



CITY COUNCIL

91136 N Willamette Street

541-682-7852 | coburgoregon.org

Tuesday, October 13, 2020 at 7:00 PM

CALL THE CITY COUNCIL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

MAYOR COMMENTS

AGENDA REVIEW

CITIZEN TESTIMONY *(Sign up prior to meeting. Limit 3 minutes.)*

RESPONSE(S) BY CITY COUNCIL *(Each Council Member has the opportunity to acknowledge speakers and get clarification on subjects addressed during testimony.)*

CONSENT AGENDA *(These items are considered routine, and therefore, will not be allotted discussion time on the agenda; these items may be passed by Council in one blanket motion: any Councilor may remove an item from the "Consent" agenda for discussion by requesting such action prior to consideration.)*

SPECIAL GUEST

CITY ADMINISTRATOR'S REPORT

1. Monthly Report from City Administrator

ORDINANCES AND RESOLUTIONS

2. ORDINANCE **A-251** AN ORDINANCE AUTHORIZING THE CITY OF COBURG TO REFINANCE OUTSTANDING LOANS, PROVIDING FOR RELATED MATTERS, AND DECLARING AN EMERGENCY

Action: Public Hearing | Waive Second Reading | Consider Approval

3. RESOLUTION **2020-21** A RESOLUTION ESTABLISHING, RECEIVING AND USE OF CORONAVIRUS RELIEF FUNDS (CRF) UNDER THE FEDERAL CARES ACT PROVIDED TO THE CITY OF COBURG, OREGON

COUNCIL ACTION ITEMS

4. Contract with Jones Drilling Co. for Test Well Drill
5. City Administrator Employment Agreement

ADMINISTRATIVE INFORMATION REPORTS

6. Citizen Inquiry Quarterly Report
7. Draft Water Leak Forgiveness

COUNCIL COMMENTS

UPCOMING AGENDA ITEMS

Report on November 3rd General Election

Resolution Adopting Policy for leak forgiveness

FUTURE MEETINGS

Heritage Committee - October 14

Park Tree Committee - October 20

Planning Commission - October 21

Finance Audit Committee - October 27

City Council Work Session - October 27

City Council - November 10

ADJOURNMENT

If anyone needs disability accommodation in order to participate, please notify the City Recorder at the City of Coburg at

541-682-7852, sammy.egbert@ci.coburg.or.us.

All Council meetings are recorded and retained as required by ORS 166-200-0235.

COBURG CITY COUNCIL MONTHLY REPORTS



TOPIC: City Administrator's Report

Meeting Date: October 13, 2020

Staff Contact: Anne Heath, City Administrator

Contact: 541-682-7871, anne.heath@ci.coburg.or.us

The following is an overview of important activities during the month of September, general administration, and upcoming work to be done. The information in this report is compiled by the City Administrator and Department Directors.

GENERAL ADMINISTRATION

- **Well Property Purchase.** As part of the application to the Oregon Health Authority, there is a review process for other agencies. One other agency has submitted a concern regarding nitrates in the area. This is a historical issue and mostly isolated to the shallow residential wells. The City Well will be much deeper and is less likely to have the nitrates levels. Neither the Oregon Health Authority nor our engineer are greatly concerned about this. But, they have made the recommendation that we do a test in the well location and go down 160 feet taking samples every twenty feet. This will provide the information the City needs and alleviate us doing a full drill and finding out that there is a concern. A test drill contract is included under a different tab.

I-5 Bore. The pre-construction meeting has taken place and the work is moving forward. It is anticipated that it will be completed prior to November 20. This does not mean that water will suddenly be available. It means that one piece of getting the water to the eastside of the freeway is completed and we can move forward with continuing with the water master planned projects.

- **Roberts Road Maintenance and Repairs** – This project is completed. We were able to get about 20 more feet into the project than initially planned. This is to the eastside of McDonalds and in front of GCR Tire.
- **Johnny Diamond Park** – Project is complete. The park opening date has not yet been decided. There are still some park completion elements that the Public Works Team

needs to take care of prior to opening for play. It is still anticipated that it will open sometime in late October.

- **Annexation of Eastside Properties.** – The City has received an annexation application from the owners of industrial lands on the east side of the freeway. This property is within the Urban Growth Boundary. The application is being reviewed for completion by the planning department. A work session on annexation will take place on October 27th. At this meeting the Councilors will be educated regarding the annexation process, the actual application, and the decisions that need to be made by the Council. An annexation application is approved by the City Council by ordinance which will include a public hearing process.
- **Community Build Out Scenario** - The online survey was extended until midnight on October 2. A report is now being written by Urban Collaborative that will be available for the Council to receive at the Work Session on November 17th. This work session will be open to the public and the public will be encouraged to participate with comment. How the meeting will take place has not been decided at this time given the current uncertainty of Covid-19 in the County.
- **Welcome Megan Winner to City Staff** – Megan Winner has been serving the City as a RARE participant since September, 2019. Her tenure in RARE ended on September 30, 2020. The City budgeted for a position to support Planning and Economic Development. This will be a one year limited duration position which may continue depending on budget and if there is substantial reason to continue the support in these departments. Megan will continue her work with the Economic Development Committee in implementing the Main Streets Program, support of businesses, and promotion of the City through the newsletter, social media and website. In addition, Megan is supporting the planning department in maintaining the on-line permit process, and assisting the contract planner and customers as needed. She is also serving as the Staff Liaison to the Heritage Committee.
- **Welcome to Jacob Suttles** – Jacob has joined the Public Works Team. Jacob has worked as a temporary in the public works department in Harrisburg for two years.
- **Economic Development Committee** – The City continues to participate in the Economic Development Committee with Megan Winner providing the coordination with Chamber President Sharyl Abbasapour. The Committee has completed the first step of naming possible projects for the Main Street Program and will be prioritizing those projects and beginning to develop them.

- **Coburg Community Foundation Grant Distribution** – The Coburg Community Foundation has submitted their required report regarding their distribution of the grant funds provided by the City to local businesses and residents. This document is attached to this report.

Upcoming Meetings

Planning Commission – October 21 – 7:00

Park & Tree Committee – October 20 – 6:00

Heritage Committee – October 14 – 6:00 p.m.

Finance Committee - October 27 – 5:30 p.m.

City Council Work Session – October 27 – 6:00 p.m.

Community Events

- **Scarecrow Festival** kicked off in Mid-September and will be ongoing through Halloween. Property owners could have entered their scarecrows into a contest in which there were prizes awarded. Judging is taking place at the time of this newsletter.

DEPARTMENTS AND OPERATIONS

City Recorder/Administration

- Started the planning file and retention project.
- Attended the Oregon Association of Municipal Recorders Conference September 21-25. This conference provided 16 hours of certification training. Eight hours on policies, procedures, task, and eight hours on dealing with difficult people.
- November 3, 2020 General Election
 - October 13th – Last day to register to vote in the General Election
 - October 15th – Official drop sites open. (One located outside of City Hall)
 - November 3 – Official drop sites close at 8:00pm.
- Prepared Utility Billing, Ordinance, Resolutions and Minutes and other items requested for audit to Finance.
- Recruitment to fill the administrative assistant position is on hold until COVID restrictions are lifted.

Finance

Finance is providing bullet points in this space this month in lieu of a finance report. The Council will receive a quarterly finance report at the November 10th meeting. Finance has been working many hours to prepare information for the refinance of the City loans. This is important information in order to establish a credit rating for the City and to prepare information for the bonding company. Because it is the first two months of the fiscal year, the financial reporting is early to give budget-actual figures. However, the quarterly financial report will include all of this information when received in November.

- Finance Director is continuing to train on the tasks and processes of City Finance.
- Preparation of numerous reports, analysis and financial information for the refinance of the City Debt
- Meeting with the Finance/Audit Committee to go over refinancing of debt.
- Preparation of audit information and submittal to audit portal.

Planning & Economic Development

- PA-01-20: Weichert partition application was approved by Planning Commission, splitting the applicant's lot at the City limits into two lots (one within City limits, one outside City limits in Lane County jurisdiction)
- SR-03-20: Application for upstairs remodel on Abby Rd received plans review approval from Planning and Building Departments
- SR-04-20: Planning review approval for new detached garage being constructed on N Miller
- SR-05-20, SR-06-20; SR-07-20: Approval for construction of two new single family dwellings: one new home with detached garage on N. Harrison; one new home on N Skinner

- ANX-01-20: Annexation application received for approximately 106 acres of employment lands on eastside of I-5. Application is incomplete at this time and planner has requested additional information from the applicant. Staff will have in-house meeting to further discuss application in upcoming weeks.
- SR-08-20: Site design and plans for new office building on N Harrison submitted and under review.
- Hired Planning Tech and Economic Development Assistant, Megan Winner
- Heritage Committee applicant Shannon Sardell appointment approved by Mayor
- Received application from Stephen Sheehan for appointment to Heritage Committee
- Certified Local Government grant project: Historic Resource survey (aka Reconnaissance Level Survey or RLS) completed. Database updated with State Historic Preservation Office (SHPO). Created and printed 500 new walking tour booklets, one has been placed in each Council's mailbox to review.

Economic Development

- Economic Development Committee is pursuing Oregon Main Street Program by applying for Tier 2 with Resolution 2020-18, Endorsing Participation in Oregon Main Street Program, approved by City Council at September meeting
- New Lane County Matching Grant Funds application for businesses opens 10/5. Previous troublesome eligibility requirements such as receiving other funding sources have been addressed.

Public Works

DUE TO EXTREME SMOKE, CREWS WORKED A LOT ON INSIDE PROJECTS, THEREFORE THERE IS LIMITED INFORMATION TO SHARE REGARDING PUBLIC WORKS PROJECTS.

Public Works

- **Streets and ROW.**
 - **Projects**
 - **Street Banners**
 - These are still being installed.
- **Water Utility**
 - **Leaks**
 - Crews repaired one service line that was leaking.
- **Sewer Utility**
 - **Collections**
 - Inspected sites
 - Called out 10 times
 - **Treatment Plant**
 - Crews ran the recovery cleans on the membranes. This job takes several days to complete.

- **Parks**
 - **Johnny Diamond Park**
 - Crews are working on finishing the swing sets and installation of garbage cans. We are hoping to open the park sometime in late October.
 - **Maintenance**
 - **Parks and Tree Committee**
 - Committee met with the developer of the proposed subdivision off North Coleman to review their proposal for open space.
- **Misc.**
 - **Locates**
 - 7 Locates
 - **Staff**
 - We have hired a new crewmember. His name is Jacob Suttles. Jacob has been serving as a temporary for the City of Harrisburg the last two years. He graduated from Harrisburg High School and is excited about becoming a team member for Public Works.

Municipal Court

- **September 2020 Activity Measures: 54**
 - **Citations (Crimes and Violations)**
 - New Citations for September 22, 2020 Court Date:
 - **September 2020 Receipts Including Collections,**
 - **Total Fines:** \$ 12,434.90 (total monies taken in for the month, nothing deducted), *compared to \$15,244.54 in September of 2019*
 - **Net Fines:** \$10,169.00 (City share only, NOT including collections), *compared to \$11,186.73 in September of 2019*
 - **September 2020 Professional Credit Service Collections:**
 - **Total Collection Revenue:** \$2,265.90 *compared to \$4,057.81 in September of 2019*
 - **Turned over to collection:** \$ 14,310.00 *compared to \$678.00 in September of 2019*

Comparisons should only be considered when viewing the year-to-date amounts as court dates are not consistently held on the same dates each month, nor is there consistent cases presented to the court.

Other Information:

- **Large Tyler Data breach which put a stop to any and all court software functions for a week, until determined that it did not affect hosted sites such as us.**
- **Upcoming Court Date: October 6, 2020, Regular Court Session**
- **Jury Trials Scheduled: October 29, 2020 at 9:00 am**

December 3, 2020 at 9:00 am
December 7, 2020 at 9:00 am
December 16, 2020 at 9:00 am

Police Department

- Officers helped the Lane County Sheriff's Department on the Holiday Farm Fire
 - Eleven officers worked thirty-one shifts representing 405 hours. Officers worked the McKenzie Hwy command post, roadblock and patrolled the area looking for looters.
- Officers arrested a male for DEA. The male had an outstanding federal warrant.
- Officers arrested a male semi-truck driver for DUII – Controlled Substances (methamphetamine).
- Officers arrested the same female for DUII-Alcohol, hit and run and reckless driving her Blood Alcohol Content was .30
- Officers issued a citation to a female driver traveling at 104 mph on freeway
- Officers arrested a male on an outstanding warrant for failure to appear on a DUII
- Officers issued a citation to a male for stealing a beer from Dari Mart
- Officers arrested a male for disorderly conduct. The male was fired from work, yelling, and threatening his boss.
- Officers took a report of the theft of a bicycle
- Officers arrested a male on an outstanding warrant for failure to appear on a driving While suspended charge.
- Officers facilitated the towing of the burned out motorhome on Willamette Street
- Officers worked City Ordinance violations for tall grass, blackberries and accumulated junk. The violation has been resolved
- Officers completed a sex offender's annual registration at the Coburg Police Department
- Officer took a report of a gas drive off of \$40 of fuel at the Fuel N Go
- Officers assisted Oregon State Police on a traffic stop of a possible robbery suspect. During the traffic stop, an unrelated semi-trucks trailer tire and wheel caught on fire. Officer Wilson was able to extinguish the fire with a fire extinguisher.
- Officers took a report of a stolen travel trailer. The trailer was parked at the Truck N Travel and was stolen sometime during the last month.
- Officers took a report for found contraband (meth) at a local business.
- Officers where dispatch to assist Oregon State Police with a vehicle pursuit. Officer set up spike strip on the Interstate for the pursuit. The vehicle crashed before coming to Coburg.
- Officers arrested a male for disorderly conduct. The male had been living in his motorhome in the Shell parking lot for several days. The male was intoxicated, started yelling and became disorderly.

- Officers arrested a male for menacing (APA) for assaulting his girlfriend.
- Officers recovered a stolen pickup truck at the Shell. The vehicle was stolen out of Albany and was unoccupied at the time.
- Officers participated in a joint sex offender operation (Operation Oregon Valley) with the United States Marshal's Service. We completed over 80 compliance checks. There are currently 10 sex offenders in Coburg and 35 sex offenders in Harrisburg areas. We issued seven citations for failing to register as a sex offender. One of our cases will be taken over by the United States Marshals Service as a federal case.

Upcoming Events:

None

Coburg Community Foundation – Community Grant Final Report

A total of 8 local businesses received grant funds for a total amount of \$31,500.

A breakdown of how funds were used is in Table 1

TABLE 1

Business / Grant Award amount	Grant award uses
Business #1 5,000	Rent – 4,200 PPE - 800
Business #2 5,000	Creation of outdoor waiting area – 1,500 PPE, Sanitation supplies – 1,200 Changes to customer communication system – 1,050 Training/Preparation for employees for COVID regulations – 1,250
Business #3 2,500	Rent & Utilities – 2,500
Business #4 1,500	Rent – 825 Water / Sewer – 140 Inventory invoices – 535
Business #5 2,500	Supplies – 1,300 Business Loan – 700 Utilities – 500
Business #6 5,000	Partial building payment – 5,000
Business #7 5,000	Carry out containers and supplies – 2,100 Sanitation supplies – 800 Utilities – 700 Training / Prep of employees for COVID regulations – 1,400
Business #8 5,000	Rent – 3,600 Equipment – 840 Marketing – 50 Licenses and Fees – 285

Business #1

“With the grant we were able to go forward with advertising for a planned 6 shop parking lot sale in August. We were able to pay some of our back rent and look to the future in Coburg. Since the spread of the virus has grown recently we are certainly seeing a negative impact in our number of customers and sales. I want to thank the City of Coburg for their quick response and help and the Chamber and Foundation for their work to distribute the city funds. Our future in Coburg has stabilized and we are now planning for Christmas. But if we are required to close again it could be devastating.”

Business #2

“This grant was so helpful, we were not able to bring in any money for 8 weeks. Thank you so much! It took a lot of stress off me.”

Business #3

"It was a Godsend, we were closed for 6 weeks & are only open 4 days for now. Thank you so much!"

Business #4

"Spring is the busiest time of the year at ----- . These grant funds were used to pay my rent, water bill and a portion of the invoice to purchase new product. We are very grateful for the assistance after being closed due to Covid-19 at such a crucial time of the year."

Business #5

"These funds allowed me to buy products & supplies needed to continue making my ----- products for clients providing me with some income. It also enabled me to continue to meet some monthly business expenses during the 2 month closure. I am in deep gratitude for this assistance, one of the many reasons I've lived in Coburg all my life, I love our town! Thank you so very much!"

Business #7

"We are so very thankful for this grant. To stay open for take out for 2 months prior to reopening we have incurred a lot of expenses and lost revenue – this helps to repay the extra cost of being able to stay open for our community. Thank you."

Business #8

"We used these funds to get us through this slow season. Knowing things will continue to be this slow or even slower as the COVID numbers increase, it was a weight off our shoulders to have this grant to help financially as long as it could."

8 individuals/households received grants totaling \$3750



COBURG CITY COUNCIL ISSUE ITEM

TOPIC: Ordinance A-251, An Ordinance Authorizing the City of Coburg to Refinance Outstanding Loans, Providing for Related Matters, and Declaring an Emergency.

Meeting Date: October 13, 2020
Staff Contact: Tim Gaines, Finance Director
Contact: 541-682-7870, tim.gaines@ci.coburg.or.us

SUGGESTED COUNCIL ACTION

Authorize Ordinance A-251, to Refinance Outstanding Loans, Providing for Related Matters, and Declaring an Emergency.

"I move that the Council adopt Ordinance A-251, An Ordinance Authorizing the City of Coburg to Refinance Outstanding Loans, Providing for Related Matters, and Declaring an Emergency.

COUNCIL GOALS

Improve Financial Position

BACKGROUND

The City currently has eight long term loans. There are two loans for the Water Fund, five loans for the Sewer Fund and a loan for the purchase of our current City Hall. The City has maintained a relationship with Matt Donahue from D.A. Davidson over the last few years and was contacted by Matt D about looking at the possibility of refinancing these loans to take advantage of the low interest rates in the current market. Staff has been working with Matt to provide some different options should we decide to go forward with refinancing.

In addition, the City reached out to our current funders and a similar funder in an informal RFP to ask for what they could offer the City in a refinance.

OPTIONS

DEQ Option

The DEQ only has the option to refinance the three Sewer loans only and no other loans. The interest rate offered is 1.40% with a 0.50% Loan Fee. If we were to do this option, it would a savings of approximately \$933,000.

Summit Bank Option

Summit Bank has the ability to refinance City Hall only. They gave us three options that all had a floor rate of 3.63%. This is the highest rate of any of the quotes and it has a maximum length of fifteen years.

Institutional Bond Network Option

Institutional Bond Network does not get involved in underwriting, only post issuance investing of proceeds and cannot help us with any of our loans.

D.A Davidson Option

Scenario A: We would refinance all current long-term debt with a bond sale through D.A. Davidson. If the City receives a rating of AA- from S & P Global, the savings to the City would be approximately \$1.73 million. If the City receives a rating of A+ from S & P Global, the savings to the City would be approximately \$1.23 million.

Scenario B: We would refinance the three current sewer loans with DEQ. We would refinance the remainder of all long-term debt through a bond sale with D.A. Davidson. If the City receives a rating of A+ from S & P Global, the savings to the City would be reduced to approximately \$950,000. However, when combined with the saving from the DEQ, the City would have an overall savings of \$1.88 million. The City does not have an estimate for this scenario if we were to receive a rating from S & P Global of AA- at this point in time.

ANALYSIS

In scenarios A, the City would realize a savings of \$1.88 million. If we consider doing this, we would not have a savings on the City Hall loan. The City Hall loan would actually have a negative effect on the overall computation. However, we would have savings on all the other long-term loans. In this scenario, we would be gaining a very favorable term and interest rate for the City Hall loan. The City also eliminates a balloon payment of \$480,812.

In scenario B the City would have an overall savings of \$1.88 million.

FULL FAITH AND CREDIT

Refinancing all loans through a bond will require that that the City finance with Full Faith and Credit. This means that the City pledges all assets of the City as collateral for the loans.

FINANCE/AUDIT COMMITTEE RECOMMENDATIONS

The City had a Finance/Audit Committee meeting on September 15, 2020. After discussion of the different scenarios, both staff and the committee recommend Scenario A, refinancing all current long-term loans with a Full Faith and Credit bond. This will relieve some of the financial burden from the Water and Sewer funds. It also locks the City into a very low interest rate for the City Hall loan, and the City avoids a balloon payment of over \$480,812 in February of 2024. Due to legal recommendation that the City consider getting informal bids for other options, we went out to our existing loan holders as well as the Institutional Bond Network. The Finance/Audit Committee did not have the option to view the DEQ offer. The Summit Bank offer is not an acceptable offer and the Institutional Bond Network did not present the City with options.

S & P GLOBAL RATINGS

The City is undergoing a S & P Global rating based upon historic, financial current and future projections. This rating affects the savings to the City for any bond market transaction. For example, if the City receives an A+ Rating then the best option is to refinance the DEQ loans with DEQ and refinance all other long-term loans with the bond market through D.A. Davidson. If the City receives an AA- Rating, then the best option would most likely be to refinance all current long-term loans with the bond market through D.A. Davidson.

RECOMMENDATION AND ALTERNATIVES

- Council has the option to choose which scenario they would like to go with and to adopt Ordinance A-251.
- Council may decide to empower staff to move forward with the scenario that realizes the greatest savings to the City based upon the S & P Global rating. This can also be accomplished by adopting the ordinance.
- To not adopt the ordinance and all long-term debt will remain as is.

Staff recommends that the council consider empowering the staff to move forward with the scenario that provides the greatest savings to the City.

BUDGET / FINANCIAL IMPACT

The budget impact of refinancing the City loans will be a long-term savings of up to approximately \$1.88 million depending on which scenario is chosen.

PUBLIC NOTICE/INVOLVEMENT

N/A

NEXT STEPS

- Review and approval of preliminary official statement (disclosure document for investors).
- Complete credit rating application (hour long conference call included).

- Sale of pricing of obligations, approval of interest rates and terms.
 - Pre-closing (execution and signature of closing documents).
 - Closing - confirmation of fund delivery and release of the obligations.
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ATTACHMENTS

A. Ordinance A-251

REVIEWED THROUGH:

Anne Heath, City Administrator

Sammy Egbert, City Recorder

ORDINANCE A-251

AN ORDINANCE AUTHORIZING THE CITY OF COBURG TO REFINANCE OUTSTANDING LOANS, PROVIDING FOR RELATED MATTERS, AND DECLARING AN EMERGENCY

WHEREAS, the City is authorized by Oregon Revised Statutes Section 271.390 to enter into financing agreements to finance or refinance real or personal property which the City Council determines is needed, and to authorize obligations evidencing the right to receive the payments due from the City under those financing agreements; and

WHEREAS, the estimated weighted average life of a financing agreement shall not exceed the estimated dollar weighted average life of the real or personal property to be financed or refinanced by such financing agreement; and

WHEREAS, the City is also authorized by ORS 287A.360 to 287A.380 to refund outstanding borrowings; and

WHEREAS, the City has a number of loans outstanding (the "Outstanding Loans"), including:

Clean Water State Revolving Fund Loan Agreement No. R. 23041 that financed wastewater system improvements,

Clean Water State Revolving Fund Loan Agreement No. R. 23042 that financed wastewater system improvements,

Clean Water State Revolving Fund Loan Agreement No. R. 23044 that financed wastewater system improvements,

Infrastructure Finance Authority Loan B01003 that financed water system improvements,

Infrastructure Finance Authority Loan G01001 that financed water system improvements,

Summit Bank Loan No 607600 that financed the purchase of property,

USDA Wastewater Revenue Bond No. 1 that financed wastewater system improvements, and

USDA Wastewater Revenue Bond No. 2 that financed wastewater system improvements.

WHEREAS, under current market conditions refunding all or a portion of the Outstanding Loans may produce debt service savings.

THE CITY OF COBURG ORDAINS AS FOLLOWS:

1. FINANCING AUTHORIZED.

The City Council hereby authorizes the issuance of full faith and credit financing agreements to refund all or any portion of the Outstanding Loans. The financing agreements authorized by this Section shall be executed and sold pursuant to ORS 271.390, ORS 287A.360 through 287A.380 and the other relevant provisions of ORS Chapter 287A and as provided in this resolution. The financing agreements may be issued in an amount sufficient to prepay the portions of the Outstanding Loans that are being refinanced and to pay estimated costs related to the refunding and the financing agreements.

SECTION 2. DETERMINATION OF NEED.

The City Council hereby determines that the projects being refinanced were needed at the time they were financed and that they remain needed.

SECTION 3. DELEGATION.

The City Administrator, the Finance Director, or the person designated by the City Administrator to act on behalf of the City under this Ordinance (each of whom is referred to herein as a "City Official") is hereby authorized, on behalf of the City and without further action by the City Council, to:

- a. Negotiate, execute and deliver one or more financing agreements (the "Financing Agreements") to accomplish the financing authorized in Section 1. Subject to the limitations of this Ordinance, the Financing Agreements may be in such form and contain such terms as the City Official may approve.
- b. Negotiate, execute and deliver one or more escrow agreements or similar documents (the "Escrow Agreements") that provide for the issuance of one or more series of "full faith and credit obligations" (the "Obligations") that represent ownership interests in the principal and interest payments due from the City under the Financing Agreements. Subject to the limitations of this Ordinance, the Escrow Agreements and each series of Obligations may be in such form and contain such terms as the City Official may approve.
- c. Deem final and authorize the distribution of a preliminary official statement for each series of Obligations and authorize the preparation and distribution of a final official statement or other disclosure document for each series of Obligations.
- d. Undertake to provide continuing disclosure for each series of Obligations in accordance with Rule 15c2-12 of the United States Securities and Exchange Commission.
- e. Apply for ratings for each series of Obligations, determine whether to purchase municipal bond insurance or obtain other forms of credit enhancements for each series of Obligations, enter into agreements with the providers of credit enhancement, and execute and deliver related documents.

- f. Enter into additional covenants for the benefit of the purchasers of the Obligations which the City Official determines are desirable to obtain more favorable terms for the Financing Agreements.
- g. File any required advance refunding plans with the State of Oregon.
- h. Appoint and enter into agreements with service providers whose services are desirable for the financing, including municipal advisors, verification agents and escrow agents to accomplish the refunding.
- i. Determine what portions of the Outstanding Loans to refund; call, prepay, and fund escrow deposit accounts for the Outstanding Loans and take any other action necessary or desirable to accomplish the prepayment of the Outstanding Loans.
- j. Determine the final principal amount of each Financing Agreement, the interest rate or rates which each Financing Agreement shall bear, the City's prepayment rights and other terms of each Financing Agreement and each series of Obligations.
- k. Solicit bids from potential lenders or underwriters, select the lenders or underwriters providing the most favorable terms to the City and enter into agreements with those entities.
- l. Issue any qualifying Financing Agreement as a "tax-exempt bond" bearing interest that is excludable from gross income under the Internal Revenue Code of 1986, as amended, (the "Code") and enter into covenants to maintain the excludability of interest on those Financing Agreements from gross income under the Code.
- m. If federal law changes to allow federal tax credits, federal interest rate subsidies or other federal benefits for any Financing Agreements, issue any qualifying Financing Agreement as a "tax credit bond," "federal subsidy bond" or other obligation that is eligible for federal tax credits, federal interest rate subsidies or other federal benefits, and enter into any covenants and take any actions that are required to qualify for those federal benefits.
- n. Issue any Financing Agreement as a "taxable bond" bearing interest that is includable in gross income under the Code.
- o. Designate any qualifying Financing Agreement as a "qualified tax-exempt obligation" pursuant to Section 265(b)(3) of the Code, if applicable.
- p. Execute and deliver any other certificates or documents and take any other actions which the City Official determines are desirable to carry out this Ordinance.

SECTION 4. SECURITY

The Financing Agreements may constitute unconditional obligations of the City, which are payable from all legally available funds of the City. The City Official may pledge the City's full

faith and credit and taxing power within the limitations of Sections 11 and 11b of Article XI of the Oregon Constitution pursuant to ORS 287A.315.

SECTION 5. EMERGENCY DECLARED

Whereas, it is necessary for the general welfare of the citizens of the City of Coburg that the City refinance its outstanding loans while interest rates are at a historic low level, an emergency is hereby declared to exist, and this Ordinance shall take effect immediately upon its passage by the City

ADOPTED by the **City Council** of the **City of Coburg**, this 13th day of October 2020, by a vote of ____ for and ____ against,

APPROVED by the **Mayor** of the City of Coburg this 13th day of October 2020.

Ray Smith, Mayor

ATTEST:

Sammy L. Egbert, City Recorder

COBURG CITY COUNCIL MONTHLY REPORTS



TOPIC: Resolution 2020-21, A Resolution Establishing, Receiving and Use of Coronavirus Relief Funds (CRF) Under the Federal Cares Act Provided to the City of Coburg, Oregon

Meeting Date: October 13, 2020

Staff Contact: Anne Heath, City Administrator

Contact: 541-682-7870, anne.heath@ci.coburg.or.us

REQUESTED COUNCIL ACTION:

Approve Resolution 2020-21 for establishing, receiving and use of Coronavirus Relief Funds (CRF) of Funds

Suggested Motions for Resolution:

I move to approve resolution 2020-21 to establish, receive and use of Coronavirus Relief Funds under the Federal Care Act provided to the City of Coburg.

CITY COUNCIL GOAL

Strengthening Community Partnerships

BACKGROUND

In April, 2020 the City Council approved up to \$50,000 to be contributed to the Coburg Community Foundation for grants to be distributed to the Community. During the grant process \$31,500 was distributed to local businesses.

As part of the Federal Cares Act the City of Coburg can be awarded up to \$50,000 to reimburse the costs associated with addressing the Covid-19 emergency. The City must accept the receipt of the funds.

At the September, 2020 City Council meeting the Council gave staff direction to reinvest the funds received as reimbursement for the business grants back into the community in the form of small business grant funds to be disbursed by Community Lending Works.

Community Lending Works is a local partnership managed by Lane County that allows for local government to contribute funds to be disbursed through a grant process. The City of Coburg can designate that the funds that we contribute to the fund will be disbursed to Coburg businesses only. Community Lending Works prepares the grant process, receives the grant applications, and awards the funds.

BUDGET

The City received reimbursement of the \$31,500 on October 1, and therefore the funds are available to be redistributed. This may need to be addressed in supplemental budget.

ALTERNATIVES

The staff direction was given at the September 8, 2020 meeting and therefore the staff moved forward to work with Community Lending Works to commit Coburg to receiving the funds from the Cares Act and contributing the funds to Community Lending Works.

The intention of all of the local governments contributing is to get the money into the hands of the business owners as soon as possible and therefore the City distributed the funds on Friday, October 9th which was the deadline to do this.

This resolution ratifies the Council direction to the staff to receive Federal Cares Act funds and to distribute them.

RECOMMENDATIONS

Staff recommends that approve the resolution as written.

NEXT STEPS

The Grant process was opened on Friday, October 2nd and closes on the 9th. It is anticipated that the funds will be granted very quickly and will be in the hands of the awarded businesses by the end of October.

The City has been reimbursed for approximately \$42,000 in reimbursements. We continue to monitor expenses associated with corona virus and will seek reimbursement for an additional \$8000 by December 31, 2020

ATTACHMENTS

A. Draft Resolution 2020-21

REVIEWED BY:

Sammy Egbert, City Recorder

RESOLUTION 2020-21

A RESOLUTION ESTABLISHING, RECEIVING AND USE OF CORONAVIRUS RELIEF FUNDS (CRF) UNDER THE FEDERAL CARES ACT PROVIDED TO THE CITY OF COBURG, OREGON

WHEREAS, the City of Coburg has funds available through the State of Oregon under the Federal Cares Act (Coronavirus Relief and Economic Security Act) under Section 601(a) and (d) of the Social Security Acts, section 5001; and

WHEREAS, the City of Coburg was granted up to \$50,000 of such funds being provided for economic support under Treasury guidance; and

WHEREAS, such necessary expenditures incurred between March 1, 2020 and December 30, 2020 with respect to the Coronavirus Disease; and

WHEREAS, the City of Coburg desires to provide relief to impacted businesses;

WHEREAS, the Coburg City Council has discussed and gave staff direction to reinvest funds received up to \$31,500 into the Community Lending Works for Coburg small business grants; and

WHEREAS, the City of Coburg may also use some of the CRF monies for reimbursement of city resources in relation to PPE and such expenditures as required; and

WHEREAS, the City of Coburg has submitted to the Oregon Department of Administration (DAS) for reimbursement of resources expended due to COVID-19 including business assistance grant; and

WHEREAS, the Council has given staff direction to send monies to the Community Lending Works (Third-Party) for such CRF assistance to Coburg Small Businesses up to \$31,500;

NOW, THEREFORE BE IT RESOLVED:

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Coburg

1. The Coburg City Council hereby approves the receipt of Coronavirus Relief Funds through the Federal Cares act and distributed to the City by DAS
2. The Coburg City Council hereby approves the distribution of \$31,500 to Community Lending works for the purpose of providing grant funds for Coburg small business.

Adopted by the **City Council** of the **City of Coburg**, Oregon, by a vote of ___ for and ___ against, this 13st day of October, 2020.

Ray Smith, Mayor

ATTEST:

Sammy L. Egbert, City Recorder

COBURG CITY COUNCIL ACTION/ISSUE ITEM



TOPIC: Contract for Jones Drilling Co. to conduct a test well on Morneau Property

Meeting Date: October 13, 2020

Staff Contact: Brian Harmon Public Works Director

Contact: 541-682-7857 brian.harmon@ci.coburg.or.us

REQUESTED COUNCIL ACTION

Consider approval of the contract with Jones Drilling Co. to conduct a test well on the Morneau property .

RECOMMENDED MOTION: *"I move to approve the City Administrator to execute a contract with Jones Drilling Co. to conduct a test well on the Morneau Property"*.

BACKGROUND

As part of the multi project Water Master Plan upgrades, it is essential to have another production well. We are planning on drilling the production well on the Morneau Property that we have an offer to purchase located on Stallings Ln. During the review process with Oregon Health Authority of the production well, a question came up that there are elevated nitrate levels in the area. We have elected to do another test well as our due diligence. We believe that the area and the depth we are looking at will produce lower than unsafe levels. We also have decided to go down to 160' testing nitrates and soils for better data collection. This will allow us to either move forward with the purchase of the property by the Oct 31st date or keep searching for the third water source.

The contract for this work will be formulated from the required Business Oregon Contract as all water project contracts are and will be until the end of the project. After the Council approves, the contract will be awarded and created, and then the project will move forward.

BUDGET

- The estimated cost of this contract is \$20,000. The funding source for this project is Business Oregon and some Water SDC Funds.
-

RECOMMENDATIONS AND ALTERNATIVES

The alternatives for City Council include:

1. Take no action. If the Council chooses this step the contract will not awarded.
2. Approve the contract as drafted. The contract would become effective immediately and end with completion by October 30th 2020.
3. Adopt an amended contract. Council may make suggestions for contract changes. However, Council should consider that this contract language is the approved and required language of Business Oregon for the funded water projects.

PUBLIC INVOLVEMENT

N/A

NEXT STEPS

The next step would be to implement the contract.

ATTACHMENTS

- A. Draft – construction contract

REVIEWED THROUGH

Anne Heath, City Administrator



29404 Santiam Hwy.

LEBANON, OREGON 97355-9507

541-541-2686 or 541-367-2560



Move in	\$ 3000.00
Drilling seal 60' of 6" casing and grab water sample at 60'	\$ 7000.00
Abandonment of hole	<u>\$ 1000.00</u>
TOTAL	\$11,000.00

Move in	\$ 3000.00
Drill in 6" casing from 0 – 160 grabbing soil samples	\$16,000.00
Abandonment of hole	<u>\$ 1000.00</u>
TOTAL	\$20,000.00

All drill cuttings to be left on site unless contracted otherwise

TIMELINE

Anticipated mob on property 2 days after notice to proceed – total completion – 4 days construction and abandon hole

SCOPE

Jones Drilling Co., Inc. is more than capable of drilling in the 6" casing and sealing well bore as required. Sending cuttings through a discharger cyclone, catching the best formation samples for the future production well screen design.

EXPERIENCE & VALUE

Jones Drilling Co., Inc. has been in the well drilling industry since 1946, with over 10,000 wells drilled in Oregon. We have 3 complete drilling rigs with support trucks capable of all drilling conditions. We work hard at getting the job completed with the upmost concern with quality of a job well done.

**EMPLOYMENT AGREEMENT
CITY ADMINISTRATOR, CITY OF COBURG**

BETWEEN: The City of Coburg (City)
AND: Anne Heath (Employee)

RECITALS:

- A. The Charter of the City of Coburg provides that the Mayor may, with the consent of the City Council, appoint any city officers the City Council deems necessary.
- B. Under the direction of the Mayor, Employee was appointed to a 6-month temporary position as Acting City Administrator in February of 2018.
- C. The City and Employee subsequently entered into an Employment Agreement on June 12, 2018. The term of that agreement ended June 30, 2019, but was automatically renewed for an additional year.
- D. On July 9, 2019, the City adopted an ordinance formally creating the office of City Administrator. Ordinance A-250.
- E. The City and Employee now wish to enter into a new Employment Agreement that is consistent with the City's Charter and Ordinance A-250.

AGREEMENT:

SECTION 1. TERM

The term of this Agreement shall be one year, beginning on December 1, 2019 and ending on November 30, 2020, unless terminated earlier pursuant to this Agreement. This Agreement, in its entirety, will be automatically extended annually for an additional one-year period (December 1 through November 30) unless the Council specifically takes action to not renew this Agreement or negotiate a new agreement.

SECTION 2. DUTIES AND HOURS OF WORK

A. DUTIES

The duties and responsibilities of Employee shall be in accordance with state law, all ordinances and resolutions of the City, and such policies as shall be adopted from time to time by the City Council. The duties and responsibilities shall include, but are not necessarily limited to the following:

- a. Plan and direct all administrative activities of the City, and take necessary actions to improve operations.

- b. Establish administrative procedures to increase the effectiveness and efficiency of City government, according to current practices in local government, and consistent with approved policies established by City Council.
- c. Supervise and coordinate the City's administrative policies and procedures, including personnel policies and purchasing procedures.
- d. Provide information and advice to the Mayor, City Council, other public officials and the public on the City's operations.
- e. Act as the City's representative in such areas as labor relations, intergovernmental relations, conferences, conventions, and seminars related to public management.
- f. Delegate responsibility as necessary to accomplish the desired objectives.
- g. Attend meetings of the City Council and other boards and commissions as necessary to coordinate and satisfy the administrative needs of the City.
- h. Act to resolve operational conflicts, decide and implement alternate courses of action, formulate administrative policies, and otherwise make decisions in the best interest of the City's operations.
- i. Recommend for adoption by the Council such measures as he or she may deem necessary or expedient.
- j. Prepare and submit to the Mayor and Council such reports as may be required by that body, or as he or she may deem advisable to submit.
- k. Keep the Mayor and Council fully informed and advised of the financial conditions of the City and its future needs.
- l. Coordinate and supervise preparation of the preliminary budget for submission to the Mayor, and administer the budget after its adoption.
- m. Appoint and remove all employees of the City except the Municipal Judge, City Recorder, and Treasurer. Exercise all supervisory duties over all employees of the City, including officers of the City listed in Section 12 of the Coburg City Charter, and such other officers as the Council deems necessary, but excluding the Municipal Judge.
- n. Perform such other duties as the Mayor and Council may determine by ordinance or resolution.

B. HOURS OF WORK

It is recognized that Employee must devote a great deal of time outside normal office hours to business of the City, often in excess of a 40-hour work week. To that end, employee may take reasonable compensatory time off during said normal office hours, provided notice is left with City Recorder, and provided such time off does not interfere with fulfillment of Employee's duties. Work in excess of an average 40 hour week shall be deemed part of the professional responsibility for which Employee shall not be paid overtime.

SECTION 3. COMPENSATION

A. **BASE SALARY.** Employee's annual salary shall be \$95,976.90, payable in installments at the same time as other employees of the City are paid and subject to customary withholding.

B. **ADJUSTMENTS.** Upon each anniversary of employment, the City Council shall review Employee's performance annually to determine annual merit salary increases. Employee shall also receive any cost of living adjustments (COLA) received by the administrative management employees of the City during the period of this Agreement.

C. **RETROACTIVE MERIT INCREASE.** Employee shall receive an additional payment of \$868.56 as compensation for the 2% merit increase that she did not receive from July 1, 2019 to November 30, 2019.

SECTION 4. BENEFITS

A. **HEALTH AND LIFE INSURANCE.** The City shall provide Employee with the same health, long term disability, dental, and vision insurance benefits as are provided to other regular status employees when and as Employee becomes eligible for them.

B. **RETIREMENT.** The City shall provide Employee the same PERS retirement benefit under the same terms and conditions with respect to the employee contribution and employer contribution as is provided to the City's unrepresented, managerial employees.

C. **VACATION.** The City shall provide the Employee with vacation to be accrued at 10 hours per month unless longevity increases this amount per employee policy.

D. **SICK AND HOLIDAY LEAVE.** The City shall provide Employee the same leave benefits as are provided to the City's unrepresented, managerial employees.

SECTION 5. PROFESSIONAL ACTIVITIES

The City shall, to the extent it is financially viable, budget and pay expenses for Employee's membership and participation in professional activities and conferences, including professional dues, the League of Oregon Cities, and any other membership fees and travel, which, in the judgment of the Mayor, are necessary and desirable for Employee's continued participation, growth, and advancement as City Administrator.

SECTION 6. PERFORMANCE REVIEWS

The City Council shall review and evaluate the performance of Employee on at least an annual basis, and may review and evaluate her performance on a more frequent basis if it determines that it is appropriate to do so.

SECTION 7. TERMINATION.

A. DEFINITIONS

GOOD CAUSE—Any willful, knowing, grossly negligent, or negligent breach, disregard or habitual neglect of any provision, duty or obligation of this Agreement, an ordinance of the City or the laws of the United States or the State of Oregon.

Any misconduct involving an act of moral turpitude, criminal illegality (except minor traffic violations), or habitual violations of traffic laws, whether or not related to Employee's official duties hereunder.

Any willful, knowing, grossly negligent, or negligent misapplication or misuse, direct or indirect, by Employee of public or other funds or other property, real or personal, owned by or entrusted to the City, any agency or corporation thereof, or Employee in her official capacity.

DISABILITY—Employee is unable to perform her duties because of sickness, accident, injury, mental incapacity or health for a period of four successive weeks beyond any accrued sick leave, or for twenty working days over a thirty working-day period.

B. TERMINATION EVENTS:

This Agreement shall terminate upon any of the following events:

1. Mutual written agreement of the Council and the Employee, signed by both the Employee and the designated representative of the City
2. Retirement or death of the Employee
3. Termination of employment for "good cause"
4. Unilateral severance
5. Resignation
6. Expiration of the term of this Agreement.

C. UNILATERAL SEVERANCE

In the event Employee is terminated by the City, and Employee is still willing and able to perform her duties under this Agreement, City may, at its option, either (a) pay Employee a lump sum cash payment equal to two months base salary, or (b) provide two (2) months advance written notice to Employee. However, if Employee is terminated "for cause," then City shall have no obligation to pay the severance sum or give notice under this provision.

The severance pay shall be paid only after the Employee executes a waiver and release agreement prepared by the City Attorney.

SECTION 8. RESIGNATION

Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of Employee to resign at any time. In the event Employee voluntarily resigns prior to the expiration of the term of this Agreement, Employee shall give City sixty (60) days' written notice, unless otherwise agreed in writing. In the event of voluntary resignation, no severance will be paid.

Exception for Disability: In the event Employee resigns or employment is severed due to disability of Employee, Employee shall be entitled to the severance pay set forth above and to be compensated for accrued, compensable leave and other accrued benefits.

SECTION 9. INDEMNIFICATION AND BONDING

Consistent with the Oregon Tort Claims Act and the City's insurance coverage, the City shall defend and indemnify Employee against any tort, professional liability claim or demand, or other legal action arising out of an alleged act or omission occurring in the performance of Employee's duties as City Administrator. Employee shall be covered under the City's liability insurance policies for covered acts or omissions occurring in the performance of Employee's duties as a city official at no expense to Employee. City shall be responsible for the cost of defense, prosecution, judgment, or settlement of claims or suits, provided that the City reserves the right to choose or approve legal representation for Employee and will retain control over the defense of the claim, including the sole power to compromise and settle any claim or action and pay the amount of the settlement or judgment.

The City shall bear the cost of any bond required of Employee by any law or ordinance.

SECTION 10 GENERAL PROVISIONS

A. **PERSONNEL MANUAL.** Except as otherwise specified in the Agreement, the terms and provisions of the City's Personnel Manual shall apply to the City Administrator.

B. **REVIEW BY INDEPENDENT COUNSEL.** Employee acknowledges that the City has advised her to have this Agreement reviewed by an attorney of her choice.

C. **EFFECTIVE DATE.** This Agreement shall be effective beginning December 1, 2019 and shall continue in effect until November 30, 2020 unless terminated earlier in accordance with this Agreement.

D. NOTICES

Any notice required or permitted by this Agreement shall be in writing and shall be personally served upon the other Party, or sent by US Postal Service, postage prepaid and addressed to the appropriate Party as follows:

If to City: Mayor Ray Smith
City of Coburg
PO Box 8316
Coburg, OR 97408

If to Employee: Anne Heath
83363 Enterprise Road
Creswell, Oregon 97426

Notice shall be deemed given as of the date of personal service or upon the date of deposit in the in the course of transmission in the US Postal Service. Either Party may

E. VOLUNTARY AGREEMENT. Employee acknowledges that she understands the terms of this Agreement and that she has entered into it voluntarily.

F. INTEGRATION. The terms of the agreement are set forth completely in this written document. This Agreement supersedes all prior or contemporaneous oral and written agreements, understandings, and commitments. Employee acknowledges that she has not relied on any other representation or promises by the City, its agents, employees or representatives, except those contained in this Agreement.

G. SEVERABILITY. Any provision, or portion of any provision, in this Agreement that is held unenforceable, void, or unconstitutional shall not affect the remainder of the terms of this Agreement or any portion thereof which shall be deemed severable and shall remain in full force and effect.

H. MODIFICATION. This Agreement may not be modified in any respect, except by a written agreement executed by both parties.

IN WITNESS WHEREOF, the City of Coburg has caused this Agreement to be signed and executed in its behalf by its Mayor, and Employee has signed and executed this Agreement.

CITY OF COBURG

DATE: 11/12/2019

By: [Signature]
Ray Smith, Mayor City of Coburg

DATE: 11/21/2019

By: [Signature]
Anne Heath, City Administrator



COBURG CITY COUNCIL MONTHLY REPORTS

TOPIC: Citizen Inquiry Quarterly Report

Meeting Date: October 13, 2020

Staff Contact: Sammy Egbert, City Recorder

Contact: 541-682-7852, sammy.egbert@ci.coburg.or.us

REQUESTED COUNCIL ACTION:

This is a quarterly report to City Council and is presented as information only on the Citizen Inquiry requests received.

Suggested Motion: Information only

CITY COUNCIL GOAL

Council Direction

BACKGROUND

City Council directed staff to provide a quarterly report on Citizen Inquiries submitted to the City. The report attached is a summary of what was received and the current status.

This report covers all inquiries received July, August and September 2020. Additional information including the responses by staff and any correspondences made are available at City Hall.

7/2/2020	Jim Stenklyft	Water bill high consumptions concerns	Closed
7/8/2020	Shirley Kirkpatrick	32777 E Maple St - Blocking alley with blackberries & Yard debri	Closed
7/8/2020	Shirley Kirkpatrick	32776 E Dixon St - Blockin alley with blackberries & Yard Debris	Closed
7/31/2020	Ryan Cunningham	Noise on Industrial Way Email	Ongoing
8/4/2020	Anonymous	Noxious Vegetation -Truck N Travel - Pearl Street	Closed
8/4/2020	Anonymous	Noxious Vegetation - Coburg Inn - Willamette Street	Closed
8/15/2020	Wimber	Lot clean up (PD- Larry Larson)	Closed
9/30/2020	Micheal Rear	Garbage Service Rate increase	Pending

PROCESS for Inquires received by the City

- Inquiries are received at the front desk. Logged, numbered and routed to departments who may be responding.
- Department heads receive the Inquiry electronically with email directions below
 - Print a working copy for yourself.
 - Follow up with the person who made the inquiry by letter, email or phone calls letting them know what the City policy is and how the inquiry has been handled. - N/A if Anonymous
 - On form under response summarize action and follow up. Attach all supporting documentation emails and summary of how handled and sign off as department head.
 - Forward to City Administrator to sign. City Administrator will review sign off and send to City Recorder to log, close and retain.

PURPOSE

The purpose is to provided accountability and consistency on following up with citizens questions and concerns.

BUDGET

Not Applicable

RECOMMENDATION

None

NEXT STEPS

Next quarterly report will be at the January 2021 Council Meeting.

ATTACHMENTS

None

REVIEWED THROUGH:

Anne Heath, City Administrator