



Regular Session

RS

Milwaukie City Council

COUNCIL REGULAR SESSION

City Hall Council Chambers, 10501 SE Main Street
& Zoom Video Conference (www.milwaukieoregon.gov)

2424th Meeting**REVISED AGENDA****APRIL 15, 2025**

(Revised April 11, 2025)

Council will hold this meeting in-person and by video conference. The public may come to City Hall, join the Zoom webinar, or watch on the [city's YouTube channel](#) or Comcast Cable channel 30 in city limits. For Zoom login visit <https://www.milwaukieoregon.gov/citycouncil/city-council-regular-session-5>. Written comments may be delivered to City Hall or emailed to ocr@milwaukieoregon.gov.

Note: agenda item times are estimates and are subject to change.

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1. **CALL TO ORDER** (6:30 p.m.)
 - A. **Pledge of Allegiance**
 - B. **Native Lands Acknowledgment**
2. **ANNOUNCEMENTS** (6:31 p.m.) 2
3. **PROCLAMATIONS AND AWARDS**
 - A. **Outstanding Milwaukie High School (MHS) Student – Award** (6:35 p.m.)
Presenter: Kim Kellogg, MHS Principal
 - B. **Earth Day – Proclamation** (6:50 p.m.) 6
Staff: Katie Gavares, Climate & Natural Resources Manager
4. **SPECIAL REPORTS**
 - A. **None Scheduled.**
5. **COMMUNITY COMMENTS** (6:55 p.m.)

To speak to Council, please submit a comment card to staff. Comments must be limited to city business topics that are not on the agenda. A topic may not be discussed if the topic record has been closed. All remarks should be directed at the whole Council. The presiding officer may refuse to recognize speakers, limit the time permitted for comments, and ask groups to select a spokesperson. **Comments may also be submitted in writing before the meeting, by mail, e-mail (to ocr@milwaukieoregon.gov), or in person to city staff.**
6. **CONSENT AGENDA** (7:00 p.m.)

Consent items are not discussed during the meeting; they are approved in one motion and any Council member may remove an item for separate consideration.

 - A. **Approval of Council Meeting Minutes of:** 9
 1. **March 4, 2025, work session,**
 2. **March 4, 2025, regular session,**
 3. ~~March 11, 2025, study session,~~
 4. ~~March 18, 2025, work session, and~~
 5. ~~March 18, 2025, regular session. (removed from the agenda)~~
 - B. **Extension of Transportation System Plan Advisory Committee (TSPAC) Member Terms – Resolution** 15

7. BUSINESS ITEMS	
A. Downtown Open Container Conversation, continued (7:05 p.m.)	21
Staff: Emma Sagor, City Manager, and Ryan Burdick, Police Chief	
8. PUBLIC HEARINGS	
A. None Scheduled.	
9. COUNCIL REPORTS	68
10. ADJOURNMENT (8:00 p.m.)	

Meeting Accessibility Services and Americans with Disabilities Act (ADA) Notice

The city is committed to providing equal access to public meetings. To request listening and mobility assistance services contact the Office of the City Recorder at least 48 hours before the meeting by email at ocr@milwaukieoregon.gov or phone at 503-786-7502. To request Spanish language translation services email espanol@milwaukieoregon.gov at least 48 hours before the meeting. Staff will do their best to respond in a timely manner and to accommodate requests. Most Council meetings are broadcast live on the [city's YouTube channel](#) and Comcast Channel 30 in city limits.

Servicios de Accesibilidad para Reuniones y Aviso de la Ley de Estadounidenses con Discapacidades (ADA)

La ciudad se compromete a proporcionar igualdad de acceso para reuniones públicas. Para solicitar servicios de asistencia auditiva y de movilidad, favor de comunicarse a la Oficina del Registro de la Ciudad con un mínimo de 48 horas antes de la reunión por correo electrónico a ocr@milwaukieoregon.gov o llame al 503-786-7502. Para solicitar servicios de traducción al español, envíe un correo electrónico a espanol@milwaukieoregon.gov al menos 48 horas antes de la reunión. El personal hará todo lo posible para responder de manera oportuna y atender las solicitudes. La mayoría de las reuniones del Consejo de la Ciudad se transmiten en vivo en el [canal de YouTube de la ciudad](#) y el Canal 30 de Comcast dentro de los límites de la ciudad.

Executive Sessions

The City Council may meet in executive session pursuant to Oregon Revised Statute (ORS) 192.660(2); all discussions are confidential; news media representatives may attend but may not disclose any information discussed. Final decisions and actions may not be taken in executive sessions.



COUNCIL REGULAR SESSION

City Hall Council Chambers, 10501 SE Main Street
& Zoom Video Conference (www.milwaukieoregon.gov)

2424th Meeting

MINUTES

APRIL 15, 2025

Council Present: Councilors Adam Khosroabadi, Robert Massey, Rebecca Stavenjord, and Council President Will Anderson, and Mayor Lisa Batey

Staff Present: Joseph Briglio, Assistant City Manager
Ryan Burdick, Police Chief
Katie Gavares, Climate & Natural Resources Manager

Justin Gericke, City Attorney
Emma Sagor, City Manager
Scott Stauffer, City Recorder

Council President Anderson called the meeting to order at 6:32 p.m. and announced that Mayor Batey was participating in the meeting via Zoom.

1. CALL TO ORDER

A. Pledge of Allegiance.

B. Native Lands Acknowledgment.

2. ANNOUNCEMENTS

Council President Anderson announced upcoming activities, including a tour of the Kellogg Creek Restoration Project site, a restoration event at Elk Rock Island, a city manager open door session, Earth Day events, and a prescription drug and sensitive document shred event. **Mayor Batey** noted the return of First Friday events and the annual State of the City (SOTC) address on May 2.

Mayor Batey read a flower-themed haiku poem.

3. PROCLAMATIONS AND AWARDS

A. Outstanding Milwaukie High School (MHS) Student – Award

Kim Kellogg, MHS Principal, introduced Erowyn Stovall and Council congratulated them on their academic and extracurricular accomplishments.

B. Earth Day – Proclamation

Gavares commented on the city's climate action work and plans to celebrate Earth Day. **Council President Anderson** proclaimed April 26, 2025, to be Earth Day in Milwaukie. **Sagor** noted that the first Earth Day was marked in Camas, Washington.

4. SPECIAL REPORTS

A. None Scheduled.

5. COMMUNITY COMMENTS

Council President Anderson and **Sagor** reviewed the comment procedures. **Sagor** provided follow-up reports from the April 1 comments, reporting on city responses to a proposed no-cause commercial evictions ordinance and concerns from Ardenwald Neighborhood residents about a new middle housing development and related street parking and right-of-way (ROW) improvement questions.

Mara Reynolds, Milwaukie resident, remarked on an incident involving local law enforcement officers and an individual accused of stealing food from a gas station. **Council President Anderson** noted that state law prevented local police officers from assisting federal immigration officers.

6. CONSENT AGENDA

It was moved by Councilor Stavenjord and seconded by Councilor Khosroabadi to approve item 6. A. Council Minutes.

A. City Council Meeting Minutes:

1. March 4, 2025, work session,
2. March 4, 2025, regular session,
3. ~~March 11, 2025, study session,~~
4. ~~March 18, 2025, work session, and~~
5. ~~March 18, 2025, regular session.~~ (removed from the agenda)

Motion passed with the following vote: Councilors Anderson, Khosroabadi, Massey, and Stavenjord and Mayor Batey voting “aye.” [5:0]

Stauffer noted that the motion had not included item 6. B.

It was moved by Councilor Stavenjord and seconded by Councilor Khosroabadi to approve item 6. B.

B. Resolution 21-2025: A resolution of the City Council of the City of Milwaukie, Oregon, extending the term end date for members of the Transportation System Plan Advisory Committee (TSPAC).

Motion passed with the following vote: Councilors Anderson, Khosroabadi, Massey, and Stavenjord and Mayor Batey voting “aye.” [5:0]

7. BUSINESS ITEMS

A. Downtown Open Container Conversation, continued

Sagor explained that downtown business owners had asked the city to consider a downtown open container policy and noted staff actions taken to-date to review the idea. **Burdick** provided an overview of the complexities of implementing and enforcing existing laws should such a policy be adopted; staff conversations with the Oregon Liquor and Cannabis Commission (OLCC) were noted; and how other cities handle similar open contain areas were noted. **Sagor** and **Burdick** remarked on how the city’s event permitting process could possibly be updated to add an open container zone.

Councilor Massey, Burdick, and Sagor discussed how big an open container zone might be, noting it could possibly include most of downtown.

Councilor Stavenjord, Burdick, and Sagor remarked on how the presented zone had been created and noted that any private entity wanting to activate an open container zone would need to acquire high liability insurance. **Councilor Stavenjord** noted that the Stavenjord family owned a business within the proposed zone.

Council President Anderson, Burdick, and Gericke commented on why some businesses had been included in the zone and some had not, whether some businesses would want to be in the zone, and they noted the challenges of acquiring event insurance and what incidents such insurance would cover.

Council President Anderson, Burdick, and Sagor noted what city event and OLCC permits might cost for an open container zone wide event and how much liability insurance would cost event planners. **Sagor** appreciated the business' interest in activating downtown and wanted to make sure everyone knew the costs of such a zone.

Mayor Batey asked if sections of the zone could be engaged or if the entire zone would need to be activated. **Burdick** and **Sagor** suggested the zone could be revised and OLCC could be asked for input on the map; they commented on the need to consider signage and reported on how cities in other states handle similar zones. They discussed how the City of Eugene's proposal for a similar zone had been denied by the OLCC and how the open container zone in Hood River, Oregon, was enforced.

Reynolds expressed concern about the size of the proposed open container zone and suggested it be limited to Main Street.

Andy Fisher, Downtown Alliance of Milwaukie (DAM) chair, thanked the city for considering the proposal, suggested that DAM would probably be interested in only activating parts of downtown, and asked about ways volunteers could reduce the cost of such an event. **Burdick** remarked on OLCC-approved ways that volunteers and smaller zones could reduce costs. **Sagor** and **Burdick** commented on the difference between beer gardens and open container zones, and OLCC regulations regarding opening and carrying containers of alcohol in public spaces.

Council President Anderson asked Council to weigh-in on whether the city should continue to consider this policy and what adjustments to the proposal might be made.

Councilor Stavenjord and **Burdick** commented on ways businesses could make public events featuring alcohol safe for participants and whether the proposed zone should be limited to the street only.

Councilor Khosroabadi suggested the proposal created questions about the presence of alcohol in public spaces shared with children and the Milwaukie Police Department's (MPD's) ability to enforce such a zone. **Khosroabadi** remarked on whether it was appropriate to increase access to alcohol and asked for more feedback from OLCC, and suggested the idea generated more public safety risk.

Councilor Massey suggested the city was trying to solve an undefined problem that might not need to be solved given recent increased business activity downtown.

Mayor Batey recalled previous beer festivals in downtown Milwaukie and believed those experiences had generated the proposal and expressed interest in further feedback from OLCC about activating parts of the zone and how beer garden fencing and monitoring is regulated. **Batey** suggested if OLCC was opposed to a larger open container zone than the city should consider drawing smaller zones.

Council President Anderson asked business owners when such a zone would be activated and **Mike Lesch**, Beer Store Milwaukie owner, explained how the proposal had come from issues that had arisen during First Friday events. **Lesch** addressed the concerns expressed about public safety and enforcement and hoped the city could find a way to encourage participants to visit all parts of downtown.

Council President Anderson believed the proposed zone was too large and remarked on ways to reduce the zone map and encourage visitors to see more than just certain parts of downtown. Anderson agreed with concerns about increasing access to alcohol.

Council President Anderson suggested there was not a Council consensus to continue looking at the large-scale proposed open container policy but maybe in smaller ways. **Councilors Stavenjord and Khosroabadi** and **Mayor Batey** suggested Council needed more information from the OLCC before coming to a consensus.

Council President Anderson remarked on Council's role in approving events permits that activate an open container zone. **Councilors Stavenjord and Massey** and **Mayor Batey** believed staff should approve permits, not Council.

Council President Anderson summarized there was Council interest in receiving more feedback from OLCC and continuing the discussion about the proposed open container policy. **Sagor** noted steps staff would take to continue the conversation.

8. PUBLIC HEARING

A. None Scheduled.

9. COUNCIL REPORTS

Councilor Khosroabadi reported on housing and social services issues discussed at the last Clackamas County Community Action Board (CAB) meeting and presented a draft Council letter in support of the proposal to build a picnic shelter at Furnberg Park. The group discussed the letter, and it was Council consensus to send the letter.

Mayor Batey presented a draft Council letter of support of Oregon Senate Bill (SB) 229 that would fund a Bridge Meadows project in Milwaukie. Council reviewed the letter, and it was Council consensus to send the letter.

Council President Anderson reported on an impromptu neighbor meeting about the 29th Avenue Greenway and asked for Council support to receive an update on this greenway from staff. **Sagor** provided a brief overview of what the city had done on the 29th Avenue Greenway and confirmed there were no plans to further improve that greenway although a development application was expected to be submitted soon that could generate further conversations. **Councilor Massey** was hesitant to schedule an update on the greenway until other conversations were known.

Sagor encouraged the public to support local businesses.

Councilor Massey and **Sagor** noted that seven Canadian geese had been found dead in Milwaukie Bay Park on the morning of April 15 and the Oregon Department of Fish and Wildlife (ODFW) was investigating.

10. ADJOURNMENT

It was moved by **Councilor Stavenjord** and seconded by **Councilor Khosroabadi** to adjourn the Regular Session. Motion passed with the following vote: **Councilors Anderson, Khosroabadi, Massey, and Stavenjord** and **Mayor Batey** voting "aye." [5:0]

Mayor Batey adjourned the meeting at 8:39 p.m.

Respectfully submitted,



Scott Stauffer, City Recorder



RS Agenda Item

2

Announcements

Native Lands Acknowledgment

The City of Milwaukie respectfully acknowledges that our community is located on the ancestral homeland of the Clackamas people. In 1855, the surviving members of the Clackamas signed the Willamette Valley Treaty also known as the Kalapuya etc. Treaty with the federal government in good faith. We offer our respect and gratitude to the indigenous people of this land.



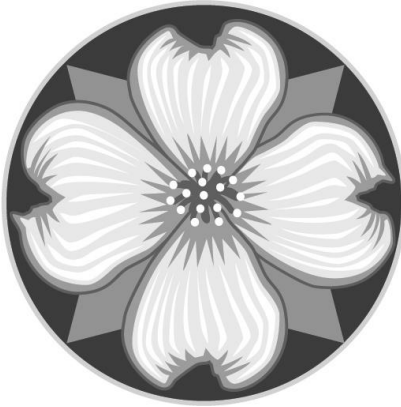
Mayor's Announcements – April 15, 2025

- **Tour of Kellogg Creek Restoration Project – Wed., Apr. 16 (5:30 – 6:30 PM)**
 - Walk will start at Milwaukie Bay Park (11211 SE McLoughlin Blvd.)
 - Tour includes the history of the project, community and ecological benefits, and recent updates
 - Participants are asked to RSVP. Visit the city's homepage below to find the link.
- **Elk Rock Island Volunteer Restoration Event – Sat., Apr. 19 (9:30 AM – 12 PM)**
 - Join this monthly event to help remove invasive plants and pick up litter
 - Volunteers meet at SE 19th and Sparrow
- **City Manager Open Door Session – Fri., Apr. 25 (9 AM – 10 AM)**
 - Ask questions, raise concerns, or just find out what the city is currently doing
 - No sign-up is necessary. First come first served.
 - City Hall, 10501 SE Main St.
- **Earth Day – Sat., Apr. 26 (9:30 AM – 12:30 PM)**
 - Decorate pollinator wings, connect, educate, and volunteer!
 - Downtown Milwaukie (Volunteers will meet up at Dogwood Park (11299 SE Main St.)
 - Learn more and register to volunteer by April 23 at milwaukieoregon.gov
- **Prescription Drug Take-Back & Document Shredding – Sat., Apr. 26 (10 AM – 2 PM)**
 - Have prescriptions in a bag or small box to hand off to volunteers
 - Have items to be shredded in a box or bag. Processors will accept two (2) document containers of material at no charge.
 - Event takes place at Public Safety Building (3200 SE Harrison St.) Enter the parking lot from Railroad Ave. and exit onto Harrison St.
- **LEARN MORE AT WWW.MILWAUKIEOREGON.GOV OR CALL 503-786-7555**

Pretty yellow blooms
Overtake our yard with color
Invasive, bye-bye!

-“Lesser Celandine” by Kelly Hudson-

Share your Milwaukie Haiku!
Email yours to bateyl@milwaukieoregon.gov



RS Agenda Item

3

Proclamations & Awards

Erowyn Stovall

RS 3. A. 4/15/25
Presentation



Erowyn has a 4.0 GPA

- Working toward an Honors Diploma
- National Honor Society
- Oregon Seal of Biliteracy
- Outdoor School
- Student Government

MHS Classes

- AP World
- Pre-Calculus
- AP Lit & Comp
- AP Seminar

AP Spanish

AP Calculus

AP Lit & Lang

Yearbook

Extracurricular & Work

- Student Government
- Soccer 4 years

Erowyn is an outstanding student whose leadership, academic excellence, and character shine through in all he does. A dedicated member of National Honor Society and student government, and a volunteer for Outdoor School, Erowyn is deeply committed to his school and community. He has maintained strong academics throughout high school while also playing soccer all four years, demonstrating impressive time management and perseverance. Known for his kindness, strong communication skills, and positive attitude, Erowyn is always willing to help others and uplift those around him. His determination, service, and academic strength make him a true role model and an asset to our school.

Kim Kellogg

I have had the pleasure of working with Erowyn through our advanced Spanish coursework for the past three years. In my time in NClack SD, Erowyn is one of my top and most developed non-heritage Spanish speaking students. His success in my classroom is due to his intelligence, work ethic, innate ability with the language, organization and desire to be bilingual. He's been an absolute pleasure in the classroom and on campus, and I think that sky's the limit for him.

Matt Prenger

PROCLAMATION

WHEREAS the City of Milwaukie, “The Dogwood City of the West,” is rooted in the natural beauty of the Pacific Northwest and values the health of its forests, waterways, wildlife, and the ecosystems that sustain us all; and

WHEREAS Earth Day, first celebrated on April 22, 1970, has grown into a global call to action to protect our planet through education, stewardship, and climate action; and

WHEREAS Milwaukie is committed to climate resilience, sustainability, and environmental justice, as demonstrated by the adoption of our Climate Action Plan, Urban Forest Management Plan, Comprehensive Plan, and the declaration of a climate emergency in 2020; and

WHEREAS the strength of our community lies in the partnerships, shared values, and everyday actions of residents, organizations, and youth working together for a more sustainable and equitable future; and

WHEREAS the City of Milwaukie proudly recognizes all who protect and preserve the environment and climate through participation in Earth Day activities by taking a proactive role in the protection of our community’s precious natural resources.

NOW, THEREFORE, I, Lisa Batey, Mayor of the City of Milwaukie, a municipal corporation in the County of Clackamas, in the State of Oregon, do hereby proclaim **April 26, 2025**, to be **EARTH DAY** in the *Dogwood City of the West*.

IN WITNESS, WHEREOF, and with the consent of the City Council of the City of Milwaukie, I have hereunto set my hand on this 15th day of April 2025.

Lisa Batey, Mayor

ATTEST:

Scott Stauffer, City Recorder

2025 Earth Day

MILWAUKIE



Saturday, April 26
9:30 AM - 12:30 PM

South Main Street Plaza
*Next to Dogwood Park,
11299 SE Main St.*



DECORATE POLLINATOR WINGS

CONNECT & EDUCATE

VOLUNTEER



Learn more and register to volunteer by April 23 at milwaukieoregon.gov

HISTORIC MILWAUKIE NDA • ROTARY CLUB OF MILWAUKIE • MILWAUKIE PARKS FOUNDATION
PFRIM FAMILY BREWERS • TWINFLOWER NATIVES • PARKS & RECREATION BOARD



CITY OF MILWAUKIE

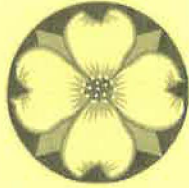




RS Agenda Item

5

Community Comments



**CITY OF MILWAUKIE
CITY COUNCIL**

10722 SE Main Street
P) 503-786-7502
F) 503-653-2444
ocr@milwaukieoregon.gov

Speaker Card

The City of Milwaukie encourages all residents to express their views to their city leaders in a **respectful** and **appropriate** manner. If you wish to speak before the City Council, fill out this card and hand it to the City Recorder. Note that this Speaker Card, once submitted to the City Recorder, becomes part of the public record.

Name: Mara Reynolds

Address:

Organization:

Phone:

Email:

Meeting Date: 4/15

Topic: community safety

Agenda Item You Wish to Speak to:

☒ **#5 Community Comments**

Note: Council generally does not respond to comments during this meeting. The city manager will respond to comments at the next regular session.

☐ **#7 Other Business, Topic:** _____

☐ **#8 Public Hearing, Topic:** _____

You are Speaking...

☒ **in Support**

☐ **in Opposition**

☐ **from a Neutral Position**

☐ **to ask a Question**

Comments: Re. MPD incident this morning



RS Agenda Item

6

Consent Agenda

COUNCIL WORK SESSION

City Hall Council Chambers, 10501 SE Main Street
& Zoom Video Conference (www.milwaukieoregon.gov)

MINUTES

MARCH 4, 2025

Council Present: Councilors Adam Khosroabadi, Robert Massey, Rebecca Stavenjord, and Council President Will Anderson, and Mayor Lisa Batey

Staff Present: Joseph Briglio, Assistant City Manager
Katie Gavares, Climate & Natural Resources Manager
Justin Gericke, City Attorney
Gabriela Gutierrez Santoyo, Equity & Inclusion Coordinator

Brent Husher, Library Director
Emma Sagor, City Manager
Scott Stauffer, City Recorder

Mayor Batey called the meeting to order at 4:03 p.m.

1. Climate and Equity Programs – Update

Gavares and **Santoyo Gutierrez** introduced themselves and stated they would present part two of the city's climate and equity program updates. **Santoyo Gutierrez** opened with gratitude for Council's commitment to equity and climate work, by acknowledging the broader social context of harmful policy changes across the country and by reading a portion of Council's equity-centered statement from the March pilot.

Gavares provided updates on three climate initiatives prioritized by Council for community impact: urban forestry, home energy upgrades, and general climate engagement. **Gavares** described efforts to build trust and internal capacity within the Urban Forestry program and to equitably reach 40% canopy coverage by 2040. Strategies were outlined, including an equity implementation plan, a data update to the Branch Out Milwaukie map, and a timeline for a three phased targeted outreach plan.

Gavares described collaboration efforts with Community Energy Project to provide free home energy scores (HES) and implement upgrades for 20 low-income homes, prioritizing those without heat or adequate insulation. **Gavares** explained plans for launching a quarterly climate and natural resources newsletter for the community and co-creating two new Equity Steering Committee (ESC) climate focused sub committees.

Gavares presented the proposal for the formation of a climate action committee (CAC) to support implementation of the revised Climate Action Plan (CAP). **Gavares** explained that a CAC would advise on climate-related projects and policies, and track greenhouse gas emissions data by prioritizing transportation and building emissions to contribute to the 2026 CAP update.

Council expressed strong support for forming a CAC, noting it could increase accountability and ensure alignment between policy and climate goals. Several Councilors recommended a smaller membership size for manageability and advised careful coordination with existing committees. Capacity concerns were raised and there was encouragement for staff to ensure they had proper support for the workload to be sustainable. Council agreed that youth involvement would be valuable and commented on the CAC's focus on community outreach.

The group discussed how updated mapping could guide tree planting and de-paving strategies and highlighted the need for outreach tools to increase public awareness.

They discussed partnerships with community groups like Depave and watershed councils, and how the newsletter would be distributed.

Council expressed enthusiasm for the HES program and asked questions about eligibility. The group discussed outreach for the program, interest and in a rental HES program and programs that are offered through other agencies.

The group discussed the difference between the ESC climate subcommittees and CAC.

Santoyo Gutierrez shared updates on the city's Equity Plan and ESC work. Projects included a naming policy subcommittee in partnership with the city's Park and Recreation Board (PARB), equity metrics for the Milwaukie Community Vision, and collaboration with the Milwaukie Police Department (MPD) on equity-informed data transparency and training.

Santoyo Gutierrez presented the developed equity and climate assessment tool, explaining that it was created to integrate equity and climate considerations into project planning and delivery. The tool was designed for internal staff and consultants to guide community engagement, infrastructure projects, and program implementation.

Councilor Stavenjord offered feedback on digital accessibility, encouraging consideration of how to bridge access gaps in technology and emphasized the importance of inclusive formats for forms and communications, noting that many community members rely solely on smartphones for internet access. **Stavenjord** encouraged prioritizing equity reviews for specific law enforcement policies, noting that review timelines are often inconsistent and emphasized the value of applying an equity lens during policy evaluation. **Santoyo Gutierrez** responded that a policy review had occurred in 2021 in collaboration with MPD, prior to the formal establishment of the ESC and that the city did not currently have a consistent schedule for reviewing its policies.

The group discussed the request for proposals (RFP) process for selecting equity training providers, noting the benefits of streamlining access to a broader pool of consultants and reducing administrative burden and the tool's potential to operationalize city values. Council raised concerns about the assessment tool's length, complexity, and the possibility it could become a box-checking exercise. The group developed ideas to group questions by theme, using broader umbrella prompts with supporting bullet points, and simplifying its use, and emphasized the importance of clear accountability for the tool's use.

2. Construction Excise Tax (CET) Overview – Discussion

Briglio provided a brief overview of the affordable housing funds generated through the city's construction excise tax (CET), reminding Council of the CET's revenue structure, the statutory flexibility for using affordable housing funds and noted how much was currently available. **Briglio** stated that it was previously recommended that the available funds be allocated toward the Sparrow Site to help offset development-related costs, and that while the amount of available affordable housing CET funds would not fully cover necessary access infrastructure upgrades, staff believed it could meaningfully support permitting, design, and other predevelopment expenses. **Mayor Batey** and **Briglio** noted that additional funding would not be required for the affordable units at the Coho Point at Kellogg Creek development, as those costs were already accounted for within the project's financing.

Briglio proposed additional uses for the available funds for Council discussion, including a revolving loan program to support first-time homebuyers, funding for land banking strategies like acquisition of scattered sites, and a potential backfill program to offset system development charges (SDCs) and permitting costs for affordable housing developers. It was noted that all options aligned with the city's adopted Housing Production Strategy (HPS).

The group discussed state-funded revolving loan programs, down payment assistance, and low- to no-interest loan options used in other jurisdictions. They also explored how the city could partner with third-party lenders to reduce administrative burdens. Additional discussion focused on the scattered sites project, how CET funds and affordable housing programs could support those properties, and the potential for matching funds and coordination with state-level programs.

Council reached consensus to allocate the available CET funding to support the Sparrow site and to begin drafting a framework for a future revolving loan program.

Staff confirmed that a preliminary RFP for the Sparrow Site would follow final site replating and could be released in late spring.

3. Adjourn

Mayor Batey adjourned the meeting at 6:00 p.m.

Respectfully submitted,

Nicole Madigan, Deputy City Recorder

COUNCIL REGULAR SESSION

City Hall Council Chambers, 10501 SE Main Street
& Zoom Video Conference (www.milwaukieoregon.gov)

MINUTES**MARCH 4, 2025**

Council Present: Councilors Adam Khosroabadi, Robert Massey, Rebecca Stavenjord, and Council President Will Anderson, and Mayor Lisa Batey

Staff Present: Joseph Briglio, Assistant City Manager
Matt Deeds, Assistant Finance Director
Justin Gericke, City Attorney
Michael Osborne, Finance Director
Emma Sagor, City Manager
Scott Stauffer, City Recorder
Jason Wachs, Community Engagement Coordinator

Mayor Batey called the meeting to order at 6:32 p.m.

1. CALL TO ORDER

A. Pledge of Allegiance.

B. Native Lands Acknowledgment.

2. ANNOUNCEMENTS

Mayor Batey announced upcoming activities, including the annual board and committee recruitment, the grand opening of Balfour, Bowman-Brae, and Scott parks, clean-up events at Minthorn Springs and Elk Rock Island, weekly outreach services at the Ledding Library, and a repair fair.

Mayor Batey read a peace-themed haiku poem.

3. PROCLAMATIONS AND AWARDS

A. Women's History Month – Proclamation

Steve Bennett, Seyona Belai, and Linda Carr Milwaukie Historical Society members, remarked on the important role women have played in Milwaukie history, and **Mayor Batey** proclaimed March to be Women's History Month.

4. SPECIAL REPORTS

A. Volunteer of the Year 2024 Selection

Wachs provided an overview of the Volunteer of the Year award history, the nomination process, explained how Council would select the 2024 award recipient, and noted the 2025 Volunteer Appreciation dinner.

Council introduced and remarked on each nominee and participated in a ranked choice voting (RCV) process. **Mayor Batey** announced that Milwaukie resident Pam Denham had been selected to be the 2024 Volunteer of the Year.

5. COMMUNITY COMMENTS

Mayor Batey reviewed the comment procedures. **Sagor** reported that in follow-up to February 18 comments, planning department staff had confirmed where a requested Historical Assets Inventory was prioritized on the department's work plan, and community development staff had met with Gene Monaco regarding the annexation and

development of property owned by Monaco. **Sagor** noted that Council had received a request from the Downtown Association of Milwaukie (DAM) to support a Main Street grant for the Rexall Building. **Mayor Batey** suggested Council consider the request later in the meeting. No audience member wished to address Council.

6. CONSENT AGENDA

It was moved by Councilor Stavenjord and seconded by Councilor Khosroabadi to approve the Consent Agenda as presented.

A. City Council Meeting Minutes:

1. January 31, 2025, Council retreat,
2. February 1, 2025, Council retreat, and
3. Revised February 4, 2025, work session.
4. ~~February 4, 2025, regular session.~~ (removed from the agenda)

B. Resolution 16-2025: A resolution of the City Council of the City of Milwaukie, Oregon, amending the Citizens Utility Advisory Board (CUAB) Bylaws.

C. Resolution 17-2025: A resolution of the City Council of the City of Milwaukie, Oregon, making appointments to the Planning Commission.

D. A motion adopting the 2025 City Council Committee assignments.

Motion passed with the following vote: Councilors Anderson, Khosroabadi, Massey, and Stavenjord and Mayor Batey voting “aye.” [5:0]

7. BUSINESS ITEMS

A. None Scheduled.

8. PUBLIC HEARING

A. Quarterly Budget Review and Adjustment – Resolution

Call to Order: **Mayor Batey** called the public hearing on the proposed budget adjustments, to order at 7:19 p.m.

Purpose: **Mayor Batey** announced that the purpose of the hearing was to receive a staff update and consider adopting proposed budget adjustments.

Conflict of Interest: No Council member declared a conflict of interest.

Staff Presentation: **Osborne** explained that Council was asked to adopt a budget transfer resolution to cover salary and benefit increases agreed to in the collective bargaining agreement with the American Federation of State, County, and Municipal Employees (AFSCME), move federal American Recovery Plan Act (ARPA) funds to cover staff changes and Milwaukie Police Department (MPD) vehicle purchases.

Hearing Procedures: **Mayor Batey** reviewed the hearing procedures.

Audience Testimony: No audience member wished to speak to Council.

Close Public Comment: It was moved by Councilor Stavenjord and seconded by Councilor Khosroabadi to close the public comment part of the budget adjustment hearing. Motion passed with the following vote: Councilors Anderson, Khosroabadi, Massey, and Stavenjord and Mayor Batey voting “aye.” [5:0]

Mayor Batey closed the public comment part of the hearing at 7:28 p.m.

Council Decision: It was moved by Councilor Stavenjord and seconded by Councilor Khosroabadi to adopt the resolution authorizing budget supplemental for the 2025-2026 biennium.

Resolution 18-2025:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AUTHORIZING BUDGET SUPPLEMENTAL FOR THE 2025-2026 BIENNIUM.

9. COUNCIL REPORTS

A. Legislative and Regional Issues – Discussion

Stauffer provided an update on state legislation the city and Council tracked during the 2025 state legislative session. The group discussed the tracked bills and noted letters sent by Council regarding the bills.

Council discussed a letter proposed by Councilor Khosroabadi regarding Portland General Electric (PGE) utility rates that could be adapted to address Oregon Senate Bill (SB) 88. It was Council consensus that individual Council members could submit the utility rate letter if they wished, and Councilor Khosroabadi and Council President Anderson would revise the letter for future Council consideration.

Council Reports

Councilor Stavenjord reported on recent Milwaukie Redevelopment Commission (MRC) Community Advisory Committee (MRCCAC) work which included an update on the urban renewal area (URA) business grants program. The group remarked that the request from DAM for a letter of support for a grant application would be discussed during the MRC meeting.

Councilor Khosroabadi noted state legislation the North Clackamas County Chamber of Commerce planned to support or oppose and upcoming Chamber events.

Council President Anderson noted a possible future meeting with Sauna Glo and the group noted the possibility of other sauna businesses opening in Milwaukie. **Anderson** reported that the Transportation System Plan Advisory Committee (TSPAC) was soliciting public feedback through the Engage Milwaukie website.

Sagor suggested Council should consider DAM's request as Council and not as the MRC. **Mayor Batey** proposed that two Council members draft a letter of support for DAM's grant request. It was Council consensus that Councilor Khosroabadi and Mayor Batey would draft a letter for Council to sign supporting the grant application.

10. ADJOURNMENT

Mayor Batey announced that after the meeting, Council would meet as the MRC.

It was moved by Councilor Stavenjord and seconded by Councilor Khosroabadi to adjourn the Regular Session. Motion passed with the following vote: Councilors Anderson, Khosroabadi, Massey, and Stavenjord and Mayor Batey voting "aye." [5:0]

Mayor Batey adjourned the meeting at 8:07 p.m.

Respectfully submitted,

Scott Stauffer, City Recorder

COUNCIL STAFF REPORT

To: Mayor and City Council
Emma Sagor, City Manager

Date Written: Apr. 3, 2025

Reviewed: Laura Weigel, Planning Manager

From: Scott Stauffer, City Recorder

Subject: **Transportation System Plan Advisory Committee Appointment Extensions**

ACTION REQUESTED

Council is asked to approve a resolution extending the term of appointment of members of the limited-duration Transportation System Plan Advisory Committee (TSPAC).

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

February 7, 2023: Council adopted [Resolution 6-2023](#) appointing members to the TSPAC for limited-duration terms expiring June 30, 2025.

Winter 2025: Staff determined that the work of the TSPAC would not be completed by the June 30, 2025, term expiration date.

ANALYSIS

As outlined in previous staff reports, Council established the TSPAC as part of the Transportation System Plan (TSP) update project. The TSPAC, which is comprised of up to 19 members representing specific groups, boards and committees, neighborhood district associations (NDAs), and transportation system users, is the conduit for community input to inform the TSP update project.

In 2023, the committee's members were appointed to approximately two-year terms scheduled to end on June 30, 2025. At the time of appointment, staff noted that Council may need to extend or reappoint the committee members for longer terms if the work of the TSP update project was not finished. In early 2025, staff determined that the TSPAC's work would extend beyond June 30. Staff therefore recommend that Council extend the TSPAC member's terms to expire on December 31, 2025, giving the committee an additional six-month period to complete its work. If the committee needs to work into 2026, staff will return for additional Council action as necessary.

In February 2025, staff were informed that Corey Hester, who had been appointed to TSPAC position 14, intended to resign immediately. This resignation has created a vacancy on the committee which staff do not recommend filling at the present time due to the near-finished status of the committee's work.

BUDGET IMPACTS

The TSP update and the TSPAC are part of the planning department work plan and budget. Extending the committee term will not have a noticeable financial impact on the city.

CLIMATE IMPACTS

As with any city committee, meetings and activities that bring people together in-person will have minor climate impacts related to increased travel. However, a goal of the TSPAC's work is to update the city's transportation plans to promote transit modes that will have an overall positive impact on the climate.

EQUITY IMPACT

Staff strive to make participation with the city's board and committees (BCs) as accessible as possible by holding hybrid meetings and offering accessibility services during meetings. The TSPAC's work is, in part, meant to increase Milwaukie community members' access to multiple modes of transportation, part of the city's overall effort to diversify healthier and climate-friendly ways of getting around.

WORKLOAD IMPACTS

The requested committee term extension action would not result in any significant staff workload impact. However, the work to support the TSPAC would continue for an additional six months.

COORDINATION, CONCURRENCE, OR DISSENT

The planning department and the office of the city recorder (OCR) coordinated on this report.

STAFF RECOMMENDATION

Staff recommend that Council extend the existing terms of the following TSPAC members.

Transportation System Plan Advisory Committee (TSPAC): limited duration terms.

Position	Name	Start Date	New Term End Date
1	Naomi Vogel (<i>Ardenwald/Johnson Creek NDA</i>)	2/7/2023	12/31/2025
2	Layne Kristine Wilson (<i>Hector Campbell NDA</i>)	2/7/2023	12/31/2025
3	Chad Tucker (<i>Historic Milwaukie NDA</i>)	2/7/2023	12/31/2025
4	Adria Decker (<i>Island Station NDA</i>)	2/7/2023	12/31/2025
5	Simon Xu (<i>Lake Road NDA</i>)	2/7/2023	12/31/2025
6	Maitri Dirmeyer (<i>Lewelling NDA</i>)	2/7/2023	12/31/2025
7	Zac Perry (<i>Linwood NDA</i>)	2/7/2023	12/31/2025
8	Jared Irvin (<i>disabled community member</i>)	2/7/2023	12/31/2025
9	Jay Jones (<i>business representative</i>)	3/5/2024	12/31/2025
10	Daniel Eisenbeis (<i>CPAC/CPIC* member</i>)	2/7/2023	12/31/2025
11	Stephan Lashbrook (<i>CPAC/CPIC* member</i>)	2/7/2023	12/31/2025
12	Christine Giatti (<i>PSAC** member</i>)	2/7/2023	12/31/2025
13	Pam Denham (<i>PSAC** member</i>)	2/7/2023	12/31/2025
14	(vacant)		
15	Joseph Edge (<i>Planning Commission member</i>)	2/7/2023	12/31/2025
16	Will Anderson (<i>City Council member</i>)	3/4/2025	12/31/2025
17	Jason Altamirano (<i>freight users representative</i>)	5/7/2024	12/31/2025
Alt.	Camden McKone (<i>cyclist, uses all transit modes</i>)	2/7/2023	12/31/2025
Alt.	Sang Pau (<i>vehicle driver</i>)	2/7/2023	12/31/2025

*CPAC/CPIC stands for the Comprehensive Plan Advisory Committee (CPAC) and the Comprehensive Plan Implementation Committee (CPIC).

**PSAC stands for the Public Safety Advisory Committee (PSAC).

ALTERNATIVES

Council could decline to extend committee member terms, which would result in the TSPAC ceasing to exist due to a lack of members as of July 1, 2025.

ATTACHMENTS

1. Resolution

COUNCIL RESOLUTION No.**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, EXTENDING THE APPOINTMENT TERM END DATE FOR MEMBERS OF THE TRANSPORTATION SYSTEM PLAN ADVISORY COMMITTEE (TSPAC).**

WHEREAS Milwaukie Charter Section 26 authorizes the mayor, with the consent of the Council, to make appointments to boards and committees (BCs), and

WHEREAS the city has undertaken an update of the Transportation System Plan (TSP) and an advisory committee, the TSPAC, was established in 2023 to support the city's work and to obtain community input on the plan, and

WHEREAS the work of the TSPAC will continue beyond the original term expiration date for committee members and staff recommend that the committee's terms be extended for an additional six-month period, with a new end date of December 31, 2025.

Position	Name	Start Date	New Term End Date
1	Naomi Vogel (<i>Ardenwald/Johnson Creek NDA</i>)	2/7/2023	12/31/2025
2	Layne Kristine Wilson (<i>Hector Campbell NDA</i>)	2/7/2023	12/31/2025
3	Chad Tucker (<i>Historic Milwaukie NDA</i>)	2/7/2023	12/31/2025
4	Adria Decker (<i>Island Station NDA</i>)	2/7/2023	12/31/2025
5	Simon Xu (<i>Lake Road NDA</i>)	2/7/2023	12/31/2025
6	Maitri Dirmeyer (<i>Lewelling NDA</i>)	2/7/2023	12/31/2025
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8	Jared Irvin (<i>disabled community member</i>)	2/7/2023	12/31/2025
9	Jay Jones (<i>business representative</i>)	3/5/2024	12/31/2025
10	Daniel Eisenbeis (<i>CPAC/CPIC* member</i>)	2/7/2023	12/31/2025
11	Stephan Lashbrook (<i>CPAC/CPIC* member</i>)	2/7/2023	12/31/2025
12	Christine Giatti (<i>PSAC** member</i>)	2/7/2023	12/31/2025
13	Pam Denham (<i>PSAC** member</i>)	2/7/2023	12/31/2025
15	Joseph Edge (<i>Planning Commission member</i>)	2/7/2023	12/31/2025
16	Will Anderson (<i>City Council member</i>)	3/4/2025	12/31/2025
17	Jason Altamirano (<i>freight users representative</i>)	5/7/2024	12/31/2025
Alt.	Camden McKone (<i>cyclist, uses all transit modes</i>)	2/7/2023	12/31/2025
Alt.	Sang Pau (<i>vehicle driver</i>)	2/7/2023	12/31/2025

*CPAC/CPIC stands for the Comprehensive Plan Advisory Committee (CPAC) and the Comprehensive Plan Implementation Committee (CPIC).

**PSAC stands for the Public Safety Advisory Committee (PSAC).

Now, Therefore, be it Resolved by the City Council of the City of Milwaukie, Oregon, that the individuals named in this resolution are appointed for extended terms to the Transportation System Plan Advisory Committee (TSPAC) with the new term end date noted.

Introduced and adopted by the City Council on **April 15, 2025.**

This resolution is effective immediately.

ATTEST:

Lisa M. Batey, Mayor

APPROVED AS TO FORM:

Scott S. Stauffer, City Recorder

Justin D. Gericke, City Attorney



RS Agenda Item

7

Business Items

COUNCIL STAFF REPORT

To: Mayor and City Council
Emma Sagor, City Manager

Reviewed: Joseph Briglio, Assistant City Manager
Dan Harris, Events & Emergency Management Coordinator,
Tim Salyers, Code Compliance Coordinator, and
Michael Osborne, Finance Director

From: Ryan Burdick, Chief of Police

Subject: **Open Container Discussion**

Date Written: April 4, 2025

ACTION REQUESTED

Council is asked to receive additional information and options related to open containers of alcohol in the downtown Milwaukie business area, as well as provide direction to staff for next steps, if any.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

[December 17, 2024](#): City council and staff had an initial discussion around a community request for allowing open containers of alcohol in the downtown business area (Attachment 3).

ANALYSIS

In September 2024, Council received public comment requesting that the city consider the possibility of allowing “open containers” of alcoholic beverages in a large portion of downtown Milwaukie, particularly as more businesses open in the city’s core. A draft map of this possible open container zone is attached (Attachment 1).

In response to the community’s request for consideration, in December 2024 staff provided its initial response to the public comment and discussed the concept with Council. That meeting resulted in Council directing staff to conduct additional research as it pertains to open container zones and what viable options might look like.

Based on this direction, staff identified a possible pathway that would allow a business or community group to apply for expanded permitting to have an open container zone activated for a specific event or duration. The zone would be temporary, have defined boundaries, require insurance, and other conditions as part of the city’s current permitting process. These factors would include, but are not limited to, the following:

1. Mediating Public Safety Concerns

The prior staff report outlined specific public safety concerns, such as increased incidents of public intoxication, disorderly conduct, and drinking in or outside the designated zone.

Those issues aside, the following are issues that would come about with an activation of this zone:

- **Personnel:** An expanded zone, albeit temporary, would require a additional city and/or event personnel, such as security, alcohol monitors, police officers, and city staff. Based on the size of the event, significant staff or personnel resources would be needed.
- **Physical Structures:** fencing, signage, barriers, and other measures, would be needed to define the space where open containers are allowed.
- **Financial:** Activating this open container zone would require additional expense in terms of personnel costs, prep time, and logistics.

2. Oregon Liquor and Cannabis Commission (OLCC)

As part of this analysis, OLCC was contacted by staff to understand if this large open container zone concept was feasible, and if so, what requirements would be required. The draft map of the event zone will be submitted to OLCC as part of this ongoing analysis. Listed below are some of the initial considerations raised by OLCC:

- **Hood River's Open Container Law:** Although the City of Hood River has an ordinance that allows open containers, OLCC prohibits the removal of open alcoholic beverages from licensed premises. Individual businesses in the city must obtain a liquor license to sell and permit alcohol consumption on-site. Any opened alcoholic beverage—whether a beer can or a mixed drink—cannot leave the licensed premises. Businesses that have customers who attempt to leave with an open beverage will be in violation of OLCC regulations and may face civil penalties or risk having their liquor license revoked.
- **Legal Consumption:** OLCC regulations allow customers to legally purchase unopened alcoholic beverages (e.g., canned beer or bottled spirits) and exit the premises with these products. If a customer subsequently opens the container within a designated legal consumption area—such as a public space or event venue—this does not constitute an OLCC violation, provided it is not in violation of local ordinances.
- **Temporary Event Permits for Alcohol Sales and Consumption:** OLCC permits temporary sales licenses for special events, under specific conditions. Event organizers must establish designated boundaries where alcohol consumption is permitted. A detailed plan must be submitted, including provisions for barriers or fencing to demarcate the alcohol-consumption area, as well as security or alcohol monitors to manage the event. Additionally, approval from the Local Governing Body (LGB) is required for these licenses.
 - One key stipulation is that these events cannot permit co-mingling sales. For example, if two businesses, such as pFriem and the Beer Store wished to apply for a temporary permit to host an event on Main Street in Milwaukie, they would need to designate one business to oversee alcohol sales and assume full responsibility for the event's operations. The profits and any leftover product would need to be distributed accordingly following the event. Liability for the event would rest solely with the business in charge.
- **Consideration of Alcohol Types:** When reviewing temporary event licenses, OLCC also considers whether the event will involve only beer and wine or include the sale of spirits (hard alcohol). This distinction influences the review process and approval criteria for such events.

- **OLCC Authority:** In Oregon, no city has licensing from OLCC which allows open alcoholic beverages to be taken off a licensed premise and consumed in public spaces without an OLCC permit or review process. Even in cities like Eugene, where similar proposals were submitted, OLCC has consistently denied requests to permit the consumption of alcohol in areas outside the designated licensed premises. A recent example in Eugene involved a proposal to permit alcohol consumption in a courtyard area with multiple entrances and exits to public streets. This proposal was rejected because it would have required significant security measures and physical barriers to create a legally compliant drinking area.

3. Cost / Expense

- City staff would be involved to help ensure a successful event. The staff costs for this event would likely be evaluated based on their respective hourly rates, multiplied by a recommended 2.5 times per hour and billed to the event organizer. These personnel costs for such a large event would likely start at around \$5,000 or more.

4. Noise and Nuisance Issues

- **Increased Noise Levels:** Public drinking can lead to louder gatherings, which may disturb nearby residents and businesses.
- **Complaints from Community Members:** Noise, rowdiness, and a general decline in perceived quality of life could result in pushback from the community.

5. Legal and Liability Concerns

- **Compliance Challenges:** Enforcing boundaries and ensuring responsible consumption may prove difficult, potentially leading to liability issues for the city and businesses.
- **Insurance:** Insurance costs for the organizer or permit holder, assumes full liability for the event, would likely need a policy that has a minimum \$2 million dollar per occurrence, \$500,000 in Liquor Liability Coverage and \$3 million aggregate total, which is similar to what NCPRD requires for events that provide alcohol. A checklist for alcohol-related events was provided via Brown and Brown and would likely be part of the permitting application (Attached as Exhibit 2).
- **Potential Increase in Litigation:** Incidents related to alcohol consumption in open container areas could lead to legal disputes or claims against the municipality.

6. Perception and Reputation Risks

- **Negative Public Image:** If poorly managed, the area could develop a reputation as disorderly or unsafe, discouraging investment, and tourism.
- **Conflict with Community Values:** Some community members may view such a policy as incompatible with their cultural or social values.

City staff appreciate local business' interest in identifying ways to revitalize downtown, activate main street, and encourage community building. To mitigate the concerns above while supporting these goals, staff would recommend exploring a way to permit specific events within the city to allow for alcohol consumption in defined right-of-way or public areas and within defined times. For example, First Fridays or other festivals could be designed and permitted to allow certain blocks to have open container provisions during the event, with

proper protocols taken to ensure safety and compliance with other nuisance codes and regulations.

BUDGET, CLIMATE & EQUITY IMPACTS

Not applicable.

WORKLOAD IMPACT

Creating an open container zone in the downtown area of Milwaukie has both opportunities and challenges. Permitting a special event or activation of a downtown open container zone will require significant staff, money, and resources. Additional enforcement requirements in the downtown business area for open container related enforcement will add to this workload and can lead to public safety related issues. Staff would also like to better understand what problem this proposal is trying to solve and what behaviors are not currently allowed via the city's event permitting process to better inform what potential solutions we could develop.

COORDINATION, CONCURRENCE, OR DISSENT

The map of the open container zone and event process will be submitted to OLCC for review. This will allow staff to better illustrate challenges or obstacles to council on the feasibility of an open container zone. Expanded permitting of events may be the best path forward, but this option will be researched in additional detail. The event permitting process has been intentionally designed to have low barriers to compliance. Past street festivals, including last spring's Shamrockin' Good Times Fest, have been able to operate safely and successfully without an open container area.

STAFF RECOMMENDATION

While an open container policy in the downtown zone has potential economic and social benefits, it also presents several risks that must be carefully managed. Staff recommend that the city conduct further analysis, engage with stakeholders, and continue to research this topic utilizing event permitting as a possible pathway.

ALTERNATIVES

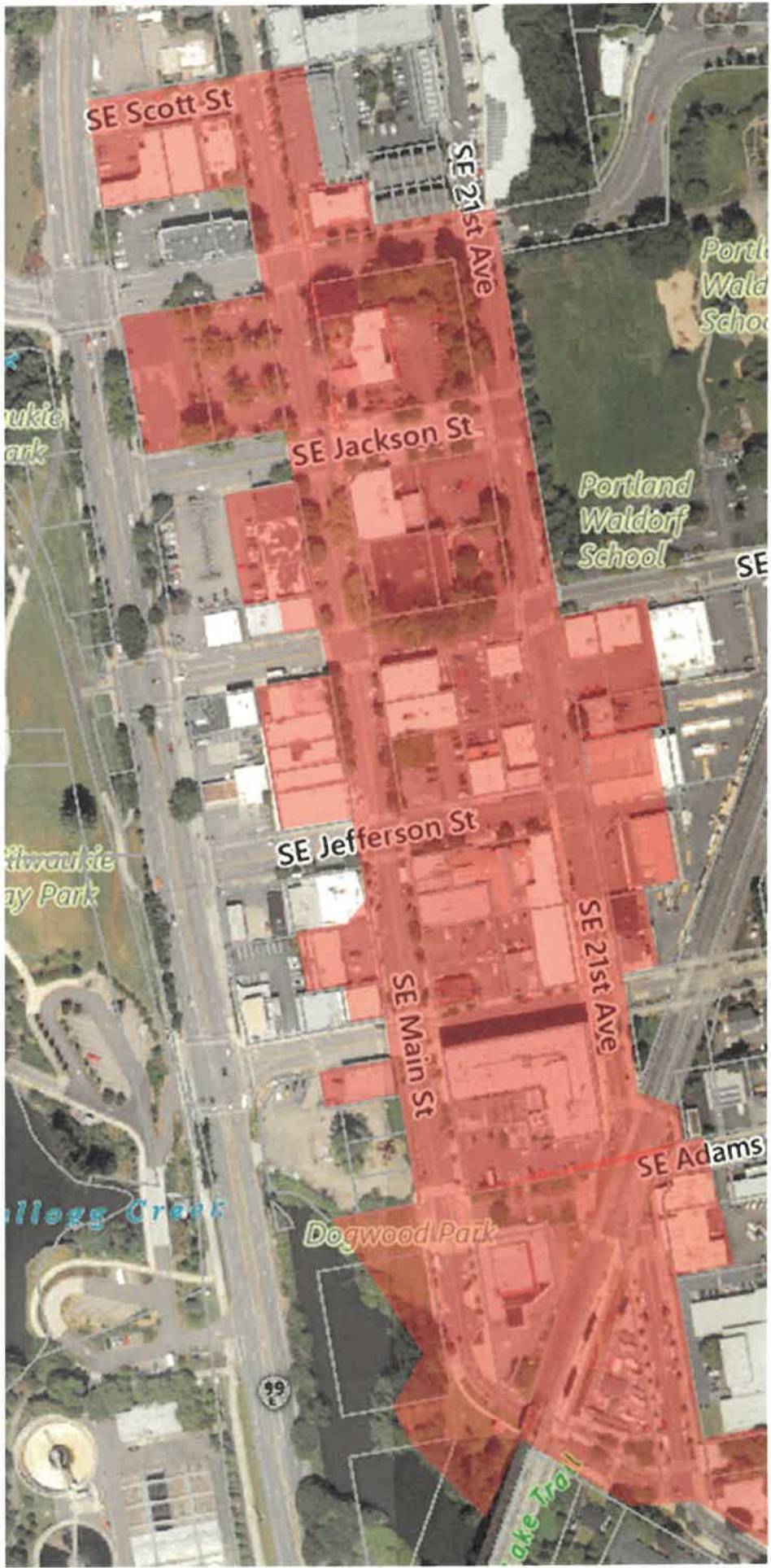
Not applicable.

ATTACHMENTS

1. Open Container Zone Map of Downtown Milwaukie
2. Special Events Checklist for Alcohol Concessions
3. December 2024 Staff Report regarding Open Container



= Open Container Zone



CITY OF MILWAUKIE

SPECIAL EVENTS LIABILITIES CHECKLIST

Alcohol Concessions

	YES	NO	N/A
Verifying that any required special events permits for serving alcohol have been obtained?			
<i>Comments:</i>			
Verifying that event sponsors and promoters who serve alcohol have adequate liquor liability insurance and the public entity is named as additional insured on the policy			
<i>Comments:</i>			
Denying entry of intoxicated persons to the event?			
<i>Comments:</i>			
Prohibiting attendees from bringing alcohol to the event?			
<i>Comments:</i>			
Checking photo IDs to verify legal ages?			
<i>Comments:</i>			
Limiting the size of containers in which alcohol is served?			
<i>Comments:</i>			
Will alcoholic beverages be sold at the event? <i>If yes, have policies and procedures been established to address the following:</i>			
<i>Comments:</i>			
Establishing a limit of no more than two drinks per person per purchase?			
<i>Comments:</i>			
Designating times for the beginning and ending of alcohol sales?			
<i>Comments:</i>			
Serving food at the event to help absorb alcohol?			
<i>Comments:</i>			
Encouraging designated drivers and arranging for alternative modes of transportation for those who may become intoxicated?			
<i>Comments:</i>			
Prohibiting sales to people who are obviously intoxicated?			
<i>Comments:</i>			
Providing security or law enforcement personnel to deal with intoxicated or unruly attendees?			
<i>Comments:</i>			

Making sure those who serve alcohol meet age requirements, and prohibit them from consuming alcohol during their work shift?			
<i>Comments</i>			
Training those who serve liquor in alcohol awareness techniques, state law requirements, and how to deal with intoxicated persons?			

COUNCIL STAFF REPORT

OCR USE ONLY

To: Mayor and City Council

Reviewed: Dan Harris, Events & Emergency Management Coordinator, and
Tim Salyers, Code Compliance Coordinator

From: Ryan Burdick, Chief of Police

Subject: **Open Container Discussion**

Date Written: Dec. 5, 2024**ACTION REQUESTED**

Council is asked to receive a public safety review for allowing open containers of alcohol in the downtown Milwaukie business area.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

1993: Milwaukie Municipal Code (MMC) 9.06 Alcohol Regulations is adopted by ordinance. This code states:

“It is unlawful for any person to drink or consume any alcoholic liquor or have in their possession any bottle, can, or other receptacle containing any alcoholic liquor which has been opened, or unsealed, or the contents of which have been partially removed, while in or upon any public street or sidewalk, school, park, public boat landing, dock, and other attendant facilities, municipal building, and premises used in connection with public passenger transportation. However, the City Council or its designee may permit the service and consumption of alcoholic liquors in any public place or within designated municipal buildings on such terms and conditions as the Council may provide. Nothing in this section shall be deemed to prohibit drinking or alcoholic liquor in any establishment wherein the same may be sold for on-premises consumption under the laws of the State, or when a permit has been granted by the City Council, or its designee.”

ANALYSIS

In September 2024, City Council received a public comment asking the city to consider allowing “open container” alcoholic beverages in downtown, particularly as more businesses open in the city’s core.

In response, Council asked that staff put a discussion of open container policy on an upcoming agenda. The idea of allowing open containers of alcohol in the downtown area may seem attractive for promoting a vibrant atmosphere, but it also comes with significant risks and challenges. The proximity to Portland also creates potential issues we will be evaluating as it pertains to this issue. In addition, follow up is being conducted with our law enforcement partners who have experience with open container related zones and their potential impacts. Outreach is ongoing with

communities like Hood River to see what the potential impacts are as it pertains to public safety.

To inform this discussion, staff from the city's public safety department summarized some potential challenges and concerns for Council to consider:

1. Public Safety Concerns

- **Increased Risk of Disorderly Behavior:** Open consumption of alcohol can lead to public intoxication, fights, or disruptive behavior, potentially creating an unsafe environment for residents and visitors.
- **Strain on Law Enforcement:** Monitoring and managing alcohol-related incidents will likely require additional police presence, increasing costs and diverting resources from other areas.

2. Impact on Business Environment

- **Deterring Family-Friendly Atmosphere:** Businesses aiming to attract families or non-drinking clientele may suffer if the area is perceived as alcohol-centric or unsafe.
- **Potential Damage to Property:** Alcohol consumption in public spaces can lead to littering, vandalism, and damage to property, negatively affecting businesses and requiring more maintenance.

3. Public Health Implications

- **Alcohol Abuse Concerns:** Open container policies can contribute to excessive drinking and normalize alcohol consumption in public spaces, raising public health concerns.
- **Risk to Vulnerable Populations:** An open container policy may exacerbate challenges faced by vulnerable groups, such as those struggling with addiction or experiencing homelessness.

4. Noise and Nuisance Issues

- **Increased Noise Levels:** Public drinking can lead to louder gatherings, which may disturb nearby residents and businesses.
- **Complaints from Community Members:** Noise, rowdiness, and a general decline in perceived quality of life could result in pushback from the community.

5. Legal and Liability Concerns

- **Compliance Challenges:** Enforcing boundaries and ensuring responsible consumption may prove difficult, potentially leading to liability issues for the city and businesses.

- **Potential Increase in Litigation:** Incidents related to alcohol consumption in open container areas could lead to legal disputes or claims against the municipality.

6. Perception and Reputation Risks

- **Negative Public Image:** If poorly managed, the area could develop a reputation as disorderly or unsafe, discouraging investment and tourism.
- **Conflict with Community Values:** Some community members may view such a policy as incompatible with their cultural or social values.

City staff appreciate local business' interest in identifying ways to revitalize downtown, activate main street, and encourage community building. To mitigate the concerns above while supporting these goals, staff would recommend exploring a way to permit specific events within the city to allow for alcohol consumption in defined right-of-way or public areas and within defined times. For example, First Fridays or other festivals could be designed and permitted to allow certain blocks to have open container provisions during the course of the event, with proper protocols taken to ensure safety and compliance with other nuisance codes and regulations.

Staff would also like to better understand what problem this proposal is trying to solve and what behaviors are not currently allowed via the city's event permitting process to better inform what potential solutions we could develop.

BUDGET, CLIMATE & EQUITY IMPACTS

Not applicable.

WORKLOAD IMPACT

Increasing rates of houselessness and behavioral health challenges in our community put a strain on limited city resources and staff workload. The above-mentioned concerns will impact the police department resulting in increased calls for service.

Current projects such as Clackamas County's Hillside Park redevelopment, the Clackamas County Sheriff Office's (CCSO's) 23 Hour Stabilization Center, and additional apartment complexes in Milwaukie will continue to push the limited resources of staff at the police department. Additional enforcement requirements in the downtown business area for open container related enforcement will add to this workload and can lead to public safety related issues.

COORDINATION, CONCURRENCE, OR DISSENT

The events and emergency management coordinator broadly concurs with the content of this staff report. The event permitting process has been intentionally designed to have low barriers to compliance. Past street festivals, including last spring's Shamrockin' Good Times Fest, have been able to operate safely and successfully without an open container area.

STAFF RECOMMENDATION

While fostering a prosperous and business friendly downtown area is an important goal, the potential drawbacks of implementing an open container policy for alcohol would likely outweigh the benefits. Alternative strategies, such as organizing controlled, licensed events or promoting responsible drinking within existing establishments, may achieve the same goals with decreased risk. Permitted events which serve alcohol are preferred to open container zones.

ALTERNATIVES

Council could direct staff to do further research or develop draft proposals for code amendments that are more permissive of open container consumption.

ATTACHMENTS

1. Article on Open Container Laws and Alcohol Involved Crashes
2. Article related to California SB 76 regarding Alcoholic Beverages
3. SF Entertainment Zone Article
4. Public comment received earlier this year on this topic



U.S. Department
of Transportation
**National Highway
Traffic Safety
Administration**



DOT HS 809 426

April 2002

Open Container Laws & Alcohol Involved Crashes:

Some Preliminary Data

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16. Abstract <p>This report presents the results of a study conducted for the National Highway Traffic Safety Administration (NHTSA) to assess the highway safety effects of laws that prohibit open containers of alcoholic beverages to be located in the passenger compartment of motor vehicles operated on public roadways. These laws are commonly referred to as "Open Container Laws." The Transportation Equity Act for the 21st Century (TEA-21), H.R. 2400, P.L. 105-178, was passed by the Senate and the House of Representatives on 22 May 1998, signed into law on 9 June 1998, and amended by a technical corrections bill, entitled the TEA-21 Restoration Act, P.L. 105-206, on 22 July 1998. The TEA-21 Restoration Act established a program to encourage states to enact and enforce open container laws that conform to a Federal Standard. States without conforming Open Container laws are subject to a transfer of highway construction funds.</p> <p>Four states passed legislation in 1999 in response to the TEA-21 Restoration Act (Iowa, Maine, Rhode Island, and South Dakota). Analyses indicated that three of the four states appeared to decline in their proportions of alcohol-involved fatal crashes during the first six months after enforcement of the conforming laws; however, the declines were not statistically significant.</p> <p>In addition to the before and after analyses, crash data (from 1999) were compared among states that have had fully-conforming laws since the enactment of the TEA-21 Restoration Act on July 22, 1998; states that enacted fully-conforming laws as of October 1, 2000, the date on which the first transfer of funds took effect; states that had partially-conforming laws as of October 1, 2000; and, states that had no Open Container laws at all, as of October 1, 2000. This analysis showed that states without Open Container Laws experienced significantly greater proportions of alcohol-involved fatal crashes than states with partially-conforming or fully-conforming laws. Also, it was noted that survey data show support for Open Container laws by a substantial majority of the general public, even in states without such laws.</p>					
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OPEN CONTAINER LAWS AND ALCOHOL INVOLVED CRASHES

SOME PRELIMINARY DATA

EXECUTIVE SUMMARY

This report presents the results of a study conducted for the National Highway Traffic Safety Administration (NHTSA) to assess the highway safety effects of laws that prohibit open containers of alcoholic beverages to be located in the passenger compartment of motor vehicles operated on public roadways. These laws are commonly referred to as "Open Container laws." The Transportation Equity Act for the 21st Century (TEA-21), H.R. 2400, P.L. 105-178, was passed by the Senate and the House of Representatives on 22 May 1998, signed into law on 9 June 1998, and amended by a technical corrections bill, entitled the TEA-21 Restoration Act, P.L. 105-206, on 22 July 1998. The TEA-21 Restoration Act established a program to encourage states to enact and enforce open container laws that conform to a Federal standard. A percentage of a state's Federal-aid highway construction funds will be transferred for use in drinking and driving countermeasures programs, law enforcement, and hazard elimination if the state fails to enact and enforce a conforming "Open Container law." To avoid the transfer of funds, a state must enact and enforce a law that prohibits the possession of any open alcoholic beverage container, and the consumption of any alcoholic beverage, in the passenger area of any motor vehicle located on a public highway, or the right-of-way of a public highway, in the state.

Four states passed legislation in 1999 following enactment of the TEA-21 Restoration Act (Iowa, Maine, Rhode Island, and South Dakota). Analyses of data obtained from the states found that three of the four states appeared to decline in the proportions of all fatal crashes that were alcohol-involved during the first six months following the beginning of enforcement of the compliant laws. The changes were in the direction expected; however, the differences were not statistically significant.

In addition to the before and after analyses, crash data (from 1999) were compared among states that had fully-conforming laws (as of the enactment of the TEA-21 Restoration Act on July 22, 1998), states that enacted fully-conforming laws as of October 1, 2000, the date on which the first transfer of funds took place; states that had partially-conforming laws, as of October 1, 2000 and states that had no Open Container laws at all, as of October 1, 2000. This analysis showed that states without Open Container laws experienced significantly greater proportions of alcohol-involved fatal crashes than states with partially conforming or fully conforming laws.

It is also noted that NHTSA's 1999 national survey on drinking and driving revealed that a substantial majority of the general public supports Open Container laws, even in states without such laws.

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OPEN CONTAINER LAWS AND ALCOHOL INVOLVED CRASHES

SOME PRELIMINARY DATA

This report presents the results of a study conducted for the National Highway Traffic Safety Administration (NHTSA) to assess the highway safety effects of laws that prohibit open containers of alcoholic beverages to be located in the passenger compartment of motor vehicles operated on public roadways. These laws are commonly referred to as Open Container laws.

BACKGROUND

The Transportation Equity Act for the 21st Century (TEA-21), H.R. 2400, P.L. 105-178, was passed by the Senate and the House of Representatives on 22 May 1998 and signed into law on 9 June 1998. On 22 July 1998, a technical corrections bill, entitled the TEA-21 Restoration Act, P.L. 105-206, was enacted to restore provisions that were agreed to by the conferees to H.R. 2400, but were not included in the TEA-21 conference report.¹ Section 1405 of the Act amended chapter 1 of title 23, United States Code (U.S.C.), by adding Section 154, which established a transfer program under which a percentage of a state's Federal-aid highway construction funds will be transferred to the state's apportionment under Section 402 of Title 23 of the United States Code, if the state fails to enact and enforce a conforming Open Container law. The transferred funds are to be used for alcohol-impaired driving countermeasures or the enforcement of drinking and driving laws, or states may elect to use all or a portion of the funds for hazard elimination activities, under 23 U.S.C. Section 152.

To avoid the transfer of funds, Section 154 requires that a state must enact and enforce a law that prohibits the possession of any open alcoholic beverage container, and the consumption of any alcoholic beverage, in the passenger area of any motor vehicle (including possession or consumption by the driver of the vehicle) located on a public highway, or the right-of-way of a public highway, in the state.

PURPOSE OF SECTION 154

The TEA-21 Restoration Act added Section 154 to Chapter 1 of Title 23, United States Code (U.S.C.), to reduce alcohol-impaired driving, a serious national public safety problem. Nearly 1.4 million people have died in traffic crashes in the United States since 1966, the year the National Traffic and Motor Vehicle Safety Act was passed. During the late 1960s and early 1970s more than 50,000 people lost their lives each year on our

¹ Prior to TEA-21, Congress had enacted 23 U.S.C. Section 410 (the Section 410 program) to encourage states to enact and enforce effective impaired driving measures (including open container laws). Under this program, states could qualify for supplemental grant funds if they were eligible for a basic Section 410 grant, and they had an open container law that met certain requirements. TEA-21 changed the Section 410 program and removed the open container incentive grant criterion. The conferees to that legislation had intended to create a new open container transfer program to encourage states to enact open container laws, but the new program was inadvertently omitted from the TEA-21 conference report; the program was included instead in the TEA-21 Restoration Act. (Information presented in this report about TEA-21 and the open container regulations, was obtained from the TEA-21 website, maintained by the U.S. Department of Transportation, www.fhwa.dot.gov/tea21.)

nation's public roads and more than half of the motorists killed had been drinking. Traffic safety has improved considerably since that time: the annual death toll has declined to about 40,000, even though the numbers of drivers, vehicles, and miles driven all have greatly increased. The improvements in traffic safety are reflected in the change in fatality rate per 100 million vehicle miles traveled: The rate fell from 5.5 in 1966 to 1.5 in 1998 (FARS-Fatality Analysis Reporting System-98), a 73 percent improvement. When miles traveled are considered, the likelihood of being killed in traffic in 1966 was more than three times what it is today.

Despite the significant improvements in traffic safety during the past two decades, an average of more than 115 people still die each day from motor vehicle crashes in the United States. In addition to the human costs, the economic losses from crashes are estimated to be more than \$150 billion annually, including \$19 billion in medical and emergency expenses, \$42 billion in lost productivity, \$52 billion in property damage, and \$37 billion in other crash-related costs (FARS-98). It is estimated that approximately 40 percent of fatal crashes involve a drinking driver and 29 percent of the drivers who die in crashes have blood alcohol concentrations (BACs) of 0.10 percent or greater.

Drinking and driving laws and the efforts of law enforcement personnel have contributed to the substantial decline in the incidence of alcohol-involved crashes (Stuster & Burns, 1998). The enactment and enforcement of uniformly strong Open Container laws provides another potential means to help reduce drinking and driving, and could lead to further reductions in the numbers of alcohol-involved crashes. Previous research on the relationship between Open Container laws and traffic safety is limited; however, there is evidence that, from a traffic safety perspective, the most dangerous form of alcohol-consumption is drinking in a vehicle (Ross, 1992). For example, a study of drivers who were arrested for DWI in San Diego, California, found that more than half of the violators had consumed alcohol in their vehicles soon after purchasing it from liquor stores, convenience stores, or gasoline minimarts.² The study found that the incidence of alcohol drinking in cars was nearly three times greater when the beverages were purchased at gas stations, compared to all other outlets (Segars & Ryan, 1986; Wittman, 1986). Similarly, a study of DWI offenders in Santa Fe County, New Mexico found that 37 percent of the offenders who bought package liquor prior to arrest bought their alcohol at a drive-up window, compared to 14 percent at a convenience/drug store. Further, the offenders who bought at a drive-up window were 67 percent more likely to have been drinking in their vehicle prior to arrest, and 67 percent more likely to be problem drinkers, than those who bought package liquor elsewhere (Lewis, Lapham, & Skipper, 1998).

In addition to problem drinkers, officers report that underage youth exhibit a preference for drinking in vehicles. The danger associated with underage drinking and driving is compounded by a tendency to consume all of the alcoholic beverage available (because usually it cannot be stored). Other factors, including a lack of driving experience and skill, exacerbate this problem.

² Various terms are used throughout the United States for offenses involving drinking and driving. In this report, Driving While Impaired (DWI) is used to refer to all occurrences of driving at or above the legal blood alcohol concentration (BAC) of a jurisdiction.

OPEN CONTAINER LAW INCENTIVES

According to Section 154, if a state does not meet the statutory requirements by October 1, 2000 or October 1, 2001, an amount equal to one and one-half percent of the funds apportioned to the state on those dates under each of Sections 104(b)(1), (3) and (4) of title 23 of the United States Code will be transferred to the state's apportionment under Section 402 of that title to be used for alcohol-impaired driving countermeasures or enforcement, hazard elimination, or related administration and planning.³ If a state does not meet the statutory requirements by October 1, 2002, an amount equal to three percent of the funds apportioned to the state on that date under Sections 104(b)(1), (3) and (4) will be transferred. An amount equal to three percent will continue to be transferred on October 1 of each subsequent fiscal year, if the state does not meet the requirements on those dates.⁴

OPEN CONTAINER LAW CONFORMANCE CRITERIA

The regulations resulting from the TEA-21 Restoration Act specify six elements that state Open Container laws must include to conform to the Federal Standard and to enable a state to avoid the transfer of Federal-aid highway construction funds. The required elements are described in the following paragraphs.⁵

To fully conform to the federal requirements, an Open Container law must...

1. Prohibit possession of any open alcoholic beverage container and the consumption of any alcoholic beverage in a motor vehicle.

A state's open container law must prohibit the possession of any open alcoholic beverage container and the consumption of any alcoholic beverage in the passenger area of any motor vehicle that is located on a public highway or right-of-way. However, state laws and proposed legislation that prohibit possession without prohibiting consumption also have been found to be in conformance with the

³ The Act also provides that states may elect to use all or a portion of the transferred funds for hazard elimination activities under 23 U.S.C. 152.

⁴ The amount of the apportionment to be transferred may be derived from one or more of the apportionments under Sections 104(b)(1), (3) and (4). In other words, the total amount to be transferred from a non-conforming state will be calculated based on a percentage of the funds apportioned to the state under each of Sections 104(b)(1), (3) and (4). However, the actual transfers need not be evenly distributed among these three sources. The transferred funds may come from any one or a combination of the apportionments under Sections 104(b)(1), (3) or (4), as long as the appropriate total amount is transferred from one or more of these three sections. The rule specifies that all of the affected state agencies should participate in deciding how transferred funds should be directed.

⁵ Section 154 provides that nonconforming states will be subject to the transfer of funds beginning in fiscal year 2001. To avoid the transfer, each state must submit a certification demonstrating conformance. The certifications submitted by the states under this Part will provide the National Highway Traffic Safety Administration and the Federal Highway Administration with the basis for finding states in conformance with the Open Container requirements. Until a state has been determined to be in conformance with these requirements, it must submit a certification by an appropriate state official that the state has enacted and is enforcing a conforming open container law. Once a state has been determined to be in conformance with the requirements, the state would not be required to submit certifications in subsequent fiscal years, unless the state's law had changed or the state had ceased to enforce the open container law. States are required only to submit a certification that they are enforcing their laws to demonstrate enforcement under the regulation.

possession and consumption criterion because in order to consume an alcoholic beverage, an individual must first have that beverage in their possession.

2. *Specify the passenger area of any motor vehicle.*

The open container law must apply to the passenger area of any motor vehicle. "Passenger area" is defined as the area designed to seat the driver and passengers while the motor vehicle is in operation and any area that is readily accessible to the driver or a passenger while in their seating positions, including the glove compartment. Vehicles without trunks may have an open alcoholic beverage container behind the last upright seat or in an area not normally occupied by the driver or passengers. A law that permits the possession of open alcoholic beverage containers in an unlocked glove compartment, however, will not conform to the requirements. "Motor vehicle" is defined in the regulation to mean a vehicle driven or drawn by mechanical power and manufactured primarily for use on public highways. The term does not include a vehicle operated exclusively on a rail or rails.

3. *Apply to all alcoholic beverages.*

The open container law must apply to all alcoholic beverages. "Alcoholic beverage" is defined in the regulation to include all types of alcoholic beverages, including beer, wine and distilled spirits. Beer, wine, and distilled spirits are covered by the definition if they contain one-half of one percent or more of alcohol by volume. An "open alcoholic beverage container" is any bottle, can, or other receptacle that contains any amount of alcoholic beverage, and that is open or has a broken seal, or the contents of which are partially removed.

4. *Apply to all occupants.*

The open container law must apply to all occupants of the motor vehicle, including the driver and all passengers. The statute provides for two exceptions, however, to the all-occupant requirement. A law will be deemed to apply to all occupants if the law prohibits the possession of any open alcoholic beverage container by the driver, but permits possession of alcohol by passengers in "the passenger area of a motor vehicle designed, maintained or used primarily for the transportation of persons for compensation" (e.g., buses, taxis, limousines) and passengers "in the living quarters of a house coach or house trailer."

5. *Specify on a public highway or the right-of-way of a public highway.*

The open container law must apply to a motor vehicle while it is located anywhere on a public highway or the right-of-way of a public highway. The agencies have defined "public highway or the right-of-way of a public highway" to include a roadway and the shoulder alongside of it.

6. *Specify primary enforcement.*

A state must provide for primary enforcement of its open container law. Under a primary enforcement law, officers have the authority to enforce the law without the need to show that they had probable cause to believe that another violation had been committed. An open container law that provides for secondary enforcement does not conform to the requirements of the regulation.

STATUS OF CONFORMANCE: OCTOBER 2000

The overall status of states' conformity to the Federal Standard is constantly changing. However, the status of conformance as of October 2000 is presented below.⁶

Fully Conforming States Before Enactment of the TEA 21 Restoration Act

The following States had in effect open container laws that conformed fully with the Federal open container requirements contained in 23 U.S.C. § 154 and the agency's implementing regulations, 23 CFR Part 1270, as of October 1, 2000. Accordingly, these States were not subject to a transfer of funds under the Section 154 program on that date. The laws were in effect in these states and the District of Columbia before July 22, 1998, when the Section 154 program was established by the Transportation Equity Act for the 21st Century (TEA 21) Restoration Act, and have not been amended since.

California	Michigan	Ohio	Washington
District of Columbia	Nevada	Oklahoma	Wisconsin
Illinois	New Hampshire	Oregon	
Kansas	North Dakota	Utah	

States that Became Fully Conforming Since Enactment of the TEA-21 Restoration Act

The following States had open container laws in effect that conformed fully with the Federal open container requirements contained in 23 U.S.C. § 154 and the agency's implementing regulations, 23 CFR Part 1270, as of October 1, 2000. Accordingly, these States were not subject to a transfer of funds under the Section 154 program on that date. The laws in these states were amended since July 22, 1998, when the Section 154 program was established by the Transportation Equity Act for the 21st Century (TEA 21) Restoration Act.

Alabama	Iowa	Nebraska	Pennsylvania
Arizona	Kentucky	New Jersey	Rhode Island
Florida	Maine	New York	South Carolina
Hawaii	Minnesota	North Carolina	South Dakota
Idaho			

States with Open Container Laws that Did Not Fully Conform as of October 1, 2000

The following States did not have open container laws in effect that complied fully with the Federal open container requirements contained in 23 U.S.C. § 154 and the agency's implementing regulations, 23 CFR Part 1270, as of October 1, 2000. Accordingly, these States were subject to a transfer of funds under the Section 154 program on that date.

Alaska	Indiana	Missouri	Texas
Arkansas	Louisiana	Montana	Vermont
Colorado	Maryland	New Mexico	Virginia
Delaware	Massachusetts	Tennessee	West Virginia
Georgia			

States With No Open Container Laws as of October 1, 2000

The following States and the Commonwealth of Puerto Rico did not have any open container laws in effect, as of October 1, 2000. Accordingly, these States were subject to a transfer of funds under the Section 154 program on that date.

Connecticut	Mississippi	Puerto Rico	Wyoming
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⁶This information was provided by NHTSA's Office of the Chief Counsel.

EVALUATION OF THE EFFECTS OF OPEN CONTAINER LAWS

Two methods were used to assess the effects of Open Container laws on traffic safety: 1) A before and after comparison of data from the four states that enacted legislation in 1999 to modify their Open Container laws to be in conformance with the Federal Standard; and 2) A comparison of data from states that had conforming laws when the TEA-21 Restoration Act was enacted; adopted fully conforming laws by October 1, 2000; had partially-conforming laws by October 1, 2000; and had no Open Container laws at all as of October 1, 2000.

BEFORE AND AFTER COMPARISON OF THE FOUR STATES

Four states (IA, ME, RI, SD) modified existing Open Container laws in 1999 to be in conformance with the Federal requirements established in Section 154 of Chapter 1 of Title 23, United States Code (U.S.C.), and the Act's implementing regulations, 23 CFR Part 1270. As of January 2000, only these four states had enacted Open Container legislation in response to the TEA-21 Restoration Act. One of the states enacted its legislation in May of 1999 and the other three states enacted their legislation in July of 1999. All four states had Open Container laws when the TEA-21 Restoration Act was enacted, but each of those laws contained deficiencies that prevented them from fully conforming with the new Federal requirement. Table 1 summarizes the extent to which those states' previous open container laws complied with the six elements of the Federal requirements. South Dakota had not demonstrated that its law covered all alcoholic beverages and all public highways and rights-of-way; Iowa, Rhode Island, and Maine had not demonstrated that their laws prohibited both possession and consumption, and that they covered the entire passenger area and all occupants of a vehicle. Maine, in addition, had not demonstrated that its law covered all public highways.

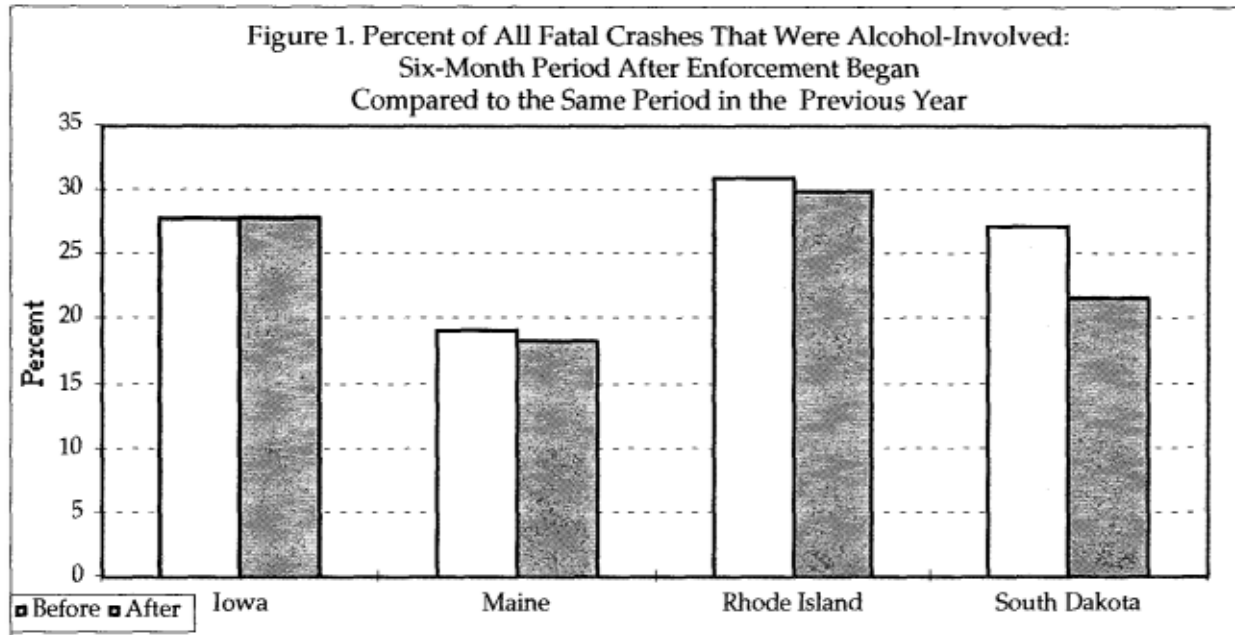
TABLE 1
SUMMARY OF PREVIOUS OPEN CONTAINER LAWS IN THE FIRST FOUR STATES
TO ENACT LAWS TO CONFORM WITH TEA-21 REQUIREMENTS

State	Possession & Consumption	Element Required by TEA-21				
		Passenger Area	All Alcoholic Beverages	All Occupants	All Public Highways	Primary Enforcement
Iowa	no	no	yes	no	yes	yes
Maine	no	no	yes	no	no	yes
Rhode Island	no	no	yes	no	yes	yes
South Dakota	yes	yes	no	yes	no	yes

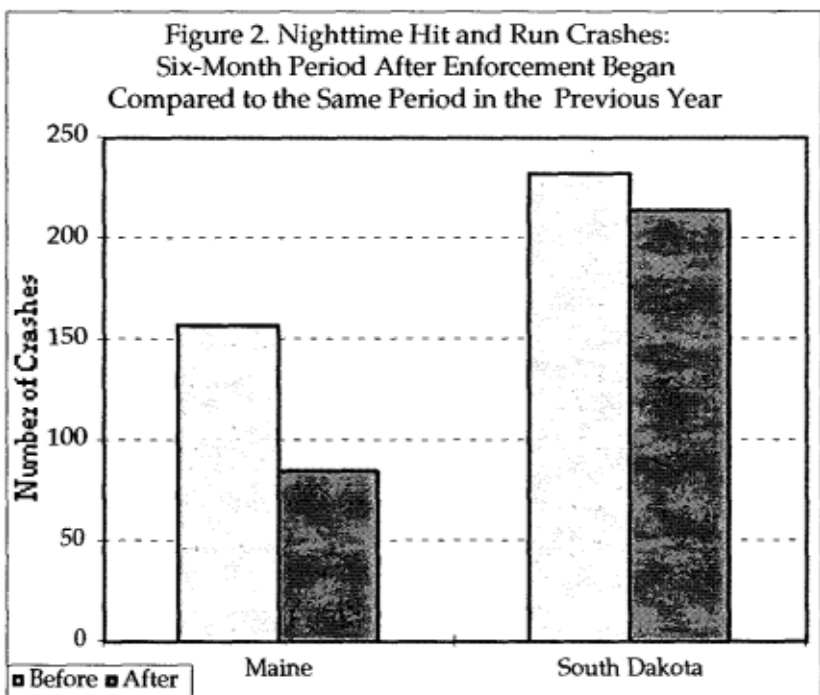
Enforcement of the new conforming laws began on 1 July 1999 in Iowa and South Dakota, on 1 October in Maine, and on 1 January 2000 in Rhode Island. Data were obtained from agencies of the four states to identify effects on traffic safety that might be attributable to changes in the states' Open Container laws. The hypothesis of the evaluation is that conformance with the Federal requirements is associated with a lower incidence of alcohol-involved crashes.

Figure 1 presents the proportions of all fatal crashes that were alcohol-involved in the four states during the six-month periods following the beginning of enforcement of the states' conforming laws, compared to data from the same six-month periods in

the previous year. The figure suggests that the alcohol-involved proportion of fatal crashes in three of the four states was lower during the first six months following enforcement of conforming Open Container laws.⁷ Iowa had no apparent change; however, the apparent change observed in the other three states is in the direction expected if the laws had an impact; however, the declines were not statistically significant (z test at 0.05).



Hit-and-run crashes, particularly during nighttime hours, provide an indirect measure of the incidence of drinking and driving; it is well-known to law enforcement that many drivers flee the scene of a nighttime crash to conceal their alcohol-impairment. Figure 2 presents the numbers of nighttime hit and run crashes (in the two states for which data are available) during the six-month periods following the beginning of enforcement of the states' conforming laws, compared to data from the same six-month



⁷ Data illustrated in all figures are presented in Appendix A.

periods in the previous year.⁸ The figure shows that the numbers of hit-and-run crashes declined in both states during the first six months after enforcement of their conforming laws began, compared to the same six-month periods one year earlier. Chi Square tests found the difference to be statistically significant for Maine, but not for South Dakota ($p=0.05$).

COMPARISONS AMONG STATES THAT HAD CONFORMING LAWS PRIOR TO TEA-21, STATES THAT ENACTED CONFORMING LAWS BY OCTOBER 1, 2000, STATES WITH PARTIALLY-CONFORMING LAWS BY OCTOBER 1, 2000, AND STATES WITH NO OPEN CONTAINER LAWS BY OCTOBER 1, 2000

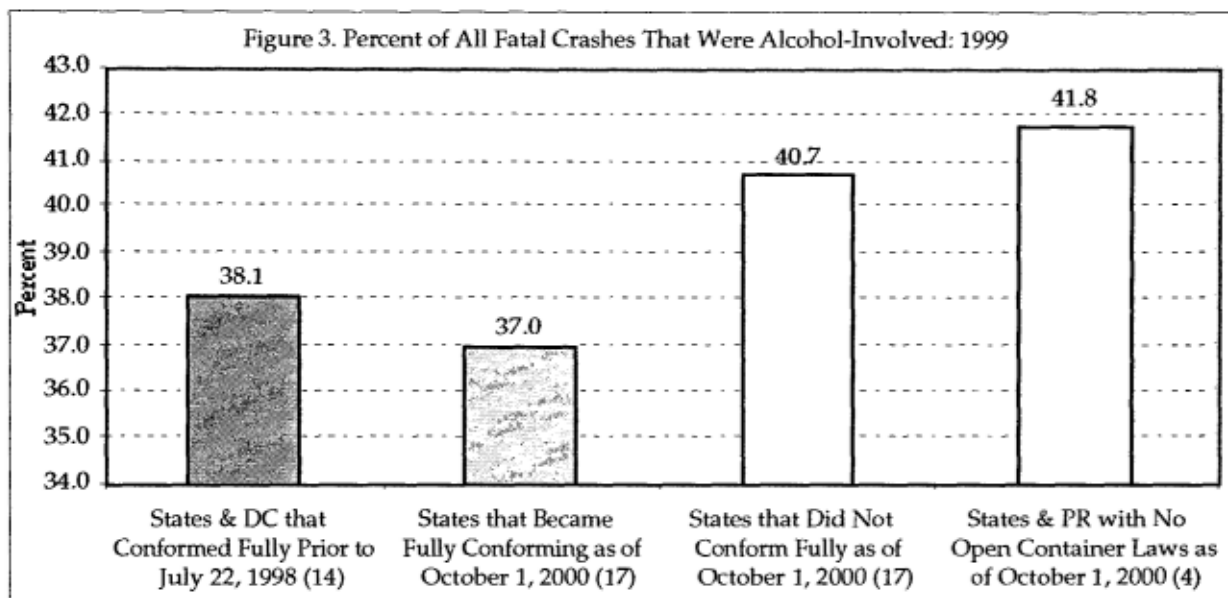
The previous section compared measures of traffic safety before and after changes to Open Container laws took effect in the four states that enacted TEA-21 conforming legislation in 1999. Another method for assessing the effects of Open Container laws is to compare traffic safety data from states that had conforming laws prior to the amendment of the TEA-21 Restoration Act to data from other states, including states that adopted fully conforming laws, states with only partially-conforming laws, and states with no Open Container laws at all, as of October 1, 2000.

Thirteen states and the District of Columbia had laws that conformed fully with the Federal Standard prior to July 22, 1998, when the Section 154 program was established by the TEA-21 Restoration Act. Seventeen states amended their laws to become fully conforming between July 1998 and October 2000; the first four of those states to amend their laws were the subjects of the previous analysis. Twenty states and the Commonwealth of Puerto Rico had not amended their laws to conform to the Federal Standard by October 2000. Seventeen of those states had partially-conforming laws; three of those states (CT, MS, WY) and Puerto Rico had no Open Container laws at all.

Figure 3 shows the percentages of alcohol-involved fatal crashes during 1999 in the four categories: 1) States with Open Container laws that conformed fully to the Federal requirements prior to July 22, 1998 (13 states and the District of Columbia); 2) States that became fully-conforming by October 1, 2000 (17 states); 3) States with laws that did not fully conform by October 2000 (17 states); and 4) States with no Open Container laws at all as of October 1, 2000 (three states and Puerto Rico).

Figure 3 shows that states without laws prohibiting the possession and consumption of alcoholic beverages in a motor vehicle have higher proportions of alcohol-involved fatal crashes than states with either partially-conforming or fully-conforming laws. The differences illustrated in the figure amount to ten percent more alcohol-involved fatal crashes in states without Open Container laws, compared to states with either partially or fully-conforming laws. The differences between the No Law states and the other states, combined, are statistically significant (z test at 0.05). The figure also shows that states that became fully-conforming in response to the TEA-21 Restoration Act (i.e., between July 22, 1998 and October 1, 2000) experienced alcohol involvement rates in fatal crashes in 1999 that were comparable to the states that had fully-conforming laws in effect prior to July 22, 1998. The results of the analysis illustrated in Figure 3 are consistent with the expectation that conformity to the Federal requirements has an effect on the incidence of alcohol-involved crashes.

⁸ Data for Iowa and Rhode Island are not available; the states' crash investigation forms lack data fields for hit and run crashes.



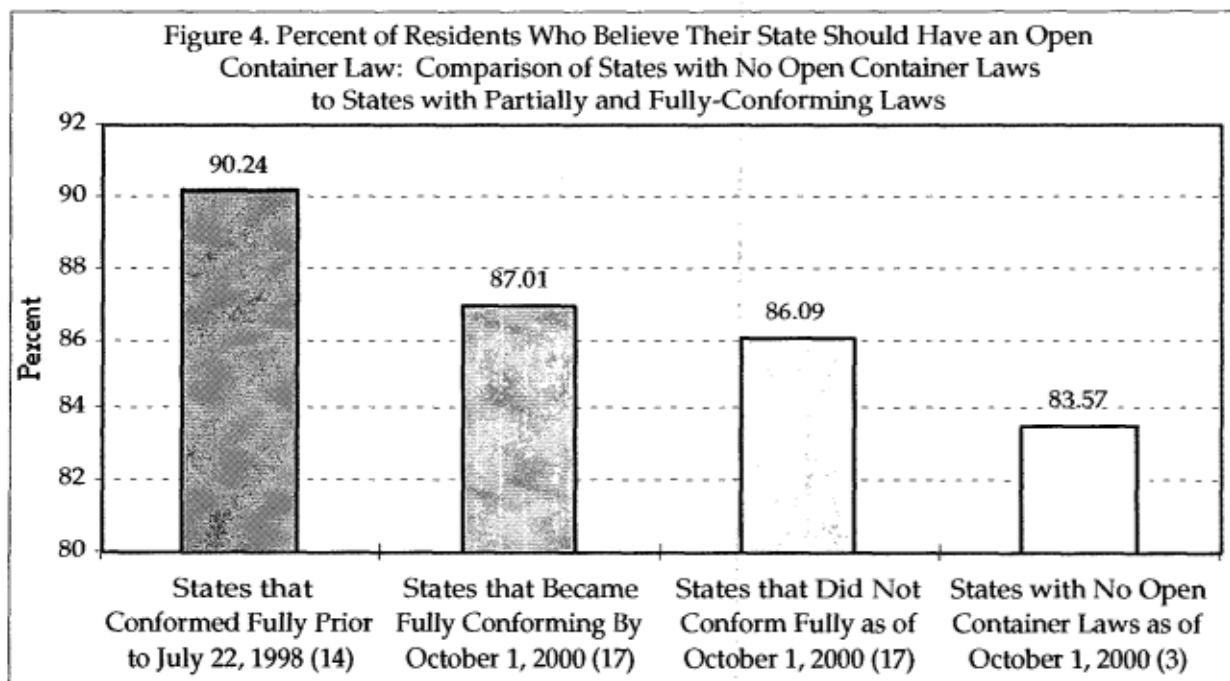
Of course, focusing exclusively on the presence or absence of Open Container laws does not permit a complete understanding of the many issues that contribute to drinking while driving. In particular, many of the states that lacked fully-conforming Open Container laws in 1999 had laws that contained many elements of a law that met the Federal requirements. In addition, some cities and counties in states that lack Open Container laws have their own regulations prohibiting open containers, which contribute to public perceptions that open containers of alcoholic beverages are prohibited on all roads and highways in the state, despite the absence of state Open Container laws. Other factors that may contribute include other state laws currently in effect and the level of enforcement and publicity dedicated to state and local laws.

PUBLIC OPINION CONCERNING OPEN CONTAINER LAWS

NHTSA's most recent biennial National Survey of Drinking and Driving, conducted in 1999 by The Gallup Organization (Royal, 2000) included two questions concerning Open Container laws. The first question asked, "To the best of your knowledge, does your state have any law that makes it illegal to have an open container of alcohol inside a car while someone is driving?" The percentage of respondents who believed that their states had such laws ranged from a high of 95 percent to a low of 56 percent. Overall, 86 percent of the people surveyed believed their states to have Open Container laws, including a majority of those surveyed in states that did not have Open Container Laws at the time (i.e., 82% in CT, 76% in MS, 73% in LA, and 56% in WY).

The second survey question asked, "Do you think your state should have this type of open container law?" The responses to this question are presented in Figure 4 according to the categories of states used in the previous analyses. The figure shows that more than 90 percent of respondents from states that had fully-conforming Open Container laws prior to the enactment of the TEA-21 Restoration Act, believed their states should have those laws. Similarly, 87 percent of the respondents from states that had enacted fully conforming laws between 22 July 1998 and 1 October 2000 and 86

percent of the respondents from states with partially-conforming laws as of 1 October 2000 agreed that Open Container laws are appropriate. Perhaps most important, more than 83 percent of the people surveyed in states without Open Container laws reported that their states should have Open Container laws. The data presented in the figure show support for Open Container laws by a vast majority of citizens, including the residents of states that lack Open Container laws.



(Note: Data from Puerto Rico were not available to include in this analysis, therefore, n=3 in the No Open Container law category in Figure 4.)

CONCLUSIONS

The analysis of data from the first four states that enacted Open Container laws in 1999 in response to the TEA-21 Restoration Act, found that measures of alcohol-involvement in crashes appeared to decline during the six-month periods following the beginning of enforcement, compared to the same six-month periods one year earlier. The changes were in the direction expected if the laws have an impact; however, the differences were not statistically significant.

Comparisons of crash data showed that states that lacked Open Container laws had significantly greater percentages of alcohol-involved fatal and single-vehicle crashes than the states with partially or fully-conforming laws. Although the differences cannot be attributed with certainty to the presence or absence of Open Container laws, the results of the analyses suggest that conformance with some or all of the six elements of the Federal requirements contributes measurably to traffic safety.

Further, states that enacted conforming laws in 1999 and 2000 experienced the lowest proportion of alcohol-involved fatal crashes of the four categories of states, suggesting that public consideration and subsequent adoption of proposed laws may increase awareness of the issues and lead to safety benefits. Perhaps equally important

when considering whether such laws should be enacted, the national survey found that a substantial majority of the driving-age public support Open Container laws, and thus, appears to recognize their value in contributing to traffic safety.

ACKNOWLEDGMENTS

We are grateful for the cooperation and crash data provided by Scott Falb, Iowa Office of Driver Services, Research and Training Division; Greg Costello, Maine Department of Transportation, Accident Records Section, and Sandra Carroll, Maine Judicial Branch, Violations Bureau; Joseph A. Bucci and Michael Sprague, Rhode Island Department of Transportation, Engineering Division; and, Pat Winters, South Dakota Department of Transportation, Accident Records Section.

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APPENDIX A

DATA TABLES

FIGURE 1 DATA
PERCENT OF ALL FATAL CRASHES THAT WERE ALCOHOL-INVOLVED:
SIX-MONTH PERIOD AFTER ENFORCEMENT BEGAN
COMPARED TO THE SAME PERIOD IN THE PREVIOUS YEAR

State	Before Enforcement			After Enforcement			Percent Change
	Fatal Crashes	Alcohol-Involved	Percent Al-Involved	Fatal Crashes	Alcohol-Involved	Percent Al-Involved	
Iowa	263	74	28.1	277	78	28.2	0
Maine	73	14	19.2	49	9	18.4	-4.0
Rhode Island	45	14	31.1	43	13	30.2	-2.8
South Dakota	121	33	27.3	115	25	21.7	-20.5

Source: State agencies/FARS

FIGURE 2 DATA
NIGHTTIME HIT-AND-RUN CRASHES:
SIX-MONTH PERIOD AFTER ENFORCEMENT BEGAN
COMPARED TO THE SAME PERIOD IN THE PREVIOUS YEAR

State	Crashes Before Enforcement	Crashes After Enforcement	Percent Change
Iowa	n/a	n/a	n/a
Maine	158	85	-46.2
Rhode Island	n/a	n/a	n/a
South Dakota	233	215	-7.7

Source: State agencies

FIGURE 3 DATA
 PERCENT OF ALL FATAL CRASHES THAT WERE ALCOHOL-INVOLVED:
 COMPARISON OF STATES WITH FULLY-CONFORMING LAWS ON 22 JULY 1998,
 STATES THAT BECAME FULLY-CONFORMING BETWEEN 22 JULY 1998 AND 1 OCTOBER 2000,
 STATES WITH PARTIALLY-CONFORMING LAWS ON 1 OCTOBER 2000, AND
 STATES WITH NO OPEN CONTAINER AND NO ALCOHOL CONSUMPTION LAWS
 AS OF 1 OCTOBER 2000

Category	Total Crashes	1999 Alcohol- Involved	Percent Al Involved
Full Law on July 22, 1998 (13 states & DC)	11907	4542	38.1
Became Fully Conforming Since TEA-21 (17 states)	14393	5321	37.0
Partial Law on October 1, 2000 (17 states)	13794	5619	40.7
No Law on October 1, 2000 (3 states & PR)	1975	825	41.8

Source: FARS

FIGURE 4 DATA
 PERCENT OF RESIDENTS WHO BELIEVE THEIR STATE SHOULD HAVE AN OPEN CONTAINER LAW:
 COMPARISON OF STATES WITH FULLY-CONFORMING LAWS ON 22 JULY 1998,
 STATES THAT BECAME FULLY-CONFORMING BETWEEN 22 JULY 1998 AND 1 OCTOBER 2000,
 STATES WITH PARTIALLY-CONFORMING LAWS ON 1 OCTOBER 2000, AND
 STATES WITH NO OPEN CONTAINER AND NO ALCOHOL CONSUMPTION LAWS
 AS OF 1 OCTOBER 2000

Category	Percent Responding "Yes"
Full Law on July 22, 1998 (13 states & DC)	90.24
Became Fully Conforming Since TEA-21 (17 states)	87.01
Partial Law on October 1, 2000 (17 states)	86.09
No Law on October 1, 2000 (3 states)	83.57

Source: NHTSA's National Survey of Drinking and Driving, 1999

DOT HS 809 426
April 2002



U.S. Department
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**National Highway
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Bills

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SB 76: Alcoholic beverages: music venue license: entertainment zones: consumption.







Session Year: 2023-2024

House: Senate

Current Status:

PASSED ✓

(2023-10-10: Chaptered by Secretary of State. Chapter 700, Statutes of 2023.)

-  Introduced
-  First Committee Review
-  First Chamber
-  Second Committee Review
-  Second Chamber
-  Enacted

Summary	Bill Text	Status	Votes	Supporters & Opponents	Analysis
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Version:

(1) The Alcoholic Beverage Control Act contains various provisions regulating the application for, the issuance of, the suspension of, and the conditions imposed upon alcoholic beverage licenses by the Department of Alcoholic Beverage Control. Existing law provides for various annual fees for the issuance of alcoholic beverage licenses, depending upon the type of license issued. Existing law authorizes the department to issue a music venue license, as defined, that allows the licensee to sell beer, wine, and distilled spirits at retail for consumption on the premises in a music entertainment facility, as defined. Existing law makes selling, giving, delivering, or purchasing an alcoholic beverage between the hours of 2 a.m. and 6 a.m. of the same day a misdemeanor. Existing law further limits a music venue licensee's authorization to sell, serve, and permit consumption of alcoholic beverages to the time period from 2 hours before a live performance until one hour after the live performance. Existing law authorizes the department to make any examination of the books and records of any licensee and makes any person who fails to preserve the books for inspection guilty of a misdemeanor.

This bill would authorize a licensee under a music venue license to apply to the department for a duplicate license or licenses, as prescribed. The bill would also authorize a music venue licensee to sell, serve, and permit consumption of alcoholic beverages during private events or private functions not open to the general public within any hours of operation permitted by its license, regardless of whether any live performance occurs. The bill would exempt the licensee from having to meet certain requirements generally imposed on a music entertainment facility in connection with and during a private event or private function if specified conditions are met. The bill would require the licensee to keep records demonstrating compliance with these provisions for the preceding 3 calendar years and to provide these records to the department upon request. The bill would make a licensee's failure to keep the required records or provide them to the department grounds for disciplinary action punishable as a misdemeanor and would, therefore, expand the scope of a crime, thereby imposing a state-mandated local program.

(2) Under existing law, any person possessing an open container of an alcoholic beverage in any city, county, or city and county-owned public place, as specified, or any regional park or recreation and park district, is guilty of an infraction if the city or county has enacted an ordinance that prohibits the possession of those containers or the consumption of alcoholic beverages in those areas, except as specified.

Existing law, the Planning and Zoning Law, authorizes the legislative body of any city or county to adopt ordinances regulating zoning within its jurisdiction, as specified.

Existing law authorizes a licensed beer manufacturer, a licensed winegrower, and any on-sale licensee to sell certain alcoholic beverages for consumption on or off the premises, as specified.

This bill, additionally, would authorize a licensed beer manufacturer, a licensed winegrower, and any on-sale licensee to permit consumers to leave the premises with open containers of alcoholic

beverages for consumption off the premises within an entertainment zone, subject to certain conditions. The bill would define entertainment zone for purposes of the Alcoholic Beverage Control Act as a zone created by ordinance on or after January 1, 2024, in the City and County of San Francisco, that authorizes consumption of one or more types of alcoholic beverages on public streets, sidewalks, or public rights-of-way adjacent to and during a special event permitted or licensed by the department. The bill would require the City and County of San Francisco, if it establishes an entertainment zone, to provide specified information relating to the entertainment zone to the department and establish a process or procedure by which persons in possession of alcoholic beverages in the entertainment zone may be readily identifiable as being 21 years of age or older.

This bill would make legislative findings and declarations as to the necessity of a special statute for City and County of San Francisco.

(3) This bill would incorporate additional changes to Section 23357 of the Business and Professions Code proposed by SB 788 to be operative only if this bill and SB 788 are enacted and this bill is enacted last.

This bill would incorporate additional changes to Section 23358 of the Business and Professions Code proposed by AB 1704 to be operative only if this bill and AB 1704 are enacted and this bill is enacted last.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

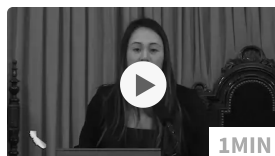
This bill would provide that no reimbursement is required by this act for a specified reason.

Discussed in Hearing



Sep 14, 2023

Senate Floor



Sep 13, 2023

Assembly Floor



Sep 7, 2023

Assembly Floor



Jul 12, 2023

Assembly Standing Committee on Governmental Organization

RS56

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Bill Author



Scott Wiener 

Bill Co-Author(s):



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Laura Friedman 



Matt Haney 

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News

San Francisco to Become First City in California to Create New Entertainment Zones

Authorized under new state law, the first Entertainment Zone will be in Downtown San Francisco on Front Street under Mayor Breed's legislation approved today. Other EZ locations being considered include Union Square, Mid-Market, and Thrive City.

June 25, 2024

San Francisco, CA – Today, the Board of Supervisors gave final approval to Mayor London N. Breed's legislation to make San Francisco the first city in the state to create new Entertainment Zones in Downtown and neighborhoods across the City. The legislation is authorized under Senate Bill 76, a bill authored by State Senator Scott Wiener that went into effect this year. Within the new EZs, restaurants and bars will be permitted to sell alcoholic beverages for consumption during outdoor events and activations.

In May, Mayor Breed announced Front Street, between California and Sacramento streets, as the first entertainment zone to be designated in San Francisco. Today's approval expands the pilot program to bring additional entertainment zones across the City to permit the operation of the sale of alcohol within the zones. Businesses and organizations across San Francisco have expressed interest in establishing entertainment zones in their areas, including in Union Square, Mid-Market, and Thrive City in Mission Bay.

"We are focused on bringing opportunities that are good for business but that are also exciting for residents and visitors across our City," **said Mayor London Breed.**

"Entertainment Zones bring new economic opportunities that will help strengthen San Francisco's Downtown and neighborhoods citywide. Our local bars and restaurants are an important part of what makes this City unique and fun, and as the first and only city in California to work with this concept, we are thrilled to bring new energy to our City while supporting our small businesses. I want to thank Senator Wiener and all of our partners involved to make this happen."

"Our downtown thrives when we bring people into the streets and support the small businesses that make it such a vibrant space," **said Senator Scott Wiener.** "We should have a space where San Franciscans can enjoy drinks outside with their loved ones. Entertainment Zones are an idea whose time has come, and I'm delighted to see Mayor Breed and the Board of Supervisors prioritize them so highly."

"The approval of the City's first Entertainment Zone is a major boost for our downtown revitalization efforts," **said Sarah Dennis Phillips, Executive Director of the Office of the Economic and Workforce Development.** "This legislation sends a strong signal to our local bars and restaurants that the City is poised to support them as they experiment with new strategies to grow their businesses while bringing more vitality to our public spaces. I can't wait to see the Front Street Entertainment Zone in full effect and for residents and visitors to experience our Downtown in new and exciting ways."

The legislation would designate an approved area to become an entertainment zone, allowing restaurants and bars to sell open beverages for consumption during special events within the zone. Per the ordinance, the designated zone must comply with certain parameters, including

- Open beverages sold within the zone must be in an approved non-metal or non-glass container. If authorized by the Board, a zone could include sales of cocktails, beer, and wine.
- Only restaurants, bars, breweries, and wineries can sell open containers within an entertainment zone. Liquor stores may not sell open beverages for consumption within the zone and the consumption of alcoholic beverages not purchased from a restaurant or bar within the zone is not permitted.

San Francisco's proposed Entertainment Zones build off of Senate Bill (SB) 76, introduced by Senator Wiener and passed at the California Legislature last year. The Entertainment Zone Act paved the way for San Francisco, currently the only city in California to designate entertainment zones to operate during special events permitted by the California Department of Alcoholic Beverage Control (ABC). Under the bill, San Francisco could establish entertainment zones through the adoption of a local ordinance by the Mayor and the Board of Supervisors.

Currently, the Mayor's legislation enables three bars along Front Street (Schroeder's, Harrington's, and Royal Exchange) to sell open beverages for consumption during special events in the zone. These bars, along with the Downtown SF Partnership and BOMA San Francisco, are working to launch a new recurring street closure on this block that could involve live entertainment and other activities during the zone's operation. Similar programs have been successful in supporting small businesses and commercial districts in other states, including Michigan, Ohio, and North Carolina.

"Seeing small businesses like ours working together on our block to organize new activities and events that will attract people to our local spots is a major milestone," **said Ben Bleiman**, Owner of Harrington's Bar & Grill and President of the Entertainment Commission. "We are telling residents, visitors, and businesses that we are ready to see Downtown San Francisco activated with exciting public spaces because when people have fun it benefits local businesses, Downtown, and the entire city."

"Downtown San Francisco needs a nightlife renaissance post-pandemic. Launching California's first ever entertainment zone on Front Street is significant and will catalyze more reasons to come downtown," **said Robbie Silver, Executive Director of the Downtown SF Partnership**. "Rethinking the use of public space by opening streets for pedestrians is a proven economic strategy to reinvigorate downtown. The Downtown SF

Partnership will optimize Front Street with fun programming, building off its signature activations like Let's Glow SF, Drag Me Downtown, and Landing at Leidesdorff."

The Office of Economic Workforce and Development (OEWD) will continue to engage with stakeholders, including Market Street Arts, Thrive City and the Union Square Alliance, who have expressed significant interest in pursuing entertainment zones, across City agencies, and with ABC to ensure the successful implementation of this groundbreaking program.

"Creating an Entertainment Zone in Mid-Market will support local businesses, including large cultural venues, small businesses, and arts organizations by drawing foot traffic, positive media attention, and new programming to the neighborhood," **said Steve Gibson, Executive Director of the Mid-Market Foundation.** "Spanning the wide sidewalks on Market Street between 5th and 6th, the Entertainment Zone would add another layer to our larger collective effort, Market Street Arts, a multi-year, public-private initiative working to uplift Mid Market as a world-class arts and entertainment district, a place where creatives from the region, country and around the world come together to inspire joy and connection among the diverse communities that intersect at the center of the City."

"Union Square is the heart of San Francisco's Downtown and we are seeing a wave of energy pour in that is undeniable," **said Marisa Rodriguez, CEO, Union Square Alliance.** "Union Square is already a magnet for nightlife and outdoor dining, and with upgrades coming to Powell Street, we are building back stronger than ever. We are excited for the opportunity to explore how entertainment zones can work for Union Square. But if it's good for our businesses and visitors, then we are all in. The possibilities are endless when you have creative policies that are working for this City."

To support activations in entertainment zones and throughout Downtown, Mayor Breed has also directed OEWD to partner with San Francisco New Deal to launch the Downtown ENRG (Entertainment & Nightlife Revitalization Grant) Program, a program that will offer up to \$50,000 to fund new economic revitalization projects to support new activities, events, and campaigns to attract patrons and increase downtown activity.

The creation of entertainment zones and grants program are components of the Mayor's Roadmap to San Francisco's Future, and build on a series of recently announced entertainment initiatives designed to showcase and support the

San Francisco music and entertainment sector, boost neighborhood vitality, activate open spaces and enhance the City's economic revitalization through arts and culture. Combined, the goal is to secure an important new source of revenue to boost San Francisco restaurants and bars while transforming Downtown as a 24/7 destination.

Mayor Breed's two-year budget proposes investing \$15 million for the revitalization of the Union Square and Yerba Buena hospitality districts and the continuation of the Vacant to Vibrant program to address storefront vacancies, which expanded this month to include 11 new pop-up businesses in the East Cut, Financial District, and Yerba Buena.

In April, Mayor Breed announced the City's SF Live Concert Series, which debuted on May 4 at the Golden Gate Park Bandshell. Additional events will take place at locations citywide through November. More information about all upcoming SF Live events may be found at www.sflivefest.com. The first event as part of the Bhangra and Beats Night Market series this year took place on May 10 and will be back for three additional dates: July 12, September 13, and November 15.

###

Departments

Office of the Mayor

Office of Economic and Workforce Development

Roadmap to San Francisco's Future

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Scott Stauffer

From: Mike Lesch <mikelesch@hotmail.com>
Sent: Friday, September 20, 2024 12:18 PM
To: _City Council
Cc: Lesch, Michael; Nate Noble
Subject: Milwaukie Open Container Proposal

Hello Milwaukie City Council,

Thank you for allowing us (Beer Store Milwaukie) the opportunity to provide you with this proposal to allow "Open Container" alcoholic beverages in Downtown Milwaukie. We initially brought this proposal to City Counsel a few years ago during a regular session monthly meeting however, the idea did not seem to gain any traction when first proposed. In the time since our initial proposal, our city leadership team has evolved and changed. Perhaps the environment is right to make this proposal again and see if there are opportunities to at least entertain certain aspects of this proposal for the city's future.

The City of Hood River Oregon does not have an ordinance making the consumption of alcohol in public spaces illegal. This means a person inside the Hood River City limits can legally walk down the street, enjoy time in the waterfront park, or take their dog for a walk with an open container of alcohol. All Oregon Liquor and Cannabis Commission (OLCC) laws and rules still apply. A person cannot take their pint glass of beer from a restaurant and simply walk away with it. Alcohol must be purchased in a sealed package like a can or bottle, the purchaser must leave the premises from which the alcohol was purchased, and then the purchaser may open and consume the product as they go about their business on foot.

Nuisance laws do still exist in Hood River to discourage public drunkenness and offensive behavior so the idea is not to remove all boundaries but to instill responsible guidelines that allow people to move about on foot, from business to business, while enjoying an alcoholic beverage.

We would like to propose that the City of Milwaukie review Hood River's ordinances and adopt similar legislation to allow open container and public consumption of alcohol in downtown Milwaukie and Milwaukie Bay Park. As the City of Milwaukie evolves with new residential buildings, new business construction, and improved infrastructure projects, so should the laws that guide our use of these areas and how we enjoy our open spaces.

During current Milwaukie First Friday events, anyone wishing to consume an alcoholic beverage must do so while remaining in one place – the place in which the alcoholic beverage was purchased. This limits movement between venues and reduces the flow of people throughout the city during an event that, by nature, is designed to bring people to the downtown area to showcase our local businesses. Switching to a model that more closely resembles Hood River's open container policies would allow people with alcoholic beverages in hand to move freely throughout the downtown Milwaukie area during events such as First Friday and could improve participation (turnout) and encourage attendees to explore the entire downtown business section, not just the areas that cater to food and beverages.

As we develop the Milwaukie Bay Park waterfront area, we should consider new legislation that allows visitors the option to bring their own alcohol to enjoy responsibly while attending events or when picnicking on the grass. This natural area has so much potential and the mixed use opportunities are endless. We should employ every available resource and open our waterfront with more progressive and inclusive designs that allow for open consumption of alcoholic beverages.

A member of the Hood River community is slated to become a member of our Milwaukie community as well – pFriem Family Brewers. pFriem has operated in Hood River for more than ten years and would be a great resource for developing a legislative plan that provides for Milwaukie's growing needs and addresses concerns for public safety. We will have an organization with firsthand experience in an open container environment located in the heart of our downtown. We should glean as much information from pFriem as they are willing to contribute and develop an encompassing implementation plan. We may be able to learn a lot from pFriem's experiences.

Thank you again for considering this proposal. We appreciate the opportunity to present this idea again to the City Counsel and perhaps we are ready to take a closer look at the pros and cons of allowing open containers in the Milwaukie downtown area.

Best regards,

Mike Lesch

Nate Noble

Beer Store Milwaukie

503.799.3581



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Name: M. Reynolds

Organization:

Address:

Phone:

Email: (expanded)

Meeting Date: 4/15/25 **Topic:** open container zone

Agenda Item You Wish to Speak to:

☐ **#5 Community Comments**

Note: Council generally does not respond to comments during this meeting. The city manager will respond to comments at the next regular session.

☐ **#7 Other Business, Topic:** _____

☐ **#8 Public Hearing, Topic:** _____

Comments:

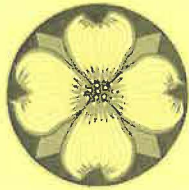
You are Speaking...

☐ in Support

☒ in Opposition

☐ from a Neutral Position

☐ to ask a Question



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Name:

Andy Fable

Organization:

DAM

Address:

1125 SE 21st Ave Apt 111 Milwaukie

Phone:

971 506-1593

Email:

Andy@fable.com

Meeting Date:

4/15

Topic:

Open Car Service

Agenda Item You Wish to Speak to:

☐ #5 Community Comments

Note: Council generally does not respond to comments during this meeting. The city manager will respond to comments at the next regular session.

☒ #7 Other Business, Topic:

Open Car Service

☐ #8 Public Hearing, Topic:

You are Speaking...

☐ in Support

☐ in Opposition

☐ from a Neutral Position

☐ to ask a Question

Comments:



RS Agenda Item

9

Council Reports

RS 9. A. 4/15/25 Exhibit (Mayor Batey)

Bill Number	Relating To	Bill Sponsor	Bill Summary	Last Three Actions	Current Committee	Next Hearing	Priority
HB 2054	Relating to wetlands projects on land zoned for agricultural uses.	Rep McIntire (Presession filed)	Requires local government approval of a project to create, enhance or restore wetlands if the project would convert lands used for agricultural purposes to wetlands.	01/17/25 - Referred to Agriculture, Land Use, Natural Resources, and Water. 01/13/25 - First reading. Referred to Speaker's desk.	Agriculture, Land Use, Natural Resources, and Water (H)		3
HB 2074	Relating to property tax exemption for vertical housing development projects; prescribing an effective date.	Presession filed (at the request of House Interim Committee on Revenue for Representative Nancy Nathanson)	Extends the sunset date for the partial property tax exemption for the property of vertical housing development projects.	04/09/25 - Referred to Finance and Revenue. 04/09/25 - First reading. Referred to President's desk. 04/08/25 - Third reading. Carried by Hudson. Passed. Ayes, 54; Excused, 5--Cate, Diehl, Evans, Nguyen H, Valderrama; Excused for Business of the House, 1--Javadi.	Finance and Revenue (S)		2
HB 2075	Relating to property tax incentive benefit programs for brownfields; prescribing an effective date.	Presession filed (at the request of House Interim Committee on Revenue for Representative Nancy Nathanson)	Extends the sunset for the property tax incentive benefit programs for brownfields and property on brownfields.	04/08/25 - Informational Meeting held. 02/06/25 - Public Hearing held. 01/17/25 - Referred to Revenue.	Revenue (H)		2
HB 2077	Relating to property tax exemption for nonprofit corporation low income housing; prescribing an effective date.	Presession filed (at the request of House Interim Committee on Revenue for Representative Nancy Nathanson)	Extends the sunset date for the property tax exemption for nonprofit corporation low income housing.	04/09/25 - Third reading. Carried by Levy B. Passed. Ayes, 56; Excused, 4--Cate, Evans, Nguyen H, Scharf. 04/08/25 - Rules suspended. Carried over to April 9, 2025 Calendar. 04/07/25 - Second reading.			2
HB 2078	Relating to property tax exemption for multiunit rental housing; prescribing an effective date.	Presession filed (at the request of House Interim Committee on Revenue for Representative Nancy Nathanson)	Extends the sunset date for the property tax exemption for multiunit rental housing.	04/09/25 - Third reading. Carried by Hudson. Passed. Ayes, 56; Excused, 4--Cate, Evans, Nguyen H, Scharf. 04/08/25 - Rules suspended. Carried over to April 9, 2025 Calendar. 04/07/25 - Second reading.			2
HB 2079	Relating to the property tax system in Oregon.	Presession filed (at the request of House Interim Committee on Revenue for Representative Nancy Nathanson)	Requires the Legislative Revenue Officer to study the property tax system in this state.	03/11/25 - Public Hearing held. 01/17/25 - Referred to Revenue with subsequent referral to Ways and Means. 01/13/25 - First reading. Referred to Speaker's desk.	Revenue (H)		3
HB 2082	Relating to funding the assessment and taxation functions of the property tax system in Oregon; prescribing an effective date.	Presession filed (at the request of House Interim Committee on Revenue for Representative Nancy Nathanson)	Requires the Legislative Revenue Officer to study the funding of the assessment and taxation functions of the property tax system in Oregon.	01/17/25 - Referred to Revenue with subsequent referral to Ways and Means. 01/13/25 - First reading. Referred to Speaker's desk.	Revenue (H)		1
HB 2084	Relating to tax compliance required for public contracts; prescribing an effective date.	Presession filed (at the request of House Interim Committee on Revenue for Representative Nancy Nathanson)	Requires public contractors to demonstrate and maintain tax compliance as a condition of the execution of a public contract.	01/23/25 - Public Hearing held. 01/17/25 - Referred to Revenue. 01/13/25 - First reading. Referred to Speaker's desk.	Revenue (H)		2
HB 2085	Relating to the interdependence of the state and local tax systems in Oregon; prescribing an effective date.	Presession filed (at the request of House Interim Committee on Revenue for Representative Nancy Nathanson)	Requires the Legislative Revenue Officer to study the interdependence of the state and local tax systems in Oregon.	01/17/25 - Referred to Revenue with subsequent referral to Ways and Means. 01/13/25 - First reading. Referred to Speaker's desk.	Revenue (H)		1
HB 2110	Relating to the authority of a political subdivision to impose income tax; prescribing an effective date.	Rep Helfrich; Rep Reschke (Presession filed)	Requires a political subdivision that imposes an income tax to conform to statutory provisions governing the determination of net income.	01/30/25 - Public Hearing held. 01/17/25 - Referred to Revenue. 01/13/25 - First reading. Referred to Speaker's desk.	Revenue (H)		3
HB 2138	Relating to land use; declaring an emergency.	Presession filed (at the request of Governor Tina Kotek for Office of the Governor)	Expands allowable middle housing and expands middle housing requirements to include urban unincorporated lands.	04/09/25 - Work Session held. 04/02/25 - Work Session held. 03/26/25 - Public Hearing held.	Housing and Homelessness (H)		1
HB 2258	Relating to housing.	Presession filed (at the request of House Interim Committee on Housing and Homelessness)	Requires the Housing and Community Services Department to study housing and to report to the interim committees of the Legislative Assembly related to housing by September 15, 2026.	04/07/25 - Work Session held. 04/02/25 - Public Hearing held. 03/17/25 - Public Hearing held.	Housing and Homelessness (H)		2
HB 2295	Relating to landowner immunity.	Rep Cate; Rep Levy B; Rep Mannix; Rep Owens; Rep Scharf (Presession filed)	Amends landowner immunity provisions to focus on the activities and outdoor location of injured users and not the users' intended purposes.	01/17/25 - Referred to Judiciary. 01/13/25 - First reading. Referred to Speaker's desk.	Judiciary (H)		1
HB 2321	Relating to ballot measures addressing property taxes; prescribing an effective date.	Rep Evans (Presession filed)	Establishes the Task Force on Impacts of Ballot Measures 5 and 50.	01/30/25 - Public Hearing held. 01/17/25 - Referred to Revenue with subsequent referral to Ways and Means. 01/13/25 - First reading. Referred to Speaker's desk.	Revenue (H)		1

MMC List of Bills
(red indicates bill is not viable this session)

Bill Number	Relating To	Bill Sponsor	Bill Summary	Last Three Actions	Current Committee	Next Hearing	Priority
HB 2334	Relating to ballot measures addressing property taxes; prescribing an effective date.	Rep Evans (Presession filed)	Establishes the Task Force on Impacts of Ballot Measures 5 and 50.	01/30/25 - Public Hearing held. 01/17/25 - Referred to Revenue with subsequent referral to Ways and Means. 01/13/25 - First reading. Referred to Speaker's desk.	Revenue (H)		1
HB 2335	Relating to ballot measures addressing property taxes; prescribing an effective date.	Rep Evans (Presession filed)	Establishes the Task Force on Impacts of Ballot Measures 5 and 50.	01/30/25 - Public Hearing held. 01/17/25 - Referred to Revenue with subsequent referral to Ways and Means. 01/13/25 - First reading. Referred to Speaker's desk.	Revenue (H)		1
HB 2340	Relating to eligibility criteria for the homestead property tax deferral program; prescribing an effective date.	Presession filed (at the request of Governor Tina Kotek for Department of Revenue)	Reduces the minimum number of years that property must have been the homestead of an individual before the property is eligible for the homestead property tax deferral program.	01/17/25 - Referred to Revenue. 01/13/25 - First reading. Referred to Speaker's desk.	Revenue (H)		3
HB 2349	Relating to industrial development.	Presession filed (at the request of Governor Tina Kotek for Oregon Business Development Department)	Authorizes the Oregon Business Development Department to provide financial assistance to projects related to industrial land.	01/17/25 - Referred to Economic Development, Small Business, and Trade with subsequent referral to Ways and Means. 01/13/25 - First reading. Referred to Speaker's desk.	Economic Development, Small Business, and Trade (H)		1
HB 2356	Relating to a metropolitan service district boundaries.	Rep Hartman; Rep McLain (Presession filed) (at the request of Metro Regional Government)	Adds lands to a metropolitan service district when those lands are within Metro's urban growth boundary and annexed by a city in Metro.	02/25/25 - Referred to Housing and Development. 02/25/25 - First reading. Referred to President's desk. 02/20/25 - Third reading. Carried by McLain. Passed. Ayes, 40; Nays, 17--Boice, Boshart Davis, Breese-Iverson, Diehl, Drazan, Edwards, Elmer, Harbick, Lewis, Mannix, McIntire, Osborne, Reschke, Skarlatos, Wallan, Wright, Yunker; Excused, 3--Cate, Nguyen H, Valderrama.	Housing and Development (S)		3
HB 2361	Relating to tax exemption for the property of veterans; prescribing an effective date.	Rep Boice; Rep Levy B; Rep Osborne; Rep Smith G; Rep Wright; Rep Yunker; Sen Nash; Sen Weber (Presession filed)	Lowers the disability threshold for property tax exemption for the homestead or personal property of veterans to 10 percent.	01/17/25 - Referred to Emergency Management, General Government, and Veterans with subsequent referral to Revenue. 01/13/25 - First reading. Referred to Speaker's desk.	Emergency Management, General Government, and Veterans (H)		2
HB 2411	Relating to industrial development.	Presession filed (at the request of House Interim Committee on Economic Development, Small Business, and Trade for Representative Daniel Nguyen)	Authorizes the Oregon Business Development Department to provide financial assistance to projects related to industrial land.	03/20/25 - Referred to Ways and Means by prior reference. 03/20/25 - Recommendation: Do pass and be referred to Ways and Means by prior reference. 03/17/25 - Work Session held.	Ways and Means (J)		2
HB 2445	Relating to homelessness; declaring an emergency.	Rep Boice; Rep Diehl; Rep Levy B; Rep Lewis; Rep Mannix; Rep Owens; Rep Reschke; Rep Wright; Rep Yunker; Sen Nash; Sen Smith DB; Sen Weber (Presession filed)	Repeals the changes made by House Bill 3124 (2021) to the statutes governing local removal of homeless individuals from established camping sites.	01/17/25 - Referred to Housing and Homelessness. 01/13/25 - First reading. Referred to Speaker's desk.	Housing and Homelessness (H)		3
HB 2454	Relating to legislative oversight of executive branch actions; prescribing an effective date.	Presession filed (at the request of House Interim Committee on Rules for Representatives Ben Bowman, David Gomberg, Emily McIntire, Mark Owens, Nathan Sosa, Kim Wallan)	Authorizes the Joint Legislative Audit Committee to appoint a Legislative Audit Officer and to direct the officer to perform specified duties, including investigating, reviewing activities of and oversight of executive branch agencies, taking in and investigating complaints of members of the public concerning executive branch agency programs, conducting performance audits of executive branch agencies and reporting to the committee on work undertaken by the officer.	02/26/25 - Public Hearing held. 01/17/25 - Referred to Rules with subsequent referral to Ways and Means. 01/13/25 - First reading. Referred to Speaker's desk.	Rules (H)		3
HB 2533	Relating to public records.	Rep Andersen; Rep Javadi; Rep Wallan (Presession filed)	Extends the statutory timeline for inspection of public records when the exemption is based on attorney-client privilege.	02/04/25 - Public Hearing held. 01/17/25 - Referred to Judiciary. 01/13/25 - First reading. Referred to Speaker's desk.	Judiciary (H)		3
HB 2696	Relating to camping sites on public property; declaring an emergency.	Rep Evans; Rep Lively; Rep McIntire; Rep Wallan (Presession filed)	Specifies that the laws governing the storage of the personal property of homeless individuals applies to personal property removed from a public camping site.	01/17/25 - Referred to Housing and Homelessness. 01/13/25 - First reading. Referred to Speaker's desk.	Housing and Homelessness (H)		3
HB 2825	Relating to preferences for veterans in public employment selection processes.	Rep Evans (Presession filed)	Modifies law regarding the requirement that a public employer grant preference to a veteran or disabled veteran in the selection process for a civil service position.	01/17/25 - Referred to Labor and Workplace Standards with subsequent referral to Ways and Means. 01/13/25 - First reading. Referred to Speaker's desk.	Labor and Workplace Standards (H)		3

Bill Number	Relating To	Bill Sponsor	Bill Summary	Last Three Actions	Current Committee	Next Hearing	Priority
HB 2874	Relating to preferences for veterans in public employment selection processes.	Rep Evans (Presession filed)	Modifies law regarding the requirement that a public employer grant preference to a veteran or disabled veteran in the selection process for a civil service position.	01/17/25 - Referred to Emergency Management, General Government, and Veterans with subsequent referral to Ways and Means. 01/13/25 - First reading. Referred to Speaker's desk.	Emergency Management, General Government, and Veterans (H)		3
HB 2928	Relating to gift limits.	Presession filed (at the request of Governor Tina Kotek for Oregon Government Ethics Commission)	Removes the prohibition on offering gifts in excess of \$50 per calendar year to a public official, candidate, or relative or member of the household of a public official or candidate.	01/27/25 - Public Hearing held. 01/17/25 - Referred to Rules. 01/13/25 - First reading. Referred to Speaker's desk.	Rules (H)		3
HB 2931	Relating to the interstate bridge replacement program.	Presession filed (at the request of Governor Tina Kotek for Department of Transportation)	Modifies, adds and repeals laws related to the Interstate 5 bridge replacement project.	02/03/25 - Public Hearing held. 01/17/25 - Referred to Transportation with subsequent referral to Ways and Means. 01/13/25 - First reading. Referred to Speaker's desk.	Transportation (J)		3
HB 2944	Relating to penalties for failure to comply with certain requirements under the laws governing public employee collective bargaining.	Rep Fragala; Rep Munoz; Rep Nelson; Sen Gorsek; Sen Manning Jr (Presession filed)	Permits a labor organization to file a civil action against a public employer for failing to timely provide the labor organization with certain information regarding public employees.	04/07/25 - Work Session held. 02/17/25 - Public Hearing held. 01/17/25 - Referred to Labor and Workplace Standards.	Labor and Workplace Standards (H)		2
HB 2950	Relating to amending land use planning goals; declaring an emergency.	Rep Andersen; Rep Grayber; Rep Lively; Rep McLain; Rep Tran; Rep Walters; Sen Campos; Sen Frederick; Sen Pham (Presession filed)	Requires the Land Conservation and Development Commission to update the statewide land use planning goal relating to "citizen involvement" by rule byJune 30, 2029.	04/03/25 - Referred to Ways and Means by prior reference. 04/03/25 - Recommendation: Do pass with amendments, be printed A-Engrossed, and be referred to Ways and Means by prior reference. 03/31/25 - Work Session held.	Ways and Means (J)		1
HB 2968	Relating to housing; declaring an emergency.	Rep Gamba; Rep Hartman; Rep Javadi; Rep Lively; Rep Wright; Sen Pham (Presession filed)	Requires the Housing and Community Services Department to guarantee a housing developer's payment of system development charges that the local government has agreed to defer until after occupancy.	03/28/25 - Referred to Ways and Means by prior reference. 03/28/25 - Recommendation: Do pass and be referred to Ways and Means by prior reference. 03/24/25 - Work Session held.	Ways and Means (J)		1
HB 2977	Relating to funding to support species conservation; prescribing an effective date; providing for revenue raising that requires approval by a three-fifths majority.	Rep Chaichi; Rep Gamba; Rep Helm; Rep Hudson; Rep Marsh; Rep Walters; Sen Gorsek; Sen Pham (Presession filed)	Increases the state transient lodging tax.	03/27/25 - Referred to Revenue by prior reference. 03/27/25 - Without recommendation as to passage and be referred to Revenue by prior reference. 03/24/25 - Work Session held.	Revenue (H)		3
HB 3031	Relating to housing; declaring an emergency.	Presession filed (at the request of Governor Tina Kotek for Oregon Business Development Department)	Establishes a program through which the Oregon Infrastructure Finance Authority may provide financial assistance for infrastructure to support housing development.	03/25/25 - Referred to Ways and Means by order of Speaker. 03/25/25 - Recommendation: Do pass with amendments, be printed A-Engrossed, and be referred to Ways and Means. 03/19/25 - Work Session held.	Ways and Means (J)		1
HB 3062	Relating to industrial development impact on sensitive uses of land; declaring an emergency.	Rep Hartman; Rep Pham H; Rep Tran; Sen Manning Jr; Sen Patterson; Sen Pham (Presession filed)	Requires local governments to map sensitive uses as part of a comprehensive plan.	04/03/25 - Public Hearing held. 02/20/25 - Public Hearing held. 01/17/25 - Referred to Emergency Management, General Government, and Veterans.	Emergency Management, General Government, and Veterans (H)		2
HB 3187	Relating to age-based employment discrimination; prescribing an effective date.	Rep Andersen; Rep Chaichi; Rep Chotzen; Rep Fragala; Rep Gamba; Rep Gomberg; Rep Grayber; Rep Hartman; Rep Helm; Rep Hudson; Rep Isadore; Rep Marsh; Rep McDonald; Rep McLain; Rep Munoz; Rep Nathanson; Rep Nelson; Rep Neron; Rep Nguyen D; Rep Nguyen H; Rep Nosse; Rep Ruiz; Rep Sanchez; Rep Smith G; Rep Sosa; Rep Tran; Rep Walters; Rep Watanabe; Sen Campos; Sen Frederick; Sen Gelser Blouin; Sen Gorsek; Sen Manning Jr; Sen Patterson; Sen Pham; Sen Prozanski; Sen Reynolds; Sen Sollman; Sen Woods (Presession filed) (at the request of AARP)	Clarifies the meaning of "because of age" for purposes of employment discrimination law.	04/07/25 - Work Session held. 02/19/25 - Public Hearing held. 01/17/25 - Referred to Labor and Workplace Standards.	Labor and Workplace Standards (H)		3
HB 3190	Relating to historic property special assessment; prescribing an effective date.	Rep Andersen; Rep Grayber; Rep Levy B; Rep Levy E; Rep Marsh; Rep Nathanson; Rep Nelson; Rep Nosse; Rep Reschke; Rep Smith G; Rep Walters; Rep Watanabe; Rep Wright; Sen Anderson; Sen Frederick; Sen Manning Jr; Sen Meek; Sen Patterson; Sen Reynolds (Presession filed)	Limits the property tax special assessment program for historic property to commercial property.	04/09/25 - Referred to Finance and Revenue. 04/09/25 - First reading. Referred to President's desk. 04/08/25 - Third reading. Carried by Nosse. Passed. Ayes, 55; Excused, 5--Cate, Diehl, Evans, Nguyen H, Valderrama.	Finance and Revenue (S)		1

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Bill Number	Relating To	Bill Sponsor	Bill Summary	Last Three Actions	Current Committee	Next Hearing	Priority
HB 3336	Relating to electric transmission systems; prescribing an effective date.	Rep Andersen; Rep Gamba; Rep Helm; Rep Walters; Rep Wright; Sen Golden; Sen Sollman	Declares a state policy regarding the electric transmission system.	04/09/25 - Rules suspended. Carried over to April 10, 2025 Calendar. 04/08/25 - Rules suspended. Carried over to April 9, 2025 Calendar. 04/07/25 - Second reading.		10:30AM 04/10/2025 Third Reading House Floor	3
HB 3358	Relating to county property tax collection; prescribing an effective date.	Rep Boice; Sen Smith DB	Authorizes a county tax collector to withhold from property tax distributions to taxing districts within the county an amount equal to three percent of the distributions.	01/30/25 - Referred to Revenue. 01/28/25 - First reading. Referred to Speaker's desk.	Revenue (H)		2
HB 3434	Relating to unemployment insurance benefits for employees unemployed due to a labor dispute; declaring an emergency.	Rep Andersen; Rep Bowman; Rep Chaichi; Rep Chotzen; Rep Fragala; Rep Gamba; Rep Grayber; Rep Hudson; Rep Munoz; Rep Neron; Rep Nguyen D; Rep Nguyen H; Rep Nosse; Rep Pham H; Sen Broadman; Sen Campos; Sen Jama; Sen Meek; Sen Patterson; Sen Taylor	Provides that an individual otherwise eligible for unemployment insurance benefits is not disqualified for any week that the individual's unemployment is due to a labor dispute in active progress at the individual's place of employment.	01/30/25 - Referred to Labor and Workplace Standards. 01/28/25 - First reading. Referred to Speaker's desk.	Labor and Workplace Standards (H)		3
HB 3466	Relating to tolling on Interstate 205.	Rep Drazan; Rep Helfrich; Rep Lewis; Sen Bonham	Prohibits the Oregon Transportation Commission from establishing a toll on Interstate 205.	02/06/25 - Referred to Transportation. 02/04/25 - First reading. Referred to Speaker's desk.	Transportation (J)		3
HB 3483	Relating to established camping sites; declaring an emergency.	Rep Drazan; Rep Javadi; Sen Starr; Sen Thatcher; Sen Weber	Provides that a camping site is not "established" until it has been continuously occupied for 72 hours for purposes of the rule requiring 72-hour notice before homeless individuals may be removed from the camping site.	02/06/25 - Referred to Housing and Homelessness. 02/04/25 - First reading. Referred to Speaker's desk.	Housing and Homelessness (H)		3
HB 3499	Relating to urban renewal.	Rep Drazan	Requires the approval of an urban renewal plan by the electors of a municipality proposing a plan or a substantial amendment to a plan.	04/16/25 - Public Hearing scheduled. 02/06/25 - Referred to Rules. 02/04/25 - First reading. Referred to Speaker's desk.	Rules (H)	8:00AM 04/16/2025 House Committee Rules Public Hearing HR C	2
HB 3527	Relating to water utility ratepayer assistance; prescribing an effective date.	Rep Gamba; Rep Hartman; Rep Helm; Rep Mannix; Rep Owens; Rep Walters; Sen Manning Jr	Establishes the Public Drinking Water, Stormwater and Sewer Ratepayer Assistance Fund.	03/27/25 - Referred to Ways and Means by prior reference. 03/27/25 - Recommendation: Do pass with amendments, be printed A-Engrossed, and be referred to Ways and Means by prior reference. 03/24/25 - Work Session held.	Ways and Means (J)		3
HB 3546	Relating to large energy use facilities; declaring an emergency.	Rep Andersen; Rep Chotzen; Rep Fragala; Rep Grayber; Rep Hudson; Rep Marsh; Rep McDonald; Rep McLain; Rep Nguyen H; Rep Owens; Rep Speaker Fahey; Rep Walters; Sen Sollman	Directs the Public Utility Commission to provide for a classification of service for large energy use facilities.	04/08/25 - Work Session held. 03/06/25 - Public Hearing held. 02/12/25 - Referred to Climate, Energy, and Environment.	Climate, Energy, and Environment (H)		2
HB 3572	Relating to emergency medical services; prescribing an effective date.	Rep Breese-Iverson; Rep Grayber; Rep Munoz; Sen Reynolds	Directs the Emergency Medical Services Program to develop a state emergency medical services 10-year strategic plan.	04/03/25 - Work Session held. 03/20/25 - Public Hearing held. 02/20/25 - Referred to Behavioral Health and Health Care with subsequent referral to Ways and Means.	Behavioral Health and Health Care (H)		3
HB 3579	Relating to tolling.	Rep Drazan; Rep Helfrich; Rep Lewis; Sen Bonham	Provides that tolling proposed by the Oregon Transportation Commission must be approved by electors before implementation.	02/20/25 - Referred to Transportation. 02/18/25 - First reading. Referred to Speaker's desk.	Transportation (J)		3
HB 3599	Relating to Public Records Advisory Council.	Rep Andersen	Requires the Public Records Advisory Council to study public records.	02/20/25 - Referred to Rules. 02/18/25 - First reading. Referred to Speaker's desk.	Rules (H)		3
HB 3625	Relating to public safety.	Rep Evans	Allows a public safety agency to charge fees to an entity that overuses the public safety services of the agency.	02/20/25 - Referred to Emergency Management, General Government, and Veterans. 02/18/25 - First reading. Referred to Speaker's desk.	Emergency Management, General Government, and Veterans (H)		3
HB 3628	Relating to the Oregon Electric Transmission Authority; prescribing an effective date.	Rep Andersen; Rep Gamba; Rep Neron; Sen Golden; Sen Pham; Sen Sollman	Establishes the Oregon Electric Transmission Authority as an independent public corporation.	02/25/25 - Public Hearing held. 02/21/25 - Referred to Climate, Energy, and Environment with subsequent referral to Ways and Means. 02/20/25 - First reading. Referred to Speaker's desk.	Climate, Energy, and Environment (H)		3

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Bill Number	Relating To	Bill Sponsor	Bill Summary	Last Three Actions	Current Committee	Next Hearing	Priority
HB 3644	Relating to a statewide shelter program; declaring an emergency.	Rep Andersen; Rep Gamba; Rep Marsh	Requires the Housing and Community Services Department to establish a statewide shelter program through which regional coordinators are selected to administer funding to shelter providers.	03/20/25 - Referred to Ways and Means by prior reference. 03/20/25 - Recommendation: Do pass with amendments, be printed A-Engrossed, and be referred to Ways and Means by prior reference. 03/17/25 - Work Session held.	Ways and Means (J)		3
HB 3673	Relating to the timeline for reviewing land use applications.	Rep Edwards	Reduces to 90 days the time under which a city or county must decide a land use application for housing or mental health or addiction facilities.	02/27/25 - Referred to Agriculture, Land Use, Natural Resources, and Water. 02/25/25 - First reading. Referred to Speaker's desk.	Agriculture, Land Use, Natural Resources, and Water (H)		3
HB 3677	Relating to criminal acts committed against certain employees; prescribing an effective date.	Rep Wright	Expands the crime of assault in the third degree to include causing physical injury to a public employee.	02/27/25 - Referred to Judiciary. 02/25/25 - First reading. Referred to Speaker's desk.	Judiciary (H)		3
HB 3698	Relating to data centers.	Rep Scharf	Directs data centers to report water and electricity used to the Water Resources Department and the State Department of Energy.	02/27/25 - Referred to Climate, Energy, and Environment. 02/25/25 - First reading. Referred to Speaker's desk.	Climate, Energy, and Environment (H)		3
HB 3719	Relating to housing for individuals with substance use disorders.	Rep Andersen	Requires the Housing and Community Services Department to study housing for individuals with substance use disorders and submit findings to the interim committees of the Legislative Assembly related to housing no later than September 15, 2026.	02/27/25 - Referred to Housing and Homelessness. 02/25/25 - First reading. Referred to Speaker's desk.	Housing and Homelessness (H)		3
HB 3746	Relating to real property.	Housing and Homelessness (H)	Reduces the statute of limitations for construction defect actions for units in a planned community or condominium.	04/09/25 - Work Session held. 04/07/25 - Public Hearing held. 04/02/25 - Public Hearing held.	Housing and Homelessness (H)		1
HB 3755	Relating to a property tax exemption for the homesteads of certain seniors; prescribing an effective date.	Rep Drazan; Rep Levy B; Rep Reschke; Rep Wright	Creates a property tax exemption for the owner-occupied principal dwelling of seniors who are at least 65 years of age, have resided in the dwelling for at least 10 years and have a household income not greater than \$150,000 per year.	03/18/25 - Public Hearing held. 03/04/25 - Referred to Revenue. 02/27/25 - First reading. Referred to Speaker's desk.	Revenue (H)		3
HB 3759	Relating to costs of developing housing; declaring an emergency.	Rep Edwards	Requires the Housing and Community Services Department to provide grants for the development of moderate income housing, paid to cover or offset permitting fees and charges.	03/04/25 - Referred to Housing and Homelessness with subsequent referral to Ways and Means. 02/27/25 - First reading. Referred to Speaker's desk.	Housing and Homelessness (H)		3
HB 3774	Relating to homelessness; declaring an emergency.	Rep Boice; Rep Drazan; Rep Helfrich; Rep Javadi	Repeals the changes made by House Bill 3124 (2021) to the statutes governing local removal of homeless individuals from established camping sites.	03/04/25 - Referred to Housing and Homelessness. 02/27/25 - First reading. Referred to Speaker's desk.	Housing and Homelessness (H)		3
HB 3803	Relating to government efficiency; prescribing an effective date.	Rep Bowman; Rep Grayber; Rep Pham H; Sen Jama; Sen Reynolds	Directs the Oregon Department of Administrative Services to develop enterprise strategic workforce plans and to work with executive department agencies on implementation.	03/31/25 - Public Hearing held. 03/04/25 - Referred to Rules. 02/27/25 - First reading. Referred to Speaker's desk.	Rules (H)		2
HB 3823	Relating to property taxes; prescribing an effective date.	Rep Gomberg; Rep Osborne	Exempts from property taxes personal property used by a business to generate or store energy for consumption by the business on its premises.	03/28/25 - Referred to Revenue by prior reference. 03/28/25 - Without recommendation as to passage and be referred to Revenue by prior reference. 03/25/25 - Work Session held.	Revenue (H)		3
HB 3831	Relating to public health impacts of land use.	Rep Tran	Requires the Department of Land Conservation and Development to study public health impacts of land use and submit findings to the interim committees of the Legislative Assembly related to land use no later than September 15, 2026.	03/04/25 - Referred to Emergency Management, General Government, and Veterans. 02/27/25 - First reading. Referred to Speaker's desk.	Emergency Management, General Government, and Veterans (H)		2
HB 3847	Relating to middle housing; declaring an emergency.	Rep Boshart Davis	Requires the Department of Land Conservation and Development to provide grants to local governments to support middle housing infrastructure.	03/04/25 - Referred to Housing and Homelessness with subsequent referral to Ways and Means. 02/27/25 - First reading. Referred to Speaker's desk.	Housing and Homelessness (H)		1
HB 3882	Relating to revenue; prescribing an effective date.	Rep Smith G	Directs the Department of Transportation to study issues related to transportation funding and present the results of the study to the Joint Committee on Transportation.	03/04/25 - Referred to Transportation. 02/27/25 - First reading. Referred to Speaker's desk.	Transportation (J)		3

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Bill Number	Relating To	Bill Sponsor	Bill Summary	Last Three Actions	Current Committee	Next Hearing	Priority
HB 3883	Relating to public meetings.	Rep Wallan	Requires public meetings to include a time for public comments at the start of each public meeting.	04/14/25 - Public Hearing scheduled. 03/04/25 - Referred to Rules. 02/27/25 - First reading. Referred to Speaker's desk.	Rules (H)	8:00AM 04/14/2025 House Committee Rules Public Hearing HR C	3
HB 3903	Relating to parking minimums for residential development.	Rep Ruiz	Requires local governments to require at least one parking space per multiunit unit with limited exceptions.	03/04/25 - Referred to Housing and Homelessness. 02/27/25 - First reading. Referred to Speaker's desk.	Housing and Homelessness (H)		3
HB 5011	Relating to the financial administration of the Housing and Community Services Department; declaring an emergency.	Presession filed (at the request of Oregon Department of Administrative Services)	Appropriates moneys from the General Fund to the Housing and Community Services Department for biennial expenses.	04/16/25 - Informational Meeting scheduled. 04/08/25 - Informational Meeting held. 03/27/25 - Public Hearing held.	Ways and Means (J)	3:00PM 04/16/2025 Joint Subcommittee Transportation and Economic Development Informational Meeting H-174	1
HB 5024	Relating to the financial administration of the Oregon Business Development Department; declaring an emergency.	Presession filed (at the request of Oregon Department of Administrative Services)	Appropriates moneys from the General Fund to the Oregon Business Development Department for certain biennial expenses.	04/15/25 - Informational Meeting scheduled. 04/07/25 - Informational Meeting held. 03/18/25 - Public Hearing held.	Ways and Means (J)	3:00PM 04/15/2025 Joint Subcommittee Transportation and Economic Development Informational Meeting H-174	1
HB 5032	Relating to the financial administration of the Department of Public Safety Standards and Training; declaring an emergency.	Presession filed (at the request of Oregon Department of Administrative Services)	Appropriates moneys from the General Fund to the Department of Public Safety Standards and Training for debt service.	01/18/25 - Assigned to Subcommittee On Public Safety. 01/17/25 - Referred to Ways and Means. 01/13/25 - First reading. Referred to Speaker's desk.	Ways and Means (J)		1
HJR 2	Proposing an amendment to the Oregon Constitution relating to funding for local mandates.	Rep Boshart Davis (Presession filed)	Proposes an amendment to the Oregon Constitution to change the requirements governing when the State of Oregon must appropriate or allocate sufficient moneys to pay for new or newly expanded programs that state laws, rules or orders require local governments to provide. Expands the definition of "local government" to include special districts.	01/17/25 - Referred to Rules. 01/13/25 - First reading. Referred to Speaker's desk.	Rules (H)		2
SB 104	Relating to property tax exemption for nonprofit corporation low income housing; prescribing an effective date.	Presession filed (at the request of Senate Interim Committee on Finance and Revenue)	Extends the sunset date for the property tax exemption for nonprofit corporation low income housing.	02/05/25 - Public Hearing held. 01/17/25 - Referred to Finance and Revenue. 01/13/25 - Introduction and first reading. Referred to President's desk.	Finance and Revenue (S)		3
SB 106	Relating to the interdependence of the state and local tax systems in Oregon; prescribing an effective date.	Presession filed (at the request of Senate Interim Committee on Finance and Revenue)	Requires the Legislative Revenue Officer to study the interdependence of the state and local tax systems in Oregon.	01/17/25 - Referred to Finance and Revenue. 01/13/25 - Introduction and first reading. Referred to President's desk.	Finance and Revenue (S)		1
SB 1086	Relating to an apprenticeship program for building inspectors; prescribing an effective date.	Sen Anderson; Sen Broadman; Sen Jama; Sen Nash; Sen Pham; Sen Smith DB; Sen Starr	Requires the Director of the Department of Consumer and Business Services to assist and provide support to the Oregon Building Officials Association to develop a proposal for establishing an apprenticeship program for building inspectors.	04/09/25 - Carried over to 04-10 by unanimous consent. 04/08/25 - Second reading. 04/07/25 - Subsequent referral rescinded by order of the President.		11:00AM 04/10/2025 Third Reading Senate Floor	3
SB 1094	Relating to property tax credits for service members; prescribing an effective date.	Finance and Revenue (S)	Provides for a property tax credit against the ad valorem taxes imposed on the homestead of a resident serving on active military duty.	02/25/25 - Referred to Finance and Revenue. 02/25/25 - Introduction and first reading. Referred to President's desk.	Finance and Revenue (S)		3
SB 1103	Relating to infrastructure development to support housing; declaring an emergency.	Sen Broadman	Requires the Oregon Business Development Department to establish a program to provide loans to cities and tribes to develop infrastructure to support housing in climate-friendly areas.	03/31/25 - Public Hearing held. 03/03/25 - Referred to Housing and Development, then Ways and Means. 02/27/25 - Introduction and first reading. Referred to President's desk.	Housing and Development (S)		3

MMC List of Bills
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Bill Number	Relating To	Bill Sponsor	Bill Summary	Last Three Actions	Current Committee	Next Hearing	Priority
SB 1118	Relating to tolling highways; declaring an emergency.	Rep Dobson; Rep Hartman; Rep Nguyen D; Sen Jama; Sen Meek	Prohibits the Oregon Transportation Commission from establishing a toll on Interstate 205 or Interstate 5.	03/03/25 - Referred to Transportation. 02/27/25 - Introduction and first reading. Referred to President's desk.	Transportation (J)		3
SB 1128	Relating to disability under the Public Employees Retirement System.	Sen Gorsek	Provides that a police officer or firefighter member of the Public Employees Retirement System is considered disabled if the member is unable to perform the work the member performed at the	03/03/25 - Referred to Labor and Business. 02/27/25 - Introduction and first reading. Referred to President's desk.	Labor and Business (S)		3
SB 1140	Relating to English-only policies in the workplace.	Sen Taylor	Prohibits employers from imposing requirements that employees speak only English in the workplace unless the employer can demonstrate that the requirement is justified by business necessity and	03/03/25 - Referred to Labor and Business. 02/27/25 - Introduction and first reading. Referred to President's desk.	Labor and Business (S)		3
SB 1153	Relating to water.	Natural Resources and Wildfire (S)	Directs the Water Resources Department to consider whether certain water right transfers will result in a loss of in-stream habitat for sensitive,	04/08/25 - Work Session held. 03/25/25 - Public Hearing held. 03/03/25 - Referred to Natural Resources and	Natural Resources and Wildfire (S)		3
SB 117	Relating to property tax exemption for vertical housing development projects; prescribing an effective date.	Presession filed (at the request of Senate Interim Committee on Finance and Revenue)	Extends the sunset date for the partial property tax exemption for the property of vertical housing development projects.	02/05/25 - Public Hearing held. 01/17/25 - Referred to Finance and Revenue, then Tax Expenditures. 01/13/25 - Introduction and first reading. Referred to President's desk.	Finance and Revenue (S)		3
SB 118	Relating to property tax exemption for multiunit rental housing; prescribing an effective date.	Presession filed (at the request of Senate Interim Committee on Finance and Revenue)	Extends the sunset date for the property tax exemption for multiunit rental housing.	02/05/25 - Public Hearing held. 01/17/25 - Referred to Finance and Revenue, then Tax Expenditures. 01/13/25 - Introduction and first reading. Referred to President's desk.	Finance and Revenue (S)		3
SB 179	Relating to landowner immunity.	Presession filed (at the request of Senate Interim Committee on Judiciary)	Makes permanent the temporary changes made to the landowner immunity laws by chapter 64, Oregon Laws 2024.	03/14/25 - Referred to Judiciary. 03/13/25 - First reading. Referred to Speaker's desk. 03/13/25 - Third reading. Carried by Prozanski. Passed. Ayes, 30.	Judiciary (H)		2
SB 297	Relating to the Department of Transportation; prescribing an effective date.	Sen Meek (Presession filed)	Appropriates moneys from the General Fund to the Department of Transportation for right of way health and safety.	01/17/25 - Referred to Transportation, then Ways and Means. 01/13/25 - Introduction and first reading. Referred to President's desk.	Transportation (J)		1
SB 31	Relating to housing; declaring an emergency.	Sen Patterson (Presession filed)	Authorizes the Housing and Community Services Department to provide grants to support tenants of publicly supported housing when the housing's affordability restrictions are terminated.	03/31/25 - Referred to Ways and Means by order of the President. 03/31/25 - Recommendation: Do pass with amendments and be referred to Ways and Means. (Printed A-Eng.) 03/24/25 - Work Session held.	Ways and Means (J)		3
SB 32	Relating to housing; prescribing an effective date.	Sen Patterson (Presession filed)	Requires the Housing and Community Services Department to post information about publicly supported housing on the department's webpage.	04/03/25 - First reading. Referred to Speaker's desk. 04/02/25 - Third reading. Carried by Patterson. Passed. Ayes, 28; Excused, 2--Starr, Woods.			3
SB 387	Relating to property tax exemption for disabled veterans; prescribing an effective date.	Rep Levy B; Rep Reschke; Sen McLane; Sen Smith DB; Sen Thatcher; Sen Weber (Presession filed)	Grants higher property tax exemptions for the property of veterans with disabilities.	04/09/25 - Public Hearing held. 02/10/25 - Referred to Finance and Revenue by prior reference.	Finance and Revenue (S)		3
SB 464	Relating to Housing	Rep Edwards; Rep Javadi; Rep Levy B; Rep Wright; Sen Weber (Presession filed)	Requires local governments to approve alteration, restoration or replacement of dwellings under an alternative process that is not a land use decision.	01/17/25 - Referred to Housing and Development. 01/13/25 - Introduction and first reading. Referred to President's desk.	Housing and Development (S)		3
SB 473	Relating to crime; declaring an emergency.	Rep Fragala; Sen Manning Jr; Sen Prozanski; Sen Weber (Presession filed) (at the request of City of Eugene)	Creates the crime of threatening a public official.	04/02/25 - Work Session held. 02/11/25 - Public Hearing held. 01/17/25 - Referred to Judiciary.	Judiciary (S)		3

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Bill Number	Relating To	Bill Sponsor	Bill Summary	Last Three Actions	Current Committee	Next Hearing	Priority
SB 48	Relating to housing.	Presession filed (at the request of Senate Interim Committee on Housing and Development)	Limits to within an urban growth boundary a dwelling developer's ability to apply updated land use regulations to pending application.	04/09/25 - Work Session held. 03/05/25 - Public Hearing held. 01/17/25 - Referred to Housing and Development.	Housing and Development (S)		3
SB 49	Relating to housing.	Presession filed (at the request of Senate Interim Committee on Housing and Development)	Adds two members to the Building Codes Structures Board and adds two professions that the board members must represent.	04/09/25 - Recommendation: Do pass with amendments. (Printed A-Eng.) 04/02/25 - Work Session held. 03/10/25 - Public Hearing held.		11:00AM 04/14/2025 Third Reading Senate Floor	3
SB 518	Relating to county property tax collection; prescribing an effective date.	Rep Boice; Sen Smith DB (Presession filed)	Authorizes a county tax collector to withhold from property tax distributions to taxing districts within the county an amount equal to three percent of the distributions.	01/17/25 - Referred to Finance and Revenue. 01/13/25 - Introduction and first reading. Referred to President's desk.	Finance and Revenue (S)		2
SB 5528	Relating to the financial administration of the Department of Land Conservation and Development; declaring an emergency.	Presession filed (at the request of Oregon Department of Administrative Services)	Appropriates moneys from the General Fund to the Department of Land Conservation and Development for certain biennial expenses.	02/04/25 - Public Hearing held. 02/03/25 - Informational Meeting held. 01/18/25 - Assigned to Subcommittee On Natural Resources.	Ways and Means (J)		1
SB 5531	Relating to lottery bonds; declaring an emergency.	Presession filed (at the request of Oregon Department of Administrative Services)	Modifies the amount and purposes of lottery bonds authorized to be issued for specified state agencies.	01/18/25 - Assigned to Subcommittee On Capital Construction. 01/17/25 - Referred to Ways and Means.	Ways and Means (J)		1
SB 5541	Relating to the financial administration of the Department of Transportation; declaring an emergency.	Presession filed (at the request of Oregon Department of Administrative Services)	Appropriates moneys from the General Fund to the Department of Transportation for certain biennial expenses.	03/11/25 - Public Hearing held. 03/06/25 - Informational Meeting held. 03/05/25 - Informational Meeting held.	Ways and Means (J)		1
SB 593	Relating to the regulation of public property with respect to persons experiencing homelessness; declaring an emergency.	Sen Meek (Presession filed)	Repeals the statute enacted by House Bill 3115 (2021) that established objective reasonableness as a statewide standard for city and county laws regulating the use of public property with respect to persons experiencing homelessness, as the basis for a cause of action for injunctive and declaratory relief to challenge such laws and as an affirmative defense in the prosecution of violations of such laws.	01/17/25 - Referred to Judiciary, then Housing and Development. 01/13/25 - Introduction and first reading. Referred to President's desk.	Judiciary (S)		3
SB 6	Relating to a deadline within which to act upon an application for a building permit.	Sen Anderson	Requires the Department of Consumer and Business Services, a municipality, a building official or any other agency or official responsible for administering and enforcing the state building code to approve and issue, or disapprove and deny, any application for a building permit not later than 45 business days after the date on which the applicant submits a completed application.	04/07/25 - Work Session held. 03/17/25 - Public Hearing held. 03/11/25 - Referred to Housing and Development.	Housing and Development (S)		3
SB 645	Relating to the regulation of public property with respect to persons experiencing homelessness; declaring an emergency.	Sen Bonham (Presession filed)	Repeals the statute enacted by House Bill 3115 (2021) that established objective reasonableness as a statewide standard for city and county laws regulating the use of public property with respect to persons experiencing homelessness, as the basis for a cause of action for injunctive and declaratory relief to challenge such laws and as an affirmative defense in the prosecution of violations of such laws.	01/17/25 - Referred to Housing and Development. 01/13/25 - Introduction and first reading. Referred to President's desk.	Housing and Development (S)		3
SB 658	Relating to employment preference for veterans.	Sen Robinson (Presession filed) (at the request of Senator Noah Robinson)	Provides that, when an interview is an element of the process of selecting a candidate for a civil service position from an eligibility list, the public employer	02/20/25 - Public Hearing held. 01/17/25 - Referred to Veterans, Emergency Management, Federal and World Affairs.	Veterans, Emergency Management, Federal and World Affairs (S)		3

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SB 684	Relating to housing.	Rep Gamba; Rep Gomberg; Rep Nelson; Rep Neron; Rep Nosse; Rep Valderrama; Rep Walters; Sen Broadman; Sen Frederick; Sen Manning Jr; Sen Patterson; Sen Pham; Sen Reynolds (Presession filed)	Directs the Housing and Community Services Department to establish a program to issue low-interest short-term loans for the construction of mixed income public developments.	04/07/25 - Work Session held. 03/12/25 - Public Hearing held. 01/17/25 - Referred to Housing and Development, then Ways and Means.	Housing and Development (S)		3
SB 712	Relating to maximum assessed value; prescribing an effective date.	Sen Gorsek (Presession filed)	Provides for an annual increase of three percent in the maximum assessed value of property.	03/26/25 - Public Hearing held. 01/17/25 - Referred to Finance and Revenue. 01/13/25 - Introduction and first reading. Referred	Finance and Revenue (S)		3
SB 719	Relating to graffiti courts.	Sen Gorsek (Presession filed)	Requires the Department of Justice to study graffiti courts.	01/17/25 - Referred to Transportation. 01/13/25 - Introduction and first reading. Referred to President's desk.	Transportation (J)		3
SB 731	Relating to public employer policies regarding language pay differentials.	Sen Gelser Blouin; Sen Hayden; Sen Patterson; Sen Sollman (Presession filed)	Requires public employer employment policies to provide for a pay differential for sign language skills in the same manner that pay differentials are provided for other bilingual or multilingual skills.	02/21/25 - Referred to Labor and Workplace Standards. 02/20/25 - First reading. Referred to Speaker's desk. 02/18/25 - Third reading. Carried by Gelser Blouin. Passed. Ayes, 27; Nays, 1--Robinson; Excused, 2--Linthicum, Taylor.	Labor and Workplace Standards (H)		3
SB 808	Relating to preference given to servicemembers in public employment.	Presession filed (at the request of Governor Tina Kotek for Oregon Military Department)	Provides hiring and promotion preferences in public employment to members and former members of the Oregon National Guard.	03/10/25 - Referred to Emergency Management, General Government, and Veterans. 03/04/25 - First reading. Referred to Speaker's desk.	Emergency Management, General Government, and Veterans (H)		3
SB 817	Relating to Land Use Board of Appeals fees.	Presession filed (at the request of Governor Tina Kotek for Land Use Board of Appeals)	Increases fees for filing a notice of intent to appeal and a motion to intervene with the Land Use Board of Appeals.	03/14/25 - Referred to Agriculture, Land Use, Natural Resources, and Water. 03/13/25 - First reading. Referred to Speaker's desk. 03/11/25 - Third reading. Carried by Golden. Passed. Ayes, 25; Nays, 5--Bonham, Hayden, Linthicum, Nash, Robinson.	Agriculture, Land Use, Natural Resources, and Water (H)		3
SB 847	Relating to health insurance subsidies under the Public Employees Retirement System.	Presession filed (at the request of Governor Tina Kotek for Public Employees Retirement System)	Increases the Retirement Health Insurance Account subsidy under the Public Employees Retirement System.	03/18/25 - Referred to Labor and Workplace Standards. 03/18/25 - First reading. Referred to Speaker's desk. 03/18/25 - Third reading. Carried by Taylor. Passed. Ayes, 17; Nays, 10--Anderson, Bonham, Girod, Linthicum, McLane, Nash, Robinson, Smith DB, Thatcher, Maher, Escudé, 2--Hayden, Patterson	Labor and Workplace Standards (H)		3
SB 898	Relating to urbanization; declaring an emergency.	Sen Anderson	Authorizes certain cities with a demonstrated need for housing to add a project area to their urban growth boundary upon certain conditions.	01/21/25 - Referred to Housing and Development. 01/21/25 - Introduction and first reading. Referred to President's desk.	Housing and Development (S)		3
SB 91	Relating to firefighting foam.	Presession filed (at the request of Senate Interim Committee on Energy and Environment)	Prohibits fire departments from using firefighting foam containing perfluoroalkyl or polyfluoroalkyl substances (PFAS).	03/10/25 - Referred to Climate, Energy, and Environment. 03/06/25 - First reading. Referred to Speaker's desk. 03/04/25 - Third reading. Carried by Sollman. Passed. Ayes, 27; Nays, 3--Bonham, Linthicum, Robinson	Climate, Energy, and Environment (H)		3
SB 916	Relating to unemployment insurance benefits for employees unemployed due to a labor dispute.	Rep Bowman; Rep Chaichi; Rep Fragala; Rep Gamba; Rep Grayber; Rep Hudson; Rep Munoz; Rep Sosa; Sen Campos; Sen Gorsek; Sen Jama; Sen	Provides that an individual otherwise eligible for unemployment insurance benefits is not disqualified for any week that the individual's unemployment is	03/27/25 - Referred to Labor and Workplace Standards. 03/24/25 - First reading. Referred to Speaker's desk.	Labor and Workplace Standards (H)		3
SB 925	Relating to tolling on Interstate 205.	Sen Bonham	Prohibits the Oregon Transportation Commission from establishing a toll on Interstate 205.	01/21/25 - Referred to Transportation. 01/21/25 - Introduction and first reading. Referred to President's desk.	Transportation (J)		3
SB 936	Relating to public health infrastructure facilities; declaring an emergency.	Rep Gamba; Rep Grayber; Rep Hudson; Rep Nosse; Rep Tran; Sen Gorsek; Sen Manning Jr	Makes a public health infrastructure facility an allowed use on any zone if the Oregon Health Authority, Department of Environmental Quality or United States Environmental Protection Agency has established a deadline for the development of the facility.	01/24/25 - Referred to Veterans, Emergency Management, Federal and World Affairs. 01/23/25 - Introduction and first reading. Referred to President's desk.	Veterans, Emergency Management, Federal and World Affairs (S)		2

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Bill Number	Relating To	Bill Sponsor	Bill Summary	Last Three Actions	Current Committee	Next Hearing	Priority
SB 949	Relating to affordable housing; declaring an emergency.	Rep Nelson; Sen Frederick; Sen Woods	Directs the Housing and Community Services Department to disburse moneys to Self Enhancement, Inc.	04/03/25 - Referred to Ways and Means by prior reference. 04/03/25 - Recommendation: Do pass with amendments and be referred to Ways and Means by prior reference. (Printed A-Eng.) 03/26/25 - Work Session held.	Ways and Means (J)		3
SB 974	Relating to the timeline for reviewing land use applications for housing; prescribing an effective date.	Sen Anderson; Sen Broadman; Sen Jama	Reduces to 45 days the time under which a city or county must decide a land use application for single-family dwellings.	04/07/25 - Work Session held. 03/19/25 - Public Hearing held. 03/17/25 - Public Hearing held.	Housing and Development (S)		2
SB 983	Relating to the adoption of local budgets.	Education (S)	Permits local public officials to participate in discussion and debate and to vote on the adoption of a local budget that includes compensation for the public official or a relative of the public official after announcing an actual conflict of interest.	03/26/25 - Referred to Rules by order of the President. 03/26/25 - Recommendation: Without recommendation as to passage and be referred to Rules. 03/24/25 - Work Session held.	Rules (S)		3
SB 99	Relating to property tax incentive benefit programs for brownfields; prescribing an effective date.	Presession filed (at the request of Senate Interim Committee on Finance and Revenue)	Extends the sunset for the property tax incentive benefit programs for brownfields and property on brownfields.	04/09/25 - Informational Meeting held. 02/19/25 - Public Hearing held. 01/17/25 - Referred to Finance and Revenue, then	Finance and Revenue (S)		2
SJR 2	Proposing an amendment to the Oregon Constitution relating to excluding partial exemptions and property tax credits from the requirement of redetermining the maximum assessed value of property granted exemption or credit.	Presession filed (at the request of Senate Interim Committee on Finance and Revenue)	Proposes an amendment to the Oregon Constitution to exclude partial exemptions of the assessed value of property, and tax credits against property taxes on property, from the requirement that the maximum assessed value of the property be redetermined when the property is first granted or disqualified from a partial exemption or property tax credit. Refers the proposed amendment to the people for their approval or rejection at the next regular general election.	01/17/25 - Referred to Rules. 01/13/25 - Introduction and first reading. Referred to President's desk.	Rules (S)		1
SJR 3	Proposing an amendment to the Oregon Constitution relating to ad valorem property taxation.	Presession filed (at the request of Senate Interim Committee on Finance and Revenue)	Proposes amendments to the Oregon Constitution providing that, for purposes of ad valorem property taxation, maximum assessed value shall be reassessed upon the sale of property, the ratio of maximum assessed value to real market value of property may not be less than 0.75, and the maximum number of years for which a local option tax may be passed are extended and the tax is not subject to compression under Ballot Measure 5 (1990).	01/17/25 - Referred to Rules. 01/13/25 - Introduction and first reading. Referred to President's desk.	Rules (S)		1

Support Letter for Furnberg Park Picnic Shelter

The 2025 City Council of Milwaukie Oregon generally supports additional amenities inside Milwaukie City Parks. We believe that amenities like picnic shelters provide opportunities for additional gatherings, events, celebrations, and visitation to our parks.

We also support our Neighborhood District Associations endeavors to improve our public spaces as long as they meet the guidelines set forth in the Milwaukie Neighborhood Enhancement Program Administrative Policy and City of Milwaukie goals, initiatives, and policies.

Joint Committee on Ways and Means

Subcommittee on Transportation and Economic Development

Oregon Legislative Assembly

900 Court St NE, Salem, OR 97301

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RE: Support for Senate Bill 229 – Bridge Meadows Expansion

Dear Co-Chairs Meek and Gomberg, and Members of the Committee:

The Milwaukie City Council write to express our strong support for Senate Bill (SB) 229, a critical piece of legislation that addresses the growing need for affordable housing for both families and elders in our state.

This bill would make a meaningful investment in the well-being of two vulnerable populations: families caring for children impacted by the foster care system and older adults with limited incomes. By funding predevelopment efforts for intergenerational housing, this bill supports the expansion of **Bridge Meadows’ proven model**—a unique, community-centered approach that fosters resilience, belonging, and healing.

A Bridge Meadows facility would be a phenomenal addition to the campus already taking shape in the Hillside Community here in Milwaukie, a property of the Housing Authority of Clackamas County. Bridge Meadows has demonstrated success in creating supportive, affordable housing communities where families and elders live, grow, and thrive together. Their model not only enhances quality of life but also reduces public costs in both the foster care and senior care systems.

Our Council adopted Enhancing Community Affordability as one of our three goals for 2025-2027, and facilitating more affordable housing options for the full spectrum of community members is an important part of that. We are actively working on one land-banking project, revising our code to create affordable housing incentives, and partnering with the County on other affordable housing initiatives. The passage of SB 229 would directly support this goal, offering long-term, sustainable housing solutions that promote stability and community well-being.

We respectfully urge you and your colleagues to support this vital legislation. Your leadership in advancing innovative, inclusive housing solutions will make a lasting difference in the lives of families and elders in Milwaukie and Clackamas County.

[council signature block]