

**CITY OF CORVALLIS
COUNCIL WORK SESSION MINUTES
March 22, 2016**

The work session of the City Council of the City of Corvallis, Oregon, was called to order at 3:30 pm on March 22, 2016 in the Madison Avenue Meeting Room, 500 SW Madison Avenue, Corvallis, Oregon, with Mayor Traber presiding.

I. CALL TO ORDER

Present: Mayor Traber; Councilors Baker, Beilstein, Brauner, Bull (3:35 pm), Glassmire, Hann, Hirsch, Hogg, York

II. IMAGINE CORVALLIS 2040 FOCUS AREAS REVIEW

Councilor York noted materials at Councilors' places concerning Imagine Corvallis 2040 (IC 2040) (Attachment A). She reported that all three community workshops had been completed and an online survey to provide additional comments about focus areas would be available through the end of April. Senior Planner Johnson is available to assist community groups, such as neighborhood associations, that would like to hold their own IC 2040 workshops.

Information gathered will be consolidated and presented at an IC 2040 Steering Committee work session where draft language will be created for each of the focus areas. The community and the Council will have several opportunities to refine the draft before a vision for Corvallis is finalized; Council adoption is anticipated for December 2016.

The IC 2040 Steering Committee is connecting with Oregon State University (OSU) students through the Associated Students of OSU, the Student Experience Center, and the new Business School Dean. Steering Committee member Brenda Downum-VanDevelder, who is the 509J School District's Communications Coordinator, is providing a connection for high school students. Suggestions were welcome about how to obtain input from under-represented groups and others who would not ordinarily participate in such a process.

III. ANNEXATION LEGISLATION DISCUSSION

City Attorney Brewer reviewed his memorandum, which was included in the work session packet. He said the new annexation law prohibits the Council from sending annexations to the voters if the property to be annexed is adjacent to the City limits and within the urban growth boundary, and if all associated property owners agree with the annexation. In addition, the law does not require annexation of property; however, it does require a particular process for annexations. He noted that discussion related to legal advice would need to occur in a City Council executive session.

Mr. Brewer said the City's annexation process has been driven by the elections schedule, except for health hazard annexations, which do not require a vote of the electorate. With the passage of Senate Bill 1573, no set timeline exists, other than a duty to address annexation requests within a reasonable amount of time. He recommended that the Council make a policy decision before an annexation application is submitted. Policy options could include determining that the City would follow the new State law or that the City Charter overrides the State law, and therefore, non-health hazard annexations would continue to be forwarded to the voters.

The City's current process is described in Land Development Code (LDC) Chapter 2.6. The Community Development Director reviews the application and upon acceptance, forwards it the Planning Commission, which conducts a review to ensure consistency with the Comprehensive Plan and

other standards adopted by the City and the State. The Planning Commission also holds a public hearing on the annexation to obtain community input. A recommendation from the Planning Commission is then forwarded to the City Council, which also conducts a public hearing. If the Council finds the annexation request is consistent with review criteria in the LDC, the annexation is placed on the ballot for voter approval or rejection. With the new law, all of the steps outlined in the LDC would be followed, except the annexation would not be forwarded to the voters; the final decision about whether to annex the property would be made by the Council.

Mr. Brewer and Interim Community Development Director Weiss provided the following information in response to Councilors' inquiries:

If the Council passed an ordinance approving an annexation, voters could challenge it through the referendum process. The Council could establish an effective date that would allow enough time for voters to complete the referendum process before the annexation would become effective.

If the Council denied an annexation, a community member could appeal the decision to the Land Use Board of Appeals, similar to other land use challenges.

Whether the City Charter overrides a State statute is an unresolved question that is likely to be litigated.

The Goal Post Rule refers to the requirement that a jurisdiction follow the standards that were in place at the time a permit application is submitted. Such standards apply throughout the process of reviewing the application. Mr. Brewer did not believe an annexation fits the statutory definition of a permit.

The League of Oregon Cities (LOC) has asked cities with voter-approved annexation provisions whether they wish to challenge the legislation. The LOC does not have standing to bring litigation against the State; however, it may provide support to cities who wish to undertake a legal challenge. If a legal challenge was filed, an injunction against the State would be likely for pending annexation applications until the case was resolved.

If the City wished to create a new, simpler referral process specifically for annexations, the number of signatures required could not be changed without amending the City Charter.

Staff is reviewing existing developments in Benton County that are within the urban growth boundary where the property owner was required to agree to future annexation if it is proposed. Specifically, staff is examining whether such a pre-disposition was that the property would be annexed, or if it was to allow for the development of City infrastructure and the subsequent easements to reach the development.

Legal costs for the City to challenge the legislation were very roughly estimated between \$20,000 and \$50,000.

Mayor Traber noted that the law might be reviewed in the next legislative session.

City Manager Shepard supported the concept of home rule authority; however, he expressed concern about the impact a lawsuit would have on existing City work efforts, including Council Goal work and current land use-related litigation. He suggested participating in a legal challenge with other cities, but not taking the lead.

IV. COMMUNITY COMMENTS

Laura Lahm-Evenson, League of Women Voters (LWV) of Corvallis, read from prepared testimony opposing the new annexation law (Attachment B) and provided additional written testimony from LWV (Attachment C).

Peggy Lynch, LWV of Oregon, noted that while the new annexation law was touted as an affordable housing matter, she viewed it as a land use issue. She provided background about the Local Innovation and Fast Track (LIFT) Housing Program, which authorized \$40 million in bonds to build new, affordable housing for families with children who are experiencing or at-risk of homelessness. She noted that one of the driving forces behind Senate Bill 1573 was difficulties some cities in the Portland metro area experienced when they tried to annex property. She emphasized that Senate Bill 1573 stood on its own and was not part of a package of housing-related legislation.

Louise Marquering spoke from prepared testimony requesting that the City defend its Charter provision concerning voter-approved annexations (Attachment D).

Jeff Lamb, Oregon Communities for a Voice in Annexation, provided a flyer opposing the annexation law (Attachment E) and a list of Oregon cities that require a vote on annexations (Attachment F). He said the Oregon Supreme Court ruled that city charter provisions were lawful and questioned whether the State could overturn a Supreme Court ruling. He believed the Legislature could overturn the law in its next session if they received enough public pressure. He urged the City to challenge the law.

Kirk Schlesinger believed his mind map application would provide a better online solution for gathering input as part of the IC 2040 process. He said it would not compete with existing public outreach efforts and its use was free. Councilor York agreed to meet with Mr. Schlesinger to discuss his idea. He suggested that Oregon Consensus could bring the City and community together in the annexation matter; however, it would be an expense to the City.

Marilyn Koenitzer favored the Council defending the right of Corvallis citizens to vote on annexations. She believed that if the Council decided to pursue a parallel track of following the law while simultaneously challenging it, the City's argument that it was defending its citizens' right to vote could be jeopardized.

Lori Stephens supported following home rule authority and the City's Charter, and she believed the City should challenge the annexation law. She said under the new law, it appeared that if the proposed annexation met LDC criteria, the Council would be obligated to approve it, regardless of whether it was supported by residents. Such a circumstance would create turmoil in the community. Ms. Stephens submitted written comments in advance of the work session (Attachment G).

V. ADJOURNMENT

The meeting adjourned at 5:22 pm.

APPROVED:

MAYOR

ATTEST:

CITY RECORDER



Your input is important!

The Corvallis community is creating a new vision looking ahead to 2040. This initiative, sponsored by the City of Corvallis, will develop a vision, which will outline a preferred destination for the city in 2040, and an action plan, outlining specific activities to help move the vision toward reality.

Go online to weigh in on the future of Corvallis. Visit the web address below to take the online survey.

<http://www.surveymonkey.com/r/ImagineCorvallis2040>

Corvallis' Vision and Action Plan includes topics such as:

HOW WE ENGAGE & SUPPORT - *Involvement, Equity & Diversity*

HOW WE INNOVATE & PROSPER - *Economy, Employment & Innovation*

HOW WE LEARN & THRIVE - *Education, Health & Human Services, Personal Growth*

HOW WE CREATE & CELEBRATE - *Arts, Culture & Creativity*

HOW WE PLAN & CHANGE - *Livability, Development & Housing*

HOW WE STEWARD & SUSTAIN - *Environment, Sustainability & Community Safety*

Contact us



www.corvallisoregon.gov/visiongoal



Cassie.Davis@hdrinc.com



503.727.3922

What is Imagine Corvallis?

Sponsored by the City of Corvallis, *Imagine Corvallis* invites the community to look ahead to the next 20 years.

This vision project relies on community collaboration to craft Corvallis' future Vision, which will outline a preferred destination for the city in 2040. Through a series of activities, the community will define and vet this vision then identify measurable strategies to bring this vision to life.

How will we create a Corvallis vision?

In the upcoming months, The *Imagine Corvallis* project team is engaging the community around several basic questions:

1. Where are we now?
2. Where are we going?
3. Where do we want to be?
4. How do we get there?

Activities and events will center around six focus areas (right).



We need you!

Community input and support is vital to this project. *For project news, public events, opportunities to provide input, or volunteer, visit the project webpage at www.corvallisoregon.gov/visiongoal.*

More information

If you have questions, would like to volunteer, or for more information about the project, please contact: **Cassie Davis, *Imagine Corvallis***, at the email address or phone number below.

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COMMENT CARD

FOCUS AREA: _____

Thinking about the above Focus Area...

1.) What do you most appreciate about Corvallis?

2.) What is the biggest challenge for Corvallis now or in the future?

3.) What is your vision for the future of Corvallis?

4.) What is one strategy for achieving your vision?

5.) How would you know your vision was being accomplished?

Optional:

NAME _____ EMAIL _____ PHONE _____



VISION FOCUS AREAS

HOW WE ENGAGE & SUPPORT – Involvement, Equity & Diversity

(Diversity, Social Equity, Income Equality, Civic Engagement, Community Involvement, Volunteerism, Resources)

HOW WE INNOVATE & PROSPER – Economy, Employment & Innovation

(Economy, Employment, Prosperity, Economic Development, Technology, Innovation)

HOW WE LEARN & THRIVE – Education, Health & Human Services, & Personal Growth

(Schools, Education, Higher Education, Training & Skill Development, Lifelong Learning, Health & Human Services, Wellness, Human Development, Early Childhood Development, Recreation)

HOW WE CREATE & CELEBRATE – Arts, Culture & Creativity

(Arts, Music, History, Culture, Creative Expression, Festivals & Celebrations, Tourism, Theatre, Dance, Poetry)

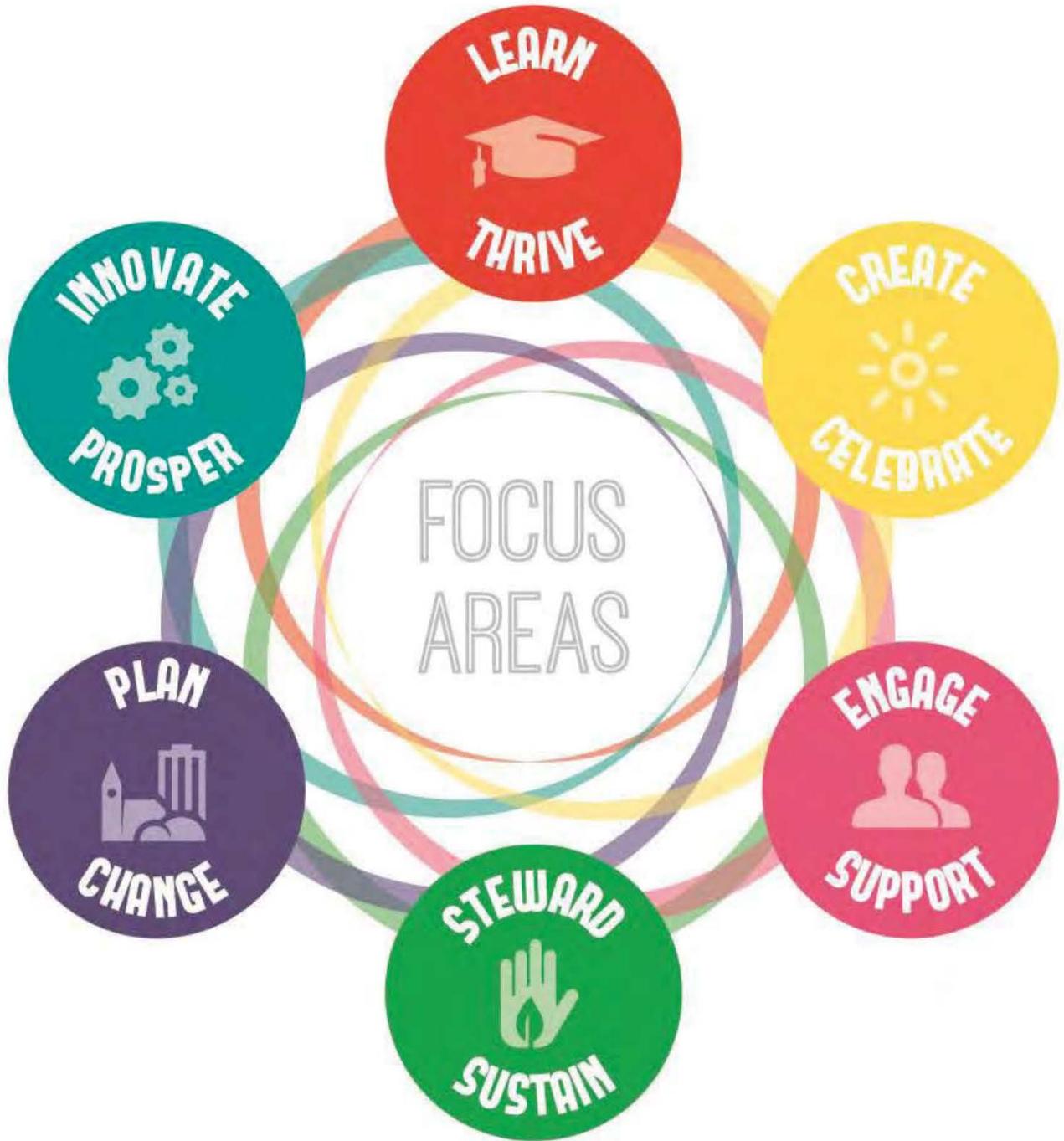
HOW WE PLAN & CHANGE – Livability, Development & Housing

(Land Use Planning, Growth & Development, Infrastructure, Urban Design, Housing, Transportation & Mobility, Connectivity, Neighborhoods, Livability)

HOW WE STEWARD & SUSTAIN – Environment, Sustainability & Community Safety

(Environment, Emergency Management, Community Safety, Natural Resources, Natural Environment, Environmental Stewardship, Sustainability, Climate Action)







This snapshot provides highlights about topics such as: arts, music, history, culture, creative expression, tourism, festivals, celebrations, theatre, dance, and poetry. Corvallis has a vibrant local arts and culture scene for a community of its size.

Theater, arts, music, dance, lectures, galleries and festivals, along with arts programs and classes for students, low income groups, and individuals with physical and mental disabilities, fill the calendar and draw the entire community and its visitors into a culturally rich range of offerings.

OSU students, programs and venues expand and amplify the impact of the arts on community life. Like arts everywhere, there are also challenges to support, fund and sustain Corvallis' arts scene and to give it a stronger voice in civic affairs and economic development.

WHERE ARE WE NOW? Key facts about Corvallis today:

Corvallis enjoys a wide range of arts events, festivals and venues. Corvallis has many arts events, festivals and venues, including its long-running annual summer arts festival da Vinci Days (now in the process of being reinvented), Fall Festival, and the monthly Corvallis Arts Walk. Several galleries in town, along with groups such as the Corvallis Folklore Society, Community Theater, Community Band, Farmers Market, Corvallis Library and others continue to promote artistic and cultural activities throughout the community.

Visitor spending has a local economic impact in Corvallis. The 2015 City of Corvallis Arts & Culture Study revealed that in 2013:

- It took \$66,850 of visitor spending to support one job in Benton County.
- \$27 in employee earnings was generated by every \$100 visitor spending.
- \$5.20 in local and state tax revenues was generated by every \$100 in visitor spending.

Corvallis features numerous historical landmarks. Approximately 150 resources are listed on the Corvallis Register of Historic Landmarks. The area also features three National Register Historic Districts: Avery-Helm, College Hill West, and Oregon State University.

OSU has seven cultural resource centers. The University is home to seven cultural resource centers serving all members of the OSU community: Asian & Pacific Cultural Center; Centro Cultural Cesar Chavez; Etihad Cultural Center; Lonnie B Harris Black Cultural Center; Native American Longhouse Eena Haws; Pride Center; and Women's Center.

OSU and Linn-Benton Community College offer a vast array of performance and visual arts resources. OSU boasts a vast array of performance and visual arts events and resources, including Corvallis-OSU Symphony, Corvallis Repertory Singers, Music a la Carte Concert Series, Music@OSU, OSU Theatre, SAC Presents, and the Steinway Piano Concert Series, as well as many visiting artists and scholars. Linn-Benton Community College also offers numerous arts programs at the Benton Center in Corvallis.

Downtown Theaters add to cultural offerings. In 2015, the Corvallis Parks and Recreation Department began operating the Majestic Theatre, a restored theatre, concert venue and art gallery. The Whiteside Theatre is a historic theatre building that supports numerous events and promotes cultural diversity in downtown Corvallis.

The Arts Center is a part of Corvallis' Community Life. The Arts Center is dedicated to integrating the arts into daily community life in Corvallis through collaboration, outreach, classes, camps, exhibitions and cultural events. Its ArtsCare program brings arts to patients in healing environments, and its At-Risk Youth Art Education program serves children who might not otherwise have art opportunities.





Corvallis Schools offer arts, music and theater programs. The Corvallis School District offers music classes in their K-12 programs, as well as theater programs at the high schools. The School District has three performance spaces for use by students and available to rent by the community. The arts education programming for K-5 is arranged and supported by The Arts Center and various parent teacher organizations. Youth music education and experience opportunities are also provided various private and not-for-profit community organizations, such as the highly active and successful Corvallis Youth Symphony and Heart of the Valley Children’s Choir programs.

Madison Avenue offers an arts and history experience. Starting at the Riverfront Commemorative Park, a westward walk along Madison Avenue features art of all types (sculpture, ceramics, paintings, photography, poetry) and nearly two dozen historical panels that tell of the history and development of Corvallis (the “Heart of the Valley”).

Events drive OSU-related tourism in Corvallis. OSU has a major impact on tourism and visitor-affiliated revenues in Corvallis such as hotels and restaurants, through its major PAC12 sporting events, homecoming, parents’ weekends, conferences and more.

One-third of hotel taxes are put back into tourism and conventions. One third of the hotel tax in Corvallis is used to support Visit Corvallis, the local convention and visitor’s bureau, for tourism promotion.

WHERE ARE WE GOING? *Trends or developments that may influence the future of Corvallis:*

A new Corvallis Museum operated by the Benton County Historical Society is scheduled to open in 2018-19. The opening of the museum will bring additional opportunities for arts and culture for both residents and visitors.

County leaders are planning for an Oregon Creative Corridor. In January 2016, arts and tourism organization representatives from four counties (Linn, Benton, Lincoln and Lane) convened to plan for a future Oregon Creative Corridor aimed at developing a viable, sustainable and connected community of art in the Mid-Willamette Valley.

Downturn in Arts Education has a long-term impact. A generation and a half of students in the public school system have not had consistent access to arts education in their formative school years, and are less likely to choose to experience the arts over other entertainment options.

OSU offers arts career opportunities. The OSU College of Liberal Arts, School of Arts & Communication provides opportunities to leverage career training and entrepreneurship programs in the arts.

WHAT ISSUES DO WE FACE? *Frequent comments we have heard from Corvallis citizens during interviews and conversations:*

- *Corvallis supports rich cultural lifestyles through many cultural outlets.*
- *The community has been supportive of the local theatres in town, but the support is at times inconsistent.*
- *While the arts and cultural organizations in Corvallis generally work well together, they could be more cohesive and collaborative in their activities.*
- *Cultural tourism has the potential to be a more significant contributor to downtown and the local economy.*
- *The community values and supports the local farmers market and surrounding agriculture in the area.*
- *A lack of low cost housing and studio space is a problem for keeping young creative people in Corvallis who wish to stay and start new businesses.*
- *Some of the arts facilities in Corvallis had deferred maintenance for 5-10 years beyond schedule.*



This snapshot provides highlights about topics such as: emergency management, public safety, community resiliency, natural resources, environmental stewardship, sustainability, and climate action. Because a safe, clean and healthy environment is integral to livability and quality of life – not to mention the future of the planet – Corvallis is committed to stewarding and sustaining its natural resources. It is also committed to ensuring a safer, more resilient community in the face of emergencies or natural disasters. The City of Corvallis’ involvement in climate action signifies a growing commitment to leadership in defining the environmental challenges of our time.

WHERE ARE WE NOW? *Key facts about Corvallis today:*

One in three Corvallis residents has prepared for emergencies. In 2015, 34% of people in Corvallis stocked supplies for an emergency.

Water quality in Corvallis and Benton County is uniformly high. In 2013, 98% of Benton County water systems met or exceeded quality standards.

Air quality in Benton County is uniformly high. In 2013, Benton County had one day when the air quality was unhealthy for sensitive groups and no days when it was unhealthy for all groups.

There are areas of known or potential contamination in Benton County. In 2013, there were seven environmental cleanup sites with known or potential contamination from hazardous substances in Benton County, and 75 leaking underground storage tanks in active cleanup.

Per capita waste generation in Benton County is somewhat higher than in the state of Oregon. In 2013, the per capita waste landfilled was 1,324 pounds for Benton County compared to 1,232 pounds for Oregon as a whole.

Corvallis has mutual aid agreements with other law enforcement and Fire Departments in the region. These agreements provide for sharing of resources when emergencies beyond a single jurisdiction’s capacity occur. The Corvallis Police Department has 1.01 officers per 1,000 population – lower than comparable Oregon cities, which average 1.25 officers per 1,000. Nationally, comparator cities with a major university average 1.55 officers per 1,000 population.

Corvallis is committed to preserving and protecting its riparian resources. Between 1995 and 2012, \$295,389 was invested in watershed restoration in Corvallis.

Corvallis values and protects its natural features. In 2006, the City adopted the Natural Hazards and Natural Features inventories and corresponding protections and land use standards for development in areas on public and private properties that contain natural features.

Corvallis Parks. The City, through the Parks and Recreation Department, manages 1,200 acres of natural areas and 47 developed parks including over 22 miles of trails. It provides volunteer opportunities through its Parks Volunteer Program, Neighborhood Trees Program and Natural Areas Stewardship Program.



Far more people bicycle or walk in Corvallis than in Oregon or the nation, but fewer people carpool or ride public transit. About 34% of commuters in Corvallis used environmentally friendly modes of transportation between 2010 and 2014.

	<u>Corvallis</u>	<u>Oregon</u>	<u>U.S.</u>
Carpooled	6.9%	10.4%	9.6%
Rode public transit (CTS)	3.2 %	4.3%	5.1%
Bicycled	11.7%	2.4%	0.6%
Walked	12%	4.1%	2.8%

Corvallis ranks high nationally for the percentage of bicycle commuters. Corvallis received a gold rating from the League of American Bicyclists as a bicycle-friendly community in 2011. The city is ranked third highest among U.S. cities for bicycle commuting behind Key West, Florida and Davis, California.

WHERE ARE WE GOING? *Trends or developments that may influence the future of Corvallis:*

Citizens rate the community’s environmental performance highly. In 2015, more than 75% of residents rated Corvallis’ recycling services, yard waste pick up, drinking water, and natural areas preservation as excellent or good.

In Corvallis, protecting the environment is a personal commitment for a majority of the community. In 2015, Corvallis residents did the following:

- 98% recycled
- 80% rated the natural environment and air quality as excellent or good
- 75% reported actively conserving water always or sometimes
- 68% worked to make their homes more energy efficient

Corvallis is among the top cities in the nation in purchasing electricity produced from renewable sources. Corvallis purchases more than 126 million kilowatt-hours of green power annually, which amounts to 21 percent of the city’s total purchased electricity.

Corvallis aspires to be a national leader in the use of green energy sources. Corvallis Environmental Center initiatives are working to help Corvallis become one of the nation’s most energy efficient cities.

WHAT ISSUES DO WE FACE? *Frequent comments we have heard from Corvallis citizens during our interviews and conversations:*

- *Corvallis values its surrounding natural resources and works hard to preserve them.*
- *Improved collaboration between the City and County would accelerate efficiency and progress with the Climate Action Plan.*
- *Corvallis values safety and livability – voters passed a local levy to fund a livability officers program to promote safety and address criminal behavior.*
- *The community values sustainability and takes pride in actively improving the environment.*
- *The city is vulnerable to any natural disaster and climate change. Systems may not be in place to react to a disaster. Natural disasters the community is vulnerable to include seismic events, flooding, landslides, and wildfires.*



This snapshot provides highlights about topics such as: land use planning, growth and development, infrastructure, urban design, housing, connectivity, neighborhoods, safety, livability, transportation and mobility. Growth and urban development offer two very different scenarios for the future of Corvallis. On one hand, new growth and development bring economic vitality, more jobs, better shopping, cultural and entertainment options, as well as additional tax revenues to fund government and pay for urban services. On the other hand, growth can place stresses on the cost of living, aging urban infrastructure, existing neighborhood cohesion, the natural environment and, in some instances, the quality of life. As Corvallis plans for the future, the community faces key choices as it plans for, guides and manages growth to promote maximum benefit for the community and its economy, environment and social fabric. These decisions will affect future housing, transportation, commercial and institutional development. They also need to be considered in the context of surrounding rural areas, the Corvallis Metropolitan Planning Area, and the Willamette Valley.

WHERE ARE WE NOW? *Key facts about Corvallis today:*

Corvallis continued growing in the last decade and half, with significant slowing in the mid-late 2000s. In 2015, 57,390 people lived in Corvallis. Between 2000 and 2010, the population of both Corvallis and Benton County increased 12%, or slightly more than 1% annually. Population growth was higher at the beginning of the decade, increasing 3.2% between 2000 and 2001. Between 2003 and 2010, the population increased only 1% most years, with the exception of 2003-2004 when it actually declined. Growth in the coming decades is projected to be around 1% annually through 2020.

OSU continues to grow but future growth is expected to be slower than the city. Oregon State’s overall enrollment was 30,592 students as of fall term 2015, and 24,466 students were enrolled at the Corvallis campus, an increase of 3/10ths of one percent, or 83 students, from fall 2014.

Land availability and uses within the City limits. The City of Corvallis currently contains roughly 7,791 acres within the City Limits for all residential, commercial, industrial, and open space and OSU uses. There are currently approximately 1,398 acres of vacant lands within the City. The current amount and percentage of each land use type within the City is below.

Land Use	Total Acres	% of Total Land Area	Vacant Acres	% of Vacant Land Area by Use
Residential	4,822.62	62%	693.74	14%
Commercial	514.77	6%	38.16	7%
Industrial	1,233.83	16%	627.37	51%
Other (Open Space and OSU)	1219.91	16%	38.57	3%

Many Corvallis workers commute from outside the City. In 2014, jobs in Corvallis employed 29, 003 people. For these jobs, 18,467 workers commuted into Corvallis to work from outside the city; 10,536 live and work in Corvallis. About 9,316 workers live in Corvallis, but work outside the city.

Relatively low local vacancy rates in Corvallis. Based on local data, housing vacancy rates in Corvallis tend to range between 1.0 and 2.5 percent.





Corvallis has more renters than owner occupants, fewer single units than multi-unit properties, and relatively high levels of housing cost burden. Between 2010 and 2014, Corvallis had a lower percentage of owner-occupied, single-unit detached homes but more cost-burdened renters (*families paying more than 30% of their income for rent*) than Benton County or Oregon as a whole.

	Corvallis	Benton	Oregon
Owner-occupied housing	44%	57%	61.5%
Single-unit detached homes	48%	59%	63.7%
Cost-burdened owners	22%	24%	24.5%
Cost-burdened renters	63%	60.7%	54.4%

Corvallis values access to parks, trails, open space, and natural resources. Community members place a high value on access to the natural environment, trail systems, parks, open space, and recreational programming. The Parks and Recreation Department operates and maintains parks and natural areas, recreational trail systems, and other facilities, such as the Chintimini Senior and Community Center and the Majestic Theater. In 2015 the City Council adopted an updated Parks and Recreation Master Plan and Trails Plan to guide land use and operational decisions for the City’s recreational facilities.

There is a community desire to reduce single occupancy vehicle trips and impacts on the City’s transportation system. The community values efforts to reduce vehicle traffic impacts on the transportation system, available land use resources, and the environment. The City currently charges no fare for use of the transit system. The City is currently in the process of updating its Transportation System Plan to guide future decisions on transportation facilities and capacity, transit system maintenance, and other operational considerations to respond to the needs of the community.

WHERE ARE WE GOING? *Trends or developments that may influence the future of Corvallis:*

According to population forecasts, Benton County will grow steadily in coming decades, but slower than Oregon as a whole. The population of Benton County is expected to grow to 111,666 by 2050, representing an increase of about 3% every five years between 2015 and 2050. Forecasted growth in Benton County is smaller than forecasted growth in Oregon. Oregon’s population is expected to increase about 6% every five years between 2015 and 2030, then begin to gradually slow to 3.5% between 2045 and 2050.

WHAT ISSUES DO WE FACE? *Frequent comments we have heard from Corvallis citizens from interviews and conversations:*

- *Corvallis values its small-town charm, parks, trails, green spaces, and outdoor recreational areas.*
- *Preservation of neighborhood and community livability is a high priority for Corvallis residents.*
- *Corvallis has a “town/ gown issue.” There continue to be tensions between the community and the University.*
- *Parking and housing are ongoing issues.*
- *Corvallis has an active and vibrant bike community and infrastructure.*
- *Corvallis needs more safe, available and affordable housing.*
- *Corvallis needs to be a city where there is synergy amongst the different enterprises (i.e., City, University, and leading organizations); there is a need for a more unified vision and effort to make decisions more collaboratively with consideration of the whole of the community.*





This snapshot provides highlights about such topics as schools, education, higher education, training and skill development, lifelong learning, health, wellness, human development, early childhood development, human services and recreation. Education in Corvallis shapes the community. The presence of a large university offers many opportunities for positive “town-gown” interactions, including campus lectures, and professional and continuing education. Corvallis schools excel in many ways but face enrollment and equity challenges. Corvallis and Benton County perform well as measured by many health indicators, but not all.

WHERE ARE WE NOW? Key facts about Corvallis today:

Corvallis residents over 25 have significantly higher levels of educational attainment. Corvallis’ educational attainment levels by age 25 are: high school graduate or higher (without attaining college or professional degree) - 31%; bachelor’s degree - 31%; and college or professional degree - 27%. This compares to Oregon as whole: high school graduate or higher - 51%; bachelor’s degree - 19%; college or professional degree - 11%.

OSU brings exceptional knowledge, resources and economic benefit to the Corvallis community. Oregon State University offers more than 200 undergraduate, graduate and doctoral program degrees. It is one of just two universities in the U.S. with four combined designations as a land grant, sea-grant, space-grant and sun-grant institution. OSU received more than \$285 million in research grants in 2014, more than all other public universities in Oregon combined.

Corvallis School District student enrollment is approximately 6,615. K-12 enrollment has grown slowly in the last three years after a decade of steady decline. School district facilities include 13 schools with an average age of 53 years. Two of the newest schools, Linus Pauling Middle School and Corvallis High School, were built in 2004 and 2005.

The K-12 student population is increasingly economically disadvantaged and ethnically and racially diverse. 35% of Corvallis students are enrolled in the federally funded free and reduced meal program. About 265 students are identified as homeless. 31% of Corvallis students identify as non-white, and 15.9% speak a language other than English at home. The top three languages (other than English) are Spanish, Arabic, and Chinese.

Corvallis students score above average in statewide testing. Ninety-eight percent of students in Corvallis participated in statewide testing. They scored above statewide averages in every grade level in English, Math, and Science, in most areas by double-digit percentage points.

Benton County has a significantly lower rate of smokers than the state as a whole. In 2014, 9,900 adults in Benton County regularly smoked cigarettes. (Based on an estimated population for Benton County of 86,316 in 2014, this would mean approximately 11.8% of adults smoke cigarettes. This would be significantly lower than the rest of Oregon, where 19% of adults smoke cigarettes.) In 2014, \$18.9 million was spent in Benton County on tobacco-related medical care. In 2014, \$1.4 billion was spent in Oregon on tobacco-related medical care.



Corvallis residents have higher rates of health insurance than in Oregon as a whole. In 2014, 10% of Corvallis residents were uninsured compared with 14% statewide. Adults age 18 to 34 were the least likely to have health insurance coverage.

Parks, park programs and park facilities are well used in Corvallis. In 2014, Corvallis Parks & Recreation had 1,734 total park acres, and offered 2,508 programs. The number of registrations for these programs was 88,912. The number of facilities reservations for Corvallis Parks & Recreation programs was 1,724. In 2015, more than 60% of Corvallis residents used a city recreation facility.

WHERE ARE WE GOING? *Trends or developments that may influence the future of Corvallis:*

The OSU School of Public Health provides a new resource. OSU's new School of Public Health provides a significant new resource to the community to track and understand local health and provide input into City and County health policy and health education and prevention programs.

More students are studying engineering than any other discipline at OSU . The College of Engineering has a total of 8,265 undergraduate and graduate students enrolled this fall. The next largest programs are the College of Liberal Arts, 3,905 students; the College of Science, 3,526; and the College of Business, 3,487.

Corvallis student graduation rates are increasing. For the third consecutive year Corvallis School District students are showing positive growth in high school graduation rates and fifth-year completion. The four-year graduation rate has jumped from 67.5% in 2012 to 86% in 2015 (compared to the state average of 73.8%). The five-year completion rate of 92.8% also represents a 9.7% increase since 2012 and is significantly higher than the state's average of 81.6%.

WHAT ISSUES DO WE FACE? *Frequent comments we have heard from Corvallis citizens in our interviews and conversations:*

- *There is uneven educational support across different groups.*
- *Corvallis schools are moving in the right direction, but need to keep making progress.*
- *Corvallis is a smart community overall, and supports people in being intellectually lively.*
- *Corvallis needs to improve student engagement and relationship building between the community and student body.*
- *Corvallis needs to improve upon its "ethic of care" to ensure better access to services related to healthcare, homelessness, vulnerable youth, mental health, food insecurities, housing, and educational progress.*
- *Mental health is an area that needs more attention, support and community awareness.*
- *Homelessness needs to be approached in a more caring way.*
- *The community values healthy-food choices and is supportive and helpful in providing access to healthy food.*
- *Corvallis needs to provide resources that support a family-oriented community.*
- *Corvallis needs a community center.*
- *Addressing human services needs requires a broader network of support and collaboration. This is an important topic for discussion.*



This snapshot provides highlights about topics such as the economy, employment, prosperity, economic development, technology, and innovation.

Like most Oregon communities, Corvallis suffered significant economic setbacks during the Great Recession of the late 2000s. However, with its unique mix of higher education resources, intellectual capital, and tech-based entrepreneurs and companies, the community anticipates a more robust and diversified economic future. At the same time, the community continues to face basic economic challenges that challenge other cities, including unemployment, income inequality and poverty.

WHERE ARE WE NOW? Key facts about Corvallis today:

Unemployment in Corvallis is slightly below the state averages (ages 16 and over 2010-2014)

Adults in the Labor force	Corvallis: 58.7%	Oregon 65.2%
Unemployed	Corvallis: 5.1%	Oregon 6.1%

Benton County unemployment currently sits at 4.4 percent as of December 2015, compared with Oregon’s 5.4 percent. Benton County’s recent growth has been outpaced by the state and the nation. Oregon has shown job growth of 3.0 percent and the U.S. grew 1.9 percent. Benton County’s private sector added 80 jobs over the past year, growing 0.3 percent; the public sector shed 350 jobs, down 2.4 percent.

Government, education and health services industries are Corvallis’ largest employers. *In September 2015, residents in Corvallis were employed in the following industries (compared with the state of Oregon):*

	<u>Corvallis</u>	<u>Oregon</u>
Government (includes OSU and school district employees)	35.1%	16.2%
Private educational and health services	15.5%	14.5%
Trade, transportation, and utilities	11.5%	19%
Professional and business services	10.3%	10.6%
Manufacturing	7.1%	10.6%
Mining, logging, and construction	2.9%	5.3%

Oregon State University is Corvallis’ largest employer. Other top five employers include Samaritan Health Services, Hewlett Packard, Corvallis Clinic and Corvallis School District.

Lower levels of public assistance and poverty levels than in Oregon (2010-2014)

• Residents receiving Supplemental Social Security Income	Corvallis 3.3%	Oregon 4.5%
• Residents receiving SNAP benefits	Corvallis 15%	Oregon 19.1%
• Families with children under 18 living below the poverty line	Corvallis 15.7%	Oregon 18.9%



Wages are higher than state average (2014)

Ten percent of jobs in Corvallis paid more than \$97,760 compared with \$86,610 or more for the top 10 percent within the entire state.

Annual median wage for workers

Corvallis	\$38,210
Oregon	\$36,400

Median family income

Corvallis	\$77,071
Benton County	\$77,725
Oregon	\$61,890

WHERE ARE WE GOING? *Trends or developments that may influence the future of Corvallis:*

Employment in Corvallis industries (November 2014-November 2015)

- | | | | |
|------------------------------------|---------|-------------------------------|-----------|
| • Total non-farm employment | up 0.6% | • Information | down 7.9% |
| • Financial services | up 0.6% | • Leisure and hospitality | down 3.2% |
| • Mining, logging and construction | up 5.4% | • Durable goods manufacturing | down 4.1% |
| • Federal government | up 4.1% | | |

City Enterprise Zones. The City of Corvallis has three Enterprise Zones: South Corvallis, Sunset Research Park, and the Hewlett-Packard campus. An enterprise zone exempts new property that a job-creating business might build or at some future time. This exemption is temporary, usually three years.

Innovation and Research. Corvallis’ economy has a significant concentration of technology, research- and innovation-based enterprises, bolstered by the presence of OSU, a highly trained workforce, and the community’s high quality of life. It was named as the fifth “smartest” city in America by Forbes in 2008.

Economic Diversity. The City of Corvallis continues to seek ways to further diversify its economic base including exploring opportunities for the creative class.

RAIN (Regional Accelerator & Innovation Network) Accelerator. OSU Advantage Accelerator RAIN Corvallis provides disciplined mentored business acceleration programs to help local startups take root.

WHAT ISSUES DO WE FACE? *Frequent comments we have heard from Corvallis citizens during interviews and conversations:*

- *Economic vitality is a priority for the City. City staff and steering committees have reflected this priority over the last several years.*
- *The community’s continued livability remains an important priority and is a big consideration as economic growth initiatives are considered.*
- *Collaboration with OSU helps leverage the University’s position as a regional economic driver.*
- *The economic strengths of the region with such prominent employers as OSU, the hospital and Hewlett Packard sometimes hide income inequity that exists in Corvallis.*
- *Corvallis will need more family-wage jobs if it is to reduce the gap between the haves and have-nots.*
- *Corvallis should continue supporting the role local entrepreneurs and start-ups play in diversifying the city’s economic growth. The City should help encourage students and local community members to invest in the local economy.*
- *In the future, Corvallis would be a community that is influenced by equity, where strategies for employment and prosperity are inclusive of the vulnerable and disadvantaged.*



This snapshot provides highlights about topics such as: diversity, social

equity, income equality, civic engagement, community involvement, and

volunteerism. Corvallis is often seen as a highly affluent, engaged and involved community, but other measures reveal a different facet of its community profile.

Predominantly white and well-educated, Corvallis is comprised of close to one-fifth of minority group populations and has significant levels of poverty (i.e., including Benton County).

Also, nearly one in 10 residents reporting some form of disability. At the same time, Corvallis stands out when it comes to consistently high levels of civic and community engagement, including everything from library use, neighborhood involvement and volunteerism, to voting and attendance at civic events. Engagement of the entire Corvallis community is seen as a key asset in achieving a better future.

WHERE ARE WE NOW? Key facts about Corvallis today:

As of December 2014, Corvallis' certified population estimate was 56,535 (source: Portland State University)

The Corvallis population is more white and Asian, and less Hispanic and Black than the state of Oregon.

Population rates between 2010 and 2014 were approximately:

	<u>Corvallis</u>	<u>State of Oregon</u>
White	79.5%	77.6%
Asian	8.6%	3.8%
Hispanic	7.7%	12.1%
Black or African American	1%	1.7%
Two or more races	2.5%	3.2%
American Indian, Alaskan Native, Native Hawaiian, other Pacific Islander, or other race.	less than 1%	1%

Nearly one in five people in Benton County live in poverty. In 2014, the percentage of people living in poverty was approximately:

<u>Benton County</u>	<u>State of Oregon</u>
18.9% (individuals)	16.4% (individuals)
12.6% (families with children ages 5-17)	19.3% (families with children ages 5-17)

Corvallis has a lower housing cost burden than Oregon as a whole, and about the same as the national average. Between 2010 and 2014, percentage of households that paid more than 30% of their income for housing was 30.7% in Corvallis, 34.8% in Oregon and 30.5% in United States.

Nearly one in 10 people in Corvallis reported having a disability. Between 2010 and 2014, 9.2% of the civilian, non-institutionalized population in Corvallis had a disability.

Corvallis has a large number of library patrons, and significantly more books in circulation per person. In 2013, the per capita circulation was 20 for the Corvallis Library compared with seven for all U.S. public libraries. **Note: Corvallis Library had 718,984 patron visits and a circulation of 1,706,953 library materials.*



High library use and attendance at civic events. In 2015, more than half of residents reported using Corvallis public libraries and attending a City sponsored event.

Fire, Parks and Library top City’s community volunteer hours. In 2014, volunteer hours at city departments were:

Fire: 44,273	City Manager’s Office: 2,870
Parks & Recreation: 22,012	Public Works: 748
Library: 14,825	Community Development: 618
Police: 4,100	Finance: 150

WHERE ARE WE GOING? *Trends or developments that may influence the future of Corvallis:*

Nine out of ten people rate Corvallis’ quality of life as “good to excellent.” In 2015, the percentage of Corvallis residents surveyed said their city’s *quality of life* was:

Excellent 38%	Good 51%	Fair 10%	Poor 0%
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Seven out of ten people rate Corvallis’ sense of community as “good to excellent.” In 2015, the percentage of Corvallis residents surveyed said their city’s *sense of community* was:

Excellent 19%	Good 50%	Fair 26%	Poor 5%
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Corvallis demonstrates exceptionally high measures of civic engagement for some indicators. In 2015, percentage of Corvallis residents reported that they:

Voted in local elections: 88%	Talked with neighbors: 84%
Watched the local news: 74%	Did a favor for a neighbor: 72%
Volunteered: 51%	Campaigned for a cause/candidate: 21%
Attended a public meeting: 16%	Watched a local public meeting: 11%
Participated in a club: 36%	Contacted Corvallis electeds: 15%

WHAT ISSUES DO WE FACE? *Frequent comments we have heard from Corvallis citizens during interviews and conversations:*

- Corvallis citizens are very engaged and have an active citizen involvement base.
- Corvallis is a very giving community with many volunteers and philanthropists.
- There is a regressive element to Corvallis’ community and society. Many people do not recognize that social equity increases well-being both for the community and for most individuals. This dynamic creates tension around some issues and influences decision-making. It stunts the city’s progress in diversity.
- There is divisiveness between no-growth and business-friendly groups in Corvallis.
- Parts of the community are not accepting of the university student population. Corvallis needs to improve student engagement and relationship building between the community and student body.
- Corvallis needs to improve its approach to diversity and inclusion so that minority, youth and other under-represented communities have a voice and opportunity to weigh in.
- We need to ensure and that there are equal opportunities to resources, services and education.
- We need adequate resources to engage in different ways and languages.



LWV Corvallis

PO Box 1679, Corvallis, OR 97339-1679

541-753-6036 • <http://www.lwv.corvallis.or.us>

To: Mayor, City Council and City Attorney Brewer
From: League of Women Voters of Corvallis, Laura Lahm Evenson, President
Date: March 22, 2016
Subject: SB1573 Background and Comments

The League of Women Voters of Corvallis has questions about the memo to the Council from Mr. Brewer dated March 15, 2016, included below, and comments about the whole annexation issue before us now. We are submitting letters opposing any negation of our Charter Amendment 53. These letters exemplify how well Corvallis has fared with the annexation Charter Amendment. They include former Mayor Helen Berg, former State Senator Cliff Trow, former LWVOR president Paula Krane and current LWVOR president Norman Turrill.

The League both locally and statewide has long supported the right of citizens to vote on annexations. Our Corvallis Urbanization Position, from which we can lobby, states: Support for citizens' right to determine by ballot the expansion of municipal limits resulting from proposed annexations, delayed or otherwise, excepting only state-mandated annexations.

Will the City Council defend our Home Rule authorization and our right to vote on annexations? These rights are inviolable.

This new legislation was designed to increase the availability of affordable housing. However, SB 1573 has no direct nexus with affordable housing issues. SB 1573 does NOT say that the annexed land must consist of or include affordable housing.

As you know, affordable housing is a very complex issue. Even its definition is in question. Many types of subsidies are needed to achieve affordability. Even the new lifting of the ban on inclusionary zoning does not address truly "affordable" housing. We do look forward to the Land Conservation and Development rulemaking under HB 4079 where Goal 10, Housing, may have more clarity on this issue.

Adopting a Construction Excise Tax seems a beginning approach to finding money for truly affordable housing. Corvallis wants affordable housing for all types—families, singles, seniors and students with a range of income levels. We hope the bonds that will be made available next spring under the LIFT program will help affordable housing issues and that Corvallis can find projects that would qualify under that program.

We expect to submit testimony on this subject as it evolves. Thank you for the opportunity to comment on these vital issues before you.

ATTACHMENT B

Page 92-r

TO: City Council for March 22, 2016
FROM: Jim Brewer, City Attorney
DATE: March 15, 2016
THROUGH: Mark W. Shepard, P.E., City Manager
SUBJECT: SB 1573 Background

Action Requested:

This memorandum provides background information and identifies some considerations to prepare the Council to make the policy decisions required by SB 1573. No action is required at this time.

Discussion:

SB 1573 *requires* the legislative bodies of cities to annex territory adjacent to the City limits without submitting the annexation proposal to the electors of the city, notwithstanding local charter provisions or ordinances requiring a vote.

• *We believe that the word "requires" is incorrect. It does NOT require—annexation requests can still be denied under the City's policies. It does say that, under certain circumstances (i.e. request from all property owners) that they don't have to send it out for a vote.*

On March 9, 2016, the Speaker of the House signed SB 1573. While this memorandum was being prepared, the Governor signed the bill into law. SB 1573 includes an emergency clause making the statute effective immediately and preventing referendum on the statute.

• *We think this should not have been treated as an emergency, with the annexation section included.*

The City Attorney's office has received inquiries from property owners about the process to annex properties that fall under the terms of SB 1573. The City Council's policy decisions should address how the City will proceed with annexation proposals that fall under SB 1573.

Assuming that SB 1573 is a valid law, as long as all the owners of a territory proposed for annexation agree, and the territory abuts the City limits within the urban growth boundary, the decision to annex the property would be made by the City Council, and not submitted to the voters. The City Council could do this through enacting an ordinance. The City Council would need to initiate text amendments to the Comprehensive Plan and Land Development Code, so that the City's annexation procedures follow the new statutory process.

• *It is important that this new process only narrowly follow the law. It's critical that Corvallis keep its many processes and criteria for making annexation decisions. All annexations, other than health hazards, have had willing owners, so this is not new.*

• *What happens if the new process is taken to court?*

• *Will the city declare an annexation moratorium while they initiate and approve new text amendments?*

• *Will the city keep the Charter Amendment in place? (This should be the case, since this applies to all annexations that are not just by property owner.)*

Good policy arguments both support and oppose voter approved annexation. In our opinion, regardless of the policy decision the City Council makes regarding following SB 1573, eventually annexation decisions in Corvallis are likely to lead to litigation on this issue. Whether the Council follows the requirements of SB 1573 and does not submit the proposal to the voters, or whether the Council follows the requirements of the Charter and submits the proposal to the voters, the decision is likely to be challenged.

In deciding how to proceed with annexations under SB 1573, the Council should consider competing policy perspectives: The legislature packaged SB 1573 with other bills intended to address affordable housing concerns. *•This is irrelevant to the enactment of SB1573. Each bill stands on its own with its own set of laws.* The Governor explained her rationale for signing the bill in a letter to Mayor Traber. The Housing Development Task Force has also shared with the Council some perspective on removing the voter approval requirement. The voters made a different policy decision by enacting Section 53 of the Corvallis City Charter. The Council will need to address this conflict, either before or as part of an annexation proposal. One proposal is currently in staff review, and the process for approval would not fall under the "goal post" rule.

•Does this "goal post" mean that an annexation proposal came to the city before the Governor signed the bill so it does not apply to the proposal under review? The voters approved Section 53 in 1976, long before the Governor signed SB 1573.

In addition to practical process questions, SB 1573 raises a number of legal issues about how local enactments relate to legislative actions and Oregon constitutional provisions. The following points are a general summary of some of the fairly complicated legal issues the legislation raises regarding the voter approved charter language in Corvallis. The summary statements, considerations and opposing views that follow are intended to give the Council a quick exposure to some of the issues, but should not be seen as weighing the merits or recommending any particular policy decision.

- 1) Section 53 of the Corvallis City Charter includes language requiring a vote on annexations "unless mandated by state law." Corvallis Land Development Code Chapter 2.6 sets out procedures on annexation to implement Section 53 of the City Charter. Section 53 was the result of a citizen's initiative, and the Corvallis City Charter was adopted by the voters. Voter approval of annexation is described by the Oregon Supreme Court as a legislative action subject to referendum. *Heritage Enterprises v. City of Corvallis*, 300 Or. 168, 708 P.2d 601 (1985).

Consideration:

SB 1573 doesn't mandate approval of an annexation, but can be viewed as mandating a process for annexations. Arguably, this does not conflict with Section 53 of the Charter. Opposing view: Section 53 of the Charter requires a vote unless the annexation itself is mandated by state law, not the process for annexation. In the case of declared health hazards, the annexation was mandated, not the process. In this view, SB 1573 conflicts with Section 53.

- 2) The Oregon Constitution reserves the right of local voters to amend local charters, as part of the home rule authority. The Oregon Constitutional grant of authority to the legislature is subject to the power of initiative and referendum. Similarly, the right of initiative and referendum for municipal legislation is reserved for the voters of the municipality. Attachment B.

Consideration:

If SB 1573 is an unconstitutional infringement on home rule or the reservation of the power of initiative and referendum, then SB 1573 is void as a matter of law. Determining the corporate boundaries and what territory to include in a municipal corporation is fundamental to local governance.

Opposing view: SB 1573 preempts local governments from using the voter approval process in certain situations. It cannot be unconstitutional because it does not concern local governance issues, as housing development and land use planning is a statewide concern.

- 3) SB 1573 allows the governing body of a city to approve an annexation through a city ordinance.

Consideration:

If a council approves annexations by Ordinance, SB 1573 doesn't expressly prevent voters seeking a referendum on the Ordinance, so the right to initiative and referendum on legislative matters is preserved.

- *Does this mean that in order to vote on annexations, citizens would have to use the initiative process, or could the city also put the annexation up for vote since our Charter Amendment will still exist?*

Opposing view: A referendum frustrates the legislative purpose and is implicitly prohibited by SB 1573.

- 4) The Oregon Supreme Court has interpreted the home rule provisions of the Constitution to require the legislature to either include an express and unambiguous statement of the legislative intent to preempt local legislation in an area or a complete occupation of the field.

- *It seems as if neither is the case here. The bill will be challenged under several considerations.*

Consideration:

State law, including SB 1573, preempts and occupies the field for annexation processes.

Opposing view: SB 1573 does not contain an express preemption nor can it occupy the field, as its plain language only applies to a limited set of territories and annexations.

- *How are the territories and annexations limited? We can think of no annexation request in the past that would not have had the agreement of the owners of the property.*

Staff and the City Attorney are available to answer any questions you might have.

- *What are the attorneys for the other cities affected by SB1573 saying?*

Attachments:

- Text of SB 1573 (Attachment A)
- Oregon Constitution Provisions (Attachment B)
- Corvallis City Charter Provisions (Attachment C)
- Comprehensive Plan Provisions (Attachment D)
- Corvallis Land Development Code Provisions (Attachment E)
- Map of City Limits and Urban Growth Boundary (Attachment F)
- Governor Brown letter to Mayor Traber 3115/16 (Attachment G)



LEAGUE OF WOMEN VOTERS
OF OREGON

TO: Senate Water & Land Use Committee
Senator Veral Tarno, Chair

April 8, 1997

RE: Testimony on SB 1137

The League of Women Voters opposes SB 1137 which would prohibit any city from voting on annexations. The right of citizens to vote on annexations is supported by our position that "assures opportunities for citizen participation in government decision making".

The argument that annexation votes serve only as an obstruction to development is refuted by statistics drawn from the Corvallis experience. Since 1976, 36 annexations totalling 2684.31 acres have been passed by voters. Five parcels totaling 753.37 acres have failed to be approved. Thirteen annexations totalling 1831.98 acres, initially rejected by voters, were resubmitted and approved by voters either because of changes requested by residents or better information being available for voters. There have been five health hazard annexations totaling 379.29 acres that have been mandated by the State and not voted upon. Four requests for annexations were denied by the City Council; one was passed after resubmittal and four requests were withdrawn by the applicants.

A public vote on annexations, a political choice, cannot occur without the proposed annexation having successfully completed the land use planning process. The public vote would be in addition to, not in substitution for, the land use planning process.

We support the right of citizens in any city to choose whether or not to vote on annexations.

Thank you.

Mary Krahn
Mary Krahn
President

Jean Nath
Jean Nath
LWVOR Land Use Chair

ATTACHMENT C

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LEAGUE OF WOMEN VOTERS
OF OREGON

TO: Senate Rules and Elections Committee
Sen. Randy Miller, Chair

DATE: April 8, 1997

RE: TESTIMONY ON SB 638

The League of Women Voters of Oregon appreciates this opportunity to comment on SB 638 which repeals specific provisions of Ballot measure #9 (1994). Members of the League support the principles of campaign finance reform which provide better access to the political process for citizens and encourage citizen participation. The League is a non-partisan, non-profit political organization whose purpose is to educate citizens about government and to promote citizen involvement with government.

We speak in opposition to SB 638. The measure eliminates the voluntary spending limits enacted by Oregon voters in 1994 as part of Ballot measure #9. In its recent ruling, the Oregon Supreme Court left intact the sections relating to voluntary spending limits and the tax credit allowed for support of candidates who agreed to such limits. This provision significantly reduced the expenditures of candidates in the 1996 elections. Data indicates that legislative races were particularly impacted, and one of the goals of campaign finance reform has been to create a more equitable climate for political participation. The reward for taxpayers was the credit for supporting candidates who support campaign finance reform. Simply adding more reporting requirements, while commendable, does not amount to serious campaign finance reform.

Oregonians spoke clearly about their concerns regarding the excesses of campaign spending when they passed #9 by 72 percent. Since mandatory contribution limits apparently are not viable, voluntary expenditure limits at least give support to campaign finance reform which a majority of citizens favor. SB 638 should not be moved forward.

Mary Krahn
President

Kappy Eaton
Government Chair

The League of Women Voters of Oregon say

**NO to SB 500B
with the "annexation" amendment**

SB 500B, a "Christmas Tree" bill, includes a spoiler amendment for cities which under their Home Rule Charters have the right to vote on annexation measures.

- This amendment [SECTION 2. Subsection (11)] would subject an annexation vote by the citizens of these cities to review by the Land Conservation and Development Commission (LCDC).
- This amendment would change a political decision by the voters (i.e. an annexation vote) to a land use decision, subject to the authority of the Land Conservation and Development Commission (LCDC).
- This amendment could be used by either displeased developers or citizen groups to further complicate or delay the annexation process by appealing (either denials or approvals) to the Land Conservation and Development Commission.
- This amendment would acutely politicize Oregon's land use planning process.
- This amendment is bad public policy.

The League of Women Voters of Oregon opposed SB 1137 in the Senate. We now oppose SB 500B and ask for your help in protecting cities' right to vote meaningfully on annexations.

Thank you.

Paula Krane
President

CLIFF TROW
POLK AND BENTON COUNTIES
DISTRICT 18

REPLY TO ADDRESS INDICATED:

- Senate Chamber
Salem, OR 97310
(503) 986-1718
- 1835 NW Juniper Place
Corvallis, OR 97330
(503) 752-5395



OREGON STATE SENATE
SALEM, OREGON
97310

LEGISLATIVE ASSIGNMENTS
Member:
Education Committee 1995
Government Finance & Tax
Policy 1995
Chair:
Ways & Means 1993
Ways & Means Subcommittees:
Natural Resources 1991
Public Safety 1989
Transportation 1987
Interim Executive Appointments 1991
1985
Education 1989, 1987, 1983, 1977
Revenue 1982
Labor 1981
Intergovernmental Relations 1980
President Pro Tempore 1981, 1983

June 18, 1997

Representative Bob Montgomery
Chair, House Committee on Transportation
H-454 State Capitol
Salem, OR 97310

Dear Representative Montgomery and Committee Members:

I am testifying today against Senate Bill 1137-A, which would take away the right of voters to decide annexation questions. This so-called compromise is still bad public policy, and I urge the Committee not to approve it.

Mr. Chairman, Committee Members, there are a number of good reasons to oppose this bill. It does not take place within the context of a statewide debate over the costs and benefits of growth. Furthermore, the annexation process in Corvallis has worked well because it deepens public understanding of and support for the statewide land use planning process. In the last twenty years, Corvallis voters have approved an overwhelming majority of proposed annexations.

But the main reason I oppose this bill is because it takes away the people's right to vote. Oregonians treasure this precious right, which many states do not allow their citizens. We see it on other issues, statewide and local. Our public participation process is what makes Oregon different. We hear from our constituents over and over again that they do not want their right to vote to be taken away.

Citizens have as much right to participate in the future of their communities as do the developers and realtors who promote development to make money. It also seems that this bill creates an imbalance of power between the DLCD and the average voter in our communities. Land use planning ultimately belongs to the people and the voters, not the developers and planners, and this bill would take away power from the voters. I urge you to vote against this bill.

Thank you very much, and I'd be happy to answer any questions you might have.



Office of the Mayor
501 SW Madison
P.O. Box 1083
Corvallis, OR 97339-1083
(503) 757-6985
FAX (503) 757-6780

May 21, 1997

The Honorable Veral Tarno, Chair
Senate Water and Land Use Committee
State Capitol, Room 332
Salem, OR 97310

Dear Senator Tarno and Committee Members:

Thank you for your past and continued careful consideration of testimony concerning SB 1137. I will not take more of your time in oral testimony, but did want to highlight in writing a few points about growth. Corvallis does not oppose growth; what we oppose is growth directed by a State agency and builders association which dilutes our self-governance and community livability. My key points are:

Goal #1 - Citizen Involvement. The annexation history on the back of this sheet is testimony to citizen involvement. Our history is that annexations are approved. Sometimes annexation requests need to be adjusted or reduced in size to address community concerns, but the reductions and adjustments are due to direction and information resulting from citizen involvement and a community-wide evaluation of the project as it relates to DLCDC-approved Comprehensive Plan policies. Goal #1 mandates citizen involvement.

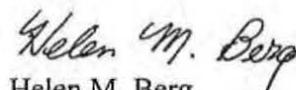
Fair Share of State Growth. Our State approved Comprehensive Plan targeted a 1.2% growth rate. The last six years we have grown at 1.62% and our annual growth rate since 1970 is 1.32%. We are in compliance and have accepted our share of growth with our voter-approved annexations.

Facilitating Growth. Corvallis does not limit growth. Corvallis facilitates growth based on community values rather than homebuilders or State agency values. We do it in compliance with State land use laws. Annexations approved since 1976 provide for an estimated 13,650 housing units. We construct on average 145 single family and 175 multi-family units annually. Clearly, the record shows that Corvallis is not using voter-approved annexations to stop growth.

Supply. Twenty-three percent of all land within the City limits is undeveloped. Corvallis has 1,340 acres of undeveloped residential land and 660 acres of undeveloped non-residential land. Corvallis has more undeveloped land in the City today than we had prior to voter-approved annexations.

Corvallis is not the poster child for "no growth." We are a good example of a community that chooses to grow in compliance with State land use laws, but also according to our community values.

Sincerely,


Helen M. Berg
Mayor

2047

City of Corvallis
Annexations Referred to Voters Since November 1, 1976

21-May-97

Application Name	Case #	Acres	Initially or Eventually Passed	Never Passed
Timberhill	76-6	454.04	454.04	
Walnut Park/Kinderman/Nored	76-5-7,-8	121.86	121.86	
Hewlett Packard	77-2	61.14	61.14	
Harrison Heights	77-1a	141.18		
Harrison Heights	77-1b	141.18		
OSU Heritage	82-7	359.11		359.11
OSU Heritage	83-4	357.96		
Frager	96-3	139.29		
Sequoia Creek	77-3	76.74		
Sequoia Creek	80-5	80.60		
Conser & Dawson	78-3	36.00		
Seavy Ave. (Stewart)	81-5	49.00	49.00	
Davis (Circle Blvd)	81-7	9.00	9.00	
Pederson (Seavy Avenue)	83-2	4.70		4.70
Allen Bros (Circle/NE Conser)	87-3	14.12	14.12	
Remaining acres not annexed from largest request (80.60)				3.78
Chorak	77-2	46.23		
Chorak	87-4	45.33	45.33	
Starker	78-4	268.03		
Sunset Park	79-1	255.80	255.80	
Valley View Reservoir Park	78-6	43.96		43.96
Island Annex ROW	78-5	5.50	5.50	
Banks	79-2	2.12	2.12	
Four Square Gospel Church	79-3	35.92	35.92	
Summy (NW Highland Terrace)	80-1	14.60	14.60	
S Corvallis	80-2	58.59	58.59	
Glenridge	80-3	54.49	54.49	
Crystal Lake (Lilly Square)	80-4	12.88	12.88	
First Congregational Church	80-6	5.95	5.95	
Dyer/Smith (53rd/Hwy 20/34)	81-2	2.00	2.00	
Boertje (Hwy 99)	81-3	37.09	37.09	
OSU Research Facilities	81-4	50.00	50.00	
Hewlett Packard	81-6	85.40	85.40	
State Highway	82-1	22.00	22.00	
Hutley (SW 53/Hwy 20/34)	82-2	1.56	1.56	
Neer Avenue	82-4	21.00	21.00	
SW 35th Street	82-5	20.00	20.00	
McKee High Tech Park	82-3	143.40		
McKee	83-1	147.36		
McKee	84-2	134.00	134.00	
South (Ponderosa Ave)	82-6	143.17		
South	84-1	139.00	139.00	
Chavez	83-3	2.10	2.10	
Riverpark South	85-1	369.56	369.56	
SE Riverfront (Evanite)	87-1	197.24	197.24	
McFadden (Circle/Walnut)	89-1	64.37		
McFadden	90-1	64.37	64.37	
Alberti	90-2	30.40	30.40	
Barley Hill	91-1	10.00	10.00	
Brookside Meadows	93-1	14.63	14.63	
Owens Farms	94-2	265.00		265.00
Rivergreen Estates	94-3	134.00		
Rivergreen Estates	95-1	140.30	140.30	
Pleasant View	96-1	41.35	41.35	
Meredith	96-2	1.82	1.82	
Highland Dell	96-4	26.17		26.17
Totals			2,584.16	702.72

Above list are only those annexations referred to voters. Health hazard annexations are not included. Page 92-aa

Denotes annexations approved.



LEAGUE OF WOMEN VOTERS®
OF OREGON

March 10, 2016

To: Governor Kate Brown

Email to: ivo.trummer@oregon.gov

Re: **REQUEST FOR VETO of Senate Bill 1573, Voter and Local Charter Preemption**

The League of Women Voters is a nonpartisan, grassroots political organization that encourages informed and active participation in government. The League has numerous positions related to citizen participation and access. **We support city and county home rule** and have always advocated that local citizens have the right to bring matters before their local constituents on a variety of issues. We have also long supported our statewide land use planning system **with local implementation**. It is because of these long-standing positions that we ask that you **VETO SB 1573A**.

The League understands that there may be some **perceived** conflict between our current land use planning program and the 20-year land supply requirement and voter annexation. But voter annexation has been upheld in the courts (See **Heritage Enterprises vs Corvallis** (708 P.2d 601 (OR. 1985))

“The separate decision of the electorate whether to annex, as opposed to the determination whether the proposed annexation would comply with the comprehensive plan, was not a ‘land use decision’ within the meaning of ORS chapter 197.”).

Since the first voter annexation charter amendment in 1976, a few cities have used this citizen tool to have a thorough conversation in these cities around whether a particular piece of land was ready to be added and who would pay for the infrastructure (not all cities have systems development charges, nor do they fully pay for the costs associated with addition into the city). **The bill does not require the property owner(s) to fund the needed infrastructure nor other important public services such as police and fire.**

We believe the bill **requires** a city to annex territory under certain circumstances **whether or not they have the services to support that annexation or whether or not the city’s long-term annexation plans fit into this particular property’s annexation at this time.**

Special districts are often the service provider of choice for areas within Metro’s Urban Growth Boundary. But that is not true in much of the state. Cities themselves more commonly provide basic services and there are only county-level services in these urban growth boundary areas. Cities have differing urban growth boundary sizes meaning that there can be choices as to which land should be annexed under what timeline. The current system **does not require** that properties come into cities at the whim of developers or property owners. The current system assumes that local governments and their citizens have **local control** to determine their destiny.

It is because of the above concerns that the League asks that you **VETO SB 1573A** and reject this usurpation of local control.

Sincerely,

Handwritten signature of Norman Turrill in cursive.

Norman Turrill
LWV of Oregon President

Handwritten signature of Peggy Lynch in cursive.

Peggy Lynch
Natural Resources Coordinator

cc: Richard M. Whitman, Governor’s Natural Resources Policy Director

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To the Corvallis City Council,

Please uphold the right of voters in Corvallis to determine what land can be annexed to the City.

I do understand that some of you probably think it would be wonderful to not have to listen to hours of testimony when annexations are proposed. However, this is the rule in Corvallis and I ask that you defend that ordinance.

Jim Brewer's summary was very well done and that is appreciated.

I do not really care how you proceed in opposing HB1573, just that you do that. I know that several groups are looking into possible ways of approaching the issues.

Three questions I ask you to clarify as you move forward.

1. How will it be determined if this is a valid law or not? Will one side or the other have to file a lawsuit?
2. Home Rule Authority. If the state legislature can so easily remove one law on Home Rule, how easy will it be for them to follow this precedent take away many more areas of local control? That would be so wrong.
3. What about a temporary moratorium until the Home Rule Authority has been determined. HB1573 is immediately effective? How many annexations decisions can be made in a local community before the validity of HB1573 is determined?

Louise Marquering



Oregon Communities

For a Voice In Annexations

Promoting and Protecting Citizen Involvement in Land Use Issues

PO Box 1388, North Plains, OR 97133 • (541) 747-3144 • www.ocva.org

Voting on Annexations is Goal 1

As we keep saying, it's all about citizen involvement.

In 1993, Oregon's legislature passed Senate Bill 122, (now ORS 195). A key purpose of this law was to provide a mechanism by which cities could annex some, most or all of their urban growth boundaries (UGBs) in one fell swoop.

But all sense of fairness and equity in the ORS-195 process was destroyed by its final step: **a vote of the city residents and those in the area(s) targeted for annexation** to approve or deny the plan.

Follow the story of OCVA's efforts to reform ORS 195, starting from its roots in SB 122 through its reform in 2005 via HB 2484, which restored the voice of the citizens in ORS 195 annexation elections.

Download or read "[Hostile Takeover](#)", OCVA's updated history of ORS 195 and its reform.

Our 2007 legislative campaign to reform island annexation helped make Oregon's annexation statutes fair and democratic.

Download or read "[Islands In The Storm](#)", The history of OCVA's involvement in the successful effort to reform ORS 222.750, Oregon's "Island Annexation" statute. (PDF, 60KB)

We welcome any opportunity to assist in correcting problems SB 1573 has created for Oregon cities and their citizens.

Sincerely, the Officers and Directors of Oregon Communities for a Voice in Annexations

Officers

Co-Chair: Richard Reid, Salem
Co-Chair: Jeffrey R. Lamb, Philomath
Secretary: [Jerry Ritter](#), Springfield UGB
Treasurer: [Brian Beinlich](#), North Plains

Board of Directors

[Bill Bodden](#), Redmond
[Francis Gilbert](#), Rogue River
[Kathy Sayles](#), Washington County
[Michael Sheehan](#), Scappoose
[Don Smith](#), Clackamas

ATTACHMENT E

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Oregon Communities that obtained the right to vote on annexations

CITY:	DATE OBTAINED:	POPULATION est.	CONTACT:
1) Albany	03/98	50,720	cityofalbany.net
2) Banks	11/981	775	cityofbanks.org
4) Corvallis	05/77	55,345	ci.corvallis.or.us
5) Culver	11/98	1,370	cityofculver.net
6) Grants Pass	11/01	34,855	grantspassoregon.gov
7) Happy Valley	09/98	15,575	ci.happy-valleyor.gov
8) Jefferson	11/95	3,150	city.jeffersonoregon.us
9) Lake Oswego	11/98	36,990	<u>ci.oswego.or.us</u>
10) McMinnville	05/96	32,510	ci.mcminnville.or.us
11) Monmouth	03/99	9,720	ci.monmouth.or.us
12) Mt. Angel	09/05	3,310	
13) Newberg	07/99	22,580	
14) North Plains	09/97	2,015	
15) Oregon City	05/99	33,390	
16) Philomath	05/954,	625	
17) Phoenix	08/98	4,570	
18) Rivergrove	03/99	445	
19) Rogue River	09/96	2,145	
20) Salem	05/00	157,770	cityofsalem.net
21) Sandy	11/989,	990	
22) Scappoose	05/996,	700	

Oregon Communities that obtained the right to vote on annexations

23) Sherwood	03/981	8,575
24) Sisters	11/96	2,115
25) St. Helens	03/99	12,895
26) St. Paul	11/97	420
27) Talent	07/98	6,170
28) Turner	11/98	1,865
29) West Linn	05/98	25,425
30) Wheeler	3/08	415
Total Population		576,240

Holzworth, Carla

From: City Manager
Sent: Monday, March 21, 2016 10:38 AM
To: Holzworth, Carla
Subject: Public Input Submission

Submission information

Submitter DB ID : 857
Submitter's language : Default language
IP address : -----
Time to take the survey : 11 min. , 20 sec.
Submission recorded on : 3/21/2016 10:37:42 AM

Survey answers

Please enter your full name. (This information is required to ensure the City keeps accurate records of community input.)
Lori Jane Stephens

Please enter your home address, including city. [Ex: "501 SW Madison Ave., Corvallis"]
(This information is required to ensure the City keeps accurate records of community input.)
St, Corvallis

In a few words, please describe the agenda item or topic you'd like to comment on. (Ex: "Central Park maintenance" or "New housing development on Walnut")
Annexation Legislation Discussion

Please choose a meeting date from the menu below. (Feel free to review the city's online calendar .)
3/22/2016

Use the space below to share your thoughts and feedback. These remarks will be shared with the full City Council and will be entered into the public record for the selected meeting.
Dear City Councilors,

I urge you to consider all of the City Attorney's points concerning SB1573, and abide by the Corvallis city charter on voter approved annexations.

The City Attorney has given you four points of discussion for SB1573. Points #2 and #4 I find particularly strong.

Point #2 cites Home Rule: Concerning the Legislature and Home Rule, the Legislature may not enact or amend a city charter. As a reminder to the Council, we have had this city charter on the books for 40 years.

ATTACHMENT G

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Point #4 is that SB1573 clearly occupies the field: The criteria for annexation listed in SB1573 is the same criteria that all cities must currently follow to annex property into the city - land must be in the UGB, contiguous to city limits, owners must agree to annexation... It seems to me that these criteria make it so that SB1573 occupies the field.

Please support our voter annexation and set an example for the other 29 communities with voter annexation to follow.

Why is voter annexation so important?

Senator Beyer proposed SB1573 and believes that a community should only be involved at the planning process stage. But realistically, that rarely happens to a meaningful degree, and it certainly does not happen down to the property by property level. If a community's comprehensive plan reflected the will of the people in that community with respect to how each property should be used, you would not need voter approved annexation. The fact that annexations sometimes get voted down is in fact proof that the comprehensive plan and planning process did not in fact express the wishes of the community. With questionable properties, ones that for instance have significant natural areas or other community attributes, what voter approved annexation also does is force developers to put forth plans that deal with the concerns of the community. That is a good thing. It enhances the community. It allows for compromise. Without voter approved annexation, developers only need to meet LDC regulations, nothing more.

Why voter approved annexation came about for many communities is illustrated in the story below. It is written by Kevin Frostad about why Philomath adopted voter annexation:

It all started with the trees. A Goal 5-protected stand of white oaks on Neabeack Hill in Philomath, a small Willamette Valley town just west of Corvallis. In the early '90s, a Philomath City Councilman arranged to add five words to the city's comprehensive plan that allowed a subdivision to be developed on the parcel even though this violated land use law and Philomath's comprehensive plan. Later, that person went on to join the city's Planning Commission (this person was a realtor). The Planning Commission and City Council were packed with real estate development interests. While individually disqualifying themselves when their own parcels were involved, they collectively "swapped votes" with other like-minded officials to their mutual advantages. Thus, the making of public policy for private profit, business-as-usual in the real estate development industry, was the order of the day in Philomath.

The Oregon Government Standards and Practices Commission in Salem is understaffed and operates with a minimal budget. The statutes that they administer have no real teeth. Redress was not available from the state. Besides, the fact is, the government in Philomath didn't frequently violate the letter of the laws as they were then and, to a large extent, as they are now. But, they certainly did do injustice to the moral and ethical framework by which they were expected to operate as public officials.

Ninety-eight percent of the people in Philomath didn't want Neabeack Hill developed. At public hearings citizens' testimony was "lost" when the tape recording machine conveniently malfunctioned. The subdivision development was approved by the Planning Commission and then appealed to the City Council which was subsequently denied. A lawsuit was filed against the City and LUBA remanded it back, which the Council ignored. The case then went to the court of appeals and a recall attempt of the Mayor and three Councilors failed. However, a political backlash resulted. A citizens group formed a PAC called the Committee for a Voice in Annexations with the objective of changing the city's charter so that, in the future, citizens would have a meaningful voice in the process by voting on annexations.

A word on SB1573:

The Oregon Home Builder's Association has been trying to take away voter approved annexation for many years, and they finally had the perfect opportunity to push legislation through

without public input in the short legislative session. Many people said it was part of a compromise in order to get other bills approved and was a done deal before it reached the floor. Senator Beyer from Springfield proposed it. He and I had an email conversation about the bill. He said that a constituent asked him to propose it (OHBA). Senator Byer doesn't represent any town with voter annexation. He and others, trying to get the package of bills through, convinced the legislature that voter annexation means "no growth", that it is a "popularity contest", etc.. As you know, none of this is true, but for the representatives of towns who do not have voter approved annexation, they believed it. Unfortunately, because of the short session, the public process was almost non-existent. The legislature only heard a story of untruths. This map shows the history of voter annexation in Corvallis and shows we are a smart growth community. We've consistently approved annexations since the charter amendment was enacted (be patient, it takes a while to load): <http://www.corvallisoregon.gov/modules/showdocument.aspx?documentid=9473>

As you know, Corvallis is a desirable town to live in. Why? Because we as citizens have been able to review annexations and shape the growth of our town.

Thank you for your consideration.

The interests of Oregon for today and in the future must be protected from the grasping wastrels of the land. We must respect another truism - that unlimited and unregulated growth, leads inexorably to a lowered quality of life. - Tom McCall.

If you like to be contacted by the Mayor and City Council with any follow-up questions, please enter an email address or phone number below.
stephens@_.

Disclaimer: This e-mail message may be a public record of the City of Corvallis. The contents may be subject to public disclosure under Oregon Public Records Law and subject to the State of Oregon Records Retention Schedules. (OAR:166.200.0200-405)