Exhibit C to the IGA between Port and Morrow County that creates and manages the CREZ III. Each party to this agreement has the following common objectives:

- Provide more jobs in new and existing industries for all of our residents.
- Increase the diversity of the economy, reducing the effect of economic fluctuations in single industries.
- Increase diversification of job opportunities, to provide workers greater choice for advancement.
- Raise the general level of income of residents.
- Expand the tax base to share the costs of providing schools, public improvements and other local government services.

The Entities desire to create an intergovernmental entity which will govern, supervise, manage and implement the operation of the CREZ III when a project lies within a city area of influence to fulfill the objectives as listed above.

The name of this intergovernmental entity shall be the CREZ III Board of Directors, hereinafter referred to as the Board.

I. Organization of the Board:

A. Appointment of Individuals to the Board of Directors:

To accomplish the objectives set forth in this Intergovernmental Agreement, when a project is within a city area of influence, CREZ III shall be governed by a Board of Directors comprised of ~~ninesix (96)~~ directors. Each board member shall have one (1) vote. Each Entity and city located in a projects zone of influence shall appoint ~~threetwo (32)~~ directors, at least one (1) of which shall be an elected official, to serve on the Board. The board will determine voting approval based on majority rule (4 of 6 members vote affirmative) by requiring majority vote by each sponsor entity and city in in a projects zone of influence (i.e., for an affirmative or approval vote for the CREZ III County would need to have at least 2 County appointed Directors vote in favor of affirming or approving an action). The minimum vote allowed for approval of any action shall be 6 out of 9 (2 votes to approve from each sponsor entity and city in a projects zone of influence).

Each entity shall appoint its members of the Board, including alternate members and replacement members, for such terms and under such conditions as each Entity deems appropriate. Each Board member serves at the pleasure of the Entity which appoints them. It shall be the responsibility of each Entity to arrange for an

alternative Board member in case of their absence.

Boundaries for determining any specific and local municipality involvement or voting authority will be determined by designated area of influence around each city, as described in map identified as Exhibit B.

B. Selection and Duties of the Board's Chair and Vice-Chair:

The Chair and Vice-Chair to serve in the Chair's absence, will be those appointed in the IGA governing CREZ III between the Port and Morrow County.

II. **Management of the Board:**

A. Duties of the Board:

The duties of the Board shall include those required by law as outlined in ORS 285C governing enterprise zones, as listed below.

- Notify the Oregon Business Development Department, the County Assessor and the Department of Revenue of the appointed Enterprise Zone Manager.
- Provide enhanced local public services, local incentives and local regulatory flexibility to authorized or qualified business firms.
- Review and approve or deny applications for authorization.
- Assist the County Assessor in administering the property tax exemption and in performing other duties assigned to the Assessor under pertinent statute or rule.
- Maintain, implement and periodically update a plan for marketing the CREZ III to include strategies for retention, expansion, start-up and recruitment of eligible business firms.
- Manage the CREZ III in accordance with governing statute.
- Maintain a record of property within the CREZ III ~~and manage boundary changes to accommodate business opportunities.~~
- Develop and maintain policies by which the CREZ III Board will operate when negotiating with businesses and share those policies with other partners in the enterprise zone program.
- Conduct, as needed or requested, annual reporting of activity within the CREZ III for the County Assessor or the Oregon Business Development Department.

B. Enterprise Zone Staff: The Board will have the following staff as appointed by the CREZ III IGA between the Port and Morrow County: Enterprise Zone Manager, County Assessor and legal counsel.

1. Duties of the Enterprise Zone Manager:

- be advisory and serve in an ex-officio capacity at all Board meetings
- those required by law including the duties of the zone sponsor as outlined in ORS governing enterprise zones
- maintain the official documents and records of the CREZ III. These will include the minutes, agreements and orders produced by the Board. All documents will be maintained in a secure fire-safe location to be determined by the Board

2. Duties of the County Assessor:

- provides essential advisory duties
 - provide information and data related to the assessment and taxation of various industries and companies that engage in the various tax abatement programs administered under this IGA.
3. Duties of Legal Counsel:
 - provide agreements with businesses
 - provide amendments to this Intergovernmental Agreement
 - Use of legal counsel shall be authorized on a case by case basis by the Board
 4. Duties of Fiscal Agent:
 - hold funds for use by the Board
 - maintaining both the application fees and the company paid funds
 - distribute both the applications fee and the company paid funds as directed by Order(s) passed by the Board

C. Meetings of the Board:

1. Meeting Schedule:

Meetings of the Board may be called by the Enterprise Zone Manager, Chairman^[JN1] or any ~~four~~ five (54) directors.

Notice of general meetings shall be provided by email to each Director and interested individuals in a timely manner, generally more than seventy-two (72) hours prior to the meeting. Notice of special meetings shall be given to each director and interested individuals by email at least twenty-four (24) hours prior to the meeting.

The location of such meeting(s) shall be in Morrow County, Oregon and designated within the meeting notice. Meetings will generally be held at the Port of Morrow facilities in Boardman, however meetings can be held in alternate Morrow County locations. Telephonic or other alternate electronic device(s) options will be available, when requested, to facilitate attendance of all Directors.

2. Public Meetings Process:

Meetings of the Board are considered "Public" as defined by ORS 192 and shall be noticed as such. Negotiations with companies may be done under the Executive Session criteria found at ORS 192.660. Executive Sessions shall be announced at the beginning, citing the statutory allowance, and after closure a statement shall be made concerning the outcome.

Notice shall be provided to the media and other interested parties of all meetings held.

Minutes shall be taken by a designee of the Board and then held by the Enterprise Zone Manager.

When a project is in a city's area of influence as identified in Exhibit B:
A quorum for a meeting shall be constituted when ~~six~~ four (46) directors, 24

from each entity, are present in person, by alternate, by telephone or by other alternate electronic device(s) and when each Entity is represented at a meeting at which notice is properly given. Any member may waive the notice requirement either by writing or by appearing at the meeting. ~~Any decision made during a meeting attended by a quorum of members must be by the majority of the board not the majority of the quorum present~~[JN2].

III. Powers of the Board:

The entities delegate to the board the powers set forth below and as provided in this agreement.

A. Applications:

The Board, through the Enterprise Zone Manager, shall receive and review requests for tax abatement from eligible businesses. The intent is to act promptly on applications deemed complete by the Enterprise Zone Manager and finalize negotiations within 90 days.

Policies adopted by the Board will provide guidance to applicant companies as to how offers should be submitted and the local objectives of the enterprise zone program.

B. Negotiations:

The Board shall negotiate the terms of any enterprise zone request as allowed by enterprise zone rules that govern the statewide program, and is authorized to approve or deny a tax exemption request extending benefits to authorized companies beyond the standard three (3) years and enter into the binding agreement. This Intergovernmental Agreement grants authority for binding agreements with authorized companies.

~~After binding agreement has been entered into, sponsor entities and city agree to approve or deny adopting resolutions within 30 days of being notified of the agreement~~[JN3] ~~by CREZ III, and as such, each Sponsor entity will adopt resolutions consistent with the CREZ III Board decision, take such action as required by applicable law on rule to secure Business Oregon approval of the applications.~~

Recommendations and requests from affected Special Districts of potential impacts involving the service provided by said Districts, including but not limited to fire protection and public safety, may be considered.

Policies guiding negotiations will also be adopted to achieve transparency and to maintain consistency in the negotiations process. Adopted policies will be aligned with enterprise zone rules that govern the statewide program.

C. Distribution of Fees:

Company paid fees will be distributed by the Board of Directors, including city if

applicable project is in an area of influence as depicted on attached Exhibit B with the following considerations:

- Distribution will be consistent with company agreements when applicable.
- Distribution will be done at least annually.
- Distribution in future years does not have to reflect distribution patterns set in previous years.
- Distribution will be carried out by the Fiscal Agent based on Order(s) passed and approved.
- Distribution formulas for community or economic development groups ~~may~~ use the Portland State University population numbers.
- Distribution of funds is only done during a meeting that the full board is represented. In addition to the above requirement, at least two affirmative votes from each entity shall be required to pass a motion regarding distribution of funds.
- If at least one affirmative vote is not cast from each entity and the motion fails, nothing shall prevent the Board from attempting to distribute said money in a future vote.
- If an agreement for distribution cannot be reached, the Board shall vote to indicate that an impasse has been reached and the motion shall specifically identify the funds that are subject to the impasse and the source of those funds.
- If Entities cannot agree to distribution, once per year any remaining funds will ~~be~~ divided on a pro rata basis based on the tax rate existing at the time of the distribution, and shall include tax rates of the Morrow County tax code for the location of the enterprise project that the funds originate from.
 - ALTERNATIVE LANGAUGE- CREZ 2 VERSION: remove this section.

IV. **Amendments:**

Amendments to this Intergovernmental Agreement may be initiated by the Board or by any Sponsor Entity with written notice to the other Sponsor Entities. Proposed amendments to the Intergovernmental Agreement can only be adopted with approval of ~~all three~~ the two Sponsor Entities and partnering entities.

Should any term or provision of this Intergovernmental Agreement be affected by changes in state law or rule; or be determined illegal by a court of competent jurisdiction, the validity of the remaining terms and provisions shall not be affected and shall remain in effect.

V. **Termination of this Area of Influence IGA**

This Intergovernmental Agreement as it governs negotiations with eligible firms with a city area of influence terminates upon the Expiration of the CREZ III designation as provided in the 2020 Director's Confirmation of Positive Determination dated October 2, 2020. The date the CREZ III expires is June 30, 2025.

This Intergovernmental Agreement may need to be extended and/or may be reviewed and amended. Should the Entities desire to terminate the Zone prior to its expiration the procedures outlined in Oregon Revised Statute and Oregon Administrative Rule shall be followed.

Company paid funds will continue to be collected beyond the current life of the CREZ III. This Intergovernmental Agreement will continue to govern the distribution of those payments until all negotiated agreements are fulfilled, unless this Intergovernmental Agreement is replaced with a subsequent agreement to direct those company paid fees according to statute and rule governing the statewide enterprise zone program.

IN WITNESS WHEREOF, the Parties, by their respective duly authorized representatives, have executed this Intergovernmental Agreement. This Intergovernmental Agreement can be executed in parts and is effective on the date the last Sponsor Entity signs.

<SIGNATURES>

**INTERGOVERNMENTAL AGREEMENT FOR
THE COLUMBIA RIVER ENTERPRISE ZONE III,
WITHIN A CITY AREA OF INFLUENCE
INCLUDING APPOINTMENT OF THE BOARD OF DIRECTORS
AND DUTIES OF THE BOARD**

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- Provide more jobs in new and existing industries for all of our residents.
- Increase the diversity of the economy, reducing the effect of economic fluctuations in single industries.
- Increase diversification of job opportunities, to provide workers greater choice for advancement.
- Raise the general level of income of residents.
- Expand the tax base to share the costs of providing schools, public improvements and other local government services.

The Entities desire to create an intergovernmental entity which will govern, supervise, manage and implement the operation of the CREZ III when a project lies within a city area of influence to fulfill the objectives as listed above.

The name of this intergovernmental entity shall be the CREZ III Board of Directors, hereinafter referred to as the Board.

I. Organization of the Board:

A. Appointment of Individuals to the Board of Directors:

To accomplish the objectives set forth in this Intergovernmental Agreement, when a project is within a city area of influence, CREZ III shall be governed by a Board of Directors comprised of ninesix (96) directors. Each board member shall have one (1) vote. Each Entity and city located in a projects zone of influence shall appoint threetwo (32) directors, at least one (1) of which shall be an elected official, to serve on the Board. The board will determine voting approval based on majority rule (4 of 6 members vote affirmative) by requiring majority vote by each sponsor entity and city in in a projects zone of influence (i.e., for an affirmative or approval vote for the CREZ III County would need to have at least 2 County appointed Directors vote in favor of affirming or approving an action). The minimum vote allowed for approval of any action shall be 6 out of 9 (2 votes to approve from each sponsor entity and city in a projects zone of influence).

Each entity shall appoint its members of the Board, including alternate members and replacement members, for such terms and under such conditions as each Entity deems appropriate. Each Board member serves at the pleasure of the Entity which appoints them. It shall be the responsibility of each Entity to arrange for an

alternative Board member in case of their absence.

Boundaries for determining any specific and local municipality involvement or voting authority will be determined by designated area of influence around each city, as described in map identified as Exhibit B.

B. Selection and Duties of the Board's Chair and Vice-Chair:

The Chair and Vice-Chair to serve in the Chair's absence, will be those appointed in the IGA governing CREZ III between the Port and Morrow County.

II. Management of the Board:

A. Duties of the Board:

The duties of the Board shall include those required by law as outlined in ORS 285C governing enterprise zones, as listed below.

- Notify the Oregon Business Development Department, the County Assessor and the Department of Revenue of the appointed Enterprise Zone Manager.
- Provide enhanced local public services, local incentives and local regulatory flexibility to authorized or qualified business firms.
- Review and approve or deny applications for authorization.
- Assist the County Assessor in administering the property tax exemption and in performing other duties assigned to the Assessor under pertinent statute or rule.
- Maintain, implement and periodically update a plan for marketing the CREZ III to include strategies for retention, expansion, start-up and recruitment of eligible business firms.
- Manage the CREZ III in accordance with governing statute.
- Maintain a record of property within the CREZ III. ~~and manage boundary changes to accommodate business opportunities.~~
- Develop and maintain policies by which the CREZ III Board will operate when negotiating with businesses and share those policies with other partners in the enterprise zone program.
- Conduct, as needed or requested, annual reporting of activity within the CREZ III for the County Assessor or the Oregon Business Development Department.

B. Enterprise Zone Staff: The Board will have the following staff as appointed by the CREZ III IGA between the Port and Morrow County: Enterprise Zone Manager, County Assessor and legal counsel.

1. Duties of the Enterprise Zone Manager:

- be advisory and serve in an ex-officio capacity at all Board meetings
- those required by law including the duties of the zone sponsor as outlined in ORS governing enterprise zones
- maintain the official documents and records of the CREZ III. These will include the minutes, agreements and orders produced by the Board. All documents will be maintained in a secure fire-safe location to be determined by the Board

2. Duties of the County Assessor:

- provides essential advisory duties
 - provide information and data related to the assessment and taxation of various industries and companies that engage in the various tax abatement programs administered under this IGA.
3. Duties of Legal Counsel:
 - provide agreements with businesses
 - provide amendments to this Intergovernmental Agreement
 - Use of legal counsel shall be authorized on a case by case basis by the Board
 4. Duties of Fiscal Agent:
 - hold funds for use by the Board
 - maintaining both the application fees and the company paid funds
 - distribute both the applications fee and the company paid funds as directed by Order(s) passed by the Board

C. Meetings of the Board:

1. Meeting Schedule:

Meetings of the Board may be called by the Enterprise Zone Manager, Chairman or any ~~four~~ five (54) directors.

Notice of general meetings shall be provided by email to each Director and interested individuals in a timely manner, generally more than seventy-two (72) hours prior to the meeting. Notice of special meetings shall be given to each director and interested individuals by email at least twenty-four (24) hours prior to the meeting.

The location of such meeting(s) shall be in Morrow County, Oregon and designated within the meeting notice. Meetings will generally be held at the Port of Morrow facilities in Boardman, however meetings can be held in alternate Morrow County locations. Telephonic or other alternate electronic device(s) options will be available, when requested, to facilitate attendance of all Directors.

2. Public Meetings Process:

Meetings of the Board are considered "Public" as defined by ORS 192 and shall be noticed as such. Negotiations with companies may be done under the Executive Session criteria found at ORS 192.660. Executive Sessions shall be announced at the beginning, citing the statutory allowance, and after closure a statement shall be made concerning the outcome.

Notice shall be provided to the media and other interested parties of all meetings held.

Minutes shall be taken by a designee of the Board and then held by the Enterprise Zone Manager.

When a project is in a city's area of influence as identified in Exhibit B:
A quorum for a meeting shall be constituted when ~~six~~ four (46) directors, 24

from each entity, are present in person, by alternate, by telephone or by other alternate electronic device(s) and when each Entity is represented at a meeting at which notice is properly given. Any member may waive the notice requirement either by writing or by appearing at the meeting. ~~Any decision made during a meeting attended by a quorum of members must be by the majority of the board not the majority of the quorum present~~[JN2].

III. Powers of the Board:

The entities delegate to the board the powers set forth below and as provided in this agreement.

A. Applications:

The Board, through the Enterprise Zone Manager, shall receive and review requests for tax abatement from eligible businesses. The intent is to act promptly on applications deemed complete by the Enterprise Zone Manager and finalize negotiations within 90 days.

Policies adopted by the Board will provide guidance to applicant companies as to how offers should be submitted and the local objectives of the enterprise zone program.

B. Negotiations:

The Board shall negotiate the terms of any enterprise zone request as allowed by enterprise zone rules that govern the statewide program, and is authorized to approve or deny a tax exemption request extending benefits to authorized companies beyond the standard three (3) years and enter into the binding agreement. This Intergovernmental Agreement grants authority for binding agreements with authorized companies.

~~After binding agreement has been entered into, sponsor entities and city agree to approve or deny adopting resolutions within 30 days of being notified of the agreement~~[JN3] ~~by CREZ III, and as such, each Sponsor entity will adopt resolutions consistent with the CREZ III Board decision, take such action as required by applicable law on rule to secure Business Oregon approval of the applications.~~

Recommendations and requests from affected Special Districts of potential impacts involving the service provided by said Districts, including but not limited to fire protection and public safety, may be considered.

Policies guiding negotiations will also be adopted to achieve transparency and to maintain consistency in the negotiations process. Adopted policies will be aligned with enterprise zone rules that govern the statewide program.

C. Distribution of Fees:

Company paid fees will be distributed by the Board of Directors, including city if

applicable project is in an area of influence as depicted on attached Exhibit B with the following considerations:

- Distribution will be consistent with company agreements when applicable.
- Distribution will be done at least annually.
- Distribution in future years does not have to reflect distribution patterns set in previous years.
- Distribution will be carried out by the Fiscal Agent based on Order(s) passed and approved.
- Distribution formulas for community or economic development groups ~~may~~ use the Portland State University population numbers.
- Distribution of funds is only done during a meeting that the full board is represented. In addition to the above requirement, at least two affirmative votes from each entity shall be required to pass a motion regarding distribution of funds.
- If at least one affirmative vote is not cast from each entity and the motion fails, nothing shall prevent the Board from attempting to distribute said money in a future vote.
- If an agreement for distribution cannot be reached, the Board shall vote to indicate that an impasse has been reached and the motion shall specifically identify the funds that are subject to the impasse and the source of those funds.
- If Entities cannot agree to distribution, once per year any remaining funds will ~~be~~ divided on a pro rata basis based on the tax rate existing at the time of the distribution, and shall include tax rates of the Morrow County tax code for the location of the enterprise project that the funds originate from.
 - ALTERNATIVE LANGAUGE- CREZ 2 VERSION: remove this section.

IV. Amendments:

Amendments to this Intergovernmental Agreement may be initiated by the Board or by any Sponsor Entity with written notice to the other Sponsor Entities. Proposed amendments to the Intergovernmental Agreement can only be adopted with approval of ~~all three~~ the two Sponsor Entities and partnering entities.

Should any term or provision of this Intergovernmental Agreement be affected by changes in state law or rule; or be determined illegal by a court of competent jurisdiction, the validity of the remaining terms and provisions shall not be affected and shall remain in effect.

V. Termination of this Area of Influence IGA

This Intergovernmental Agreement as it governs negotiations with eligible firms with a city area of influence terminates upon the Expiration of the CREZ III designation as provided in the 2020 Director's Confirmation of Positive Determination dated October 2, 2020. The date the CREZ III expires is June 30, 2025.

This Intergovernmental Agreement may need to be extended and/or may be reviewed and amended. Should the Entities desire to terminate the Zone prior to its expiration the procedures outlined in Oregon Revised Statute and Oregon Administrative Rule shall be followed.

Company paid funds will continue to be collected beyond the current life of the CREZ III. This Intergovernmental Agreement will continue to govern the distribution of those payments until all negotiated agreements are fulfilled, unless this Intergovernmental Agreement is replaced with a subsequent agreement to direct those company paid fees according to statute and rule governing the statewide enterprise zone program.

IN WITNESS WHEREOF, the Parties, by their respective duly authorized representatives, have executed this Intergovernmental Agreement. This Intergovernmental Agreement can be executed in parts and is effective on the date the last Sponsor Entity signs.

<SIGNATURES>

Juvenile Department Quarterly Report to the Board of County Commissioners

Director: Christy Kenny

Report Date: January 14, 2021


Updates/Notes

We are excited to be participating in a study with the Oregon Social Learning Center, called project LEAP. LEAP stands for Leveraging Evidence to Activate Parents. This project will begin in the spring and we will be participating with 31 other counties throughout Oregon and Idaho. A total of 8 counties in Central and Eastern Oregon have agreed to participate. Those counties include Morrow, Hood River, Malheur, Wallowa, Gilliam, Harney, Jefferson, and Baker. The remaining 24 counties participating are in Idaho. Parent Activation (PA) is an effective, research-based strategy validated for use in healthcare settings. It is traditionally used by clinicians to engage parents in helping their kids. The project will attempt to transfer PA to juvenile probation officers in an attempt to impact outcomes for justice-involved youth and families.

In December, Sherry participated in a 3-day virtual Council for Boys and Young Men training. The Council for Boys and Young Men is a strengths-based group model that addresses risk factors and empowers participants to find belonging, build assets, and reduce harmful masculinity beliefs on their journey toward becoming respectful leaders in their community.

The Oregon Juvenile Department Directors Association (OJDDA) has created a work group with the help of our legislative committee to continue to inform juvenile department directors across the state of the impacts of the passing of Measure 110. The biggest question is how is this going to affect juveniles and what will the process be if a youth is cited? Another OJDDA meeting is scheduled for the afternoon of January 20, 2021 with hopes that more updates will be shared at that meeting and providing a clearer picture of the changing processes.

Christy has been part of the OJDDA conference committee which OJDDA holds an annual conference each year. Due to COVID, the 2020 conference was cancelled but this year we hope that we are able to hold an in-person conference, or at a minimum to come up with a virtual one. The theme for this year's conference is "Equity at the Center" today's choices, tomorrows impact. The conference provides juvenile department staff continued education and helps keep them current with evidence based and best practices.

Respectfully submitted by: 
Christy Kenny, Juvenile Department Director

Youth Report by Referral Received Date

Most severe offense per youth in referral date range, grouped by Crime Group, ORS Chapter Rollup and Offense Category Rollup

Original Referral County: Morrow
Start Date: 10/1/2020
End Date: 12/31/2020

Crime Group	Total		Gender			Age at Referral			Race/Ethnicity					
	#	% of Grand	F	M	U	< 13	13 to 15	> 15	Afr Amer	Asian	Hisp	Native Amer	Other	White
<u>Criminal</u>														
Person														
Assault	3		0	3	0	0	1	2	0	0	2	0	0	1
Total Person	3		0	3	0	0	1	2	0	0	2	0	0	1
<u>Property</u>														
Criminal Mischief	2		2	0	0	0	0	2	0	0	0	0	0	2
Theft	2		1	1	0	0	2	0	0	0	2	0	0	0
Total Property	4		3	1	0	0	2	2	0	0	2	0	0	2
<u>Public Order</u>														
Harassment	1		1	0	0	0	0	1	0	0	0	0	0	1
Total Public Order	1		1	0	0	0	0	1	0	0	0	0	0	1
<u>Criminal Other</u>														
Criminal Other	1		0	1	0	0	0	1	0	0	1	0	0	0
Total Criminal Other	1		0	1	0	0	0	1	0	0	1	0	0	0
Total Criminal	9	90.0%	4	5	0	0	3	6	0	0	5	0	0	4
% of Demographic	100%		44.4%	55.6%	0.0%	0.0%	33.3%	66.7%	0.0%	0.0%	55.6%	0.0%	0.0%	44.4%
<u>Non-Criminal</u>														
<u>Alcohol/MIP</u>														
Alcohol/MIP	1		0	1	0	1	0	0	0	0	0	0	0	1
Total Alcohol/MIP	1		0	1	0	1	0	0	0	0	0	0	0	1
Total Non-Criminal	1	10.0%	0	1	0	1	0	0	0	0	0	0	0	1
% of Demographic	100%		0.0%	100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Total Youth	10	100%	4	6	0	1	3	6	0	0	5	0	0	5
% of Demographic	100%		40.0%	60.0%	0.0%	10.0%	30.0%	60.0%	0.0%	0.0%	50.0%	0.0%	0.0%	50.0%

ORS Type by ORS Class Code

ORS Type	A	B	C	None	Total Youth
Felony	0	0	2	0	2
Misdemeanor	4	1	2	0	7
Violation	0	1	0	0	1
Dependency Status	0	0	0	0	0
Total Youth	4	2	4	0	10

Youth Report by Referral Received Date

Most severe offense per youth in referral date range, grouped by Crime Group, ORS Chapter Rollup and Offense Category Rollup

Original Referral County: Morrow
Start Date: 10/1/2020
End Date: 12/31/2020

ORS Chapter Rollup by ORS Type

ORS Chapter Rollup	Felony	Misd	Violation	Dep Status	Total Youth
Person	0	3	0	0	3
Property	2	2	0	0	4
Public Order	0	1	0	0	1
Criminal Other	0	1	0	0	1
Alcohol/MIP	0	0	1	0	1
Dependency Status Offense	0	0	0	0	0
Total Youth	2	7	1	0	10



AGENDA ITEM COVER SHEET
Morrow County Board of Commissioners
(Page 1 of 2)

(For BOC Use)
Item #
66

Please complete for each agenda item submitted for consideration by the Board of Commissioners
(See notations at bottom of form)

Presenter at BOC: Katie Imes
Department: The Loop
Short Title of Agenda Item:
(No acronyms please)

Phone Number (Ext): 541-676-5667
Requested Agenda Date: January 20th, 2021

The Loop Quarterly Update

This Item Involves: (Check all that apply for this meeting.)

- Order or Resolution
Ordinance/Public Hearing:
1st Reading
2nd Reading
Public Comment Anticipated:
Estimated Time:
Document Recording Required
Contract/Agreement
Appointments
Update on Project/Committee
Consent Agenda Eligible
Discussion & Action
Estimated Time:
Purchase Pre-Authorization
Other

N/A

Purchase Pre-Authorizations, Contracts & Agreements

Contractor/Entity:
Contractor/Entity Address:
Effective Dates - From:
Through:
Total Contract Amount:
Budget Line:
Does the contract amount exceed \$5,000? Yes No

Reviewed By:

Gregg Zody 1/15/21 Department Director Required for all BOC meetings
DATE
Administrator Required for all BOC meetings
DATE
County Counsel *Required for all legal documents
DATE
Finance Office *Required for all contracts; other items as appropriate.
DATE
Human Resources *If appropriate
DATE
*Allow 1 week for review (submit to all simultaneously). When each office has notified the submitting department of approval, then submit the request to the BOC for placement on the agenda.

Note: All other entities must sign contracts/agreements before they are presented to the Board of Commissioners (originals preferred). Agendas are published each Friday afternoon, so requests must be received in the BOC Office by 1:00 p.m. on the Friday prior to the Board's Wednesday meeting. Once this form is completed, including County Counsel, Finance and HR review/sign-off (if appropriate), then submit it to the Board of Commissioners Office.

AGENDA ITEM COVER SHEET
Morrow County Board of Commissioners
(Page 2 of 2)

1. ISSUES, BACKGROUND, DISCUSSION AND OPTIONS (IF ANY):

See Attachment

2. FISCAL IMPACT:

N/A

3. SUGGESTED ACTION(S)/MOTION(S):

N/A

Attach additional background documentation as needed.



THE LOOP - MORROW CO. TRANSPORTATION

P.O. Box 495 · Heppner, Oregon 97836 · (541) 676-5667 · 1-855-644-4560

The Loop
 Quarterly Update
 January 20th, 2021

Current Driver Status and Ridership

TOTAL QUARTERLY RIDES OCTOBER TO DECEMBER 2020		Current Drivers
The Loop Rides - October 2020		HEPPNER
City	Rides	Jesse Husband
Boardman	68	Bill Workman
Irrigon	52	IRRIGON
Heppner	58	Dixie Earle
Total	178	Brenda Aliangan
		Ron Aliangan
The Loop Rides - November 2020		
City	Rides	BOARDMAN
Boardman	27	Phyllis Gilbertson
Irrigon	61	John Blazer Debbie Radie
Heppner	60	Kayak -Irrigon
Total	148	Riders -134 Service Days - 69
The Loop Rides - December 2020		Good Shepard CareVan Trips - 269
City	Rides	
Boardman	77	
Irrigon	103	
Heppner	49	
Total	229	
Quarterly Total		555

Other Business

- Student Transportation

We are currently providing transportation from Sam Boardman Elementary and Windy River Elementary to the Neal Early Learning Center. Due to the Covid-19 pandemic local school bus providers have not been able to adequately provide service across Morrow County. We will provide this service until our local school bus providers can meet the demand or in the event the bus is needed for a higher priority. We continue to take all proper safety measures when transporting in compliance with the State of Oregon and the Oregon Health Authority.

- Needs Based CARES Grant Application

This application was turned in December 31st, 2020. This program funds projects to assist transit providers experiencing negative impacts from the COVID-19 pandemic and supports operating, capital, and other expenses generally eligible under the Section 5311. Funding comes from the Coronavirus Aid, Relief, and Economic Security (CARES) Act funds apportioned to Oregon by the Federal Transit Administration.

- STIF Formula Funding FY 2021-2023

The STIF Formula application is due February 1st 2021, it is currently in the final local review and approval process.

- STF Formula and Section 5310 Funding FY 2021-2023

I will be starting these funding applications in the near future. They are both due March 1st, 2021

- Section 5304 FY 2021-2023

This federal fund periodically provides grants for planning projects that lead to improved mobility and transit access for citizens, more livable and economically vibrant communities, and more efficient and well-coordinated public transportation systems. Application due March 1st, 2021, this is a highly competitive grant opportunity, we hope to succeed in our efforts.

- GovDeals.com

We sold two vehicles on GovDeals.com

- a) 2002 Crown Victoria \$500.00 funds allocated to 101-Sherrifs Dept.
- b) 2002 14-passenger Ford Bus \$5,575.00 funds allocated to 225-STF Vehicle Reserve Fund.

- The Loop Webpage

Heidi Turrell our Loop Dispatcher, has been working on a webpage for the Loop. This page allows the Loop to provide more information to the public in a user-friendly format. The National Rural Transit Assistance Program offers a free website builder to all Transit Agencies. The Morrow County website will have a hyperlink to the Loop webpage.

6c



MORROW COUNTY SHERIFF

325 Willow View Drive -- P.O. Box 159
Heppner, OR 97836
Phone: (541)676-5317
Fax: (541)676-5577

Kenneth W. Matlack, Sheriff
John A. Bowles, Undersheriff

MEMORANDUM

Morrow County Sheriff's Office

Date: 01-01-2021

To: Morrow County Court

From: John A. Bowles, Undersheriff

Re: 1st. Quarter Emergency Management Report (Oct-Dec)

Recent activities regarding Morrow County Emergency Management.

1. I have been sending out Emergency Management Notifications to all County Staff and posting to Facebook (weather, accidents, alerts, warnings, traffic, and preparedness).
2. Every Monday we have an EOC Meeting and County Command Meeting regarding COVID-19.
3. At the EOC meetings I update the group on the fire situation as it pertains to fire updates, conditions, dangers and recommendations.
4. We are in winter season and we are seeing more SAR events.
5. We are moving into flood season so I will start sending out flood information and safety information.
6. See attached information on COVID-19 in Morrow County.

All MCSO staff have completed ICS 100, 200, 700, 800.

Supervisory staff is working on completing ICS 300, 400.

Having a trained and informed staff has been a big help when working major incidents. Incidents that involve many agencies and jurisdictions.

10-01-2020	1 new positive Morrow County COVID-19 cases total 539, Press Release.
10-02-2020	3 new positive Morrow County COVID-19 cases total 542, Press Release.
10-03-2020	2 new positive Morrow County COVID-19 cases total 544, Press Release
10-04-2020	1 new positive Morrow County COVID-19 cases total 545, Press Release. EOC Prep.
10-05-2020	1 new positive Morrow County COVID-19 cases total 546, Press Release. EOC Meeting, Command Meeting.
10-06-2020	1 new positive Morrow County COVID-19 cases total 547, Press Release.
10-07-2020	5 new positive Morrow County COVID-19 cases total 552, Press Release.
10-08-2020	1 new positive Morrow County COVID-19 cases total 553, Press Release.
10-09-2020	2 new positive Morrow County COVID-19 cases total 555, Press Release.
10-11-2020	EOC Prep.
10-12-2020	EOC Meeting
10-13-2020	Monitoring COVID-19
10-14-2020	1 new positive Morrow County COVID-19 cases total 556, Press Release.
10-15-2020	5 new positive Morrow County COVID-19 cases total 561, Press Release. PPE delivered to Columbia River Health in Boardman. EMPG reporting.
10-16-2020	1 new positive Morrow County COVID-19 cases total 562, Press Release.
10-17-2020	1 new positive Morrow County COVID-19 cases total 563, Press Release.
10-18-2020	EOC Prep. 0 new cases today.
10-19-2020	EOC Meeting, Command Meeting. Rapid test kits delivered to PMH. PPE Delivered to Columbia River Health in Boardman. 2 new positive Morrow County COVID-19 cases total 565, Press Release.
10-20-2020	0 new cases today, Pres Release. 10-21-2020 Moving equipment out of the old station two. 0 new cases today, Press Release.
10-22-2020	Completed the Winter Outlook 2020-2021 (2hrs) Training. Completed EMPG Agenda Coversheet. 1 new positive Morrow County COVID-19 cases total 566.
10-23-2020	0 new cases today.

10-24-2020 2 new positive Morrow County COVID-19 cases total 568. Morrow County had its SEVENTH COVID-19 Death 52 year old male from North Morrow County.

10-25-2020 EOC prep. 0 new cases today.

10-26-2020 EOC Meeting, Command Meeting. 0 new cases today.

10-27-2020 1 new positive Morrow County COVID-19 cases total 569.

10-28-2020 5 new positive Morrow County COVID-19 cases total 574

10-29-2020 3 new positive Morrow County COVID-19 cases total 577.

10-30-2020 3 new positive Morrow County COVID-19 cases total 580.

10-31-2020 2 new positive Morrow County COVID-19 cases total 582.

11-01-2020 EOC prep. 0 new cases today.

11-02-2020 EOC Meeting, Command Meeting. 1 new positive Morrow County COVID-19 cases total 583.

11-03-2020 2 new positive Morrow County COVID-19 cases total 585.

11-04-2020 3 new positive Morrow County COVID-19 cases total 588.

11-05-2020 4 new positive Morrow County COVID-19 cases total 592.

11-06-2020 2 new positive Morrow County COVID-19 cases total 594.

11-07-2020 8 new positive Morrow County COVID-19 cases total 602.

11-08-2020 EOC prep. 1 new positive Morrow County COVID-19 cases total 603.

11-09-2020 EOC Meeting, Command Meeting. 0 new cases today.

11-10-2020 2 new positive Morrow County COVID-19 cases total 605.

11-11-2020 3 new positive Morrow County COVID-19 cases total 608.

11-12-2020 3 new positive Morrow County COVID-19 cases total 611.

11-13-2020 SAR event Blakes Ranch and Hanna Arbuckle (Snow Rescue) 6 new positive Morrow County COVID-19 cases total 617.

11-14-2020 0 new cases.

11-15-2020 EOC prep. 0 new cases.

11-16-2020 EOC Meeting, Command Meeting. 1 new positive Morrow County COVID-19 cases total 618.

11-17-2020	2 new positive Morrow County COVID-19 cases total 620.
11-18-2020	1 new positive Morrow County COVID-19 cases total 621.
11-19-2020	4 new positive Morrow County COVID-19 cases total 625.
11-20-2020	10 new positive Morrow County COVID-19 cases total 635.
11-21-2020	7 new positive Morrow County COVID-19 cases total 642.
11-22-2020	EOC Prep. 6 new positive Morrow County COVID-19 cases total 648.
11-23-2020	EOC Meeting, Command Meeting. 5 new positive Morrow County COVID-19 cases total 653.
11-24-2020	5 new positive Morrow County COVID-19 cases total 658.
11-25-2020	7 new positive Morrow County COVID-19 cases total 665.
11-26-2020	9 new positive Morrow County COVID-19 cases total 674.
11-27-2020	SAR event Western Route (Snow Rescue) 3 new positive Morrow County COVID-19 cases total 677.
11-28-2020	SAR event Western Route (Snow Rescue) 4 new positive Morrow County COVID-19 cases total 681.
11-29-2020	EOC Prep. 1 new positive Morrow County COVID-19 cases total 682.
11-30-2020	EOC Meeting, Command Meeting. 5 new positive Morrow County COVID-19 cases total 687.
12-01-2020	7 new positive Morrow County COVID-19 cases total 694.
12-02-2020	4 new positive Morrow County COVID-19 cases total 698.
12-03-2020	16 new positive Morrow County COVID-19 cases total 714.
12-04-2020	8 new positive Morrow County COVID-19 cases total 722.
12-05-2020	5 new positive Morrow County COVID-19 cases total 727.
12-06-2020	EOC prep. 2 new positive Morrow County COVID-19 cases total 729.
12-07-2020	EOC Meeting, Command Meeting. 5 new positive Morrow County COVID-19 cases total 734.
12-08-2020	4 new positive Morrow County COVID-19 cases total 738.
12-09-2020	12 new positive Morrow County COVID-19 cases total 750.
12-10-2020	11 new positive Morrow County COVID-19 cases total 761.

12-11-2020 2 new positive Morrow County COVID-19 cases total 763.

12-12-2020 8 new positive Morrow County COVID-19 cases total 771.

12-13-2020 EOC prep. SAR event Western Route (Snow Rescue) 1 new positive Morrow County COVID-19 cases total 772.

12-14-2020 EOC Meeting, Command Meeting. 0 new cases.

12-15-2020 6 new positive Morrow County COVID-19 cases total 778.

12-16-2020 5 new positive Morrow County COVID-19 cases total 783.

12-17-2020 5 new positive Morrow County COVID-19 cases total 788.

12-18-2020 **Morrow County had its EIGHTH COVID-19 Death 83 year old male from North Morrow County.** 8 new positive Morrow County COVID-19 cases total 796.

12-19-2020 3 new positive Morrow County COVID-19 cases total 799.

12-20-2020 EOC prep. 1 new positive Morrow County COVID-19 cases total 800.

12-21-2020 EOC Meeting, Command Meeting. SAR event Western Route (Snow Rescue) 4 new positive Morrow County COVID-19 cases total 804.

12-22-2020 1 new positive Morrow County COVID-19 cases total 805.

12-23-2020 3 new positive Morrow County COVID-19 cases total 808.

12-24-2020 3 new positive Morrow County COVID-19 cases total 811.

12-25-2020 0 new cases.

12-26-2020 8 new positive Morrow County COVID-19 cases total 819.

12-27-2020 0 new cases.

12-28-2020 2 new positive Morrow County COVID-19 cases total 821.

12-29-2020 Organizing for MCSO staff who want to get the Moderna vaccine. 6 new positive Morrow County COVID-19 cases total 827.

12-30-2020 Members of the Sheriff's Office received the Moderna vaccine.

12-31-2020 12 new positive Morrow County COVID-19 cases total 839.

Executive Summary: Final Environmental Analysis and Decision for Forest Management Direction for Large Diameter Trees in Eastern Oregon and Southeastern Washington

Decision

The Under Secretary for Natural Resources and the Environment, Jim Hubbard, signed the decision notice selecting the proposed action with no changes. The effective date of this decision is January 15th, 2021. The proposed action provides management adaptability while ensuring the recovery of late and old forests and managing for forests more resistant and resilient to disturbances like wildfire. The decision also clarifies that the new guideline language does not apply to Scenario B, where forests are within or above historical levels of late and old forest structure. Nor does it apply to Scenario A when timber harvest occurs within LOS stages that are within or above HRV in a manner that maintains or enhances LOS within that biophysical environment.

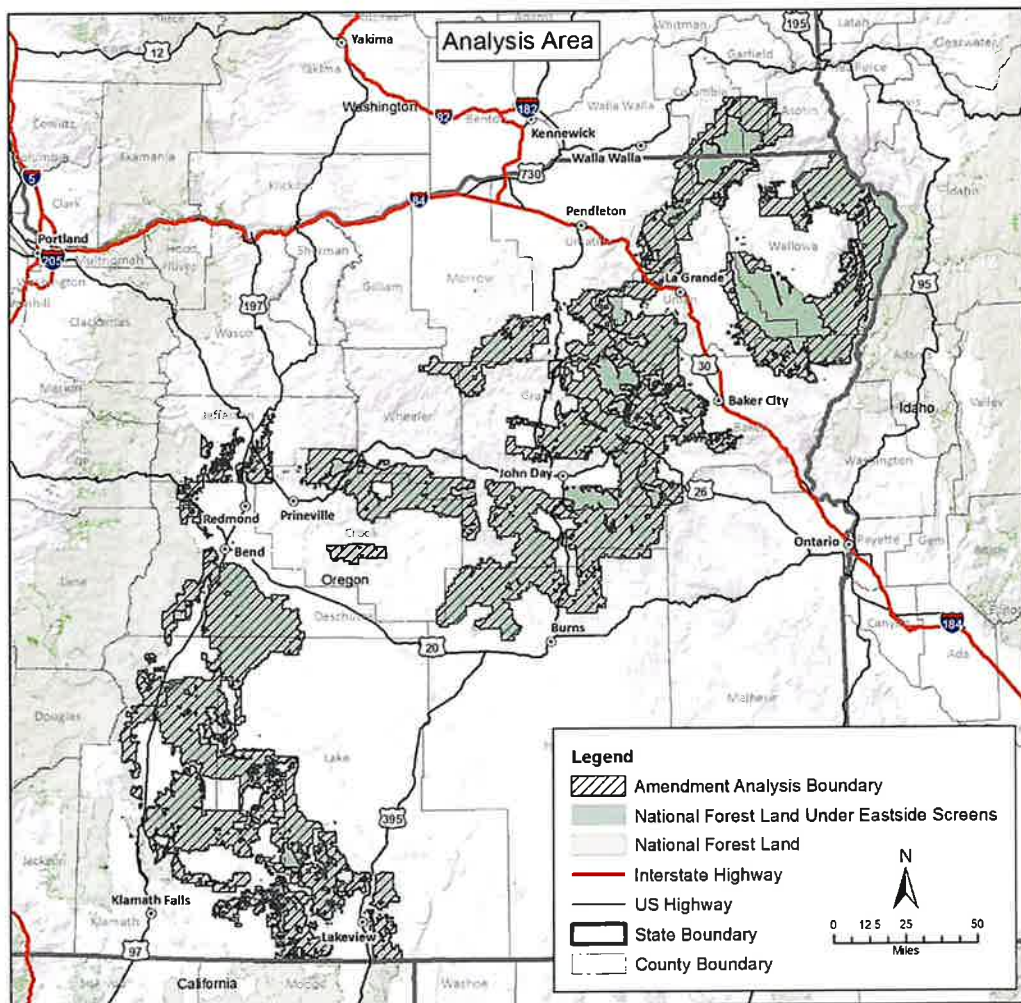


Figure 1. The analysis area encompasses 7,867,951 acres on the Fremont-Winema, Deschutes, Ochoco, Malheur, Umatilla and Wallowa-Whitman National Forests.

Introduction

On August 11, 2020 the USDA Forest Service Pacific Northwest Region released a proposal to amend land management plans on six national forests in eastern Oregon and Washington. The proposed amendment would revise a provision that prohibits harvest of trees larger than 21 inches in diameter and would apply to the Umatilla, Wallowa-Whitman, Malheur, Ochoco, Deschutes, and Fremont-Winema National Forests. The analysis covers just under 8 million acres.

Need for Change

- Twenty-four project-specific amendments have allowed cutting of trees greater than 21-inches. Such project-level amendments require repetitive analysis and add complexity to the process.
- Adapting the 21-inch standard to incorporate 25-years of science and experience would support the Forest Service's ability to restore eastern Oregon and Washington forests and adapt landscapes to changing conditions such as longer fire seasons and larger areas burned.
- Forests that historically experienced frequent fire have become dense, with tree species that are not well-adapted to their environments, making forests more susceptible to mortality from wildfires and other disturbances.
- There is currently a high level of tree mortality in old forests. Old trees provide important wildlife habitat and form the foundation for forests that are resilient to future change. Adapting our management policy will allow managers to implement actions that give old trees the best chance of persisting into the future.

Selected Alternative

Old and Large Tree Guideline with Adaptive Management (Proposed Action)

The Proposed Action is to replace the 21-inch standard with a guideline that emphasizes recruitment of old trees and large trees. Old trees (≥ 150 years of age) are prioritized for protection, and if there are not enough old trees to develop late and old structure conditions, large trees are protected, favoring fire tolerant species where appropriate. Large trees are defined as grand fir and white fir ≥ 30 " dbh or trees of any other species ≥ 21 -inch dbh.

The shift from a standard to a guideline makes some people nervous because there is inherently more flexibility for managers with a guideline. With a guideline, a manager must meet the intent of the guideline (maintain and increase old and late forest structure) but the guideline need not be followed precisely if there is a better way of achieving the intent based on site-specific analysis. We recognize some people's inherent mistrust of the Forest Service to effectively use this additional flexibility. To address this issue of trust and promote learning and collaboration, we incorporated an adaptive management component in the alternative. The adaptive management framework consists of required monitoring of large trees, a measurable threshold for action, and a provision to return to a standard if the landscape is not moving in the right direction. The adaptive management framework would also support regional collaboration and learning.



Photo credit: James Johnston

Finally, this alternative changes the existing snag and green tree retention language. Rather than existing language of the Eastside Screens, forests would have a choice: Maintain all snags $\geq 20''$ or complete a snag analysis using the best available science on the ecological requirements of snag-dependent species. Forests would also retain green trees to meet future snag and down wood recruitments for a diverse composition of wildlife species using best available science and would retain partially hollow or hollow trees that could become snags and down wood whenever possible.

Other Alternatives Analyzed

Current Management

This alternative represents how we currently implement the 21-inch standard across all six national forests. We assume project-level amendments will continue to be used sporadically, more often in some forests and districts than in other places and that the 21-inch standard will continue to be interpreted differently in different areas. For example, some managers will continue to apply the 21" rule both within and outside of late and old forests.

Old Tree Standard

This alternative replaces the size prohibition with a prohibition on harvesting trees older than 150 years.

Adaptive Management

In this alternative, the 21-inch standard would be removed. Management activities would not include a size or age requirement. As with the proposed action, this alternative incorporates the adaptive management framework.



Standard with Exceptions

This alternative was developed based on feedback during the public comment period. It represents a more conservative approach as both old trees and large trees would be protected by a standard. Exceptions to the standard include: removal of conifers to favor hardwoods in special habitats like meadows (outside of RHCAs), removal of young grand fir and white fir within the canopy of old fire tolerant trees, and for personal use pursuant to Tribal Treaty gathering rights.

The Old Tree Standard, Adaptive Management, and Standard with Exceptions Alternatives also incorporate the snag and green tree retention language described in the proposed action.

Vegetation Analysis

The prevalence of trees with lower tolerance to fire is increasing dramatically across the analysis area due to past selective harvest of old and large fire tolerant trees and fire suppression. Growth of trees with less fire tolerance has led to increased density (trees per acre) and canopy cover in stands and directly limits the persistence and recruitment of fire tolerant trees, making forests more likely to die when a wildfire, drought, or other natural event occurs. In addition, old forests decreased by approximately 8% within the analysis area between 2001 and 2017. On the other hand, the number of large trees in unmanaged forest increased by 8.5% in the past decade as compared to an increase of 12.9% in managed forests. An estimated 1.5 million acres of late structure forest currently exists within

the analysis area. Of this area, about 60% is late closed structure and about 40% is late open structure. Late structure forest has increased since 1995 on all six national forests, with most of the late structure gained in closed canopy forest.

We used four indicators to assess differences between alternatives: 1) Species Composition, 2) Old Trees, 3) Large Trees, and 4) Late Structure Forests. The ability of each alternative to meet desired conditions for vegetation cannot be assessed by looking at a single variable, such as old trees or species composition. The Current Management Alternative continues to increase large trees across the landscape but does not do as well as the other alternatives on all other measures. The Old and Large Tree Guideline continues to increase large trees on the landscape while also outperforming the Current Management Alternative for all other indicators (i.e. more old trees, more fire tolerant trees, and more late open conditions).



Old forest has declined by 8% since 2001.

Outcomes for the Old Tree Standard are very similar to outcomes for the guideline but with improved ability to manage for species composition (fire tolerant trees) and less flexibility to adapt to changing conditions or local site conditions. The Adaptive Management Alternative greatly enhances management flexibility and so could result in the widest range of potential outcomes. Finally, outcomes of the Standard with Exceptions are similar to the Current Management Alternative with marginal increases in the ability to support old tree persistence and manage species composition and decreased ability to create open forest structure. We note that it is not possible to restore stands to historical conditions or conditions that would be resistant to current and future conditions without cutting some fir larger than 21-inches, and this is prohibited in the Current Management Alternative and greatly restricted in the Standard with Exceptions Alternative.

Disturbance Analysis

A century of fire exclusion, selective logging, and livestock grazing has led to an increase of fuels, smaller and decreased number of forest openings, homogenous stand structures, and increased proportions of fire-intolerant trees, especially in frequent fire regimes. These changes create conditions conducive to fires of higher severity and with larger patches than historical wildland fires. In addition, changes in forest species composition and structure have reduced forest resistance and resilience to some native insects and pathogens. For example, species composition has shifted towards increased prevalence and densities of tree species that are susceptible to native root pathogens, dwarf mistletoes, defoliators, and bark beetles such as interior Douglas-fir, subalpine fir, white fir, and grand fir.

For both the Current Management and Standard with Exceptions Alternatives, frequent fire regime forests would continue to have higher mortality levels than historical forests from wildfire, drought, insects and disease. In areas with thinning and fuels reduction work completed, forests would likely have some reduction in fire severity under mild and some moderate weather conditions. The Standard with Exceptions would likely have slightly lower mortality levels from drought, insects, and disease.

These Alternatives both represent rigid management not well-suited to rapidly changing frequent-disturbance landscapes. The need for flexibility to adapt to changing conditions is clear, particularly considering anticipated changes in climate. The proposed action would lead to lower levels of mortality and a reduction in potential fire severity under mild, moderate and some severe weather conditions in managed stands compared to current management. In addition, this Alternative provides managers the ability to adapt to changing conditions. The Old Tree Standard has the same outcomes as the proposed action though represents more rigid rather than adaptable management. Finally, the Adaptive Management Alternative provides the highest level of management adaptability but the broadest range of potential outcomes on the ground.



Social and Economic Analysis

The geographic region around the six affected National Forests is a diverse social environment comprised of a combination of small towns and rural settings with residents from a wide variety of backgrounds. Residents pursue a range of lifestyles, but many share an orientation to the outdoors and natural resources. This is reflected in both vocational and recreational pursuits including employment in logging and milling operations, outfitter and guide businesses, and ranching and farming operations as well as hiking, hunting, fishing, camping, and many other recreational activities.

Timber, tourism, and agriculture are important to local economies. Despite common concern for and dependence on natural resources within the local communities, social attitudes vary widely with respect to their management. Residents hold a broad spectrum of perspectives and preferences ranging from complete preservation to maximum development and utilization of natural resources.

We ranked alternatives according to how well they delivered six key benefits to people.

Benefit to People	Current Management Alternative	Old Tree and Large Tree Guideline Alternative (with Adaptive Management)	Old Tree Standard Alternative	Adaptive Management Alternative	Standard with Exceptions Alternative
Forest Products Resources	5th	3rd	2nd	1st	4th
Jobs and Income Opportunities	5th	3rd	2nd	1st	4th

Forage, Botany, Range Opportunities	3rd	1st	1st	1st	2nd
Cultural and Heritage Resources	2nd	1st	1st	1st	1st
Wildlife and Wildlife-Based Recreation	3rd	1st	1st	1st	2nd
Aquatic Resources	2nd	1st	1st	1st	1st

Wildlife Analysis

The wildlife analysis assessed all federally listed species but only addressed the two affected by the proposed action and alternatives. Consultation with the USFWS was completed, although prior to decision, gray wolf was delisted and the proposed wolverine was withdrawn from listing. Both remain Region 6 sensitive species and add to the 86 other R6 sensitive species and two management indicator species (deer and elk) addressed in the analysis. We grouped wildlife into habitat associations to identify those associated with late and old forest or a component of late and old forest such as large trees or large snags. Species associated with late and old forest include: lynx, great gray owl, little brown bat, northern goshawk, purple martin, white-headed woodpecker, fisher, fringed bat, harlequin duck, rocky mountain tailed frog, bald eagle, bufflehead, fir pinwheel (a mollusk), Dalles Hesperian (a mollusk), Johnson’s hairstreak (a butterfly), and intermountain sulfur (a butterfly).



In general, viability outcomes for species associated with late structure closed canopy habitat have declined, but the amount of habitat for these species is similar to historical levels and has increased from 1995 to present. Viability outcomes for species associated with late structure open habitats have declined considerably and the amount of habitat for these species is below historical levels. The amount of this habitat has increased slightly from 1995 to present.

The Current Management and Standard with Exceptions Alternatives result in a decrease in the viability of species associated with late structure open forests. The Old Tree Standard results in an increase in the viability of species associated with late structure open forests compared to current management, and the Proposed Action and Adaptive Management Alternatives result in the greatest increase in viability of species associated with late structure open forests. The viability of species associated with late structure closed forest is maintained under all alternatives.

Decayed Wood Analysis

Life history requirements for a diverse array of wildlife are reliant on the retention of snags and down wood and the recruitment of future snags by way of green tree retention. There has been no significant change in snags ≥ 20 inches dbh in the analysis area over the time period assessed taking all tree species into account. There has been a slight increasing trend in large snags in the most prevalent habitat types for five of the six forests. Common to all action alternatives, new standards and guidelines for snags and green tree retention will better protect and account for a greater diversity of species and life histories including Regional Forester Sensitive Species, Management Indicator Species, and Threatened and Endangered Species and contribute to the viability of species associated with snag habitats.

Botany Analysis

We assessed impacts to three federally listed species and 229 Region 6 sensitive species. For all of these species, protections afforded by the Endangered Species Act and forest plans still apply no matter which alternative is chosen, so project-level surveys and analyses will still be required.

We concluded there would be no effect to the threatened MacFarlane's four o'clock or whitebark pine. For threatened Spalding's catchfly, we may affect but are not likely to adversely affect the plant. For the remaining sensitive species, we determined that all alternatives may impact individuals or habitat but would not likely contribute to a trend towards federal listing or cause a loss of viability to the population or species. With any of the action alternatives, forested habitats would largely benefit from enhanced opportunities to conduct restoration thinning and restore historical forest structure and disturbance regimes.



The botany analysis also assessed culturally important plants and concluded that plants that need late-open or mid-open structure, gaps and openings, and low-severity wildfire, such as huckleberries (*Vaccinium* spp.), yellow bell (*Fritillaria pudica*), and chokecherry (*Purnus virginiana*), would benefit more from the proposed action, Old Tree Standard, and Adaptive Management Alternatives compared to the Current Management and Standard with Exceptions Alternatives.

In addition, we note that the alternatives would have a very small impact on invasive plants. Most factors that influence the abundance and distribution of invasive species would not be affected by the proposed changes, including timber harvest acreage and project-level design criteria.

Aquatic Analysis

All management direction will remain the same within the Riparian Habitat Conservation Areas. PACFISH, INFISH, their objectives, goals, standards and guidelines direct management will still apply.

More Information

For a copy of the decision notice, final environmental analysis, and more information on the project, please visit our website at: <https://go.usa.gov/xvV4X>

Development Finance Review Weekly - January 14, 2021

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Development Finance Review WEEKLY

This Week's Highlights from the Development Finance Industry

Features

Announcing the 2021 CDFA-Bricker PACE Webinar Series

CDFA is pleased to partner with Bricker & Eckler LLP again this year for the CDFA-Bricker PACE Webinar Series! The series will feature 5, 2-hour long webinars highlighting innovative approaches and best practices for using this tool, current challenges facing practitioners, and future prospects for the PACE industry. All webinars will be free to attend and available to view online after the recording.

CDFA Recognizes Duanne Andrade, DFCP

CDFA is proud to announce Duanne Andrade, Chief Financial Officer for Solar and Energy Loan Fund (SELF) in Port St. Lucie, FL, as the newest graduate of the prestigious Development Finance Certified Professional (DFCP) program. As a new graduate, Ms. Andrade has gained valuable knowledge and experience to help tackle the complexities of the development finance industry.

SBA and Treasury Announce PPP Re-Opening; Issue New Guidance

The SBA, in consultation with the Treasury Department, announced that the Paycheck Protection Program (PPP) will re-open the week of January 11 for new borrowers and certain existing PPP borrowers. To promote initial access to capital, only community financial institutions will be able to make First Draw PPP Loans on Monday, January 11, and Second Draw PPP Loans on Wednesday, January 13.

Amazon Launches \$2B Housing Equity Fund

Amazon announced it is committing more than \$2 billion to preserve and create more than 20,000 affordable housing units in Washington State's Puget Sound region; Arlington, Virginia; and Nashville, Tennessee—three communities where the company has or expects to have at least 5,000 employees each in the coming years.

Even in Pandemic, Northern Kentucky Tri-ED Beats Project Targets

Northern Kentucky Tri-County Economic Development Corp., better known as Tri-ED, surpassed its goals for 2020, even with the coronavirus pandemic hitting the nation. Tri-ED supported 27 companies with expansions or new location announcements in 2020 that are expected to bring 1,563 jobs and \$268 million in capital investment to Boone, Campbell, and Kenton counties.

Municipal Bond Market Starts the Year Strongly

The municipal bond market is starting 2021 on a strong note amid robust demand, light supply of new issues, and expectations of fiscal relief for state and local governments as well as potentially higher income taxes with full Democratic control in Washington. A key indicator of tax-exempt bond demand, the yield ratio of 10-year triple-A munis relative to the 10-year Treasury note, stands at 66% and is at its lowest level in 20 years.

The Inflation Debate That's Roiling U.S. Markets Faces 2021 Test

They're still in the minority, but investors and economists who think America is in for a bout of inflation -- perhaps a serious one -- start the year with some fresh ammunition for their arguments. All this has pushed bond-market measures of expected inflation higher. The so-called breakeven rate on 10-year Treasuries climbed above 2% this past week to the highest in more than two years.

PACE Loan Group Raises Additional \$75M for C-PACE Assets

PACE Loan Group, a leading provider of Commercial Property Assessed Clean Energy (C-PACE) financing, announces that it has raised \$75 million in committed capital from Nuveen, the investment manager of TIAA. This marks PACE Loan Group's second investment from Nuveen in two years, for a total of \$150 million. The deal positions PACE Loan Group to lend on C-PACE assets across the country.

The Effects of U.S. Federal Payments on the Agriculture Sector

U.S. federal aid payments were estimated to account for 40 percent of total net farm income in 2020. But many farmer organizations say that the federal aid is insufficient and does not support long-term sustainable solutions. Instead, these organizations are advocating for revenue-based payments, greater loan forbearance, and climate change mitigation.

August 20, 2020

August 13, 2020

August 6, 2020

July 30, 2020

July 23, 2020

July 16, 2020

July 9, 2020

July 2, 2020

June 25, 2020

Upcoming Events



Fundamentals of Economic Development Finance WebCourse

REGISTER TODAY >>

January 27-28, 2021 12-5 PM EST

This course qualifies for the CDFA Training Institute's Development Finance Certified Professional Program.

News from **THE BOND BUYER**

The latest municipal finance headlines from *The Bond Buyer*.

Libor Transition is a 2021 SEC Priority for the Muni Market

The 2021 priorities for the Office of Municipal Securities at the Securities and Exchange Commission are the transition away from Libor and improving the timeliness of financial disclosures. Rebecca Olsen, director of the Office of Municipal Securities, highlighted the Libor transition in a presentation Wednesday in which she noted that the addition of any other priorities will have to await the appointment of a new SEC chairman.

Munis Slightly Weaker but Outperform UST as Ratios Hover at 10-Year Lows

Municipal triple-A yield curves were weaker by a basis point on bonds three years and out Tuesday as new issues began to trickle in and U.S. Treasuries pared back the day's earlier losses. The disconnect between munis and UST continues and ratios hover at 10-year lows.

CDFA is proud to partner with *The Bond Buyer* as our Official Media Sponsor. Read more about this

partnership and all of its benefits [here](#).

Upcoming Webcasts

CDFA // BNY Mellon Development Finance Webcast Series: Forecasting the Bond Market Amid the Recovery

Tuesday, January 19, 2021 - 2:00 PM Eastern

During this installment of the CDFA // BNY Mellon Development Finance Webcast, we will hear from experts for a forecast on the economic recovery and how it will affect the bond market.

CDFA-Bricker PACE Webinar Series: Retroactive PACE

Tuesday, January 26, 2021 - 2:00 PM - 4:00 PM Eastern

Retroactive PACE allows property owners to refinance PACE-eligible expenses months or years after the improvements were installed. During this workshop, the speakers will provide in-depth considerations for making Retroactive PACE a reality for an eligible property owner.

CDFA Federal Financing Webinar Series: Restoring Local Economies with Federal Partners

Tuesday, February 9, 2021 - 2:00 PM Eastern

The first installment of the 2021 CDFA Federal Financing Webinar Series will cover the various forms of financing programs available to state and local governments through Treasury, HUD, and EDA for restoring local economies.

Job & RFP Postings

New Mexico Economic Development Department Seeking 3 Economic Development Representatives

The New Mexico Economic Development Department is advertising to hire 3 Economic Development Representatives: a Finance Program Specialist, a Program Development Specialist, and a Statewide Disaster Recovery Coordinator. If you are interested in applying for a position or know someone interested in applying, the job postings are viewable on the State of New Mexico's Career Website.

NM Economic Development Department Posts RFP for Economic Development Industry Strategies

The purpose of this Request for Proposals (RFP) is to solicit proposals to establish a contract through competitive negotiations for the procurement of a statewide economic development plan for New Mexico consisting of a summary of short-term recovery strategies, five-year strategies, and 20-year strategies.

NM Economic Development Department Publishes RFP for Economic Development Data Collection & Coordination

The purpose of the Request for Proposal (RFP) is to solicit proposals to establish a contract through competitive negotiations for the procurement of the development of statewide and regional data to be used in the development of a statewide economic development plan focusing on short-term recovery, five-year growth, and 20-year diversification strategies.

This Week's Headlines

Congress Considering Money to Unbuild Freeways and Rebuild Communities

Next City | Jan. 13 | Bond Finance | Infrastructure Finance | Legislative

COVID-19 Pandemic Drives Municipal Borrowing to 10-Year High

The Wall Street Journal | Jan. 13 | Bond Finance

Energy Department Announces \$123.6M in Funding for 46 Projects to Bolster Domestic Manufacturing through Innovation

U.S. Department of Energy | Jan. 13 | Energy Finance | Federal | Innovation Finance | U.S. Dept. of Energy (DOE)

Fitch Takes Various Rating Actions on U.S. Enhanced Municipal Bonds and TOBs

Fitch Ratings | Jan. 13 | Bond Finance

Homegrown New Mexico Science and Tech Companies Awarded Small Business Innovation Research Grants

New Mexico Economic Development Department | Jan. 13 | Access to Capital | Innovation Finance

It's Time to Make U.S. Disaster Policy More Equitable and Effective

Next City | Jan. 13 | Disaster Recovery & Relief | Economic Development | COVID-19

New Bond Proposal to Be Introduced at Shreveport, LA City Council Meeting

Shreveport Times | Jan. 13 | Bond Finance | Community Development | Infrastructure Finance

Noblesville, IN Council Pledges \$10M TIF Bond to East Bank Apartment Complex

Indiana Business Journal | Jan. 13 | Bond Finance | Housing Finance | Tax Increment Finance (TIF)

Palm Beach Gardens, FL Plans to Offer Nearly \$500K in Incentives to Lure Two Companies, Jobs to the City

The Palm Beach Post | Jan. 13 | Incentives | Tax Credits

Senate Democrats Weigh Merging Coronavirus Relief and Infrastructure Into a Massive Multi-Trillion-Dollar Package

Business Insider | Jan. 13 | Disaster Recovery & Relief | Infrastructure Finance | Legislative | COVID-19

1.1 Million PPP Loans Forgiven So Far Totaling Over \$100B

U.S. SBA | Jan. 12 | Access to Capital | Disaster Recovery & Relief | Federal | Legislative | U.S. Small Business Administration (SBA) | COVID-19

Hundreds of Millions in Funding Still Available for Michigan Wastewater Projects

MLive | Jan. 12 | Access to Capital | Infrastructure Finance | Revolving Loan Funds (RLFs) | Water Finance | Water Finance | State Revolving Fund

U.S. Chamber of Commerce Urges Infrastructure Modernization Plan to Ensure Nation's Long-Term Economic Growth

Logistics Management | Jan. 12 | Disaster Recovery & Relief | Infrastructure Finance | COVID-19

'It Was a Joke': Some Small Businesses Got \$1 Relief Loans

New York Times | Jan. 11 | Access to Capital | Disaster Recovery & Relief | Federal | COVID-19

Commercial and Financial Close Reached for Prince George's County Public Schools Alternative Construction Financing Project

PR Newswire | Jan. 11 | Education | Public-Private Partnership (P3) Financing | Case Studies

SBA Re-Opens PPP to Community Financial Institutions First

Street Insider | Jan. 11 | Access to Capital | Disaster Recovery & Relief | U.S. Small Business Administration (SBA) | COVID-19

Green River Area Development District in Kentucky Streamlines Microloan Process

Messenger-Inquirer | Jan. 10 | Access to Capital | Disaster Recovery & Relief | Revolving Loan Funds (RLFs) | COVID-19

How to Get a Small Business Loan from New \$284B PPP Launch

Seattle Times | Jan. 10 | Access to Capital | Disaster Recovery & Relief | Revolving Loan Funds (RLFs) | COVID-19

Three Ag Loans Approved in Kentucky

WTVQ | Jan. 8 | Access to Capital | Agriculture Finance | Food Systems Finance | Revolving Loan Funds (RLFs) | Rural Development

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Partner Spotlight



[ADFIAP](#)

Association of Development Financing Institutions in Asia and the Pacific

The Association of Development Financing Institutions in Asia and the Pacific (ADFIAP) is the focal point of all development banks and other financial institutions engaged in the financing of development in the Asia-Pacific region. Its mission is to...

CDFA Bookstore

Unlocking Capital: A Handbook for Becoming a High Performing Development Finance Agency

The Handbook is designed to be a starting point for local leaders to engage in the creation or acceleration of a DFA to build and utilize the development finance toolbox.



New Members

Bousquet Holstein PLLC - Syracuse, NY

City of Loveland - Loveland, CO

The Greenville Housing Authority - Greenville, SC

Wisconsin Housing and Economic Development Authority - Madison, WI

The Council of Development Finance Agencies is a national association dedicated to the advancement of development finance concerns and interests. CDFA is comprised of the nation's leading and most knowledgeable members of the development finance community representing public, private and non-profit entities alike. For more information about CDFA, visit www.cdfa.net or e-mail info@cdfa.net.

Council of Development Finance Agencies

100 E. Broad Street, Suite 1200

Columbus, OH 43215

(614) 705-1300

info@cdfa.net

WHEREAS, The Columbia Development Authority (“CDA”), the Board of Directors of which is comprised of representatives of Morrow County, Port of Morrow, Umatilla County, Port of Umatilla, and the Confederated Tribes of Umatilla Indian Reservation, intends to acquire certain real property (the “CDA Acquisition”) commonly known as the Umatilla Chemical Depot (the “UMCD”) from the United States Department of the Army (the “Army”), a portion of which is located in Morrow County, Oregon (such portion, the “Morrow Property”); and

WHEREAS, CDA is a party to that certain Programmatic Agreement (the “Programmatic Agreement”) dated December 2013, by and among CDA, the Army, the Oregon State Historic Preservation Officer, the Advisory Council on Historic Preservation and the Confederated Tribes of Umatilla Indian Reservation; and

WHEREAS, as a condition to the CDA Acquisition, CDA will enter into an Amendment to the Programmatic Agreement, substantially in the form attached hereto as Exhibit A (the “PA Amendment”); and

WHEREAS, under Section (B)2 of the PA Amendment, a portion of the Morrow Property commonly referred to in the PA Amendment as the “South Trail” is required to be maintained, protected and preserved, in perpetuity, from and after the CDA Acquisition; and

WHEREAS, the CDA Acquisition and the subsequent development of the Morrow Property, together with the preservation of the South Trail in perpetuity, will benefit Morrow County economically and culturally; and

WHEREAS, in order to satisfy the conditions precedent to the CDA Acquisition, facilitate the development of the Morrow Property by CDA and other third parties following the CDA Acquisition, and to maintain the South Trail as a site of historical and cultural significance, Morrow County desires to assume responsibility for the perpetual maintenance, protection and preservation of the South Trail, in accordance with Section (B)2 of the PA Amendment.

NOW THEREFORE BE IT RESOLVED that, from and after the CDA Acquisition, Morrow County shall maintain, protect and preserve the South Trail, in accordance with the terms and provisions of Section (B)2 of the PA Amendment.

Dated this ___ day of _____ 20__