



April 19, 2019

Senator Shemia Fagan, Chair
Senate Committee on Housing
Oregon State Capitol
900 Court St. NE, HR B
Salem, OR 97301

RE: Concerns and Suggestions for HB 2306 A

Dear Chair Fagan and Members of the Committee:

The City of Hillsboro appreciates the modifications to the base bill made in the House. Those changes were important improvements to the bill as introduced. Additional changes are needed to ensure smooth and orderly implementation and to protect the public health and safety while public improvements are completed.

Section 1(b)

The definition of “public improvement” should be modified to be inclusive of the enumerated list, but not limited to only the list of specified public improvements. Storm drainage facilities should be specifically enumerated. The City of Hillsboro’s Community Development Code also requires installation of fiber infrastructure as a required public improvement connected with the City’s new public broadband utility. Adding “not limited to” language will ensure important public improvements like fiber infrastructure can be accounted for in the definition.

Section 1(c)

The definition of “residential subdivision” should be amended. We recommend defining this term as a residential development requiring the division of land as defined in *ORS 92.010(16) & (17)*.

Section 1(d)

The definition of “substantial completion” needs substantial clarification. The definition should create an explicit and clear connection to the public health and safety, as well as emergency access for first responders. The definition should at minimum ensure infrastructure is in place that adequately protects residential occupants while the remaining non-public health and safety related improvements can be negotiated and completed.

Section 1 (2)(b)

This subsection needs additional detail to better clarify the process and expectations for both the developer and public owner when securing the remaining work with a performance bond. We recommend the language explicitly state the required value of the performance bond as a percentage (125%) value of the remaining improvements contained in the development agreement, and that the bond must be maintained until the improvements are completed.

Thank you for the opportunity to provide comments on HB 2306 A. As previously stated, the House made some good improvements to the base bill. We encourage this Committee to give some thought to the changes highlighted above. These modifications will help ensure we can implement the bill smoothly and make sure occupants are safe in their homes while remaining public improvements are completed.

Sincerely,

A handwritten signature in cursive script, appearing to read "Andy Smith".

Andy Smith
Government Relations Manager