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Testimony by City of Corvallis Mayor and City Council to Amend HB 4001-A

Amend Proposed Legislation to Remove Preemption, Amend Definitions, Require Owner Approval, and Expedite Appeal Process

The Corvallis City Council enthusiastically supports state action to invest significant funds for emergency shelters and social services to alleviate homelessness.

But the Corvallis City Council's enthusiasm is tempered by many of the same concerns Wilsonville Mayor Tim Knapp expressed in his February 10, 2020 testimony to the House Committee on Rules, regarding HB 4001-1. In particular, the City Council is concerned that in the bill's current form (HB 4001-A) the bill still retains language prohibiting public participation and removing local control (but not responsibility) from decisions to approve emergency shelters. As an example, Corvallis has considerable investment in a fare-free transit system, and locating emergency shelters along transit routes, rather than at the outskirts of the City or in the urban fringe should be among the decisions that remain under local control.

At a more detailed level, the City Council notes that the current language of Section 2(1) of HB 4001-A limits the definition of an "emergency shelter" to those buildings that provide services to both families and individuals, excluding those shelters operated in a manner to provide services only to families or only to individuals (as would seem to be the allowed for "transitional housing"). The City Council sees this as an unnecessary regulation of the manner emergency shelters are operated, when emergency shelter operators may have practical reasons for a facility to serve families only or individuals only. The language should be amended to define an "emergency shelter" as including those buildings that provide services to families "or" individuals.

The City Council notes that the current language in Section 3(1) of HB 4001-A would require local governments to approve applications over the objection of the owners of the property. Section 3(1) of the bill should be amended to require owner permission or approval as a requirement of the application.

The City Council notes that the current language in Section 3(3) of HB 4001-A does not provide a judicial priority or an expedited appeal process, leaving undesirable uncertainty about the duration of litigation at the Circuit Court and appellate levels. Section 3(3) of the bill should be amended to require an expedited process at the Circuit Court level and at the Court of Appeals.

The City of Corvallis respectfully urges the Committee to amend HB 4001-A.