AGENDA

CITY COUNCIL

91136 N Willamette Street

541-682-7852 | coburgoregon.org

Tuesday, January 11, 2022 at 6:30 PM

Council will hold this meeting in person and through video conference. The public may attend the meeting at City Hall, watch live on at www.coburgoregon.org or by joining through Zoom. ***Preregistration*** *by 3PM the day of the meeting is required for Zoom participants. Contact City Recorder at sammy.egbert@ci.coburg.or.us or 541-682-7852 for login information.*

2022 STATE OF THE CITY BY MAYOR SMITH

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

CONSENT AGENDA *(Councilors may remove an item from the "Consent" agenda for discussion by requesting such action prior to consideration.)*

1. Contract with Lane County to provide Low Income Household Water Assistance (LIHWA)
2. Minutes December 21, 2021 City Council

SPECIAL GUEST

3. Planning Commission Report

ORDINANCES AND RESOLUTIONS

4. Annexation

Land Use ANX-01-20 Approval

Land Use ZC-01-20 Approval

Public Hearing | Second Reading
ORDINANCE **A-200-J,** AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF COBURG IDENTIFIED AS TAX LOT 00202 OF ASSESSORS MAP 16–03–34–00 AND CONSISTING OF 107.43 ACRES, AND AMENDING ORDINANCE A–200G TO CHANGE THE COBURG ZONING MAP TO REZONE SAID TERRITORY FROM LANE COUNTY ZONING DISTRICT EXCLUSIVE FARM USE (E–40) TO COBURG ZONING DISTRICT LIGHT INDUSTRIAL

5. RESOLUTION **2022-01** A RESOLUTION APPLYING A CONSTRUCTION COST INFLATION FACTOR TO EXISTING SYSTEM DEVELOPMENT CHARGES

6. RESOLUTION **2022-02** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COBURG ALLOCATING AMERICAN RESCUE PLAN ACT FUNDS TO CERTAIN PROJECTS OF THE CITY

7. RESOLUTION **2022-03** A RESOLUTION APPROVING THE PROPERTY EXCHANGE AGREEMENT WITH SHEPARD INVESTMENT GROUP, LLC AND ACCEPTANCE OF DONATION OF $40,000 LAND VALUE

8. RESOLUTION **2022-04** A RESOLUTION ADOPTING CITY OF COBURG 2022 EMPLOYEE POLICY MANUAL

COUNCIL ACTION ITEMS

9. Park Tree Committee Appointment for 2022 Calendar Year

ADMINISTRATIVE INFORMATION REPORTS

10. Administration Monthly Report

11. Finance Monthly Report

COUNCIL COMMENTS

UPCOMING AGENDA ITEMS

Police Department Quarterly Report
Finance Quarterly Presentation
Building Department Operating Plan

FUTURE MEETINGS

January 12 Heritage Committee
January 17 City Hall **CLOSED** - Martin Luther King Jr Day
January 18 Park Tree Committee
January 19 Planning Commission
January 26 Finance Audit Committee
February 5 City Council Retreat
February 8 City Council

ADJOURNMENT

The City of Coburg will make reasonable accommodations for people with disabilities. Please notify City Recorder 72 hours in advance at 541-682-7852 or sammy.egbert@ci.coburg.or.us

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

56695

Lane County Contract

THIS Contract is entered into by Lane County, a political subdivision of the State of Oregon, hereinafter referred to as COUNTY, and COBURG, CITY OF, hereinafter referred to as CONTRACTOR, for the period commencing January 01, 2022 to and including December 31, 2023.
WHEREAS, COUNTY and CONTRACTOR are agreeable to the terms and conditions hereinafter set forth governing the provision of specified services;
The total amount of funds to be paid to CONTRACTOR for the period of the Contract is identified as follows:

FY 21/22 Paid by LANE COUNTY 1 Of 3					
Service Description	**Funding Period**	**Funding Source**	**Amount**	**Service Units**	**Account (Grant)(Program)**
LIHWA water payments	01/01/22 - 06/30/22	LIHWA	$6,250.00		512211-285-3427024
		Total:	$6,250.00		

FY 22/23 Paid by LANE COUNTY 2 Of 3					
Service Description	**Funding Period**	**Funding Source**	**Amount**	**Service Units**	**Account (Grant)(Program)**
LIHWA water payments	07/01/22 - 06/30/23	LIHWA	$12,500.00		512211-285-3427024
		Total:	$12,500.00		

FY 23/24 Paid by LANE COUNTY 3 Of 3					
Service Description	**Funding Period**	**Funding Source**	**Amount**	**Service Units**	**Account (Grant)(Program)**
LIHWA water payments	07/01/23 - 12/31/23	LIHWA	$6,250.00		512211-285-3427024
		Total:	$6,250.00		

The terms of this Contract are contained in this document and the following documents which are included by reference as if incorporated herein:
BOILERPLATE dated 11-01-2021
EXHIBIT A dated 07-16-2021
EXHIBIT F dated 01-01-2021
EXHIBIT I dated 11-01-2021
Regardless of any statement to the contrary in this ContractEXHIBIT B, EXHIBIT C, EXHIBIT D, EXHIBIT E, EXHIBIT G, EXHIBIT H are not relevant to this Contract

Each of the parties designates the individual listed below as its authorized representative for administration of this Contract. Either party may designate a new authorized representative by written notice to the other.

COBURG, CITY OF	
Authorized Representative: Anne Heath City Administrator	
_____ Authorized Signature Date Signature:	

Lane County, Oregon	
County: _____ Karen R. Gaffney Date Health & Human Svcs Director	Authorized Representative: Robin O. Scott Program Services Coord, Sr Robin.SCOTT@co.lane.or.us 151 WEST 7TH AVE S-520 EUGENE, OR 97401

Insurance Reviewed:

NOW, THEREFORE, in consideration of the mutual promises and covenants hereinafter contained, and payment to CONTRACTOR by COUNTY as noted on the previous pages, for the periods of this Contract as previously designated, it is mutually agreed as follows-

1. CONTRACTOR will provide the services indicated in Exhibit A – Additional Terms and Conditions, including program and compliance requirements; and will meet all requirements laid out in Exhibit F – Lane Manual; Exhibit H – Insurance; and Exhibit I - State Funding Assurances.

2. Each of the parties is aware of the COVID-19 emergency and agrees that it is and will remain familiar with the CDC prevention guidelines and with federal, state, and local laws, rules, and orders regarding COVID-19 throughout the term of this Contract, and will take all necessary precautions relating to COVID-19, including those set out in the guidelines, laws, rules, and orders described in this paragraph. The parties have anticipated the costs of compliance with the present guidelines, rules, laws, and orders prior to entering into this Contract, and that no claim will be made by either party for such compliance. However, in the event that after the effective date of this Contract the COVID-19 guidelines, laws, rules, and orders are changed in such a way as to adversely affect the parties' ability to carry out their obligations under this Contract, either party so affected must give notice to the other party of any potential need to modify the Contract to accommodate or respond to such changes in the guidelines, laws, rules, and orders.

3. The Contract and any subsequent amendments may be executed in several counterparts, facsimile or otherwise, all of which when taken together will constitute one agreement binding on all parties, notwithstanding that all parties are not signatories to the same counterpart. Each copy of the Contract and any amendments so executed will constitute an original.

4. By execution of this Contract, CONTRACTOR certifies under penalty of perjury the following:

   3.1 The person signing this Contract has the power and authority to execute this Contract on behalf of Contractor, and to bind Contractor to its terms,

   3.2 Contractor will, at all times during the term of this Contract, be qualified and professionally competent, and possess any licenses required to perform the Work,

   3.3 Contractor has not discriminated against minority, women or small business enterprises or a business that is owned or controlled by or that employs a disabled veteran as defined in ORS 408.225, and

   3.4 The Contractor has, to the best of its knowledge, complied with Oregon tax laws in the period prior to the execution of this Contract, and will continue to comply with such laws during the entire term of this Contract, including:

      3.4.1 All tax laws of the State of Oregon, including but not limited to ORS 305.620 and ORS chapters 316, 317, and 318,

      3.4.2 Any tax provisions imposed by a political subdivision of this state that applied to Proposer or its property, goods, services, operations, receipts, income, performance of or compensation for any work performed, and

      3.4.3 Any rules, regulations, charter provisions, or ordinances that implemented or enforced any of the foregoing tax laws or provisions.

   3.5 Pursuant to ORS 305.385(6) and OAR 150-305-0302, Contractor hereby swears and affirms under penalty of perjury that Contractor is not in violation of any tax laws described in ORS 305.380(4)(a).

Exhibit A

Additional Terms and Conditions

1. Entire Contract
    a) This Contract is the mechanism by which the Parties can carry out the provisions of the Low-Income Household Water Assistance Program (LIHWAP).
    b) It is understood and agreed that the entire contract between the Parties is contained in this Contract.
    c) This Contract supersedes all previous commitments, promises, representations either oral or written, between the Parties relating to the subject matter hereof.
    d) All the words and phrases used in this Contract shall have the meanings given herein or as used in the LIHWAP Program Requirements and other related requirements unless the context clearly requires otherwise.

2. Definitions
    a) Authorization means a form that contains the Eligible Household's account number, name of person applying for LIHWAP assistance, name on the account, address of Eligible Household, and amount of the LIHWAP Payment to be applied to the Eligible Household's account.
    b) Commitment means the initial communication that an Eligible Household has qualified for LIHWAP Payments and serves as notice of the forthcoming Authorization.
    c) Department means the Oregon Housing and Community Services Department, together with its successors and assigns
    d) Eligible Household means a household receiving services from the CONTRACTOR that has been determined, by the COUNTY or COUNTY's subcontractor in accordance with LIHWAP eligibility guidelines, to be eligible for a LIHWAP Payment.
    e) LIHWAP Payment(s) includes regular and crisis payments made by the COUNTY to the CONTRACTOR on behalf of Eligible Households for eligible drinking water and/or wastewater service charges (including reconnection charges, fees, penalties, or reduction of current charges and fees).

3. The COUNTY agrees to do the following:
    a) To assign a CONTRACTOR number/business code to each CONTRACTOR after the Contract is fully executed.
    b) To effectuate LIHWAP payments to the CONTRACTOR on behalf of Eligible Households, including:
        i. Notifying the CONTRACTOR of Commitments through an agreed-upon format (i.e., direct portal input, written, oral, etc.),
        ii. Notifying the Eligible Household of Commitments made to CONTRACTOR,
        iii. Pursuant to Commitment, submitting payment to the CONTRACTOR promptly and no later than 45 days after Commitment issued, and
        iv. Prior to receipt of payment, notifying CONTRACTOR of any changes to Commitments caused by federal or state law.
    c) To issue to CONTRACTOR a single check or Automated Clearing House (ACH) payment that includes benefits for all Eligible Households. A payment register precedes the check or ACH deposit. The register includes the names of the Eligible Households, the account names and numbers, the amounts to be applied to each account, and the addresses and counties of residence of the Eligible Households.
    d) To inform the CONTRACTOR in the case an Eligible Household is in crisis or life-threatening situation and speaking to the CONTRACTOR on behalf of the Eligible Household when a member of the Eligible Household is not present or does not have accessibility to such a discussion.
4. The CONTRACTOR agrees to do the following:
    a) To refer its customers to the COUNTY for assistance.
    b) To charge all Eligible Households using the CONTRACTOR's normal billing process.
    c) To charge all Eligible Households the price normally charged for drinking water and/or wastewater services supplied to non-eligible households.
    d) Not to discriminate against any Eligible Households with respect to cost of services, terms, deferred payment plans, credit, conditions of sale, or discounts offered to non-eligible households.
    e) Not to treat any Eligible Households adversely because of receipt of LIHWAP assistance.
    f) To continue to apply the regular drinking water and/or wastewater service charges and credits of payments in regular fashion, even in consideration of a Commitment or LIHWAP Payment.
    g) To process all LIHWAP Payments, on behalf of Eligible Households from the COUNTY, including:
        i. Applying a credit notation to the Eligible Household's account as soon as the CONTRACTOR receives a LIHWAP Authorization from the COUNTY.

ii. Applying and itemizing LIHWAP payments for all Eligible Households identified in the LIHWAP Payment Register as directed by the COUNTY.
iii. Posting all payments to Eligible Household accounts promptly after being received, no later than the next billing cycle.
iv. If a LIHWAP Payment cannot be credited to the Eligible Household's account, processing a refund, according to the Oregon LIHWAP CONTRACTOR Refund Policies, directly to the Eligible Household within thirty (30) days.

h) To discuss the Eligible Household's crisis or life-threatening situation with the COUNTY, speaking on behalf of the Eligible Household when a member of the Eligible Household is not present or does not have accessibility to the discussion.
i) To cooperate with the COUNTY, once informed of the crisis or life-threatening situation and in receipt of a Commitment, to resolve the Eligible Household's situation related to drinking water and/or wastewater services with urgency.
j) To comply with Oregon LIHWAP Vendor Refund Policies, as described below in this Contract.
k) To maintain an accounting system and supporting fiscal records that represent the amounts and billing of drinking water and/or wastewater services provided to Eligible Households.
l) To fully cooperate with the Department's and COUNTY's monitoring practices, including but not limited to providing requested documentation for Federal representatives or Oregon Secretary of State representatives within set time frames, as well as communicating with Department or COUNTY staff.
m) To provide at no cost to the Department, Eligible Household, or COUNTY, written information on an Eligible Household's drinking water and/or wastewater services costs, bill payment history, and/or arrearage history for no more than the previous 12 monthly billing periods, even when it may be from a prior occupant household.
n) To provide at no cost to the Department or COUNTY, or an authorized agent to the Department or COUNTY, for the purposes of research, evaluation, and analysis, information on household drinking water and/or wastewater services costs and usage for Eligible Households.
o) To report situations that threaten life, health, or safety of potentially Eligible Households to the Department or COUNTY.
p) **Program Requirements:** CONTRACTOR agrees to timely satisfy all requirements of this Contract, including all LIHWAP Regulations or other forms of LIHWAP federal guidance, applicable Department administrative rules, all applicable Department handbooks and manuals (including but not limited to any Department *LIHWAP Program Manual* or similar guidelines), all related Department directives and other orders (including, but not limited to corrective action notices), and all other applicable federal, state, and local statutes, rules, regulations, ordinances, and orders (all of the foregoing, as amended from time to time, collectively, the "Program Requirements") to the satisfaction of Department or COUNTY.

5. Termination
   a) This Contract shall terminate upon the earliest to occur of the following events:
      i. A change in the requirements of applicable Federal of State regulations for LIHWAP administration,
      ii. A change in the state plan for administering LIHWAP that affects the terms and conditions of this Contract,
      iii. Thirty (30) days' written notice of termination by any Party,
      iv. Mutual consent of all Parties,
      v. Any license or certificate required by law or regulation to be held by the CONTRACTOR to provide services outlined in this Contract is denied, revoked, or not renewed, or
      vi. The end of the LIHWAP program year, which begins on 01/01/2022 and ends on 12/31/2023.
   b) This Contract will terminate effective immediately upon determination by COUNTY or the Department that the CONTRACTOR is not in compliance with the terms of this Contract, including the Program Requirements. The CONTRACTOR will be notified within ten (10) days of termination.
   c) Termination by any Party shall not discharge any obligations owed by any Party to another or to an Eligible Household or any liability, which has accrued prior to termination.
   d) The rights and remedies of any Party provided in this Contract shall not be exclusive and are in addition to any other rights and remedies provided by law.

6. Miscellaneous
    a) **Subcontracts**: The CONTRACTOR shall not enter into any subcontracts for any of the services provided under this Contract without obtaining prior written approval from the Department or COUNTY.
    b) **Assignment**: The CONTRACTOR shall not assign or transfer its interest in this Assignment without the express written consent of the Department and COUNTY.
    c) **Waiver**: The failure by any Party to enforce any provision of this Contract shall not constitute a waiver by another Party of that or any other provision.
    d) **Merger**: This Contract constitutes the entire Contract between the Parties. No waiver, consent, modification or change of terms of this Contract shall bind either Party unless in writing and signed by both Parties.
    e) **Eligible Household Information Confidentiality**: Due to the obligations outlined in this Contract, all Parties will have access to Confidential Information of Eligible Households, including but not limited to household member names, social security numbers, addresses, account numbers, account payments and balances, and income information. All Parties shall use appropriate safeguards to prevent the disclosure of Confidential Information to unauthorized third parties, and shall prevent employees, agents, or subcontractors from accessing, copying, disclosing, or using any such Confidential Information.
    f) **Funds Available and Authorized**: The CONTRACTOR understands and agrees that payment of amounts under this Contract is contingent on the Department receiving appropriations or other expenditure authority sufficient to allow the Department and COUNTY to continue to make payments under this Contract.
    g) **Effective Date and Duration**: This Contract shall be effective upon execution by all Parties and shall remain in effect until terminated as described in the "Termination" section herein.
    h) **Further Acts**: CONTRACTOR will do, make, execute, and deliver all such further acts or writings as Department or COUNTY may require to protect the Department or COUNTY's rights under this Contract.
    i) **Department as Party**: The Oregon Housing and Community Services Department, together with its successors and assigns (Department) is a Party to this contract.
    j) **Indemnity:** Subject to any applicable limitations in the Oregon Constitution and the Oregon Tort Claims Act, each Party (the "Indemnifying Party") shall save, defend (consistent with ORS chapter 180), indemnify and hold harmless the other Party, the Department and each of their officers, agents, employees and members (the "Indemnified Parties") from all claims, suits or actions of whatsoever nature (collectively, "Claims") to the extent resulting from or arising out of the negligent or wrongful acts or omissions of the Indemnifying Party or its subcontractors, agents, or employees in its performance or non-performance of its obligations under this Contract unless such Claims primarily result from the Indemnified Party or Parties' negligence, gross negligence or willful misconduct. In no event shall any Party be liable to the other for Claims in an amount more than $50,000 per event.
    k) **Waiver**: The failure by any Party to enforce any provision of this Contract shall not constitute a waiver by another Party of that or any other provision.
    l) **Assignment**: The Vendor shall not assign or transfer its interest in this Assignment without the express written consent of the Department and Agency.

Oregon's Low-Income Household Water Assistance Program (LIHWAP) CONTRACTOR Refund Policy

1. Credit Balances – Unless there is an event otherwise noted in this Refund Policy, all LIHWAP Payments that create a credit balance remain on the Eligible Household's account until exhausted.

2. Ineligible Credit Balances - In the event that a LIHWAP Payment cannot be applied to the Eligible Household's account, the remaining balance shall be returned to the Eligible Household within thirty (30) days after the CONTRACTOR receives the LIHWAP Payment.

3. Deposits – All deposits and accrued interest become the property of the Eligible Household and shall be returned to the Eligible Household at the time specified in the deposit Contract in a manner consistent with applicable administrative rules, approved tariffs and other law.

4. Voluntary Closure and Moves - If the Eligible Household voluntarily closes the account that received a LIHWAP Payment or moves to another service address that the CONTRACTOR does not represent, any credit balances resulting from a LIHWAP Payment shall be refunded to the Eligible Household. If the Eligible Household moves to another service address by which the CONTRACTOR does represent, any credit balances resulting from a LIHWAP Payment shall be transferred to the new address.

5. Inability to Locate Eligible Household – In the event that the CONTRACTOR is unable to locate the Eligible Household within one (1) year after service has been discontinued for any reason, any unused portion of a LIHWAP Payment shall be returned to the Oregon Department of State Lands as unclaimed property.

6. Deceased Eligible Household – In the event a LIHWAP Payment remains on the Eligible Household's account and the account is closed, the CONTRACTOR shall return the LIHWAP Payment credit balance to the Department no later than the end of the program year. The CONTRACTOR shall submit a check to the Department with the notation of number six of this Refund Policy.

7. Return Address for Refunds to the State of Oregon – Mail refunds to:

   OREGON HOUSING AND COMMUNITY SERVICES, ENERGY SERVICES SECTION
   ATTN: LIHWAP REFUND
   725 SUMMER ST NE, SUITE B
   SALEM, OR 97301
   Refunds must include the following information: Eligible Household name, Eligible Household address, Name of COUNTY that provided LIHWAP Payment to Eligible Household, Date of LIHWAP Payment to CONTRACTOR, Reason for the return.

8. Incorrect Payments – All CONTRACTORs are required to review the LIHWAP Payments register for accuracy. In the event a payment is made in error, the CONTRACTOR must contact the COUNTY listed on the payment register within thirty (30) days to correct the error. Payments made in error must be corrected by the COUNTY and will be refunded from subsequent LIHWAP Payments made to the CONTRACTOR.

Exhibit B

Program Plan

Not Applicable

Exhibit C

Budget

Not Applicable

Exhibit D

Match

Not Applicable

Exhibit E

Special Reporting Requirements

Not Applicable

Exhibit F

Lane County Standard Provisions

STANDARD COUNTY CONTRACT CONDITIONS

1. CONTRACTOR'S STATUS

1.1 **Independent Contractor.** The performance of this Contract is at Contractor's sole risk. The service or services to be rendered under this Contract are those of an independent contractor that is not an officer, employee or agent of the County as those terms are used in ORS 30.265. Notwithstanding the Oregon Tort Claims Act or the provisions of any other contract, Contractor is acting as and assumes liability of an independent contractor as to any claims between County and Contractor. Contractor is solely liable for any workers' compensation coverage; social security, unemployment insurance or retirement payments; and federal or state taxes due as a result of payments under this Contract, whether due on account of Contractor or Contractor's subcontractor, if any.

1.2 **Contractor Not Employee.** Contractor is not currently employed by County and will not be under County's direct control, and will not be eligible for any Federal Social Security, State Workers' Compensation, unemployment insurance or Public Employees Retirement System benefits from this Contract.

2. INSURANCE AND INDEMNIFICATION

2.1 **Contractor's Required Insurance.** Contractor must provide and maintain all insurance called for in Exhibit H - "Insurance Coverages Required" and must notify Lane County of any material reduction or exhaustion of aggregate limits. Contractor may not commence any work until Contractor furnishes evidence of all required insurance specified by the County, and has obtained the County's approval as to limits, form, and amount. Commercial General Liability and Auto Liability coverage must include an Additional Insured Endorsement that includes completed operations, and which is primary and non-contributory with any other insurance and self-insurance.

2.2 **Contractor to Maintain Insurance.** Contractor may not cancel, materially change, or not renew insurance coverages. If any policy is canceled before final payment by County to Contractor, Contractor must immediately procure other insurance meeting the requirements. Any insurance bearing on adequacy of performance must be maintained after completion of the Contract for the full guarantee period. If Contractor fails to maintain any required insurance, County reserves the right to procure such insurance and to charge the cost to Contractor.

2.3 **Workers' Compensation.** Contractor, its subcontractors, and all employers working under this Contract are subject employers under Oregon Workers' Compensation Law, and must comply with ORS 656.017 and provide Workers' Compensation coverage for all their subject workers unless exempt under ORS 656.126.

2.4 **No Limitation.** Nothing contained in these insurance requirements limits the extent of Contractor's responsibility for payment of damages resulting from Contractor's operation under this Contract.

2.5 **Contractor's Indemnification.** To the fullest extent permitted by law, and to the extent otherwise provided for in private contracts of insurance, Contractor shall indemnify, defend, and hold harmless the County and its officers, agents, employees, and volunteers from all damages, losses and expenses, including but not limited to attorney fees and costs related to litigation, and to defend all claims, proceedings, lawsuits, and judgments arising out of or resulting from Contractor's performance of or failure to perform under this Contract. The provisions of the foregoing notwithstanding, Contractor will not be required to indemnify County for any liability arising solely out of wrongful acts of County's own officers, agents, or employees.

2.5.1 If the Work of this Contract includes work product or any tangible or intangible items delivered to County under the Contract that may be the subject of protection under any state or federal intellectual property law or doctrine, this indemnification shall extend to any claim that the County's use thereof infringes any patent, copyright, trade secret, trade mark, or other proprietary right of any third party.

3. CONTRACTOR'S OBLIGATIONS

3.1 Except as provided in the bidding or procurement documents, Contractor must meet the highest standards prevalent in the industry or business most closely involved in providing the goods or services required by this Contract.

3.2 Contractor must make all provisions of the Contract applicable to any subcontractor performing work under the contract.

3.3 Contractor agrees that County will not be responsible for any losses or unanticipated costs suffered by Contractor as a result of the contractor's failure to obtain full information in advance in regard to all conditions pertaining to the work.

3.4 Contractor certifies that Contractor has all necessary licenses, permits, or certificates of registration necessary to perform the Contract and further certifies that all subcontractors will likewise have all necessary licenses, permits or certificates before performing any work. The failure of Contractor to have or maintain such licenses, permits, or certificates is grounds for rejection of a bid or immediate termination of the Contract.

3.5 Contractor may not permit any lien or claim to be filed or prosecuted against the County on account of any labor or material furnished, shall assume responsibility for satisfaction of any lien so filed or prosecuted and shall defend against, indemnify and hold the County harmless from any such lien or claim.

3.6 Unless otherwise provided by the Contract or law, Contractor agrees that County and its duly authorized representatives may have access to the books, documents, papers, and records of Contractor which are directly pertinent to this Contract

for the purpose of making audits, examinations, excerpts, copies and transcripts. Contractor shall retain and accessible such books, documents, papers, and records for a minimum of 6 years after County makes final payment on the Contract. Copies of applicable records must be made available upon request, and payment of copy costs is reimbursable by County.

3.7 Contractor must, in the course of carrying out Contractor's Work, comply at all times with the then-current "Mandatory County Policies for Vendors" published on County's Procurement and Purchasing webpage at: www.lanecountyor.gov/bids.

3.8 Contractor must report to Lane County, either verbally or in writing, if they have reason to believe that a principal, employee, agent, subcontractor, vendor, program applicant and/or program participant may have committed fraud, misrepresentation, falsifying data system input; made a false claim or committed a prohibited act under the Oregon False Claims Act; has committed an ethical violation; has committed criminal or civil violation of laws pertaining to bribery, gratuity, conflict of interest; or has committed other acts of misrepresentation or conspiracy to engage in misrepresentation in connection with this Contract or any moneys paid under this Contract.
Such reporting may be made through one of the following mechanisms:

- **Lane County Fraud, Waste, and Abuse Toll-Free Telephone Hotline**
  - English Speaking 844-290-0008
  - Spanish Speaking 800-216-1288
- **Lane County Fraud, Waste, and Abuse Website**
  - www.lighthouse-services.com/lanecounty
- **Lane County Fraud, Waste, and Abuse Email**
  - reports@lighthouse-services.com
- **Lisa Nichols, Quality & Compliance Manager**
  - Lisa.Nichols@lanecountyor.gov

Contractor will make available the above listed reporting information to all employees, agents, and subcontractors in connection with this Contract. Reporting will not result in retaliation or retribution. The information reported may be the basis of an internal and/or external investigation and will be protected to the extent possible by law. Contractor has the option of remaining anonymous though, by doing so, Lane County's ability to conduct an investigation may be limited.

4. CONTRACTOR'S OBLIGATIONS REQUIRED BY LAW

4.1 Contractor must promptly make payments for labor and material, and pay all contributions due to the Industrial Accident Fund, in accordance with ORS 279B.220 or ORS 279C.505, as applicable.

4.2 Contractor must promptly make payments for any costs described in ORS 279B.230 and 279C.530, as applicable.

4.3 Contractor must comply with requirements related to employed persons' hours of work and payment for overtime work, in accordance with ORS 279B.235, 279C.520, and 279C.540, as applicable.

4.4 If Contractor is a nonresident bidder and the Contract price exceeds $10,000, Contractor must promptly report to the Department of Revenue on forms provided by that Department the total contract price, terms of payment, length of contract and such other information as the Department may require before the County will make final payment on the contract, in accordance with ORS 279A.120.

4.5 Contractor and any subcontractor must pay to the Department of Revenue all sums withheld from employees, in accordance with ORS 316.167.

4.6 Contractor acknowledges that, pursuant to ORS 210.190, no payment may be made by County on account of this Contract if Contractor is indebted to Lane County in any manner, except for taxes not delinquent. Contractor expressly grants County the right to deduct from any payments due on this Contract the amount necessary to satisfy such indebtedness until any such debt has been satisfied.

4.7 **Equal Employment Opportunity.** During the performance of this Contract, Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, sexual orientation, gender identity, or national origin. Contractor will comply with all applicable requirements of 29 CFR Part 471, Appendix A to Subpart A (copy available at: www.dol.gov/olms/regs/compliance/EO13496.htm), and will include the terms of these requirements in all subcontracts entered into under this Contract.

4.8 **Americans with Disabilities Act Compliance.** During the performance of this Contract, Contractor will comply with all applicable provisions of the Americans with Disabilities Act of 1990, 42 USC Section 12101 et seq. and Section 504 of the Rehabilitation Act of 1973.

4.9 **Compliance with Law.** In connection with its activities under this Agreement, Contractor must comply with all applicable federal, state, and local laws.

5. MODIFICATION AND TERMINATION

5.1 Modification. No modification or amendment to this Contract will bind either party unless in writing and signed by both parties. In lieu of termination pursuant to subsection 5.2.4 below, County may propose modifications to the Contract sufficient to allow County to perform its obligations.

5.2 Termination:

5.2.1 County certifies that it has sufficient funds currently authorized for expenditure to finance the costs of this Contract for the period within the current budget. However, Contractor understands and agrees that: (1) if County fails to appropriate funds for any successive budget year, the Contract will terminate at the end of the last fiscal year for which payments have been appropriated, and (2) if County's funding, appropriations, or expenditure authority are reduced to a level insufficient, in County's reasonable administrative discretion, to perform its obligations under this Contract, County may terminate this Contract immediately upon notice to Contractor.

5.2.2 Upon termination pursuant to this subsection, County will have no further obligation to Contractor except for payments for amounts earned prior to the termination date.

5.3 Remedies and Default. County may exercise any of the following remedies for Contractor's failure to perform the scope of work or failure to meet established performance standards: reduce or withhold payment; require Contractor to perform, at Contractor's expense, additional work necessary to perform the identified scope of work or meet the established performance standards; or declare a default, terminating the Contract and seeking damages and other relief available under the terms of the Contract or applicable law.

5.4 Force Majeure. Neither County nor Contractor will be held responsible for delay or default due to Force Majeure acts, events or occurrences, including but not limited to fires, riots, wars, and epidemics, unless such delay or default could have been avoided by the exercise of reasonable care, prudence, foresight, and diligence by that party. If delays or nonperformance are caused by a subcontractor of Contractor, Contractor will be liable for such supplies or services if the supplies or services were obtainable from other sources in sufficient time to permit Contractor to meet the required schedule. County may terminate this Contract upon written notice after determining that a delay or default caused by Force Majeure acts, events, or occurrences will reasonably prevent successful performance of the Contract.

6. DISPUTES

6.1 Dispute Resolution. The parties are required to exert every effort to cooperatively resolve any disagreements that may arise under this Contract. This may be done at any management level, including at a level higher than the persons directly responsible for administration of the Contract. In the event that the parties alone are unable to resolve any conflict under this Contract, they are encouraged to resolve their differences through mediation or other cooperative dispute resolution process.

6.2 Attorney Fees, Law, and Forum. In the event an action, suit of proceeding, including appeals, is brought for failure to observe any of the terms of this Contract, each party shall be responsible for that party's own attorney fees, expenses, costs and disbursements for the action, suit, proceeding or appeal. All matters in dispute between the parties to this contract arising from or relating to the Contract, including without limitation alleged tort or violation, are governed by, construed, and enforced in accordance with the laws of the State of Oregon without regard to principles of conflict of laws. This section does not constitute a waiver by County of any form of defense or immunity, whether governmental immunity or otherwise, from any claim or from the jurisdiction of any court. All disputes and litigation arising out of this Contract will be decided by the state or federal courts of Oregon. Venue for all disputes and litigation will be in Lane County, Oregon.

7. MISCELLANEOUS PROVISIONS

7.1 Compliance with Public Records Law. The parties acknowledge that this Contract and all records held by County are public records and subject to public disclosure unless a statutory exemption applies, and agrees that County shall have no liability for the disclosure of any confidential information in response to a public records request where such disclosure is required by court or district attorney order, or by County's good faith interpretation of its statutory requirements.

7.2 Merger. This Contract contains the entire agreement of County and Contractor with respect to the subject matter of this Contract, and supersedes all prior negotiations, agreements and understandings.

7.3 Waiver. Failure of County to enforce any provision of this Contract does not constitute a waiver or relinquishment by County of the right to such performance in the future nor of the right to enforce that or any other provision of this Contract.

7.4 Severability. If any provision of this Contract is declared by a court to be illegal or in conflict with any law, the validity of the remaining terms and provisions are not affected; and the rights and obligations of the parties are to be construed and enforced as if the Contract did not contain the particular provision held to be invalid.

7.5 Survival. The provisions of this Contract with respect to governing law, indemnity, insurance for completed products and operations, warranties, guarantees and, if included in the Contract, attorney fee provisions and limitations, will survive termination or completion of the Contract.

7.6 Time is of the Essence. The parties agree that time is of the essence with respect to all provisions of this Contract.

7.7 Non-Assignment. Contractor may not assign or transfer its interest in this Contract without prior written approval of County.

7.8 Binding on Successors and Assigns. The provisions of this Contract are binding upon and inure to the benefit of the to this Contract, their respective successors, and permitted assigns.

7.9 No Third-Party Beneficiaries. County and Contractor are the only parties to this Contract and are the only parties entitled to enforce its terms. Nothing in this Contract gives or may be construed to give or provide any benefit or right to third persons, either directly or indirectly, that is greater than the rights and benefits enjoyed by the general public, unless that party is identified by name in this Contract.

7.10 Headings. The headings and captions in this Contract are for reference and identification purposes only and may not be used to construe the meaning or to interpret the Contract.

Exhibit G

Federal Requirements

Not Applicable

Exhibit H

Insurance

Not Applicable

Exhibit I

State Funding Assurances

Exhibit I, Program Element 19
Low-Income Household Water Assistance (LIWHA) Program

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1. **Description.** The Low-Income Household Water Assistance (LIHWA) Program is intended to assist low-income households, particularly those with the lowest incomes who pay a high proportion of household income for drinking water and wastewater removal costs. LIHWA is federally funded by the U.S. Department of Health and Human Services, Administration for Children and Families, Office of Community Services. Services covered by LIHWA include bill payment assistance.

2. **Scope of Work.**

   A. Subgrantee shall and shall cause and require by contract that its subrecipients comply and perform all work to the satisfaction of OHCS, and in accordance with the terms of this agreement, including its local work plan application as approved by OHCS and supplemented herein, together with applicable legal requirements including 45 CFR Part 75, EC 2912 of the American Rescue Plan Act of 2021, and Public Law No 116-260, Sec 533. The approved work plan application is incorporated herein by reference. The remaining provisions of this Section 2 are supplemental to, and do not limit the obligations of subgrantee or its subrecipients arising under this subsection 2A or otherwise under this agreement.

   B. Subgrantee shall, and shall cause and require its subrecipients by contract to administer LIHWA funds in a manner satisfactory to OHCS and in compliance with all program requirements, including but not limited to the following terms and conditions:

      1) Provide water and wastewater assistance with LIHWA funds anytime between October 1, 2021 and June 30, 2023, as funding allows.

      2) Target households who have high water burden, based upon income and water/wastewater service costs.

      3) Prioritize households who have had water and/or wastewater services disconnected, who have pending disconnection notices for those services, and who have arrearages for those services.

      4) Provide crisis assistance on a case-by-case basis. If direct service funds are exhausted, subgrantee and subrecipients must be available to assist households in crisis by providing information, referral, and/or advocacy services.

      5) May request approval from OHCS program coordinator to extend timelines (if any are indicated) for any assistance component based on funding and operational circumstances.

      6) Assure that outreach is performed in a manner which ensures all eligible households are made aware of available LIHWA assistance. This includes but is not limited to placing posters in local and county social service offices, publishing articles in local newspapers, broadcast media announcements, and vendor billing inserts and/or mailings. Subgrantee may also execute interagency agreements with other low-income program offices to perform outreach tasks.

         a. Households residing in any OHCS multifamily housing portfolio property are considered to be year-round priorities for outreach. These properties have been supported with public funds and the preservation and stabilization of this housing is a priority for the State of Oregon. A current list is available on the OHCS website in both an Excel version or as a PDF.

b. OHCS is committed to "Meaningfully engage culturally specific and culturally resp organizations and their constituents to ensure OHCS policies, practices, systems of accountability and program awards are designed to advance equity and racial justice and meet the needs of communities of color."

5) Assure applications for the LIHWA program (every component, including crisis) shall be accepted at sites that are geographically accessible to all households across their service area.

6) Ensure that individuals who are "homebound" (physically infirm) shall be provided alternative application methods, including, but not limited to phone, mail and/or home visits.

7) May choose to prioritize vulnerable populations (including elderly, disabled and families with young children) for an indicated period throughout the program year. Priority intake periods are intended to allow for additional time and outreach necessary to provide quality services to vulnerable populations, and shall not exclude non-targeted households for more than a short period of time.

8) May request approval to target specific services to allowable populations based on community need. Clear policies for application, eligibility and outreach practices must be outlined in the local work plan application and approved by OHCS. Examples of targeted populations include, but are not limited to:

   a) Households that have not accessed other available water and wastewater assistance for the current program year (e.g., utility programs).

   b) Vulnerable populations, including seniors, disabled, and families with young children.

9) Subgrantees with Tribal LIHWA Grantees (tribes who receive LIHWA funds directly from HHS) in their service area shall make every effort to assure that tribal households do not receive duplicate payments or services. If for any reason an eligible tribal member is unable to access their tribal LIHWA program (e.g., out of funds, geographically inaccessible, unanticipated hardship) they should be served as any other eligible household. Households affiliated with tribes not receiving LIHWA funds from HHS should be treated as any other applicant. Any deviation from these policies must be approved by OHCS.

10) Assure that households receiving LIHWA benefits are determined to be eligible based on guidelines provided annually by OHCS.

11) Use the payment floor-to-ceiling guidelines as outlined in the LIHWA Operations Manual to determine LIHWA benefit levels. Any variation from statewide payment levels or types must be approved by OHCS.

12) Assure that life-threatening crisis situations are addressed within either 18 hours (if already disconnected) or 48 hours (at risk of disconnection) of application. These timeframes must be documented to include comments outlining how the situation was addressed.

13) Provide any of the following forms of assistance, or a combination thereof, to resolve water/wastewater related emergencies:

   a) Bill payment assistance

   b) Other emergency services- including, but not limited to, information, referral, coordination of benefits (e.g., coordination with CSBG funding), advocacy, and/or other goods and services necessary to relieve immediate threat to health and safety.

14) Notify households regarding the amount of bill payment assistance to be provided. Applicants who apply by mail should receive a notice by mail or may be notified by telephone.

15) Assure that participating water/wastewater utilities (vendors) sign and comply with vendor contra ensure that no utility is paid with LIHWA funds without a signed contract.

16) Authenticate all water/wastewater utilities (vendors) paid with LIHWA funds. A process for authentication (e.g. verifiable tax ID, business documentation) must be outlined and approved in the local work plan application.

17) Pay water/wastewater utilities (vendors) within 45 days of committing a LIHWA benefit, unless otherwise specified in the vendor contract.

18) Assure that applicants understand and sign a vendor release of information in cases where household information must be obtained from a utility/vendor.

19) Does not use LIHWA funds to pay for any person influencing or attempting to influence an officer or employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant loan or cooperative agreement. If any funds other than LIHWA have been paid or shall be paid to any employees for influencing or attempting to influence an officer or employee of a Member of Congress in connection with the awarding of the Federal LIHWA contract, grant, loan or cooperative agreement, subgrantee shall, and shall cause and shall require its subrecipients by contract to complete and submit Standard- Form-LLL ("Disclosure Form to Report Lobbying") in accordance with its instructions.

3. Program Specific Reporting

A. Subgrantee shall, and shall cause and shall require its subrecipients by contract to comply with the following program specific reporting requirements:

1) Ensure that data collection and reporting for LIHWA funded activities be conducted through the use of OHCS approved OPUS database and assure that data entry into OPUS occurs in an accurate and timely manner as satisfactory to OHCS, ideally at the time of intake.

2) Submit all reports as required in this agreement and outlined in the LIHWA Operations Manual as satisfactory to OHCS.

3) Provide additional reports as needed or requested by OHCS.

4) May request a reporting deadline extension when necessary.

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MINUTES
Coburg City Council Meeting
December 12th, 2021 7:00 P.M.
Coburg City Hall
Virtual and at 91136 N Willamette Street

MEMBERS PRESENT: Mayor Ray Smith, Markus Alexander, Nancy Bell, Kyle Blain, John Fox, John Lehmann, Patty McConnell.

STAFF PRESENT: Sammy Egbert, City Recorder; Anne Heath, City Administrator; Megan Winner, Planning and Economic Development; Gary Darnielle, City Attorney; Anne Davies, City Attorney; Tracey Pugh, Main Street Coordinator; Tim Gaines, Finance Director; Brian Harmon, Public Works; and Chief Larry Larson, Police.

GUESTS: Shannon Sardell, Heritage Committee; Cathy Engebretson, Finance Audit Committee; Henry Hearley, Lane Council of Governments (LCOG); Bill Johnston, Oregon Department of Transportation (ODOT).

RECORDED BY: Beth Bridges, LCOG.

CALL TO ORDER
Mayor Smith called the meeting to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE
Mayor Smith led the pledge of allegiance.

ROLL CALL
Ms. Egbert took roll and a quorum was present.

MAYOR COMMENTS
Mayor Smith addressed the annexation issue. He expressed confidence in the decision-making abilities of the Council, after they had received respectful public input and had discussed the issue. Mayor Smith reviewed meeting protocol and noted it was the last meeting of 2021.

CITIZEN TESTIMONY
There was no citizen testimony submitted.

CONSENT AGENDA

1. **Minutes September 15, 2021 City Council**
2. **Minutes October 12, 2021 City Council Planning Commission Work Session**
3. **Minutes October 12, 2021 City Council**

MOTION: Councilor Bell moved, and Councilor McConnell seconded, to approve the consent agenda as presented. Motion passed unanimously.

AGENDA REVIEW

Ms. Egbert explained the red folders contained copies of three letters of written testimony submitted prior to the deadline but after the Council packet had been prepared.

SPECIAL GUESTS

4. **Heritage Committee**

Mayor Smith welcomed Heritage Committee member Shannon Sardell. She described their use of some of the Certified Local Government Grant from the State Historic Preservation Office to create and present three bronze plaques to property owners who had preserved their historic structures. The committee planned to honor those property owners and recognize three additional property owners at the May 2022 downtown event.

5. **Finance Audit Committee**

Mayor Smith recognized Cathy Engebretson, chair, Finance Audit Committee. Ms. Engebretson detailed the committee's work on reviewing the financial policies and procedures, defining the qualifications for their external financial reviewer, learning from an audit tool book, and receiving an update from Finance Director Tim Gaines regarding the revised Systems Development Charge (SDC) financing fees. She said future projects included drafting or revising a conflict-of-interest policy and reviewing the FY20 audit findings.

ORDINANCES AND RESOLUTIONS

6. **Public Hearing/First Reading: Ordinance A-200-J**

Mayor Smith opened the Public Hearing at 7:22 p.m. He read the ordinance by title and reviewed the process and emphasized the importance of public testimony to address the criteria identified in the staff report, comprehensive plan, or development code. When Mayor Smith asked if any counselor wished to declare an ex parte contact or conflict of interest, no one did.

Staff Presentation:

Henry Hearley, LCOG, gave the staff presentation. He used a Powerpoint presentation entitled *Planning Commission Public Hearing ANX 01-20 & ZC 01-20*. Mr. Hearley described how the City of Coburg had determined the need to expand its Urban Growth Boundary (UGB) for employment needs. Several areas were studied and the property now before the Council was selected as it had the most development potential. As per Industrial Policy 7, the property must have twenty percent open space. It will be improved akin to a park for use by employees and provide a buffer between development and neighboring residential property to the east. Mr. Hearley relayed one issue raised at the Planning Commission was to add a buffer between

the proposed development and the Premier RV property to the west. Staff recommended the issue be addressed during the master plan process. Mr. Hearley added the Planning Commission also had questions about the Traffic Impact Analysis (TIA). Turning to East Van Duyn Road, Mr. Hearley listed the improvements planned for the road and funded by the applicant. He reviewed the findings of the TIA, highlighting the trip cap requirement. Mr. Hearley described the similarities and differences between Light Industrial and Campus Industrial zones. He said the applicant's intent was for the property to be zoned Light Industrial once annexed and referenced a number of adopted policies and plans that supported the designation. Mr. Hearley then reviewed the criteria for annexations and zone changes. In conclusion, he recapped the staff's and Planning Commission's recommendations.

Councilor Fox asked if the Light Industrial zone allowed for a distribution center and for more information regarding air quality assessments. Mr. Hearley responded yes for the distribution center and explained any development would be required to have air quality standards reviewed by Lane Regional Air Protection Agency (LRAPA), with involvement from the Department of Environmental Quality (DEQ).

Applicant Presentation

Ramon Fisher, property owner of the land under consideration, reviewed the work leading up to the annexation request. He stressed the importance of zoning the land Light Industrial and requested the zoning be deemed Light Industrial concurrent with the annexation. He introduced Kelly Sandow, Sandow Engineering, who conducted the TIA.

Ms. Sandow described the components of the TIA in response to an annexation and zone change, the scope of work, and its underlying assumptions. She discussed how they developed the trip cap requirement from 4:00 p.m. to 6:00 p.m. In the future, additional development phases would need to have updated TIAs which may include mitigations. Ms. Sandow referenced Figure 3 in the packet which showed the impact of the proposed development and Figure 4 which showed the current traffic volumes. She explained the impact on intersections was measured in vehicles, not people, and included all types of trips (e.g., employees, deliveries, services). When asked about the accuracy of the analysis, Ms. Sandow assured the Council the TIA had been reviewed by Coburg, Lane County, and ODOT staff.

Councilor Fox recalled if the development were a distribution center, the traffic was primarily on the highways and not an impact on downtown Coburg. He asked if that type of business had approached Mr. Fisher. In response, Mr. Fisher said he didn't know who might want to develop there once the land was annexed. He understood the Council's reservations regarding a warehouse operation and planned to work closely with the City of Coburg with each potential development to ensure it was compatible with the City's goals.

Mr. Johnston said the I-5/Coburg Interchange Area Management Plan (IAMP) indicated developments along Van Duyn would relocate their access from Van Duyn to the new access road once it was constructed. Mr. Fisher added he had agreed to have the new access road built on his property as a condition of the annexation.

When Councilor McConnell asked if the exit from I-5 would be widened at that point, Ms. Sandow said yes.

Councilor Fox, thinking of a possible future scenario where traffic exceeded the cap, asked if the City of Coburg have a role in approving the mitigation. Mayor Smith added if the city could say no to the proposed mitigation. In response, Mr. Johnston referenced the Transportation Planning Rule in state statutes and opined their question was a legal one.

City Attorney Gary Darnielle said the master plan for each development would enable Coburg Council the opportunity to weigh in on or object to any mitigation proposed.

Public Comment

Peter Dettmer, 90834 Coburg Hills Drive, requested the Council not take formal action until they answered questions previously raised, including how much tax money was spent to bring water lines to the property and for the drainage system installed there. He advocated for a larger protective buffer on Van Duyn Road and for the property, if annexed, to be zoned residential. Mr. Dettmer encouraged the Council to protect the beauty that was Coburg.

Kevin Dwyer, 90541 Diamond Ridge Loop, said he and twenty-seven other families in the Diamond Ridge subdivision opposed the annexation and zoning change as they would like to keep the area rural. He noted the work environment was changing and questioned both the need for industrial parks and if their work force would come from the Coburg area. Mr. Dwyer stressed the added traffic on the current highway overpass was of special concern and gave examples of how dangerous it was. He advocated for the city to work with ODOT to get funding from the recently enacted federal infrastructure package to improve the overpass.

Andrew Hays, 90576 Diamond Ridge Loop, reiterated his testimony to the Planning Commission that it was not good to put an Industrial zone in between two residential zones. He said if the Council decided to do so, they should designate it as a Campus Industrial zone. Mr. Hays described the reasons a Campus Industrial zone was preferable, including air quality, materials/equipment storage, and landscaping. He referenced local examples of each type of industrial zone and noted the Campus Industrial zoned sites were preferable neighbors.

Council Response to Public Comment

Councilor Alexander questioned why the proposed zoning had been changed from Campus Industrial to Light Industrial. Mayor Smith explained that the discussion between Campus Industrial or Light Industrial has been an ongoing one for the last ten years. He said the economic development staff with the State had recommended the Light Industrial zone.

When Councilor McConnell asked at which Planning Commission meeting had they recommended Light Industrial, Ms. Egbert said November 17, 2021. Mayor Smith added a previous Council had decided on Light Industrial as the zoning because that's what was in the Comprehensive Plan. The decision was before this Council again.

Councilor Alexander asked if it was possible to have a Light Industrial model with some of the requirements of the Campus Industrial, e.g., storage and landscaping. Mr. Hearley explained those issues could be addressed when the developer presented their master plan to the City.

Mr. Fisher shared he had been approached by people interested in solar panel manufacturing or tech server farms. When he added he didn't envision anything with smoke stacks, Mr. Hearley clarified that use only occurred in a Heavy Industrial zone.

Councilor Bell followed up on Mr. Dwyer's suggestion to work with ODOT to get funding from the federal infrastructure package. Ms. Heath and Mayor Smith described their lobbying efforts. Mr. Johnston explained it was estimated to cost $36 million to construct the bridge, and funding for construction had not been identified. He said there were higher priority projects on the state system for use of the newly enacted federal funding.

Councilor Blain clarified the money invested to install the drainage system was not tax dollars. When he asked Ms. Heath about the water infrastructure project, she explained it was an enterprise fund in which expenses were paid for by water fees. She added the water infrastructure project served more property owners in addition to Mr. Fisher and those property owners needed to pay to bring the water from the main line into their property.

Mayor Smith said the City of Coburg had spent tax dollars on planning (e.g., the Comprehensive Plan). Mr. Hearley added annexation applicants paid a fee ($10,000) to cover the staff costs.

Mayor Smith closed the public hearing at 9:06 p.m. He noted the second reading of the Ordinance was scheduled for January 11, 2022.

COUNCIL ACTION ITEMS

7. City Administrator Employment Agreement

Anne Davies, City Attorney, briefed the Council on the renewal of the City Administrator's contract. She pointed out changes in section 7, subsections b and c, (regarding severance) and the increase in Ms. Heath's base salary to $113,000.

MOTION: Councilor Bell moved, and Councilor Blain seconded, to accept the City Administrator Employment Agreement with the City of Coburg as presented. Motion passed unanimously.

8. Planning Commissioner Appointment

Megan Winner said there was one vacancy on the Planning Commission and the Planning Commission had voted to recommend Alan Wells at their October 20, 2021 meeting. If appointed, Mr. Wells would serve through October 2023 unless reappointed by Council.

MOTION: Councilor Fox moved, and Councilor Alexander seconded, to recommend the mayor appoint Alan Wells to the Planning Commission for a term expiring in 2023. Motion passed unanimously.

Mayor Smith appointed Alan Wells to the Planning Commission.

ADMINISTRATIVE INFORMATION REPORTS

9. Coburg Main Street Update

Tracey Pugh, Main Street Coordinator, gave a Powerpoint presentation entitled *Coburg Main Street Update*. She described their work on mural projects downtown, adding art installations, hanging seasonal flower baskets, installing wayfinding signage and signage at the north and south ends of town, and creating an online and printed map and directory of businesses.

Councilor Lehmann endorsed many of the ideas presented. He advocated for more inclusion of references to farming, horses, and old-fashioned bicycles as those images set Coburg apart.

When Councilor Bell asked who maintained the flower baskets, Ms. Pugh said previously the baskets were maintained by businesses but it might be worthwhile to look into other options.

Mayor Smith acknowledged the many accomplishments of the Main Street program. He noted it was currently funded by the City but he hoped long-term to find other funding sources.

10. American Recovery Funds Update

Ms. Heath said Coburg had received the first half of the American Recovery Funds ($129,000) in August. The second half would be allocated in 2022. She asked for feedback on the following estimates, based on prior Council discussions and staff recommendations: design and engineering of the Public Works shop; bike kiosk ($15,000); Coburg Chamber of Commerce ($15,000); Main Street Program ($20,000); reimburse some of the expenses for technology in the City Council chambers ($20,000); and $10,000 for broadband feasibility study. Ms. Heath said it was difficult to apply the funds for transportation projects.

Councilor Lehman wanted the money to be spent in ways that benefitted all of Coburg.

Councilor McConnell expressed support for the Main Street program and shared public art installations were expensive, e.g., the estimate for one mural was $30,000.

Mayor Smith noted the broadband feasibility study was very important. He didn't think there were other items that were more important.

Ms. Heath explained there were capital funds already budgeted for the communication technology in the council chambers and the $20,000 could be allocated elsewhere if the Council so choose. She had recommended the line item as it met the criteria set forth.

After Councilors Lehman, Bell, and McConnell and Mayor Smith supported allocating more money to the Main Street program, Ms. Heath offered to bring a resolution for the allocation of the first half of the American Recovery Funds to the next meeting.

11. Finance Monthly Report

Tim Gaines, Finance Director, clarified he was giving a quarterly report.

12. Finance Quarterly Presentation

Mr. Gaines reviewed a spreadsheet entitled *City of Coburg, September 30, 2021, Fiscal Year 2022, Cash on Hand per Fund*. He noted the first quarter was a little slower than others as they

were awaiting property tax revenues. Mr. Gaines noted revenues in all funds were higher than the same time in the prior fiscal year. Turning to expenses, Mr. Gaines said they were also slightly higher than last fiscal year. None of the expenses were unanticipated. He discussed the revenues from city gas tax from April 2020 to present. Ms. Heath added that although the gas tax was doubled in April 2020, revenue did not double because the Covid shutdown resulted in less gas purchased. She said travel was beginning to rebound.

Councilor Fox asked for a comparison of revenues to expenditures by quarter.

13. Administration Monthly Report

Ms. Heath referenced the City Administrator's report in the packet and asked if there were any questions. She noted the alley vacation project was ongoing. After Mayor Smith described an incorrectly placed fence, Ms. Heath observed there were several instances around town where alley easements had been violated and she wanted to take a systemic approach.

Councilor Alexander raised the issue of too much truck drivers not driving safely on N Coleman going into the new subdivision. Ms. Heath offered to follow up on the issue.

COUNCIL COMMENTS

Councilor Bell acknowledged the staff for their thoughtful deliberations regarding issues.

Councilor McConnell asked about the status of Coburg assuming jurisdiction of Main Street. She thought it was dangerous for children going to school with so much speeding traffic. Mayor Smith said law enforcement was actively patrolling the street. He said it would take at least a year before Coburg would consider taking over county roads within the urban area because there was a lot of fact finding that needed to occur.

Mayor Smith thanked the people who served on the council committees. He asked councilors to reserve Saturday, February 5, 2022, for the Council retreat.

UPCOMING AGENDA ITEMS

- **Ordinance A-200-J (Second Reading)**

FUTURE MEETINGS

- **December 15 Planning Commission**
- **December 21 Park Tree Committee**
- **December 24 City Hall Closed - Christmas**
- **December 31 City Hall Closed - New Year's**
- **January 11 State of the City & City Council**

DRAFT

ADJOURNMENT
Hearing no further discussion, Mayor Smith adjourned the meeting at 10:07 P.M.

APPROVED by the Coburg City Council on this 11th day of January 2022.

_____
Ray Smith, Mayor of Coburg

DRAFT

ATTEST: _____
Sammy L. Egbert, City Recorder

COBURG CITIZEN COMMITTEES

WORK PLAN GOALS & ANNUAL REPORT

CALENDAR YEAR 2021

COBURG PLANNING COMMISSION ANNUAL GOALS 2021

1. To participate in trainings on land use in Oregon including public meetings law, ethics law, timely/relevant topics.

2. To enhance communication with staff, City Council, and other committees

3. To gain information on what the City is expecting including annual budget updates, City Council goals and priorities, and the work and goals of other committees.

ANNUAL REPORT TO CITY COUNCIL - 2021

- The Planning Commission set the three goals above for 2021 at it's January, 2021 meeting.
- At the January 2021 Commission meeting findings for SUB-02-20 *Weichert Subdivision – Coburg Creek* were approved.
- Members of the Planning Commission participated in a joint work session with the City Council in February 2021 focused on annexation.
- At the March 2021 Commission meeting approval was granted for the SR-01-21 Kendall Auto Site Review.
- The April 2021 meeting of the Commission included a training on

Oregon Land Use Planning Law & Process.

- The May 2021 meeting included several reports and updates to the Commission, including:
  - Transportation System Plan (TSP) Update & Purpose
  - Annexation & Zone Change Application
  - Coburg Creek Subdivision
- *The Planning Commission did not meet June-September 2021*
- Members of the Planning Commission participated in a joint work session with the City Council in July 2021 focused on the Coburg Transportation System Plan.
- At the October 2021 meeting the Commission held elections for its officers, and interviewed and recommended to City Council appointment of an applicant for an open seat on the Commission.
- Members of the Planning Commission participated in a joint work session with the City Council in October 2021 focused on annexation.
- The November 2021 Commission meeting included a staff report, testimony, a public hearing, and discussion on ANX 01-20 & ZC 01-20 *Ravin Ventures and Hardly Hackit Annexation*. The Commission unanimously moved to recommend approval to City Council the annexation and the rezoning of the lot as light industrial.
- At the December 2021 meeting the Commission discussed its annual report to City Council, and its goals & work plan (in general) for 2022.
- At all meetings the Planning Commission received updates from city administration, and on significant work of the City Council and other city committees.

COBURG CITY COUNCIL
MONTHLY REPORTS

TOPIC: Annexation Ordinance

Meeting Date: January 11, 2022
Staff Contact: Henry Oliver Hearley, Associate Planner, Lane Council of Governments
Contact: 541-682-3089, hhearley@lcog.org

REQUESTED COUNCIL ACTION:
Staff is requesting three actions related to the annexation and rezone. The findings of fact for the annexation and zone change and Ordinance A-200-J are to be adopted separately as follows:

(1) Approve Land Use File ANX-01-20 and adopt the Findings of Fact in support of approval;
(2) Approve Land Use File ZC-01-20 and adopt the Findings of Fact in support of approval; and
(2) Adopt Ordinance A-200-J.

Suggested Motions (three in all):

"***I move to approve ANX-01-20 and adopt the Findings of Fact in support of approval."***

"I move to approve ZC 01-20 and adopt the Findings of Fact in support of approval."

"I move to adopt Ordinance A-200-J, AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF COBURG IDENTIFIED AS TAX LOT 00202 OF ASSSESSORS MAP 16–03–34–00 AND CONSISTING OF 107.43 ACRES, AND AMENDING ORDINANCE A–200G TO CHANGE THE COBURG ZONING MAP TO REZONE SAID TERRITORY FROM LANE COUNTY ZONING DISTRICT EXCLUSIVE FARM USE (E–40) TO COBURG ZONING DISTRICT LIGHT INDUSTRIAL."

CITY COUNCIL GOAL
1. Livability, Health and Vitality
5. Strategic Planning
6. Economic Development

BACKGROUND
The subject application is for annexation and rezone of a ~105.73-acre parcel of land located east of Interstate 5. The property was included in the City's recent UGB expansion to provide the City of Coburg with employment lands to meet a local and regional need. Planning Commission held a public hearing on the matter on November 17,2021 and recommended

approval of the applications and that the property be zoned Light Industrial. City Council held a second public hearing on the matter on December 14, 2021.

PURPOSE

This application is important to the Planning Department because the application is pending a final decision by the City Council. This application is important to the City of Coburg because it adds ~105.73 acres of land zoned light industrial to meet a local and regional demand for large-scale industrial zoned parcels.

BUDGET

There is no specific budget item for this application. The applicant has paid a total of $13,500 in land use fees for the processing of this application.

RECOMMENDATION

Staff recommends that the Council

(1) Approve Land Use File ANX-01-20 and adopt the Findings of Fact in support of approval;
(2) Approve Land Use File ZC-01-20 and adopt the Findings of Fact in support of approval; and
(2) Adopt Ordinance A-200-J.

NEXT STEPS

Following the second reading and of Ordinance A-200-J and the adoption of the Findings of Fact in support of approval for both applications, staff will update the status of the application with DLCD by submitting Form 2 Notice of Adoption to the online database. As City Council has rendered a final decision on the applications, the decision is only appealable to the Land Use Board of Appeals. Staff will mail notice of decision to parties of record within five days of the Council decision. Staff respectfully requests that the City Recorder obtain the Mayor's signature on the Findings of Fact document and the Annexation Agreement. The applicant will need to be involved in the signing and executing of the Annexation Agreement.

ATTACHMENTS

A. Ordinance A-200-J
B. Findings of Fact for ANX-01-20 & ZC 01-20
C. Annexation Agreement

REVEWED THROUGH:

Gary Darnielle, Legal
Sammy Egbert, City Recorder
Anne Heath, City Administrator

ORDINANCE NO. A–200-J

AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF COBURG IDENTIFIED AS TAX LOT 00202 OF ASSSESSORS MAP 16–03–34–00 AND CONSISTING OF 107.43 ACRES, AND AMENDING ORDINANCE A–200G TO CHANGE THE COBURG ZONING MAP TO REZONE SAID TERRITORY FROM LANE COUNTY ZONING DISTRICT EXCLUSIVE FARM USE (E–40) TO COBURG ZONING DISTRICT LIGHT INDUSTRIAL.

THE CITY COUNCIL OF THE CITY OF COBURG FINDS THAT:

WHEREAS, a request to annex certain territory was submitted on September 20, 2020, said territory being described as follows:

> Tax lot 202, 16–03–34–00, as generally depicted and more particularly described in and on file as ANX–01–20; and Ord. A–220–I, adopted 11/2019

WHEREAS, the City Council is authorized by Articles XX and XXI of the Coburg Development Code, as amended by Ordinance A–220–I; and ORS Chapter 222, to accept, process, and act on annexations to the City; and

WHEREAS, consistent with Section A.1 and A.2.a. of Article XX and Section A of Article XXI of the Coburg Development Code, and ORS 222.111(2), the annexation was initiated by Ravin Ventures, LLC and Hardly Hackit, LLC; and

WHEREAS, the applicants for the annexation of the property to be rezoned have requested that a Light Industrial zoning district be applied to the property and the property has been designated by the Coburg Comprehensive Plan as Light Industrial; and

WHEREAS, pursuant to ORS 222.125, no election is required because the annexation was initiated with consent of all of the owners of land and a majority of electors; and

WHEREAS, consistent with Section A.4 of Article XX of the Coburg Development Code, the territory proposed to be annexed is within the City of Coburg Comprehensive Plan urban growth boundary, is contiguous to the City limits, and is designated by the Comprehensive Plan as Light Industrial; and

WHEREAS, the annexation is consistent with the applicable policies in the Coburg Comprehensive Plan supporting annexation to the City and determined by the Final Order including the Findings of Fact herein **Exhibit B**; and

WHEREAS, consistent with Section A.4.c of Article XX of the Coburg Development Code, the annexation will result in a boundary in which key services can be provided; and

DRAFT

WHEREAS, consistent with Section A.4.d of Article XX of the Coburg Development Code, fiscal impacts to the City have been mitigated through an Annexation Agreement, attached to this Ordinance as **Exhibit C**, between the City and the property owners; and

WHEREAS, the annexation area is currently within the Coburg Rural Fire Protection District and will remain in the district after annexation to the City, as the City is a part of and receives services from the District; and

WHEREAS, on November 15, 2021, the Coburg Planning Commission held a public hearing on the annexation and voted to recommend to the Coburg City Council that the annexation be approved and that the annexed property be rezoned to Light Industrial; and

WHEREAS, a Staff Report and Final Order was presented to the City Council on December 14, 2021 with the recommendation to approve the annexation request as submitted and to rezone the annexed property to Light Industrial; and

WHEREAS, on December 14, 2021, a First Reading and a public hearing on this Ordinance was conducted by the City Council; and

WHEREAS, consistent with the requirements of ORS 222.120(3), notice of the December 14, 2021 public hearing was placed in the Register Guard on December 4, 2021 and on December 11, 2021 and in four public places for two weeks prior to the hearing; and

WHEREAS, on January 11, 2022 the City Council conducted a Second Reading of this Ordinance and is now ready to take action on this application based on the recommendation and findings in support of approving the annexation request as set forth in the aforementioned Staff Report and Final Order to the Council, incorporated herein by reference, and the evidence and testimony presented at this public hearing held in the matter of adopting this Ordinance.

NOW THEREFORE, THE CITY OF COBURG ORDAINS AS FOLLOWS:

SECTION 1: The City Council of the City of Coburg does hereby approve the annexation request, said territory being described as follows:

> Tax lot 202, 16–03–34, as generally depicted and more particularly described in and on file as ANX–01–20; and as more particularly described in **Exhibit A** of this Ordinance.

SECTION 2: Consistent with Section A.5.a of Article XX of the Coburg Development Code, the City Council of the City of Coburg does hereby rezone the property described in **Exhibit A** of this Ordinance from Exclusive Farm Use to Light Industrial.

SECTION 3: Findings of fact in support of the annexation and rezoning request are found in **Exhibit B** to this Ordinance, which are adopted by reference in support of this Ordinance.

SECTION 4: The City Administrator shall file this Ordinance in accordance with the requirements of Section A.6.b of Article XX of the Coburg Development Code.

ADOPTED by the **City Council** of the **City of Coburg** this _____ day of January, 2022, by a vote of _____ for and _____ against.

APPROVED by the Mayor of the City of Coburg this ____ day of January, 2022.

_____
Ray Smith, Mayor

ATTEST:

_____
Sammy L. Egbert, City Recorder

DRAFT

EXHIBIT A
ORDINANCE NO. A–200-J

LEGAL DESCRIPTION:

BEGINNING AT A POINT ON THE NORTH LINE OF THE I. S. SWEARINGER DONATION LAND CLAIM NO. (D.L.C.) NO. 37, IN SECTION 34, TOWNSHIP 16 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN, SAID POINT BEING WEST 1051.00 FEET AND 30.00 FEET SOUTH FROM THE NORTHEAST CORNER OF SAID DONATION LAND CLAIM NO. 37;

THENCE RUNNING PARALLEL WITH THE EAST LINE OF SAID DONATION LAND CLAIM NO. 37, **SOUTH 3106.29 FEET(Course 1)**, MORE OR LESS, TO A POINT ON THE SOUTH LINE OF TRACT 4 AS DESCRIBED IN A DEED RECORDED AUGUST 2, 1939 IN BOOK 198, PAGE 572 OF THE LANE COUNTY OREGON DEED RECORDS;

THENCE ALONG SAID SOUTH LINE, **WEST 1540.16 FEET (Course 2)**, MORE OR LESS, TO A POINT ON THE WEST LINE OF SAID DONATION LAND CLAIM NO. 37;

THENCE LEAVING SAID SOUTH LINE AND RUNNING ALONG SAID WEST LINE, **NORTH 3106.29 FEET (Course 3)**, MORE OR LESS, TO THE NORTHWEST CORNER OF SAID DONATION LAND CLAIM NO. 37;

THENCE ALONG THE NORTH LINE OF SAID DONATION LAND CLAIM NO. 37, **EAST 1540.16 FEET (Course 4)**, MORE OR LESS, TO THE POINT OF BEGINNING, ALL IN LANE COUNTY, OREGON.

DRAFT

CITY OF COBURG CITY COUNCIL
PO BOX 8316 Coburg, OR 97408

FINAL ORDER & FINDINGS OF FACT
Annexation & Rezone
ANX 01-20 & ZC 01-20

Findings Adopted Date: _____
City Council Public Hearing Date: December 14, 2021
First Reading of Ordinance A-200-J: December 14, 2021
Second Reading of Ordinance A-200-J: January 11, 2022

I. BASIC DATA

Property Owners:	Ravin Ventures & Hardly Hackit, LLC 3555 Gateway Street, Suite 200 Springfield, OR 97477
Applicant Consultant /Engineer:	Mr. Anthony Favreau The Favreau Group Eugene, OR 97405
Assessors' Map Lot#:	16-03-34-00-00202
Comprehensive Plan Designation:	Light Industrial
Current Zoning:	Exclusive Farm Use (EFU-40 Acre Minimum)
Noticing:	Mailed notice: November 23, 2021 Notice posted: November 30, 2021, at City Hall, Coburg Post Office, Norma Pfeiffer Park shelter and Pavilion Park. Notice posted at subject property: December 1, 2021 Notice published in *Register Guard*: November 27, 28, December 4, and December 11, 2021.
Staff Report Prepared by:	Henry Hearley, Lane Council of Governments, Contract Coburg Planner

II. REQUEST

The applicant has requested annexation and rezone of a 107.43-acre unit of land located on Map and Tax Lot 16-03-34-00-00202. The requested annexation and rezone are being processed concurrently, at the request of the applicant. The applicant and the City have mutually agreed to enter into an annexation agreement. The annexation agreement is included in the report as **Attachment A**. See Figure 1 below for a vicinity map of the subject property.

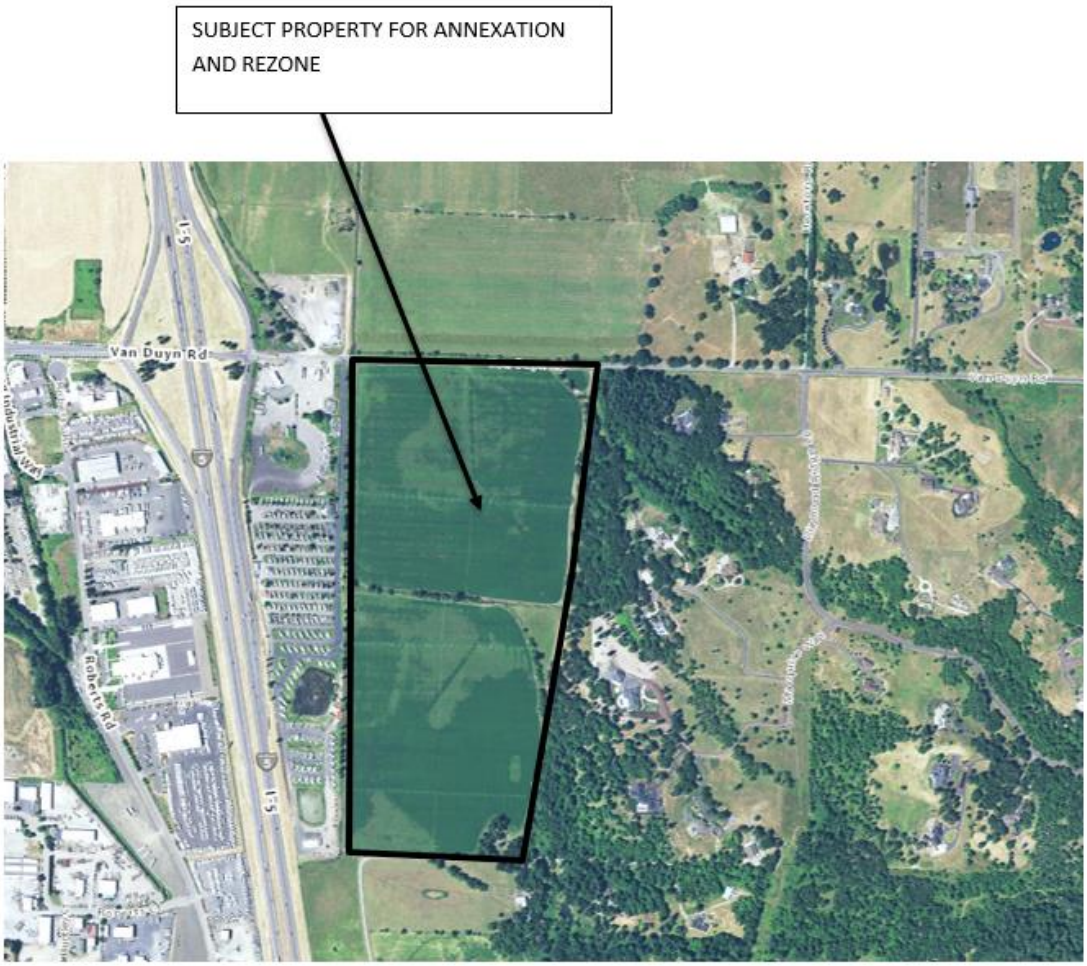


Figure 1: Subject Property

III. Summary of Planning Commission Public Hearing, November 14, 2021

This section is intended to give City Council an overview of the issues and comments that were discussed and raised in front of the Planning Commission on November 14, during the public hearing.

Summary of Commission Deliberations.

Commission deliberations and questions were largely centered around traffic impacts the annexation and rezone will have on East Van Duyn Road. Staff largely referred those questions to the applicant's qualified traffic engineer that was in attendance. The applicant's traffic engineer gave a brief overview of the findings from the Traffic Impact Analysis (TIA) and of how trip caps generally work.

There was a discussion around past historical City Council actions with respect to the subject property when it was included within the UGB and the fact that City Council applied a Comprehensive Plan Map designation of Light Industrial to the property and not Campus Industrial. There seemed to be consensus amongst the Commissioners that the Development Code itself provided city decision makers with the tools and information necessary to aid in determining the zoning to be applied to annexed properties, specifically subsection I of Article IV. However, a Commissioner did ask staff if the City was legally obligated to capture up 30 percent of the estimated regional demand for large light industrial sites; staff responded that they are not aware of any such state law to that effect.

One comment was asked about staff's response to Industrial Policy 7 of Goal 9 of Comprehensive Plan. Industrial Policy 7 reads "*a buffer, subject to conditions of the Zoning Code, shall be required along the boundary of all industrial areas that abut a residential district or shall be used to act as a buffer between the two districts or conflicting uses. Setback requirements of the Zoning Code shall also reflect buffering needs*." The Commissioner's comment suggested that a buffer should also be considered for the western property line of the subject property to separate the uses of the Premier RV property from the future industrial uses to locate on the subject property. It was mentioned during the public testimony portion of the hearing, that some patrons of the Primer RV property consider that their primary residence and should be afforded similar buffering considerations as those being proposed for the eastern property line. Industrial Policy 7 does state a buffer can be used between two districts or conflicting uses. The Commissioner suggested that the uses occurring on the Premier RV property, and the future uses to locate on the subject property should be considered to be conflicting and thus a buffer to separate those conflicting uses should be implemented. Prior to the Planning Commission hearing staff had not fully evaluated Industrial Policy 7 and do find credence in the Commissioner's question and offer this opportunity to further address Industrial Policy 7. The proposed finding for Industrial Policy 7 has been revised accordingly and staff offer City Council to consider a similar buffer be placed between the Premier RV property and the subject property. Staff believe the buffer between the Premier RV property and the subject property can be dealt with during the master plan process that the applicant will undergo following annexation. As such, staff will include a discussion of this buffer requirement into the annexation agreement to ensure that it is addressed.

Planning Commission's Recommendation.

Planning Commission closed the record and the hearing. Planning Commission entered into deliberations and a motion was made and seconded to recommend approval of the rezone and annexation onto City Council. Additionally, Planning Commission made a motion to recommend to City Council that the zoning designation of Light Industrial be applied to the subject property.

IV. BACKGROUND

The subject property is currently within the Coburg Urban Growth Boundary (UGB) and is zoned EFU (a Lane County designation). The subject property is currently vacant and consists of grasses and farmlands and wetland features. The subject property abuts Van Duyn road along the northerly boundary. This portion of Van Duyn is outside of the UGB. The subject property was first identified as possible inclusion into the City's UGB as a result of an Urbanization Study that was first conducted in 2010 and later updated in 2014 (the 2014 updated version, written by Eric Hovee, is included as **Attachment E**). In the Urbanization Study, the City found that the City's entire need for employment land cannot be satisfied through "efficiency measures," and that the UGB must therefore be expanded to include additional land for employment needs to the east of the Interstate 5 corridor. At the same time as the UGB was expanded to include the subject property, the City's Comprehensive Plan was also amended to add Policy 28 to Goal 9: Economy of the City, which reads "*In order to meet a regional industrial need, properties with Light Industrial designation located on the east side of Interstate 5 shall not be partitioned into parcels smaller than 20 acres*."

Ordinance A-199-G (**Attachment F**), approved by City Council, expanded the UGB to include the subject property and designated the subject property as Light Industrial on the Comprehensive Plan Map. Figure 2 below shows the subject property designated Light Industrial on the Comprehensive Plan Map and shows the property within the UGB.

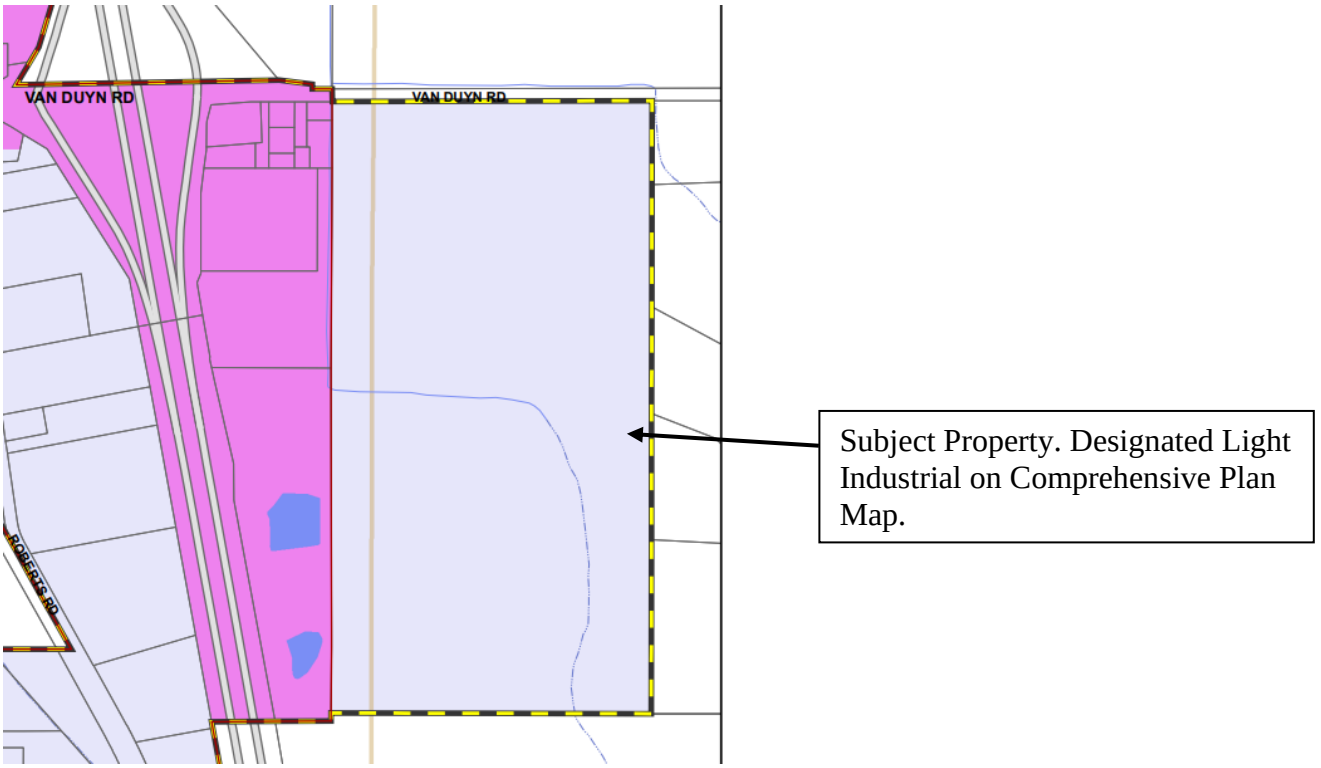


Figure 1: Coburg Comprehensive Plan Map of Subject Property

The subject property (identified as Study Area 8) was chosen to be included into the UGB to provide regional employment lands because of the proximity to Interstate 5, most of the property being viewed as potentially developable; its ability to capture a high percentage of the regional demand – not just a City demand; the subject property's ability to accommodate large industrial users; and due to its majority of soils being Classes IV and VI, which are among the least capable agricultural soils.

As seen in Table A.17 of the *Coburg Urbanization Study Addendum, June 2014*, Scenario B of the Regional Economic Analysis (REA) includes three sub-scenarios as to what extent of the regional large industrial site Coburg has the ability to capture. The REA assumed, at most and fairly aggressively, that Coburg could capture up to 30 percent of the regional large site industrial need.

Table A.17 Coburg Industrial Scenarios with Regional Large Site Industrial Capture

	Coburg Large Site Industrial Capture %			
Comparative Scenario / Option	**A**	**B1**	**B2**	**B3**
Added Regional Market Capture Rate	**0%**	**10%**	**20%**	**30%**
Regional Large Site Acreage Demand	463	463	463	463
Net Coburg Regional Acreage Demand	-	46.3	92.5	138.8
Coburg Share Adjusted for 10% Vacancy	-	51.4	102.8	154.2
Plus Local Industrial Need (Forecast A)	68.7	68.7	68.7	68.7
Total Coburg Industrial Demand	68.7	120.1	171.5	222.9
Less Estimated Coburg Industrial Lands	(28.4)	(28.4)	(28.4)	(28.4)
***Equals* Net Added Acreage Need**	**40.3**	**91.7**	**143.1**	**194.5**

Source: E. D. Hovee & Company, LLC using methodology of 2010 Urbanization Study together with 2012 OED Region 5 (Lane County) employment forecast. See Appendix B for added detail.

Figure 2. Table A.17 of the Coburg Urbanization Study Addendum, June 2014.

City staff have held three work sessions with City Council and Planning Commission on the topic of annexations and on this application. On October 27, 2020, City staff briefed City Council and Planning Commission at joint work session on the annexation process. On February 23, 2021, staff held another work session on the subject application, and on October 12, 2021, staff held the third and final work session on the annexation agreement that is accompanying this request.

Lastly, City staff and the applicant have held several meetings with affected property owners located to the east of the subject property. Staff has sent them an introductory letter that gave them preemptive notice of the application and in-general have made themselves available to answer neighbor's questions and/or concerns that have arisen with respect to the application. The preemptive meetings organized by the City with affected nearby property owners was above and beyond of what was required by the Coburg Development Code. The applicant has also attended a meeting with the Park and Tree Committee to discuss the open space plan. The proposal under consideration is the culmination of several years of work on behalf of citizen's involvement committees, stakeholder groups, City staff, and previous Planning Commissioners and City Councilors.

V. Article IV. Rules for Interpretation of District Boundaries.

I. If land is annexed into the City and the intent of the City and applicant is to zone the annexed land the same as the existing Comprehensive Plan zoning designation, it automatically is zoned as such.

FINDING: The Coburg Development Code contains a provision in Article IV that may aid City decision makers in determining the appropriate zoning designation to be applied to the subject property. As seen in subsection I, the provision states that if land is annexed into the City and the intent of the City and applicant is to zone the annexed land the same as the existing Comprehensive Plan zoning designation, it automatically

is zoned as such. The applicant has requested the zoning to be applied to the subject property be Light Industrial, as such, the applicant has indicated their intent for a zoning of Light Industrial. Next, the intent of the City has to be discussed. Staff points out that the intent of the City can be found in Ordinance A-199-G when City Council specifically amended the Comprehensive Plan Map to designate the subject property as Light Industrial and not Campus Industrial in Section 2(b) of the ordinance.

Section 2. Coburg Comprehensive Plan. The Coburg Comprehensive Plan is amended as follows:

(a) The Coburg Comprehensive Plan text is hereby amended to add Policy 28 to Goal 9: Economy of the City, which reads:

"Policy 28: In order to meet a regional industrial need, properties with a Light Industrial designation located on the east side of Interstate 5 shall not be partitioned into parcels smaller than 20 acres."

(b) The Coburg Comprehensive Plan Diagram is hereby amended to add approximately 106 acres of property (Tax Lot 202, Assessor's Map 16-03-34-00) designated as Light Industrial. The revised Comprehensive Plan Diagram is attached hereto by reference as Exhibit D, and is hereby adopted.

Figure 3: Section 2 of Ordinance A-199-G that applied a Plan designation of Light Industrial to the subject property.

After public notice and reading pursuant to the Coburg City Charter and after Council deliberations followed by councilor motion and second, this ordinance was put to a vote, the results of which were:

ADOPTED by the **City Council** of the **City of Coburg** this 9th day of January, 2018, by a vote of 5 for and 0 against.

APPROVED by the Mayor of the City of Coburg this 9th day of January, 2018.

Ray Smith, Mayor

ATTEST:

Mandy Balcom, Assistant City Recorder

Figure 4: City Council's action adopting Ordinance A-199-6 with a vote of 5 for and zero against which applied a Plan designation of Light Industrial to the subject property.

The designation of Campus Industrial was an available Plan designation, but City Council did not choose to designate the subject property as Campus Industrial, instead, City Council chose Light Industrial. Because of this, staff finds that it's reasonable to conclude that the City made its intent as to which future zoning designation they wanted to see on the subject property; and it was Light Industrial not Campus Industrial.

Subsection I of Article IV is perhaps the strongest argument that the subject property should be zoned as Light Industrial when it is brought into city limits. Planning Commission and City Council pointed to the adoption of A-199-6 and subsection I of Article IV as one of the findings to support their decision to approve the proposal and apply a zoning designation of Light Industrial to the property.

VI. Light Industrial and Campus Industrial Zoning Designations.

FINDING: This section briefly outlines some similarities and differences between the Light Industrial and Campus Industrial zones.

In both the Light Industrial and Campus Industrial zones the minimum parcel size for properties located east of Interstate 5 is 20-acres. The maximum lot coverage of the Light Industrial zone is 80 percent, whereas the maximum lot coverage in the Campus Industrial zone is 60 percent. The minimum landscaping requirement for parcels zoned Light Industrial is 15 percent, whereas in the Campus Industrial the landscaping percentage is 40 percent. Perhaps one of the biggest differences between the two zones are the side yard setbacks and the requirement for a landscape buffer for when an industrial use abuts a residential district. In the Light Industrial zone, where an industrial use abuts a residential district, a 25-foot setback is the minimum area that shall be between any development and adjacent residential district. The 25-foot setback is in the form of a landscaped horizontal buffer. This same requirement for a 25-foot landscaped buffer is not a requirement of the Campus Industrial zone, however a buffer, similar to the buffer required in the LI zone, could likely be achieved by citing Industrial Policy 7, which requires for a buffer between conflicting uses, the conflicting uses in the case would be the industrial uses conflicting with the adjacent residential uses. Included in the annexation agreement, as part of the required open space, is a landscape buffer running the entire length of the western property boundary, providing the separation of uses that is required in the Light Industrial zone.

Staff do not attempt to describe at length the permitted uses, conditional uses and prohibited uses of each zone, as that information is readily available in the Coburg Development Code. What staff will note of the two zones is that in the Light Industrial zone, wholesaling, warehousing, and storage on properties located east of Interstate 5 are prohibited. In the Campus Industrial zone, distribution centers, warehouses, and automobile dependent uses are prohibited. Further, both zones allow manufacturing and assembly uses, but the Campus Industrial zone has a qualifier for those uses; the manufacturing and assembly use is permitted so long as the use does not require a permit from an air quality public agency. This qualifier is not included in the list of permitted uses in the Light Industrial zone.

Any development that is to occur on the subject property, outside of the frontage improvements listed in the annexation agreement, will first have to go through the master planned process and will be subject to review and approval of the appropriate

City approval body, consistent with the standards set forth in the Coburg Development Code.

IV. ARTICLE XX. BOUNDARY CHANGES (ANNEXATION) (code sections appear in bolded *italics* throughout this staff report)

A. Annexation and Withdrawal Procedures and Criteria

1. Annexation Initiation and Review. An annexation application may be initiated by City Council resolution, or by written consents from electors and/or property owners as provided for in ARTICLE X.X.C.18. Annexation applications are reviewed under Type II procedures per ARTICLE X.C. The City Council shall approve proposed annexations by Ordinance. Other annexation proposals permitted by ORS 222 shall be processed as provided in ORS 222.

FINDING: The proposed annexation and concurrent rezone have been initiated by written consent of the property owners of the property located on Map and Tax Lot 16-03-34-00-00202. The applicant has submitted Form 1 Petition Signature Sheet for Annexation and a Verification of Property Owners form; both forms have been signed by Lane County Department of Assessment and Taxation. Pursuant to ORS 222.125, no election is required because the annexation was initiated with consent of all of the owners of land and a majority of electors. See **Attachment B** for the applicant's application materials. Criterion met.

2. Application Requirements. In addition to the provisions specified in other articles of this Code, an annexation application shall include the following:

a. A list of all owners, including partial holders of owner interest, within the affected territory, indicating for each owner:

(1) The affected tax lots, including the township, section and range numbers;

(2) The street or site addresses within the affected territory as shown in the Lane County Regional Land Information Database system (RLID);

(3) A list of all eligible electors registered at an address within the affected territory; and

(4) Signed petitions, as may be required.

FINDING: The applicant submitted the necessary application materials for staff to review and analysis of the requested land use actions. Criterion met.

b. Written consents on City-approved petition forms that are:

(1) Completed and signed, in accordance with ORS 222.125, by:

(i) All of the owners within the affected territory; and

(ii) Not less than 50 percent of the eligible electors, if any, registered within the affected territory; or

(2) Completed and signed, in accordance with ORS 222.170, by:

(i) More than half the owners of land in the territory, who also own more than half the land in the contiguous territory and of real property therein representing more than half the assessed value of all real property in the contiguous territory; or

(ii) A majority of the electors registered in the territory proposed to be annexed and a majority of the owners of more than half the land. (iii) Publicly owned rights-of-way can be added to annexations initiated by these two methods without any consents.

FINDING: The applicant has submitted completed and signed consent forms. The consent form is signed by all of the property owners of record for the subject property. The subject property contains no eligible electors. Criterion met.

h. A waiver form signed by each owner within the affected territory as allowed by ORS 222.173.

FINDING: The applicant has submitted a waiver signed by each owner within the affected territory as allowed by ORS 222.173. See **Attachment B** for the applicant's application materials. Criterion met.

(i) A legal description of the affected territory proposed for annexation consistent with ORS 308.225 that will include contiguous or adjacent right-of-way to ensure contiguity as required by ORS 222.111.

FINDING: The applicant submitted a legal description of the property to be annexed. Adjacent rights-of-way are not included in the requested annexation. Criterion met.

(n) A signed Annexation Agreement to resolve fiscal impacts upon the City caused by the proposed annexation. The Annexation Agreement shall address, at a minimum, connection to and extension of public facilities and services. Connection to public facilities and services shall be at the discretion of the City, unless otherwise required by ORS. Where public facilities and services are available and can be extended, the applicant shall be required to do so.

FINDING: The applicant and the City have mutually drafted an annexation agreement that addresses connection to and extension of public facilities and services. Further, the Agreement also outlines the applicant's obligation to construct frontage improvements along Van Duyn for the portion that abuts the subject property. The frontage improvements to be constructed by the applicant on Van Duyn include:

- Dedication of approximately 20-feet of right-of-way;
- Construction of a 56-foot wide roadway;
- Construction of sidewalk, curb, gutter, public utilities;
- Construction of two east-bound vehicle travel lanes from the property's west boundary to the access road;
- Construction of an internal access road providing access in accordance with the adopted Interchange Access Management Plan (IAMP).

All construction plans are subject to review and approval by the City Engineer. The annexation agreement will be signed and executed between the applicant and the City following annexation. Criterion met.

3. Notice. In addition to the requirements of ARTICLE X, the following notice requirements are also required for annexations:

a. Mailed Notice. Notice of the annexation application shall be mailed to:

(1) The applicant, property owner and active electors in the affected territory;

(2) Owners and occupants of properties located within 300 feet of the perimeter of the affected territory;

(3) Affected special districts and all other public utility providers; and

(4) Lane County Land Management Division, Lane County Elections, and the Lane County Board of Commissioners.

b. Posted Notice. Notice of the public hearing at which an annexation application will be considered shall be posted in four public places in the City for two successive weeks prior to the hearing date.

FINDING: For the Planning Commission hearing, mailed notice was sent to properties located within 300-feet of the subject property on October 8, 2021. Posted notice was placed by the applicant on November 2, 2021. City staff e-mailed agency referral notice to affected governmental agencies on October 7, 2021. Notice for the Planning Commission hearing was published in the *Register Guard* on November 2 and 3, 2021. Notice for the City Council hearing was published in the *Register Guard* on November 27, 28 and December 4 and 11, 2021. Notice of the City Council public hearing was mailed to property owners within 300-feet of the subject property on November 23,

2021. Hearing notices were in conformance with ORS 222.120(3) in that notice of the hearings were published once each week for two successive weeks prior to the day of the hearing and notices were posted in four public places for a liker period. See **Attachment C** for notice materials.

4. Criteria. An annexation application may be approved only if the City Council finds that the proposal conforms to the following criteria:

a. The affected territory proposed to be annexed is within the City's urban growth boundary, and is;

(1) Contiguous to the City limits; or

FINDING: As seen in Figure 6 below, the subject property is contigious with the existing city limits along the entirety of the western property line. Criterion met.

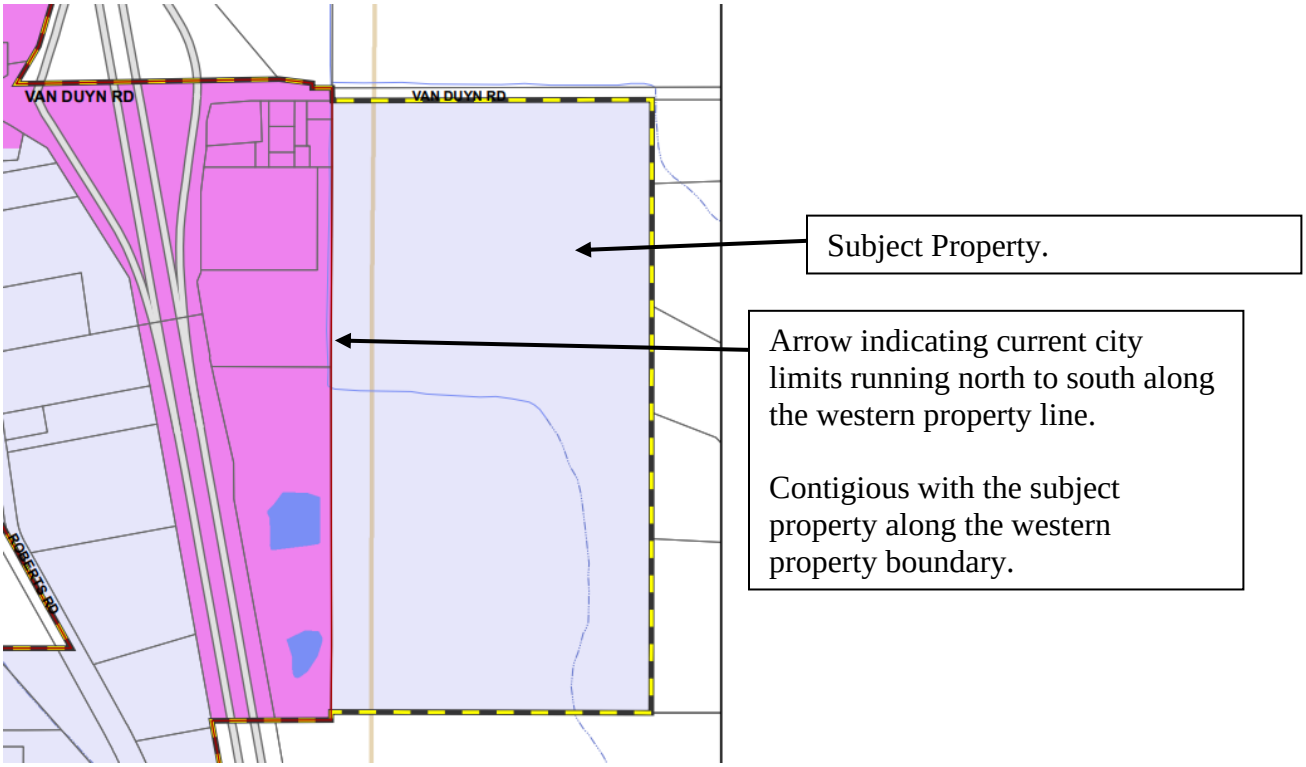


Figure 6: Contiguity of the subject property with existing city limits

b. The proposed annexation is consistent with applicable policies in the Coburg Comprehensive Plan and in any applicable refinement plans;

FINDING: Staff now turn to a discussion about the application's consistency with the applicable policies of the Comprehensive Plan and any refinement plans. The first policy staff want to bring to City decision maker's attention is Policy 28 of Goal 9. This policy was added to the Comprehensive Plan as a result of the UGB expansion that brought the subject property into the UGB. Policy 28 specifically identifies those properties with a Light Industrial plan and located on the east side of Interstate 5 shall not be partitioned into parcels smaller than 20-acres. This is because of the regional industrial need for parcels at least 20-acres in size. Criterion met.

Policy 28 of Goal 9: ***"In order to meet a regional industrial need, properties with a Light Industrial designation located on the east side of Interstate 5 shall not be partitioned into parcels smaller than 20 acres."***

Goal 1: Citizen Involvement, Coburg Objective: ***"The Citizen Involvement Committee will help develop, maintain, and refine programs and procedures that promote and enhance citizen involvement in the land use planning to assure compliance with Goal 1."***

FINDING: Goal 1 of the Comprehensive Plan is much aligned with Goal 1 of the Oregon Statewide Planning Goal, which is also citizen involvement. Commonly, in most cities, the citizen involvement committee is effectively the Planning Commission. Coburg maintains an effective, active and well-informed Planning Commission that reviews land use applications in a public forum which revolves heavily around citizen involvement. In the case of the proposed annexation and rezone, Planning Commission held a public hearing on November 17, 2021, and accepted testimony from those in favor of the proposal and those in opposition to the proposal. Both of the public hearings were duly noticed in accordance with the Coburg Development Code and ORS 222.120(3), which dictates that notice of the hearing shall be published once each week for two successive weeks prior to the day of the hearing, in a newspaper of generally circulation. Notice for the City Council hearing was published on November 27, 28 and December 4 and 11, 2021. At the close of the public hearing in front of Planning Commission on November 17, 2021, Planning Commission passed a motion to recommend approval of the annexation and rezone onto City Council for final action. City Council will hold a second hearing on both requests. Additionally, Planning Commission passed a motion to recommend that the zoning to be applied to the property be Light Industrial. Criterion met.

Goal 2: Land Use. Refinement Plans, Policy 3: ***"The City may use Refinement Plans to refine the Comprehensive Plan and/or the zoning ordinance in order to further implement the Comprehensive Plan policies. A Refinement Plan designates specific land use, transportation, and other elements through broad local participation. Refinement Plans may be developed in a single linear process, including neighborhood workshops, Planning Commission hearing(s), and the City Council adoption hearing(s)."***

FINDING: This policy authorizes the City to use Refinement Plans to refine the Comprehensive Plan and or Zoning Ordinance to further implement the Comprehensive

Plan Policies. The Coburg Urbanization Study that was first conducted in 2010 and updated in 2014 is a form of a Refinement Plan that was specifically undertaken to address a specific issue and develop policies and recommendations to address the issue of employment lands. The results of the Urbanization Study drove the need for the City to expand the UGB to address deficiencies in land availability for residential and industrial uses. Ultimately, the expansion of the UGB to include additional residential lands was abandoned, but the UGB was expanded to specifically include the subject property to address a specific deficiency in land availability for industrial uses and further address a regional need for large parcels of 20-acres or more. As a result, the Comprehensive Plan and Map were amended to add Policy 28 of Goal 9 and to include the subject property in the UGB with a Light Industrial Plan designation. Criterion met.

Goal 2: Land Use. Interpretation of Comprehensive Plan Map, Policy 7: ***"Plan designations for land use categories are intended to guide zoning."***

FINDING: This policy states the Plan designations for land use categories are intended to guide zoning. What this means, is that zoning of parcels should be consistent with the designation as seen on the Comprehensive Plan Map. Applying this Policy to the present proposal would mean it would be reasonable for City decision makers to apply a zoning designation of Light Industrial because that's what the subject property is designated on the Comprehensive Plan Map. Conversely, staff also believe it reasonable to find that a Plan designation of Light Industrial can be implemented through the Campus Industrial zoning designation.

As seen in **Policy 13 of Comprehensive Plan Designations**, the intent of the Light Industrial Plan designation is ***"intended to provide areas for manufacturing, assembly, packaging, wholesaling, related activities, and limited commercial uses that support local industry and are compatible with the surrounding commercial and residential districts. The LI designation is intended to promote a high quality of life through a diverse economy and strong tax base, transition between higher and lower intensity uses, and appropriately scaled nonpolluting industrial uses that fit the small town, historic character of the community."***

Relatedly, the Campus Industrial, as seen in **Policy 14 of Comprehensive Plan** Designations is ***"to provide areas for research and development, manufacturing, assembly, packaging, wholesaling, related activities, and limited industrial-supportive commercial uses in an attractive, campus setting. The CI designation is intended to promote a high quality of life through a diverse economy and strong tax base, and appropriately scaled, nonpolluting industrial uses that fit the small town, historic character of the community."***

Both Plan designations provide for manufacturing and assembly, although in the Campus Industrial zone, manufacturing and assembly, including associated sales are permitted when the use does not require a permit from an air quality public agency. That

same qualifier does not appear in the Light Industrial zone. The Light Industrial zone does allow for a wider range of light industrial permitted uses, which staff feel would advance the City's effort in capturing up to 30% of the regional demand for light industrial uses. Staff do not feel a zoning designation of Campus Industrial could capture the regional need as much as the light industrial zone. Criterion met.

Goal 5: Open Spaces, Scenic and Historic Areas, and Natural Resources. Natural Resources, Policy 19: ***The Cities Wetland Map identifies areas of inventoried as wetlands. This map should be used to identify properties that may need a wetland permit from the Oregon Division of State Lands and the U.S. Army Corps of Engineers prior to development. The City shall consider additional code authority to enforce protection of wetlands.***

FINDING: This policy relates to the City's inventory of wetlands. The City's Local Wetland Inventory (LWI) Map shall be used to identify properties that may need a wetland permit from Oregon Department State of Lands (DSL) and the US Army Corps of Engineers (USACE), prior to development on the site. The subject property is known to contain wetlands. However, the City's present LWI Map does not extend east of Interstate 5, so the subject property is not depicted on the LWI Map. As such, staff turn the Lane County GIS layer for a discussion on the wetlands present on the subject property. Based on the National Wetlands Inventory map and Lane County GIS data, the subject property contains a 0.75-acre and 0.99-acre freshwater emergent wetland classified as PEM1Cx. The two Freshwater emergent wetlands generally run through the center of the subject property north to south. Also, running through the middle center and down the southern portion of the east property line is a 2.96-acre freshwater forested/shrub wetland (PFOC). See Figure 7 below. This discussion about wetlands is added to make City decision makers aware that subsequent development to occur on the subject property will be subject to the regulatory requirements of DSL and USACE, prior to development activities commencing. Criterion met.

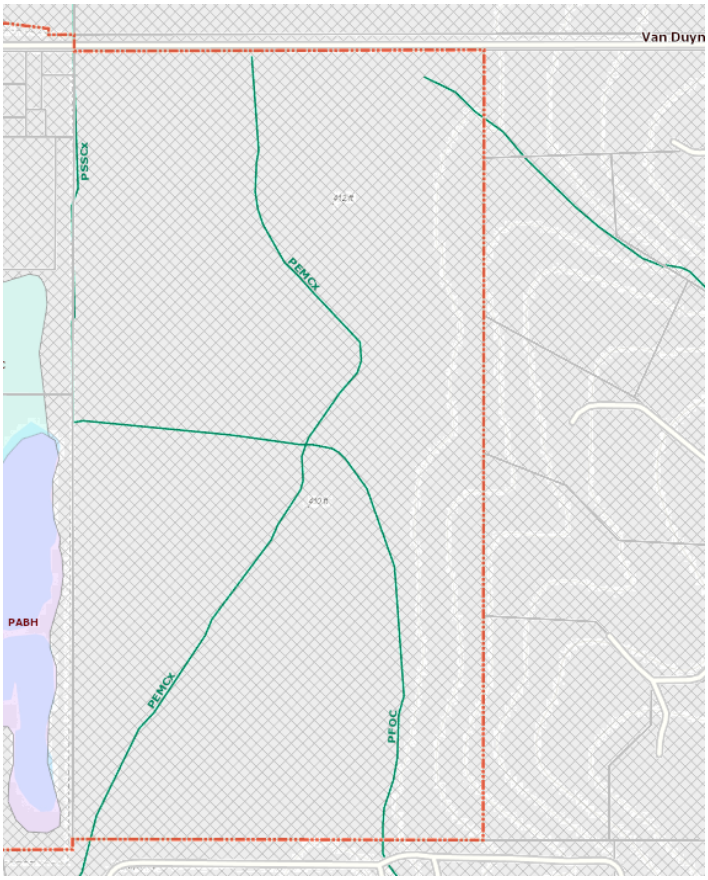


Figure 7: Known wetland features on the subject property.

Goal 6: Air, Water and Land Resource Quality:

Policy 1: ***All future development shall be in accordance with the Department of Environmental Quality (DEQ) air quality maintenance plan and applicable primary and secondary standards of the Lane Regional Air Pollution Authority.***

Policy 2: ***The City shall coordinate all major land use decisions with DEQ and LRAPA. The City shall consult with LRAPA prior to the approval of an industry that might affect the airshed of the Eugene-Springfield metropolitan Area.***

FINDING: Policy 1 and 2 of Goal 6 are discussed because of the proposed zoning designation to be applied to the subject property will likely contain industrial type uses. All future development to occur on the subject property shall be in accordance with DEQ air quality maintenance and applicable and secondary standards of the Lane Regional Air Pollution Authority (LRAPA). Even before agency referral notice is sent to DEQ and

LARAPA, the City should strongly consider including a local DEQ and LARAPA representative in any pre-application conference that occurs prior to the submittal of a land use application for development on the subject property. This ensures the coordination mentioned in Policy 2 begins in earnest for any development on the subject property. Criterion met.

Goal 9: Economy of the City.

General Policy 2: ***Lands for the expansion within the City, of business (commercial and industrial activities), will be provided to the extent necessary to meet local employment needs, to accommodate the identified regional needs, to provide an adequate tax base, and to support future population growth.***

FINDING: Policy 2 does not so much apply to the present proposal as it may have once applied to the past UGB expansion that included the subject property in the UGB. The City expanded the UGB to meet an identified employment lands need and to address a specific regional need – that need being industrial sites of 20-acres in size or more. Criterion met.

Industrial Policy 7: ***A buffer, subject to conditions of the Zoning Code, shall be required along the boundary of all industrial areas that abut a residential district or shall be used to act as a buffer between the two districts or conflicting uses. Setback requirements of the Zoning Code shall also reflect buffering needs.***

FINDING: A landscape buffer is proposed as seen in the Open Space exhibit to separate the subject property from the adjacent residential district to the east. As was brought up during the Planning Commission hearing, Industrial Policy 7 is intended to provide for a buffer between conflicting uses. As was discussed by the Planning Commission during the first evidentiary hearing, the Premier RV property (zoned Highway Commercial) located immediately to the west and abutting the subject property contains different uses than will be sited on the subject property, as such, Planning Commission found these two districts to contain conflicting uses and thus a buffer should be placed in between the two districts. The Primer RV property is a RV campground that is used for short and long-term stays and acts as a form of residence for some patrons. As such, Planning Commission found the uses sited on the Primer RV property would conflict with the future industrial uses to locate on the subject property, thus as allowed for in Industrial Policy 7, a buffer should be implemented. Staff believe this buffer can be thoroughly implemented and addressed by the applicant during the master plan process. Accordingly, staff have included a discussion of Industrial Policy 7 and the need for a buffer in between Premier RV and the subject property, into the annexation agreement. Policy sufficiently addressed. Criterion met.

Industrial Policy 8: ***Industrial uses shall be grouped together within well-designated industrial parks or subdivisions so as to promote:***

- ***A pollution free environment;***
- ***The highest aesthetic standards possible;***
- ***Minimum impact on adjacent lands;***
- ***Development within the constraints of the natural environment; and***
- ***Compliance with LCDC Goals and Guidelines.***

FINDING: Staff would argue this Policy is one of the reasons why lands east of Interstate 5 are required to be Master Planned. A Master Planned development looks precisely at how to implement the policies of the Comp Plan, make efficient use of land, encourage energy conservation and improved air and water quality, and encourage developments that recognize the relationships between buildings and their use, open space and other site amenities. As required by the Coburg Development Code, lands east of Interstate 5 will be required to go through the Master Planned Development process of Article XIV. Criterion met.

Industrial Policy 9: ***Public facilities, including water, streets and fire and police protection, already exist which are capable of meeting the needs of expanded commercial and industrial development within the Urban Growth Boundary.***

FINDING: As addressed in the annexation agreement, there is an existing 6-inch sanitary sewer line that crosses the freeway under the Van Duyn overpass. Currently, the pipe is serving approximately 45 Equivalent Dwelling Units (EDUs), leaving approximately 1,055 EDUs of capacity for future area properties. An EDU is used for purposes of capacity planning. Any additional capacity needed beyond the available capacity will be the responsibility of future developers.

The City's water system, east of Interstate 5, is under construction and includes an extension line that runs underneath Interstate 5. When completed, there will be a 12-inch watermain to connect to within approximately 300-feet of the southwest corner of the property. There is a 20-foot Public Utility Easement (PUE) located along the southerly and westerly edges of the property to accommodate public water. With subsequent development of the subject property, water will need to be extended and connected throughout the site.

With respect to streets, the property has approximately 1,540 feet of frontage on Van Duyn Road and is about 3,100 feet deep. The property owner will be responsible for complying with street improvements imposed by the City and County through all applicable land development review processes at the time development is proposed. Additionally, to address some more immediate street issues, the applicant will be providing frontage improvements along the frontage of Van Duyn following annexation. The specific improvements are included in the annexation agreement and include:

- Dedication of approximately 20-feet of right-of-way along the frontage of Van Duyn;
- Construction of a 56-foot wide roadway;

- Sidewalk, curb, gutter, public utilities, and two eastbound vehicle travel lanes from the property's west boundary to the access road; and
- Internal roadway providing access in accordance with the adopted IAMP.

Exact details of the frontage and roadway improvements are subject to final engineering design and review approval process.

Fire and police services are available to the subject property once annexed into city limits.

Criterion met.

Jobs and the Economy Policy 17: ***The City shall diversify employment base by the following:***

a. Provide developable land necessary to accommodate economic growth

b. Research and develop policies that discourage big-box retail and strip commercial uses

FINDING: As already addressed in this report, the impetuous of the UGB expansion that brought the subject property into the UGB was an identified regional need for employments lands of 20-acres or greater that Coburg could supply. The zoning to be applied to the subject property would effectively be the limiting factor on what types of uses could locate on the subject property. Anecdotally when the property was brought into the UGB there was a desire on behalf of the City to not allow the "big-box retail" types to uses to occur on the subject property. In the Light Industrial zone, retails and service commercial uses are limited up to 5,000 feet in gross floor area. In the Light Industrial zone, wholesaling, warehousing, and storage are prohibited uses on properties located on the east side of Interstate 5. Staff want to make clear, that the act of annexation and rezone will not permit any development to commence on the property (except for the Van Duyn frontage improvements), without first going through the land review process, i.e., the master planned development, land division process and site review. Criterion met.

Other Policy 25: ***The City shall utilize design standards for commercial and industrial development uses.***

FINDING: Policy 25 is directly implemented in the Coburg Development Code by the requirement that properties located east of Interstate 5 be master planned, pursuant to Article XIV(B)(2). Criterion met.

Goal 11: Public Facilities and Services.

Policy 1: ***The initial stages of all new development will include the installation at the developer's expense, of water lines and sanitary facilities in compliance with the adopted Coburg Sewerage Facilities Plan, full streets, street trees, sidewalks and bicycle lanes or paths where required, street lights, and underground power and telephone lines.***

FINDING*:* Policy 1 above is addressed in sections G, H, I, J, M, and 1.7 of the annexation agreement. Criterion met.

Policy 2: ***All city facilities including, but not limited to, extension and connection of water lines, and extension and dedication of streets must be completed and approved by the City prior to occupancy of the new development.***

FINDING: The applicant is well aware of their responsibility to extend and connect water lines, sewer lines and street improvements that are required once site development starts. These items will be a part of the master planned development process once development on the subject property is proposed. These elements are also included and discussed in the annexation agreement. Criterion met.

Goal 12: Transportation

Policy 2: ***Take a long-range view in approving street patterns for new development.***

> ***2.1 All development proposals, plan amendments, or zone changes shall conform to the adopted Transportation System Plan.***
>
> ***2.2 Protect the function of existing and planned transportation systems as identified in the Transportation System Plan through application of appropriate land use regulations. When making a land use decision, the City shall consider the impact on the existing and planned transportation facilities.***
>
> ***2.3 Consider the potential to establish or maintain accessways, paths, or trails prior to the vacation of any public easement or right-of-way.***
>
> ***2.4 At the time of land development or land division, require the dedication of additional street right-of-way in order to obtain adequate street widths in accordance with all street plans adopted by the City.***

FINDING: Policy 2 calls for the City to take a long-range view in approving street patterns for new development. The long-range view of street patterns that would serve the development is established by the IAMP which was adopted by the City, County, and ODOT. The IAMP calls for access control and improvement of East Van Duyn Road which would require a new frontage road through the development to serve as access and upgrading East Van Duyn Road to include bike lanes, sidewalks, and any needed

turning lanes to serve the operational needs of the development while ensuring safe and efficient travel of the public.

With regard to conformance with the adopted TSP, the City and County co-adopted an update to Coburg's TSP in 2015 which included a reclassification of Van Duyn Road from a local to a collector. Since the City TSP is in the process of resolving an appeal remand, Lane County will be amending the Lane County TSP in early 2022 to include classification corrections consistent with the roadway functions; this will include correcting the classification Van Duyn Road to a collector, consistent with its operational function and consistency with the IAMP.

The applicant will be constructing the road improvements as specifically identified in the annexation agreement and as consistent with the IAMP and TIA. These improvements are intended to see through the future bridge/overpass replacement headed up by ODOT. Although Lane County is the road authority for the abutting portion of East Van Duyn, access and design standards of Lane Code are superseded by the IAMP which was adopted by Lane County. Lane County Transportation has reviewed the proposed frontage improvements for East Van Duyn and agrees with the proposed improvements. The improvements have been designed in a manner that takes into account the future bridge/overpass replacement and the reclassification of Van Duyn from a local road to a major collector. The road improvements and the status of Van Duyn will be further discussed in this report under a discussion of compliance with the Oregon Statewide Planning Goals. See Figure 8 below. Criterion met.

Figure 8: East Van Duyn Road

<u>Policy 40:</u> ***The exception area immediately east of Interstate 5, when included within the urban growth boundary and city limits, shall have a process for transportation review criteria placed on the property to assure that any new***

development or redevelopment on the property that increases trip generation from the site is required to go through a plan amendment application with the city and will be required to address the requirements of Section 0060 of the TPR regarding impacts to state, county, and city transportation facilities. The property owner or applicant may be required to complete a traffic impact analysis, road dedications, and road improvements for affected County Roads, consistent with the Lane County Transportation System Plan goals and policies and with County requirements for roads in Lane Code 15.

Policy 41: ***The exception area immediately east of the Interstate 5 interchange shall have an established trip generation baseline upon annexation of the property. The trip generation baseline shall be for average daily trips (ADT), weekday AM peak and weekday PM peak trips, based on ITE Trip Generation Manual and inventory of uses is as shown in Exhibit 2 and is incorporated as policy by reference.***

Policy 42: ***All new development proposals and/or redevelopment proposals in the exception area immediately east of Interstate 5 that exceed the baseline trip generation established upon annexation shall be required to apply for a city plan amendment application and meet Statewide Goal 12, Transportation Planning Rule, in particular Section 0060, and develop a transportation analysis to determine the impact on the interchange and on County Roads. The County may require a traffic impact analysis and road improvements consistent with the Lane County Transportation System Plan goals and policies and with County requirements for roads in Lane Code 15. The new site development or redevelopment shall be required to measure the following trip impacts for all three of the following:***

- ***Weekday PM peak hour trips between 4:00 pm and 6:00 pm***
- ***Weekday AM peak hour trips between 6:00 am and 9:00 am***
- ***Average Daily grips for the entire area in question.***

FINDING: The subject property is NOT an exception zone; it is zoned EFU. Nonetheless, the intent of Policy 40 and 41 are relevant to the proposed annexation and rezone due to the Transportation Planning Rule (TPR) of Oregon Statewide Planning Goal 12 (ORS 660-012-0060). For this reason, staff include a discussion of Policy 40 and 41. The TPR requires local governments to demonstrate that amendments (of which an annexation and rezone are) to adopted plans and regulations will not significantly affect existing or planned transportation facilities. The generally accepted method for establishing whether there is a significant effect, the extent of the impact, and the appropriate mitigation measures, is to prepare a Traffic Impact Analysis (TIA). In some cases, a full TIA may not be required, if an applicant can demonstrate the impact will not be significant. In cases such as this, a Significant Effects Analysis (SEA) will be prepared. This was not the case with the present proposal, so a full TIA was prepared by the applicant's traffic engineer. The TIA prepared by the applicant's traffic

engineer was scoped in coordination with ODOT, Lane County Transportation and the City Engineer. The completed TIA underwent three rounds of review and comment before being accepted by all parties. The TIA found there would be impacts to roadway facilities and mitigation measures would need to be incorporated. Specifically, the TIA found that:

- The Pearl Street at Interstate 5 Southbound Ramp will have a substantial number of trips added to the westbound left-turn movement. The subject property can be developed up to 613 PM Peak Hour trips before the intersection does not meet the mobility standard. As a result, a trip cap of 613 PM Peak Hour trips is imposed on the subject property which was proposed by the applicant and accepted by the relevant road authorities as being sufficient for the zone change to meet the TRP requirements of OAR 660-012-0060; however, future development will trigger a development-specific TIA that would involve a more detailed review of operational needs, such as intersection performance and turning lanes.
- The Pearl Street/Interstate 5 northbound ramp intersection will not need to be signalized. The IAMP improvements identified in the IAMP include the addition of the lanes to/through this intersection. The intersection with the IAMP improvements can handle all 720PM Peak Hour trips from the zone change. Therefore, there is no mitigation required for this development.

The trip cap will apply in perpetuity or until another Transportation Planning Rule Analysis (TPRA) is submitted on changes facilities, uses, etc. The trip cap will be written into the subsequent deeds of the parcels of land that are created through the land division process. The trip cap has been added to the annexation agreement. The discussion around transportation and Goal 12 will again be addressed under Goal 12 of the Oregon Statewide Planning Goals. Criterion met.

Goals 14: Urbanization

Policy 6: ***The City shall not annex lands outside its adopted Urban Growth Boundary without first expanding its Urban Growth Boundary to include the proposed annexation.***

FINDING: The subject property is presently within the City's adopted UGB and has been designated as Light Industrial on the Comprehensive Plan Map. The City is not annexing land outside of its adopted UGB.

As discussed in the aforementioned applicable goals and policies of the Coburg Comprehensive Plan, the proposed annexation and rezone are consistent with the Coburg Comprehensive Plan. Criterion met.

c. The proposed annexation will result in a boundary in which key services can be provided.

FINDING: As included in the annexation agreement and discussed in this report, the proposed annexation will result in a boundary in which key services can be provided. Criterion met.

d. Where applicable, fiscal impacts to the City have been mitigated through an Annexation Agreement or other mechanism approved by the City Council.

FINDING: The City and the applicant will enter into and execute an annexation agreement following approval of the annexation. The annexation agreement outlines the obligations of the applicant with respect to the costs associated with the extension of city services and frontage improvements on East Van Duyn. The annexation agreement is included in this report at **Attachment A**. Criterion met.

5. Application of Zoning Districts

a. Upon approval of the annexation by the City Council, the underlying Comprehensive Plan designation and current zoning consistent with the Comprehensive Plan designation shall apply.

FINDING: When the subject property was brought into the UGB, City Council applied the plan designation of Light Industrial to the property. Presently, the Comprehensive Plan map designates the property as Light Industrial which generally means a City fully intends and plans for those uses to eventually located on the property. An application of a Light Industrial zoning designation to the subject property would be a straight-forward one-to-one implementation of the Light Industrial Plan designation because the zoning and Plan designation are exactly the same. Planning Commission recommended to City Council the zoning to be applied to the subject property be Light Industrial. Planning Commission cited subsection I of Article IV and Article XX (A)(5)(a) of the Coburg Development Code, and Policy 5 of Goal 2 of the Comprehensive Plan, as the basis for their decision. The aforementioned sections of the Development Code and Comprehensive Plan, offer city decision makers guidance and direction when deciding the zoning to be applied when lands are annexed. Specifically, subsection I of Article IV states "*if land is annexed into the City and the intent of the City and the applicant is to zone the annexed land the same as the existing Comprehensive Plan zoning designation, it automatically is zoned as such*." In the staff report and public hearings, staff set forth a discussion that the intent of the City was made when it specifically designated the subject property as Light Industrial when the UGB was expanded, thus making their intent known. Under the guise of subsection, I of Article IV, Planning Commission and City Council found that the zoning to be applied shall be Light Industrial. Further, Policy 7 of Goal 2 under Interpretation of Comprehensive Plan Map, the policy reads "Plan *designations for land use categories are intended to guide zoning*." Utilizing Policy 7, Planning Commission and City Council, found the Comprehensive Plan designation applied to the subject property was intended to guide the future zoning of the property when it comes into city limits. As such, Planning

Commission and City Council relied on this Policy when it decided to apply a zoning designation of Light Industrial to the subject property. Criterion met.

b. An applicant may submit for a zoning map and Comprehensive Plan map amendment. The Commission will not deem an application complete for a zoning map amendment until the annexation has been approved by the City Council and becomes effective, as that term is described in ARTICLE X.X.A.5, and ARTICLE X.X.A.6 that follows.

FINDING: The applicant has submitted an application for annexation and concurrent rezone, consistent with the application requirements of the Coburg Development Code. The annexation and rezone will not become effective until final action is taken by City Council, as outlined in the ordinance adopting the annexation and zone change, and as set forth in ORS Chapter 222. Criterion met.

V. ARTICLE XXI. ZONE CHANGES.

2. District Amendment Criteria Any zoning or special purpose district amendment proposal considered under a Type II procedure must be demonstrated to be in conformance with each of the following criteria:

a. The proposed amendment conforms to the Comprehensive Plan or substantial changes have occurred which render the Comprehensive Plan inapplicable to the requested change and the Plan should be amended as proposed by the proponent of the change (in which case the Plan must be amended prior to final action on the District Amendment).

FINDING: As discussed in this report, there are two possible zoning designations that could be applied to the subject property: Campus Industrial or Light Industrial. Both of these zoning designations would implement the Plan designation of Light Industrial. Both plan designations provide for manufacturing, assembly, packaging, wholesaling and related activities, although the Campus Industrial zone does not allow uses that require an air quality permit. Both designations are intended to promote a high quality of life through a diverse economy and strong tax base, and appropriately scaled, nonpolluting industrial uses that fit the small-town character of Coburg. Both zones prohibit some uses: the Campus Industrial zone prohibits distribution centers, warehouses, automobile dependent uses and the Light Industrial zone prohibits wholesaling, warehousing, and storage on properties located east of Interstate 5. One notable difference between the permitted uses is that the Light Industrial zone permits distribution centers, whereas the Campus Industrial prohibits them. As seen in the Urbanization Study, under Scenario B, in which Coburg has the ability to capture the greatest percentage of regional industrial needs, distribution related firms are identified as a use for which Coburg could remain competitive. With a zoning of Campus Industrial, distribution centers would be prohibited and the full realization of Coburg being able to capture up to 30 percent of the regional industrial demand may be diminished. As mentioned earlier, the Campus Industrial zone does not require a 25-foot

landscaped buffer between industrial uses and residential districts, but a buffer could be applied by invoking Industrial Policy 7 of the Comprehensive Plan. As seen in the annexation agreement, the applicant is proposing to provide a landscape buffer along the entire westerly property boundary, creating the separation of uses that is required in the Light Industrial zone. As discussed in the public hearings, and found by Planning Commission and City Council, for the reasons found in these findings, the zoning designation to be applied to the subject property shall be Light Industrial. Criterion met.

b. The proposed amendment fulfills a demonstrated public need for a particular activity or use of land within the area in question.

FINDING: The driving force behind the City's past UGB expansion that brought the subject property into the UGB was a demonstrated public need for employment lands in the region and Coburg was found to be able to meet that need most readily compared to other cities in Lane County. As discussed earlier in this report, the resultant recommendation of the Urbanization Study was to expand the City's UGB to capture Study Area 8, which is the subject property. Once Study Area 8 was incorporated into the City's UGB the next logical step towards addressing the regional need for employment lands is to annex the property into city limits so development can be realized towards meeting the identified regional need. The proposed amendment to the City's zoning map to bring the subject property into the city limits fulfills a demonstrated public need. Criterion met.

c. If residential zoning is involved, the proposed residential zone or zones best satisfies the objectives of the Comprehensive Plan and does not exclude opportunities for adequate provision of low and moderate housing within the subject neighborhood area.

FINDING: Residential zoning is not proposed as part of the proposal. Criterion not applicable.

d. When an application is received to change the zone of property which includes all or part of a mobile home park, written notice by first class mail shall be sent to each existing mailing address for tenants of the mobile home park at least 20 days but not more than 40 days before the date of the first hearing on the application.

FINDING: The proposal does not involve the rezone of a property which includes all or part of a mobile home park. Criterion not applicable.

3. Land Use Applications that fall within the IAMP.

a. The City and County shall coordinate with ODOT in the review of land use applications for areas within the IAMP boundary. Land use actions within the IAMP that may affect the performance of an interchange, such as zone changes will be consistent with the adopted IAMP. The City Planner shall include ODOT as an agency referral partner. Actions not consistent with the IAMP may only be approved by also

amending the IAMP and related transportation system plans consistent with OAR 660-012-0050 and 0055. Lands bounded by IAMP can be found in ARTICLE X.

FINDING: City, Lane County and ODOT staff have been working cooperatively with the applicant since the applicant submitted the application. ODOT and Lane County were both sent a request for agency referral comment. Because the subject property falls within the IAMP area, a TIA was required of the applicant and because the zone change triggered the TPR. Both ODOT and Lane County have provided extensive comment on the applicant's TIA and after several rounds of review and comment, the TIA was accepted by all parties. The TIA was found to be consistent with the IAMP. Criterion met.

VI. CONSISTNECY WITH OREGON STATEWIDE PLANNING GOALS.

Goal 1: Citizen Involvement.

FINDING: Goal 1 of the Comprehensive Plan is much aligned with Goal 1 of the Oregon Statewide Planning Goal, which is also citizen involvement. Commonly, in most cities, the citizen involvement committee is effectively the Planning Commission. Coburg maintains an effective, active and well-informed Planning Commission that reviews land use applications in a public forum which revolves heavily around citizen involvement. In the case of the proposed annexation and rezone, Planning Commission held a public hearing on November 17, 2021, and accepted testimony from those in favor of the proposal and those in opposition to the proposal. Both of the public hearings were duly noticed in accordance with the Coburg Development Code and ORS 222.120(3), which dictates that notice of the hearing shall be published once each week for two successive weeks prior to the day of the hearing, in a newspaper of generally circulation. Notice for the City Council hearing was published on November 27, 27 and December 4 and 11. At the close of the public hearing in front of Planning Commission on November 17, 2021, Planning Commission passed a motion to recommend approval of the annexation and rezone onto City Council for final action. On December 14, 2021, City Council held a second hearing on both requests and again accepted oral and written testimony of those in favor and opposed to the proposal. Following the public hearing, City Council accepted Planning Commission's recommendation for approval of both requests and applied a zoning of Light Industrial to the property. Criterion met.

Goal 2: Land Use Planning.

FINDING: Goal 2 outlines the basic procedures for Oregon's statewide planning program, stating that land use decisions must be made in accordance with comprehensive plans and the effective implementation ordinances must be adopted. The City's past UGB expansion, which brought the subject property into the City's UGB, was implemented by Ordinance A-199-G, which specifically amended the Comprehensive Plan and map to state that the subject property shall not be partitioned into parcels of less than 20-acres and the plan designation of the subject property shall

be Light Industrial. As discussed during the public hearings and found in these findings, Planning Commission recommended onto City Council the annexation and rezone be approved and the Light Industrial zoning designation be applied to the property. The proposed annexation and rezone are consistent with the City's adopted Comprehensive Plan and Map. Criterion met.

Goal 3: Agriculture Lands.

Goal 4: Forest Lands.

FINDING: The subject property is presently zoned Exclusive Farm Use (EFU) by Lane County. Previously, the subject property was designed as agriculture by the Rural Comprehensive Plan. When the UGB was expanded to bring in the subject property, City Council designated the property as Light Industrial on the Comprehensive Plan Map. This action was driven by the Urbanization Study that identified a deficiency in employment lands regionally and the Coburg is in an excellent position to meet that regional need. The action of bringing the subject property into the UGB and designating it Light Industrial meant the City fully expects this land be become developed in the future, consistent with the Comprehensive Plan. Because Van Duyn is not within the UGB and is proposed to be improved, a discussion about road improvements with respect to OAR 660-012-0065 which permits transportation facilities on rural lands consistent with Goals 3,4,11 and 14 without a goal exception will be discussed under Goal 14 Urbanization. Goals 3 and 4 satisfactorily addressed.

Staff would also like to address the soils found on the subject property, as it was a criterion for selection for inclusion into the UGB. Study Area 8, as identified in the Urbanization Study, is the subject property. Study Area 8 is comprised of two percent Class III soils, 51 percent Class IV soils and 48 percent of Class VI soils. Class I soils have the highest agricultural capability and Class VI the lowest. Criterion met.

Goal 5: Natural Resources, Scenic and Historic Areas and Open Spaces.

FINDING: Goal 5 requires local governments to adopt programs that will protect natural resources; Goal 5 includes wetlands as natural resources. As discussed earlier in this report, the subject property contains two freshwater emergent wetlands (PEM1Cx) and one freshwater/shrub wetland (PFOC). When development is proposed on the subject property, the City will send referral notice to DSL and USACE for review and comment with respect to development within known wetland features. As noted earlier, the applicant will be responsible for adhering to all regulatory requirements of DSL and USACE, prior to development activities. Goal 5 satisfactorily addressed.

Goal 6: Air, Water and Land Resources Quality.

FINDING: Goal 6 states that all waste and processes discharges from future development, when combined with such discharges from existing developments shall

not threaten to violate, or violate applicable state or federal environmental quality statutes, rules and standards. Similar to the finding for Goal 5, above, upon site specific development, the developer will be required to comply with state and federal water air quality standards through the Department of Environmental Quality (DEQ) and LRAPA.DEQ and LARAPA will be included on the agency referral comment list when site specific development is proposed. The local representative for DEQ has reviewed the annexation and rezone request with respect to air and water quality permitting. Goal 6 satisfactorily addressed.

Goal 7: Natural Hazards.

FINDING: Goal 7 requires local governments to inventory natural hazards. There are no known inventoried natural hazards on the subject property. Not applicable.

Goal 8: Recreational Needs.

FINDING: Goal 8 requires local governments for meeting recreational needs for now and in the future. The open space provided for by the subject property will be for private use by the employees of the businesses to locate on the property. (The requirement for open space is a function of the zoning designation and requirement of the Coburg Development Code). The open space as described in the annexation agreement, running north-to-south along the eastern boundary of the property will be placed in a conservation easement. To the extent that Goal 8 is applicable, it is sufficiently addressed.

Goal 9: Economic Development.

FINDING: Goal 9 is perhaps the most relevant Oregon Statewide Planning Goal to the proposal. Goal 9 requires local governments to contribute to a stable and healthy economy in all regions of the State. The impetus of the UGB expansion that brought the subject property into the UGB was driven a by a regional demonstrated need for employment lands in the form of large-scale, light industrial lands. The proposed annexation and rezone are the next steps towards the City and region realizing those past UGB expansion efforts. The annexation will formally bring the subject property within Coburg's city limits and give it its initial city zoning designation, thus effectively making the property ready for development and able to contribute to the local and regional economy of the State. Goal 9 satisfactorily addressed.

Goal 10: Housing.

FINDING: The proposed annexation and rezone does not pertain to residential lands; it is for employment/industrial lands. The City Council designated the subject property as Light Industrial when it was brought into the UGB. Not applicable.

Goal 11: Public Facilities.

FINDING: Goal 11 requires local governments to plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development. Goal 11 states the local governments shall not allow the establishment or extension of sewer systems outside urban growth boundaries or unincorporated community boundaries. The proposed water line to serve the subject property will be located near the southwest corner of the property, which is within the UGB. The proposed sewer line to serve the subject property is near the northwest corner, which is also within the UGB; Neither utility line (water or sewer) will serve any properties outside of the UGB. Goal 11 satisfactorily addressed.

Goal 12: Transportation.

FINDING: As discussed at length earlier in these findings, the proposal is consistent with Goal 12 and the requirements of TPR as seen in OAR 660-012-0660. The TPR requires local governments to demonstrate that amendments (of which an annexation and rezone are) to adopted plans and regulations will not significantly affect existing or planned transportation facilities. Based on traffic generation assumptions of the uses that would be allowed by the new zoning, there was the potential for the proposal to have a significant effect. The applicant's traffic engineer prepared a TIA to evaluate TPR compliance.

The TPR TIA underwent three rounds of review and comment before being accepted b by all parties and entered into the official record for this application. The TIA found there would be impacts to roadway facilities and mitigation measures would need to be incorporated. Although the applicant's TIA included some operational assumptions and recommendations (i.e., queue lengths and turning movements), the road authorities stated that the future development-specific TIA would more appropriately evaluate and mitigate the development impacts on the transportation system (e.g. a signal warrant analysis and turn lanes). To limit traffic generation below the threshold of trips that would necessitate physical mitigation measures, the applicant proposed, and the road authorities accepted the trip cap as detailed above.

The trip cap will be set at 613 PM Peak Hour trips. The trip cap will apply in perpetuity or until another Transportation Planning Rule Analysis (TPRA) is submitted on changes facilities, uses, etc. The trip cap will be written into the subsequent deeds of the parcels of land that are created through the land division process. The trip cap has been added to the annexation agreement.

Because Van Duyn is located outside of the UGB, staff would like to address OAR 660-012-0065. This rule identifies transportation facilities, services and improvements which may be permitted on rural lands consistent with Goals 3,4, 11 and 14 without pursuing a goal exception process.

One of the listed exceptions to improvement on rural roads is found under subsection (3)(o) of OAR 660-012-0065, "*transportation facilities, services and improvements other than those listed in this rule that serve local travel needs. The travel capacity and performance standards of facilities and improvements serving local travel needs shall be limited to that necessary to support local land uses identified in the acknowledged comprehensive plan or to provide adequate emergency access*." The proposed frontage improvements along Van Duyn are required to support local travel needs and are identified in the IAMP (a refinement plan of the Comprehensive Plan). Further as outlined in subsection (3)(c) and (d) channelization and realignment of roads is an allowed transportation improvement on rural roads that is consistent with Goal 3, 4, 11 and 14. Both channelization and realignment of Van Duyn will occur as a result of the frontage improvements.

Goal 13: Energy Conservation.

FINDING: Goal 13 directs local governments to manage lands so as to maximize the conservation of all forms of energy, based on upon sound economic principles.

The proposal is consistent with Goal 13 because it maintains the City's compact urban growth form by locating industrial uses adjacent to existing industrial uses and by locating those uses along the Interstate 5 corridor, which is a principle of planning guideline 4 of Goal 13. Goal 13 satisfactorily addressed.

Goal 14: Urbanization.

FINDING: Goal 14 directs local governments to provide for an orderly and efficient transition from rural to urban land uses, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

The proposal is consistent with Goal 14 because the proposed annexation and rezone brings land within the city limits that are ready for urbanization and development in order to meet an identified regional employment need that Coburg can satisfy. The discussion of Van Duyn being improved with specific frontage improvements outside of the UGB has been found to be consistent with Goal 14 as discussed under Goal 12 and pursuant to OAR 660-012-0065. Goal 14 satisfactorily addressed.

VII. Informational items.

- Engineering plans for the Van Duyn frontage improvements are subject to review and approval by the City Engineer before construction of the improvements commence. This requirement is also outlined in the annexation agreement.
- A trip cap of 613 PM Peak Hour trips shall be set on the subject property. The trip cap shall be placed as deed restrictions on the subsequent parcels that are created as a result of the land division process. This requirement is also outlined in the annexation agreement. The trip cap should also be addressed and added as a condition of approval during the land division process that will occur following annexation.

VIII. Conclusion.

City Council accepted Planning Commission's recommendation that the annexation and rezone request be approved and for the subject property to contain a zoning designation of Light Industrial, once annexed into city limits. As outlined in these findings, the proposed annexation and rezone meet the applicable approval criteria. In making its decision, City Council, in part, relied on subsection I of Article IV, Article XX(A)(5)(a) and Policy 7 of Goal 2 of the Comprehensive Plan to make its decision. The intent for the zoning to be applied to the property, was made when City Council designated the property as Light Industrial when it was brought into the UGB; this action guided City Council's decision to zone the property Light Industrial.

Additionally, the Light Industrial zone allows for a greater range of Light Industrial uses than does the Campus Industrial, including distribution centers. City Council finds a zoning of Light Industrial addresses the regional demand for large-site industrial uses more so than does the Campus Industrial zone. With a zoning of Light Industrial, Coburg has the ability to capture a larger portion of the regional need for industrially zoned property.

IX. Attachments.

Attachment A - Draft Annexation Agreement
Attachment B – Applicant's Application Materials
Attachment C – Notice Materials
Attachment D – Applicant's Final Accepted TIA (for brevity only the final accepted version of the TIA is included)
Attachment D.1 – Applicant's Final TIA Comments to City
Attachment D.2 – Applicant's Final TIA Comments to ODOT
Attachment E – Urbanization Study update by Eric Hovee, 2014
Attachment F – City Council Findings in Support of Ordinance A-199-G
Attachment G - Planning Commission Public Comments
Attachment H - Agency Comments
Attachment I - City Council Public Comments
Attachment J – Proposed (Draft) Findings of Fact for Council Consideration
Attachment K – New Draft Zoning Map
Attachment L – Ordinance A-200-J

These Findings of Fact accepted by City Council as a basis for approval of ANX 01-20 & ZC 01-20 on this date: _____

_____
Mr. Ray Smith, Mayor of Coburg

After Recording, Return to:
City of Coburg
PO BOX 8316
Coburg, OR 97408

Send all Notices to:
Ramon Fisher & Ravin Ventures, LLC.
37801 Upper Camp Creek Rd
Springfield, OR 97478

ANNEXATION AGREEMENT

This Annexation Agreement ("Agreement") is made between the City of Coburg, an Oregon municipal corporation ("CITY") and Ravin Ventures, LLC and Hardly Hackit, LLC, Tenants in Common ("RAVIN/HARDLY").

RECITALS

A. RAVIN/HARDLY owns the parcel of land legally described in Exhibit A and shown on the map attached as Exhibit B. The property is contiguous to the jurisdictional limits of CITY on its eastern boundary.

B. RAVIN/HARDLY has submitted to CITY an Annexation Application (ANX 01–20), to annex approximately 107.43 acres of tax lot 202. Assessor's Map 16–03–34-00 ("PROPERTY").

C. RAVIN/HARDLY wishes to annex the PROPERTY to the CITY and seeks approval from the CITY for the annexation and for a concurrent zone change (ZC 01–20). It is understood that RAVIN/HARDLY intends to develop the PROPERTY, or sell one or more portions of the PROPERTY to purchaser(s) who will develop the PROPERTY, for light industrial or campus industrial purposes.

D. The PROPERTY is currently designated in the Coburg Comprehensive Land Use Plan as Light Industrial and is zoned by Lane County as E–40 (Exclusive Farm Use–40 Acre Minimum). Per Section B.2.b. of Article XIV of the Coburg Development Code, development on Light Industrial–zoned property east of Interstate 5 and/or property within the Coburg/Interstate 5 Interchange Area Management Plan (IAMP) must have a Master Planned Development overlay designation prior to development. In addition, Section I.1.a. of Article X of the Coburg Development Code requires that a Traffic Impact Study be conducted when a land use application involves a change in zoning.

E. Annexation of the Property requires a showing under Article XX, Section A.4. of the Coburg Development Code that:

   a. The affected territory proposed to be annexed is within the CITY's urban growth boundary, and is;

(1) Contiguous to the CITY limits; or

(2) Separated from the CITY only by a public right-of-way or a stream, lake or other body of water.

b. The proposed annexation is consistent with applicable policies in the Coburg Comprehensive Plan and in any applicable refinement plans;

c. The proposed annexation will result in a boundary within which key services can be provided.

d. Where applicable, fiscal impacts to the CITY have been mitigated through an Annexation Agreement or other mechanism approved by the City Council.

F. The purpose of this Agreement is to memorialize RAVIN/HARDLY'S and CITY's commitment and agreement to the allocation of financial responsibility for public facilities and services for the PROPERTY and other users of the facilities, sufficient to meet the CITY's requirements for the provision of key urban services necessary for an affirmative CITY recommendation for the annexation request.

G. **SANITARY SEWER:** There is a 6" sanitary sewer line that crosses the freeway under the Van Duyn overpass. Currently, the pipe is serving approximately **45 EDUs**, leaving approximately **1,055 EDUs** of capacity for future area properties. Any additional capacity needed beyond the available capacity will be the responsibility of the developer.

Sanitary sewers shall be installed to serve each new development and to connect developments to existing mains in accordance with the CITY's Sanitary Sewer Master Plan as adopted or hereafter amended and updated, and the applicable construction specifications. Development permits for sewer shall not be issued until the City Engineer has approved all sanitary sewer plans in conformance with CITY standards, and approval has been granted by applicable state agencies. A 20-foot –Public Utility Easement is located along the southerly and westerly edges of the property to accommodate public sewer.

H. **WATER:** The City's water system is under construction and includes an extension under Interstate 5. The connection to the City's system is anticipated to be completed in summer of 2021. When completed, there will be a 12–inch watermain to connect to within approximately 300–feet of the southwest corner of the property. A 20–foot Public Utility Easement is located along the southerly and westerly edges of the property to accommodate public water. With development of the site, water will need to be connected and extended to and through the site along the west property line north to Van Duyn.

Water mains shall be installed to serve each new development and to connect developments to existing mains in accordance with the Water System Master Plan as adopted or hereafter amended and updated, and the applicable construction specifications. Development permits for sewer and water improvements shall not be issued until the City Engineer has approved all water plans in conformance with CITY standards, and approval has been granted by applicable state agencies.

I. **STORMWATER:**A detailed drainage plan will be submitted as part of application for any development of the property. The plan will demonstrate compliance with the requirements of the Coburg Development Code and the applicable Master Planned Development plan.

J. **STREETS:** The property has approximately 1540 feet of frontage on Van Duyn Road and is about 3,100 feet deep. The property owner will be responsible for complying with street improvement requirements imposed by the CITY and County through all applicable land development review processes at the time development is proposed. Newly created public streets will be constructed to the required standards. All street improvements will comply with Section E of Article VIII of the Coburg Development Code.

K. **PARKS:** The CITY has adopted a system development charge (SDC) for parks. When a building permit is requested for construction, the owner of the property being improved shall pay a park SDC fee commensurate with the type of building proposed based upon the City's Parks SDC Methodology Study.

L. CITY staff has determined that the minimum level of key urban services is currently available to the subject property with regard to water, sewer, electricity, schools and fire and emergency services (with the exception that additional signage, street width, lift station and hydrants may be required as part of development improvements).

M. In order to facilitate orderly development of the PROPERTY and ensure the full provision of key urban services that are satisfactory to the CITY and meet the CITY's conditions for an affirmative recommendation for annexation, and in exchange for the obligations of CITY set forth below, RAVIN/HARDLY shall comply with all requirements imposed on the CITY in this Agreement.

N. The subject property will be required to be Master Planned, consistent with Article XIV of the Coburg Development Code. Per Section F.4, of Article XIV, master plans shall contain a minimum of 20 percent open space. The subject property is 107.43 acres (4,679,771 square feet); 20 percent of the total area of the subject property is 935,954 square feet (21.48 acres). As seen on **Exhibit C**, RAVIN/HARDLY will provide an initial open space allotment of 458,338 square feet (10.52 acres). The 10.52-acre open space also acts as a natural landscape buffer between the future uses on the property and the residential areas located immediately to the east. The City finds the initial allotment of 10.52 acres as an open space and landscape buffer acceptable and will count towards the total required 20 percent of open space. Each subsequent parcel partitioned from the parent parcel (tax lot 202) will be required to contain 20% open space. The initial allotment of 10.52 acres of open space shall be improved by RAVIN/HARDLY with recreational walking paths and benches for employee working at the respective businesses to be located on the subject property. The recreational walking path and related open space improvements for the initial allotment of open space shall be put in place at the same time as the rights-of-way are constructed. The purpose of the open space requirement is to provide employee respite and recreation. The remainder of the 20

percent require open space shall be fulfilled by subsequent developments that occur on the subject property.

O. In order to equitably distribute the 10.52 acres among the entire development, the following portions of the open space area shall be allocated and credited as open space to each lot as follows:

Lot 1 = 119,578 square feet (2.745 acres)
Lot 2 = 250,760 square feet (5.757 acres)
Lot 3 = 78,000 square feet (1.790 acres)
Lot 4 = 10,000 square feet (0.230 acres)

The above area designated for each lot will be subtracted from the required 20 percent open space requirement for that lot. The 20 percent requirement is calculated by taking the gross area of the lot and multiplying it by 0.20.

P. The subject property is located adjacent to a residential district. As such, the CITY and RAVIN/HARDLY agree the setback along the eastern property boundary that abuts the residential district shall be no less than 25-feet wide and run the entire length of the property boundary.

Q. Per Article VII.E.4.b(3) of the Coburg Development Code, a minimum of 15 percent of the total area of the site shall be landscaped in accordance with ARTICLE VIII, Supplementary District Regulations. Water quality treatment areas may be incorporated into required landscape area. Additionally, the required landscaping percentage may be counted towards the required open space percentage requirements.

R. The open space as seen in **Exhibit D**, shall be placed in a conversation easement. RAVIN/HARDLY will be responsible for the conversation easement until the property sells or conservation easement is transferred to another party. RAVIN/HARDLY shall prepare the legal description and record the conservation easement described in **Exhibit C**, in accordance with ORS 92.

S. As seen on pages 1, 22-23 and 26 of the Traffic Impact Study, dated October 12, 2021, and completed by Sandow Engineering on behalf of RAVIN/HARDLY, the PROPERTY can be developed to add up to 613 PM Peak Hour trips before the Pearl Street at Interstate 5 Southbound ramps intersections do not meet mobility standards. At 614-720 PM Peak Hour trips, the intersection will require mitigation. As such, the CITY imposes a trip cap of 613 for the entire PROPERTY. The trip cap shall remain in perpetuity, or until another Transportation Planning Rule Analysis (TPRA) is submitted based on changes of facilities, uses, etc. The trip cap shall be recorded on all subsequent deeds for properties that are created from the PROPERTY, in the form a deed restriction. RAVIN/HARDLY shall notify all and ensure potential purchasers of the PROEPRTY that a trip cap of 613 PM Peak Hour trips exists on the PROPERTY and the trip cap will be placed on the deed as a deed restriction. The aforementioned pages of the Traffic Impact Study are incorporated into this agreement as **Exhibit F**. The trip cap requirement will also be listed as on obligation of RAVIN/HARDY.

T. Through the public hearings process for the requested annexation and rezone, Planning Commission and City Council found that Industrial Policy 7 of the Coburg Comprehensive Plan directly applies to the annexation request. Specifically, the annexation and subsequent industrial development will create conflicting uses with the adjacent properties located at Map and Tax Lot 16-03-33-40-00100 and 16-03-33-40-00200. The aforementioned property is Premier RV, which contains short-term and long-term RV lodging, which Planning Commission and City Council interpreted to be a residential-type use in nature. Industrial Policy 7 reads "*a buffer, subject to conditions of the Zoning Code, shall be required along the boundary of all industrial areas that abut a residential district or shall be used to act as a buffer between the two districts or conflicting uses. Setback requirements of the Zoning Code shall also reflect buffering needs."* Planning Commission and City Council found the annexation and subsequent industrial development to occur on the property would create conflicting uses with the adjacent property immediately to the west. As such, a landscape buffer of 25-feet in minimum width and 6-feet in height shall be placed between the subject property to annexed and the two Premier RV properties. The buffer may be placed within the required setbacks. The buffer shall be implemented and shown on the tentative Master Plan for the property following annexation. The 6-foot-high requirement may be met by planting and maintaining a row of hedges, trees, or other landscape vegetative features that achieve a 6-foot minimum height and adequate screening.

Now, therefore, based on the foregoing Recitals, which are specifically made a part of this Agreement, the parties agree as follows:

AGREEMENT

1. Obligations of RAVIN/HARDLY. Consistent with the above recitals and subject to the issuance of development and public improvement plan approvals, RAVIN/HARDLY agrees to perform the obligations set forth in this section.

1.1 RAVIN/HARDLY will commence "development activities" (as that term is defined below in this paragraph) within five (5) years of the execution of this Agreement. CITY will extend this five (5) year deadline for such reasonable period of time as may be requested in writing by RAVIN/HARDLY if the written extension request identifies one or more factors that adversely impacted the ability of RAVIN/HARDLY to commence development activities prior to the ability of RAVIN/HARDLY to meet that deadline (including but not limited to changes in the economy or in the commercial/industrial real estate market) and demonstrates the ongoing commitment of RAVIN/HARDLY to develop the property within a commercially reasonable period of time. For purposes of this Agreement, "development activities" means one or more activities consistent with the development of property in the Light Industrial Zone described in Sections E.1 and 2of Article VII of the Coburg Development Code and may include activities such as sitework or infrastructure development activities, or marketing

of the PROPERTY for sale or lease for Light Industrial or Campus Industrial purposes.

1.2 RAVIN/HARDLY shall notify potential purchasers of the PROPERTY that on–site public sanitary sewer and water conveyance systems shall be the responsibility of the developer of the Property and that those systems shall be designed to adequately serve any future development and to comply with the public sewer connection requirements of Section F.5. of Article VIII of the Coburg Development Code.

1.3 In conjunction with any future development, any existing wells shall be abandoned per applicable standards of the State of Oregon Administrative Rules, Chapter 690, Division 220, Rules 5 through 140 (OAR 690-220-0005 through 690-220-0140). Develop on–site and off–site water system as may be necessary to adequately serve any future development and that complies with applicable City and County requirements, including but not limited to the City's Master Water Plan and Section F.6. of Article VIII of the Coburg Development Code. All water service will be provided to the annexed area consistent with and in accordance with applicable City and County requirements, including but not limited to Section F.6. of Article VIII of the Coburg Development Code.

1.4 RAVIN/HARDLY shall notify potential purchasers of the PROPERTY that the developer of the PROPERTY shall develop on–site and off–site stormwater management facilities and dedicate drainage easements as may be necessary to adequately manage and treat stormwater runoff from the development site and develop the site in accordance with stormwater quality measures that comply with applicable City and County storm drainage requirements, including but not limited to those set forth in the Coburg Development Code, including those above.

1.4 RAVIN/HARDLY shall notify potential purchasers of the PROPERTY that dedication of right–of–ways as may be determined necessary during development review and approval processes and improvements to full CITY standards must be made to all new or impacted street right–of–ways at a level as needed to support the approved development.

1.5 RAVIN/HARDLY shall notify potential purchasers of the PROPERTY that the developer of the PROPERTY shall be required to pay a park SDC fee commensurate with the type of building proposed based on the City’s Parks SDC Methodology Study.

1.6 RAVIN/HARDLY shall notify potential purchasers of the PROPERTY that prior to development of the PROPERTY, the developer shall present the CITY with an application for a Master Planned Development plan for the PROPERTY. Within one year of the approval of the application, the developer shall present the CITY with a Master Planned Development plan for the PROPERTY.

1.7 RAVIN/HARDLY shall, at the time of development of the first parcel, dedicate approximately 20-feet of right-of-way along the frontage of Van Duyn of Map and Tax Lot 16-03-34-00-00202 and construct a total of a 56-foot (including the existing roadway width) wide roadway, as generally illustrated in the attached conceptual drawing (**Exhibit E**). At a minimum, frontage improvements shall include: sidewalk, curb and gutter, public utilities, two eastbound vehicle travel lanes from the property's west boundary to the access road, and an internal roadway providing access in accordance with the adopted IMAP. Exact details of the roadway and improvements are subject to final engineering design and review approval process.

1.8 As seen on pages 1, 22-23 and 26 of the Traffic Impact Study, dated October 12, 2021, and completed by Sandow Engineering on behalf of RAVIN/HARDLY, the PROPERTY can be developed to add up to 613 PM Peak Hour trips before the Pearl Street at Interstate 5 Southbound ramps intersections do not meet mobility standards. At 614-720 PM Peak Hour trips, the intersection will require mitigation. As such, the CITY imposes a trip cap of 613 for the entire PROPERTY. The trip cap shall remain in perpetuity, or until another Transportation Planning Rule Analysis (TPRA) is submitted based on changes of facilities, uses, etc. The trip cap shall be recorded on all subsequent deeds for properties that are created from the PROPERTY, in the form a deed restriction. RAVIN/HARDLY shall notify and ensure all potential purchasers of the PROEPRTY that a trip cap of 613 PM Peak Hour trips exists on the PROPERTY and the trip cap will be placed on the deed as a deed restriction. The aforementioned pages of the Traffic Impact Study are incorporated into this agreement as **Exhibit F**.

2. Obligations of City. Consistent with the above Recitals, City agrees to:

2.1 Recommend and support annexation of the PROPERTY to the City of Coburg. If development activities (as defined above in Section 1.1) have not been commenced at the PROPERTY by the deadline described above in Section 1.1 (as such deadline may be extended pursuant to Section 1.1 above) the City may consider withdrawal of the PROPERTY under the procedures of ORS 222.460.

2.2 Use good faith in the timely review and decision making of the applications to the amendments to the Comprehensive Plan Diagram and Zoning Map, and to the timely review and decision making of the Master Planned Developments Plan for the PROPERTY. CITY will support any appeal of a decision by the CITY on these applications, but will not assume financial responsibility to provide legal counsel on appeal.

2.3 The CITY will provide sewer and water service to the subject property. Sewer and water lines may extend outside the Coburg Urban Growth Boundary within the subsurface right–of–way of Van Duyn Road but, consistent with OAR 660–011–060(3) and –065(2), these lines shall not be used to serve any property outside of the corporate limits of Coburg.

3. Covenants Running With the Land. It is the intention of the parties that the covenants herein are necessary for the development of light industrial use on Property and as such shall run with the Property and shall be binding upon the heirs, executors, assigns, administrators, and successors of the parties hereto, and shall be construed to be a benefit and burden upon the Property. This Agreement shall be recorded upon its execution in the Land County Deeds and Records. In connection with the sale of all or a portion of the PROPERTY, this Agreement may be assigned by RAVIN/HARDLY to the purchaser and shall benefit any assigns or successors in interest to RAVIN/HARDLY. Without limiting the generality of the foregoing, if either or both of Ravin Ventures, LLC and/or Hardly Hackit, LLC (or any of their respective successors in interest) transfers an ownership interest in the PROPERTY (whether voluntarily or by operation of law), the transferee will automatically be bound by the obligations of RAVIN/HARDLY under this Agreement and the transferor will have no further obligation under this Agreement. Execution of this Agreement is a precondition to the support of the City of Coburg for annexation of the property described in Exhibit A for the City of Coburg. Accordingly, the CITY retains all rights for enforcement of this Agreement.

4. Mutual Cooperation. City and RAVIN/HARDLY shall endeavor to mutually cooperate with each other in implementing the various matters contained herein. For so long as Ravin Ventures, LLC and Hardly Hackit, LLC both own interests in the PROPERTY, they shall each be jointly and severally bound by the obligations of RAVIN/HARDLY under this Agreement; as provided above in Section 3, if either or both of Ravin Ventures, LLC and/or Hardly Hackit, LLC (or any of their respective successors in interest) transfers an ownership interest in the PROPERTY (whether voluntarily or by operation of law), the transferee will automatically be bound by the obligations of RAVIN/HARDLY under this Agreement (jointly and severally with all other owners of the PROPERTY, if there is more than one owner) and the transferor will have no further obligation under this Agreement.

5. Waiver of Right of Remonstrance. RAVIN/HARDLY agrees to sign any and all waivers, petitions, consents and all other documents necessary to obtain the public facilities and services described herein as benefiting the Property, under any Local Improvement Act or proceeding of the State of Oregon, Lane County or the City of Coburg and to waive all rights to remonstrate against these improvements. RAVIN/HARDLY does not waive the right to protest the amount or manner of spreading the assessment thereof, if the assessment appears to RAVIN/HARDLY to be inequitable or operate unfairly upon the Property, or its right to comment upon any proposed local improvement district, or any related matters orally or in writing.

7. Modification of Agreement. This Agreement may only be modified by writing signed by both parties (or, if RAVIN/HARDLY has transferred an ownership interest in the PROPERTY, by the then-current owners of the PROPERTY).

8. Land Use. Nothing in this Agreement shall be construed as waiving any requirements of the Coburg Development Code or Coburg Municipal Code which may be applicable to the use and development of this Property. Nothing herein shall be construed as CITY providing or agreeing to provide approval of any building, land use, or other development application submitted by RAVIN/HARDLY.

9. Invalidity. If any provision of this Agreement shall be deemed unenforceable or invalid, such enforceability or invalidity shall not affect the enforceability or validity of any other provision of this Agreement. The validity, meaning, enforceability, and effect of the Agreement and the rights and liabilities of the parties hereto shall be determined in accordance with the laws of the State of Oregon.

DATED this _____ day of _____, 2021.

IN WITNESS WHEREOF, Raven Ventures, LLC, Hardly Hacket, LLC RAVIN/HARDLY and City have executed this Agreement as of the date first herein above written.

City of Coburg

By:_____
Ray Smith, Mayor

Ravin Ventures, LLC

By: _____ Title: _____

Hardly Hackit, LLC

By: _____ Title: _____

STATE OF OREGON
County of Lane

This record was acknowledged before me on _____, 2021, by

Ray Smith as **Mayor of City of Coburg**.

_____
Notary Public for Oregon
Commission Expires _____

STATE OF OREGON
County of Lane

This record was acknowledged before me on _____, 2021, by

_____as _____of Ravin Ventures LLC.

_____
Notary Public for Oregon
Commission Expires _____

STATE OF OREGON
County of Lane

This record was acknowledged before me on _____, 2021, by

_____ as _____ of Hardly Hackit, LLC.

_____
Notary Public for Oregon
Commission Expires _____

EXHIBIT A
LEGAL DESCRIPTION

BEGINNING AT A POINT ON THE NORTH LINE OF THE I. S. SWEARINGER DONATION LAND CLAIM NO. (D.L.C.) NO. 37, IN SECTION 34, TOWNSHIP 16 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN, SAID POINT BEING WEST 1051.00 FEET AND 30.00 FEET SOUTH FROM THE NORTHEAST CORNER OF SAID DONATION LAND CLAIM NO. 37;

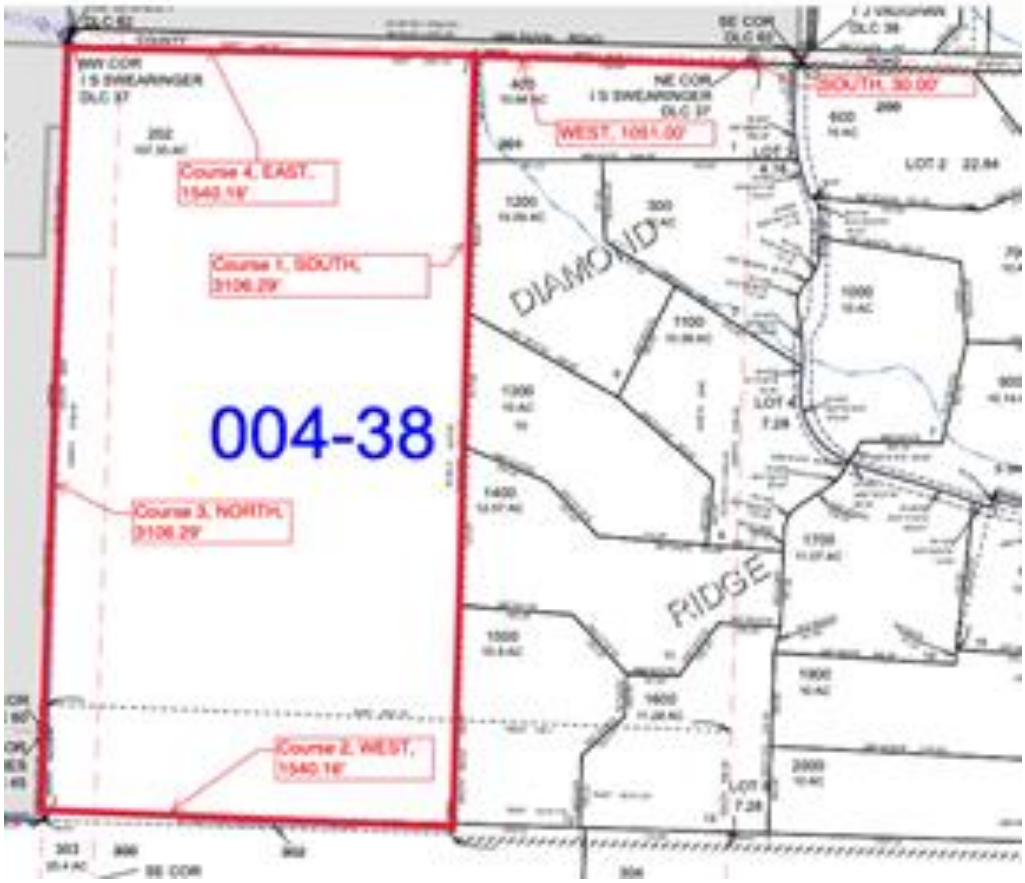
THENCE RUNNING PARALLEL WITH THE EAST LINE OF SAID DONATION LAND CLAIM NO. 37, SOUTH 3106.29 FEET(Course 1), MORE OR LESS, TO A POINT ON THE SOUTH LINE OF TRACT 4 AS DESCRIBED IN A DEED RECORDED AUGUST 2, 1939 IN BOOK 198, PAGE 572 OF THE LANE COUNTY OREGON DEED RECORDS;

THENCE ALONG SAID SOUTH LINE, WEST 1540.16 FEET (Course 2), MORE OR LESS, TO A POINT ON THE WEST LINE OF SAID DONATION LAND CLAIM NO. 37;

THENCE LEAVING SAID SOUTH LINE AND RUNNING ALONG SAID WEST LINE, NORTH 3106.29 FEET (Course 3), MORE OR LESS, TO THE NORTHWEST CORNER OF SAID DONATION LAND CLAIM NO. 37;

THENCE ALONG THE NORTH LINE OF SAID DONATION LAND CLAIM NO. 37, EAST 1540.16 FEET (Course 4), MORE OR LESS, TO THE POINT OF BEGINNING, ALL IN LANE COUNTY, OREGON.

EXHIBIT B
Tax Lot 202, Assessor's Map 16–03–34–00



COBURG CITY COUNCIL
ACTION/ISSUE ITEM

TOPIC: Resolution 2022-01 SDC Annual Inflation Factor

Meeting Date: January 11, 2022
Staff Contact: Megan Winner, Associate Planner
Contact: 541-682-7862, megan.winner@ci.coburg.or.us

REQUESTED COUNCIL ACTION

Approve Resolution 2022-01 applying an annual construction cost inflation factor to existing system development charges.

Suggested Motion: *"I move to approve Resolution 2022-01, a resolution applying an annual construction cost inflation factor to existing system development charges."*

CITY COUNCIL GOAL(S)

Fiscal Stewardship

BACKGROUND

The City of Coburg approved Resolution 2006-08 directing the City to inflate Systems Development Charges annually, utilizing a standard construction cost inflator. Resolution 2022-01 is a resolution that if adopted, sets the construction cost index for the City of Coburg at a 7.4% increase as of January 1, 2022. Branch Engineering has researched the inflation factor providing the planning department with the percentage increase within the 20 city region average construction cost as has been used in the past to calculate the annual increase.

RECOMMENDATION AND ALTERNATIVES

Recommendation is to approve Resolution 2022-01, approving the annual inflation factor to be applied to City of Coburg existing inflation development charges.

BUDGET / FINANCIAL IMPACT

This will increase the SDC revenues received for new construction.

PUBLIC INVOLVEMENT

None.

ALTERNATIVE

The inflation factor for November 2021, is much higher than past years which has trended between 1.7% – 4.0%. 7.4% is a significant increase. Council can make the decision to increase the SDC fees by a different percentage. However, Council should keep in mind that this is the true construction cost index growth percentage which has been consistently applied for many years by the City.

NEXT STEPS

Upon approval of Resolution 2022-01, the City Administrator will finalize the System Development Charge forms for use by staff.

ATTACHMENTS

A. Draft Resolution 2022-01
B. System Development Charges FAQs
C. Construction Index, November 2021

REVIEWED THROUGH:

Anne Heath, City Administrator

ATTACHMENT A

RESOLUTION 2022-01

A RESOLUTION APPLYING A CONSTRUCTION COST INFLATION FACTOR TO EXISTING SYSTEM DEVELOPMENT CHARGES.

WHEREAS, City of Coburg Resolution 2006-08 directs the City to inflate Systems Development Charges annually, pursuant to a standard construction cost inflator, and

WHEREAS, City of Coburg has chosen the November Engineering News Record 2021 City Average Construction Cost Index for this purpose, and

WHEREAS, City of Coburg last inflated its System Development Charge rates using the November 2020 cost index of 1.7%, and

WHEREAS, The November Engineering News Record 2021-City Average Construction Cost Index increase was 7.4%, and

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

Effective upon passage of this Resolution, the City's Systems Development Charges will increase to the following levels:

	Existing Level	New Level
Park SDC		
Residence	$ 5961	**$6402**
Employee	$ 893	**$ 959**
Water SDC	$ 6023	**$6469**
Trans SDC	$ 6746	**$7245**
Wastewater SDC	$ 6848	**$7355**

Adopted by the **City Council** of the **City of Coburg**, Oregon, by a vote of ___ for and _against, this 11th day of January, 2022.

_____
Ray Smith, Mayor

ATTEST:

_____

Sammy L. Egbert, City Recorder

ATTACHMENT B

Systems Development Charges FAQs

If you are applying for a building permit for development, system development charges (SDCs) may apply to your project. SDCs are one-time fees based on the proposed new use or increase in use of a property. They apply to both new construction and residential projects which increase impact to city infrastructure.

Note: Depending on the project, SDCs may increase a project's budget substantially. It is important to determine the impact of SDC fees as early as possible in the process. To do this, the City needs to know the proposed water meter size(s), septic system(s), type of use, and estimated number of employees in some cases.

There are four approved SDC charges; water, sewer, transportation, and parks. There is no storm water SDC at this time.

SDCs may be charged when:

- There is a change of use or occupancy
- Increased number of water meters (based on number of fixtures)
- Accessory Dwelling Units (ADU) are added
- Increasing the size of a water meter (based on number of fixtures)
- For special projects such as micro-housing

To calculate an estimate, the City needs to know the following: proposed water meter size(s), septic system(s), type(s) of use and square footage.

Alternate Rate and Fee Calculation

Transportation

If you want us to use trip generation rates other than those used in the City's transportation SDC Ordinance and Methodology, you must submit data certified by a professional traffic engineer and attach it to the application.

Parks

If you want us to use an alternate number of persons per dwelling unit than those used in the City's Parks SDC Methodology Study, you must submit analyzed and certified documentation by

a suitable and competent professional. Alternative SDC rate calculations must be based on analysis of occupancy of classes of structures, not on the intended occupancy of a particular new development.

Optional Credit for Providing Qualified Public Improvements

Transportation

If you want to reduce the amount of your Transportation SDC, you may make improvements to specific transportation facilities that exceed the minimum standard and which are part of the City's Capital Improvement Program for Transportation.

Parks

To reduce the amount of your Parks SDC, you may donate property or improvements to certain qualified park facilities that exceed the minimum standard and which are part of the City's Capital Improvement Program for Parks.

Timing and Method of Payment

The City will give you a calculation sheet for SDCs with your Building Permit. **Note:** Your SDC's will be reassessed on January 1st if your permit has not been issued.

When and how to pay for the SDCs.

- Pay by cash, check, money order or credit card at the time the City issues a building permit.
- Water SDCs are due when water services are purchased. Pay by check, money order or credit card.
- Request a payment plan of fee payment for bi-annual payments which require a payment agreement with the Finance Department. Interest shall accrue at 4% during the payment period.
- If payments are delinquent, the City records a lien on the benefited property. The lien remains in effect until the SDCs are paid in full. The City has the option of moving to collections.

If You Need Help:

If you need help with or have questions about your Systems Development Charge (SDC) please call the Planning Department at 541-682-7858 or planning@ci.coburg.or.us

Q&A

Q: How are SDCs calculated?

A: *Transportation:* the rate for each mode of transportation is based on the following: 1) amount of money the City needs to collect over the next 20 years to increase the City's transportation system to accommodate growth-related trips. 2) The projected City growth in the next 20 years. The SDC rate is multiplied by the number of trips your proposed land use generates based on nationally compiled statistics.

Parks: The rate is based on the type of building. Demolition credits may apply. Commercial SDCs only apply to new construction, not tenant improvements or change of use.
Water: the rate is based on the size of meter installed. Meter size is determined by the number of plumbing fixtures installed at the property. Fire lines are exempt from SDC fees.
Sewer: Rates are for either the class and number of residential units or related to the size of a commercial project. Sanitary rates are calculated from equivalent dwelling units (EDUs). Commercial EDUs are estimated from the number and type of plumbing fixture. A table of EDU equivalencies is available upon request from Utility Billing at 541-682-7850.
Stormwater: **There is no Stormwater SDC at this time.** However, these are usually based on the square feet of impervious area in the project and the number of trips the new property is expected to generate.

Q: How often do SDC rates change?
A: The charges are adjusted annually for inflation January 1st.

Q: Are there ways to reduce the SDC?
A: Transportation and Parks each offer an optional alternate rate and fee calculation.

Q: Are SDC credits available?
A: Credits for providing qualified public improvements are available. You must complete the correct credit form and attach it to the SDC form. Discretionary credits are only approved by City Council.
Transportation: Allows credits if you participate in constructing street improvements that exceed the minimum design standard.
Parks: Allows credits if you convey qualified property or facilities that exceed the minimum standard. The Coburg Loop Path is a Parks project.
Sewer: Gives credits for any EDUs purchased with prior use of the property or payment of the local improvement district assessment for wastewater (December 2014). Credits follow a property and are not transferable.
Water: Credit is applied towards the SDC fee of a new metered service. Credits are not transferable.

Q: Can I give or sell my SDC credits?
A: No.

Q: Are SDC exemptions or waivers available?
A: No. Not beyond what is legally allowed in the SDC Ordinance and Methodologies.

ENR's 20-city average cost indexes, wages and material prices. Historical data for ENR's 20 cities can be found at ENR.com/economics

Construction Cost Index

ANNUAL INFLATION RATE

+7.4%

DEC. 2021

1913=100	INDEX VALUE	MONTH	YEAR
CONSTRUCTION COST	12481.82	+0.1%	+7.4%
COMMON LABOR	24355.78	0.0%	+1.3%
WAGE $/HR.	46.80	0.0%	+1.3%

The Construction Cost Index's annual escalation rose 7.4%, while the monthly component rose 0.1%.

Building Cost Index

ANNUAL INFLATION RATE

+13.1%

DEC. 2021

1913=100	INDEX VALUE	MONTH	YEAR
BUILDING COST	7289.50	+0.5%	+13.1%
SKILLED LABOR	11055.72	+0.5%	+2.9%
WAGE $/HR.	60.99	+0.5%	+2.9%

The Building Cost Index was up 13.1% on an annual basis, while the monthly component increased 0.5%.

Materials Cost Index

MONTHLY INFLATION RATE

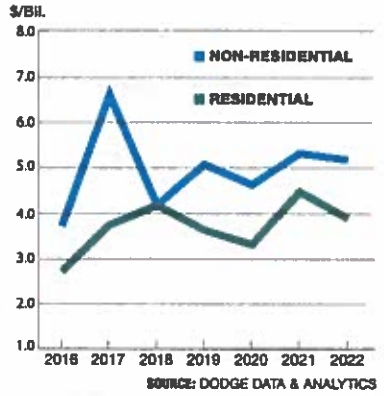
+0.5%

DEC. 2021

1913=100	INDEX VALUE	MONTH	YEAR
MATERIALS COST	4964.65	+0.5%	+31.0%
CEMENT $/TON	152.17	+1.4%	+2.9%
STEEL $/CWT	76.55	+4.3%	+37.0%
LUMBER $/MBF	952.09	–5.8%	+26.1%

The MCI rose 0.5% since last month, while the annual escalation rate increased 31%.

Construction starts in the Philadelphia metro area are expected to fall 7.4% in 2022, to $9 billion, according to Dodge Data & Analytics. Dodge predicts a 2.6% decrease in non-residential construction, while residential work is expected to fall 13%. Warehouse and health care construction is expected to see the greatest decline, while office and education work are predicted to rise.



SOURCE: DODGE DATA & ANALYTICS

ENR's Cost Indexes by City

1913=100
1967=100
R=REVISED

	CONSTRUCTION COST		BUILDING COST		COMMON LABOR		SKILLED LABOR		MATERIALS	
	DEC '21: 1913	% CHG. YEAR	DEC '21: 1913	% CHG. YEAR	DEC '21: 1967	% CHG. YEAR	DEC '21: 1967	% CHG. YEAR	DEC '21: 1967	% CHG. YEAR
ATLANTA	7999.87	+17.2	5919.99	+24.8	825.83	0.0	728.97	0.0	1299.94	+50.1
BALTIMORE	9892.04	+4.5	6442.31	+12.0	1214.52	0.0	950.91	+8.6	1076.23	+15.8
BIRMINGHAM	8329.80	+10.7	5576.24	+17.8	978.68	0.0	830.32	+1.5	1039.49	+36.6
BOSTON	16889.26	+13.0	9454.56	+15.8	1698.09	+6.4	1519.61	+2.5	1188.40	+47.0
CHICAGO	17907.54	+5.3	9190.86	+13.5	1690.57	0.0	1473.33	+3.3	954.72	+39.4
CINCINNATI	11279.45	+9.4	6209.10	+12.2	1077.82	+4.8	931.74	+2.7	980.36	+25.7
CLEVELAND	13096.15	+3.8	6832.81	+11.7	1086.20	–0.7	972.70	+4.1	947.92	+24.2
DALLAS	7176.78	+18.4	5786.08	+23.8	742.23	0.0	738.08	0.0	1130.25	+47.7
DENVER	8345.76	+9.8	5948.13	+14.3	818.18	0.0	854.73	0.0	993.48	+33.7
DETROIT	12842.51	+4.7	7148.65	+9.2	1068.28	0.0	1020.67	+0.7	893.38	+24.6
KANSAS CITY	12497.94	+4.9	7131.92	+8.0	1324.93	+1.3	1256.71	+1.5	936.30	+18.9
LOS ANGELES	12911.66	+7.0	7208.99	+13.2	1111.66	0.0	1053.90	0.0	1012.01	+39.2
MINNEAPOLIS	13712.05	+3.4	7495.48	+11.0	1339.26	0.0	1320.99	+6.7	918.41	+18.7
NEW ORLEANS	7489.57	+14.7	5984.98	+33.4	749.82	0.0	813.80	+26.0	1183.64	+39.8
NEW YORK CITY	21280.04	+3.5	10506.91	+6.6	1642.50	+1.0	1479.22	+1.5	1024.85	+22.8
PHILADELPHIA	14940.06	+7.3	8280.08	+7.2	1605.07	+4.3	1356.72	+0.9	1051.01	+21.5
PITTSBURGH	12005.82	+8.6	6997.01	+8.5	1178.28	+5.2	1034.75	+1.2	869.60	+21.2
ST. LOUIS	13129.10	+4.4	7132.71	+10.6	1099.35	+0.3	1046.28	+3.9	1047.05	+21.5
SAN FRANCISCO	14228.24	+8.0	8934.82	+13.5	1046.50	0.0	1091.49	0.0	1367.62	+35.4
SEATTLE	13682.71	+6.6	7608.39	+12.4	1210.11	0.0	1195.72	0.0	1218.55	+36.4

COBURG CITY COUNCIL
MONTHLY REPORTS

TOPIC: Resolution 2022-02, A Resolution of the City Council of the City of Coburg Allocating ARPA Funds to Certain Projects of the City.

Meeting Date: January 11, 2022
Staff Contact: Anne Heath
Contact: 541-682-7871, Anne.Heath@ci.coburg.or.us

REQUESTED COUNCIL ACTION:

Suggested Language: "*I move that the City of Council approve Resolution 2022-02 allocating ARPA Funds to Certain Projects of the City".*

CITY COUNCIL GOAL

Responsible Fiscal Stewardship

BACKGROUND

As shared with Council in prior reports:

On March 11, 2021, President Joe Biden signed the American Rescue Plan. The Plan, also referred to as the Covid-19 Stimulus Package was a 1.9 trillion economic stimulus bill intended to speed up the United States' recovery from the economic and health effects of Covid-19 pandemic and the ongoing recession. Specifically, the bill provides funding for a wide range of programs directed at a state, local and private employment level. One important part of the bill provides that funds be directly issued to local government agencies in every state.

The City received the first installment of these funds on August 31, 2021 in the amount of $129,864. These funds have been placed in savings. This is the first installment. We will receive the second installment in the late spring of 2022 for the same amount. This is approximately $20,000 more than initially projected as we had updated population figures released by Portland State. The funds need to be allocated by December 31, 2024.

On December 14, 2021, staff presented the City Council with a recommended list of projects that would qualify for American Recovery Funding. The Council discussed this recommendation, made a slight change and instructed the staff to come back with a resolution in January, 2022.

COUNCIL DIRECTED ALLOCATIONS OF THE AMERICAN RECOVERY FUNDS RECEIVED IN 2021

- Design/Engineering of Public Works Shop - $50,000
- Bike Kiosk –$15,000
- Coburg Chamber –$15,000
- Main Streets/Economic Development/Downtown Beautification- $40,000
- Broadband Planning/Feasibility - $9,864

Total of allocation $129,864

BUDGET

The City may move the funds through a budget transfer or supplemental budget when the project is at the expenditure phase. The timing of projects is still to be determined. Projects in the planning process may be budgeted in the next fiscal year.

RECOMMENDATION

Staff recommends that the Council approve Resolution 2022-02, allocating funds to the projects approved for funding.

ALTERNATIVE

- Council can adjust the amounts in the resolution to be allocated
- Council can choose not to allocate funds at this time and no later than December, 2024

ATTACHMENTS

- Draft Resolution 2022-02

REVIEWED THROUGH

Sammy Egbert, City Recorder

RESOLUTION 2022-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COBURG ALLOCATING AMERICAN RESCUE PLAN ACT FUNDS TO CERTAIN PROJECTS OF THE CITY

WHEREAS, on March 11, 2021, the United States Congress passed the American Rescue Plan Act of (ARPA), which provides fiscal relief funds to State and Local Governments, and other program areas for the purpose of mitigating the continuing effects of Covid-19 Pandemic; and

WHEREAS, ARPA is intended to provide support to local governments in responding to the impact of COVID-19, and in their efforts to contain COVID-19 in their communities, residents, and businesses; and

WHEREAS, the United States Department of Treasury has adopted the interim final rule as guidance regarding the use of ARPA Funds**;** and,

WHEREAS, on August 31, 2021, the State of Oregon deposited $129,864 received from United States Department of Treasury on behalf of the City of Coburg as the first payment of funds; and,

WHEREAS, this resolution is intended as a statement of intent of the City Council to allocate this tranche of the City's ARPA Funds in accordance with Federal Law and guidance, for the current critical needs and priorities for which there is consensus as follows:

- Design/Engineering of Public Works Shop which will house utility SCADA system - $50,000
- Bike Kiosk –$15,000
- Coburg Chamber –$15,000
- Main Streets/Economic Development - $40,000
- Broadband Planning/Feasibility - $9864

NOW, THEREFORE, BIT IT RESOLVED by the City Council or the City of Coburg the adoption of the allocation of ARPA Funds in the amount of $129,864.

Adopted by the **City Council** of the **City of Coburg**, Oregon, by a vote of ____ for and ___ against, this 11th day of January, 2022.

_____
Ray Smith, Mayor

ATTEST:

_____
Sammy L. Egbert, City Recorder

COBURG CITY COUNCIL

TOPIC: Resolution 2022-03, Property Exchange Agreement with Shepard Investment Group, LLC, and Acceptance of Donation of $40,000 Land Value

Meeting Date: January 11, 2022
Staff Contact: Anne Heath, City Administrator
Contact: 541-682-7870, anne.heath@ci.coburg.or.us

REQUESTED COUNCIL ACTION:

Approve Resolution 2022-03

Suggested Motion: I move to approve Resolution 2022-03, a Resolution Approving the Property Exchange Agreement with Shepard Investment Group LLC, and Acceptance of Donation of $40,000 Land Value.

BACKGROUND

On August 4th the City Council held a work session regarding the purchase of the property. Staff was given direction to move forward with the purchase of the property.

The City had an appraisal conducted on both properties and the Shepard property is significantly more valuable as reflected in the attached appraisal. However, the family is willing to consider the swap and donate the difference in value for the property. Their only stipulation is that they would like their late daughter, Laura, considered in the naming or dedication in the park. Their daughter grew up in this area, attended a local high school, and the entire family has ties to this community.

The City Administrator designed a property exchange agreement which was reviewed by legal, a real estate agent, and the legal representative for the Shepard Family. The attached is the final draft agreement after all input was considered.

DETAILS OF THE EXCHANGE

1. **PROPERTY TO BE EXCHANGED. The City of Coburg agrees to convey to Shepard** Investment Group LLC a portion of the property owned at tax lot 16-03-32-11-02001, 91136 N. Willamette Street, Coburg, Oregon, as shown on map attached hereto as EXHIBIT A ("Parcel One"). Shepard Investment Group LLC agrees to convent to the City of Coburg the

real property known as tax lot 16-03-33-23-02500 located in the township of Coburg adjacent to park known as Pavilion Park, and as shown on map attached hereto as EXHIBIT B ("Parcel Two"). This will be recorded as a lot line adjustment and will be recorded with Lane County.

2. **VALUATION OF PARCEL ONE**. For the purpose of the exchange to be effected under this Agreement, the parties agree to a **value of Parcel One as $230,000** which is less than the **value of Parcel Two which is valued at $270,000**.

3. **SETTLEMENT OF A DIFFERENCE IN VALUE**. Neither party shall pay the other any money to settle any difference in values of the parcels. Shepard Investment Group LLC agrees to donate the difference of $40,000 to the City of Coburg. The City of Coburg agrees to accept a donation in the difference of value of the two parcels.

4. **DEDICATION/NAMING OF PARK AREA**. The Shepard Family request for a dedication within the park for their daughter Laura, will be honored. The City agrees to assign representatives from the Coburg Park and Tree Committee to work with the Shepard Family to finalize, design and implement this dedication.

ADDITIONAL CONSIDERATIONS

1. The City of Coburg agrees to pay all expenses for recording of deeds required by this agreement.

2. Parcel One contains a septic tank that serves City Hall. The septic tank will be retained on the property and will be maintained by the City of Coburg. An easement for said tank will be executed as part of this agreement.

3. This Agreement contains the entire agreement between the parties pertaining to the subject matter continued in it and supersedes all prior and contemporaneous agreements, representation and understandings of the parties. No supplement, modification or amendment to this Agreement shall be binding unless executed in writing by the parties.

IMPACT AND GAIN TO THE CITY

The City will lose some parking spaces to the south end of the back parking lot which is normally used for police to store older vehicles, equipment and the Police shed. The shed will need to be moved to the north end of the parking lot directly behind the large tree. Surplus vehicles and equipment may be moved to the sewer plant for storage. The City will also give up

the grass area directly behind the neighboring building to the south. The City does not use this area except that the septic for City Hall is present in that area. This agreement provides for an easement for the septic.

The buildings to the south owned by Shepard Investments have very little parking and thus employees park in available areas on the street and in public parking. This provides parking areas for the buildings as required by City Development Code.

The City will gain ownership of land currently being used as parkland in pavilion park. This ensures that it will continue to be public space and not sold and developed which would reduce the size of the park significantly when development took place.

BUDGET / FINANCIAL IMPACT

The funding for the exchange of this property will be paid through professional fees. There will be worked required by the planning and legal department to review and prepare the lot line adjustment, and for the City Recorder to record with Lane County

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RECOMMENDATION AND ALTERNATIVES

Staff recommends that the Council adopt resolution 2022-03.

The alternative is to not adopt it and the exchange of the property would not take place.

The City could consider an offer to purchase the land at Market Price. However, currently there are no funds to apply to a purchase.

PUBLIC NOTICE/INVOLVEMENT

Public Comment at City Council
Discussions and planning with Park & Tree Committee have taken place

---

NEXT STEPS

The Staff will move forward to move the property exchange through escrow as soon as signed by both parties

---

ATTACHMENTS

A. Resolution 2022-03
B. Property Exchange Agreement
C. Property Appraisal Report
D. Exchange area Map

REVIEWED THROUGH

Gary Darnielle, City Attorney
Henry Hearley, City Planner
Sammy Egbert, City Recorder
Chris Bevans, Shepard Investment Group, LLC

RESOLUTION 2022-03

A RESOLUTION APPROVING The Property Exchange Agreement with Shepard Investment Group, LLC, and Acceptance of Donation of $40,000 Land Value

WHEREAS, the City wants to acquire ownership of the lot abutting the south end of Pavilion Park which has been utilized as parkland for many years, but currently is not owned by the City; and

WHEREAS, the Shepard Investment Group is willing to enter into a property exchange for property located to the south of City Hall; and

WHEREAS, an appraisal of the properties has reflected a difference of value of the two properties in the amount of $40,000; and

WHEREAS, The Shepard Investment Group is willing to donate the difference in the value of the properties in order for the exchange to take place.

NOW THEREFORE, THE COBURG CITY COUNCIL RESOLVES AS FOLLOWS:

The City Council of the City of Coburg hereby approves the attached Property Exchange Agreement with Shepard Investment Group, LLC, and accepts a land donation in the amount of $40,000 which represents the difference in value of the two properties.

Adopted by the **City Council** of the **City of Coburg**, Oregon, by a vote of _ for and _ against, this 11th day of January, 2022.

_____
Ray Smith, Mayor

ATTEST:

_____
Sammy L. Egbert, City Recorder

PROPERTY EXCHANGE AGREEMENT

THIS AGREEMENT IS MADE BETWEEN

Party One
City of Coburg
P.O. Box 8316
Coburg, Oregon 97408

Party Two
Shepard Investment Group LLC
P.O. Box 8516
Coburg, Oregon 97408

Contacts:

Anne Heath
City of Coburg
Anne.Heath@ci.coburg.or.us
541-682-7871

Chris Bevans
Umbrella Properties
cbevans@umbrellaproperties.com
541-484-6595

In consideration of the mutual promises as set out below, the parties agree to the following:

1. **PROPERTY TO BE EXCHANGED. The City of Coburg agrees to convey to Shepard** Investment Group LLC a portion of the property owned at tax lot 16-03-32-11-02001, 91136 N. Willamette Street, Coburg, Oregon, as shown on map attached hereto as EXHIBIT A ("Parcel One"). Shepard Investment Group LLC agrees to convent to the City of Coburg the real property known as tax lot 16-03-33-23-02500 located in the township of Coburg adjacent to park known as Pavilion Park, and as shown on map attached hereto as EXHIBIT B ("Parcel Two").

2. **VALUATION OF PARCEL ONE**. For the purpose of the exchange to be effected under this Agreement, the parties agree to a **value of Parcel One as $230,000** which is less than the **value of Parcel Two which is valued at $270,000**.

3. **SETTLEMENT OF A DIFFERENCE IN VALUE**. Neither party shall pay the other any money to settle any difference in values of the parcels. Shepard Investment Group LLC agrees to donate the difference of $40,000 to the City of Coburg. The City of Coburg agrees to accept a donation in the difference of value of the two parcels.

4. **DEDICATION/NAMING OF PARK AREA**. The Shepard Family request for a dedication within the park for their daughter Laura will be honored. The City agrees to assign representatives from the Coburg Park and Tree Committee to work with the Shepard Family to finalize, design and implement this dedication.

5. **SURVEY AND APPRAISAL.** The City of Coburg (Party One) has paid for and provided to Shepard Investment Group LLC a copy of a survey and appraisal of both parcels. These documents are attached as EXHIBIT C.

   The Survey and Appraisal report shall be certified to both the of the parties, and closing agents within 30 days before the date of closing unless this 30-day time period is waived by both parties and the title insurer. If the survey shows any matter materially affecting the title, encroachment or improvements on or intended to be located on either property, it shall be treated as a title defect.

   Party Two may obtain in its discretion and at its sole cost and expense a boundary survey of Parcel one.

6. **LOT LINE ADJUSTMENT.** The City has prepared a lot-line adjustment proposal for the property located at 91136 N. Willamette Street, Coburg, Oregon which is attached as EXHIBIT D.

7. **TITLE INSURANCE AND ESCROW.** City of Coburg shall at the City's sole cost and expense, within 5 days of Shepard Investments Group LLC execution of this agreement, purchase a title insurance and make all arrangements for the agreement to be managed through escrow.

8. **DEFECTS IN TITLE.** The City of Coburg shall, within thirty days after Shepard Investment Group LLC receipt of the title insurance commitment for Parcel One, remove all defects in title to Parcel One. The City of Coburg agrees to use diligent effort to correct the defect in title within the time provided therefor. If the City is unsuccessful in removing the title defects within said time, Shepard Investment Group LLC shall have the option to either: (a) accept the title as it then is and close this transaction, (b) cut out the affected portion of the parcel, or (c) terminate this Agreement, thereupon releasing the parties hereto from all further obligations under this Agreement

9. **"AS IS" CONDITION.** The parties accept the parcels to be conveyed herein in their present physical condition, subject to: (a) any violation of any governmental building codes or ordinances for the City of Coburg, including environmental and safety codes, restrictions and requirements. Neither party extends any warranties or representations concerning the parcels.

10. **INTEREST CONVEYED**. At closing, City of Coburg shall execute and deliver to Shepard Investment Group LLC a Deed of Conveyance pursuant to ORS 271.340. Conveying all of the City of Coburg's interest in Parcel One subject to easements, reservations, restriction and other interests of record. At closing, Shepard Investment Group LLC will execute and deliver to the City of Coburg a quitclaim deed for Parcel Two conveying all of their interest in Parcel Two, subject to easements, reservations, restrictions and other interests of record.

Neither party extends and intends any representations or warranties of any kind regarding either parcel. The parties acknowledge that the above conveyance shall be in "as is" condition.

11. **PREPARATION OF CLOSING DOCUEMNTS.** City of Coburg shall prepare all closing documents and send the same to Shepard Investment Group LLC for review with sufficient time for closing. Such closing documents shall include without limitation, the deeds for both parcels, and both parties closing statements.

12. **SHEPARD INVESTMENT GROUP LLC REVIEW FOR CLOSING**. Shepard Investment Group LLC shall approve or reject each item provided by the City of Coburg under this agreement. City of Coburg shall have 5 days thereafter to remove and resubmit any rejected items. If both parties cannot agree on the form of the closing documents prior to the Closing Date, then either party may terminate this Agreement, thereupon releasing the parties hereto from all further obligations under this Agreement.

13. **EXPENSES.** The City of Coburg shall pay the cost of recording the deeds required in this agreement.

14. **TAXES AND ASSESSMENTS.** At closing, the City of Coburg shall satisfy all real estate taxes prorated from the date of the closing to the end of the tax year. Parcel two is currently exempt from taxes. Shepard Investment Group LLC will be responsible for taxes on Parcel two at the time it is placed back into taxable property status.

15. **CLOSING PLACE AND DATE.** The closing shall be within 60 days after the approval of this Agreement by both parties.

16. **RISK OF LOSS AND CONDITION OF PARCELS.** Each party assumes all risk of loss or damage to that party's parcel prior to the date of closing and agrees that each party's parcel shall be transferred and conveyed to the other party in the same or essentially the same condition as of the date of execution of this Agreement, ordinary wear and tear excepted. If between the date this Agreement is executed by the parties and the date of closing the condition of either parcel as it existed on the date this agreement is altered by an act of God, or other natural force beyond the control of the parties, the party who is to receive the altered parcel may elect, at said recipient's sole option, to terminate this Agreement and neither party shall have any further obligations under this Agreement. Both parties represent and warrant that there are no parties other than the owners of each property in occupancy or possession of any part of the parcels.

17. **SEWER EASEMENT.** Parcel One contains a septic tank that serves City Hall. The septic tank will be retained on the property and will be maintained by the City of Coburg. An easement for said tank will be executed as part of this agreement and is included as **EXHIBIT E**.

18. City of Coburg agrees to clean up and remove all personal property, City owned vehicles and storage building located on Parcel One to the satisfaction of Shepard Investment Group LLC prior to closing.

19. RIGHT TO ENTER AND POSSESSION. Each party agrees that from the date this Agreement is executed by the parties, officers, attorneys and duly authorized agents of each party, upon reasonable notice, shall have al all times the right and privilege to enter the other party's parcel for all lawful purposes in connection of this Agreement. Each party shall deliver possession of that party's parcel to the other party at closing.

20. ACCESS. Both parties have determined that there is legal and practical ingress and egress for both parcels.

21. DEFAULT. If the City of Coburg defaults under this Agreement, Shepard Investment Group LLC may waive the default and proceed to closing, seek specific performance, or refuse to close and cancel this Agreement with both parties being relieved of all further obligations hereunder. In Shepard Investment Group LLC defaults under this Agreement, City of Coburg may waive the default and proceed to closing, seek specific performance, or refuse to close and cancel this Agreement with both parties being relieved of all further obligations hereunder. The remedies set out in this paragraph are the sole and exclusive remedies of either party's default under this agreement.

22. BROKERS. Both parties warrant that no person, firms, corporations or other entities are entitled to a real estate commission or other fees as a result of this Agreement or the subsequent closing. City of Coburg agrees that if professional help is needed for the design of this agreement that all fees to such professional shall be at the expense of the City of Coburg.

23. RECORDING. This agreement, or notice of it, may be recorded by either party will be recorded in Lane County, Oregon.

24. ASSIGNMENT. This agreement may not be assigned without the prior written consent of the other party.

25. TIME. Time is of the essence with regard to all dates or times set forth in this Agreement.

26. SEVERABILITY. If any of the provisions of this Agreement are deemed to be unenforceable and the unenforceability of said provisions does not adversely affect the purpose and intent of this Agreement, the enforceability of the remaining provisions of this Agreement shall not be affected

27. SUCCESSORS IN INTEREST. This Agreement shall bind and inure to the benefit of the parties and their respective heirs, legal representatives and successors. Whenever use, the singular shall include the plural and one gender shall include all genders.

28. ENTIRE AGREEMENT. This Agreement contains the entire agreement between the parties pertaining to the subject matter continued in it and supersedes all prior and contemporaneous agreements, representation and understandings of the parties. No supplement, modification or amendment to this Agreement shall be binding unless executed in writing by the parties.

The City of Coburg acknowledges that The City Council have approved the power for the purpose of this Property Exchange Agreement through a vote of the body. Shepard Investment Group LLC acknowledges that the Board of Directors have approved the power for the purpose of this Property Exchange Agreement through a vote of the body. Such approvals of both bodies in the form of minutes or resolutions shall be attached as **EXHIBIT F.**

This Agreement may be terminated by the Trustees or Assigned pursuant to any provision therefor contained in this Agreement only in writing and signed by the person or persons who signed this agreement on behalf of the perspective bodies.

29. WAIVER. Failure of either party to insist upon strict performance of any covenant or condition of this Agreement, or to exercise any right herein contained, shall not be construed as a waiver or relinquishment for the future of any such covenant, condition or right but the same shall remain in full force and effect.

30. AGREEMENT EFFECTIVE. This Agreement or any modification, amendment or alteration thereto, shall not be effective or binding upon any of the parties hereto until it has been executed by both parties hereto and approved by or on behalf of the governing bodies of both parties.

31. NOTICE. Whenever a party desires or is required to give notice unto the other, it must be given by written notice, and either delivered personally, transmitted via email or fax transmission, or by mailed posted, or sent by overnight courier to the appropriate address indicated on the first page of this Agreement, or such other address as is designated in writing by a party to this Agreement.

32. SURVIVAL. The covenants, warranties, representations, indemnities and undertakings of the parties set forth in this Agreement shall survive the closing, the delivery and recording of the deed described in this Agreement.

THIS IS INTENDED TO BE A LEGALLY BINDING AGREEMENT. IF NOT FULLY UNDERSTOOD, SEEK THE ADVICE OF AN ATTORNEY PRIOR TO SIGNING.

_____

EXECUTED AND AGREED UPON BY:

PARCEL ONE REPRESENTATIVE	**PARCEL TWO REPRESENTATIVE**
City of Coburg	Shepard Investment Group LLC
By: _____	By: _____
Printed Name: _____	Printed Name:_____
Date: _____	Date: _____

ATTACHMENTS

ADDENDUM A

EXHIBITS:

A. PARCEL ONE MAP
B. PARCEL TWO MAP
C. SURVEY AND APPRAISAL DOCUMENTS
D. LOT LINE ADJUSTMENT FOR RECORDING – PARCEL ONE
E. SEWER EASEMENT
F. APPROVALS OF GOVERNING BODIES

ADDENDUM A
PROPERTY EXCHANGE AGREEMENT
AND RECEIPT FOR EARNEST MONEY

PARTIES:

Party One
City of Coburg
P.O. Box 8316
Coburg, Oregon 97408

Party Two
Shepard Investment Group LLC
P.O. Box 8516
Coburg, Oregon 97408

PROPERTY: **PARCEL TWO**
Map & Tax Lot# 16-03-33-23-02500

DATE:

RECITALS:

A. The parties hereto are parties to certain Property Exchange Agreement for real property in Eugene, Lane County, Oregon, dated _____

NOW, THEREFORE, in consideration of the mutual promises contained herein, the parties incorporate the above Recitals by this reference and hereto agree as follows:

1. The Shepard Family will be given the right to name the park or area contained in the park after their daughter. The City agrees to assign representative to work with the Shepard Family to designate name.

2. The difference in value of the two properties shall be donated by the Shepard Family Investment Group LLC and accepted by the City of Coburg.

PARTIES

PARCEL ONE

City of Coburg

By:_____

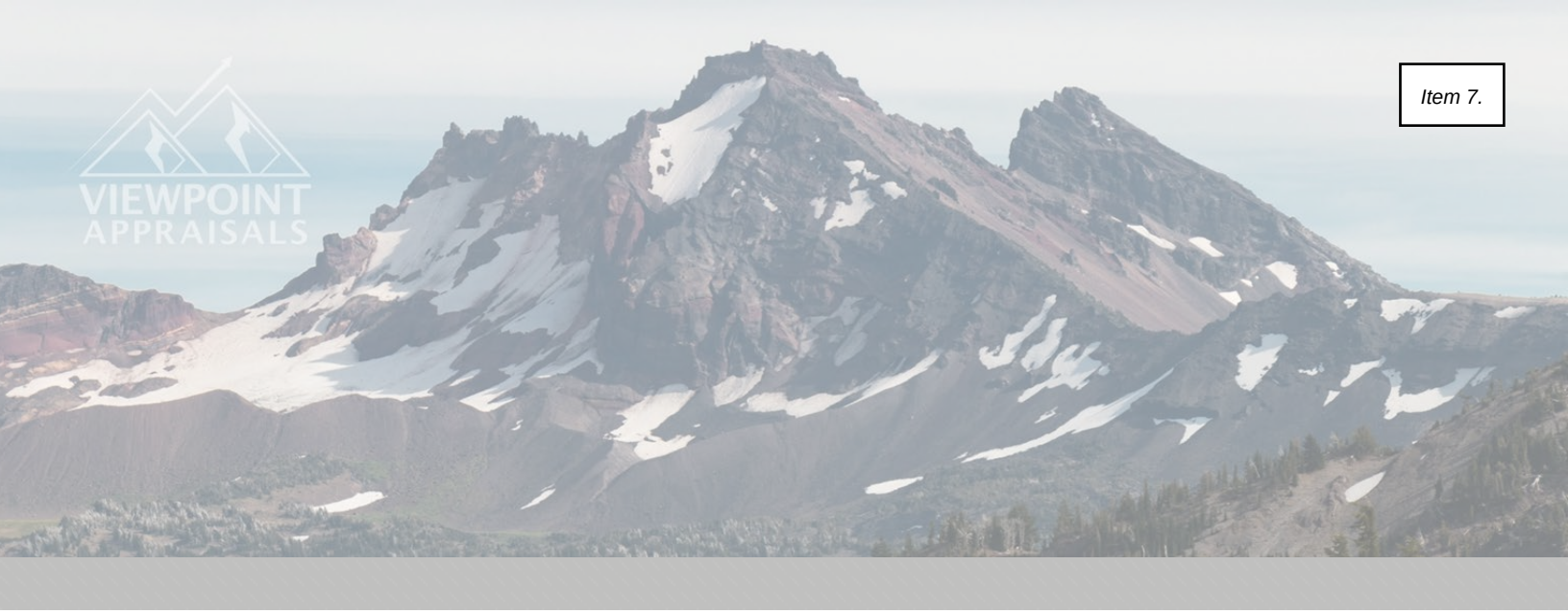
Date_____

PARCEL TWO

Shepard Investment Group LLC

By:_____

Date:_____



APPRAISAL REPORT

Commercial Land
N. Willamette Street
Coburg, Lane County, Oregon
Parcel 1:Map 16-03-32-11
Portions of Tax Lot 1801 & 2001
Parcel 2: Map 16-03-33-23
Tax Lot 2500

VPA FILE: VPS 21-297

Date of Report:
September 6, 2021

Date of Value:
August 20, 2021

SUBMITTED TO:
Anne Heath
City Administrator
City of Coburg
Anne.heath@ci.coburg.or.us

PREPARED BY:
Zoe R. Swartz, MAI
Viewpoint Appraisals, LLC
2852 Willamette Street, #410
Eugene, Oregon 97405
zoe@viewpointappraisals.com

VIEWPOINT APPRAISALS

September 6, 2021

Anne Heath
City Administrator
City of Coburg
Anne.heath@ci.coburg.or.us

RE: Commercial Land Parcels
N. Willamette Street
Coburg, Lane County, Oregon
Parcel 1:Map 16-03-32-11, Portions of Tax Lot 1801 & 2001
Parcel 2: Map 16-03-33-23, Tax Lot 2500

Dear Ms. Heath:

Per our agreement, I have prepared an appraisal of the above-referenced properties. The subject of this report consists of two parcels located off N. Willamette Street in Coburg, Lane County, Oregon. The parcels are proposed for a land swap between the City of Coburg and Shepard Investment Group, LLC. The purpose of this appraisal is to determine the value of each parcel for the potential land swap. Parcel 1 is an 0.20-acre hypothetical parcel located on the west side of N. Willamette Street; this parcel is a portion of Tax Lots 1801 & 2001 on Map 16-03-32-11 which will be assembled with an adjacent parcel as part of the land swap. Parcel 2 is 0.23 acres located on the east side of N. Willamette Street identified by the Lane County Department of Assessment and Taxation as Map 16-03-33-23, Tax Lot 2500. The properties are each zoned C-1, Central Business District with H, Historic and X, Architecturally Controlled Area overlays.

After an inspection of the subject properties, subsequent research, and analysis of pertinent market data, it is my opinion the market value of each parcel is as follows:

Value Conclusion Summary

Value Premise	Interest Appraised	Date of Value	Conclusion
Hypothetical - Parcel 1	Fee Simple	August 20, 2021	$230,000
As-Is - Parcel 2	Fee Simple	August 20, 2021	$270,000

The following appraisal report details the basis and reasoning for the value conclusion. This report conforms to the Uniform Standards of Professional Appraisal Practice (USPAP) adopted by the Appraisal Standards Board of the Appraisal Foundation and complies with the reporting standards set forth under USPAP Standards Rule 2-2(a) for an Appraisal Report. Discussion contained in this report is specific to the needs of the client and for the stated intended use.

Supporting documentation concerning the data, reasoning and analyses is retained in the appraiser's work file. The appraiser is not responsible for unauthorized use of this report.

Extraordinary Assumptions & Hypothetical Conditions	
Extraordinary Assumptions Employed:	No
Hypothetical Conditions Employed:	Yes

The value conclusion for Parcel 1 is subject to the hypothetical condition detailed below. The application of this hypothetical condition may impact the assignment results.

Hypothetical Condition

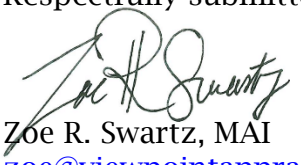
Parcel 1 is a portion of Tax Lots 1801 & 2001 on Map 16-03-32-11. A hypothetical condition of this analysis is that Parcel 1 was an independent, saleable site on the date of value. The application of this hypothetical condition may impact the assignment results.

Across the Fence Value

The highest and best use of Parcel 1 is for assemblage with an adjacent property (see analysis for further discussion). Parcel 1 does not provide utility for development as a stand-alone parcel given the lack of legal vehicular access and road frontage but does provide potential benefit for assemblage with an adjacent parcel. As such, the valuation of the subject property is based upon an analysis of the "Across the Fence" value of adjacent properties. This will be discussed further in the appraisal process section.

I certify this appraisal has been prepared in accordance with the Code of Professional Ethics and Standards of Professional Practices set forth by the Appraisal Institute. I certify that I have no present or contemplated interest in the property and the fee for making this appraisal is not predicated upon reporting any specified value or value range. Please call at your convenience if any additional data or information is required.

Respectfully submitted,



Zoe R. Swartz, MAI
zoe@viewpointappraisals.com

COVID-19 PANDEMIC

As of the date of value, the national emergency related to COVID-19 has continued to impact the financial markets. In this fluid market it is important to recognize the changes and that the appraisal contained herein reflects the appraiser's opinions regarding current market reactions and risk perception as of the specific date of value. In most markets it is not yet clear to what extent real estate values will ultimately be affected in the long term, however, impacts in the market to-date have been bifurcated depending on the industry, property type and location. Related, complicating factors include continued unemployment claims, executive orders regarding mask mandates and business restrictions, government financial support, fluctuations in the stock market and changes in mortgage interest rates.

The United States officially entered a recession in February 2020 after a record period of expansion. The pandemic and public health response have resulted in a downturn with different characteristics than prior recessions but the magnitude of the decline in employment and production and broad reach across the nation warranted the designation. The state and federal governments have spearheaded efforts to provide financial relief in the form of extended unemployment benefits, restrictions on evictions, stimulus payments for taxpayers and small business loans. In terms of relief, on December 27, 2020, former President Donald Trump signed a $900 billion pandemic relief package to deliver long-sought cash to businesses and individuals and avert a federal government shutdown. President Joe Biden approved additional relief for struggling Americans, in the form of a $1.9 trillion bill. His administration also pushed to accelerate the pace of vaccinations to control the spread of COVID-19 and allow the economy to open back up faster. After 17 months of government support, many of the financial assistance programs are ending, with those that have been authorized for extension being relatively small in the context of the previously provided supports. In addition, many at-risk renters across the nation will soon lose protections against evictions which have been in place since the onset of the pandemic. Programs which remain in-place through 2021 and into 2022 include the advanced and enhanced child tax credit payments and the automatic student loan deferment.

Discussions at the federal and state levels concerning the economy are ongoing and dependent on the recommendations of national and regional health authorities, but the recent full approval of the Pfizer-BioNTech COVID-19 vaccine on August 23, 2021, by the Federal Drug Administration has provided for relief from at-work health risks that initially fueled shutdowns. However, due to the delta variant, new cases and hospitalizations have skyrocketed in many parts of the nation, regardless of vaccination. On August 13, 2021, Kate Brown reinstated the mask mandate indoors for Oregon.

The recovery from pandemic disruption in the commercial real estate market has advanced more rapidly than industry experts expected and is gaining speed even as variants of COVID-19 loom as a potential threat. Unease remains regarding job growth and consumer spending as well as uncertainty regarding upcoming monetary policy decisions, but the amount of property distress across the county is fading faster than the market saw during the Great Recession. Real estate investment trusts have also rebounded strongly.

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AERIAL PHOTOGRAPHS

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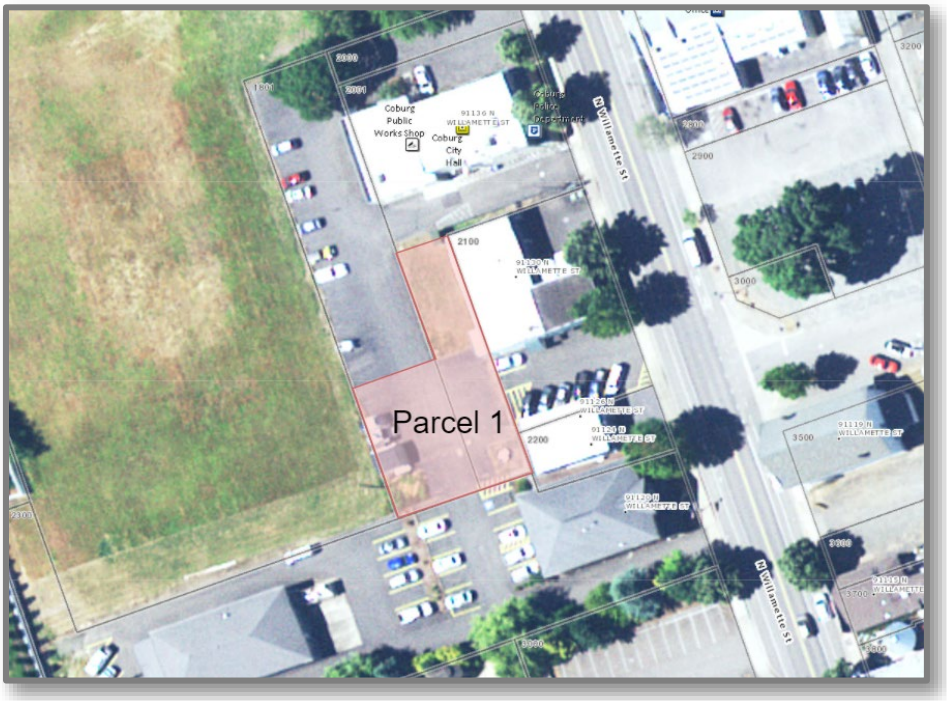
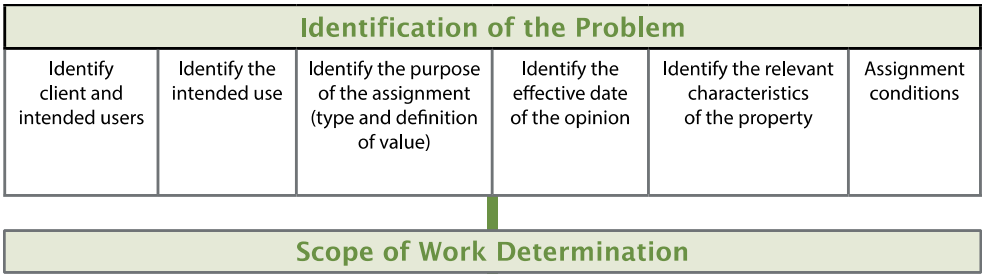




Client and Intended User
The client and intended user are Anne Heath, City of Coburg.

Purpose and Intended Use
The purpose of this report is to estimate the as-is market value of the two parcels. The intended use of this appraisal report is to determine the market value of each parcel for a potential land swap.

Interest Appraised
The interest appraised is the fee simple estate.

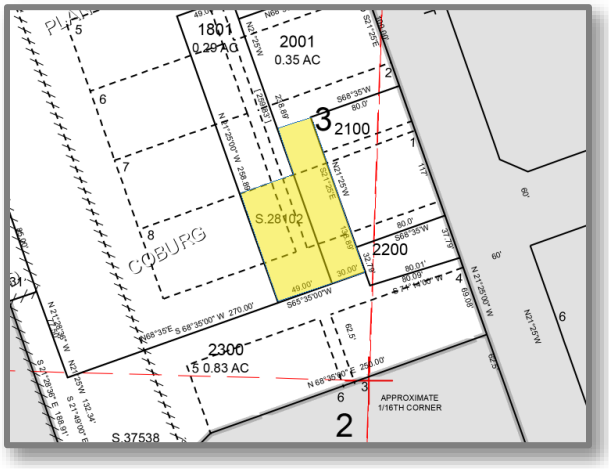
Date of Value Opinion
August 20, 2021.

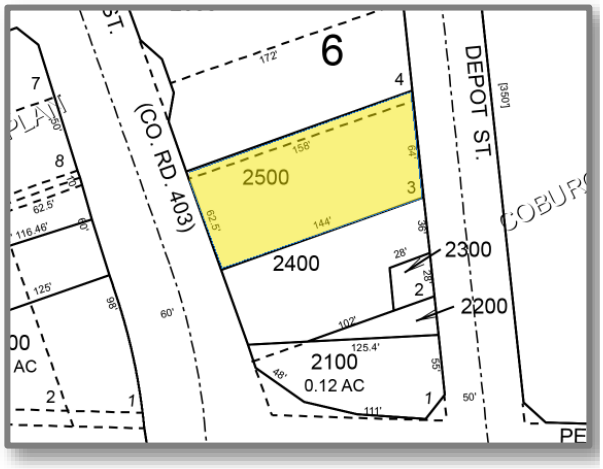
Compliance & Competency Rule
This appraisal has been prepared in compliance with the most recent revisions of the Uniform Standards of Professional Appraisal Practice (USPAP) as adopted by the Appraisal Standards Board of the Appraisal Foundation. Zoe R. Swartz, MAI has the knowledge and experience to complete this assignment competently, in compliance with the stated regulations.

Inspection Data
Zoe R. Swartz, MAI inspected the subject property on August 20, 2021.

RELEVANT PROPERTY CHARACTERISTICS

Two Parcels: N. Willamette Street, Coburg





Assessor's Identification: Parcel 1 is a portion of Tax Lots 1801 & 2001 on Map 16-03-32-11 which will be assembled with an adjacent parcel as part of the land swap (see hypothetical condition). Parcel 2 is identified by the Lane County Department of Assessment and Taxation as Map 16-03-33-23, Tax Lot 2500.

Owner of Record: Parcel 1 is owned by City of Coburg. Parcel 2 is owned by Shepard Investment Group, LLC.

Parcel Size: Parcel 1 is an 0.20-acre hypothetical parcel. Parcel 2 is 0.23 acres.

Zoning: The properties are each zoned C-1, Central Business District with H, Historic and X, Architecturally Controlled Area overlays.

Flood Hazard Area: According to FEMA Flood Insurance Rate Map, Community Panel No. 41039C0639F, effective June 2, 1999, the subject parcels are in Zone X, areas determined to be outside the 500-year flood.

Highest & Best Use – Parcel 1: Assemblage with an adjacent parcel – see highest and best use for detailed discussion.

Highest & Best Use – Parcel 2: Development with an allowable use in the C-1/H/X zone. The maximally productive use would be a mixed-use, maximizing the allowable residential component but taking advantage of the central commercial location.

SCOPE DETAILS

The scope of the appraisal assignment has been to collect, confirm, analyze, and interpret pertinent market data and other market forces to arrive at an estimate of market value of the subject property. This appraisal assignment has included a complete investigation of all pertinent data in relation to the subject property. This investigation included, but was not limited to:

- Personal inspection of the subject sites;
- Review of Lane County property records;
- Review of City of Coburg planning documents and discussions with the City of Coburg Planning Department;
- Research of market conditions;
- Interview of brokers and developers involved in real estate purchases and development in the immediate Coburg area;
- Research and analysis of sale transactions of comparable properties. Sources utilized include sales and listing data from real estate brokers, information from knowledgeable market participants, and real estate database services. Comparable sales analyzed in the appraisal report were confirmed either by a party to the transaction, or an agent or representative of a party to the transaction, or information from other real estate professionals and from public records;
- Application of the applicable approaches to value;
- Preparation of the written report conveying the appraiser's analyses and conclusions.

Approaches to Value

The Sales Comparison Approach was used to develop the opinion of market value for the subject property. The Cost Approach and Income Approach are not applicable and were not developed.

Highest & Best Use

The reasonably probable use of property that results in the highest value. The four criteria that the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity.[1]

When a site contains improvements, the highest and best use may be determined to be different than the existing use. The existing use will continue unless and until land value, in its highest and best use exceeds the sum of the value of the entire property in its existing use, and the cost to remove the improvements.

An additional implication is that the determination of the highest and best use results from the appraiser's judgment, that is, that the use determined from analysis represents an opinion not a fact to be found. In appraisal practice, the concept of highest and best use represents the premise upon which value is based.

Fee Simple Estate

Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.[2]

Market Value

The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- Buyer and seller are typically motivated;
- Both parties are well informed or well advised, and acting in what they consider their best interests;
- A reasonable time is allowed for exposure in the open market;
- Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.[3]

Independent Site Value

Also called "stand-alone" value, the value of the property as an independent, separate commodity.[4]

1. Appraisal Institute, *The Dictionary of Real Estate Appraisal*, 6th Ed. (Chicago: Appraisal Institute, 2015).
2. Ibid.
3. 12 C.F.R. Part 34.42(g); 55 Federal Register 34696, August 24, 1990, as amended at 57 Federal Register 12202, April 9, 1992; 59 Federal Register 29499, June 7, 1994.
4. Oregon Department of Transportation, *Guide to Appraising Real Property*, Rev. January, 2006

Assemblage Value

Value of the property as if it were merged with an adjoining property that would result in the greatest return. It is the most reasonable, physically possible, financially feasible, and legally possible use. Theoretically, the value of the subject may be less than, equal to, or greater than the adjacent property. As assemblage, Excess Property often is "equal to" the adjoining property; we refer to this as "across-the-fence" value. If the addition of Excess Property results in an increase in the adjoining parcel or value greater than anticipated value based on "across the fence" valuation we refer to it as Plottage Increment, or Enhancement Value.[5]

5. Ibid.

Data Collection and Property Description		
Market Area Data General characteristics of region, city and neighborhood	***Subject Property Data*** Subject characteristics of land use and improvements, personal property, business assets, etc.	***Comparable Property Data*** Sales, listings, offerings, vacancies, cost and depreciation, income and expenses, capitalization rates, etc.

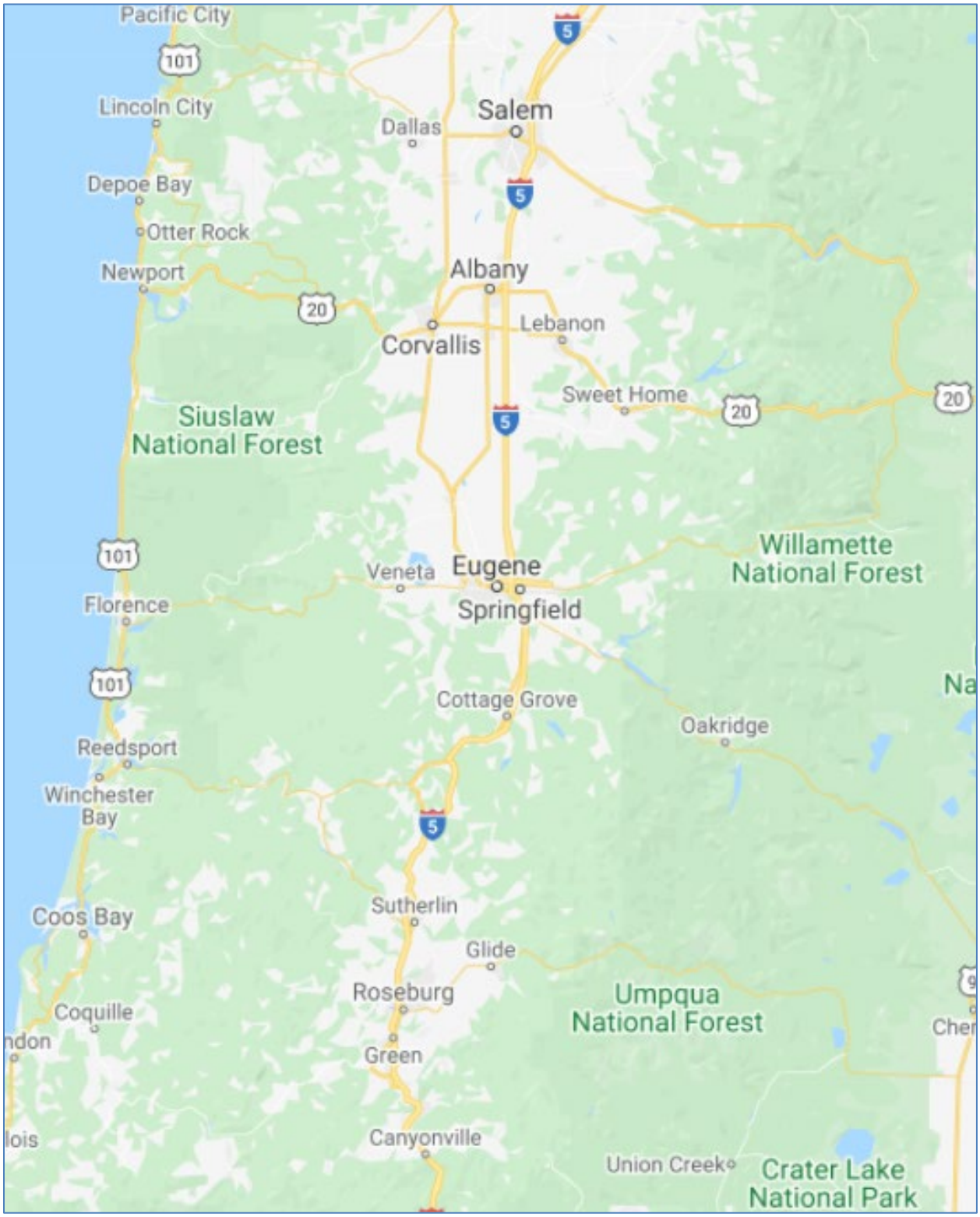
In preparing this appraisal, information relative to the subject's region, city, and competitive neighborhoods was researched and considered. In addition to the information outlined in the scope of work, other pertinent factors that affect the value of the subject property, either directly or indirectly, were considered.

Data Sources

INFORMATION	SOURCE
Address, tax information	Lane County records.
Zoning	City of Coburg.
Site size	Lane County records.
Flood plain information	Federal Emergency Management Agency (FEMA).
Property size, condition	Inspection and County records.
Sales and lease data	Appraisers' files; public records; local real estate brokers; local and national listing services, including CoStar and RMLS.
Market Information	PwC Real Estate Investor Survey, Marcus & Millichap publications, Co-Star publications, CBRE publications.

REGIONAL MAP

Source: Google Maps

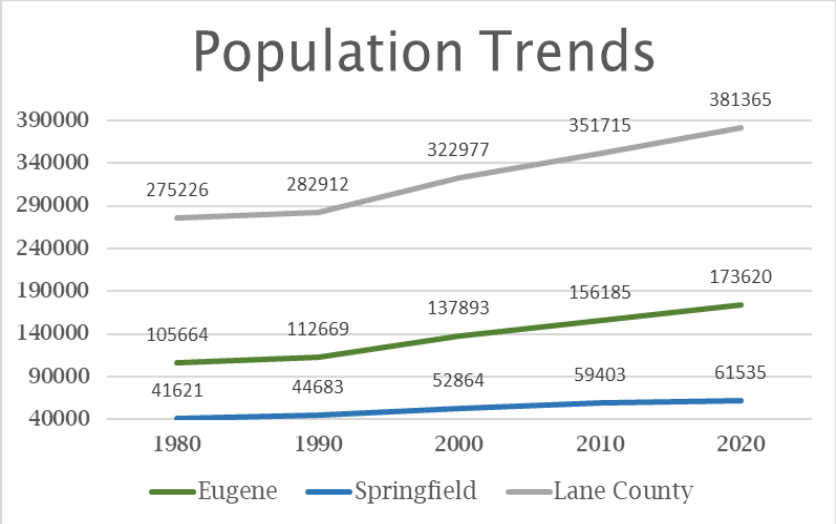


MARKET AREA DESCRIPTION

Eugene-Springfield Metropolitan Area

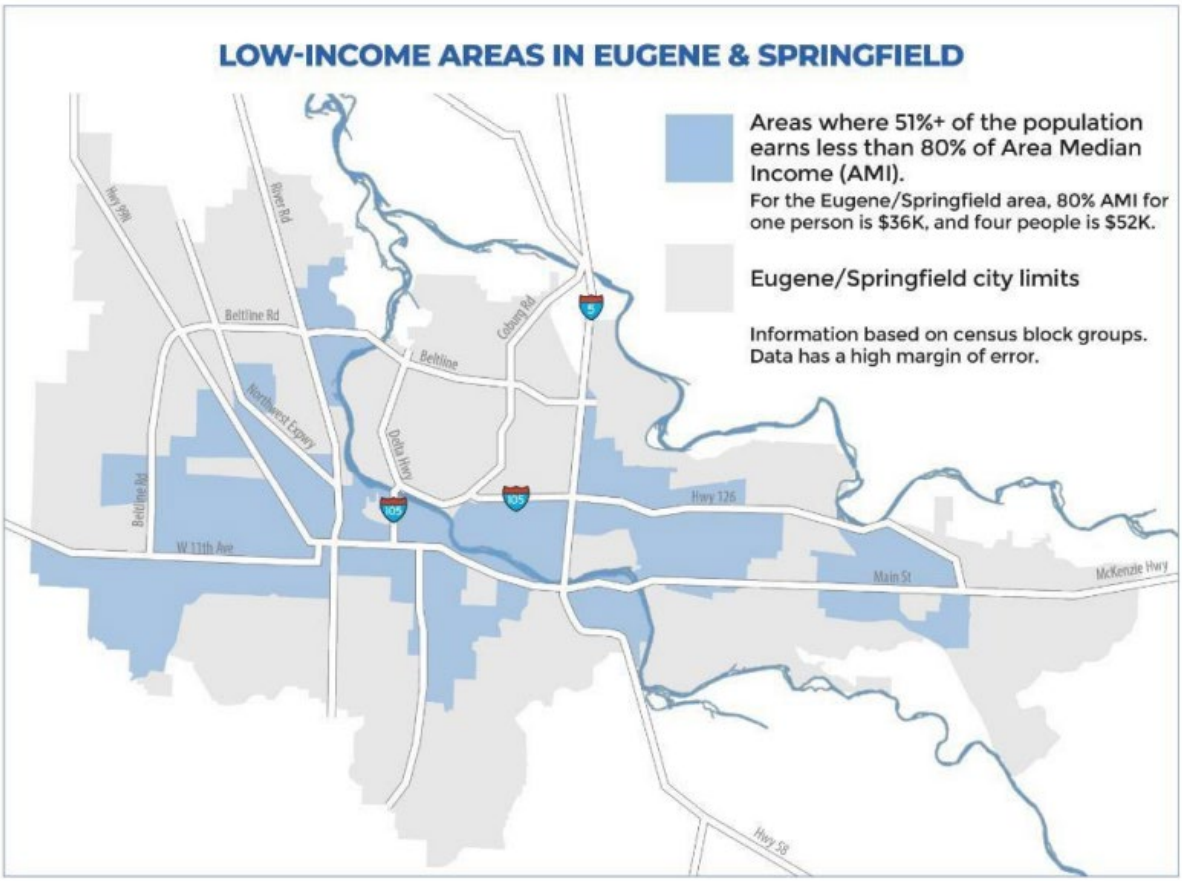
The Eugene-Springfield metropolitan statistical area (MSA) is the 146th largest statistical area in the US and the third largest in the state behind Salem and Portland. The Eugene-Springfield metropolitan area is in Lane County, in the central, western portion of the state of Oregon. The community is situated at the confluence of the McKenzie and Willamette rivers at the head of the Willamette Valley. The Willamette River flows northward from the southern valley to the Columbia River at Portland and Vancouver, Washington. The Eugene-Springfield metropolitan area is approximately 440 feet above sea level, and the topography of the area is flat valley floor and flood plain land. The head of the Willamette Valley is bordered by the Coast Range on the west and the Cascade Range foothills on the east; the area to the south is mountainous as well. The valley is open to the north. Eugene is home to the University of Oregon and is also known as "Track Town USA" for its running trails and Hayward Field, a historic track and field stadium which was recently rebuilt. Springfield, historically a mill town, is situated between the McKenzie River and the middle fork of the Willamette River. Bedroom communities within commuting distance of the larger metropolitan area include Veneta, Junction City, Harrisburg, Coburg, Creswell, and Cottage Grove. The metropolitan area is popular for its natural beauty and rich recreational opportunities bolstered by its proximity to the Cascade Mountains, Willamette Valley vineyards, and Oregon coast.

Population & Demographics



Eugene's 2020 population was 173,620 and Springfield's population was 61,535, for a combined population for Eugene/Springfield of 235,155 people. This is compared to Lane County which has 381,365 people and Oregon which has 4,268,055 people. The growth of Eugene, Springfield, Lane County and Oregon by decade is summarized in the chart. Population has continued to increase in all areas but at a slowed growth rate. Springfield in particular has had a dramatically slowed population increases compared to the remainder of the state and to prior years' growth, most likely due to limited availability of housing in this area. The population of Eugene and Springfield is aging, with the percentage of persons between 60 and 75 years of age nearly doubling in the last 20 years. Family households make up the largest percentage of households, however, the largest growth in household type has been non-family households. According to the Eugene-Springfield 2020 Consolidated Plan for Housing & Community Development, median household income for both Eugene

and Springfield is lower than the US and Lane County as a whole with approximately 20% of households in both cities having incomes below the poverty levels.



Real Estate Development Patterns

The regional area has experienced market expansions and recessions parallel to the national economy. High growth periods occurred in the 1920's, 1960's, 1970's, 1990's, mid 2000's and most recently in the last few years through 2020. The late 2000s economic recession severely curtailed new development in almost all segments of the local market area but this most recent expansion has increased development activity, absorption of vacant lots, and lowered vacancy throughout the market area.

Residential Development—

The majority of the area was built-out prior to the 1980's with average-quality homes. New construction expanded in the early 1990's until the recession beginning in 2008. A substantial housing inventory of newer, higher-quality homes was added during this time. Over 10,000 new single-family homes have been added in Eugene and Springfield in the last 20 years, or an average of 500 per year. However, only 3,000 of those housing units were added in the last 10 years, indicating a significant slowdown in construction pace in the last decade. This was due in part to the recession but is also due to high construction costs and limited land supply. The slowed average of 300 new homes per year is well below projected need.

Multi-family development in Eugene features primarily wood-frame, garden-court-style suburban apartment complexes constructed over the last 50 years. In recent years, several luxury housing projects have emerged which feature low to mid-rise buildings, high quality construction and good on-site amenities. Over 9,000 new apartment units have been constructed in Eugene over the past 20 years, or 450 units per year on average. Most of the construction between 2010 and 2014 was located on the University of Oregon campus as this area of development thrived even during the recession due to enrollment increases and lack of housing supply. Campus development accounts for approximately 3,500 units (or nearly 40%) of the new units added in the last two decades. Low inventory of single-family homes (well under 3 months inventory) suggests substantial demand for new single-family housing units. Vacancy remains low in multi-family developments, although, with the substantial new inventory added to the area it is likely that rents will stabilize through 2021 with a potential rise in vacancy as the market surpasses equilibrium. In the last 10 years Eugene has shifted to a majority renter-occupied City, whereas Springfield has retained a slight majority of owner-occupied homes.

A variety of assisted housing developments serve low-income persons in the cities of Eugene and Springfield. There are approximately 4,500 assisted living developments in both cities including projects with Section8, Low-Income Housing Tax Credits, or other project-based subsidies. There are approximately 1,800 households on public housing waiting lists with typical wait times between 1 and 5 years, indicating a vast under-supply of affordable housing units in the area.

Commercial and Industrial Development—
Retail development includes a CBD in Eugene's downtown core, The Shoppes at Gateway and Valley River Center, the areas two regional malls, Oakway Center, and a wide range of neighborhood shopping centers.

Downtown Eugene contains a large amount of office space with city, county, and federal governments occupying the largest share. The downtown Springfield area has a limited supply of general office space, with government agencies occupying the majority of what is available. Over the past 15 years, newer offices have been developed in the Coburg Road, Chad Drive, and Crescent Avenue subareas in north Eugene, as well as in the Gateway subarea in northwest Springfield.

The Eugene-Springfield metropolitan area has several established industrial neighborhoods. The West Eugene industrial neighborhood is the largest and most heavily developed industrial area in the city of Eugene. Other industrial development in Eugene is located near Highway 99N/Airport Road, a developing area with a large amount of vacant land. Industrial development in Springfield is located on the south side of South A Street and in areas near Olympic Street and 42nd Street

Economic Conditions

The Eugene-Springfield metropolitan area is the regional hub for manufacturing, services and government in the southern Willamette Valley. Lane County has a diverse economy which has further expanded in the most recent expansion. Once heavily reliant on forest product manufacturing, the local economy has expanded in the last few decades to include an increasing number of jobs in service industries, food and beverage, tech companies and health care. According to the Oregon Employment Department, the principal employers as of 2019 include a heavy concentration in healthcare, government and education. Wages have risen since the Great Recession, but the loss of manufacturing jobs has tempered wage growth overall in the region.

Lane County 2019 Principal Employers

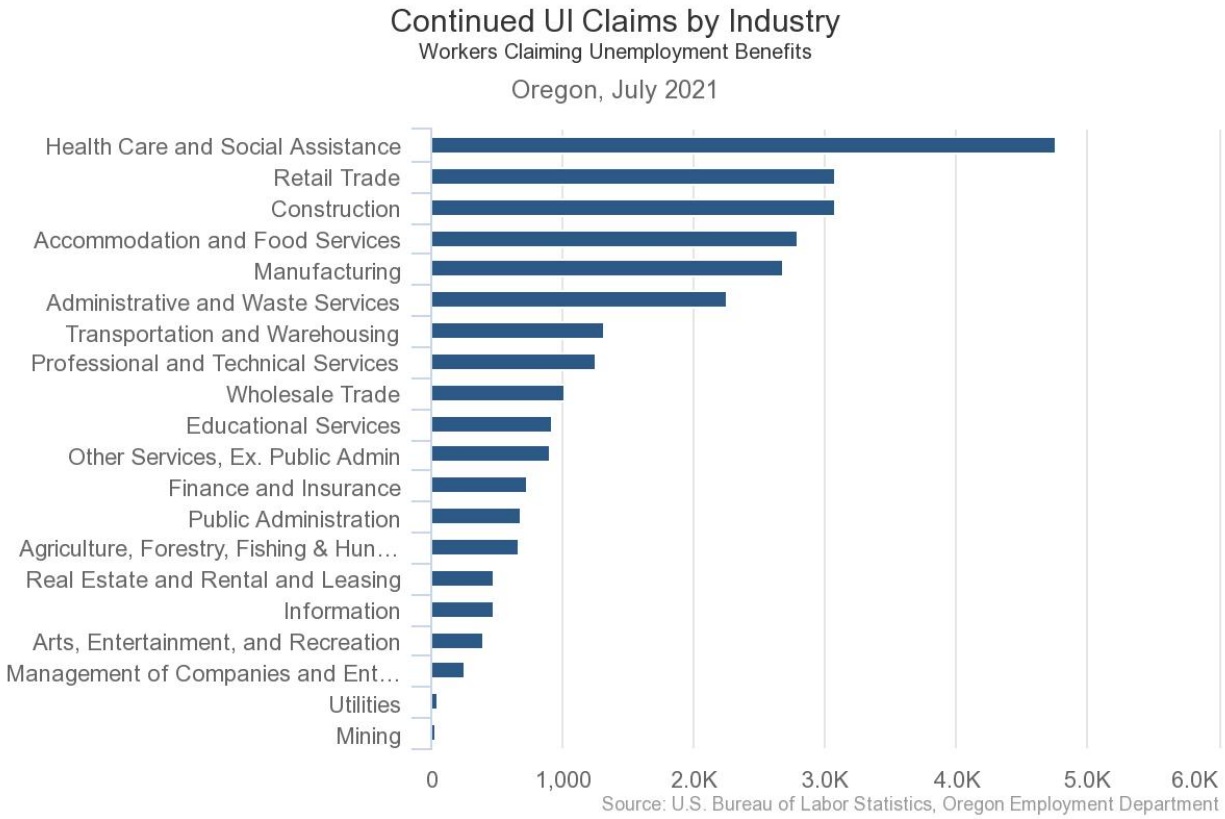
	Total 2019	Percent of Total Employment
Peace Health Corp	5,855	3.77%
University of Oregon	5,573	3.57%
Eugene 4J School District	2,283	1.46%
City of Eugene	1,866	1.20%
U.S. Government	1,747	1.12%
Oregon State Government	1,715	1.10%
Lane County Government	1,678	1.07%
Springfield School District	1,670	1.07%
Lane Community College	1,500	0.96%
McKenzie Willamette Medical	1,066	0.68%
Total Principal Employer	24,982	16.01%

Source: Oregon Employment Department; Eugene Area Chamber of Commerce

The Eugene-Springfield metro area saw a gradual but consistent recovery from the Great Recession of the late 2000s into 2019 and had gained back all of the jobs lost by the end of 2016 with continued unemployment declines into the economic expansion. Not all sectors returned to pre-recession levels, however, most experienced a substantial recovery, including financial activities, construction, manufacturing and information up until the pandemic.

Statewide, Oregon's economy continued to expand through 2019, and per capita personal income was rising. However, in March 2020, the COVID-19 pandemic became a matter of government concern in Oregon. The effect on employment in Oregon was almost immediate.

By the end of March 2020, there were 44,000 weekly unemployment claims processed, with many more pending, compared to 3,600 to 3,700 weekly claims at the beginning of the month.[6] By mid-April 2020 it is estimated that over 300,000 initial unemployment insurance claims were received in the state of Oregon. The most affected industries to date are health care, retail trade, construction and hospitality trade. As of June 2021, the unemployment rate was 5.6% in Oregon and 6.2% in Lane County.



Across the state, the impacts of the COVID-19 recession have been evident, along with a combination of other disruptions that have affected local employers and workers in different ways. The most recent economic forecast from the Oregon Office of Economic Analysis (OEA) indicates "the economy is emerging from a dark winter. The resurgent virus of a few months ago is in full retreat. The outlook brightens with every inoculation. The stage is set for stronger economic growth this year and next than the U.S. has experienced in decades, possibly generations. The combination of increased vaccinations, large and swift federal policy responses, and a more resilient underlying economy, results in a cycle unlike anything experienced before." The OEA further projects "the economy will return to full employment by early 2023, or 6-9 months sooner than expected in previous forecasts."

Transportation

The metropolitan area is served by the Interstate 5 (I-5) freeway, the westernmost interstate freeway system in the U.S., which extends the length of the West Coast. This

6. Sykes, Shawna. "COVID-19 Causes Spike in NW Oregon Unemployment Claims." Worksource Oregon, 4 April 2020, Web.

freeway bisects the metropolitan area from north to south and forms the boundary between Eugene and Springfield. Interstate 105 (I-105), an inter-urban freeway, traverses I-5 connecting Eugene and Springfield. Several major state highways pass through the community and provide a direct route of travel to the major markets throughout the region. The city of Eugene is a major switching area for the Union Pacific and BSNF railroads. Motor freight carriers and the Greyhound bus line also service the metropolitan area. Eugene Airport, also known as Mahlon Sweet Field, is the fifth-largest airport in the Pacific Northwest and the largest non-hub airport in the nation, providing commercial air service to major cities in six western states.[7] The Port of Coos Bay, located 120 miles to the southwest, is the largest deep-draft coastal harbor between San Francisco Bay and Puget Sound, and is Oregon's second-busiest maritime commerce center.[8]

Education

The metropolitan area is served by three school districts: Eugene, Springfield and Bethel, containing a total of 35 elementary schools, three K–8 schools, 15 middle schools, seven comprehensive high schools, four alternative high schools, an international high school program on multiple campuses, three K-12 language immersion programs, and a life skills program. There are six charter schools among the three districts. The area is also served by several parochial and college preparatory schools.

Eugene is the home of the University of Oregon, Lane Community College, Gutenberg College, Northwest Christian /Bushnell University and New Hope Christian College. The University of Oregon (UO) is a four-year state university with an enrollment approximately 23,000 students. UO has earned national and international recognition for excellence in its law school, business, journalism and music colleges, as well as its chemistry, creative writing, psychology and special education programs.

Lane Community College (LCC), a two-year public college, includes general education courses, lower-division college transfer courses, and occupational training. Over 36,000 students take credit or noncredit classes at LCC, which has the third largest enrollment of credit students of the 17 community colleges in Oregon. The main campus is located in south Eugene with a satellite campus located in Downtown Eugene. LCC also offers a Flight Technology Center at the Eugene Airport, community learning centers in Cottage Grove and Florence, and several outreach centers in area high schools and other sites.

Utilities & Community Services

Water and sewerage are provided by local municipalities, while solid waste disposal service falls to various private firms. Eugene Water and Electric Board, Springfield Utility

7. *Eugene Airport Media Guide*, Eugene Airport website, http://flyeug.com.

8. Oregon International Port of Coos Bay, "Navigation & Channel Data," http://www.portfcoosbay.com.

Board, and Northwest Natural Gas serve most areas throughout Eugene and Springfield. The cities have individual police departments and are involved in a phased consolidation of the fire departments, while outlying areas are served by rural fire districts and the county sheriff's department. Three hospitals serve the region. Sacred Heart Medical Center at RiverBend, opened in the Gateway area of Springfield in 2008 by non-profit operator PeaceHealth, is licensed for 338 beds and is the only Level II trauma center in Lane County. Sacred Heart Medical Center University District, a 104-bed specialty hospital, is located near the University of Oregon campus in central Eugene. Since completion of RiverBend, PeaceHealth has invested substantially in the University District hospital. McKenzie-Willamette Medical Center, an investor-owned acute care hospital licensed for 114 beds, is located in the north-central neighborhood of Springfield. Additionally, the State of Oregon opened a 211,000-square-foot, 174-bed state psychiatric hospital in Junction City in 2015.[9] In 2016, the U.S. Department of Veterans Affairs opened a 126,000-square-foot hospital in northeast Eugene. The hospital is estimated to have cost $50 million, and services include surgeries, podiatry and dental care.

Government Controls & Regulations

Eugene and Springfield are both governed by a mayor/city council/city manager form of government. Lane County has a commission form of government with five county commission districts. Eugene is the county seat. Oregon and Lane County rely on income and property tax receipts for school, local, state and general funding; there is no sales tax in Oregon.

Oregon has one of the most comprehensive land use planning systems in the United States. The system was established in the early 1970s as a way to facilitate orderly development, control urban sprawl and preserve farmland. Each local government was required to establish an Urban Growth Boundary (UGB) and develop a plan in which growth outside the boundary cannot take place until the interior of the boundary is filled. The State Land Conservation and Development Commission (LCDC) was established to oversee the process. Local planning departments and commissions retain the authority to direct growth in their respective jurisdictions, and adherence to the goals of the statewide land use planning system varies within in the state. The state Land Use Board of Appeals (LUBA) was established to settle disputes not resolved at the local level. Citizens may challenge local decisions by appealing to LUBA.

Summary & Trends

Eugene and Springfield are typical western American cities in that they were founded on, and still somewhat depend on, resource-based industries. The local economy tends to parallel national and state business cycles and trends and experienced an atypically long expansion period up through early 2020. The United States officially entered a recession in February 2020 after a record period of expansion. The COVID-19 pandemic and public health response resulted in a downturn with different characteristics than prior recessions but the magnitude of the decline in employment and production and broad reach across the nation warranted the designation.

9. Carillo, Angelica. "New psychiatric hospital in Junction City to welcome first patients this week." *KMTR*. 8 March 2015. Web.

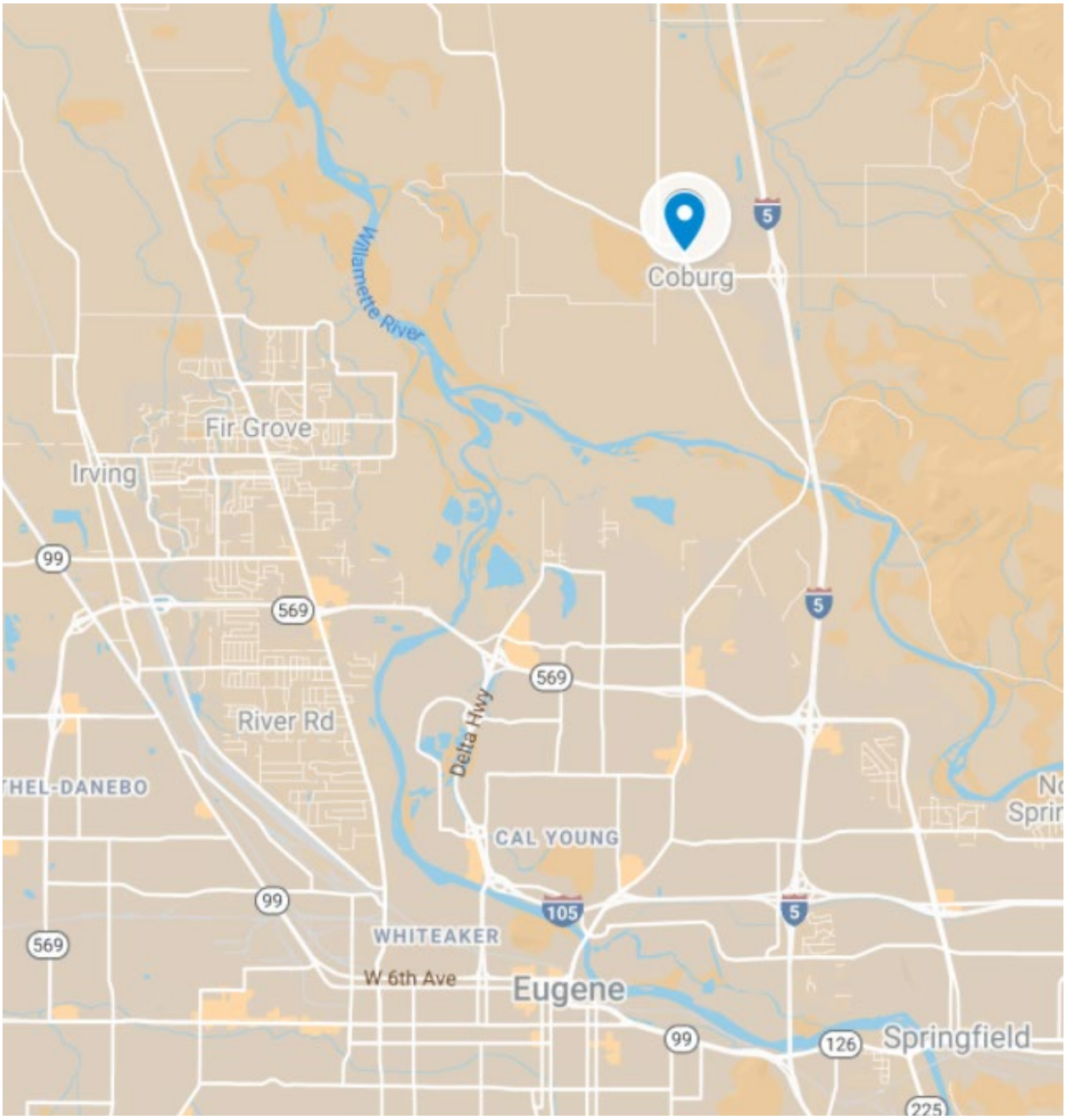
Discussions at the federal and state levels concerning the economy are ongoing and dependent on the recommendations of national and regional health authorities, but the recent full approval of the Pfizer-BioNTech COVID-19 vaccine on August 23, 2021, by the Federal Drug Administration has provided for relief from at-work health risks that initially fueled shutdowns. However, due to the delta variant, new cases and hospitalizations have skyrocketed in many parts of the nation, regardless of vaccination. On August 13, 2021, Kate Brown reinstated the mask mandate indoors for Oregon.

The recovery from pandemic disruption in the commercial real estate market has advanced more rapidly than industry experts expected and is gaining speed even as variants of COVID-19 loom as a potential threat. Unease remains regarding job growth and consumer spending as well as uncertainty regarding upcoming monetary policy decisions, but the amount of property distress across the county is fading faster than the market saw during the Great Recession. Real estate investment trusts have also rebounded strongly.

Historically, real estate values have appreciated and depreciated with the swings of the local economy and the amount of in-migration. Real estate values appreciated over the most recent economic expansion cycle, with higher transaction volume over the past few years as interest rates have remained low. In the near term it is anticipated that the hospitality, retail and office sectors will continue to be perceived as slightly higher-risk property types, with full recovery dependent on the evolution of the pandemic. The near-term outlook for multi-family and industrial properties is for stability in the coming months as the pandemic continues to linger.

CITY MAP

Source: Google Maps



NEIGHBORHOOD MAP

Source: Google Earth

NEIGHBORHOOD DESCRIPTION

Coburg

The subject property is in the city of Coburg in Lane County, Oregon. The area is generally bordered by the Willamette River to the west, the McKenzie River to the south, the I-5 freeway to the east and the north boundary line of Lane County to the north. These boundaries define the area surrounding the subject, but the market area for the subject extends northerly to the center of the Willamette Valley.

The city of Coburg is a small rural community with a population of approximately 1,200 persons, located approximately 2-3 miles north of the McKenzie River and 4-5 miles north of the city of Eugene. The majority of the city is located on the west side of Interstate 5; however, a section of land on the east side of Interstate 5 has been annexed to the city. The following information describes the various land uses and trends in the Coburg area:

Population & Growth

In the decade between the early 1990s and early 2000s, the population of Coburg grew at a relatively high rate, increasing by approximately 30% in that timeframe. In response to governmental regulations, and for purposes of long-term planning, the City of Coburg has completed a population growth estimate for the city for the next 20 years. The population forecast is summarized below and projects an anticipated population growth of 5.32% annually. This chart was extracted from the 2010 Coburg Urbanization Study, as updated by the June 2014 Addendum. The population in Coburg is expected to be 3,363 by 2034, or an increase of 2,260 residents over the 20-year planning period. The forecasts were based on a consideration of long-term demographic trends and Coburg's position for growth as a result of a new wastewater treatment system.

Table 4.1 Population Growth 2010-2030

	2010 Coordinated Population	Adopted 2010-2030 AAGR	Coordinated Population UGB Total	Change 2010 - 2030
Coburg	1,103	5.32%	3,363	2,260
Lane County	*333,350*	*0.88%*		

Commercial Development

Commercial development is generally located along the east and west sides of Coburg Road/Willamette Street through the center of the city. Commercial developments are relatively limited in terms of scope, consisting primarily of smaller retail stores (older homes converted to antique stores), a small grocery store, and several office facilities. Due to the proximity of Coburg to the Eugene/Springfield area, resulting in easy access to larger commercial facilities, commercial growth in Coburg is expected to be relatively slow. Significant changes in population will tend to increase commercial development and with the relatively recent completion of a wastewater treatment center, Coburg is in a much better competitive position to attract potential commercial users. There are a

number of interchange-related commercial developments located directly off Interstate 5. These developments are primarily related to interstate thru-traffic, catering to food and fuel needs. The area is the new home to Serenity Lane Health Service's 15-acre campus on Coburg Industrial Way. The facility has approximately 90,000 square feet of building space spread among nearly a dozen facilities, including residence halls, a dining area, hospital services, a family and children's area and a small outdoor amphitheater.

Industrial Development

The Coburg industrial area is located adjacent to the Interstate 5 freeway at the northeast portion of the city. Industrial development in the area includes the former Monaco RV manufacturing facility (now the Coburg North Industrial Park) and other industrial properties including a luxury motorcoach manufacturer (Marathon Coach), heavy equipment/commercial truck repair facilities, as well as RV sales and storage lots and construction contractors.

Coburg's economic well-being was historically tied to the RV industry prior to the "Great Recession." The luxury RV sector experienced a significant decline during the recession. Monaco Coach, one of the largest RV manufacturers in Coburg with 3,000 employees, filed for Chapter 11 bankruptcy protection in March 2009. After a long furlough, 2,000 employees were terminated. Illinois-based Navistar International purchased Monaco in June 2009 and re-opened the Coburg production plant. In March 2012, Monaco announced that it would be halting production of motorized RVs in Coburg and consolidating that manufacturing in its Indiana plant, resulting in 255 layoffs by April 2012. The former Monaco Coach facility was purchased by a local developer in 2012 and has since been converted into an industrial condominium development (Coburg North Industrial Park) with the individual buildings in the park being offered for sale or lease. The industrial park has reemerging as a hub for local commerce as there have been several businesses located in the park since the 2012 acquisition.

There is also a significant amount of activity occurring outside of the industrial park with recent construction of a trucking facility and retail Camping World "Super Center" on Roberts Road. The business will sell new and used motor homes and towables, including Holiday Rambler, Monaco, Winnebago and other brands, offer maintenance and repair, and sell camping accessories.

Residential Development

Residential development in Coburg has followed the trends in other small rural communities near the Eugene/Springfield metropolitan area. As home prices increased in Eugene/Springfield, many home buyers looked to close-in outlying rural areas such as Coburg, Junction City, Veneta, Cottage Grove and Creswell. Coburg, one of the closer smaller rural towns in the Eugene/Springfield area, subsequently saw significant growth in population, which was followed by a relatively rapid development of vacant residentially zoned land, primarily for single-family residential housing.

A significant portion of the existing housing stock in Coburg is relatively old, dating back to 1900. There are numerous historical dwellings in the Coburg area, and the new construction within the city has attempted to complement the style of the older historic dwellings. Most of the newer single-family residential construction in Coburg occurred

in three areas of the city. New two-story homes of above average to good quality were constructed along Vintage Way and Christian Way in southwest Coburg. A new housing development was also constructed in northeast Coburg near Shane Street, just west of the Coburg Industrial Park. There was also a significant amount of single-family rural residential development, particularly east of I-5 and north/south of Van Duyn Road. A gated rural community was established in the 1980s and has seen significant success with large custom homes.

Cloud 9 Ranch located on the south side of Van Duyn and approximately 2 miles of Interstate 5 was developed in approximately 1999-2000 and experienced significant demand, generating very high prices for rural homes sites approximately 10 acres in size. Diamond Ridge is the most recent rural residential development in this area.

Multi-family residential development in Coburg is generally limited to duplexes and other similar multi-family structures. There are no standard apartment complexes located in Coburg. The Urbanization Study projected the number of new housing units needed over the 20-year planning period and made suggestions regarding development density.

Transportation

Primary access to the city of Coburg is via the Van Duyn exit off Interstate 5 or via Coburg Road. A $2.2 million I-5 interchange improvement project at Industrial Way in Coburg was completed in July 2013. The project was designed to improve the efficiency and safety of travel on Pearl Street, Coburg Industrial Way, and Roberts Road in Coburg. In addition, the project improved drainage and water treatment for run-off from the roadways by installing water quality facilities and improved the bicycle/pedestrian facilities allowing for connectivity to the Coburg Loop Path. ODOT and the Coburg Transportation System Plan identify several additional improvements to the interchange over the next 20 years, including complete replacement of the I-5 bridge and further improvements to the interchange ramps. Lane Transit District offers a bus route between Coburg and downtown Eugene with stops at the Coburg North Industrial Park and downtown Coburg.

Public Facilities

The City of Coburg provides water to the majority of the properties within the existing city limits and operates several community water systems located in small rural subdivisions just north of Coburg. Electric service is generally provided by Emerald People's Utility District.

The City of Coburg completed construction of a new $26.5 million sewer system in the spring of 2013. As of August 2014, the connection to the new wastewater project was complete. The new system, the Septic Tank Effluent Pump, or STEP system, collects the wastewater and sends it to a treatment plant through pressurized lines. At the plant, a membrane bioreactor system treats the wastewater before it is released back into the environment. The sewer system utilizes an on-site liquid wastewater treatment facility and treats solid waste at another facility. Prior to the new sewer system, properties operated on private septic systems, which created a number of issues relating to groundwater pollution.

Summary

Overall, Coburg is poised for substantial growth with the new sewer system in place. As the cities of Eugene and Springfield have grown and land has become more scarce and less affordable, growth pressure has been placed on the smaller surrounding communities, all of which saw rapid development in the residential market sector prior to the most recent recession and are projected to see increased development moving forward given the strong residential market. From a demand perspective, Coburg is much closer to the Eugene-Springfield metropolitan area than the other competing communities, and demand for additional development will likely be higher than in surrounding rural areas.

PROPERTY DATA

Legal Description

A Preliminary Title Report was not provided. Parcel 1 is a portion of Tax Lots 1801 & 2001 on Map 16-03-32-11 which will be assembled with an adjacent parcel as part of the land swap (see hypothetical condition). A copy of the survey for the proposed configuration of Parcel 1 is included within the Addenda of this report. Parcel 2 is identified by the Lane County Department of Assessment and Taxation as Map 16-03-33-23, Tax Lot 2500.

History and Ownership

According to Lane County records, Parcel 1 is owned by *City of Coburg*. Parcel 2 is owned by *Shepard Investment Group, LLC*. There have been no sale transactions involving ownership of either parcel in the past five years that would be indicative of market value.

Present Use

Parcel 1 is utilized as parking for the building on Tax Lot 2001 (City owned). Parcel 2 is vacant land.

Tax and Assessment Data

Owners of real and business personal property pay property taxes according to the assessed value of taxable residential, commercial, farm, industrial, utility and timber property. County assessors use permanent rates set for all taxing districts in fiscal year 1997-98, when taxes were significantly reduced with a statewide average 17% cut in tax levies. Certain types of levies are outside this reduction. The tax rates cannot exceed $15 per $1,000 of real market value. For 1997-98, all property was valued by county assessors at 90% of the July 1, 1995, levels. For subsequent years, assessed values are limited to a 3% annual growth rate. Construction since July 1, 1995, is valued at the average rate of similar properties in the area. One-third payment is due by November 15. If fully paid by November 15, a 3% discount is allowed. Special exemptions, tax relief programs and deferrals are available. The certified real market value, assessed value, and taxes by the Lane County Department of Assessment and Taxation are as follows for Parcel 2. Parcel 1 does not have assessment information as a hypothetical parcel.

Tax and Assessment Data 2020-2021						
Tax Lot	*Account*	*Land*	*Improvements**	*RMV Total*	*Assessed*	*Taxes*
2500	0043206	$135,597	$0	$135,597	$80,284	$1,346.54

Pertinent Conditions of Title

A Preliminary Title Report was not provided. Upon physical inspection of the subject parcels, no easements, encroachments, or encumbrances were noted that would have a negative impact on the subject sites when compared to competing properties. ***A specific assumption of this report is that no negative easements affect the subject property. If questions arise regarding easements, encroachments, or other encumbrances, further research is advised.***

SUBJECT PHOTOGRAPHS

Photographs Taken by Zoe R. Swartz, MAI on August 20, 2021

Viewing south across Parcel 1.

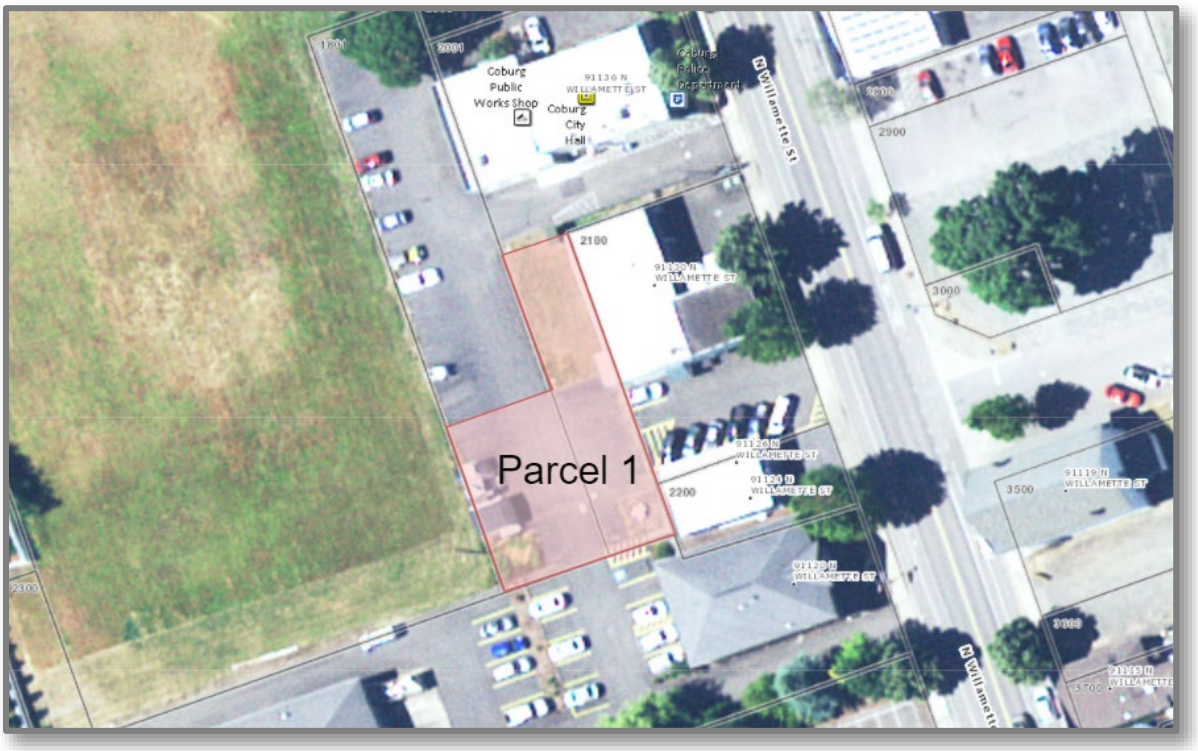
Viewing north across Parcel 1.

Viewing west across Parcel 2.

Viewing east across Parcel 2.

SITE DESCRIPTION

Parcel 1: Map 16-03-32-11 Portions of Tax Lot 1801 & 2001



Site Size: Parcel 1 is an 0.20-acre hypothetical parcel, according to the provided survey. Parcel 1 is a portion of two larger tax lots owned by the City of Coburg (Tax Lots 1801 & 2001 on Map 16-03-32-11). Based on the survey, the site size is 8,529 square feet.

Shape/Topography: The site is "L" shaped, level, and at-grade with surrounding properties.

Abutting Properties: A large vacant commercial tract of land is located directly east of the property, followed by residential developments. City Hall and the Police Department are located to the north and commercial developments are located to the west and south.

Utilities: All public utilities are available to the subject property. Wastewater services for properties in Coburg are provided by Septic Tank Effluent Pump Systems (STEP Systems), where wastewater flows from buildings to a septic tank on the property. The tanks have electric pumps that pump the liquid wastes out of the tank into a city-wide collection system. The Coburg Public Works Department maintains and operates a public, potable water system comprised of two wells, a

booster pump station capable of supplying 3,500 gallons per minutes for fire flow to the industrial area, and two 500,000 gallon above ground storage tanks. The system has approximately 450 residential connections and 70 commercial connections.

Exposure & Frontage: The site has no traffic exposure or frontage.

Accessibility: There is no independent access to Parcel 1. General access and freeway access are good at the subject's location.

Flood Hazard Area: According to FEMA Flood Insurance Rate Map, Community Panel No. 41039C0639F, effective June 2, 1999, the subject property is in Zone X, areas determined to be outside the 500-year flood.

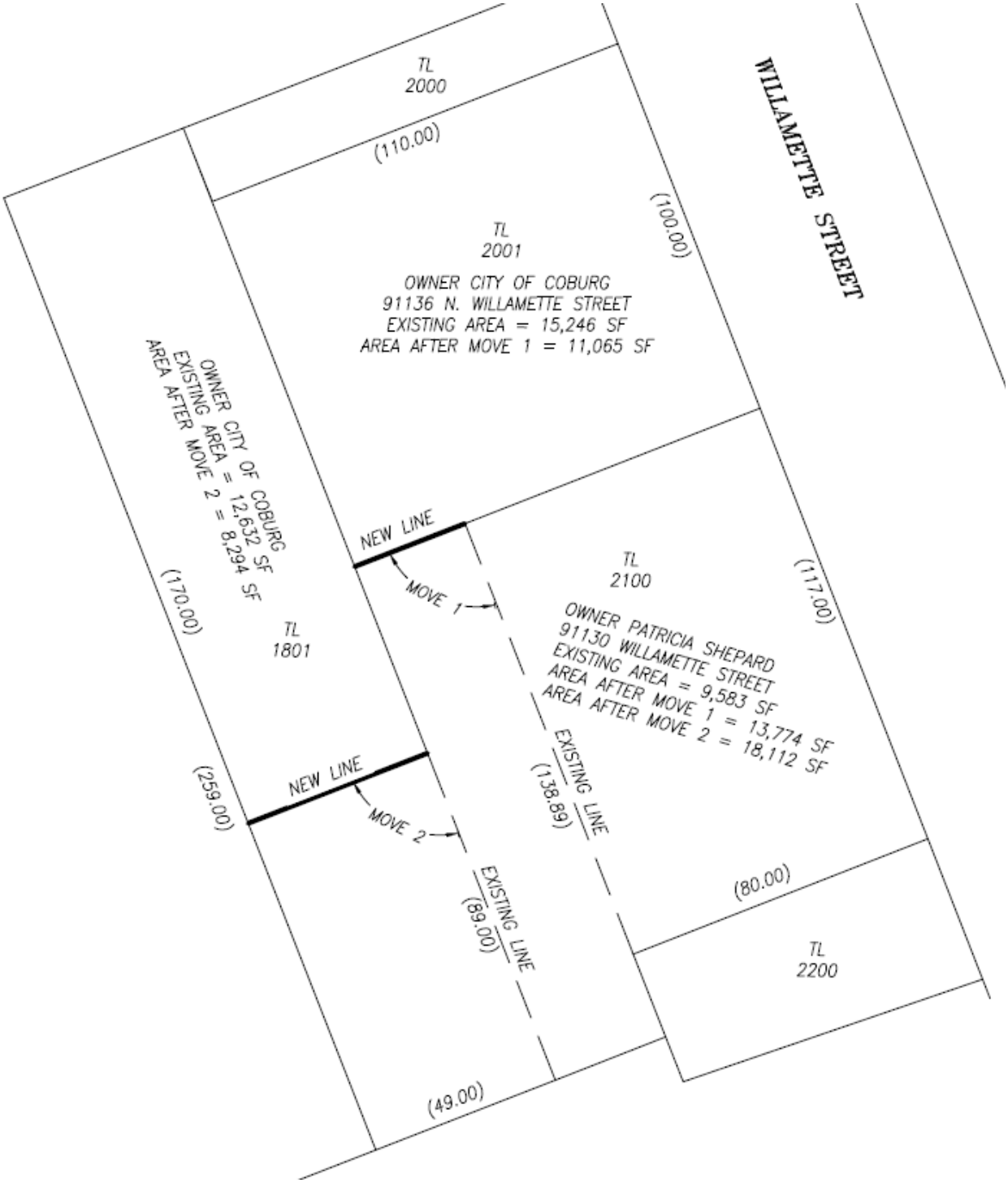
Hazardous Wastes: An environmental site assessment of the subject property was not provided. The assignment results are predicated on the assumption that there are no hazardous wastes on or in the property that would cause a loss in value. No responsibility is assumed for any environmental conditions or for any expertise or engineering knowledge required to discover them. The appraiser's descriptions and resulting comments are the result of the routine observations made during the appraisal process. ***It should be understood the appraiser is not an expert in this field and if there is further concern regarding hazardous materials, further research is advised.***

Site Rating: Overall, the subject is rated as a below average commercial site with good overall location in Downtown Coburg but below average exposure and no independent accessibility.

Site Improvements: Site improvements include asphalt paving with striped parking and grass areas. A small shed (personal property) is also included on the subject property but is not considered in this analysis.

SURVEY

Provided by Client



ABUTTING PROPERTY DESCRIPTIONS

Across the Fence Value Site(s)

Site Size: The surrounding properties include the larger parcel owned by the City (0.69 acres), the commercial properties directly east (0.22 acres & 0.07 acres) and the commercial property directly south (0.83 acres).

Zoning: Surrounding sites are zoned C-1, Central Business District with H, Historic and X, Architecturally Controlled Area overlays.

Shape/Topography: The surrounding property shapes vary. The larger parcel is "L" shaped, the two commercial properties to the east are rectangular and the property to the south is irregular in shape. Each site is level and at grade with surrounding properties.

Exposure & Frontage: Each surrounding property has frontage and exposure to N. Willamette Street.

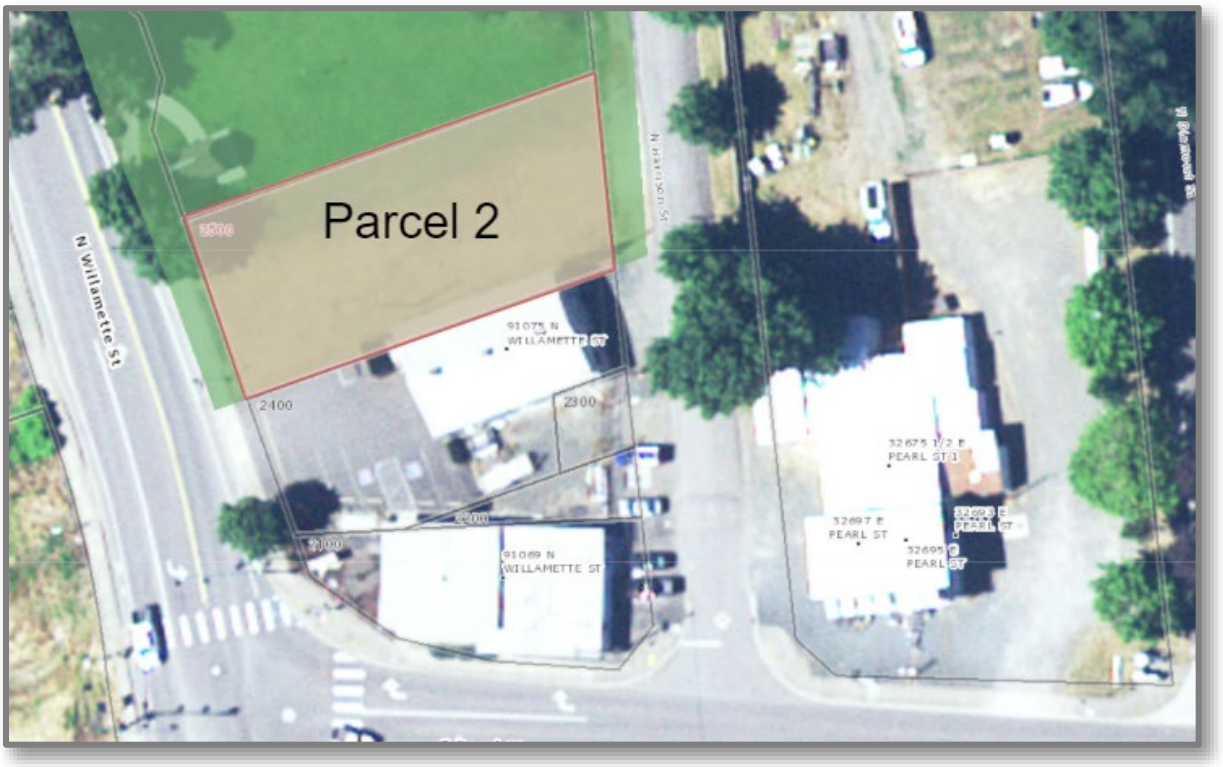
Accessibility: Each surrounding property has access to some degree from

N. Willamette Street; each with single-street access.

Flood Hazard Area: According to FEMA Flood Insurance Rate Map, Community Panel No. 41039C0639F, effective June 2, 1999, the surrounding sites are in Zone X, areas determined to be outside the 500-year flood.

SITE DESCRIPTION

Parcel 2: Map 16-03-33-23, Tax Lot 2500



Site Size: Parcel 2 is 0.23 acres or 10,019 square feet, per Lane County records.

Shape/Topography: The subject site is nearly rectangular, level, and at grade with surrounding properties.

Abutting Properties: The Pavilion Park, owned by the City of Coburg, is located to the north. Commercial development is located to the south and across N. Willamette Street to the west. N. Harrison Street is located directly east.

Utilities: All public utilities are available to the subject property. Wastewater services for properties in Coburg are provided by Septic Tank Effluent Pump Systems (STEP Systems), where wastewater flows from buildings to a septic tank on the property. The tanks have electric pumps that pump the liquid wastes out of the tank into a city-wide collection system. The Coburg Public Works Department maintains and operates a public, potable water system comprised of two wells, a booster pump station capable of supplying 3,500 gallons per minutes for fire flow to the industrial area, and two 500,000 gallon above ground storage tanks. The system has

approximately 450 residential connections and 70 commercial connections.

Exposure & Frontage: The site has exposure to N. Willamette Street and N. Harrison Street.

Accessibility: Access is available from both N. Willamette Street and N. Harrison Street. General access and freeway access are good at the subject's location.

Flood Hazard Area: According to FEMA Flood Insurance Rate Map, Community Panel No. 41039C0639F, effective June 2, 1999, the subject property is in Zone X, areas determined to be outside the 500-year flood.

Hazardous Wastes: An environmental site assessment of the subject property was not provided. The assignment results are predicated on the assumption that there are no hazardous wastes on or in the property that would cause a loss in value. No responsibility is assumed for any environmental conditions or for any expertise or engineering knowledge required to discover them. The appraiser's descriptions and resulting comments are the result of the routine observations made during the appraisal process. ***It should be understood the appraiser is not an expert in this field and if there is further concern regarding hazardous materials, further research is advised.***

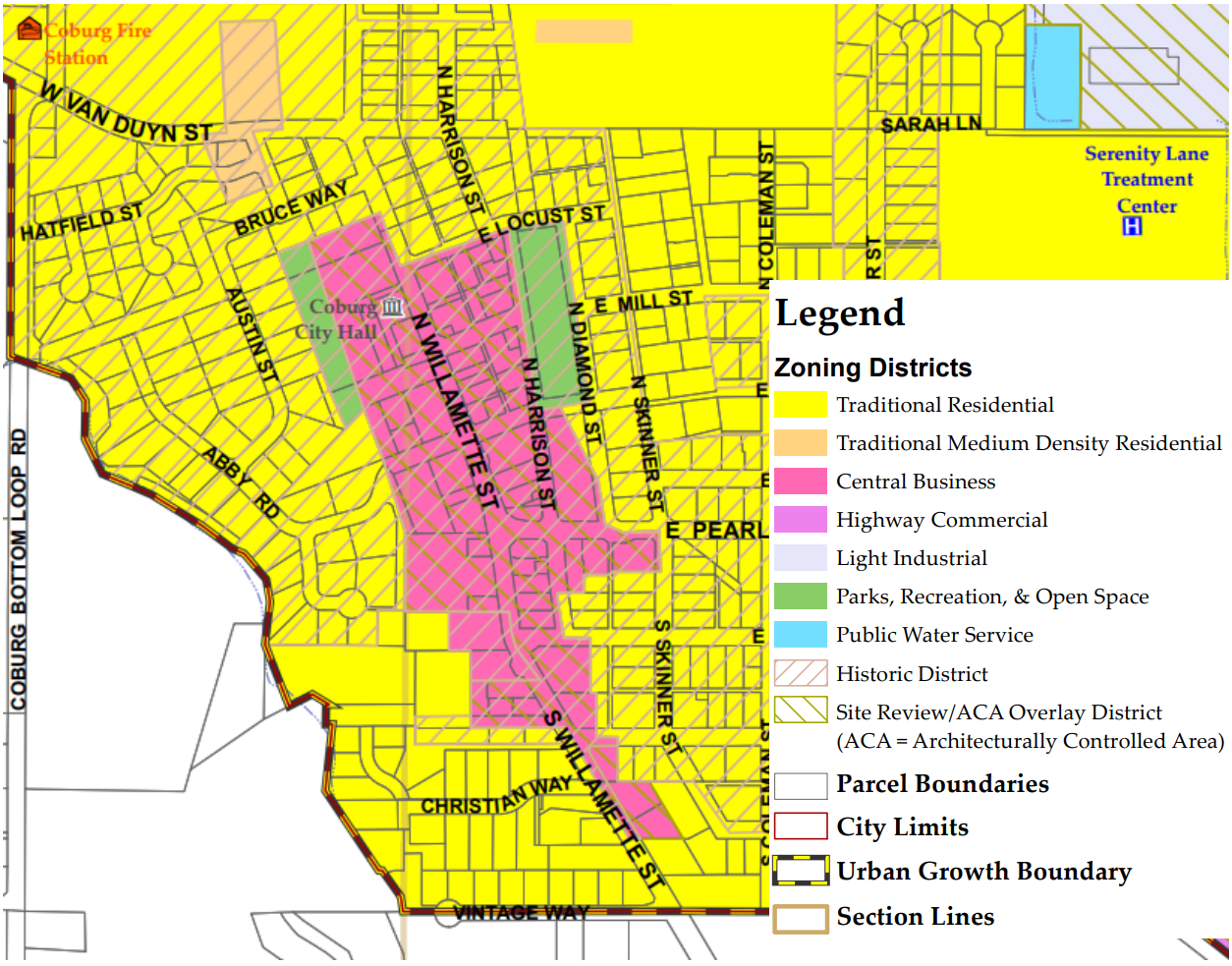
Site Rating: Overall, the subject is rated as a good commercial site with excellent exposure and good accessibility from two streets in the Downtown Coburg area.

Site Improvements: There are no site improvements.

ZONING ANALYSIS

City of Coburg

The properties are each zoned C-1, Central Business District with an H, Historic and X, Architecturally Controlled Area overlay. The following is a summary of the zoning ordinance extracted from the City of Coburg Development Code, amended November 2019. The sites are also ach designated by the City of Coburg Comprehensive Plan as Central Business District sites. Updates to the City of Coburg Development code are in progress but have not been codified as of the date of value. Based on conversations with a member of the sub-committee responsible for making recommendations for the proposed amendments, many of the proposed changes relate to design requirements to ensure preservation of the City's character, rather than any expansion or reduction in allowable uses within the zone.



Central Business District (C-1)

1. Purpose. The Central Business District is intended to preserve and enhance the downtown area as the historic heart of the community. Coburg's downtown is the

community's central location for commercial services, civic functions and mixed use. The district regulations are intended to ensure the downtown reflects the small town and historic character of Coburg, and provides an attractive, pedestrian-oriented setting.

2. Uses and Structures
a. Permitted Principal Uses and Structures (subject to Site Design Review provisions in ARTICLE XI)

(1) Business and Professional Offices
(2) Civic uses and facilities such as government offices and facilities, libraries, community centers and fire stations
(3) Clubs, Lodges, Fraternities and similar uses
(4) Mixed-use development (a residential use with another permitted use), subject to standards in Article VIII.
(5) Personal services(e.g., childcare, catering/food services, restaurants, dry cleaners, barbershops and salons, and similar uses) up to a 10,000 square-foot footprint.
(6) Public parking lots and structures
(7) Public parks, playgrounds and recreational facilities
(8) Retail and Wholesale Stores and Shops provided that: (i) Yard setbacks and other open areas shall not be used for the storage of business inventory, merchandise, equipment, or building materials, or for any scrap or salvage operation, storage or sale. (ii) The footprint of the building is no larger than 10,000 square feet. (iii) For wholesale uses: The ground floor facing the principal commercial street shall be used only for commercial sales or business or professional offices.
(9) Banks, lending and financial institutions, without drive-up facilities
(10) Existing agricultural, horticultural, and livestock uses(no new uses). Agricultural, horticultural, and livestock uses in operation on the effective date of this Code shall be deemed nonconforming uses and shall continue to operate subject to the provisions of ARTICLE VI of this Code.
(11) Single-family Dwellings on individual lots with frontage on a local or collector street, or on individual lots with frontage on an arterial street where the single-family dwelling existed before January 1, 2018.
(12) Except as prohibited under subsection c. below, multi-family dwellings subject to the design standards of ARTICLE VIII.L.4
(13) Mobile food carts, subject to obtaining a business license and certain standards in ARTICLE VIII.N

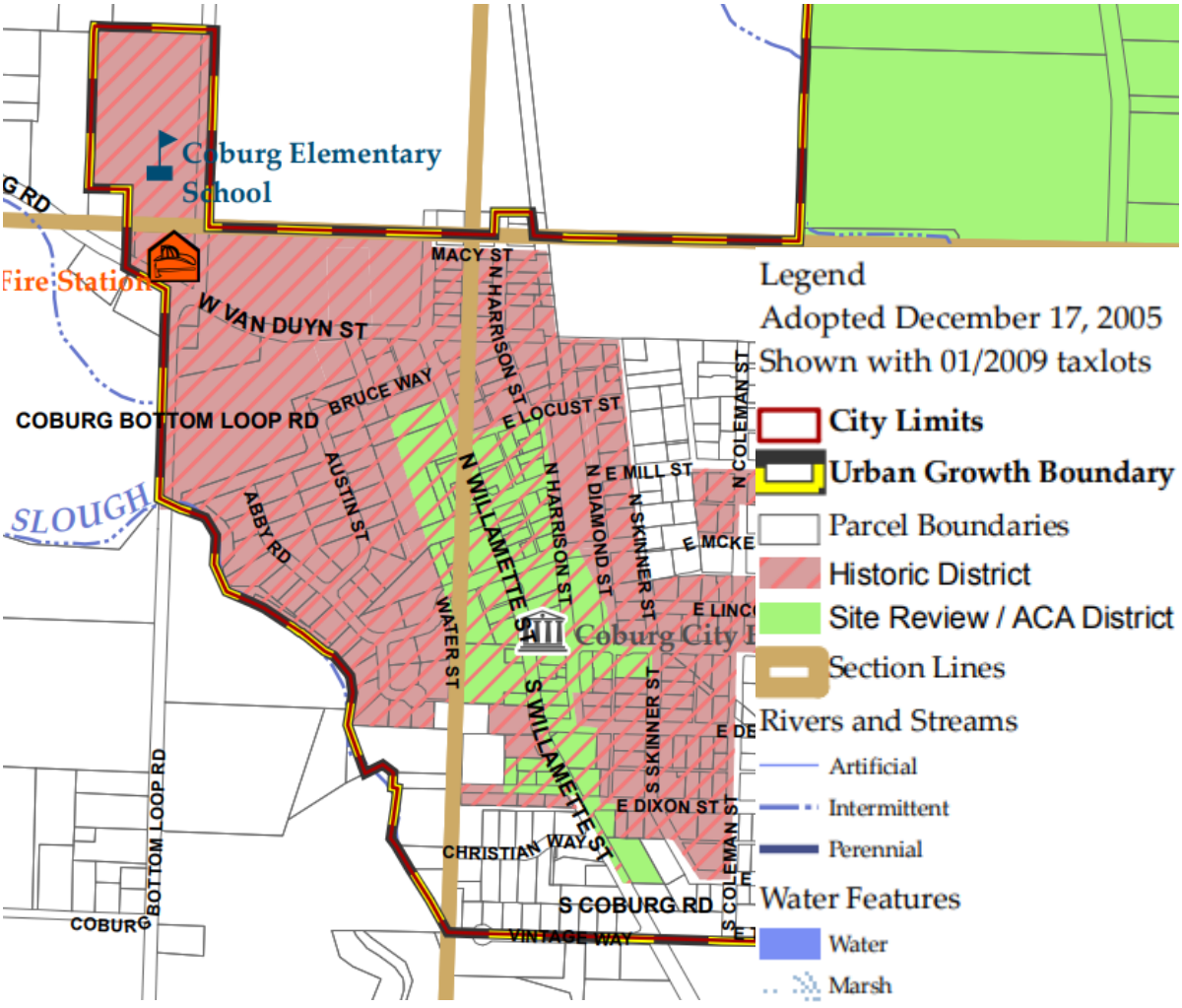
b. Permitted Accessory Uses and Structures
(1) All accessory uses normal and incidental to the uses permitted in this district.

c. Conditional Uses. The following uses require a conditional use permit under the procedure, criteria, and standards of ARTICLE X.III.

(1) Amusement establishments
(2) Clinics and laboratories, including animal clinics except that animals may be boarded overnight only when being medically treated in the clinic
(3) Places of worship and accessory activities and facilities, except rescue missions or temporary revivals, which are prohibited
(4) Small-scale manufacturing or processing, provided that the front 25 feet of the building's ground floor facing the principal commercial street shall be used for commercial uses or business or professional offices

(5) Farmers' markets
(6) Drive-up, drive-in and drive-through uses not related to food service or alcoholic beverage sales, which are prohibited; subject to the standards in ARTICLE VIII.Q.
(7) Alteration or demolition of identified historical resource as listed in the Coburg Comprehensive Plan and/or in Article IX
(8) Drinking Establishments not including restaurants and alcohol beverage sales

d. Prohibited Uses
(1) New Manufactured Dwelling Parks
(2) New agricultural, horticultural, and livestock uses
(3) New vehicle service and gasoline stations
(4) Drive-up, drive-in and drive-through facilities related to food service or alcoholic beverage sales
(5) Schools
(6) Any permitted or conditional use that creates odor, dust, smoke, noise, or vibration that is perceptible beyond the property boundaries
(7) Ground-floor multi-family dwellings facing Willamette Street
(8) All uses not listed as permitted, accessory, or conditional use



A.

Architecturally Controlled Areas
Any portion of any district may be designated for nominal architectural control wherein such controls are essential to scenic preservation or the stabilization of land values. Such areas shall be designated on the Official Zone Map by the district symbol, followed by 'X'. Within such areas an applicant for a construction permit must first have preliminary plans, specifications, and uses approved by the Planning Commission. Said plans, specifications and uses must be filed with the construction permit application at least 15 days prior to a scheduled Planning Commission meeting.

B. Site Review Permit
All architecturally controlled areas require a site review permit as set forth in Article IX. Land Use Review and Site Design Review, Section C Land Use Review Criteria and Procedure [administrative amendment to implement Ord. A-200B, 01/08/08

11. Historic Building Design
The following historic building exterior design elements are required for all new construction and major renovations in order to maintain and improve the historic storefront character of the downtown. Historic Structures are also subject to the conditional use criteria in Article XIV.

a. Decorative doors, transom and clerestory windows.
b. Windows with trim comparable in style to that commonly used on other historic buildings in the C-1 district.

c. 40-80 percent of ground floor façade facing the street, measured horizontally, shall have windows. The lower edge of these windows shall be no more than 30 inches above the sidewalk.

d. The pitch and style of rooflines shall be comparable to existing historic rooflines, such as a 4 in 12 pitch.

e. Surface detailing is required for blank walls (permitted on non-street facing facades only) and shall include offsets, windows, siding, murals, or other similar features.

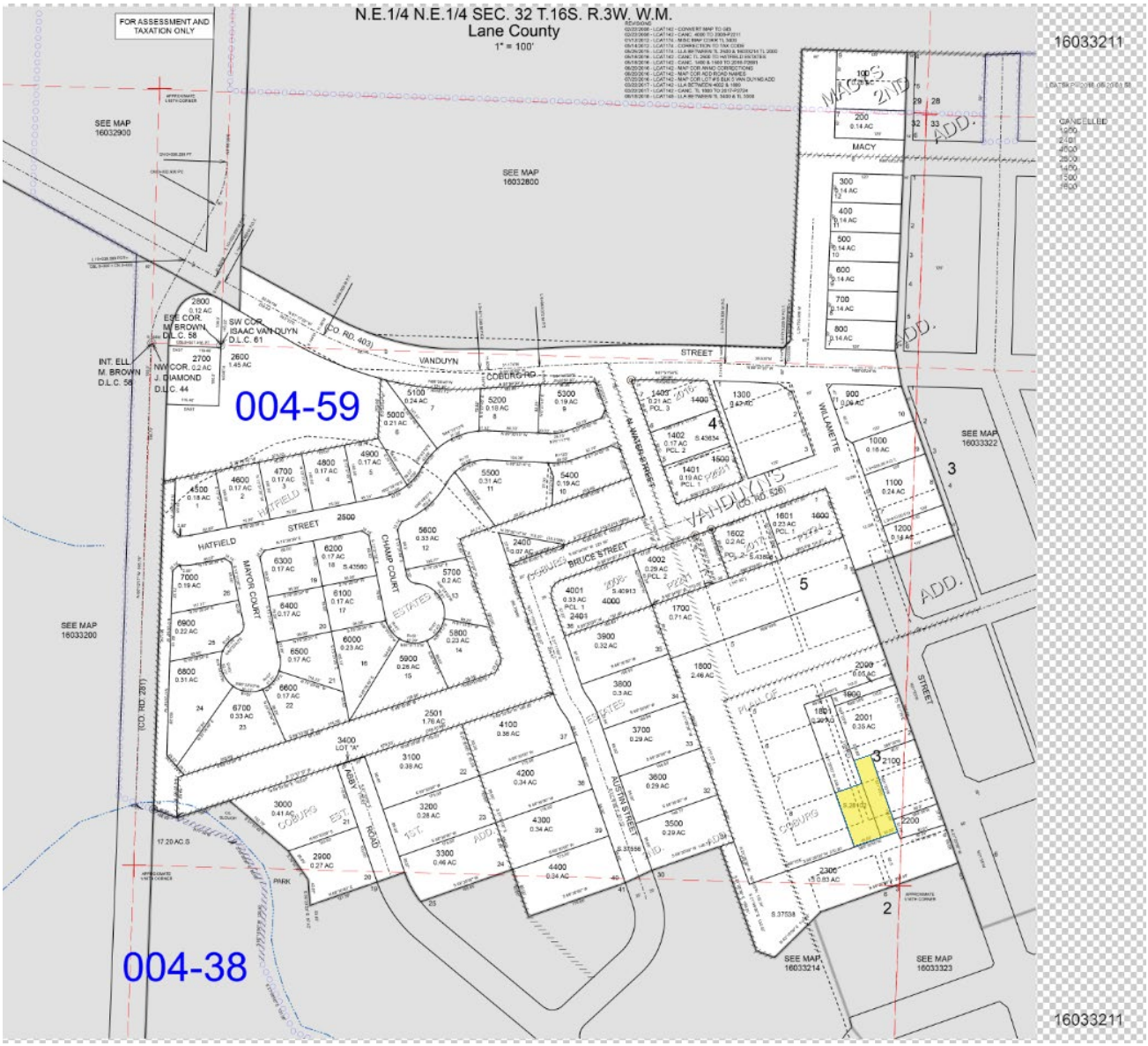
f. Weather protection for pedestrians (awnings or canopies). Lighted or bubble awnings are not allowed.

Additional Information

The development code, which includes building standards and permitted uses, is available on the City of Coburg's website:
https://www.coburgoregon.org/sites/default/files/fileattachments/planning/page/133/ord_a-200-i_development_code.pdf

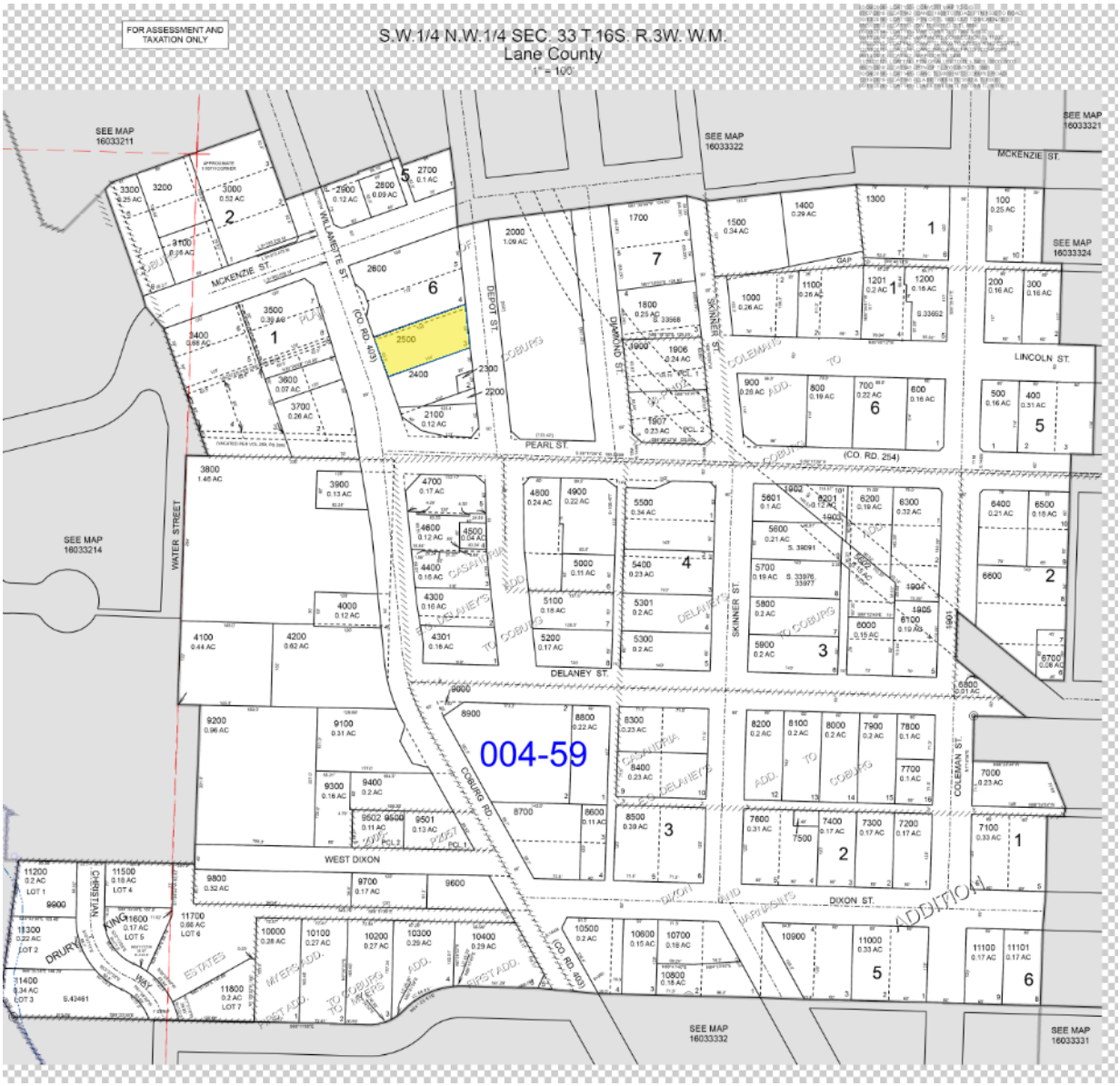
PLAT MAP

Parcel 1: Lane County



PLAT MAP

Parcel 2: Lane County



Highest and Best Use

Parcel 1

The term *Highest and Best Use* was previously defined, and the definition applies specifically to the highest and best use of land. To pass the test of highest and best use, a property use must be legally permissible, physically possible, and financially feasible or marketable. Therefore, in the measurement of highest and best use, the ability of the subject property to meet these criteria was analyzed. The legal considerations primarily focus on the zoning of the site, which is C-1, Central Business District with an H, Historic and X, Architecturally Controlled Area overlay. The site is also designated by the City of Coburg Comprehensive Plan as Central Business District. The zoning permits for a wide range of commercial uses including business and professional offices, mixed use with a residential component, public parks, retail and wholesale, banks, and some provisions for single-family dwellings with frontage on a local or collector street on individual lots. However, the site could not be developed independently with a new structure given the lack of access and street frontage. The site could legally continue as a parking lot or be combined with an adjacent site for further development.

The physical characteristics and location of the subject have been previously described. The site has no exposure or access as a stand-alone parcel. Given its legal and physical characteristics with no reasonable legal access, there is no identifiable economic use or independent site value. As such, the most likely use is for assemblage with an adjacent property. The subject property has several adjacent sites to which it could be assembled for an economic use, including the undeveloped land to the west, the larger parcel (City owned), and the three commercial sites bordering the west and south. Without legal access to the subject, physical uses would be limited to providing added utility either as parking or future expansion/development area to adjacent uses. For appraisal purposes, an economic use must be identified. The legal and physical characteristics of the subject property suggest assemblage with an adjacent property as indicated above. Given the shape, size and configuration of the site, the greatest assembly benefit would be with an already improved parcel rather than the vacant land to the west, as this would provide the highest utility as added parking areas to these improved parcels. There is good demand and need for parking in the Downtown Coburg area.

Assembling the subject property is not essential to the existing or potential uses of the adjacent properties but would provide some benefit for the existing and potential future uses of each parcel. Therefore, the highest and best use of the subject property is concluded to be for assemblage with an adjacent property for continuation as supportive parking, with recognition of the potential for future development as a component of one of the adjacent parcels (expansion of the existing use or redevelopment). Given that there are several potential adjacent properties which could benefit from assemblage, a bi-lateral monopoly does not exist and there would be a true market for assemblage. A bilateral monopoly is “a market in which a single seller (a monopoly) is confronted with a single buyer (a monopsony).” The maximally productive use of surrounding properties, as-if vacant, would be commensurate with the maximally productive use discussed on the following page for Parcel 2; that being a mixed-use development maximizing the permitted residential component and density.

Highest and Best Use

Parcel 2

The term *Highest and Best Use* was previously defined, and the definition applies specifically to the highest and best use of land. To pass the test of highest and best use, a property use must be legally permissible, physically possible, and financially feasible or marketable. Therefore, in the measurement of highest and best use, the ability of the subject property to meet these criteria was analyzed.

The legal considerations primarily focus on the zoning of the site, which is C-1, Central Business District with an H, Historic and X, Architecturally Controlled Area overlay. The site is also designated by the City of Coburg Comprehensive Plan as Central Business District. The zoning permits for a wide range of commercial uses including business and professional offices, mixed use with a residential component, public parks, retail and wholesale, banks, and some provisions for single-family dwellings with frontage on a local or collector street on individual lots. Multi-family development is permitted with no specific density requirements, but ground floor units are not permitted fronting N. Willamette Street (i.e., a mixed-use would be required for any multi-family development, with some small commercial component at the street frontage).

The physical characteristics and location of the subject have been previously described. The site has good exposure and accessibility to both N. Willamette Street & N. Harrison Street but with a low frontage to depth ratio. The site is surrounded predominately by commercial uses with a public park to the north. The site would be suitable for a wide range of commercial and mixed uses. The Coburg area has limited land available for development and residential units have grown and are projected to continue to grow as public utility services are improved and expanded. The area will continue to have demand for community commercial uses and demand for additional housing units given the charm and appeal of the City as well as the location near Eugene and within commuting distance to Corvallis and several other bedroom communities. Given high construction costs, particularly given the design requirements in the Coburg code, outright commercial development is generally not feasible as of the current date, but multi-family development has remained feasible in most areas due to high demand and resulting low vacancy and high rent levels.

Given the location, frontage, accessibility and demand in the market, the maximally productive use would be a mixed-use, maximizing the allowable residential component but taking advantage of the central commercial location and satisfying the requirement for commercial use fronting N. Willamette Street.

Application of the Approaches to Value		
Cost Approach	Sales Companion Approach	Income Capitalization Approach

The next portion of this appraisal process deals directly with the valuation of the property. The appraisal process that is applied to most real estate properties is designed to evaluate all factors that influence value. Regional and neighborhood information has been presented to inform the reader of general outside influences that may affect value. In addition, the subject property has been described in detail. The Highest and Best Use section has been provided to evaluate the effect of legal, physical, and market considerations that influence the use of the property.

The Cost Approach is based upon the principle that the value of the property is significantly related to its physical characteristics and that no one would pay more for a project than it would cost to build a like project in today's market on a comparable site. In this approach, the market value of the site is estimated and added to the estimated value of the improvements.

The Sales Comparison Approach is based on the principle of substitution. This principle states that no one would pay more for the subject property than the value of a similar property in the market. In active markets with a reasonable number of physically similar comparable sales, this approach is generally considered to be a good indicator of value.

The Income Approach is based on the premise that commercial properties are income-producing, and that investors purchase these properties based on their income-producing ability. In the Income Approach, market rent is established for the subject property, net operating income (NOI) is calculated by deducting typical operating expenses and a market-derived capitalization rate is applied to convert the estimate of NOI into value.

Valuation Process

The Sales Comparison Approach was used to develop the opinion of market value for the subject property. The Cost Approach and Income Approach are not applicable and were not developed.

The valuation of Parcel 1 will be based upon an analysis of the "Across the Fence" value of adjacent properties. Given that there are several potential adjacent properties which could benefit from assemblage, a bi-lateral monopoly does not exist and there would be a true market for assemblage. A bilateral monopoly is "a market in which a single seller (a monopoly) is confronted with a single buyer (a monopsony)." The across the fence value is concluded based on the approximate per square foot land value of the surrounding properties. No discount is warranted in the absence of a bi-lateral monopoly.

SALES COMPARISON APPROACH

The Sales Comparison Approach is based on the principle that an informed purchaser would pay no more for a property than the cost of acquiring an existing property with the same utility. In active markets with many physically similar comparables, this approach is generally considered a good indicator of value. For analysis purposes, a common unit of comparison, which would be the most common method utilized by purchasers for the type of property being appraised, is established.

An extensive search was made in the immediate area of the subject property for comparable land sales that share similarities with the subject property. Given the lack of recent land sales in the immediate area of Coburg, it was necessary to expand the geographic search parameters. Special consideration is given to existing site improvements and highest and best use of each comparable. Development in the smaller communities continues to be limited for outright commercial uses due to feasibility challenges associated with demand and cost of construction which puts downward pressure on land values.

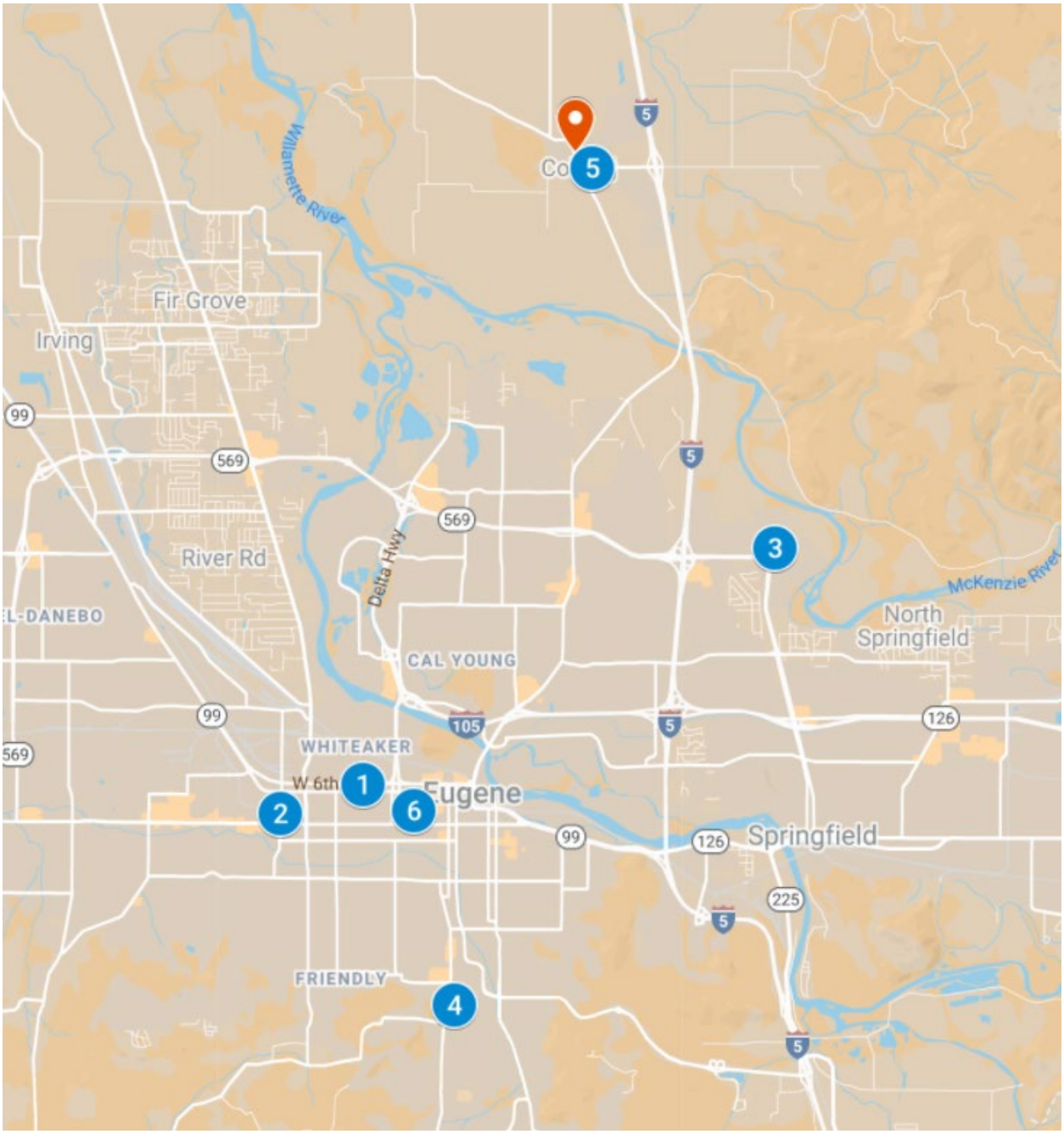
The highest prices achieved in most areas in the last few years are parcels which are suitable for outright residential development, which is considered when comparing to the subject site(s) and in the selection of the data set, as the highest and best use of the subject parcels is concluded to be mixed use, maximizing the residential component, but a small percentage of ground floor commercial would still be required fronting N. Willamette Street. The sales include sales purchased for outright commercial development as well as residential development; the lowest sales in the dataset are those which cannot be built out with a residential use or which have density restrictions.

A qualitative analysis reflecting market behavior is utilized to determine which comparables are superior or inferior to the subject. This analysis establishes value parameters for the site, allowing for a conclusion of value. Consideration will be given to differences in location and market conditions, as well as typical physical characteristics of the sale properties in comparison to the subject. The sales presented share similarities to the subject on an overall basis and are considered to provide a reasonable comparison. The selected sales are considered the best available comparable data.

The sales are summarized on the following pages. Transaction details for each sale, including photographs and maps, are included. A sale location map is also provided.

LAND SALE COMPARABLE LOCATION MAP

Source: Google Maps



Improved Sale Summary Chart

NO.	LOCATION	SALE DATE	SALE PRICE	SITE SIZE	ZONING	PRICE/SF	COMMENTS
				COMMERCIAL SITES			
1	6th & Blair Boulevard Eugene	4/19	$671,500	27,007 sf (0.62 acres)	C-2	$24.86	Includes three tax lots at the corner of 6th avenue and Blair Street that are improved with older structures that are planned for demolition. Access is available from 6th Avenue and Blair Street via an alley. Area suitable for mixed-use.
2	980 Garfield Street Eugene	11/20	$470,000	17,860 sf (0.41 acre)	E-2	$26.32	Rectangular parcel with level topography and frontage on Garfield Street. The site is paved and there is a tenant-owned modular office on the site. 5-year ground lease. Commercial location.
				MULTI-FAMILY SITES			
3	287 Deadmond Ferry Springfield	11/20	$405,000	37,026 sf (0.85 acre)	MDR	$10.94	Site near RiverBend Hospital purchased for development with an 18-unit apartment project. Single access. 21 units per acre. Lower density allowance in MDR zone.
4	3049 Willamette Street Eugene	7/20	$420,000	13,939 sf (0.32 acre)	R-2	$30.13	Multi-family site in South Eugene. Improved with single-family residence planned for demolition and redevelopment of the site with a new 6-unit project. Lower density allowance in R-2 zone.
5	32720 E. Pearl Street Coburg	9/20	$455,000	14,810 sf (0.34 acre)	C-1/H/X	$30.72	Land purchased originally for multi-family development in 2018 and re-sold most recently with a site-specific design for 12 townhouse units and potential for additional units or live work (ultimately approved for 14 units). Listed at $470,000. 41 units per acre.
6	341 W. Broadway Alley Eugene	9/20	$650,000	16,553 sf (0.38 acre)	S-DW	$39.27	Parking lot in Downtown Eugene proposed for development with a 20-unit apartment project. 53 units per acre density proposed.

Sale Comparable #1

Location: 6th Avenue and Blair Street
Eugene, Oregon

TRANSACTION

Grantor: Martin E. Henner
Grantee: Daniel Brawn
Date: 29-Apr-2019
Recording: 2019-16430
Sale Price: $671,500
Terms: Cash to seller

REAL ESTATE

Site

Shape: irregular
Topography: level
Access: Two streets and an alley
Land Area: 0.62 (27,007 sq ft)
Usable Land Area: 0.62 (27,007 sq ft)
Zoning: C-2, Community Commercial
Map: 17-04-36-11 & 17-03-31-22
Tax Lot: 7100, 7200 and 2400
Flood Zone: Outside Flood Zone

Improvements

Utilities: All public utilities are available

Proposed Use: Commercial redevelopment.

Improvements: Old buildings planned for demolition.

Comments: Includes three tax lots at the corner of 6th avenue and Blair Street that are improved with older structures that are planned for demolition. Access is available from 6th Avenue and Blair Street via an alley.

Units of Comparison

Price/sf: $24.86
Price/acre: $1,083,065

Confirmation: Martin E. Henner
Contact: martyhenner@gmail.com

Sale Comparable #2

Location: 980 Garfield Street
Eugene, Oregon

TRANSACTION

Grantor: E. Nolan Scheid, Jr.
Grantee: Martin E. Henner
Date: 30-Nov-2020
Recording: 2020-70639
Sale Price: $470,000
Terms: Cash to seller

REAL ESTATE

Site

Shape: rectangular
Topography: level
Access: One Street
Land Area: 0.41 (17,860 sq ft)
Usable Land Area: 0.41 (17,860 sq ft)
Zoning: E-2, Mixed Use Employment
Map: 17-04-36-23
Tax Lot: 1100
Flood Zone: Outside Flood Zone

Improvements

Utilities: All public utilities are available

Proposed Use: Continuation of commercial use with a ground lease.

Improvements: The site is paved and there is a tenant-owned modular office on the site with a 5-year ground lease.

Comments: There was a pending sale in 2019 that fell through and the property was relisted for sale and sold in 2020. The ground lease income equates to a capitalization rate of approximately 6.1% at the $470,000 sale price.

Units of Comparison

Price/sf: $26.32
Price/acre: $1,146,341

Confirmation: John Davis
Contact: johnlocdavis@mac.com

Sale Comparable #3

Name: Deadmond Ferry Apartments
Location: 287 Deadmond Ferry Road
Springfield, Oregon 97477

TRANSACTION

Grantor: Moving Forward, LLC
Grantee: Deadmond Ferry Project, LLC
Date: 17-Nov-2020
Recording: 2020-67313
Sale Price: $405,000
Terms: Cash to Seller

REAL ESTATE

Site

Shape: irregular
Topography: level
Access: Deadmond Ferry
Land Area: 0.85 (37,026 sq ft)
Usable Land Area: 0.85 (37,026 sq ft)
Zoning: MDR
Map: 17-03-15-40
Tax Lot: 1800
Flood Zone: Outside Flood Zone

Improvements

Proposed Units: 18 Units
Unit Density: 21 Units/Acre
Utilities: All Available

Proposed Use: Development with a 18-unit apartment project.

Improvements: None.

Comments: All utilities available. Single access. Near Riverbend Hospital.

Units of Comparison

Price/sf: $10.94
Price/acre: $476,471
Price/Proposed Unit: $22,500/Unit

Confirmation: David Holland, Listing Broker
Contact: david@eebcre.com

Sale Comparable #4

Location: 3049 Willamette
Eugene, Oregon

TRANSACTION

Grantor: Track Town Holdings, LLC
Grantee: MTK, LLC
Date: 02-Jul-2020
Recording: 2020-35220
Sale Price: $420,000
Terms: Cash to Seller

REAL ESTATE

Site

Shape: rectangular
Topography: level
Access: Two Streets
Land Area: 0.32 (13,939 sq ft)
Usable Land Area: 0.32 (13,939 sq ft)
Zoning: R-2
Map: 18-03-07-11
Tax Lot: 16900
Flood Zone: Outside Flood Zone

Improvements

Proposed Units: 6 Units
Unit Density: 19 Units/Acre
Utilities: All Available

Proposed Use: Redevelopment with six units.

Improvements: Improved with single-family residence planned for demolition at time of sale.

Comments: South Eugene redevelopment site.

Units of Comparison

Price/sf: $30.13
Price/acre: $1,312,500
Price/Proposed Unit: $70,000/Unit

Confirmation: Jim St. Clair
Contact: jamescranestclair@gmail.com

Sale Comparable #5

Location: 32720 E. Pearl Street
Coburg, Oregon 97408

TRANSACTION

Grantor: Our Group of Properties, LLC
Grantee: Gillem Mark
Date: 14-Sep-2020
Recording: 2020-52132
Sale Price: $455,000
Terms: Cash to Seller

REAL ESTATE

Site

Shape: rectangular
Topography: level
Access: E. Pearl & S. Skinner; alley
Land Area: 0.34 (14,810 sq ft)
Usable Land Area: 0.34 (14,810 sq ft)
Zoning: C-1/H/X
Map: 16-03-33-23
Tax Lot: 5500
Flood Zone: Outside Flood Zone

Improvements

Proposed Units: 14 Units
Unit Density: 41 Units/Acre
Utilities: All Available

Proposed Use: Developed with 14 units. Marketed for 12 units.

Improvements: None.

Comments: Purchased in 2018 for $300,000. Sold most recently for $455,000. Listed for $470,000 prior to the sale. Plans for 12 units marketed.

Units of Comparison

Price/sf: $30.72
Price/acre: $1,338,235
Price/Proposed Unit: $32,500/Unit

Confirmation: David Corey, Seller
Contact: Retained in File

Sale Comparable #6

Location: 341 W. Broadway Alley
Eugene, Oregon

TRANSACTION

Grantor: Martin E. Henner
Grantee: Our Lincoln St. Holdings, LLC
Date: 01-Sep-2020
Recording: 2020-51949
Sale Price: $650,000
Terms: Cash to Seller

REAL ESTATE

Site

Shape: rectangular
Topography: level
Access: Alley & Lincoln Street
Land Area: 0.38 (16,553 sq ft)
Usable Land Area: 0.38 (16,553 sq ft)
Zoning: S-DW
Map: 17-03-31-13
Tax Lot: 11200
Flood Zone: Outside Flood Zone

Improvements

Proposed Units: 20 Units
Unit Density: 53 Units/Acre
Utilities: All Available

Proposed Use: Development with a 20-unit apartment project.

Improvements: Minimal improvements and parking lot.

Comments: Site located on Lincoln Street & Broadway Alley in Downtown Eugene. All utilities available. Proposed for development with a 20-unit apartment project. Minimal improvements given no value. Asphalt paved parking lot.

Units of Comparison

Price/sf: $39.27
Price/acre: $1,710,526
Price/Proposed Unit: $32,500/Unit

Confirmation: David Corey
Contact: david@teamcorey.com

Qualitative Adjustments Summary

	SUBJECT	SALE 1	SALE 2	SALE 3	SALE 4	SALE 5	SALE 6
Sale Price	PARCEL 1	**$671,500**	**$470,000**	**$405,000**	**$420,000**	**$455,000**	**$650,000**
Property Rights	Fee Simple	Fee Simple	Leased Fee	Fee Simple	Fee Simple	Fee Simple	Fee Simple
comparison to subject		Similar	Sl. Superior	Similar	Similar	Similar	Similar
Market Conditions	8/21	4/19	11/20	11/20	9/20	9/20	9/20
comparison to subject		Inferior	Similar	Similar	Similar	Similar	Similar
Location	Coburg; Average Exposure - Downtown	Eugene; Excellent Exposure - Whiteaker	Eugene; Excellent Exposure - West Eugene	Springfield; Limited Exposure - RiverBend	South Eugene; Limited Exposure	Coburg	Downtown Eugene; Limited Exposure
comparison to subject		Superior Commercial; Inferior Residential - Similar overall	Superior Commercial; Inferior Residential - Similar overall	Sl. Inferior	Inferior Commercial; Superior Residential - Sl. Superior	Similar	Similar; offsetting
Acres	0.07 - 0.83; Average 0.45	0.62	0.41	0.85	0.32	0.34	0.38
comparison to subject		Similar to Average	Similar to Average	Larger; Inferior	Sl. Smaller than Average; Sl. Superior	Sl. Smaller than Average; Sl. Superior	Sl. Smaller than Average; Sl. Superior
Zoning	C-1/H/X	C-2	E-2	MDR	R-2	C-1/H/X	S-DW
comparison to subject		Superior	Sl. Inferior	Inferior	Inferior	Similar	Sl. Superior
Access	Single Street	2 Streets; Alley	One Street	One Street	Two Streets	2 Streets; Alley	Street & Alley
comparison to subject		Superior	Similar	Similar	Superior	Superior	Superior
Site Improvements; Entitlements	Asphalt Pavement; subject	Rentals planned for demolition; interim use	Asphalt Pavement (tenant owned modular)	None	SFR; planned for demolition. Interim Use	Plans & Engineering	Parking Lot
comparison to subject		Similar overall	Similar	Sl. Inferior	Similar overall	Similar; offsetting	Similar
$/SF		$24.86	$26.32	$10.94	$30.13	$30.72	$39.27
comparison to subject		Sl. Low Indicator	Good Indicator; offsetting	Low Indicator	Sl. High Indicator	Sl. High Indicator	High Indicator

Qualitative Adjustments Summary

	SUBJECT	SALE 1	SALE 2	SALE 3	SALE 4	SALE 5	SALE 6
Sale Price	PARCEL 2	**$671,500**	**$470,000**	**$405,000**	**$420,000**	**$455,000**	**$650,000**
Property Rights	Fee Simple	Fee Simple	Leased Fee	Fee Simple	Fee Simple	Fee Simple	Fee Simple
comparison to subject		Similar	Sl. Superior	Similar	Similar	Similar	Similar
Market Conditions	8/21	4/19	11/20	11/20	9/20	9/20	9/20
comparison to subject		Inferior	Similar	Similar	Similar	Similar	Similar
Location	Coburg; Average Exposure - Downtown	Eugene; Excellent Exposure - Whiteaker	Eugene; Excellent Exposure - West Eugene	Springfield; Limited Exposure - RiverBend	South Eugene; Limited Exposure	Coburg	Downtown Eugene; Limited Exposure
comparison to subject		Similar; offsetting	Similar; offsetting	Sl. Inferior	Inferior Commercial; Superior Residential - Sl. Superior	Similar	Similar; offsetting
Acres	0.23	0.62	0.41	0.85	0.32	0.34	0.38
comparison to subject		Larger; Inferior	Sl. Larger; Sl. Inferior	Larger; Inferior	Sl. Larger; Sl. Inferior	Sl. Larger; Sl. Inferior	Sl. Larger; Sl. Inferior
Zoning	C-1/H/X	C-2	E-2	MDR	R-2	C-1/H/X	S-DW
comparison to subject		Superior	Sl. Inferior	Inferior	Inferior	Similar	Sl. Superior
Access	Two Streets	2 Streets; Alley	One Street	One Street	Two Streets	2 Streets; Alley	Street & Alley
comparison to subject		Sl. Superior	Inferior	Inferior	Similar	Sl. Superior	Similar
Site Improvements; Entitlements	None	Rentals planned for demolition; interim use	Asphalt Pavement (tenant owned modular)	None	SFR; planned for demolition. Interim Use	Plans & Engineering	Parking Lot
comparison to subject		Sl. Superior	Superior	Similar	Sl. Superior	Superior	Superior
$/SF		$24.86	$26.32	$10.94	$30.13	$30.72	$39.27
comparison to subject		Sl. Low Indicator	Good Indicator; offsetting	Low Indicator	Sl. High Indicator	Sl. High Indicator	High Indicator

Discussion

Sales 1 and 2 reflect purchases in Eugene in commercial areas. **Sale 1** is in the Whiteaker area and has excellent commercial exposure but could also be built-out with 100% residential use. This is an older sale as well as a larger parcel, both of which put downward pressure on the price per square foot. **Sale 2** is a more recent sale of a site which included asphalt paving (tenant owned modular) with a short-term ground lease putting upward pressure on the price per square foot, but the zoning, overall location, site characteristics and size put downward pressure on the price per square foot. **Sale 3** is included as a medium density development land purchase in Springfield but is a low indicator due to the inferior density capabilities in this zone as well as a larger site. **Sales 4, 5 and 6** are superior due to entitlements, location, or zoning allowance (outright residential permitted for Sale 6). Sale 5 is one of the best sales based on the date, location, size, and zoning, but included plans and engineering for the proposed development, putting upward pressure on the price per square foot. This site did not, however have any site improvements.

Parcel 1 Conclusion

Based on the above analysis, with consideration to the physical and locational characteristics of the surrounding properties, the contributory unit value, and the across the fence value to apply to Parcel 1, is concluded to be $27.00 per square foot. Therefore, the value is concluded to be $230,283 (8,529 x $27.00/sf), rounded to **$230,000**.

Parcel 2 Conclusion

Based on the above analysis, with consideration to the physical and locational characteristics of Parcel 2, $27.00 per square foot is also concluded for the Parcel 2. This parcel is inferior in site improvements as compared to Parcel 1 but is superior in accessibility/exposure and overall utility as well as smaller than the average abutting site to Parcel 1s. Therefore, the market value via the Sales Comparison Approach is concluded to be $270,508 (10,019 x $27.00/sf), rounded to **$270,000**.

Marketing & Exposure Time

Marketing time is defined as, "An opinion of the amount of time it might take to sell a real or personal property interest at the concluded market value level during the period immediately after the effective date of an appraisal."[10] Exposure time is defined as, "The estimated length of time that the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal; a retrospective opinion based on an analysis of past events assuming a competitive and open market."[11] Exposure time is always presumed to occur *prior to* the effective date of the appraisal. The overall concept of reasonable exposure encompasses not only adequate, sufficient, and reasonable time but also adequate, sufficient, and reasonable effort.

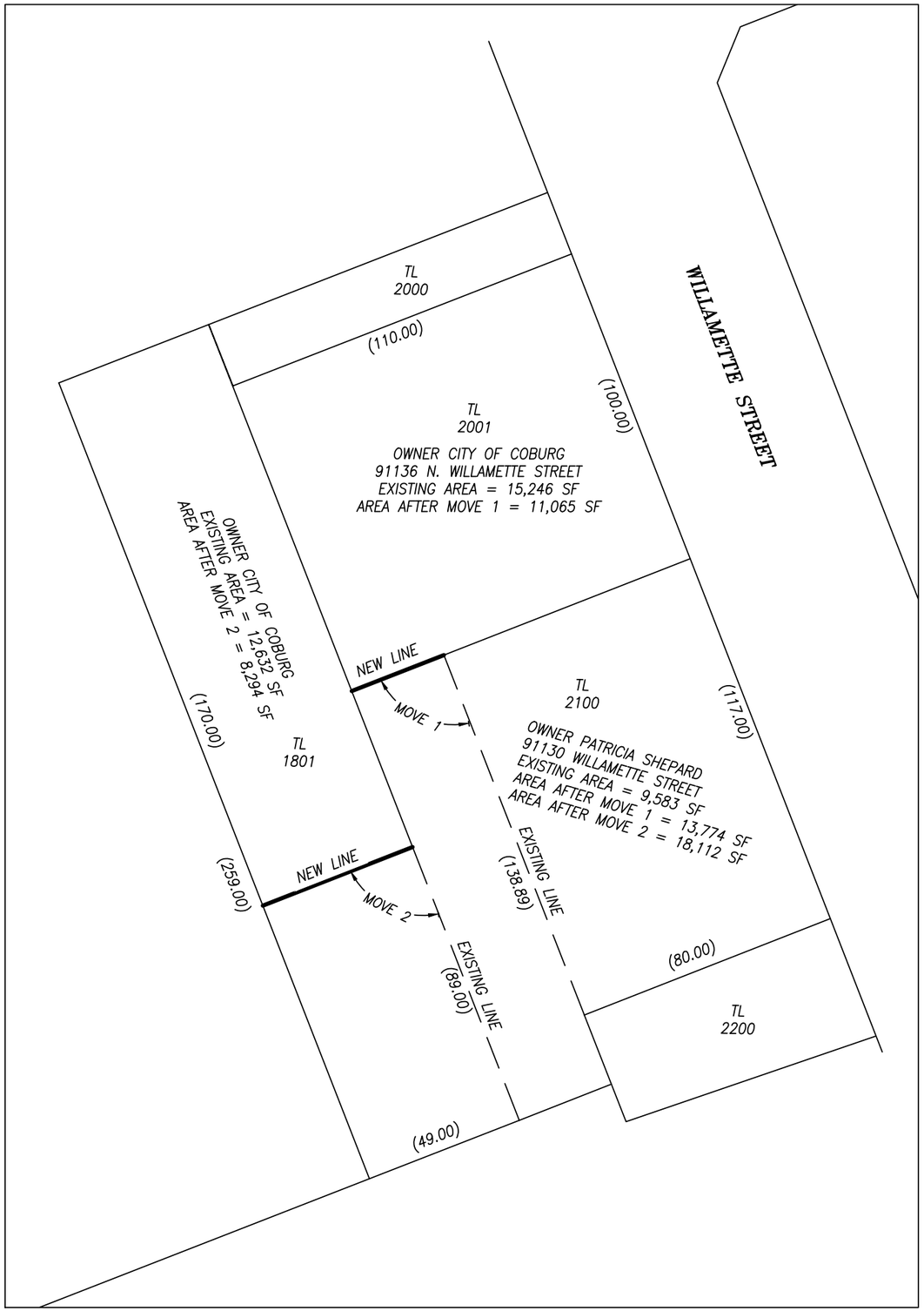
10. Appraisal Institute, *The Dictionary of Real Estate Appraisal*, 6th Ed. (Chicago: Appraisal Institute, 2015).
11. Appraisal Institute, *The Dictionary of Real Estate Appraisal*, 6th Ed. (Chicago: Appraisal Institute, 2015).

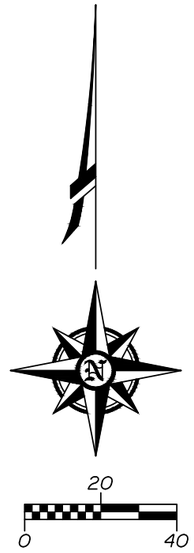
In estimating marketing and exposure time for the subject property, consideration was given to sales that have occurred in the marketplace and properties that have been offered for sale. The periods that commercial and residential land in the market area have been exposed for sale range from not listed to over 18 months. Based on the available market information, it is concluded that marketing time and exposure time for the subject parcels would be 6 to 9 months as of the date of value.

ADDENDA

VIEWPOINT APPRAISALS

ASUMPTIONS AND LIMITING CONDITIONS
CERTIFICATION
SURVEY
APPRAISER'S QUALIFICATIONS





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PROPOSED PROPERTY LINE ADJUSTMENTS

CIY OF COBURG
COBURG CITY HALL
91136 N. WILLAMETTE STREET

revisions:

REGISTERED
PROFESSIONAL
LAND SURVEYOR

DIGITALLY SIGNED

OREGON
JULY 21, 1992
ROBERT C. HINES
2555PLS

EXPIRES: June 30, 2023

date: JUNE 14, 2021
drawn by: RCH
designer:
project no: 21-004g

PROPOSED PLAN

sheet: 171

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Hypothetical Condition

Parcel 1 is a portion of Tax Lots 1801 & 2001 on Map 16-03-32-11. A hypothetical condition of this analysis is that Parcel 1 was an independent, saleable site on the date of value. The application of this hypothetical condition may impact the assignment results.

Assumptions & Limiting Conditions

This Appraisal Report complies with the reporting requirements set forth under Standards Rule 2-2(a) of the Uniform Standards of Professional Appraisal Practice. As such, information and discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the appraiser's opinion of value are specific to the needs of the client and for the intended use stated in this report. Supporting documentation concerning the data, reasoning and analyses is retained in the appraiser's file. The appraiser is not responsible for unauthorized use of this report.

The information furnished by others is believed to be reliable. However, no warranty is given for its accuracy. The appraiser reserves the right to make alterations to the analyses, opinions, and conclusions set forth in the appraisal report as may be necessary due to consideration of additional or more reliable data that may become available.

Title to the property is assumed good and marketable unless otherwise stated in this report. No responsibility is assumed for the legal description or for such matters including legal or title considerations. The property is appraised free and clear of any or all liens or encumbrances unless otherwise stated in this report. It is assumed the utilization of the land and improvements is within the boundaries or property lines of the property described and there is no encroachment or trespass unless otherwise stated in this report.

Responsible ownership and competent property management are assumed unless otherwise stated in this report. It is assumed there is full compliance with all applicable federal, state and local environmental regulations and laws, unless non-compliance is stated, defined and considered in the appraisal report.

Compliance with all applicable zoning and use regulations and restrictions is assumed unless a nonconforming use has been stated, defined and considered in the appraisal report.

It is assumed there are no hidden or unapparent conditions of the property, subsoil or structures that render it more or less valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them.

The appraiser is not qualified to detect hazardous waste and/or toxic materials. Any comment by the appraiser that may suggest the possibility of the presence of such substances should not be taken as confirmation of the presence of hazardous waste and/or toxic materials. Such determination would require investigation by a qualified

expert in the field of environmental assessment. The presence of substances such as asbestos, urea- formaldehyde foam insulation or other potentially hazardous materials may affect the value of the property. The appraiser's value estimate is predicated on the assumption there is no such material on or in the property that would cause a loss in value unless otherwise stated in this report. No responsibility is assumed for any environmental conditions, or for any expertise or engineering knowledge required to discover them. The appraiser's descriptions and comments are the result of the routine observations made during the appraisal process.

Any sketch in this report may show approximate dimensions and is included to assist the reader in visualizing the property. Maps and exhibits found in this report are provided for reference purposes only. No guarantee as to accuracy is expressed or implied unless otherwise stated in this report. No survey has been made for the purpose of this report.

This appraisal is to be used only in its entirety and no part is to be used without the whole report. All conclusions and opinions concerning the analysis as set forth in the report were prepared by the Appraiser whose signature appears on the appraisal report. No change of any item in the report shall be made by anyone other than the Appraiser. The appraiser shall have no responsibility if any such unauthorized changes are made. The appraiser may not divulge confidential information in the report, such as, analytical findings or conclusions, or give a copy of the report to anyone other than the client, except as may be required by the Appraisal Institute as they may request in confidence for ethics enforcement, or by a court of law or body with the power of subpoena.

The appraiser and client agree the liability of Viewpoint Appraisal, LLC is limited to the client only. Further, there is no liability, obligation, or accountability to any third party. If this report is provided to anyone other than the client, the client shall make such party aware of all limiting conditions and assumptions of the assignment and related discussions.

Possession of this report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose by any person other than the party to whom it is addressed without the written consent of the appraiser, and in any event only with proper written qualification and only in its entirety. Neither all nor any part of the contents of this report, including any conclusions as to value, the identity of the appraiser, or the firm with which the appraiser is connected, shall be disseminated to the public through advertising, public relations, news, sales or other media without the prior written consent and approval of the appraiser.

The appraiser is not required to give further consultation, testimony, or be in attendance in court with reference to the property in question because of this appraisal, unless arrangements have been previously made. If testimony or deposition is required because of any subpoena, the client shall be responsible for any additional time, fees, and charges regardless of issuing party.

I, Zoe R. Swartz, MAI, do hereby certify that:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analyses, opinions and conclusions.
- I have no present or prospective interest in the property that is the subject of this report, and no personal interest with respect to the parties involved.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- Zoe R. Swartz, MAI inspected the subject property on August 20, 2021.
- The appraiser has performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding the agreement to perform this assignment.
- No one provided significant professional assistance to the person signing this report.
- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics & Standards of Professional Appraisal Practice of the Appraisal Institute, which include the *Uniform Standards of Professional Appraisal Practice*.
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- As of the date of this report, Zoe R. Swartz, MAI has completed the requirements of the continuing education program for Designated Members of the Appraisal Institute.
- I have had a level of training and experience considered necessary for the formation of a reliable opinion of value of the subject property.

Zoe R. Swartz, MAI
Certification No. C001053
Expiration 7/31/22

Zoe R. Swartz, MAI

PROFESSIONAL DESIGNATIONS

MAI – Appraisal Institute	2014

FORMAL EDUCATION

Bachelor of Science Degree	2008
University of Oregon, Department of Mathematics	

APPRAISAL EDUCATION

Appraisal Institute

Appraisal of Medical Office Buildings	2019
7 Hour USPAP	2019
7 Hour USPAP	2018
15 Hour USPAP	2017
Online Cool Tools	2017
Valuation pf Conservation Easements	2015
Uniform Appraisal Standards for Federal Land Acquisitions	2015
Data Verification & Methods	2014
Business Practices & Ethics	2014
Advanced Concepts and Case Studies	2011
Advanced Income Capitalization	2011
Finance Statistics and Valuation Modeling	2010
Business Practices and Ethics	2010
Advanced Applications Course 550	2010
General Appraiser Income Approach Part 2	2009
General Appraiser Income Approach Part 1	2009
General Appraiser Report Writing and Case Studies	2009
General Appraiser Site Valuation & Cost Approach	2008
General Appraiser Sales Comparison Approach	2008

Additional Courses

Divorce & Estate Appraisals	2019
National USPAP Update	2014
National USPAP Update	2011
National USPAP Update	2009
Basic Appraisal Procedures	2007
Basic Appraisal Principles and Practice	2007
Uniform Standards of Professional Practice	2007

Seminars

Eminent Domain	2019
Navigating ODOT Appraisals & Reviews	2013
Eminent Domain	2014

LICENSE

Certified General Appraiser – State of Oregon, 2011	Certificate No. C001053

PROFESSIONAL EXPERIENCE

Certified General Appraiser, Owner
Viewpoint Appraisals, LLC — 2020-Present

Certified General Appraiser — 2011 – Present
Duncan & Brown, LLC

Appraiser Assistant — 2008 – 2011
Duncan & Brown, Inc.

PROFESSIONAL AFFILIATIONS

Appraisal Institute – Member — 2014-Present

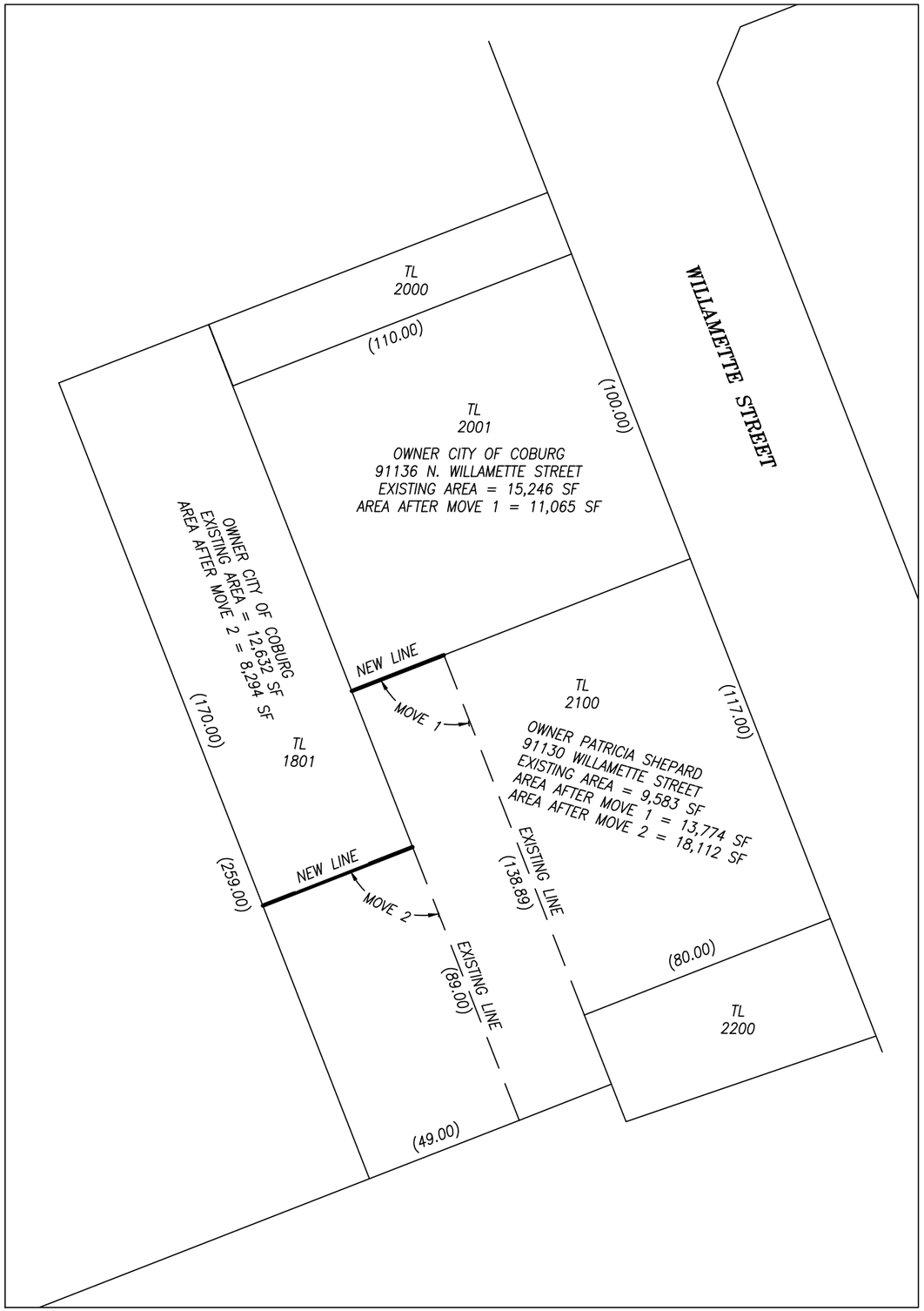
Appraisal Institute – Candidate for designation, Appraisal Institute — 2013

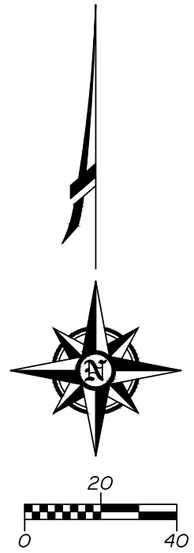
Appraisal Institute –
general Associate Member of the Appraisal Institute — 2011 – 2012

Appraisal Institute – Affiliate Member — 2007 – 2011

BUSINESS AFFILIATIONS

Sponsors, Inc., Secretary — Eugene, Oregon
Eugene Active 20-30 Foundation — Eugene, Oregon





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designer:
project no: 21-004g

PROPOSED PLAN

sheet: 177

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COBURG CITY COUNCIL
ACTION/ISSUE ITEM

TOPIC: Resolution 2022-04, A Resolution Adoption 2022 City of Coburg Employee Policy Manual

Meeting Date: January 11, 2022
Staff Contact: Anne Heath, City Administrator
Contact: 541-682-7871, Anne.Heath@ci.coburg.or.us

REQUESTED COUNCIL ACTION

Adopt Resolution 2022-04, 2020 City of Coburg Employee Manual

Suggested Motion: I move to adopt Resolution 2022-04 a resolution adopting 2022 Employee Policy Manual for the City of Coburg.

POLICIES OR CITY COUNCIL GOAL(S) ADDRESSED

City Council Goal - General City Operations

BACKGROUND

Historically the City has maintained an Employee Policy Manual which is updated annually in January. New legal language, state laws, and updated City policy are reasons for updates.

The City employs CIS to serve us in a Human Resource capacity as it pertains to policy, employment law, and interaction with employees regarding their employment at the City of Coburg.

The 2022 employee manual changes or additions to policy are highlighted in yellow. Major changes are listed below:

- **Page 3 – Pregnancy Accommodation Policy - Added**
- **Page 9 – Merit Increase – Clarification**
- **Page 9 – Compensation for Excellence and Retention – slight change in wording**
- **Page 9 – Certification Pay – Change for Public Works Certifications**
- **Page 12 – Flex Time – Clarifications**
- **Page 12 – Telecommuting – Add Telecommuting Agreement Requirement**

- **Page 16 – Change in accrued vacation policy**
- **Page 18 – Eligibility and Accrual of Sick Leave – Clarification**
- **Page 20 – Sick Leave Donation – Clarification to who approves**
- **Page 21 – Holidays – Add Juneteenth**
- **Page 22 – Floating Holiday – Clarification**
- **Page 22 – Personal holiday – Clarification**
- **Page 27 – Health Reimbursement Account – Clarification**
- **Page 29-35 – Alcohol/Drug Use – New Policy Language from CIS**

All changes to the manual are highlighted in yellow with track changes

---

BUDGET

Employee compensation as referred to in the policy manual is addressed during the budget season including updates to the employee pay schedule.

PUBLIC INVOLVEMENT
N/A

NEXT STEPS
- Adopted manual will be provided to all Coburg employees as soon as possible.

ATTACHMENTS
A. Draft Resolution 2022-04
B. Draft 2022Coburg Employee Policy Manual

REVIEWED BY:

- **All City supervisors discussed in a supervisors meeting and then were given a full month to provide feedback regarding any changes they would like to see in the policy manual. This was a time for them to discuss with their staff. After feedback was received and policy changes were made, the supervisors were again given opportunity for review of the draft document**
- **New CIS recommended changes were reviewed and language updated as needed.**

RESOLUTION 2022-04

A RESOLUTION ADOPTING CITY OF COBURG 2022 EMPLOYEE POLICY MANUAL

The City of Coburg City Council adopts the following:

WHEREAS, the City Council desires a comprehensive set of general guidelines and policies governing all personnel matters for all City employees, including employee conduct, workplace conditions, drug and alcohol policies, policies that implement state and federal employment laws, and other aspects of public employment and City service; and

WHEREAS, these policies are intended to apply to all City employees that do not have an employment contract with the City and to all City employees with employment contracts that do not already address these policy issues; and

WHEREAS, the policies contained in the Employee Policy Manual, attached to this resolution as Exhibit A and incorporated herein by this reference, are general guidelines for the City's current employment practices and workplace procedures. They are not intended to be a contract, expressed or implied, or any type of promise or guarantee of specific treatment upon which employees may rely, nor a guarantee of employment of any specific duration. Because of the City's small size, some exceptions to these policies may need to be made on a case-by-case basis as the City Administrator deems appropriate; and when discussed with and approved by the Mayor, and

WHEREAS, the City Administrator received updated language from City County Insurance (CIS) for the draft Employee Policy Manual in order to address most current legal and state law language; and

WHEREAS, the City Council has reviewed and considered the 2022 Employee Policy Manual at its regular meeting on January 11, 2022;

NOW THEREFORE, BE IT RESOLVED by the City of Coburg City Council that the Employee Policy Manual attached hereto as Exhibit A and incorporated herein by this reference, is adopted as the City's Personnel Policies Manual and shall be applicable to all employees unless preempted by state or federal law or in conflict with an existing employment contract.

Adopted by the **City Council** of the **City of Coburg**, Oregon, by a vote of ____ for and ____ against, this 11th day of January, 2022.

_____
Ray Smith, Mayor

ATTEST:

_____
Sammy L. Egbert, City Recorder

City of Coburg, Oregon
Employee Policy Manual

Effective January 14, 2020

Exhibit A to Resolution 2020-02

At the City of Coburg we're glad to have you on our team. We believe that our employees are our most valuable asset. In fact, we attribute our success as an City of Coburg in significant part to our ability to recruit, hire, and maintain a motivated and productive workforce. We hope that during your employment with Coburg, you will become a productive and successful member of Coburg's team.

This employee handbook describes, in summary, the personnel policies and procedures that govern the employment relationship between Coburg and its employees. The policies stated in this handbook are subject to change at any time at the sole discretion of Coburg City Council by Resolution with or without prior notice. This handbook supersedes any prior handbooks or written policies of the City of Coburg that are inconsistent with its provisions.

This handbook does not create a contract of employment between Coburg and its employees. All employment at Coburg is "at will." That means that either you or Coburg may terminate this relationship at any time, for any reason, with or without cause or notice. No supervisor, or representative of Coburg other than the City Administrator has the authority to enter into any agreement with you regarding the terms of your employment that changes our at-will relationship or deviates from the provisions in this handbook, unless the change or deviation is put in writing and signed by City Administrator.

You may receive updated information concerning changes in policy from time to time, and those updates should be kept with your copy of the handbook. If you have any questions about any of the provisions in the handbook, or any policies that are issued after the handbook, please ask City Administrator.

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I. Equal Employment Opportunity (EEO) Policies

The following EEO Policies apply to all employees. Members of management, elected officials and employees alike are expected to adhere to and enforce the following EEO Policies. Any employee's failure to do so may result in discipline, up to and including termination.

All employees are encouraged to discuss these EEO Policies with City Administrator or supervisor at any time if they have questions relating to the issues of harassment, discrimination or bullying.

A. No-Discrimination Policy

Coburg provides equal employment opportunity to all qualified employees and applicants without unlawful regard to race, color, religion, gender, sexual orientation, national origin, age, disability, genetic information, veteran status, or any other status protected by applicable federal, Oregon, or local law. This EEO policy applies to all aspects of the employment relationship — including but not limited to, recruitment, hiring, compensation, promotion, demotion, transfer, disciplinary action, layoff, recall, and termination of employment.

B. No-Harassment Policy

Coburg prohibits harassment of any kind in the workplace, or harassment outside of the workplace that violates its employees' right to work in a harassment-free workplace. Specifically, Coburg prohibits harassment or conduct related to an individual's race, color, religion, gender, sexual orientation, national origin, age, disability, genetic information, veteran status, or any other protected status or activity recognized under Oregon, federal or local law.

Each member of management is responsible for creating an atmosphere free of discrimination, harassment, and bullying. Further, all employees are responsible for respecting the rights of other employees and to refrain from engaging in conduct prohibited by this policy, regardless of the circumstances, and regardless of whether others participate in the conduct or did not appear to be offended. All employees are encouraged to discuss this policy with their immediate supervisor, or the City Administrator, at any time if they have questions relating to the issues of discrimination, harassment, or bullying.

This policy applies to and prohibits sexual or other forms of harassment that occur during working hours, during Coburg related or sponsored trips (such as conferences or work-related travel), and during off-hours when that off-duty conduct creates an unlawful hostile work environment for any of Coburg's employees. ***Such harassment is prohibited whether committed by Coburg employees or by non-employees, such as elected officials, members of the community, and vendors.***

Sexual Harassment

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature (regardless of whether such conduct is "welcome"), when:

1. Submission to such conduct is made either implicitly or explicitly a term or condition of employment;

2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Some examples of conduct that could give rise to sexual harassment are unwanted sexual advances; demands for sexual favors in exchange for favorable treatment or continued employment; sexual jokes; flirtations; advances or propositions; verbal abuse of a sexual nature; comments about an individual's body, sexual prowess, or deficiency; talking about your sex life or asking others questions about theirs; leering or whistling; unwelcome touching or assault; sexually suggestive, insulting, or obscene comments or gestures; displays of sexually suggestive objects or pictures; making derogatory remarks about alternative lifestyles, including comments about individuals who are gay, lesbian, bisexual or transgender; or discriminatory treatment based on sex.

Other Forms of Prohibited Harassment

Coburg policy also prohibits harassment against an individual based on the individual's race, color, religion, national origin, age, sexual orientation, marital status, disability, protected activity, and any other status protected by applicable law.

Such harassment may include verbal, written or physical conduct that denigrates or shows hostility towards an individual because of any protected status, and can include:

- Jokes, pictures (including drawings), epithets, or slurs;
- Negative stereotyping;
- Displaying racist symbols anywhere on Coburg property;
- "Teasing" or mimicking the characteristics of someone with a physical or mental disability;
- Criticizing or making fun of another person's religious beliefs, or "pushing" your religious beliefs on someone who doesn't have them;
- Threatening, intimidating, or hostile acts that relate to a protected class or protected activity; or
- Written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of the protected status.

This is not a complete list. All employees are expected to exercise common sense and refrain from other similar kinds of conduct.

Bullying

Coburg strives to promote a positive, professional work environment free of physical or verbal harassment, "bullying," or discriminatory conduct of any kind. Coburg, therefore, prohibits employees from bullying one another or engaging in any conduct that is disrespectful, insubordinate, or that creates a hostile work environment for another employee for any reason. For purposes of this policy, "bullying" refers to repeated, unreasonable actions of individuals (or a group) directed towards an individual or a group of employees, which is intended to intimidate and that creates a risk to the health and safety of the employee(s). Examples of bullying include:

1. Verbal Bullying: Slandering, ridiculing or maligning a person or his/her family; persistent name calling which is hurtful, insulting or humiliating; using a person as butt of jokes; abusive and offensive remarks.
2. Physical Bullying: Pushing; shoving; kicking; poking; tripping; assault, or threat of physical assault; damage to a person's work area or property.
3. Gesture Bullying: Non-verbal threatening gestures, glances that can convey threatening messages.
4. Exclusion Bullying: Socially or physically excluding or disregarding a person in work-related activities. In some cases, failing to be cooperative and working well with co-workers may be viewed as bullying.
5. Cyber Bullying: Bullying that takes place using electronic technology, which includes devices and equipment such as cell phones, computers, and tablets as well as communication tools including social media sites, text messages, chat, and websites. Examples of cyberbullying include transmitting or showing mean-spirited text messages, emails, embarrassing pictures, videos or graphics, rumors sent by email or posted on social networking sites, or creating fake profiles on web sites for co-workers, or supervisors or elected officials.

Complaint Procedure

Employees are encouraged to tell the harasser that the behavior is offensive and unwanted, and that they want it to stop. Employees who wish to report harassment or discrimination should first talk to his or her supervisor. If you are not comfortable speaking with your supervisor, or you are not satisfied with your supervisor's response, you are encouraged to speak with the City Administrator. Supervisors are required to inform the City Administrator about reports of harassment or discrimination they receive from employees.

In addition, any employee who observes any conduct that he or she believes constitutes harassment, discrimination, or bullying, or who receives information about these types of incidents that may have occurred, must immediately report the matter to the City Administrator and/or a supervisor.

Investigation and Confidentiality

All complaints and reports will be promptly and impartially investigated and will be kept confidential to the extent possible, consistent with Coburg's need to investigate the complaint and address the situation. If conduct in violation of this policy is found to have occurred, Coburg will take prompt, appropriate corrective action, and any employee found to have violated this policy will be subject to disciplinary action, up to and including termination of employment.

Protection against Retaliation

Coburg prohibits retaliation in any way against an employee because the employee has made a good-faith complaint pursuant to this policy or the law, has reported (in good faith) harassing, discriminatory, or bullying conduct, or has participated in an investigation of such conduct. Any employee who is found to have retaliated against another employee in violation of this policy will be subject to disciplinary action up to and including termination of employment.

See also the Reporting Improper and Unlawful Activity Policy, below.

C. Disability Accommodation Policy

Coburg is committed to complying fully with the Americans with Disabilities Act (ADA) and Oregon's disability accommodation and anti-discrimination laws. We are also committed to ensuring equal opportunity in employment for qualified persons with disabilities.

Accommodations

Coburg will make reasonable efforts to accommodate a qualified applicant or employee with a known disability, unless such accommodation creates an undue hardship on the operation of Coburg.

Requesting an Accommodation

A reasonable accommodation is any change or adjustment to a job or work environment that does not cause an undue hardship on the department or unit (or, in some cases, Coburg) and that permits a qualified applicant or employee with a disability to participate in the job application process, to perform the essential functions of a job, or to enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities. For example, a reasonable accommodation may include providing or modifying equipment or devices, job restructuring, allowing part-time or modified work schedules, reassigning an individual, adjusting or modifying examinations or training materials, providing readers and interpreters, or making the workplace readily accessible to and usable by people with disabilities.

Employees should request an accommodation as soon as it becomes apparent that a reasonable accommodation may be necessary to enable the employee to perform the essential duties of a position. All requests for accommodation should be made with City Administrator, and should specify which essential functions of the employee's job cannot be performed without a reasonable accommodation. In most cases, an employee will need to secure medical verification of his or her need for a reasonable accommodation.

D. Pregnancy Accommodation Policy

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~~(This policy applies only to employers with six or more employees.)~~ (including lactation) will impact their ability to work should contact ~~[Contact]~~their supervisor to discuss their options for continuing to work and, if necessary, leave of absence options. The ~~[Organization]~~City Of Coburg will provide one or more reasonable accommodations pursuant to this policy for employees with known limitations unless such accommodations impose an undue hardship on the ~~[Organization]~~ City of Coburg's operations.

Although this policy refers to "employees," the ~~[Organization]~~City of Coburg will apply this policy equally to an applicant with known limitations caused by pregnancy, childbirth or a related medical condition.

Requesting a Pregnancy-Related Accommodation

Employees who are concerned that their pregnancy, childbirth or a related medical condition will limit their ability to perform their duties should request an accommodation as soon as it becomes apparent that a reasonable accommodation may be necessary to enable the employee to work. All requests for accommodation should be made with ~~[Contact]~~your supervisor and should specify which essential functions of the employee's job cannot be performed without a reasonable accommodation. In most cases, information from the employee's doctor may be needed to assist the ~~[Organization]~~City of Coburg and the employee find an effective accommodation, or to verify the employee's need for an accommodation. Both the ~~[Organization]~~City of Coburg and employee must monitor the employee's accommodation situation and make adjustments as needed.

Employees may report reasonable concerns about the Coburg's compliance with any law, regulation or policy, using one of the methods identified in this policy. Coburg will not retaliate against employees who disclose information that the employee reasonably believes is evidence of:

- A violation of any federal, Oregon, or local law, rules or regulations by Coburg;
- Mismanagement, gross waste of funds, abuse of authority, or substantial and specific danger to public health resulting from action of Coburg ;
- A substantial and specific danger to public health and safety resulting from actions of Coburg; or
- The fact that a recipient of government services is subject to a felony or misdemeanor arrest warrant.

Further, in accordance with Oregon law, Coburg will not prohibit an employee from discussing the activities of a public body or a person authorized to act on behalf of a public body with a member of the Legislative Assembly, legislative committee staff acting under the direction of a member of the Legislative Assembly, any member of the elected governing body of a political subdivision, or an elected auditor of a city, county or metropolitan service district.

Employee Reporting Options

Employees who wish to report improper or unlawful conduct should first talk to his or her supervisor. If you are not comfortable speaking with your supervisor, or you are not satisfied with your supervisor's response, you are encouraged to speak with the City Administrator. Supervisors are required to inform the City Administrator about reports of improper or unlawful conduct they receive from employees.

Reports of unlawful or improper conduct will be kept confidential to the extent allowed by law and consistent with the need to conduct an impartial and efficient investigation.

If Coburg were to prohibit, discipline, or threaten to discipline an employee for engaging in an activity described above, the employee may file a complaint with the Oregon Bureau of Labor

and Industries or bring a civil action in court to secure all remedies provided for under Oregon law.

Additional Protection for Reporting Employees

Oregon law provides that, in some circumstances, an employee who discloses a good faith and objectively reasonable belief of the City of Coburg's violation of law will have an "affirmative defense" to any civil or criminal charges related to the disclosure. For this defense to apply, the employee's disclosure must relate to the conduct of his/her coworker or supervisor acting within the course and scope of his or her employment. The disclosure must have been made to: (1) a state or federal regulatory agency; (2) a law enforcement agency; (3) City Administrator of Coburg; or (4) an Oregon-licensed attorney who represents the employee making the report/disclosure. The defense also only applies in situations where the information disclosed was lawfully accessed by the reporting employee.

Policy Against Retaliation

Coburg will not retaliate against employees who make reports or disclosures of information of the type described above when the employee reasonably believes he or she is disclosing information about conduct that is improper or unlawful, and who lawfully accessed information related to the violation (including information that is exempt from disclosure as provided in Oregon law or by Coburg policy).

In addition, Coburg prohibits retaliation against an employee because he or she participates in good faith in any investigation or proceeding resulting from a report made pursuant to this policy. Further, no Coburg employee will be adversely affected because they refused to carry out a directive that constitutes fraud or is a violation of local, Oregon, federal or other applicable laws and regulations. Coburg may take disciplinary action (up to and including termination of employment) against an employee who has engaged in retaliatory conduct in violation of this policy.

This policy is not intended to protect an employee from the consequences of his or her own misconduct or inadequate performance simply by reporting the misconduct or inadequate performance. Furthermore, an employee is not entitled to protections under this policy if Coburg determines that the report was known to be false, or information was disclosed with reckless disregard for its truth or falsity. If such a determination is made, an employee may be subject to discipline up to and including termination of employment.

II. Employment Status

A. Probationary Period of Employment

All new employees, including current employees who are promoted or transferred within Coburg, are hired into a probationary training period that generally lasts no less than 180 days. The probationary period is an extension of the employee selection process. During this period, you are considered to be in training and under observation and evaluation by your Supervisor. Evaluation of your adjustment to work tasks, conduct and other work rules, attendance and job

responsibilities will be considered during the probationary period. This period gives you an opportunity to demonstrate satisfactory performance for the position, and also provides an opportunity to determine if your knowledge, skills and abilities and the requirements of the position match. It is also an opportunity for you to decide if Coburg meets your expectations of an employer.

At or before the end of the probationary period, a decision about your employment status will be made. Coburg will decide whether to: (1) Extend your probationary period; (2) Move you to regular, full-time or regular, part-time status; or (3) Terminate your employment.

Employees are not guaranteed any length of employment upon hire or transfer/promotion; both you and Coburg may terminate the employment relationship during the probationary period for any lawful reason. Further, completion of the probationary period or continuation of employment after the probationary period does not entitle you to remain employed by Coburg for any definite period of time. Both you and Coburg are free to terminate the employment relationship, at any time, with or without notice and for any reason not prohibited by law.

B. Employee Classification

Coburg classifies employees as follows:

1. Regular Full-time: Employment in an established position requiring 40 hours or more of work per week. Generally, full-time employees are eligible to participate in Coburg's benefit programs.
2. Regular Part-time: Employment requiring less than 40 hours of work per week. Normally a part-time schedule, such as portions of days or weeks, will be established. Occasional workweeks of over 40 hours will not constitute a change in status from part-time to full-time. Employees working 30 hours or more are eligible for benefits. Regular, part-time employees working 29 hours or less are not eligible for benefits except those mandated by applicable law.
3. Temporary: Employment in a job established for a specific purpose, for a specific period of time, or for the duration of a specific project or group of assignments. Temporary employment can either be full-time or part-time. Temporary employees are not eligible for benefits other than those mandated by applicable law.

Additionally, all employees are defined by federal and Oregon law as either "exempt" or "nonexempt," which determines whether the employee is eligible for overtime. Employees will be instructed as to whether they are exempt or non-exempt at the time of hire or when a promotion or demotion occurs. All employees, regardless of employment classification, are subject to all Coburg rules and procedures.

C. The Workweek

The workweek is a seven-day work period beginning Sunday at 12:00 a.m. through Saturday at 11:59 p.m. Typically, administrative business hours are from Monday through Friday 8:00 a.m. through 5:00 p.m. Other departments have different shifts and/or operational hours of business.

Your schedule will be determined by your supervisor. You are responsible for knowing your scheduled work hours and showing up timely for your shift.

D. **Meal Periods and Rest Breaks**

Nonexempt employees are required to take a paid, uninterrupted 10-minute rest break for every four-hour segment or major portion thereof in the work period. The rest break should be taken in the middle of each segment, whenever possible. Whenever a segment exceeds two hours, the employee must take a rest break for that segment.

Nonexempt employees are required to take at least a 30-minute unpaid meal period when the work period is six hours or greater. The law requires an uninterrupted period in which the employee is relieved of all duties. No meal period is required if the work period is less than six hours. If, because of the nature or circumstances of the work, an employee is required to remain on duty or to perform any tasks during the meal period, the employee must inform his or her supervisor before the end of the shift so that Coburg may pay the employee for that work.

Meal periods and rest breaks are mandatory and are not optional. An employee's meal period and rest break(s) may not be taken together as one break. Meal periods and rest breaks may not be "skipped" in order to come in late or leave early. An employee who fails to abide by this policy and applicable laws may be subjected to discipline, up to and including termination.

Sample rest and meal break schedules are listed below. Employees with questions about the rest or meal breaks available to him or her should contact the City Administrator.

	Requirement	
Length of Work Period	Rest Breaks	Meal Periods
2 hours or less	0	0
2 hrs & 1 min – 5 hrs & 59 min	1	0
6 hrs	1	1
6 hrs & 1 min – 10 hrs	2	1
10 hrs & 1 min. – 13 hrs & 59 min	3	1

~~E.~~F. Pay Administration

Hourly and Salaried employees

Hourly and salary pay is determined by the approved and budgeted salary scale of the City. This scale is analyzed, updated and approved annually by the budget committee and City Council. All employees must be paid according to the established and approved scale.

Merit Increases

Merit increases are a reward for employees who successfully meet or exceed the expectation of their position. Merit increases are based on the recommendation of the Supervisor and approved by the City Administrator. This decision is made at the time of the ~~annual performance review~~anniversary of hire date, and will be reflected on the first full pay period following the anniversary date.~~.~~

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Compensation for Excellence and Retention

Occasionally a valued employee who provides excellence in service will be at the top of their scale with little room for growth in salary due to the limitations of the salary scale. It is the intention of the City of Coburg to always provide incentive for continued growth. Therefore, a supervisor may make recommendations to the City Administrator ~~at the time of the employee's annual review for~~ during the annual budget planning season for some form of compensation outside of the ~~standard hourly rate~~adopted salary scale. These decisions are solely at the discretion of the City Administrator and must be approved within the confines of the established budget.

Certificate Pay

Police and Public Works employees may be required to obtain certificates in order to continue to take on the responsibility of public safety and care for the City's infrastructure (water and sewer). Therefore, certificate pay is paid in addition to the employee's standard rate of pay. Entering into a certificate program must be at the approval of the Supervisor and City Administrator, and be deemed a reasonable need, and in the best interest of the City for the employee to pursue. Police Department employees are~~Certificate pay is~~ limited to three (3) certificates per employee. Each certificate is paid at three percent (3%) of the employee's gross wage. Public Works employees are limited to six (6) certificates per employee. Each certificate is paid at 1.5 percent (1.5%) of the employee's gross wage. Employees must present proof of completion to their supervisor who must forward it to the City Administrator for approval.

On-Call Pay

Employees in the Police and Public Works Department are required to perform on-call duty. This means that the employee is ready to respond to an emergency at the City. Employees accepting on-call duty must be available by phone or page and be ready and able to respond to an emergency in 20 minutes.

Standard on-call pay for "ready to respond" will be paid at rate of one (1) hour standard rate of pay for every eight (8) hours on-call.

An employee who has called in sick for a regular shift may not accept on-call pay within that same day (ending at midnight).

Total paid hours including on-call may not exceed 24 hours on any given day. The exception to this is if an on-call duty is assigned on a holiday. In such cases, the total hours payable could possibly exceed 24 (i.e., 8 hours holiday and a maximum of 24 hours on-call totaling 32 hours). This is assuming that the employee is a full-time employee and has not elected to bank the holiday (allowed only to Police).

Employees who have accepted an on-call schedule are required to be available during those hours. Failure to respond to make yourself available to emergency calls or failure to respond will be considered the same as a no-show to your shift (see Section C "The Workweek") and will be subject to the same policies.

Employees accepting on-call duty must make sure that child care and family needs do not interrupt in your ability to respond. If you have an emergency and you can't fulfill the duty as assigned, then you should make your supervisor aware at the earliest moment possible.

At no time will it be acceptable for an employee to respond to a call-out while in the company of your family.

Time-and-a-Half

Coburg pays one and one-half times a non-exempt employee's hourly rate for all hours worked over 40 in any workweek. *See* "Employee Classification," above.

Limitation on Overtime Pay

Paid hours not actually worked (for example, sick, vacation, holidays, and family leave) will not be counted toward the 40 per workweek required to receive overtime pay.

Assignment of Overtime Work

You may be required to work overtime. When overtime work is required by Coburg on a particular job on a shift commencing on a day other than Saturday, Sunday, or a holiday, the non-exempt employee performing that job at the conclusion of his or her straight-time hours will normally be expected to continue to perform the job on an overtime basis. When overtime work

is assigned by Coburg on a Saturday, Sunday, or holiday, it generally will be assigned By the supervisor of the department.

When overtime is required by Coburg on a Sunday or on a holiday, Coburg will endeavor to give the employees required to work notice of their assignment during their last shift worked prior to such Sunday or Holiday.

Supervisor Authorization

No overtime may be worked by non-exempt employees unless specifically authorized in writing by a supervisor or management. Employees who work unauthorized overtime may be subject to discipline up to and including termination.

Compensatory (Comp) Time

Overtime hours can be paid or, at the employee's option with Coburg approval, accumulated at time and one-half up to a maximum of 80 hours and taken as comp time off. Employees are encouraged to work with their supervisor to schedule and use comp time within 60 days of when it is accrued. At the discretion of an employee's supervisor, employees who have accrued less than 40 comp hours may be able to choose whether to have the accrued comp time cashed out at the rate earned by the employee at the time the employee receives the payment as long as the pay-out is supported by the budget.

There may be times when due to the requirements of a position, and capacity of the department, an employee may not be able to take their comp time accrued. Banking such time off farther than 60 days will be allowed only at the sole discretion of the department supervisor and after receiving written approval from the City Administrator. At no time will an employee accrue more than 80 hours.

Flex Time

Both non-exempt and exempt employees are eligible for flextime, however not all positions are eligible for flex time. Some positions require that the employee be present at the City within certain hours in order to provide continued customer service within the hours the City Hall is open. The supervisor may exclude an employee from flex time due to their individual duties, or constraints or capacity of the department.

Flex time is designed for occasional use when the workload of the City exceeds the available work hours of the employee. It should not be used to substitute for an alternative work schedule unless approved by your supervisor. ~~For an~~ An example~~,~~ would be an employee ~~may work~~working 10 hours on Tuesday in order to meet a deadline of the City, but then leave two hours early on another day within that work week. Vacation, holidays, and sick time do not constitute hours worked and therefore may not be counted as flexible hours.

Formal Flex Time

The City may consider a formal flex time schedule when the services of the City are being met and the department supervisor has approved. Two examples of a formal flex time schedule are:

1. Compressed work week – Four ten hour days
2. 5-4=9 - nine days are worked over the course of two weeks with 80 hours being worked and split between the two weeks such as five days worked one week and four the next but some worked days are longer than others.

~~2.~~3. Formal Flex Time must be approved by your supervisor.

Telecommuting

Coburg may consider telecommuting where there are opportunities for improved employee performance, reduced commuting miles, and/or the potential for Coburg savings. This may also be temporarily allowed in order for an employee to have uninterrupted and focused time in order to meet a deadline. Telecommuting is defined as work and transportation alternatives that substitute home-to-work commuting with the option of working at home. Not every position in the City has the option of telecommuting.

Telecommuting is an option but is not a "right" of any employee of the City. The decision as to whether to allow it or not will be at the sole discretion of the supervisor and/or the City Administrator. Employee's requesting Telecommuting Permission must fill out a Telecommuting Agreement and execute it with their supervisor and the City Administrator

~~F.~~G. Timekeeping Requirements

All non-exempt employees must accurately record time worked on a time card for payroll purposes. Employees are required to record their own time. It is required that hourly employees record their time daily. An employee who fails to record his or her time properly and turn in their time card timely to accounting will be paid for the hours recorded to date. It will be the responsibility of the employee to work out with accounting the correction of incomplete time cards.

Salaried exempt employees are also required to turn in a time card for each pay period.

Employees taking vacation, planned sick, and/or holiday pay must fill out a leave slip and have it signed by their supervisor. This sheet must be attached to timesheets.

All time sheets must be signed and dated by employees. Signatures must be legible. supervisor must sign time sheets prior to them being turned in.

~~G.~~H. Employee-Incurred Expenses and Reimbursements

Coburg will pay actual and reasonable business-related expenses incurred in the performance of your job responsibilities if they are: (1) listed below or elsewhere in this handbook; and (2) pre-approved by your supervisor before they are incurred. Coburg will not pay for or reimburse the costs incurred by a spouse, registered domestic partner or travel companion who accompanies the employee on Coburg approved travel.

Employees must provide a completed and signed travel expense report and evidence of proof of purchase (receipts) within one month of the expense being incurred or the employee risks forfeiting their payment or reimbursement.

Some examples of actual and reasonable business-related expenses that Coburg will reimburse/pay for are:

- *Conferences or Workshops*
- *Education*
- *Meals*
- *Mileage and Parking*: Employees will be reimbursed for authorized use of their personal vehicles at a rate established by the Internal Revenue Service. Reasonable parking costs are also reimbursed upon submission of receipts on private auto expense form. Any traffic citations or court-ordered fees relating to driving or parking offenses (including parking tickets) are the responsibility of the employee and will not be reimbursed by Coburg.

Employees who have a City credit card are encouraged to use those cards for all travel related expenses. Employees who do not have a City visa may request meal and mileage pre-payment based on a projected expense as recorded on a travel permission slip. An expense report must be completed upon the return of the employee including all associated receipts. Money left over from the pre-payment must be returned to the City upon return.

~~H.~~I. Payroll Policies

All employees are paid bi-weekly. There are 26 pay periods in the calendar year. Time cards are due by noon on the day after the pay period ends unless otherwise specified by the Finance Department.

Paydays fall exactly one week following the close of the pay period

Net pay will be directly deposited into the employee's bank account. Changes to banking information are required in written format to the Finance Department. No emails or verbal requests will be honored.

The City of Coburg makes all efforts to comply with applicable Oregon and federal wage and hour laws. In the event you believe that Coburg has made any improper deductions, has failed to pay

you for all hours worked or for overtime, or has failed to properly calculate your wages in any way, you must immediately report the error to the Finance Department. Coburg will investigate all reports of improper pay practices and will reimburse employees for any improper deductions or omissions. No employee will suffer retaliation or discrimination because he or she has reported any errors or complaints regarding Coburg's pay practices.

~~I.~~J. Reporting Changes to an Employee's Personal Data

Because personnel records are used to administer pay and benefits, and other employment decisions, employees are responsible for keeping information current regarding changes in name, address, phone number, exemptions, dependents, beneficiary, etc. Keeping your personnel records current can be important to you with regard to pay, deductions, benefits and other matters. If you have changes in any of the following items, please notify The Finance Department to ensure that the proper updates/paperwork is completed as quickly as possible:

- Name;
- Marital status/Domestic Partnership (for purposes of benefit eligibility determination only);
- Address or telephone number;
- Dependents;
- Person to be notified in case of emergency;
- Other information having a bearing on your employment; and
- Tax withholding.

Employees may not intentionally withhold information from Coburg about the items listed above in order to continue to receive benefits or anything of value for themselves or anyone else. Upon request, Coburg may require employees to provide proof of marital status/domestic partnership status. Employees who violate this policy may be subject to discipline, up to and including termination.

~~J.~~K. Performance ~~Reviews~~Dialogue

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We hope that you and your Supervisor will engage in open, ongoing conversations about your work, and that you will feel comfortable asking questions, providing feedback, seeking feedback, being an active participant in your career development, and that you receive the support, resources and feedback you need to do your best. Our goal is that you will know what is expected, how you are doing and that you will have opportunities to develop your skills.

The purpose of the Performance Dialogue is to establish a formal opportunity to have a real one-to-one conversation about what is happening in your work: what is going well, what you may need help or training with, goals for the coming year and in the future, and ways the City of Coburg can improve. It is meant to be interactive and of value to you, your manager and the City.

One component of the Performance Dialogue is the regular Check-In Meeting between you and your manager. This will typically happen quarterly but could be held more often if the

Supervisor deems it necessary. The purpose of these check-in meetings is to share information and provide ongoing coaching. Again, this should be an interactive conversation and may include how your work is going, problem solving, training, support needs and recognition.

When you are initially hired as a new employee or into a new position you will be meeting often with your Supervisor as part of the training process. You will have a formal progress meeting at approximately the mid-point of your probationary period, and a formal Performance Dialogue at the end of your probationary period.

During your career a Performance Dialogue will occur approximately every three months.

- The Performance Dialogue Form will be used to help guide the conversation during the Dialogue.
- You and your manager should prepare for the conversation, bringing notes, examples, etc.
- The Performance Dialogue Form will be completed jointly during the conversation and signed by you and your manager.
- A copy will be provided to you and the original will be placed in your personnel file.

Performance Dialogues become part of your employment record and may be considered in determining promotion, demotion, transfer, layoff, salary increases, and satisfactory completion of the probationary period.

Performance issues related incidents that result in an employee written warning and/or discipline will be handled immediately and not be held to the performance dialogue meeting. However, they will be followed up on in this meeting.

While we hope that you and your manager will come to agreement on what goes on the Performance Dialogue Form, there may occasionally be differences of opinion. Your signature on the Performance Dialogue form indicates that you have participated in the Dialogue and received a copy. It does not necessarily mean you are in full agreement with the documentation. If an employee declines to sign the form, the manager will note the employee's declination on the form and provide a copy of the form to the employee. An employee who disagrees with the outcome of the Performance Dialogue and the resulting form can provide a written response. The response should include reasons for disagreement and be provided to the manager no later than 30 days following the date of the Dialogue. The response will be attached to the Performance Dialogue form that goes into the personnel file. These forms will be brought to the attention of the City Administrator who will discuss any further action with the department supervisor.

Again the goal is to have a valuable conversation about your work with the Agency, and understanding your part in meeting the mission, goals and values of the City of Coburg.

III. Time Off and Leaves of Absence

A. Attendance, Punctuality and Reporting Absences

Employees are expected to report to work as scheduled, on time and be prepared to start work. Employees are also expected to remain at work for their entire work schedule, except for unpaid break periods or when required to leave on authorized Coburg business, and perform the work assigned to or requested of them. Late arrivals, early departures, or other absences from scheduled hours are disruptive and must be avoided.

Unless specified otherwise in a policy below, employees who will be unexpectedly absent from work for any reason or who will not show up for work on time must inform their supervisor via a telephone call, text or email no later than three hours before the start of the employee's scheduled shift. Not reporting to work and not calling to report the absence is a no-call/no-show and is a serious matter. The first instance of a no call/no show will result in a final written warning. The second separate offense may result in termination of employment with no additional disciplinary steps. A no call/no show lasting three days will be considered job abandonment and may be deemed an employee's voluntary resignation of employment.

B. Vacation

It is the policy of Coburg to provide each full-time employee with vacation time on a periodic basis. The amount of vacation to which an employee becomes entitled is determined by the employee's length of service as of his or her employment anniversary date. Employees who work **less** than 40 hours receive pro-rated benefit accruals. All accruals begin on the first day of the month following the date of hire.

~~Employees new to the City will begin accruing 8 hours per month the first day of the month following employment to accrue vacation time during their six month probationary period. An employee may not use vacation pay while on six month probationary period. However at the end of the probationary period and upon permanent hire a full 40 hour~~ vacation with be added to the employee's vacation bank and may be scheduled.

Vacation leave is accrued as follows:

Length of Service	Hours/Per Month	Full-Time Days Per Year Equivalent
~~0-6 months~~	~~8~~	~~5 days Equivalent~~
~~1-12 months (1 Year)~~	~~6.67~~	~~10 days~~
108-143 months	11.33	17 days per year
144-191 months	12.67	19 days per year
192+	13.33	20 days per year

Vacation accrues monthly and may not be taken until it is earned. Vacation time is intended to provide time away from work for rest and recreation. The City recommends that each employee take at least five (5) consecutive days off in a row in each calendar year. Vacation pay accrual may not exceed a maximum of 240 hours. Vacation benefits will stop accruing once the maximum limit has been reached. Once the total is reduced below the maximum level, then benefits can begin accruing again.

Vacation leave is paid at the Employee's base rate at the time vacation is taken.

Requests for vacation time are made to your supervisor by filling out the time off request form and submitting it for signature to your supervisor. Approved time off request forms must be attached to your time sheet which reflects the pay period for which the vacation time was taken.

Employees should be mindful of busy seasons, project due dates, and the responsibilities of the departments you serve when requesting vacation. Vacation request should be made well in advance and pre-approved by your supervisor. Normally employees should request no more time off than two (2) weeks at a time. However, requests of more than two weeks may be considered and approved when agreed upon by the Department Supervisor and the City Administrator.

Excess Vacation Accrual Payout Request

Employees with an accrual total of 120 or more hours may request a pay out of vacation hours annually in December, or at any time when it is related to a life-event. This pay out may not exceed two weeks or 80 hours and is subject to approval of the City Administrator and available budget. The City is not required to process all employee requests equally due to department budget availability. The City may honor a request of one employee while not doing so for another. This is solely at the discretion of the City Administrator and based upon availability of funds. A request must be provided in writing, signed and dated by the employee. This request will be forwarded to Payroll after approval and will be reflected on the next scheduled pay period.

C. Sick Leave

The City of Coburg provides eligible employees with sick leave in accordance with Oregon's Paid Sick Leave Law. This policy will be updated as necessary to reflect changes in and to ensure compliance with Oregon law.

Employees with questions about this policy may contact the City Administrator. Please also refer to the Oregon Sick Leave Law poster that is posted in the employee breakroom.

Eligibility and Accrual of Paid Sick Leave

Under Oregon's Paid Sick Leave Law and this policy, "employee" includes part-time, full-time, hourly, salaried, exempt and non-exempt employees. Sick leave runs concurrently with Oregon Family Medical Leave, federal Family and Medical Leave and other leave where allowed by law.

Employees begin to accrue paid sick leave on the first day of the month following ~~of~~ employment, but may not use paid sick leave until the 31st day of employment. After the 31st day of employment, paid sick leave may be used as it is accrued.

If an employee becomes sick and can't report to work in the first 30 days of employment, the supervisor may allow for a sick day depending on the employees standing with the City. Any sick days granted outside of the above policy must be approved by the City Administrator. This policy is solely to avoid having a sick employee report to work and thus expose other employees.

Full-Time Employees will accrue one sick day per month or 96 hours per calendar year. Paid sick leave shall be taken in hourly increments.

Pay Rate and Carryover

Paid sick leave will be paid at the employee's regular rate of pay. Exempt employees are presumed to work 40 hours in each workweek for purposes of their sick leave accrual unless their normal workweek is less than 40 hours, in which case sick leave is accrued based on the employee's normal workweek. Generally, sick leave pay will be included in the paycheck for the next payroll period after sick leave is used, provided the employee submits adequate documentation verifying that the absence was for a qualifying reason as defined in the "Use of Sick Leave" section below.

Sick leave is meant to be used or carried over; any unused sick leave will not be cashed out upon separation from employment. If an employee leaves employment and is rehired within 180 days, the employee's sick leave balance will be restored.

Employees may carry over up to a maximum of 520 hours of accrued and unused sick leave for use in subsequent calendar years.

Use of Sick Leave

Accrued paid sick leave may be used for the following reasons:

1. For the diagnosis, care or treatment of a mental or physical illness, injury or health condition or need for preventive medical care. This is available for the employee or his/her covered family member.
   - "Family member" means the eligible employee's grandparent, grandchild, spouse, or registered same-gender domestic partner, and the domestic partner's child or parent; the employee's stepchild, parent-in-law or a person with whom the employee was or is in a relationship of in loco parentis; and the employee's biological, adoptive or foster parent or child.
2. For any purpose allowed under the Oregon Family Leave Act, including bereavement leave.
3. If the employee, or the employee's minor child or dependent, is a victim of domestic violence, harassment, sexual assault or stalking as defined by Oregon law and requires leave for any of the purposes under Oregon's domestic violence leave law (ORS 659A.272).

4. In the event of certain public health emergencies or other reasons specified under Oregon's sick leave law.

Employees absent from work for a qualifying reason must use accrued sick time hours for that reason and on each subsequent day of absence.

Employee Notice of Need for Sick Leave

Foreseeable Sick Leave. If the need for sick leave is foreseeable, an employee must notify their supervisor as soon as practicable before the leave using the Coburg call-in/notification procedures. Generally, an employee must provide at least 5 days' notice for foreseeable sick leave. The request shall include the anticipated duration of the sick leave, if possible. Employees must make a reasonable effort to schedule foreseeable sick time in a manner that minimally disrupts the operations of Coburg. Employees must notify their supervisor of any change in the expected duration of sick leave as soon as is practicable.

Unforeseeable Sick Leave: If the need for sick leave is unforeseeable, the employee must notify their supervisor as soon as practicable and comply generally with Coburg call-in procedures. See Section C. Generally, an employee should notify his/her immediate supervisor of unforeseeable sick leave at least 30 minutes prior to the beginning of his/her shift, unless physically unable to do so, at which time notice should be given as soon as possible.

An employee must contact his/her supervisor daily while on sick leave, unless an extended period of sick leave has been prearranged with the supervisor or when off work on protected leave. The employee shall inform his/her supervisor of any change in the duration of sick leave as soon as practicable.

If an employee fails to provide proper notice or make a reasonable effort to schedule leave in a manner that is only minimally disruptive to the City of Coburg and operations, Coburg may deny the use and legal protections of sick leave.

Sick Leave Documentation

If an employee takes more than three consecutive scheduled workdays as sick leave, Coburg may require reasonable documentation showing that the employee was absent for an approved reason. Reasonable documentation includes documentation signed by a healthcare provider, or documentation for victims of domestic violence, harassment, sexual assault or stalking.

Sick Leave Abuse

If Coburg suspects sick leave abuse, including but not limited to repeated use of unscheduled sick leave or repeated use of sick leave adjacent to weekends, holidays, vacations and paydays; Coburg may require documentation from a healthcare provider on a more frequent basis. Employees found to have abused sick leave as described here may also be subject to discipline, up to and including termination.

Sick Leave Donation

The purpose of donated sick leave is to assist any eligible employees with additional leave through the donations of eligible co-workers. All full-time regular employees are eligible to request or donate sick time in cases deemed as "hardship" by the City Administrator. -Only the

City Administrator may approve a sick leave request or donation. All donations will be kept confidential and donors will remain anonymous.

In order to qualify for a leave donation, an employee must meet the eligibility requirements of the Family Medical Leave Act and/or the Oregon Family Leave Act.

An employee who is receiving, or is eligible to receive, any type of retirement disability, short-term or long-term disability insurance, or other supplemental income is not eligible to receive donated leave when such benefits would cross over and thus create a double benefit.

Donated hours must not be processed in an amount greater than that which is approximately necessary to cover the employee's next occurring pay period or the equivalent of ten (10) working days.

If otherwise qualifying, donated leave may be used to provide paid Military Family & Medical Leave that would otherwise be unpaid, but may not extend the length of Military Family & Medical Leave entitlement.

Unless otherwise stated, donated leave may not be used for any other reason except sick leave as established in the Family Medical Leave Act and/or the Family Leave Act.

A. Fill out the donation request form and provide documentation for a non-work related seriously disabling illness or injury, as certified by a physician.

B. Have exhausted all vacation, sick, and compensatory accrued leave and not be on, or eligible for, disability leave or pay.

C. Have worked one full year at Coburg and have received satisfactory performance evaluations.

D. Submit a request for donated leave to their immediate supervisor indicating reason and anticipated amount of lost work time.

The Donating Employee:

A. Must complete and submit a designated form indicating the desire to donate to the City Administrator or designee with supervisor approval.

B. May donate up to a maximum of 40 hours of sick time per calendar year, but must retain a minimum of 40 hours sick leave.

C. Any decision by the City Administrator or designee regarding Sick Leave Donation will be binding. Donated time is calculated using the number of hours donated the donator's hourly wage, and the recipient's hourly wage.

D. Holidays and Floating Holidays

Coburg recognizes ~~ten~~ Eleven holidays each year. All full-time employees will receive their regular straight-time compensation for each holiday. Regular part-time employees receive pay for each designated holiday in the proportion that their normally scheduled number of hours equals 40 hours per week. The holidays celebrated are:

1. New Years Day
2. Martin Luther King Jr. Day
3. President's Day
4. Memorial Day
~~4.~~5. Juneteenth
~~5.~~6. Independence Day
~~6.~~7. Labor Day
~~7.~~8. Veteran's Day
~~8.~~9. Thanksgiving Day
~~9.~~10. Day after Thanksgiving
~~10.~~11. Christmas Day

A holiday that falls on a weekend will be observed on either the preceding Friday or the following Monday to coincide with local custom.

To be eligible for holiday pay, an employee must have worked his or her regularly scheduled hours the workday before and the workday after the holiday, or have been on an approved vacation day or any other excused absence under Coburg policy. If an employee is on vacation when a holiday is observed, the employee will be paid for the holiday and will be granted an alternate day of vacation at a later date.

In years when Christmas falls in the middle of the week, the staff may collectively request to exchange Veteran's Day or the day after Thanksgiving for Christmas Eve. In the event that a change is made it will affect all employees of the City.

Non-exempt, Regularly Variable Scheduled Employee Holiday

Non-exempt, regularly variable scheduled employees (Police Officers) whose duties are required for the continuation of City services on a holiday will be allowed to bank time off for identified holidays. These "holidays" may then be used at the employee's discretion within the calendar year they are received. This is subject to approval of their supervisor and shall request the time prior to taking it via the proper request form. All holiday time must be used by December 31, in the calendar year it is accumulated or it will be forfeited. Banked Holiday Pay is not eligible to be paid out in a lump sum.

An employee who works on a recognized holiday shall receive double time pay for the amount of hours actually worked on the holiday up to 8 hours. If an employee works more than an eight, they receive one and one-half times the hours worked which is the standard overtime rate. They do not receive double time for the hours in excess of eight (8).

Employees who are on a leave of absence and not scheduled to work will not be paid for holidays. Upon their return from absence they will again be paid for holidays per holiday pay policy.

E. Personal Holidays

Employees may select one additional day with pay per calendar year

~~Personal holidays may only be used in full day increments; partial days are not allowed.~~ Employees may split their personal holiday in increments of no less than 4 hours. must coordinate requests for floating holidays with their supervisor.

Employees who begin employment after January 1 receive a pro-rated number of hours for a personal Holiday. For example, if you start on May 1 then you will receive 66% of 8 hours or 5.28 hours.

F. Family Medical Leave

Statement of No FMLA/OFLA Coverage

Coburg employees are not eligible for leaves of absence under the Oregon Family Leave Act (OFLA) or the federal Family Medical Leave Act (FMLA) due to the entity's small size.

One exception is that Coburg will honor requests from eligible employees to take a leave of absence under the Oregon Military Family Leave Act. Thus, during a period of military conflict, as defined by law, eligible employees with a spouse or registered same-sex domestic partner who is a member of the Armed Forces, National Guard, or military reserve forces ("Military Spouse"), and who has been notified of an impending call or order to active duty (or who has been deployed) is entitled to a total of 14 days of unpaid leave per deployment after the Military Spouse has been notified of an impending call or order to active duty and before deployment and when the Military Spouse is on leave from deployment. To be an eligible employee and entitled to this leave, the employee must have worked an average of 20 hours per week prior to beginning the requested leave.

G. Bereavement Leave

For permanent status employees who have fulfilled their six-month probationary period bereavement leave will be paid for up to three (3) days. This leave will be paid based upon employee's base pay. Employees may, with supervisor approval use any vacation or personal holiday available paid leave for additional time off as necessary for the attendance of funerals of those who do not meet the criteria of "family member." See "family member" definition under sick Leave, page 15.

An additional one-week, non-paid bereavement leave may be granted by a supervisor based upon the scheduling and work load of any department.

Bereavement leave may be used to attend the funeral or alternative to a funeral of the family member, to make arrangements necessitated by the death of the family member, or to grieve the death of the family member. The three (3) days bereavement leave must be taken in the 60-day period following notice of death of a family member. For purposes of this policy, "Family Member" is defined to include the employee's spouse, same-sex domestic partner (registered), child, parent, parent-in-law, grandparent, or grandchild, or the same relations of an employee's same-sex domestic partner (registered) or spouse.

Employees who wish to take bereavement leave must inform Coburg as soon as possible after receiving notification of a Family Member's death. Although prior notice is not required, oral notice must be provided within 24 hours of beginning leave. Written notice must be provided to the employer within three days of returning to work. Employees are required to use any available sick leave during the period of bereavement leave for a death of a "family member"; vacation time will be used if the employee has no available sick leave.

H. **Jury and Witness Duty**

Jury Duty

Coburg will grant employees time off for mandatory jury duty and/or jury duty orientation. A copy of the court notice must be submitted to the employee's supervisor to verify the need for such leave. Jury duty leave is paid; however, the employee shall surrender any jury duty pay he/she receives to the City.

The employee is expected to report for work when doing so does not conflict with court obligations. It is the employee's responsibility to keep his/her supervisor informed about the amount of time required for jury duty.

Witness Duty

Time spent serving as a witness in a work-related, legal proceeding will be treated as time worked for pay purposes, provided the time served occurs during regularly scheduled hours, the employee is subpoenaed to testify, and the employee submits witness fees to finance department upon receipt.

Except for employee absences covered under Coburg's "Crime Victim Leave Policy" or "Domestic Violence Leave and Accommodation Policy," employees who are subpoenaed to testify in non-work-related legal proceedings must use any available vacation time to cover their absence from work. If the employee does not have any available vacation time, the employee's absences may be unexcused and may subject the employee to discipline, up to and including termination. Employees must present a copy of the subpoena served on them to their supervisor for scheduling and verification purposes no later than 24 hours after being served.

I. Religious Observances Leave and Accommodation Policy

Coburg respects the religious beliefs and practices of all employees. Coburg will make, upon request, an accommodation for such observances when a reasonable accommodation is available that does not create an undue hardship on Coburg's business. Employees may use vacation or unpaid time for religious holy days or to participate in a religious observance or practice; if accrued leave is not available, then an employee may request to take unpaid leave. Requests for religious leave or accommodation should be made with the City Administrator.

J. Crime Victim Leave Policy

Any employee who has worked an average of at least 25 hours per week for 180 days is eligible for reasonable, unpaid leave to attend criminal proceedings if the employee or his or her immediate family member (defined below) has suffered financial, social, psychological or physical harm as a result of being a victim of certain felonies, such as kidnapping, rape, arson, and assault.

"Immediate family member" includes a spouse, registered same-sex domestic partner, father, mother, sibling, child, stepchild or grandparent.

Employees who are eligible for crime victim leave must:

- Use any accrued, but unused vacation/sick leave during the leave period;
- Provide as much advance notice as is practicable of his/her intention to take leave (unless giving advance notice is not feasible); and
- Submit a request for the leave in writing to the City Administrator as far in advance as possible, indicating the amount of time needed, when the time will be needed, and the reason for the leave.

In all circumstances, Coburg may require certification of the need for leave, such as copies of any notices of scheduled criminal proceedings that the employee receives from a law enforcement agency or district attorney's office, police report, a protective order issued by a court, or similarly reliable sources.

K. Domestic Violence Leave and Accommodation Policy

All employees are eligible for reasonable unpaid leave to address domestic violence, harassment, sexual assault, or stalking of the employee or his or her minor dependents.

Reasons for taking leave include the employee's (or the employee's dependent's) need to: seek legal or law enforcement assistance or remedies; secure medical treatment for or time off to recover from injuries; seek counseling from a licensed mental health professional; obtain services from a victim services provider; or relocate or secure an existing home.

Leave is generally unpaid, but the employee may use any accrued vacation or sick leave while on this type of leave.

When seeking this type of leave, the employee should provide as much advance notice as is practicable of his or her intention to take leave, unless giving advance notice is not feasible.

Notice of need to take leave should be provided by submitting a request for leave in writing to the City Administrator as far in advance as possible, indicating the time needed, when the time

will be needed, and the reason for the leave. Coburg will then generally require certification of the need for the leave, such as a police report, protective order or other evidence of a court proceeding, or documentation from a law enforcement officer, attorney, healthcare professional, member of the clergy, or victim services provider.

If more leave than originally authorized needs to be taken, the employee should give Coburg notice as soon as is practicable prior to the end of the authorized leave. When taking leave in an unanticipated or emergency situation, the employee must give oral or written notice as soon as is practicable. When leave is unanticipated, this notice may be given by any person on the employee's behalf.

Finally, employees who are victims of domestic violence, harassment, sexual assault or stalking may be entitled to a "reasonable safety accommodation" that will allow the employee to more safely continue to work, unless such an accommodation would impose an "undue hardship" on Coburg. Please contact the City Administrator immediately with requests for reasonable safety accommodations.

L. Military Leave

Military leave of absence will be granted to employees who are absent from work because of service in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Employees who wish to serve in the military and take military leave must give advance notice to their supervisor and to the City Administrator unless military deployment necessity prevents such notice, or it is otherwise impossible or unreasonable.

Employees who have been employed for at least six months will continue to receive full pay while on long-term leave for two weeks followed by unpaid leave. If the employee is on leave for training and is otherwise compensated for the training, the Employee will reimburse the City for any compensation they received up to the amount of their net payroll. Employees may use available paid time off to cover parts of their absence as well.

Continuation of health insurance benefit is available through COBRA if the employee wishes to elect such coverage for themselves or their family. Employees who will be on long-term leave and do not elect COBRA should work with the City Human Resources Department to make sure that coverage is reinstated timely.

Vacation and sick leave benefits will continue to accrue during military leave of absence if an employee has been at the City for at least one year. Employees returning from military leave will be placed in the position they would have attained had they remained continuously employed or a comparable one depending on the length of military service in accordance with USERRA. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service.

Employees returning from military leave shall contact their supervisors to let them know that their deployment will end. Written notice is required to let the City know when to expect them to return to employment in their former department. Employees not contacting the City at the end of their deployment, or failing to provide a date of return to work could be considered leave without permission from their supervisor, or that they have abandoned their employment. In this case, general City policy on these will be in force.

For more information on Military Leave please contact the City Administrator

IV. Employee Benefits

A. Healthcare Benefits

Employees who meet the definition of "benefit eligible" under both Coburg policy and that of its health insurance provider are entitled to the benefit options offered by Coburg. Generally speaking, that means Coburg offers medical insurance for all of its regular, full-time employees (30 hours or more) unless otherwise established by law. Coburg pays 95% of the cost of elected coverage for its regular, full-time employees. Employees are required to pay 5% of their elected coverage. Part-time employees (29 hours or less) are not eligible for health-insurance coverage.

The group insurance policy and the summary plan description issued to employees set out the terms and conditions of the health insurance plan offered by Coburg. These documents govern all issues relating to employee health insurance. As other employee benefits are offered by Coburg, employees will be advised and provided with copies of relevant plan documents. Copies are available from Finance Department.

Long-term Disability

Coburg provides a long-term disability (LTD) benefit plan to help employees working in benefits-eligible positions cope with an illness or injury resulting in a long-term absence from employment. Information regarding long-term disability will be made available annually, upon new-hire, and on request.

Life Insurance

Coburg provides a basic life insurance plan that is based upon your annual salary, to a maximum benefit amount for employees working in benefits-eligible positions. Information regarding life insurance will be made available annually, upon new hire, and upon request.

Pre-tax Account (FSA)

Coburg makes available an FSA option to benefit eligible employees for dependent care expenses, medical and dental services, and employee insurance premiums. The FSA option is an employee elected deduction and is not funded by the City.

Health Reimbursement Account (HRA)

The City provides $50 per month or $600 annually into a Health Reimbursement account for employees working 20 hours or more. These funds may be spent according to the policies of the carrier but are meant for reimbursements for small items such as co-pay, prescriptions, immunizations, and approved medical expenses. Information regarding the HRA will be made available annually, upon new hire, and upon request. The $50 per month contribution will begin on the 1st of the month following 30 days of employment.

For information on any medical benefits of the City contact the Finance Department.

B. Employee Assistance Program (EAP)

This free, confidential service is provided to all employees covered by our medical insurance benefits, and their covered dependents who may be experiencing life problems. Information regarding this service can be obtained by contacting the City Administrator.

C. Workers' Compensation and Safety on the Job

You are protected by workers' compensation insurance under Oregon law. This insurance covers you in case of occupational injury or illness by providing, among other things, medical care and compensation and temporary or other disability benefits. Employees are expected to work safely and in a safe environment.

Steps to take if You are Injured on the Job

If you are injured on the job, Coburg wants to know about it and expects to learn about it no later than 24 hours after your injury (report all work-related injuries to your supervisor).

If you seek treatment for your work-related injury and want to apply for workers' compensation benefits, you must do all of the following:

1. Report any work-related injury to your supervisor. You must report the injury no later than 24 hours after injury.
2. Seek medical treatment and follow-up care if required.
3. Promptly complete a written Employee's Claim Form (Form 801) and returns it to the City Administrator.

Failure to timely follow these steps may negatively affect your ability to receive benefits.

Return to Work

If you require workers' compensation leave, Coburg will strive to reemploy you in the most suitable vacant position available at the conclusion of that leave. However, you must first submit documentation from a health care provider who is familiar with your condition certifying your ability to return to work and perform the essential functions of the position.

When returning from a workers' compensation leave you have no greater right to reinstatement than if you had been continuously employed rather than on leave. For example, if you would have been laid off had you not been on leave, or if your position is eliminated, and no equivalent

or comparable positions are available, then you may not be entitled to reinstatement. These are only examples and all reinstatement/reemployment decisions are subject to the terms of any applicable collective bargaining agreement. Coburg does not discriminate against employees who suffer a workplace injury or illness.

Early Return-to-Work Program

Our Return-to-Work program provides guidelines for returning you to work at the earliest possible time after you have suffered an on-the-job injury or illness that results in time loss. This program is not intended as a substitute for reasonable accommodation when an injured employee also qualifies as an individual with a disability. The Return-to-Work Program is intended to be transitional work, to enable you to return to your regular job in a reasonable period of time.

The Return-to-Work program for job-related injuries consists of a team effort by Coburg, injured employees and their treating physicians, and our workers' compensation insurance carrier claims staff. The goal is to return our employees to full employment at the earliest possible date that is consistent with their medical condition and the advice of the treating physician.

If your doctor determines that you are able to perform modified work, Coburg will attempt to provide you with a temporary job assignment for a reasonable period of time until you can resume your regular duties (except where provided as an accommodation for a disability). If, due to a work-related injury, you are offered a modified position that has been medically approved, failure to phone in or report at the designated time and place may affect your compensation and employment with Coburg. While you are on modified or transitional work, you are still subject to all other Coburg rules and procedures.

Overlap with Other Laws

Coburg will account for other leave and disability laws that might also apply to your situation, such as the Americans with Disabilities Act (ADA). If, after returning from a workers' compensation leave, it is determined that you are unable to perform the essential functions of your position because of a qualifying disability, you may be entitled to a reasonable accommodation, as governed by the ADA and/or applicable Oregon laws covering disabilities in the workplace.

D. PERS (Public Employees' Retirement System) Benefits

As participants in the PERS system, your designation as a Tier I, Tier II, or OPSRP member will depend on your prior PERS service and PERS rules.

You become a PERS member after working six full calendar months for a PERS-covered employer in a qualifying position requiring at least 600 hours per calendar year period. That six month "waiting period" cannot be interrupted by more than 30 consecutive working days. Your effective date of membership is the first day of the month after you have met this requirement.

Coburg makes two contributions to PERS on your behalf. The first contribution is an amount based on the actuarial requirements for funding Coburg employee pensions. It is a percentage

of payroll set by PERS. The amount may be different for each designation (Tier I, Tier II, OPSRP), and changes from year to year.

Coburg also pays on your behalf the employee contribution to the PERS system, which is set by statute at 6% of your pay. The employee contribution is deposited by PERS into the Individual Account Program (IAP). After you become a member of PERS, you will receive information about how to review your IAP account. PERS also will send you annually a statement of your balance(s).

Employees retiring in the PERS system but who continue to work or are rehired at the City are eligible for PERS pension deposits into the PERS system. However, the 6% IAP deposit will not be made by the City.

When you become a PERS member, you should fill out a Designation of Beneficiary form to name someone to receive your benefits should you die before resigning or retiring. The "Standard Designation" on the Designation of Beneficiary form directs your death benefits to your surviving next of kin. If you select the standard designation, you automatically provide for changes which occur in your family situation such as marriage, birth, divorce, or death.

For more information on PERS membership, contact their Customer Service line: 1-888-320-7377 or 503-598-7377, Monday – Friday between the hours of 8:30 a.m. and 5:00 p.m.

V. Miscellaneous Policies

A. Alcohol/Drug Use, Abuse and Testing Policy

The City of Coburg works to maintain a safe and efficient work environment. Employees who misuse controlled substances, prescription or illegal drugs, or alcoholic beverages pose a risk both to themselves and to everyone who comes into contact with or depends upon them and risks damage to ~~[Organization]~~City of Coburg's reputation.

The City of Coburg expects employees to report to work in a condition that is conducive to performing their duties in a safe, effective and efficient manner. An employee's off-the-job as well as on-the-job involvement with drugs and alcohol can have a significant impact on the workplace and can present a substantial risk to the employee who is using alcohol and drugs, to coworkers and others.

This policy applies to all employees ~~(~~except where noted in this policy~~-~~or where it is inconsistent with applicable law~~,~~ and/or collective bargaining agreement provisions. This policy revises and supersedes all previous drug and alcohol testing policies and practices.

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Prohibited Conduct

1. Possession, transfer, use or being under the influence of any alcohol while on ~~[Organization~~City of Coburg~~]~~ property, on ~~[Organization]~~ City of Coburg time, while driving ~~[Organization]~~ City of Coburg vehicles (or personal vehicles while on ~~[Organization]~~ City of Coburg business), or in other circumstances which adversely affect ~~[Organization]~~ City of Coburg operations or safety of ~~[Organization~~City of Coburg~~]~~ employees or others.

2. Law enforcement employees may possess or transfer alcohol during the performance of their law enforcement duties, e.g., collecting evidence.

    a. The conduct prohibited by this rule includes consumption of any intoxicating liquor within four hours of reporting to work or during rest breaks or meal periods. If use of alcoholic liquor or an alcohol "hangover" adversely affects an employee's physical or mental faculties while at work to any perceptible degree, or the employee's blood alcohol content exceeds .02 percent, the employee will be deemed "under the influence" for purposes of this rule.

3. Possession, distribution, dispensing, sale, attempted sale, use, manufacture or being under the influence of any narcotic, hallucinogen, stimulant, sedative, drug or other controlled substance while on ~~[Organization]~~ City of Coburg property, on ~~[Organization]~~ City of Coburg time, while driving ~~[Organization]~~ City of Coburg vehicles (or personal vehicles while on ~~[Organization]~~ City of Coburg business), or in other circumstances which adversely affect ~~[Organization]~~ City of Coburg operations or safety of ~~[Organization]~~ City of Coburg employees. Employees may not have any detectable amount of narcotic, hallucinogen, stimulant, sedative, drug or other controlled substance in system while on ~~[Organization]~~ City of Coburg property or on ~~[Organization~~City of Coburg~~]~~ time.

    a. Law enforcement employees may possess narcotics, drugs or other controlled substances while engaging in law enforcement duties, e.g., collecting or transporting evidence.

    b. The conduct prohibited by this rule includes consumption of any such substance prior to reporting to work or during rest breaks or meal periods. If use of such substances or withdrawal symptoms adversely affects an employee's physical or mental faculties while at work to any perceptible degree, or the employee tests "positive" for any such substances by screening and confirmation tests, the employee will be deemed "under the influence" for purposes of this rule.

    c. As used in this policy, "controlled substance" includes, but is not limited to, any controlled substance listed in Schedules I through V of the Federal Controlled Substance Act, including marijuana that is otherwise lawful to use under Oregon, Washington or any other state's law.

4. Bringing to ~~[Organization]~~ City of Coburg property, or possessing, items or objects on ~~[Organization~~City of Coburg~~]~~ property that contain any "controlled substance," including, for example, "pot brownies", "edibles" and candy containing marijuana. This prohibition does not apply to law enforcement employees who bring or possess such items in

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connection with law-enforcement work. No employee, regardless of position held, may knowingly serve items containing marijuana or any other "controlled substance" to co-workers, members of the public, or elected officials while on work time or on/in ~~[Organization]~~City of Coburg property.

5. Bringing equipment or any devices marketed for use or designed specifically for use in ingesting, inhaling or otherwise introducing marijuana (or controlled substances), such as pipes, bongs, "vape" pens, smoking masks, roach clips, and or other drug paraphernalia. This prohibition does not apply to employees who possess such items in connection with law enforcement work.

6. Bringing equipment, products or materials that are marketed for use or designed for use in planting, propagating, cultivating, growing, or manufacturing marijuana, including live or dried marijuana plants to ~~[Organization]~~ City of Coburg property. This prohibition does not apply to employees who possess such items in connection with law enforcement work.

~~The following conduct is strictly prohibited and will result in disciplinary action up to and including termination:~~

With the exception of medical marijuana, nothing in this rule is intended to prohibit the use of a drug taken under supervision by a licensed health care professional, where its use does not present a safety hazard or otherwise adversely impact an employee's performance or [Organization] operations.

Employees must inform their supervisor about their use of any prescription or over-the-counter drugs that could affect their ability to safely perform the duties of their position. If an employee's use of such prescription drugs could adversely affect ~~[Organization]~~City of Coburg operations or safety of ~~[Organization]~~City of Cobuorg employees or other persons, ~~[Organization]~~City of Coburg may reassign the employee using the prescription drugs to other work or take other appropriate action to accommodate the physical or mental effects of the medication. Failure to report use of prescription drugs covered by this rule will subject an employee to disciplinary action, up to and including termination. (Although an employee is not required to provide [Organization] with the name(s) of the prescription medication(s) taken, medical verification of the prescription may be required.)

The use of marijuana, which is a Schedule 1 controlled substance under federal law, is expressly prohibited under this policy, even if its medical use is authorized under state law. Employees who use medical marijuana in connection with a disability should discuss with their Supervisor other means of accommodating the disability in the workplace, as ~~[Organization]~~City of Coburg will not agree to allow an employee to use medical marijuana as an accommodation. (See "Disability Accommodation Policy," above.)

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Coburg reserves the right to:

a. Subject applicants who are given a conditional offer of employment in a safety-sensitive position to a drug and/or alcohol test;

b. Test employees reasonably suspected of using drugs or alcohol in violation of this policy;

c. Discipline or discharge employees who test positive or otherwise violate this policy; and

d. Test employees when they: (1) cause or contribute to accidents that seriously damage a Coburg vehicle, machinery, equipment or property; (2) result in an injury to themselves or another employee requiring offsite medical attention; or (3) when Coburg reasonably suspects that the accident or injury may have been caused by drug or alcohol use.

Reasonable Cause Testing

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If there is reasonable cause to suspect that an employee is under the influence of controlled substances or alcohol during work hours or has used drugs or alcohol in violation of this policy, ~~[Organization]~~the City of Coburg may require the employee to undergo testing for controlled substances or alcohol.

As used in this policy, unless the context indicates otherwise:

- The terms "test" and "testing" shall be construed to mean job impairment field tests, laboratory tests, breathalyzer tests, and other tests of saliva, blood and urine. No testing shall be performed under this rule without the approval of the City Administrator or the City Administrator's designee.
- "Reasonable cause" as used in this policy means an articulable belief based on specific facts and reasonable inferences drawn from those facts that an employee is more likely than not under the influence of controlled substances or alcohol or has used drugs or alcohol in violation of this policy. Circumstances which can constitute a basis for determining "reasonable cause" may include, but are not limited to:
  - a pattern of abnormal or erratic behavior;
  - information provided by a reliable and credible source;
  - direct observation of drug or alcohol use;
  - presence of the physical symptoms of drug or alcohol use (*i.e.*, glassy or bloodshot eyes, alcohol odor on breath, slurred speech, poor coordination and/or reflexes);
  - unexplained significant deterioration in individual job performance;
  - unexplained or suspicious absenteeism or tardiness;
  - employee admissions regarding drug or alcohol use; and
  - unexplained absences from normal work areas where there is reason to suspect drug or alcohol related activity.

~~To the extent practicable, employees shall be required to obtain the approval of the City Administrator or the City Administrator's designee before conducting reasonable cause testing.~~ Supervisors shall document the basis for their determination that reasonable cause exists to warrant alcohol or controlled substance testing of an employee or a search. This documentation shall be forwarded to the City Administrator. Whenever possible, supervisors should locate a second employee or witness to corroborate his/her "reasonable ~~suspicion~~cause" findings.

An employee whose initial laboratory screening test for controlled substances yields a positive result shall be given a second test. The second test shall use a portion of the same test sample withdrawn from the employee for use in the initial screening test. If the second test confirms the

initial positive test result, the employee shall be notified of the results in writing by the City Administrator. The letter of notification shall state the particular substance identified by the laboratory tests. The employee may request a third test of the sample within 24 hours of receiving the letter of notification, but such testing will be paid for by the employee.

Search of Property

When reasonable suspicion exists to believe an employee possesses alcohol or a controlled substance on Coburg property, or has otherwise violated provisions of this rule regarding possession, sale or use of controlled substances or alcohol, Coburg may search the employee's possessions located on Coburg property, including but not limited to, clothes, locker, lunchbox, toolbox, and desk. Employees should have no expectation of privacy in any items they bring on to Coburg property, or in property, equipment or supplies provided by Coburg to employee.

Employee Refusal to Test/Search

An employee who refuses to consent to a test or a search when there is reasonable cause to suspect that the employee has violated this policy is subject to disciplinary action up to and including termination. The reasons for the refusal shall be considered in determining the appropriate disciplinary action.

An employee who refuses to cooperate with any tests required by this policy is also subject to discipline, up to and including termination. This includes, but is not limited to, tampering with, or attempting to tamper with, a specimen sample, using chemicals or other ingredients to mask or otherwise cover up the presence of metabolites, drugs or alcohol in a specimen, or providing a blood or urine specimen that was produced by anyone or anything other than the employee being tested.

Crimes Involving Drugs and/or Alcohol

Employees shall report:

- Any criminal arrest or conviction for drug- or alcohol-related activity within five days of the arrest or conviction;
- Entry into a drug court or diversion program; or
- Loss or limitation of driving privileges when the employee's job is identified as requiring a valid driver's license (regular or CDL).

Failure to report as required will result in disciplinary action up to and including termination.

Drug and Alcohol Treatment

The City of Coburg recognizes that alcohol and drug use may be a sign of chemical dependency and that employees with alcohol and drug problems can be successfully treated. The City of Coburg is willing to help such employees obtain appropriate treatment.

An employee who believes that he/she has a problem involving the use of alcohol or drugs should ask a supervisor or ~~[Contact]~~City Administrator for assistance.

The City of Coburg will work with an employee to identify all benefits and benefit programs that may be available to help deal with the problem. Attendance at any rehabilitation or treatment program will be a shared financial responsibility of the employee and the City of Coburg to the extent its existing benefits package covers some or all of the program costs.

Although the City of Coburg recognizes that alcohol and drug abuse can be successfully treated and is willing to work with employees who may suffer from such problems, it is the employee's responsibility to seek assistance before drug or alcohol problems lead to disciplinary action. Once a violation of the City of Coburg policy is discovered, the employee's willingness to seek City of Coburg or outside assistance will not "excuse" the violation and generally will have no bearing on the determination of appropriate disciplinary action.

Discipline and Consequences of Prohibited Conduct

An employee who violates this policy will be subject to either termination or a last-chance agreement.

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A last-chance agreement is an agreement whereby an employee who would otherwise be terminated is provided an opportunity to address his/her substance abuse issue and/or performance or safety issues. The last-chance agreement will inform the employee of the problems noted with his/her performance and to specify the performance required for the employee to achieve in order to continue to be employed by the City of Coburg. Violation of the provisions of a last-chance agreement shall result in immediate termination of the employee, notwithstanding the provisions of any other personnel rule.

~~Coburg recognizes that alcohol and drug use may be a sign of chemical dependency and that employees with alcohol and drug problems can be successfully treated. Coburg is willing to help such employees obtain appropriate treatment.~~

All information from an employee's drug and alcohol evaluation is confidential and only those with a need to know are to be informed of test results. Disclosure of such information to any other person, agency, or Coburg employee is prohibited unless written authorization is obtained from the employee.

B. Equipment Use

This policy applies to employee use of City vehicles, equipment, cell phones, smart phones (including iPhones, “smartphones” and similar devices), tablets and similar devices, all of which are referred to as “cellular devices” in the Cellular Devices Policy.

Vehicles

City Vehicles are assigned to employees whose job requires them to utilize a vehicle in order to conduct assigned City Business. This includes Public Works and Police vehicles. Employees must pass a background and DMV check prior to operating a City vehicle, and must have a current driver’s license.

Vehicles may only be used for the purpose of City business and shall not be used for personal business. Only City employees may drive or ride in City owned vehicles. Children, spouses,

friends, etc. shall not be allowed in City Vehicles. Exceptions may be made in special circumstances and when approved by the department supervisor or City Administrator.

Employees who are emergency responders and on-call may take their vehicle home when assigned to on-call duty in order to provide a more rapid response time. This includes Police and Public Works employees living within the required response areas. Employees responding to an on-call event in a city vehicle must do so in uniform.

Equipment

Equipment assigned to employees for the purpose of conducting their job should be used properly and cared for as follows:

1. You are responsible for the care and custody of equipment issued to you including computer, office equipment, City issued credit cards, clothing, tools, vehicles, cell phones, etc. This includes securing it against theft.
2. Equipment is not to be used for personal use.
3. City-issued credit cards are not to be used for personal use.
4. Cell phones are for the purpose of conducting City business. Therefore, you are required to answer your cell phone during the day. Cell phones are to remain on. If you are on-call, your cell phone is to remain on and you are expected to answer it.
5. Vehicles are to be clean and properly stocked with tools and safety equipment.

Cell Phones and Cellular Devices in General

Employees are allowed to bring personal cell phones and cellular devices to work with them. During working hours, however, employees should refrain from using them except in an emergency or during a meal period or rest break.

Employees who use personal or Coburg provided cell phones/cellular devices may not violate Coburg's policies against harassment and discrimination. Thus, employees who use a personal or Coburg provided cell phone/cellular device to send a text or instant message to another employee (or to a citizen or someone not employed by the Coburg that is harassing or otherwise in violation of Coburg's no-harassment and no-discrimination policies will be subject to discipline up to and including termination.

Employee Use of Coburg Provided Cell Phones/Cellular Devices

Cell phones/cellular devices are made available to Coburg employees on a limited basis to conduct Coburg's business. Determinations as to which employees receive Coburg provided cell phones will be made on a case-by-case basis; employees are not guaranteed a cell phone or cellular device

Employees who receive a cell phone or cellular device from Coburg must agree to not use the cell phone/cellular device for personal use except in emergency situations and must abide by all aspects of the Cellular Device Policy. Further, employees who receive a cell phone or cellular device from Coburg must acknowledge and understand that because the cell phone/cellular

device is paid for and provided by Coburg, any communications (including text messages) received by or sent from the cell phone/cellular device may be subject to inspection and review if Coburg has reasonable grounds to believe that the employee's use of the cell phone violates any aspect of the Cellular Device Policy or any other Coburg policy. An employee who refuses to provide Coburg access to his/her personal cell phone/cellular device in connection with an investigation and after reasonable notice may be subject to discipline, up to and including termination.

Employees may not use Coburg provided cell phones or cellular devices to call 1-900, 1-976 or similar "pay per minute" services. Further, family and friends may not use an employee's Coburg provided cell phone/cellular device.

Employee Use of Cell Phones/Cellular Devices with Cameras

Cameras of any type, including cell phones or cellular devices with built-in cameras and video photography options, may not be used during working hours, or at any Coburg sponsored function unless authorized to do so by the City Administrator. Photos may be needed for recorded incidents or work related reports. Employee may take pictures and/or videos when they will be used for records for the City of Coburg.

Cell Phones/Cellular Devices and Public Records

Coburg related business conducted on Coburg provided or personal cell phones/cellular devices may be subject to disclosure and production under Oregon's Public Records laws or in connection with litigation filed against Coburg.

Cell Phone/Cellular Device Use While Driving

The use of a cell phone or cellular device while driving is unlawful. Subject to a few narrow exceptions for emergency or public safety purposes, Oregon law also prohibits the use of handheld cell phones while driving, even if the driving is for work-related reasons. This policy is meant to ensure the safe operation of Coburg vehicles and the operation of private vehicles while an employee is on work time. It applies equally to the usage of employee-owned cell phones and phones provided or subsidized by Coburg.

Employees are prohibited from using handheld cell phones for any purpose while driving on Coburg authorized or Coburg related business. This policy also prohibits employees from using a cell phone or other cellular device to send or receive text or "instant" messages while driving on Coburg business (other than those employees engaged in law enforcement work). Should an employee need to make a business call while driving, the employee must locate a lawfully designated area to park and make the call, unless the employee uses a hands-free cell phone or cellular device for the call. In either situation, such calls should be kept short and should the circumstances warrant (for example, heavy traffic, bad weather), the employee should locate a lawfully designated area to park to continue or make the call, even if the employee is using a hands-free device. Violation of this policy will subject the employee to discipline, up to and including termination. This policy does not apply to emergency response when operating under lawful exclusions for such purpose.

C. **General Security- User Acceptable Use**

City of Coburg provides many business tools to its employees to enhance their productivity and jobs. These tools include computers, software, communication tools (email, chat), access to internal networks (intranet), access to external networks (internet), as well as telephone systems, voice mail, fax, photocopiers, etc. City of Coburg requires that these systems be used in a responsible way, ethically, and in compliance with all legislation and other City of Coburg policies and contracts. Noncompliance could have a severe, negative impact on the City of Coburg, its employees, and its customers. This policy does not attempt to anticipate every situation that may arise and does not relieve anyone accessing the system of their obligation to use common sense and good judgment.

Individuals at City of Coburg are encouraged to use the City systems and resources to further the business goals and objectives of the City of Coburg. The types of activities that are encouraged include:

- Communicating with fellow employees, City of Coburg business partners, and City of Coburg customers within the context of an individual's assigned responsibilities.
- Acquiring or sharing information necessary or related to the performance of an individual's assigned responsibilities.
- Participating in educational or professional development activities

CYBER SECURITY POLICY INTENDED AUDIENCE

This policy is applicable to all employees of City of Coburg, including full-time, part-time, and temporary employees; students; and interns. The requirements defined in this policy are applicable to all data, systems, and services owned and/or managed by City of Coburg.

Definitions

- **Shadow IT:** The acquisition and use of information technology systems and/or services within the City of Coburg that have not been approved by the IT Department. Oftentimes, the IT Department is not even aware of these solutions being implemented.
- **Malware:** A program that is inserted into a system, usually covertly, with the intent of compromising the confidentiality, integrity, or availability of the victim's data, applications, or operating system, or of otherwise annoying or disrupting the victim.
- **Social engineering:** The "con game"; the art of manipulating end users into providing confidential or personal information. One example is "phishing," where hackers pretend to be trusted City of Coburgs such as banks, company suppliers, IT staff, or mobile carriers in order to get your personal information such as credit card details or confidential corporate information.
- **Removable media:** Any type of storage device that can be removed from a computer while the system is running. Examples include USB flash/thumb drives, memory cards, CDs/DVDs,

external hard drives, or mobile devices used for storage purposes such as MP3 players or smartphones. While there are business purposes for these devices, they are also known to be common sources of malware infections and susceptible to loss or theft, leading to breaches of sensitive information.

- **IT Service Request:** City of Coburg retains an off-site IT support team, which can be reached through the help desk. Internal policy requires that you report IT support requests to the employee assigned at the City to enter in IT support on-line system.

Policy

Acceptable Use of Media Equipment

Media Equipment includes, but is not limited to, physical equipment, such as desktop computers, servers, printers, laptops, telephones, mobile devices, and removable media (such as USB flash drives), as well as systems and services, such as the City of Coburg network, internet, voicemail, and more. City of Coburg data is also considered to be an asset. All devices and systems are property of City of Coburg and all use must be in accordance with policies, standards, and guidelines.

1. City of Coburg does allow for occasional use of the network, systems, and devices for personal reasons (personal correspondences, online banking, etc.), but personal use must not be abused. Personal use is acceptable provided that it is limited to the following considerations:
    a) It does not have a negative impact on overall employee productivity.
    b) It does not cause additional expense to the City of Coburg .
    c) It does not compromise the City of Coburg in any way.
    d) It does not disrupt the network performance in any way.
    e) It does not contradict any other City of Coburg policies in any way.
    f) It is done during the employees break, lunch or personal time and not during regularly scheduled work times.
2. City of Coburg assets and systems may not be used for illegal or unlawful purposes, including copyright infringement, obscenity, personal gain, libel, slander, fraud, defamation, plagiarism, intimidation, forgery, impersonation, illegal gambling, soliciting for pyramid schemes, and computer tampering (e.g. spreading computer viruses).
3. Users should not access and/or purchase technology, devices, applications, or services that are not formally authorized and approved by IT. (This circumvention of the IT management is known as Shadow IT.)
4. IT assets, such as laptops and mobile devices, are intended to be used only by the people to whom they have been issued. The use of a non-employee (e.g. family member, friend, or contractor) is strictly prohibited.

5. Users will protect all corporate-managed IT assets at all times, keeping them physically and logically secured and under the control of the user, including but not limited to:
    a) Locking down laptops with a locking cable or storing them in a locked drawer or cabinet when leaving them in the office.
    b) Ensuring the workstation is locked (screen/keyboard) whenever walking away from it.
6. Access to City of Coburg systems and devices is controlled through individual accounts and passwords, as outlined in the Password Standard section of this document and in the Access Control Policy.
7. All voicemail boxes will be protected with a PIN (personal identification number). PINs must be changed periodically as required by the mailbox security system. Easy-to-guess or previously used PINs will be blocked by the system. PINs must not be shared with others.
8. Removable media, such as USB flash drives, CDs, etc., may be used with the following requirements:
    a) Information should only be stored on removable media when required in the performance of the user's role (e.g. USB shared between two employees during a conference).
    b) The use of removable media to introduce malware or other unauthorized software into the City of Coburg environment is strictly prohibited.
    c) Mobile devices (e.g. smartphones, tablets) are not permitted to be used as removable media to transfer or store any business or customer data.
    d) Any unknown removable media that is found unattended must be reported to the IT Department and NOT inserted into any City of Coburg issued device.
    e) End users are encouraged to take reasonable measures to secure removable media (e.g. storing it in a secure/locked location when not in use; not sharing with unauthorized users).
    f) Use of removable media is not allowed on external or non-company-issued systems.
    g) Upon completion of the assigned duties, all data shall be deleted, in accordance with NIST SP 800-88 Rev. 1, from the removable media.
    h) All removable media must be turned in to the Service Desk for proper disposal (in accordance with NIST SP 800-88 Rev. 1) when no longer required for business use.

Electronic Communication and Internet Use

The use of City of Coburg communication and internet systems and services (including email, instant messaging, voicemail, forums, social media, and more) is provided in order to perform regular job duties. The use is a privilege, not a right, and therefore must be used with respect, common sense, and in accordance with the following requirements:

1. The email systems and other messaging services used at City of Coburg are owned by the City of Coburg and are therefore its property. This gives City of Coburg the right to monitor any and all email traffic passing through its email system. This monitoring may include, but is not limited to, inadvertent reading by IT staff during the normal course of managing the email system, review by the HR and legal team during the email discovery phase of litigation, and observation by management in cases of suspected abuse or employee inefficiency.

2. City of Coburg often delivers official communications via email. As a result, employees of City of Coburg with email accounts are expected to check their email in a consistent and timely manner so that they are aware of important City of Coburg announcements and updates, as well as for fulfilling business and role-oriented tasks. Employees are required to respond to work related emails in a timely manner.

3. Electronic communication and internet must not be used for illegal or unlawful purposes, including, but not limited to, copyright infringement, obscenity, libel, slander, fraud, defamation, plagiarism, harassment (including offensive and/or insulting content), discrimination, intimidation, forgery, impersonation, illegal gambling, soliciting for illegal pyramid schemes, and computer tampering (e.g. spreading computer viruses).

4. City of Coburg communication platforms and internet are not to be used for purposes that could be reasonably expected to strain storage or bandwidth (e.g. emailing large attachments instead of pointing to a location on a shared drive). Individual use of resources will not interfere with others' use of City of Coburg email system and services.

5. Users are prohibited from using accounts that do not belong to them and are prohibited from using platforms to impersonate others.

    a) Users are not to give the impression that they are representing or providing opinions on behalf of City of Coburg unless otherwise authorized.

6. Users shall not open message attachments or click on hyperlinks sent from unknown or unsigned sources through any platform (email, instant message, social media, etc.). Attachments/links are the primary source of malware and social engineering and should be treated with utmost caution.

7. City of Coburg prohibits use of email or other messaging platforms for mass unsolicited mailings, chain letters, and competitive commercial activity unless preapproved by City of Coburg.

8. Any allegations of misuse should be promptly reported to Department Supervisor and/or the City Administrator.

9. If you receive an offensive or suspicious email, do not forward, delete, or reply to the message. Instead, report it directly to Service Desk.

10. Email users are responsible for mailbox management, including City of Coburg and cleaning. If a user subscribes to a mailing list, he or she must be aware of how to unsubscribe from the list and is responsible for doing so in the event that their current email addresses changes.

11. Archival and backup copies of email messages may exist, despite end-user deletion, in compliance with City of Coburg's Records Retention Policy. It will be considered a violation of City of Coburg policy to delete emails that reflect any form of information associated with City business or response to City business. Solicitations and junk email may be deleted if necessary.

12. Email access will be terminated when the employee or third party terminates their association with City of Coburg, unless other arrangements are made. City of Coburg is under no obligation to store or forward the contents of an individual's email inbox/outbox after the term of their employment has ceased.

13. Users shall not send sensitive information that is not appropriately protected (encrypted). (Appropriate means of protection include but are not limited to OneDrive or encrypted attachments through email.)

    a) Users shall take extra precautions when transmitting City of Coburg, client, and/or other regulated information via electronic communications. Sensitive material should be marked and encrypted appropriately. Keep in mind that all email messages sent outside of City of Coburg become the property of the receiver.

14. Users are not permitted to automatically forward emails received by their City of Coburg account to an external email address or other messaging system.

15. City of Coburg assumes no liability for direct and/or indirect damages arising from the user's use of City of Coburg's email system and services when intentional violations in policy have been discovered. Users are solely responsible for the content they disseminate. City of Coburg is not responsible for any third-party claim, demand, or damage arising out of use City of Coburg's email systems or services when intentional violations have been discovered.

    a) Email users are expected to remember that email sent from the company's email accounts reflects on the City of Coburg. Please comply with normal standards of professional and personal courtesy and conduct.

16. City of Coburg may monitor any/all internet activity originating from company-owned equipment or accounts or taking place over City networks. If City of Coburg discovers activities that do not comply with applicable law or City policy, records retrieved may be used to document the wrongful content in accordance with due process.

17. Users are permitted to remotely access the City network while offsite. Users must use the approved VPN service(s). Users will be required to authenticate using multifactor authentication (MFA). Only authorized users are permitted to access the network through VPN.

18. City of Coburg social media accounts are permitted to be used for business purposes only. These purposes include building positive brand image, providing customer support, monitoring public opinion, professional networking, and more. The following requirements are imposed for appropriate use of social media:

    a) Access to social media will be open to staff who have been assigned to such duties. All employees who wish to have social media items posted must follow internal policy and procedures for making a request.

    b) All actions and communications through social media must adhere to all previously defined acceptable use of electronic communications. Staff representing City of Coburg on social media must participate in mandatory training and adhere to all policy as set forth in this document.

    c) The use of personal social media accounts and user IDs for company use is prohibited.

    d) The use of City of Coburg social media user IDs for personal use is prohibited.

Data Security

Maintaining the confidentiality, integrity, and availability of City of Coburg data is paramount to the security and success of the City of Coburg. The following requirements are defined to keep data secure and handled appropriately.

1. All City of Coburg data is owned by City of Coburg and, as such, all users are responsible for appropriately respecting and protecting all data assets.

2. Users must keep all data secure by taking sensible precautions and following requirement standards as defined in this policy. This standard outlines the requirements for creating, using, storing, transmitting, archiving, and destroying data.

3. Users may not view, copy, alter, or destroy data, software, documentation, or data communications belonging to City of Coburg or another individual without authorized permission.

4. Users will only access data provided to them for duties in connection with their employment or engagement and in accordance with their terms and conditions of employment or equivalent. Access to some applications and information sources will be routinely recorded and/or monitored for this purpose.

5. Extraction, manipulation, and reporting of City of Coburg data must be done for business purposes only.

    a) Personal use of City of Coburg data, including derived data, in any format and at any location, is prohibited.

6. Users will follow all company-sanctioned data removal procedures to permanently erase data from devices once its use is no longer required, as defined in the. Data must be retained for the length of time defined in the Oregon Records Retention Law.

Mobile Device Use

City of Coburg employees are permitted to use their own personal devices to access the internet over the corporate guest wireless network and to send/receive email. The use of personal mobile devices is a privilege, not a right, and therefore must be used with respect, common sense, and in accordance with the following requirements:

1. It is the responsibility of any employee of City of Coburg who uses a mobile device to access corporate resources to ensure that all security protocols normally used in the management of data on conventional storage infrastructure are also applied here. It is imperative that any mobile device that is used to conduct City of Coburg business be used appropriately, responsibly, and ethically. Failure to do so will result in immediate suspension of that user's account.

2. IT reserves the right to refuse, by physical and non-physical means, the ability to connect mobile devices to corporate and corporate-connected infrastructure. IT will engage in such action if such equipment is being used in a way that puts the City of Coburg's systems, data, users, and clients at risk.

3. All mobile devices used for access to City of Coburg systems and/or data (such as email) must be protected by a strong access control (e.g. alphanumeric password or biometric authentication). Employees are encouraged to never disclose their passwords to anyone, even to family members, if business work is conducted from the mobile device.

4. All users of mobile devices must employ reasonable physical security measures. End users are expected to secure all such devices whether or not they are actually in use and/or being carried.

5. Any non-corporate computers used to synchronize or back up data on mobile devices will have installed up-to-date antivirus and anti-malware software.

6. Sensitive data (e.g. client data) and passwords must not be stored on mobile devices.

7. In the event of a lost or stolen mobile device that has access to City of Coburg resources (e.g. email, OneDrive, Authenticator), it is incumbent on the user to report the incident to Service Desk immediately.

8. All personal mobile devices attempting to connect to the corporate network through the internet will be inspected using technology centrally managed by the City of Coburg IT Department. Devices that are not approved by IT, are not in compliance with IT's security policies, or represent any threat to the City network or data will not be allowed to connect. Devices may only access the City network and data through the internet using a Secure Private Network (VPN) connection. The portal web address will be provided to users who are approved as required. Smart mobile devices such as smartphones, tablets, and laptops will access the corporate network and data using mobile VPN software installed on the device by IT.

Clean Desk and Printing

A clean desk policy is an important tool to ensure that all sensitive materials, such as information about an employee, a customer, or intellectual property, are removed from an end-user workspace and locked away when the items are not in use or an employee leaves his/her workstation. This will reduce the risk of security breaches in the workplace and is part of standard basic privacy controls.

1. Employees are required to ensure that all sensitive information in hardcopy or electronic form is secure in their work area at the end of the day and when they expect to be gone for an extended period.

    a) Computer workstations must be locked (screen/keyboard) when workspace is unoccupied.

2. Any sensitive information (e.g. client data) must be removed from the desk and locked in a drawer when the desk is unoccupied and at the end of the work day.

3. Passwords are not to be written down anywhere or under any circumstances.

4. File cabinets containing sensitive information must be kept closed and locked when not in use or when not attended.

5. Keys/badges used for access to building must not be left at an unattended desk.

6. Printouts containing sensitive information should be immediately removed from the printer.

7. Upon disposal, sensitive documents should be shredded.

8. Whiteboards containing sensitive information should be erased.

Password Standards

Access to City of Coburg systems and devices is controlled through individual accounts and passwords. The following requirements are in place to protect those passwords and access to sensitive data and systems:

1. Users may not share account or password information with another person. Accounts are to be used only by the assigned user of the account and only for authorized purposes. Attempting to obtain another user's account password is strictly prohibited.

2. A user must contact IT to obtain a password reset if they have reason to believe any unauthorized person has learned their password. Users must take all necessary precautions to prevent unauthorized access to City of Coburg services and data.

3. Users must not use corporate passwords for other services. In the event that other services are compromised, it could leave corporate accounts compromised as well.

4. Password complexity will be enforced by IT through system-enforced policies to ensure strong passwords and proper password hygiene:

    a) Passwords will expire periodically and users will be forced to change them. Users are encouraged to reset their passwords prior to the expiry date to minimize any interruption to network access.

    b) Password complexity requirements will enforce the use of a minimum password design.

    c) Upon multiple failed login attempts, accounts will be locked. Accounts can be unlocked and/or reset by contacting IT through the City established procedure.

Incident Response and Reporting

City of Coburg has an incident response program for efficient remediation of information security incidents. Employees are expected to comply with the following requirements in order to ensure effective and efficient incident remediation:

1. Users must report any suspected security incident to IT, including but not limited to lost/stolen equipment, suspected malware infection, compromised credentials, and any other possible compromises of City of Coburg systems and/or data.

2. Users must cooperate with incident response processes, such as forfeiting their equipment to IT for investigation if it is potentially compromised.

Security Awareness and Training

Human error and negligence are common sources of security issues. City of Coburg takes a proactive approach by requiring security awareness and training:

1. During onboarding, all users will be required to undergo information security awareness and training. Users will be required to sign a declaration that this policy manual has been received and they have read the security policies, understand them and intend to abide by the policies and procedures established.

2. Users must complete ongoing security awareness and training as scheduled at least annually. Employees will be kept up to date on new improvements and emerging threats.

Security Unacceptable Uses

IT will manage security policies, network, application, and data access centrally using whatever technology solutions are deemed suitable. Any attempt to contravene or bypass security will be deemed an intrusion attempt and will be subject to disciplinary action. The following restrictions and requirements are enforced at City of Coburg to establish and maintain the confidentiality, integrity, and availability of systems and data:

1. Users must not introduce malicious programs into the network or a system (e.g. viruses, worms, Trojan horses, email bombs, etc.).

2. Users must not introduce or contribute to security breaches or disruptions of network communication.

    a) Security breaches include, but are not limited to, accessing data of which the employee is not an intended recipient or logging into a system or account that the employee is not expressly authorized to access, unless these actions are within the scope of regular duties. For the purposes of this section, “disruption”

includes, but is not limited to, network sniffing, ping floods, packet spoofing, denial of service, and forged routing information for malicious purposes.

3. Port scanning or security scanning is expressly prohibited unless prior authorization is granted in writing by IT.

4. Users must not execute any form of network monitoring that will intercept data not intended for the employee's host, unless this activity is a part of the employee's normal job/duty.

5. Users must not circumvent user authentication or security of any host, network, or account.

6. Users must not introduce honeypots, honeynets, or similar technology on the City network.

7. No servers (i.e. running web or FTP services from user workstations) or devices that actively listen for network traffic are allowed to be put on the City network without prior written authorization of IT.

8. Users must not interfere with or deny service to any user (for example, denial of service attack).

Ownership and Privacy Issues

The systems are the City of Coburg's property as well as, for access and security purposes, the information they contain. We respect our employees' right to privacy; however, we grant access to our systems for business use. Employees must not expect that information contained in these systems is private. The City of Coburg reserves the right, from time to time, for legal, or otherwise valid reasons, to read, monitor, control, and access user files and messages created, saved, transmitted, or received. In the event of intercepted illegal activity, we will bring them to the attention of the appropriate authority without prior notification to the sender or receiver.

Noncompliance

Violations of this policy will be treated like other allegations of wrongdoing at City of Coburg and will be investigated per established procedures. Sanctions may include, but are not limited to, one or more of the following:

1. Oral and/or written warning
2. Probation, suspension, or termination of employment
3. Legal action per applicable laws and contractual agreements

Other

D. Ethics

At Coburg, we believe in treating people with respect and adhering to ethical and fair business practices. We expect employees to avoid situations that may compromise their reputation or integrity, or that might cause their personal interests to conflict with the interests of the Coburg or the Coburg's citizens.

We at Coburg are public employees, and as such, are also subject to the State of Oregon's ethics laws. In some cases, these laws provide additional limitations on employees, such as prohibitions on gifts and strict definitions of conflict of interest. If you are coming to Coburg from work in the private sector, you may find that some activities that are common business practices in the private sector are prohibited in the public sector. Information on these laws is available at the Oregon Government Ethics Commission website: http://www.oregon.gov/OGEC.

If you have questions about whether an activity meets Coburg's or Oregon's ethical standards, please talk with the City Administrator. Employees who violate the Ethics Policy, or who violate Oregon ethics laws, may be subject to disciplinary action up to and including termination.

E. Open-Door Policy

Coburg's Open Door Policy is based on our belief that open, honest communication between supervisors and employees should be a common business practice. Coburg's supervisors are responsible for creating a work environment where employee input is welcomed, and where issues are identified early and shared without the fear of retaliation (when the employee provides the input in good faith). If you have a complaint, suggestion, or question about your job, working conditions, or the treatment you are receiving from anyone in Coburg, please raise them first with your immediate supervisor. If you are not satisfied with the response from your immediate supervisor, or if your issue involves your immediate supervisor, request to have the facts/situation reviewed by the City Administrator.

F. Outside Employment

Generally, employees may obtain employment with an employer other than Coburg or engage in private income-producing activity of their own so long as that activity is not otherwise prohibited by these rules. Employees are responsible for assuring that their outside employment does not conflict with these rules.

An employee is prohibited from, directly or indirectly, soliciting or accepting the promise of future employment based on the understanding that the offer is influenced by the employee's official action.

Employees may not accept outside employment that involves:

- The use of Coburg time (including the employee's work time), Coburg facilities, equipment and supplies, or the prestige or influence of the employee's position with Coburg. In other words, the employee may not engage in private business interests or other employment activities on the Coburg's time or using the Coburg's property;

- The performance of an act that may later be subject to control, inspection, review or audit by the department for whom the employee works (or by a State agency); or
- Receipt of money or anything of value for performance of duties that the employee is required to perform for Coburg.

The Coburg requires employees to report outside employment to the City Administrator before the outside employment begins. Thereafter, an employee must provide an update to the City Administrator on an annual basis, or sooner if any changes in outside employment occurs. Employees who accept outside employment in violation of this policy may be subject to discipline, up to and including termination.

G. Criminal Arrests and Convictions

Employees must promptly and fully disclose to their supervisor on the next working day:

1. All drug- or alcohol-related arrests, citations, convictions, guilty pleas, no contest pleas or diversions that result from conduct which occurred while on duty, on Coburg property, or in a Coburg vehicle (see "Alcohol/Drug Use, Abuse and Testing" policy above);
2. All arrests, citations, convictions, guilty pleas or no contest pleas that result from crimes involving the theft or misappropriation of property, including money; or
3. If you are arrested, cited or convicted of a violation of any law that will prevent you from performing the essential functions of your position.

Reporting an arrest or conviction will not automatically result in termination of employment. Situations will be evaluated on a case-by-case basis.

Employees who are unavailable to report for work because they have been sent to jail or prison may not use sick leave or vacation time to cover the absence, and may be subject to disciplinary action, including termination.

H. Political Activity

Employees may engage in political activity except to the extent prohibited by Oregon law when on the job during working hours. This means that employees cannot:

- Be required to give money or services to aid any political committee or any political campaign;
- Solicit money or services (including signatures) to aid or oppose any political committee, nomination or election of a candidate, ballot measure or referendum, or political campaign while on the job during working hours (this is not intended to restrict the right of Coburg employees to express their personal political views.); or
- Be disciplined or rewarded in any manner for either giving or withholding money or services for any political committee or campaign.

I. Bad Weather/Emergency Closing

Except for regularly scheduled holidays identified by Coburg (see "Holidays" section, above); Coburg is open for business on Mondays through Fridays during normal business hours. If there are circumstances beyond our control, such as inclement weather, a national crisis, or other emergencies that make one or more of our office locations inaccessible for all or part of

a regularly scheduled workday, the City Administrator (or his/her designee) will decide whether to and to what extent Coburg will close. The City Administrator will contact all supervisors who will then pass the information on to their team.

In the event of extreme bad weather, we recognize that each employee's ability to safely reach work may be different. If you cannot safely report to work in such circumstances, you should contact your supervisor. If staff cannot reach the office and are able to serve Coburg from home, you should do so subject to approval by your supervisor. Safety and a trustworthy approach are your guides.

J. Driving While on Business

Employees using a private vehicle to conduct Coburg's business must possess a valid driver's license and must carry auto liability insurance. Employees who use their own vehicles for authorized Coburg business use should make any necessary arrangements with their insurance carriers.

Coburg may verify the validity of your driver's license and/or your driving record at the time of hire and at any point during your employment. Once you are employed with Coburg, we will receive automated reports from the Department of Motor Vehicles (DMV). The reports notify Coburg when there are transactions on your driving record such as speeding tickets and citations.

While on Coburg business, drivers are expected to make every reasonable effort to operate their vehicle safely, with due regard for potential hazards, weather, and road conditions. Drivers are to obey all traffic laws, posted signs and signals, and requirements applicable to the vehicle being operated. Seatbelts are to be used in all vehicles while on business. Drivers are to ensure that the use of prescribed or over the counter drugs does not interfere with their ability to drive while on business; operating a vehicle under the influence of alcohol or controlled substances is prohibited. Employees are responsible for notifying their supervisor of any subsequent restrictions, limitations, or other change in their driving status within 72 hours of the change or new restrictions/limitations. See also, "Cell Phone Use While Driving" policy, above.

Employees who receive a ticket or citation while driving a City-owned vehicle or while on City business will be responsible for paying the fine (if any) associated with the ticket or citation, and may face discipline up to and including termination.

K. Workplace Violence

Coburg recognizes the importance of a safe workplace for employees, customers, vendors, contractors, and the general public. A work environment that is safe and comfortable enhances employee satisfaction as well as productivity. Therefore, threats and acts of violence made by an employee against another employee, volunteer, elected official, or member of the public with respect to that person's life, health, well-being, family, or property will be dealt with in a zero-tolerance manner by Coburg.

All employees have an obligation to report any incidents that pose a real or potential risk of harm to employees or others associated with Coburg, or that threaten the safety, security or financial interests of Coburg. Employees are also strongly encouraged to report threats or acts of violence

by non-employees, such as vendors or citizens, against any employee, volunteer or elected official. Employees should make such reports directly to the City Administrator.

Coburg also may conduct an investigation of a current employee where the employee's behavior raises concern about work performance, reliability, honesty, or potentially threatens the safety of co-workers or others. See policy on "Workplace Inspections."

L. Workplace Inspections — No Right to Privacy or Confidentiality

This policy applies to inspections and investigations conducted by Coburg pursuant to policy or law unless otherwise modified by a different policy in this Handbook.

An employee investigation may include, but is not limited to, investigation of criminal records; it may also include a search of desks, work areas, file cabinets, voicemail systems and computer systems. *Employees are strongly discouraged from storing personal items in the desks, lockers, work areas, file cabinets and other office equipment or furniture, as well as voicemail and computer systems assigned to them by the* Coburg*; these areas are not private.*

All information related to reports generated from inspections and investigations, including the name of the reporting employee(s), will be kept as confidential as possible under the circumstances.

M. Smoke-Free Workplace

Coburg provides a tobacco-free environment for all employees and visitors. For purposes of this policy, "tobacco" includes the smoking of any tobacco-based product, smoking in any form (including, without limitation, cigars and e-cigarettes), and the use of oral tobacco products or "chew/spit" tobacco. Marijuana is also prohibited under this policy. This policy applies to employees, volunteers, and any visitors to Coburg property, vehicles or facilities/buildings.

Coburg buildings and vehicles are tobacco and marijuana-free areas. Tobacco/marijuana use is prohibited during working hours. Further, Coburg prohibits tobacco/marijuana use in or around Coburg vehicles and equipment or machinery.

If you wish to smoke tobacco, you must do so outside of Coburg's facilities/buildings, only in designated smoking areas, and out of visitor view. Smoking is not allowed near building entrances; Oregon law prohibits smoking within 10 feet of building entrances and other openings, including second-story windows.

A. Workplace Rules and Prohibited Conduct

Any violation of the rules or prohibited conduct in this policy may result in discipline, up to and including termination. This list of prohibited conduct is illustrative only; other types of conduct injurious to security, personal safety, employee welfare and Coburg's operations, some of which are described elsewhere in this Handbook, may also be grounds for discipline, up to and including termination.

- Falsification of employment or other Coburg records, or

- Recording of work time of another employee or allowing any other employee to record your work time, or allowing falsification of any time sheets (your own or another employee's).
- Theft or the deliberate or careless damage or destruction of any Coburg property, or the property of any other employee, citizen, vendor or third party.
- Unauthorized use of Coburg equipment, materials or facilities.
- Provoking a fight or fighting during work hours or on Coburg property/premises.
- Carrying firearms or any other dangerous weapon on Coburg property/premises at any time except Police Officers or Reserve Police Officers.
- Engaging in criminal conduct while at work.
- Causing, creating or participating in a significant or substantial disruption of work during working hours on Coburg property/premises.
- Insubordination, including but not limited to failure or refusal to obey the orders or instructions of a supervisor or member of management, or the use of abusive or threatening language toward another Coburg employee, customer or vender.
- Failure to notify a supervisor when unable to report to work, or when leaving work during normal working hours without permission from a supervisor to do so.
- Failure to observe work schedules, including rest breaks and meal periods. You are expected to be at work on time, remain until your workday ends, and perform the work assigned to or requested of you.
- Sleeping or malingering on the job.
- Excessive personal telephone calls during working hours.
- Unprofessional appearance during normal business hours.
- Failing to attend scheduled work sessions and related activities at conferences, workshops, or educational events that are paid for by Coburg.
- Misrepresentation of Coburg policies, practices, procedures, or your status or authority to enter into agreements on behalf of the Coburg. Employees may not use the Coburg's name, logo, likeness, facilities, assets or other resources of the Coburg for personal gain or private interests.
- Violations of the Ethics Policy or Oregon's Ethics laws.
- Violation of any safety, health, security or Coburg policy, rule or procedure. Employees are expected to act in accordance with all appropriate codes, laws, regulations, and policies, regardless of whether they are set by Coburg or outside regulatory or legislative bodies.
- Failing to timely pay water/sewer/tax accounts with Coburg on time, and/or who's Coburg provided services are disconnected. This includes, without limitation, situations where the employee writes a check to Coburg that is refused for payment due to non-sufficient funds.
- Harassment or discrimination that violates Coburg policy.

This statement of prohibited conduct does not alter Coburg's policy of at-will employment. Except for employees subject to a collective bargaining agreement or contract of employment, Coburg remains free to terminate the employment relationship at any time, with or without cause or notice.

B. Corrective Action/Discipline Policy

Employees are expected to perform to the best of their abilities at all times. There will be occasions, however, where employees perform at an unsatisfactory level, violate a policy or law, or commit an act that is inappropriate. When performance or conduct does not meet Coburg standards, Coburg will determine whether it will terminate the employee's employment or provide the employee a reasonable opportunity to correct the deficiency through progressive discipline (such as, in no particular order, verbal warnings, written warnings, suspensions without pay, and demotions). The corrective action process will not always commence with a verbal counseling or include a sequence or steps. Some acts, particularly those that are intentional or serious, warrant more severe action (including termination) on the first or subsequent offense.

In lieu of terminating the employment of an employee for serious violations of Coburg policies, procedures and rules and for other inappropriate behavior or conduct, Coburg may choose to provide the employee a final opportunity to continue employment in the form of a last-chance agreement. Coburg may also choose to send the employee to training or an education opportunity.

In all cases, Coburg will determine the nature and extent of any discipline based upon the circumstances of each individual case. Coburg may proceed directly to a written warning, demotion, last chance agreement, or termination for misconduct or performance deficiency, without any prior disciplinary steps, when Coburg deems such action appropriate. Coburg retains the right to terminate any employee's employment at any time and for any reason, with or without advance notice or other prior disciplinary action.

C. Retirement or Resignation from Employment

If you choose to resign or retire, it is anticipated that you will give Coburg as much notice as possible — preferably a minimum of two weeks. When giving your two-week notice, vacation, personal, or sick days should not be used in lieu of notice. If you do not give two-week notice of your intent to leave Coburg, you will not be eligible for re-employment at a later date.

Employees who miss three or more consecutive work days without contacting their immediate supervisor are typically considered to have resigned their employment.

If the employee's decision to resign is based on a situation that could be corrected, the employee is encouraged to discuss it with the City Administrator before making a final decision.

Employees must return all Coburg property, including phones, computers, and identification cards, credit cards, keys, and manuals, to their supervisor on or before their last day of work.

D. Rehire of Retired Employees

Employees who have retired and are rehired by the City will eligible for employee benefits based upon the break in service from the last day of work to the return to work date as follows:

- For retirees rehired within 1 month (whether the same month or the next), coverage is continuous and all coverage (i.e., medical/vision, dental, life/disability, FSA) must continue. No termination/retirement should be processed in the enrollment system.

- For retirees who will be rehired after at least 1 month (break in coverage), a termination/retirement will be processed in the enrollment system. He/she will receive COBRA/retiree continuation options.
- For retirees who are rehired after 1 month, but within 6 coverage months, coverage should be effective the first of the month following the date of return - no waiting period applies. All previous coverage must be reinstated.
    - For those enrolled in the Healthcare and/or Dependent Care FSA, previous per pay period amounts will automatically be reinstated. The employee will have 30 days to make a change to the elected amount.
- If rehired within 6 coverage months, but in a new plan year, all previous coverage, excluding the Healthcare and/or Dependent Care FSAs will be reinstated. If plan or carrier changes were made, the retiree will be returned to the closest comparable coverage. The retiree will have 30 days to make election changes.
- If rehired after 6 coverage months, the retiree is a new hire and all new hire requirements apply.

<u>If working less hours upon return, the following guidelines apply:</u>

- If benefit eligible, the rules above apply
    - If the contribution for medical/vision/dental changes, the employee will have 30 days to make election changes.

Employees requesting to retire from PERS but remain in their position at the City may be considered on a case by case basis if they are in a management position. The requesting employee must have reached the PERS retirement age for their work category in the PERS system. Employees retiring from PERS but remaining employed by the City will retain all benefits as provided for in employee benefits policy except the 6% IAP PERS deposit which will no longer be paid on their behalf.

Retired employees may be available for rehire based upon the needs and available budget of the City, as well as the employee's status for rehire based upon performance. Rehire may not be assumed automatic and will be determined by the City Administrator.

E. <u>References</u>

All requests for references or recommendations must be directed to the City Administrator. No supervisor or employee is authorized to release references for current or former employees. Supervisors are expressly prohibited from providing LinkedIn "recommendations" or using a website on the internet to discuss a current or former employee's performance or termination of employment.

By policy, City of Coburg discloses only the dates of employment and position(s) held of former employees. Former employees who authorize additional disclosures must make a request to do so in writing.

Employee Acknowledgement

Acknowledgment of Receipt of 2020 Personnel Policies

Please initial at the beginning of each paragraph after you have read it.

_____I acknowledge that I have received and will read a copy of Coburg's 2019 Personnel Policy Manual. I also understand that a copy of the Personnel Policy Manual is available to me at any time to review in finance office and on the intra-office folder on the City's network. In addition, I am aware that these policies will be updated periodically and I will be provided an updated manual and be asked to acknowledge the receipt of the new policy manual.

_____I acknowledge that Coburg has a stringent security policy and I have read and understand my responsibilities as they pertain to this policy. _____I understand that Coburg has adopted the Personnel Policies only as a guide about policies, work rules and the work environment, and that they are subject to change at any time in Coburg's sole discretion. I also understand that the Personnel Policies are Council approved policy and overrule any other contradictory statements made verbally or in writing.. I acknowledge that the Personnel Policies are not an employment contract and are not intended to give me any express or implied right to continued employment or to any other term or condition of employment.

_____I understand that not all incidents that arise may be addressed in this policy and I acknowledge that administrative decisions may be made by the City Administrator or Mayor in the event that a decision must be made.

_____I understand that either Coburg or I may terminate my employment relationship at any time, for any lawful reason, with or without cause, and with or without notice, unless my employment is covered under a collective bargaining agreement. I acknowledge that no promises have been made to me that are inconsistent with this "at will" statement.

_____I have reviewed or will review Coburg's policies regarding equal employment opportunity and that the City of Coburg aims to provide a workplace free of harassment and discrimination. I will bring any questions or concerns I have regarding equal employment opportunities, discrimination, retaliation or harassment to the City Administrator or my supervisor.

_____During my employment with Coburg, I understand that it is my responsibility to remain informed about the policies as revisions, updates and new polices as issued, and to ask questions about any interpretation of any of the policies.

I have read this acknowledgement carefully before signing.

_____ _____

Employee Signature Date

The original of this document will be kept in the Employee's personnel file. A copy will be provided to the Employee upon request.

COBURG CITY COUNCIL
MONTHLY REPORTS

TOPIC: Park Tree Committee Appointments – New and Annual

Meeting Date: January 11, 2022
Staff Contact: Brian Harmon, Public Works Director
Contact: 541-682-7857, brian.harmon@ci.coburg.or.us

REQUESTED COUNCIL ACTION:

Consider the appointment of the voting members to the Parks|Tree Citizen Advisory Committee.

Suggested Motion: *"I move to recommend that Mayor Smith appoint Karen Coury, Tom Beatty, Coleen Marshall, Lonna Meston, Joe Morneau, Mary Mosier and Claire Smith* as *the seven voting members of the Park Tree Citizen advisory Committee for the calendar year 2022.*

CITY COUNCIL GOAL
General Operations

BACKGROUND

The Committee Bylaws require that in January Council meeting of each year, the City Council appoints voting members to the Parks/Tree Citizen Advisory Committee to serve on the committee for the upcoming calendar year. All terms expire on December 31th of each year.

The City Administrator has appointed Brian Harmon as the non-voting staff representative for the Committee.

It is recommended that following citizens be appointed as voting members for calendar year 2022:

- Karen Coury
- Tom Beatty
- Coleen Marshall
- Lonna Meston
- Joe Morneau
- Mary Mosier
- Claire Smith

PURPOSE
Appoint the citizens as listed to the Parks|Tree Citizen Advisory Committee for Calendar year 2022. This action is required by the committee bylaws.

BUDGET
N/A

RECOMMENDATION
Appoint citizens as listed to the Parks|Tree Citizen Advisory Committee for Calendar year 2021.

NEXT STEPS
The Committee will elect a Chair and Vice Chair at the January meeting.

Utilize the Parks and Open Space Master Plan as a guide to accomplish the goals as set for with in the plan.

Committee makes recommendations to City Council on matters pertaining to Parks, Trails, Street Trees and related facilities.

ATTACHMENTS
None

REVIEWED THROUGH:
Anne Heath, City Administrator
Sammy Egbert, City Recorder

COBURG CITY COUNCIL
MONTHLY REPORTS

TOPIC: City Administration Report

Meeting Date: January 11, 2022
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 December, general administration, and upcoming work to be done. The information in this report is compiled by the City Administrator and Department Directors.

GENERAL ADMINISTRATION

Water Project

- Well under design
- I-5 Bore hookup to west-side water infrastructure under construction
- Mainline replacement – Coleman Street scheduling being move forward
- Reservoir- Construction options being considered

Street Projects

- **McKenzie Street Rebuild –** Under design/Summer of 2022 Construction
- **Roberts Road –** Under Design/Summer of 2022 Construction
- **Collector Streets –** Under Design/Summer of 2023 Construction

Park Project

- Pavilion Park Update/Design – Park Committee has done preliminary planning for an update to Pavilion Park. The City Engineer will be preparing a first draft design from their ideas and then it will be reviewed by the Committee. The goal is to have a final 60 percent design ready to submit for funding through the Oregon Park & Recreation Department by April 1. Public Comment and input and final design will be completed when the City receives funding for the project.

Land Swap – The Shepard family trust legal approved the draft agreement. It is included in this packet for Council approval by resolution. The Trust will also need to adopt the agreement at their next board meeting.

Zoning code – Ad Hoc Committee – The draft code outline will be completed and ready to present to the Ad Hoc Committee in Mid-January.

Copier Services – New copiers were installed in City Hall on January 7th. This is under a new contract with National Photo Copy

Employee Policy Update – Recommendations for policy changes were submitted to the City Administrator. A draft policy was created and sent out to the Department Heads for review. The draft policy is in this packet for adoption by resolution.

Residential UGB – Phase II of the residential lands within the Urban Growth Boundary are essentially land locked. There will need to be either a small increase in the urban growth boundary to accommodate an access road, or some other form of access planning through planning goal exception. City Administrator is working with other partner agencies to identify the options and solutions to make these lands available for residential development. These properties are owned by Weichart and are considered Phase II of the subdivision now being constructed.

City Council Goals and Priorities – As the staff continue to work on the adopted goals and priorities of the City Council, the City Administrator reviews and color codes those projects that are completed, and those that are in process. Attached is a work plan priorities sheet. Boxes marked in Orange are completed, boxes marked in green are in process. Unmarked boxes are either on-going goals or are projects that have not yet began.

Transportation Discussion Group – The transportation discussion group continue to meet to discuss concerns regarding transportation in Coburg. The next meeting is January 12th in which the discussion will be around regional talking points on the I-5 bridge project and further discussion on local jurisdiction of Willamette Street.

Upcoming Meetings

Heritage Committee	1/12
Park Tree Committee	1/18
Planning Commission	1/19
City Council Retreat	2/5
City Council	2/8

DEPARTMENTS AND OPERATIONS

City Recorder| Utility Billing| Office Administration - Prepared by Sammy Egbert

City Recorder

- December 14th to January 11th the City held two **Public Meetings**. All Public meetings are noticed, electronic and paper retention completed, minutes drafted, signed and recorded.
- Accepting applications for Budget Committee, Heritage Committee & Finance Audit Committee. These vacancies are posted in Our Town, on Facebook, and at Dari Mart.
- Completed 6 lien searches for properties in the City limits that are selling or refinancing loans.
- Preparing for State of the City and Council Retreat.

- Public Records request follow up was completed.

Utility Billing

- Nov / Dec Utility month end covering 11/11 to 12/10.
    - Billed Water $63,000 | Sewer $69,600 | TUF $12,600
    - Payments Received $147,166
    - 91 past dues charged
    - 8 collection door hangers posted
    - 2 Active payment plans
    - 6 Change in services
    - 1 Customers water is shut off for non-payment

Administration front Office

- Annual business license renewal invoices are in process. We have received 74 renewal applications and payments. This month we will be reaching out to the 13 business that have not submitted renewal applications.
- Special events and 2022 calendar prep. We received an application for an event in July and have applications in process for weddings in the summer.
- IOOF Rental - LCOG Senior meals using weekly, it was used by Main Streets for the Christmas in Coburg Event, had 2 paid rentals last month.

Prepared the 2022 paper files for City Council, Planning Commission, Park Tree Committee, Finance Audit and Heritage Committee.

Finance

- See Finance Report under separate tab.

Planning & Economic Development – Prepared by Megan Winner

- ANX 01-20 & ZC 01-20: Planning Commission public hearing held in November; City Council public hearing scheduled for December;
- SUB 02-20: Infrastructure improvements have begun for new 26 home subdivision;
- SR 01-21: Construction continues on Kendall Auto Collision Repair facility on Roberts Rd. including sign permits;
- Central Business District form-based code project with Urban Collaborative LLC. is underway. Synthesis of Ad-Hoc Code Review Committee's input will be ready after the first of the year;
- Seven Structural/Plumbing/Mechanical/Electrical Permits issued in December including two new single family dwellings;

- New address issued on Bruce Way;
- Construction on the Bike Hub is nearing completion. Collaboration with Lane County on bicyclist routes near Coburg occurred as part of the County's Bicycle Master Plan process. Grand opening celebration with Lane County, LCOG, GEARs and other partner organizations scheduled for spring;
- Alley analysis project is underway. Inventory and survey research have begun;

Main Streets and Economic Development – Prepared by Tracey Pugh

- Participate in weekly Oregon Main Street zoom meetings
- Facilitated newsletter for January/February 2022
- Coordinated Christmas in Coburg events - Tree Lighting, Snacks with Santa, Holiday Market, Block Party and Light Parade
- Attended City Council meeting and presented Power Point regarding Main Street
- Attended Heritage Committee meeting and discussed possible Art/Wine Walk for May 2022
- Working with Mural Committee on student artwork for the Grange
- Gathering information for grant application from Oregon Main Street for IOOF building
- Working on Bylaws for Coburg Main Street

Public Works – Prepared by Brian Harmon

- **Streets and ROW.**
    - **Street**
        - Trees
            - Storm removal of two large limbs off trees
            - Started removal of Maple Tree at Pavilion Park
        - Leaf Pickup
            - Completed Zone 1 of Leaf Pickup
        - Snow
            - Removed snow from City Hall and Fire Hall parking lots
        - ROW
            - Added rock to Right of Way on E. McKenzie St
        - Pot Holes
            - Fixed one large pot hole on Roberts Rd.

- **Water Utility**
        - **Repairs**
            - Leaks
                - Fixed Leak at Kamping World
                - 2 Leak investigations
- **Sewer Utility**
    - **Collections**
        - **New tank Installations**

        - 1 service relocation on Roberts Rd.
    - **Pumping**
        - 3 tank
    - **Inspections**
        - 9
    - **Callouts**
        - 6
  - **Plant Repairs & Major Maintenance**
    - We have finished the plan for the project to reduce the fine from DEQ
- **Parks Dept**
  - **Parks and Tree Committee**
    - Working on a Plaza planning at Pavilion Park.
  - **Park Maintenance**
    - Started removal of Maple Tree at the Pavilion Park
    - Completed Christmas Decorations at Pavilion Park
- **Misc.**
  - **Locates** 22
  - **Work Orders** 62
- **Public Works Director also completed over 200 tasks in last two months. These are mostly separate from the IworQ work order system.**

Municipal Court

- **December 2021 Activity Measures:**
  - **Citations (Crimes and Violations)**
    - New Citations for December 7, 2021 Court Date: 47

  - **December 2021 Court Receipts Including Collections**,
    - **Total Fines**: $ 10,697.03 (total monies taken in for the month, nothing deducted), *compared to $ 6,784.32 in December of 2020*
    - **Net Fines**: $ 8,229.00 (City share only, NOT including collections), *compared to $2,512.00 in December 2020*

  - **December 2021 Professional Credit Service Collections**:
    - **Total Collection Revenue**: $ 2,468.03 *compared to $4,272.32 in December 2020*
    - **Turned over to collection**: $ 18,165.46 *compared to $15,039.00 in December 2020*

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:

- **Upcoming Court Date: January 19, 2022 Jury Trial**
  January 20, 2022 Regular Court Session
  January 25, 2021 Jury Trial

- **Scanning Project Update/Temporary Staff:**
- **Temporary Employee prepared all violation cases for scanning (batching and counting each document for each case, removing staples/paperclips, & naming individual documents) and was able to start on criminal cases before budgeted time ended**
  - **Scanning is complete on violation cases through the letter "C"**
  - **As of 12/30/21, a total of 5,235 documents have been scanned into the Court software program**
- **Court has 9 boxes of old cases (violations & criminal) that are past the State's minimum retention requirements and are due to be purged and destroyed (shredded) as soon as paperwork is signed off**
- **87 Business License Renewals for 2022 were sent out in November. Trained Sara on Business License process for her to proceed with project in 2022.**
  - **As of 12/30/21, 74 businesses have sent in their renewals**

<u>Police Department</u>

Police Department Quarterly Activity report will be presented in February for the last quarter of 2021.

- Officers took a report for a stolen vehicle taken from E McKenzie Street. We have identified possible suspects out of Eugene
- Officers investigated a possible trespasser at Mill Street Square. The male subject was contacted and advised. Resolved
- Officers contacted three suspicious subjects. The subjects were identified and later committed several crimes in Eugene
- Officers were involved in a vehicle pursuit on Interstate 5. Officers terminated the pursuit at I5 and Glenwood
- Officers investigated a possible burglary on Thomas Street. The burglary was unfounded
- Officers arrested a subject on outstanding misdemeanor warrants
- Officers arrested a male drive for DUII controlled substance, heroin
- Officers took a report for Theft I. This was a bank fraud with multiple victims. It was forwarded to fraud department at bank for additional investigation

- Officers resolved a neighborhood dispute at Van Duyn and Willamette Streets
- Officers took a report of a theft on Diamond Street
- Officers took a case for drug disposal for an accumulation of drugs at Serenity Lane
- Officers investigated a possible Rape case at Serenity Lane. The case is still under investigation
- Officers arrested two drivers for driving while suspended misdemeanor
- Officers were able to resolved a dog at large call on Abby Road
- Officers completed several truck inspections
- Officers investigated a motor vehicle crash between two commercial trucks.
- Officers worked bailiff duties at Harrisburg Municipal Court
- Officers are attending SFST refresher training for the ODOT traffic grant
- Christmas in Coburg, Light parade
- Officers attended MILO (Multi Interactive Learning Objective) training (De-escalation)
- Officers contacted two suspicious subjects sleeping at the Fuel N Go. The subjects were later located at the Shell gas station with a loaded 357 pistol. The subjects were on their way back to Washington from attending a Metallica concert in San Francisco. No crime.
- Officers arrested a subject on outstanding warrants
- Officers responded to call of a male with a rifle on I5 at Selby Way. The male left before officer arrived.
- Officers responded to multiple alarm activation at Cummings Northwest. They hired a security company until they could get the alarm fixed.
- Officers responded to a non-injury motor vehicle crash at Coburg Road and North Coburg Road
- Officers investigated a verbal dispute between, male, and female on Emerald Street. It was determined there was no crime
- CHETT Program received six donations for a total of $1,250.
- Shop with a Cop program received donations from 12 people totaling $1,825.

ATTACHED

At the 2021 City Council retreat the City Council discussed ways to better connect with City Committees and the Planning Commission. Council decided it would be helpful to stay updated monthly on what each committee is working on. They requested that staff provide the minutes from all public meetings in the monthly City Council packets.

A. 10/20/2021 Planning Commission
B. 10/21/2021 Finance Audit Committee
C. 11/16/2021 Park Tree Committee
D. 11/17/2021 Planning Commission
E. 12/8/2021 Heritage Committee
F. 12/15/2021 Planning Commission
G. 12/21/2021 Park Tree Committee Work Session
H. 12/21/2021 Park Tree

CITY OF COBURG
CITY COUNCIL GOALS & PRIORITIES WORK PLAN
Fiscal Year 2021-2022

Livability, Health & Vitality	Utilities, Equipment and Infrastructure	Operational Capacity	Fiscal Stewardship	Strategic Planning	Economic Development	Citizen Committees & Commissions
Continue to Improve Communication to Citizens - Ongoing	Maintenance to Exterior of City Hall **Summer, 2022**	Complete Salary Analysis –**FY 2022**	Seek and Secure Long-term Contract with a City Prosecutor FY 2022	Update Council Rules of Order FY2022	Rebranding of City and Community utilizing new Logo FY 2022	Enhance Communications from Committees to Council Ongoing
Continue Staff Training in FEMA **Ongoing**	Window Replacement in City Hall **FY 2022**	Review Employee Benefit package FY 2022	Purchase and Implement new Financial Software TBD	Planning for Emergency Drills with City Staff and Partners – Post Covid	Continue to provide leadership and partnership in Oregon Main Streets ongoing	Review and Update Committee Bylaws for consistency for all committees FY2022
Continue Effort to Grow Citizen Response Team **FY 2022**	Lobby Redesign to create more attractive environment Summer 2021	Anticipate Staff Capacity with projected growth Ongoing	Improve Accounts Payable Processes FY2022	Planning and Implementation for Mutual Support with other Agencies FY2022	Development of a Broadband Plan FY2022	Facilitate Work Parties and planning for projects for Park & Tree Committee Ongoing
Address Transportation Issues such as speed, signage and transportation on roads owned by other jurisdictions **FY2022**	Upgrade Security System FY 2022 or 2023	Update Job Description for all positions December, 2021	Conduct RFP for Banking Services FY2022	Continue to Plan and implement emergency equipment and supply list - Ongoing	Continued Investments and Partnership with Oregon Rain Ongoing	Education for Planning Commission on Land Use and other issues related to planning in Coburg and the State of Oregon FY2022
Education to Community on Land Use and the Public Process - Ongoing	Improve Utility Billing Policies FY2022	Implement leadership training and team building at every level of City – Summer 2021	Consider Purchase of Capital Project Tracking Software	Plan and Implement General Orders and Standard Court Operations FY 2022	Support Community Economic Development & Planning by Retaining Assistant Position – July, 2022	Support to all Committee and Commission Goals by Staff Representatives FY2022
Create and Monitor a Safe Trade Location **FY 2022**	Update Utility Billing Website Pages FY2022	Increase Admin Assist to FT 40 hours July, 2021	Discussion of TUF for the Funding of Street Repairs Spring 2021	Update Transportation Plan 1st – Summer 2021 2nd – Spring, 2022	Continue to Support Local Businesses through Covid-19 Recovery Opportunities ongoing	Research for the Development of a Park & Recreation District Ongoing
Implement SCRAM Security Camera and Registration Program **FY2021 and 2022**	Implement on-line Payment Option FY2022	Continued Staff Education in Every Department per specific need of department - Ongoing	Timely and Accurate Process for seeking Reimbursement for Funding Capital Projects ongoing	Complete Storm Water Master Plan Fall, 2022	Continue to Update Website to provide information to Citizens on city Services - ongoing	Create Process for purchase and planning of future park land FY2022

Community Planning for Julia Morneau Heritage Park **FY2022-2023**	Updates and Repairs to Restrooms In Norma Pfeiffer Park FY2022	Continue Scanning Project in Court **Complete FY 2022**	Review and Update to All City Contracts as they come due Ongoing	Update to development Code based upon Recommendations of Ad-Hoc Committee FY 2022	Planning and Implementation of Bike Kiosk, and citizens and visitors rest and relaxation areas in downtown 2021-2022	Establish a Tree Sub-Committee 2021
Community Planning for Park to be located in New Subdivision FY2023	Roof and Repair Kiosk and Pavilion in Pavilion Park FY2021	Hire Planning Director FY 2023	Review of SDC Ordinance and recommended amendments to CC **FY2022**			Establish a community Volunteer Base for the Parks - ongoing
Plan and Establish a Community Museum and safe storage for community artifacts and antiquities 2022-23	Purchase new Patrol Car for Police Department FY2022	Update to Standard Procedures and Processes in Planning Department Ongoing				Enhance Communications between Committees opportunity to share their work plans 2022
Planning for update to Mckenzie Street to improve Pedestrian Safety – FY2022	Lap Top Tough Books for Patrol Cars 2021-22	Hire Crew Member for Public Works July 2022				Update Committees on Council Adopted Goals and Priorities 2021
	Design and Seek Funding for Public Works Operations Building -Ongoing	Project Staff Capacity needed for Future Development of the City in Every Department - ongoing				Seek Funding for Historic Land Mark Projects as addressed in Heritage Committee Goals 2022
	Replace Septic Tanks at Premier RV 2023					Involve Elementary School in Youth Heritage Program 2022
	Planning and design for collector Street Improvements 2023					Training for Heritage Committee and involvement in the CLG Network 2022
	Continue Inspections and planning for tank maintenance and aging ongoing					
	Continue to Complete Water Master Plan Projects 2024					
	Add Emergency and replacement inventory of equipment and supplies -ongoing					

	Alley Survey/Solutions 2022					

MINUTES
Coburg Planning Commission
Regular Session

October 20th, 2021 7:00 P.M.
Virtual Meeting - Coburg City Hall
91136 N Willamette Street

MEMBERS PRESENT: Chair Thompson, Commissioner Marshall, Commissioner Doyle, Commissioner Clark.

MEMBERS ABSENT: Commissioner Derby, Commissioner Wood.

STAFF PRESENT: Anne Heath, City Administrator.

1. CALL TO ORDER
Chair Thompson called the meeting to order at 7:07 P.M.

2. ROLL CALL
Ms. Heath took roll and a quorum was present.

3. AGENDA REVIEW
There were no changes or notes on the agenda.

4. APPROVAL OF MINUTES – May 19th and July 27th, 2021

MOTION: Commissioner Marshall moved, Commissioner Clark seconded a motion to approve the minutes as presented. Motion passed unanimously.

5. PUBLIC TESTIMONY

- **Dwyer Written Testimony**

Chair Thompson shared that there was fairly extensive written testimony in the packet but there was no one signed up for public testimony.

6. COMMISSION BUSINESS | Planning Commission Elections

- **Election of Chair & Vice Chair Officers**

Ms. Heath explained that according to the bylaws the Commission needs to re-elect officers. She noted that the current Chair was Paul Thompson and the Vice Chair was William Wood and added that officers could be retained for up to two years.

MOTION: Commissioner Clark moved, Commissioner Marshall seconded a motion to re-elect Paul Thompson as Planning Commission Chair and William Wood as Planning Commission Vice Chair. Motion passed unanimously.

7. COMMISSION BUSINESS | Planning Commission Vacancy

- **Interview Potential Applicant |** ***Recommendation to Council***

Ms. Heath began the interview process with Alan Wells.

She asked why Mr. Wells wanted to be a Planning Commissioner for the city of Coburg. Mr. Wells answered to give back to the community which has been good for him. He said he enjoyed living there and if he could help then he would be happy to do it.

Ms. Heath asked what, in his view, was the role of an appointed public official. Mr. Wells answered listen to the different opinions that people might have about whatever matter they were talking about and using your best judgement to decide which way you think it should go. He added basically just to listen.

Ms. Heath asked what special attributes he would bring with his membership to the Planning Commission. Mr. Wells said he was an architect at one time and had a lot of training and practical land use planning a long time ago. He shared he had been in all aspects of commercial real estate for almost 40 years including in urban planning development, sales, marketing, and leasing. He thought he had a pretty good background for this kind of position and could be pretty objective in looking at different planning matters. He added that he currently sits on the ad hoc committee for development code rewrite.

Ms. Heath asked what his experience was with Oregon land use law. Mr. Wells responded that he had been involved in a number of projects where land use was an issue in his regular job around the state and in Washington. He said he had to deal with code and zoning matters while talking with different planning officials and communities almost daily.

Ms. Heath asked if he had any experience with public meetings and Robert's Rules of Order. Mr. Wells answered no outside of attending a lot of public meetings he had never been on a committee or commission before with the exception of the one he was currently on.

Ms. Heath asked what his understanding was of the future growth of Coburg. Mr. Wells said a lot of it has to do with solving some pretty significant transportation issues which was one of the reasons he wanted to volunteer for the Planning Commission. He said these were big issues facing the community and noted that he was not opposed to growth but said there were some infrastructure issues that needed to be addressed before they got much bigger than they were. He said they had all seen too many communities around the state that had not solved those problems and become almost inhabitable. Mr. Wells was encouraged that most of the community believed that, that they didn't want to completely discount growth in the community but they wanted to make it work.

Ms. Heath asked if he had considered the time commitment required for serving on the Planning Commission. Mr. Wells said that he had and it had been a concern as he and his wife traveled quite a bit and there would be some meetings he couldn't attend. Ms. Heath noted that they would continue with the hybrid meeting availability so he could attend from out of town.

Ms. Heath asked if he had ever received ethics training. Mr. Wells responded yes as a realtor he was required to put in 30 hours of continuing education every two years which included a mandatory ethics course.

Ms. Heath asked if he would have difficulty enforcing ordinances that he did not personally support and Mr. Wells answered no, not at all.

Ms. Heath said that conflicts sometimes arise between Coburg City Council and the Planning Commission and asked how he would handle these situations. Mr. Wells said there were bylaws that they would have to follow and that he would voice his opinion in this commission but outside of that he was not sure what he would do. He said he certainly would not want to impose his point of view on any of the City councilors or influence their decision.

Ms. Heath asked if Commissioners had additional questions. Hearing none, she recommended the Chair make a motion.

MOTION: Commissioner Clark moved, Commissioner Doyle seconded a motion to recommend Alan Wells to the vacant seat of the Coburg Planning Commission. Motion passed unanimously.

Chair Thompson asked when the City Council would consider the appointment and when Mr. Wells would be able to start serving on the Commission. Ms. Heath said the City Council would appoint him at their November meeting and he could serve at the next meeting.

Commissioner Marshall asked for minutes for the ad hoc committee meetings and Ms. Heath said she would make them available at the next meeting.

Commissioner Marshall asked what were some big issues discussed in these meetings and Mr. Wells answered that their focus was on clarifying and cleaning up the zoning code as it related to the downtown commercial core and to a lesser extent the wording of the subdivision code. He noted there were some inconsistencies and grammatical errors that lead to some issues, some of which was a result of the Weichert subdivision that was approved. Mr. Wells said they tried to take into consideration code language from other communities like theirs that they considered good and would incorporate some graphic representations of building features they were talking about. Ms. Doyle added that they had took out all of the vagueness in the code to give better direction to someone who was designing a building to fit within Coburg.

Ms. Heath explained that they had contracted through Lane Council of Governments for a contractor who did their buildout scenario to create the form based code and make it a lot simpler to read, and they had also asked her to match that for the highway commercial district and create a one-sheet form based code for that. Ms. Heath added that the contractor would probably come back to the ad hoc committee after the first of the year to review the changes made and then would lead some form of community meeting where people could look at the code changes and point out any issues. After that there would be final changes to the code and then it would come to Planning Commission to vote on.

Ms. Heath said the other piece that the Council had asked for was for the engineer to make recommendations for an alternative design for collector streets so that the design standards for streets were in their code. She hoped that the Ad Hoc Committee would be willing to review this and explained that right now the collector streets design standards might not be the best fit for Coburg as they were narrow. Ms. Heath noted that this was important as they were already funded through a grant to fix the collector streets in Coburg but prior to going into engineering they wanted to make sure that they straightened out the code. She said also looking at the downtown corridor for what was required for one block on either side of Willamette Street in the design code, and looking at residential streets to maybe give a little more leeway to sidewalks moving around historic trees and make it a little more Coburgish.

8. CITY UPDATES

- **City Administration Report | *Information Only***

Ms. Heath shared some highlights of the administration report. She shared that regarding the water project, the contract for the eastside connection to Roberts Road had been signed and would happen this Fall season and the well design was under way. She said a sidewalk was being installed in front of Countryside Church which would connect to the Van Duyn West sidewalk. Ms. Heath shared that staff were undergoing a project directed by Council to survey all of the alleys in the City and would be calling in locates and photographing every alley to

make sure they were aware of any utilities and what was encroaching into the alleys. She added that the point of this was to determine whether all the alleys in Coburg were essential to the City and if they did not need an alley the City may move to vacate it. She explained that there were a lot of buildings that were encroaching into alleys around Coburg which had been there since the 70's but would not be legal encroachment at this point, and they were trying to develop a policy for people to ask for the encroachments to be allowed.

Ms. Heath said that they had completed the work session on the annexation calendar and said they would be receiving the annexation agreement and zoning change application at the November 17th meeting and the City Council would have a first reading of the ordinance on December 14th with a second reading on January 11th.

Ms. Heath shared that they did not receive the funds from the TGM grant for updating the transportation plan and they were still trying to decide what to do about that.

Ms. Heath said the Council approved the land swap for the land owned by the Shephard family adjacent to the park. She said the City would swap out some of the parking spaced to the south of City Hall and behind the Umbrella Properties building for the park land. She noted that their land was much more valuable than the City's land so they would be making a donation for the difference.

Ms. Heath shared that they had a meeting with the property owners on the east side of the freeway to answer questions about what was going on and how transportation would affect them. She added that the Cow Creek Indian Tribe had purchased the property on the corner at I-5 and they were looking at putting in hotels, restaurants, or dealerships of some kind, and their intent was economic development.

9. ADJOURNMENT

Hearing no further discussion, Chair Thompson adjourned the meeting at 7:43 P.M.

(Minutes recorded by Jayson Hayden)

APPROVED by the Coburg Planning Commission on this 15th day of December 2021.

_____

Paul Thompson, Planning Commission Chair

ATTEST:

_____

Sammy L. Egbert, City Recorder

Audit & Finance Committee
October 27, 2021, 5:30 p.m.
Coburg City Hall
91136 N Willamette St.

MEMBERS PRESENT: Cathy Engebretson, Chair; Coleen Marshall.

MEMBERS ABSENT: Terry Dawson.

STAFF: Tim Gaines, City Finance Director; Councilor Lehmann, City Council Liaison.

DRAFT

1. Call Meeting to Order
Chair Engebretson opened the Audit & Finance Committee meeting at 5:37 p.m.

2. Approval of Minutes from July 28, 2021
MOTION: Ms. Marshall moved, seconded by Chair Engebretson, to approve the July 28, 2021, Audit & Finance Committee meeting minutes as presented. The motion passed unanimously.

3. Finance Reporting City of Coburg – August 2021
Mr. Gaines said that the first two months of the financial year were normally a bit slower, and that was reflected in the 2022 fiscal year as well. There was an audit going on so some of their numbers would change, but it was too early to say by how much.

Councilor Lehmann asked if revenues had increased over 2021. Mr. Gaines replied that concerning taxes they reported well last year and were expecting to in 2022 as well. He added that for the first quarter their numbers are looking promising to do better than the previous year.

Councilor Lehmann inquired into if there had been any push back since they changed the gas tax. Mr. Gaines replied that there had been a few comments here and there. Overall, the change had been well accepted.

Chair Engebretson asked if the General Fund budget sheet was available for them to look at. Mr. Gaines told her that he was trying to simplify the document. He would share the document with the Committee once it had been cleaned up.

Councilor Lehmann asked when the audit would start. Mr. Gaines told him that the audit was currently under way. Councilor Lehmann mentioned that Councilor Nancy Bell had some concerns with the last audit that was done. He questioned if the process should be changed. Mr. Gaines said that they would go through the process as normal. They would go out for a request for proposal (RFP) soon to find their auditor. He mentioned that it took him a while to look at the last audit and so the mistake was caught late. Councilor Lehmann remembered during the presentation the year before the auditor seemed unprepared and as a result the Councilor had not felt confident in approving the audit. Mr. Gaines said that he would work with the auditor to make sure that it went smoother.

4. Discuss Fiscal Policies and Accounting Procedures Manual

Chair Engebretson thanked Mr. Gaines for sending out the revised version of the manual with the changes they had made.

Mr. Gaines mentioned at their last meeting they were talking about the option for developers to finance system development charges (SDC's) . He wanted to share that there was not a big risk of a developer using it. Councilor Lehmann had been worried that the City could be taken advantage of by a developer if they delayed paying the SDC through the loan process.

Councilor Lehmann pointed to page 57 and noted that it said any RFP for a new financial contractor would need to be reviewed by their Committee. He asked if they would get to review the auditor RFP. Mr. Gaines told him that was true, but there was some difficulty because the Committee only met quarterly. Councilor Lehmann asked for the RFP to be sent to the Committee via email and if needed they could have an official meeting. Chair Engebretson wanted them to reach out to Ms. Egbert to make sure what the rules were around what they could say or reply to in email. She also suggested adding a statement in the policy manual about the auditor having no conflicts of interest, or in other words, no connection or bias towards the City.

Ms. Engebretson noted a section on hiring an auditor. She suggested it say that the person was a certified public accountant (CPA) and had ten years of experience. Councilor Lehmann suggested including more flexibility and make it, "CPA and/or ten years of experience". He said that they could also include a statement saying that preference would be given to someone with Oregon government experience.

Chair Engebretson wanted to keep the AICPA Audit Committee Toolkit manual to look at it more. She asked if they could keep them and discuss it more at a future meeting. The Committee was in favor of keeping them.

Mr. Gaines said he would summarize what happened with the audit for the next Audit-Finance Committee meeting. Councilor Lehmann had talked with Anne Heath, City Administrator, about including emails with the minutes in Committee/Council/Commission meeting documents. He was concerned in the past when emails were going back and forth and thought they needed to be as transparent as possible.

5. Adjournment

Chair Engebretson adjourned the meeting at 7:07 p.m.

(Minutes recorded by Lydia Dysart)

APPROVED by the City Council of the City of Coburg on this 26th day of January 2022.

ATTEST:

_____ _____

Sammy L. Egbert, City Recorder Cathy Engebretson, Committee Chair

DRAFT

Coburg Parks | Tree Committee
City Hall, 91136 N. Willamette
November 16, 2021 – 6:00 p.m.

COMMITTEE MEMBERS PRESENT: Mary Mosier, Chair; Lonna Meston, Coleen Marshall, Joe Morneau, Claire Smith, Tom Beatty.

COMMITTEE MEMBERS ABSENT: Karen Coury.

STAFF PRESENT: Brian Harmon, Public Works.

DRAFT

1. Call Meeting to Order
Chair Mosier opened the Park & Tree Committee meeting at 6:03 p.m.

2. Roll Call
Mr. Harmon called roll. A quorum was present.

3. Agenda Review
There were no changes made to the agenda.

4. Approve Minutes from October 2021

MOTION: Ms. Meston moved, seconded by Ms. Smith, to approve the October 19, 2021, Park & Tree Committee minutes as presented. The motion passed. Mr. Morneau abstained from the vote.

5. City Updates/City Administrator Report
There were no questions.

6. Committee Business

- McKenzie Street Project

Mr. Harmon shared that they were awarded the grant for the reconstruction. It was proposed to add a sidewalk on East McKenzie and parking stalls along with curbs and a gutter. He was unsure if there would be a meandering path there or not. The sidewalk would extend to the north side of East and West McKenzie. There were no updates on the sidewalk to the south.

Ms. Smith asked if the curb would affect access to the park. Mr. Harmon reassured her that it would not.

Chair Mosier asked if there would be a cutout for a vehicle to enter the park. Mr. Harmon told her that they did not have plans for that at that time. He said that it would not be a problem for them to add a cutout to an existing curb later.

Ms. Smith asked when they would want input on the plans. Mr. Harmon replied that City Council had already approved the plans. Ms. Smith wanted to know if they could still make changes. Mr. Harmon reassured the Committee that the plans were not set in stone.

- Plaza Ideas for Pavilion Park

Ms. Marshall shared the plans for Pavilion Park. The Plaza would come out along the edge of the Ryan Thomas building with pavers. It would come straight out for a while and then angle with a soft path towards a meandering sidewalk. There would be picnic tables with umbrellas in the area with a mural on the wall.

The mural was a pastoral scene that included farm elements. Ms. Marshall said that the mural would be interactive by including park benches and picnic tables in the front. The pathway in the mural would connect with the pathway at the park and include trees and plants. She suggested they include a tribute to Shephard's daughter.

Ms. Smith shared the plans she had put together for the pavilion. She wanted to put low planters along the wall with some low shrubs. It would be nice to include trees in the southwest corner to create some shade. Outside of the pavilion they could have wooden two-by-four benches for people to sit on.

Ms. Meston was thinking about how the pavilion area was a place that people liked to eat food since it was close to restaurants. The area would also be good for concerts and weddings. She thought adding a fountain would be a great idea. She shared plans for a fountain that she had found online that looked like a waterfall. Ms. Meston wanted to add some plants that would fit in with the mural.

Mr. Beatty shared the plans that he had drawn up. He noted that there was an elevation change in the park and proposed having the grade brought up, so it was level with the base of the building. There was a rock wall already there that they could incorporate into their designs as well. For the most part he wanted to keep the area open for events. Mr. Beatty proposed a pathway going to the bike hub, so it was easier for people to get to the businesses to the south of the area. He knew that people did not want to include play equipment, but he thought they should have something for children to play with. He said that if the equipment was under four-feet tall than they did not have to include fall material underneath.

Ms. Mosier asked about the trees in the northwest corner of the park. Mr. Beatty said that they could not plant a tree and see it come to any shape in that area. However, they could prepare for the trees that would need to come down. When that was done, they could remove the Hollies as well. Ms. Meston agreed.

Ms. Smith asked about the trees in front of Sheldon High School. Mr. Beatty replied that they were weeping giant sequoias.

Ms. Meston asked if the access point on Willamette could be changed or removed. Mr. Harmon replied that the decision was up to the County since it was their road. Ms. Meston was worried about that area since it made a lot of noise in a child/family friendly area.

Chair Mosier mentioned that they would need to find a place for a bathroom. They did not need to put in a huge restroom, perhaps just two unisex bathrooms with a toilet and sink each. Ms. Smith brought up the idea of including an outdoor sink on the side of the structure. Chair Mosier was concerned that the outdoor bathroom would be subject to vandalism or repair issues.

Chair Mosier wanted all the structures in the park to have a similar look to them. She wondered if they wanted to use timber or incorporate rock since there was already a rock wall. Chair Mosier wanted the landscaping to tie in as well. They could incorporate native trees and bushes that were easy to maintain.

Mr. Beatty thought that it would be a good idea to include a wall with landscape off the Willamette exit to make the park look nicer. He also thought it would be fun to have a picnic table against the wall with the mural so people could take pictures sitting in front of the mural.

Ms. Smith wanted them to start to narrow in on what were the most important aspects of the park for them. Before that, Mr. Harmon would share some of his concerns. Anne Heath wanted the Committee to know that while the Committee was in charge of the plans, the downtown businesses were going to be able to give feedback on the design. He shared that the grant would be due April 1, 2022. Ms. Meston thought that they had to have 30% of their plan done by the end of January 2022. The previous minutes said they had to have a proposed plan by the middle of January.

Mr. Harmon wanted the Committee to consider the Christmas light display in their plans.

Mr. Beatty said that they should send out the map they created along with their proposals for the park and see what feedback they got from businesses.

Chair Mosier asked if they should go to the Chamber to get input. Mr. Beatty told her that going to the Main Street Committee would probably be a better idea since they were up and meeting. Chair Mosier wanted to go to them and ask what ideas they had for the park, but not present their ideas.

Chair Mosier said that they would need to schedule a work party for the park if they wanted to make sure it was done in time for the grant. Ms. Smith liked when they did work sessions before or after meetings, that way they did take too much staff time.

- Pickle Ball Court

Mr. Harmon measured out the area and they could put two pickleball courts on the basketball court. Someone had an idea to take down one of the basketball hoops and make the court half basketball and half pickleball. The Committee liked that idea.

- Upcoming Work Party Plan

Chair Mosier asked if everyone was okay with skipping the December work party. Everyone was okay with that.

- Work Party

Chair Mosier said that at the last work party they pulled weeds at Johnny Diamond Park.

- Tree Sub-Committee "Trials-End Park"

Ms. Meston said that Mr. Beatty had worked out the pricing of the trees with a local nursey. They came up with a total of 38 trees and shrubs. The most expensive plants would be the ponderosa pine and the crabapple trees. The total for all 38 plants would be $785. She asked Mr. Harmon if there were funds available for that. Mr. Harmon replied that there were funds available. They were entering the season of tree removal and while they had a lot of pruning and removal to do, there should be funds left over.

Ms. Smith asked how much money they spent on Arbor Day trees. Mr. Harmon replied that it ranged from a couple hundred dollars to $1,500. The money came from the City budget. He said that they could apply for the Tree City USA grant, but it normally cost more to apply than it did to buy trees.

> **MOTION:** Mr. Beatty moved, seconded by Mr. Morneau, to approve the funding for 38 trees at the cost of $785 from Dove Creek Nursey. The motion passed unanimously.

- Coburg Creek Subdivision Park Sub-Committee

Chair Mosier said they would table this item for now and have a work session for capital improvements later.

- Tree Donations

Mr. Harmon announced that there were two tree donations that had been presented. The Committee needed to look at and approve them.

Mr. Beatty asked where the trees would go. Mr. Harmon replied that the Bosley tree would be planted in Pavilion Park along with the plaque. The other tree could be planted anywhere. Mr. Morneau thought they should keep the Bosley tree in mind when doing their Pavilion plans.

> **MOTION:** Ms. Marshall moved, seconded by Mr. Beatty, to accept both tree donations as listed in the proposals. The motion passed unanimously.

7. Adjournment

Chair Mosier adjourned the meeting at 7:14 p.m.

(Minutes recorded by Lydia Dysart)

APPROVED by Park & Tree Committee on this 18th day of January 2022.

_____

Mary Mosier, Chair

ATTEST:

_____

Sammy L. Egbert, City Recorder

DRAFT

MINUTES
Coburg Planning Commission
November 17, 2021
Coburg City Hall
91136 N Willamette Street

COMMISSIONERS PRESENT: John Marshall, Seth Clark, Marissa Doyle, Paul Thompson, Jonathan Derby.

COMMISSIOENRS ABSENT: William Wood; Vice Chair.

STAFF PRESENT: Henry Hearley, LCOG Assistant Planner, Megan Winner, Planning Assistant, Assistant; Gary Darnielle, LCOG Attorney and Planning Advisory; Anne Heath, City Administrator; Sammy Egbert, City Recorder.

1. Call Meeting to Order
Commissioner Marshall opened the Planning Commission meeting at 7:04 p.m.

2. Roll Call
Commissioner Marshall called roll and a quorum was not present.

3. Agenda Review
There were no changes made to the agenda.

4. Public Comment
There was no public comment.

5. Commission Business
a. Public Hearing for ANX 01-20 & ZC –1-20 Ravin Ventures and Hardly Hackit Annexation
Chair Marshall opened the hearing at 7:06 p.m. and outlined the process.

Mr. Hearley stared with the staff presentation. He noted that the staff report included all information, and that the presentation would just be an outline. As part of past urban growth boundary (UGB) expansion attempts, an Urbanization Study was done and said that Coburg needed additional land outside of its UGB to meet employment needs. A comprehensive analysis of land was conducted to find appropriate areas to bring into the UGB.

The area that will be talked about today was selected by City Council and brought into the UGB and rezoned into light industrial. Coburg's Comprehensive Plan was amended to add Policy 28, which said that properties with light industrial properties located east of I-5 could not be partitioned into lots smaller than 20 acres.

Any development of the property had to be approved by the Oregon Department of State Lands (DSL) and the Army Corp. Coburg's Land Code also required that 20% of a property had to include open space. 10 acres of open space would be included in the plans for the lot in question. Open space and walking paths would be created for employees on that development.

East Van Duyn was not presently in the UGB and would not be part of the annexation. It was classified as a local county road and would be reclassified by Lane County in 2022. Since it is outside of the UGB, urban improvements were not usually allowed, however they would enact exemptions. The street would be under construction to add 20-foot right-of-way, a 50-foot roadway, a sidewalk, curb, gutter, utilities, two east bound travel lanes, and an internal axis road. The applicant would be paying for those improvements. This would be the only development from the annexation, all other development would need to be approved by the Planning Commission at a future date.

The applicant hired a group to conduct the Transportation Impact Analysis (TIA). ODOT, LCOG, and the City Engineer were all involved in the approvement of the TIA. It showed that the Pearl Street at I-5 intersection would have an increased amount of traffic in the west bound left turn lane. As a result, a trip cap on businesses would be put in place.

Mr. Hearley said that the Planning Commission had to make a recommendation to the City Council concerning the annexation.

Chair Marshall called on the applicants to speak. Raymond Fisher said that the lot was purchased in 2010 and he started going to Community Development meetings around that time. It was clear that Coburg wanted the downtown area to stay the same and all development should be east of I-5. They were in escrow with a developer who would not be able to develop on a campus industrial zone. Light industrial made more development options available. He said that Coburg would continue to have approval over what was developed on the lot as they moved forward.

Mr. Fisher introduced, Tony Favreau, their project engineer, and Kelly Sandow, their traffic engineer. Ms. Sandow clarified that the TIA reviewed a 20-year period. As development went forward another TIA would need to be completed to analysis data at that time.

Chair Marshall opened the meeting up to testimony in favor of the application.

There was no testimony in favor.

Chair Marshall opened the meeting to testimony opposed to the application.

Chair Marshall noted that they had received written opposed testimony which was included in Commissioner packets.

Peter Detmer, representing the Coburg Hills residents, wanted more information on the tax money which had been spent in relation to the annexation. He said that the only reason the annexation was going forward was because of the increase in taxes that would result. Mr. Detmer said that the rezoning to light industrial was wrong. He asked the Commission to talk more with the community and allow a vote.

Kevin Dwyer, a representative of the Diamond Ridge Loop residents, had some concerns with the annexation application. He understood that the TIA was done and approved by three agencies, but they questioned its conclusions. Mr. Dwyer believed that the construction on the lot would create the traffic maximum for Pearl Street. It seemed to him that the bridge already could not handle the amount of traffic it got. Second, they hoped that the potholes on East Van Duyn would be fixed. Also, it was hard to tell from the green space plan how many trees would be removed. Mr. Dwyer did not approve of those trees being removed.

Andrew Hayes, a representative of the Diamond Ridge Loop residents, wanted to suggest a change in the zoning classification. He thought that Lot 7 would have been a better choice if they wanted to zone the area as light industrial. Since Lot 8 was close to residential areas, Mr. Hayes thought zoning it as campus would make the most sense. He suggested rezoning the area North of Van Duyn. It was a big area and would have no conflicts with a light industrial zoning.

Pat Eagen, a representative of the Diamond Ridge Loop residents, emphasized the need to keep the trees along the green space.

Mr. Hearley noted that the area North of Van Duyn was out of the UGB.

Mr. Fisher point out that a lot of the trees in the suggested green area had been cleared out already.

Chair Marshall closed the public hearing at 7:56 p.m.

Chair Marshall asked if a buffer was required between the lot and the RV park. The industrial policy outlined said that a barrier had to be put up if along a residential area. Mr. Hearley replied that he had not yet addressed that. He noted that the RV Park was zoned as highway commercial, not residential.

Chair Marshall waned clarification on 'exception areas' and 'exception zones'. Mr. Hearley said that those terms were not necessary for the current annexation. Mr. Darnielle said that the 'exception' terms referred to areas Lane County had committed to development and could be rural residential zones.

Chair Marshall asked if it was correct that the TIA said there would be no impact on existing facilities. Mr. Hearley noted that it would affect the Pearl Street I-5 lane. Ms. Sandow added that there was impact, but it did not result in falling under the standard.

Chair Marshall opened the public hearing at 8:02 p.m.

Chair Marshall asked if Coburg was required to capture 30% of the regional industrial demand. Mr. Hearley responded that it was up to City Council or the City Administrator.

Commissioner Doyle asked if the wetland would be redirected or maintained. Mr. Hearley replied that it would be up to DSL to decide. Mr. Fisher added that their plan was to redirect the wetland. They were working on a wetland bill permit to mitigate most of it to a different site.

Commissioner Doyle inquired into how the ecology would be affected. Mr. Fisher noted that the soil in that area was not good. He did not think the ecology would be affected.

Commissioner Doyle asked if the emergency services would have the capacity for that lot. Ms. Heath replied that the City was looking into that.

Commissioner Clark wanted to know if there was any regional trip capacity that they could look at to help with the Pearl Street and I-5 area. Ms. Sandow noted that the TIA was specific to Coburg.

Chair Marshall closed the public hearing at 8:10 p.m.

> **MOTION:** Commissioner Derby moved, seconded by Commissioner Clark, to recommend approval to City Council the annexation and the rezoning of the lot as light industrial. The motion passed unanimously.

6. Approval of Minutes

No minutes were approved. They would be brought back to the next meeting for approval.

7. Updates & Future Agenda Items

a. City Administration Report

Ms. Heath said that she did not have an official report for them but would give some City updates. On December 21, 2021, the water connection would be made. The City was doing an analysis on all the alleyways in town to assess if they were being used.

She said they got $100,000 to rebuild McKenzie Street. They wanted to make it a safe passage from east to west. They were still looking for some additional funding. The Ad-Hoc Code Committee had finished their work and would be presenting their recommendations sometime Spring 2022.

8. Adjournment
Chair Marshall adjourned the meeting at 8:36p.m.

(Minutes recorded by Lydia Dysart)

APPROVED by the Planning Commission of the City of Coburg on this 15th day of December 2021.

_____
Paul Thompson, Commission Chair

ATTEST:

_____
Sammy L. Egbert, City Recorder

Coburg Heritage Committee

December 8th, 2021 – 6:00 p.m.
Virtual Meeting - City Hall
91136 North Willamette St.

COMMITTEE MEMBERS PRESENT: Chair Marissa Doyle; Stephen Sheehan, Shannon Sardell.

COMMITTEE MEMBERS ABSENT: Vice Chair Michelle Shattuck.

STAFF PRESENT: Megan Winner, Planning and Economic Development. Tracey Pugh, Coburg Main Street Coordinator)

1. Call the Meeting to Order
Chair Doyle called the meeting to order at 6:09 P.M.

2. Roll Call
Ms. Winner called roll and a quorum was present.

3. Committee Business

- **Planning for Preservation Month 2022 Historic Art Contest & Historic Preservation Award Ceremony**

Ms. Winner discussed doing an awards ceremony for the 2021 and 2022 plaque recipients. Ms. Winner wanted to get some direction on the art contest, as the call for artists needs to go out soon. Ms. Winner had sent an example flyer that had been used in 2019 to the committee with the meeting agenda for their consideration. Ms. Winner explained the entries are for the art contest, and in the past, the entrants' art was hung in City Hall. Community members voted and the winner received a gift basket from local businesses.

The Heritage Committee's goal is to increase awareness and involvement in the community. Because of this, they considered having the artists' entries hung in local businesses to promote awareness of the committee. Ms. Pugh suggested doing a Wine/Beer Walk to highlight the art and bring community members into the businesses. Ms. Doyle inquired how long the art would be displayed, as voting would need to be concluded by the Wine/Beer walk.

She suggested including a QR code on each art piece to lead to voting. The event in which they announce the winner could also celebrate the 2021 and 2022 plaque winners at the same time. Mr. Sheehan suggested doing a kick-off at the local businesses, and concluding the art contest with the Awards Ceremony. He suggested the QR code could list all the artwork with their locations, so participants could then go see each piece. Mr. Sheehan is confident businesses will want to participate and host art. Mr. Sheehan offered to donate the money to develop the QR code for this project. Someone else will need to develop the website to host the art and the information. The voting capability would be accessible through the website as well.

Ms. Shattuck arrived at 6:20pm and the group brought her up to speed.

The group agreed that holding the awards ceremony in a centralized location would be helpful. The tasting tables could be held at the venues that are displaying the winning artwork. Ms. Winner agreed that a Wine and Art walk and voting would be a good draw to bring people out to participate in the process.

Mr. Sheehan suggested offering hors d'oeuvres, cider and beer to invite people to come into Willamette Forks as they begin the art walk. The group discussed how beverages need to be consumed in the location the bottle was opened, so participants would need to finish their tastings before moving onto the next location.

Ms. Doyle suggested hosting the awards at the Willamette Forks. Mr. Sheehan clarified that they won't be open until July or August, but he would be happy to host something in his location. The group agreed this would bring excitement to the event. Mr. Sheehan suggested that the chainsaw art piece in the front yard could be an entry into the art contest.

Ms. Doyle suggested correlating the event with Mother's day, as this would be a draw for community participation. The group agreed May 21st or 22nd for the Awards ceremony, and April 30th or May 1st would be the art installation.

The art theme is Historic Gardens, and the group was agreeable to this. The art entries can be any medium, but it must be able to be displayed in businesses. Mr. Sheehan shared that all the businesses he has talked to have been agreeable to hosting a piece of art, and different businesses have different spaces with which to display. Ms. Shattuck agreed this opens up the possibilities for different types of art, such as structural or sculptural, rather than just framed. Mr. Sheehan inquired if there is a limit on how many pieces of art can be accepted. Ms. Shattuck mentioned in the past that they have had about 15 entries. This year, they are hoping to receive more entries and the group agreed that they should not limit the number of entries per person.

The group agreed they need to have an entrance form outlining the type of art (watercolor, sculpture, etc) to enable proper planning for display. The call for entries should be 2 to 3 months in advance to give the artists time to create their pieces. The registration should begin at the start of April. The group discussed which locations and what methods to advertise the call for artists. Mr. Sheehan suggested reaching out to the University of Oregon Art department, and Ms. Shattuck suggested Lane Community College. The posters for advertising will need to be developed, and Ms. Shattuck offered to help get these posted. There is not an age limit on entrants, and the group agreed to reach out to the school to encourage kids' participation.

Ms. Winner stated they have funds available to hire a graphic designer to develop the poster if necessary. Mr. Sheehan's wife, Colleen Sheehan, is a graphic designer and she has offered to develop this poster. He will show her an example of what they have had in the past and she will work with the committee to develop the poster. Ms. Sheehan will provide mock ups to Ms. Winner and they will discuss them with the group at the next meeting.

- **Info Share**

Ms. Winner has sent out a few more training opportunities. She reminded the committee that there is money available to cover the registration costs of training.

Ms. Pugh shared they are trying to get murals up in town to bring color to the community. They've been working with the Grange to get art up on the side of their building. They have worked with Katie at the school and each student in each grade created a drawing of what they thought Old Coburg might look like (they requested the kids include a barn, a tractor, a train, a bike, etc). They received several wonderful drawings and the mural committee met last night and chose a winner from each grade. The Grange will then need to approve these. They will have them printed on corrugated vinyl. They will likely be 4 feet by 4 feet. The mural committee suggested taking details from each drawing and making a collage. Ms. Pugh shared they will be talking with the Parks committee about doing handprints on the new bike hub.
Ms. Pugh explained they are working with different committees and the school to make them aware of Main street and what they want to do for economic development and beautification. Ms. Pugh thanked the committee for including her in this meeting. She shared that working with the school has been awesome, and they are discussing making a calendar. She looks forward to seeing the school's participation in the art contest. She suggested if students' art is featured, it would increase participation of their friends and family members to go to the businesses featuring their artwork.

4. Future Meetings | Dates to Remember

- Next Heritage Committee Meeting: January 12th, 2022

5. Adjournment

Chair Doyle adjourned the meeting at 6:51 P.M.

(Minutes recorded by Rachel Moore)

APPROVED by the Heritage Committee on this xxth day of xx 2021.

ATTEST:

_____ _____

Sammy L. Egbert, City Recorder Marissa Doyle, Chair

MINUTES
Coburg Planning Commission
December 15, 2021
Coburg City Hall
91136 N Willamette Street

COMMISSIONERS PRESENT: Paul Thompson, Chair; William Wood, Vice Chair; John Marhsall, Jon Derby, Seth Clark

COMMISSIOENRS ABSENT: Marissa Doyle.

STAFF PRESENT: Megan Winner.

DRAFT

1. Call Meeting to Order
Chair Thompson called the meeting of the City of Coburg Planning Commission to order at 7:01 p.m.

2. Roll Call
Ms. Winner called roll. Commissioner Doyle was absent. A quorum was present.

3. Agenda Review
Ms. Winner said that the minutes from the October 20, 2021, and the November 17, 2021, meetings had been sent out and needed to be approved.

4. Minutes Approval

MOTION: Commissioner Clark moved, seconded by Vice Chair Wood, to approve the October 20, 2021, and November 17, 2021, Planning Commission meeting minutes as presented. The motion passed unanimously.

5. Commission Business

- 2021 Planning Commission Goals Review and Reporting

Ms. Winner said that the goals that the Commission put together earlier in the year were included in the packet. She wanted them to go over the goals and reflect on what they had accomplished. City Council also wanted a Commissioner to fill out a brief report and, if possible, bring it to the January 11, 2022, City Council meeting to talk about. Chair Thompson said he could write the report, however he could not present it. Commissioner Marshall said that he would be available to present the report.

The first goal was "to participate in trainings on land use in Oregon including public meeting law, ethics law, timely/relevant topics". Ms. Winner noted that they had Gary Darnelle come to a few meetings to present on such information.

The second goal was "to enhance communication with staff, City Council, and other Committees". Ms. Winner felt like there had been some steps in the right direction for this goal since they had held a few joint meetings with other Committees.

Chair Thompson wondered if staff could put together a joint training with another Committee. Ms. Winner replied that they would work on finding something relevant for two groups. Chair Thompson thought it could be nice to attend a training on a topic that either the Heritage Committee or Park & Tree Committee had on their list. Ms. Winner said that the Ad-Hoc Development Code Committee had started a form-based code project for the central business district with the Urban Collaborate (who did the build-out scenario). The draft summary of the Ad-Hoc Committee feedback would be presented to the Commission in March.

The third goal was "to gain information on what the City was expecting including annual budget updates, City Council goals and priorities, and the work and goals of other Committees".

Ms. Winner said that the Commission would set new goals after the City Council retreat in 2022. At that time, they would also share the goals that the City Council had made.

6. City Updates

- City Administration Report

Ms. Winner pointed out the alley analysis that staff was doing. They were trying to determine which alleys could be vacated and which were being used. A survey was sent out to residents as well. That information would be looked at in the beginning of 2022.

Chair Thompson asked if the Commission would have a role in that project. Ms. Winner was unsure. They were still early in the project.

Chair Thompson asked if the City's goal was to vacate as many alleys as they could. Ms. Winner would not say that was the goal. They just wanted to make sure that they were aware of the function of the alleys in the City.

Commissioner Marshall wanted feedback from Anne Heath on her take on the City Council meeting from the night before. He wanted to know if the Commission had a choice in the manner, but he did not think they did. Chair Thompson agreed.

Vice Chair Woods felt that the City Council had a misunderstanding of what the Planning Commission's job was. They were bound to the code and could not just deny a project because they did not like it. Chair Thompson wanted the Commission to educate the City Council on their role more in 2022.

7. Adjournment

Chair Thompson adjourned the meeting at 7:33 p.m.

(Minutes recorded by Lydia Dysart)

APPROVED by the Planning Commission of the City of Coburg on this 19th day of January 2022.

DRAFT

ATTEST:

_____
Sammy L. Egbert, City Recorder

_____
Paul Thompson, Commission Chair

DRAFT

Coburg Parks | Tree Committee
City Hall, 91136 N. Willamette
Work Session
December 21, 2021 – 5:00 p.m.

COMMITTEE MEMBERS PRESENT: Mary Mosier, Chair; Lonna Meston, Coleen Marshall, Joe Morneau.

COMMITTEE MEMBERS ABSENT: Karen Coury, Tom Beatty.

STAFF PRESENT: Brian Harmon, Public Works.

DRAFT

1. Call Meeting to Order
Chair Mosier opened the Park & Tree Committee meeting at 5:12 p.m.

2. Roll Call
Mr. Harmon called roll.

3. Agenda Review
Chair Mosier stated that copies of the agenda had been sent out and queried which items should be addressed.

4. Committee Business

* Plaza Ideas for Pavilion Park

1. Restrooms – Two unisex portables with sink at the SW corner
15’ x 15’ minimum size with custom siding (historic, rustic, modern), in any color, precast, easy, cheap, low maintenance due to all stainless; no breakage due to concrete composite, pitched roof, $25,000 for something plain, including 3’ awning and wheelchair access, not visible from Willamette Street.

2. Urban Forest
Eliminate traffic noise, not dense for hiding, include mural that ties in, split rail fence, size dependent on location, coordinating landscaping on SE for balance, possibilities are: white dogwood, native trees, boulders, ADA access and parking, sidewalk (extend current sidewalk to restrooms).

3. Eating
North side, food trucks away from restrooms, farm tables, gaming tables, south side terraced to shop with tables and chairs.

4. Other
Amphitheater and path, tables and chairs by ice cream store, retaining wall. Name path, or art, after Shepherd's Daughter, water wall/feature, climbing structures for children, close access to vehicles, crosswalk like Mill Street, solid surface sidewalks.

5. Grant
*Who uses: concerts, weddings, celebrations, out-of-towners, destination events,
* How it is used: alternate transportation, maps showing park/town layout, play structures for children, walking path, reflection art.

In conclusion, Mr. Harmon noted that all the big ticket items had been addressed; he will get the guidelines to the engineer and will probably have a plan set in February 2022.

6. Adjournment
Chair Mosier adjourned the meeting at 6:01 p.m.

(Minutes recorded by Marlene Hockema)

APPROVED by Park & Tree Committee on this 18th day of January 2022.

DRAFT

_____
Mary Mosier, Chair

ATTEST:

_____
Sammy L. Egbert, City Recorder

Coburg Parks | Tree Committee
City Hall, 91136 N. Willamette
November 16, 2021 – 6:00 p.m.

COMMITTEE MEMBERS PRESENT: Mary Mosier, Chair; Lonna Meston, Coleen Marshall, Joe Morneau, Claire Smith.

COMMITTEE MEMBERS ABSENT: Tom Beatty.

STAFF PRESENT: Brian Harmon, Public Works.

DRAFT

1. Call Meeting to Order
Chair Mosier opened the Park & Tree Committee meeting at 6:01 p.m.

2. Roll Call
Mr. Harmon called roll. A quorum was present.

3. Agenda Review
There were no changes made to the agenda.

4. Approve Minutes from November 2021
Approval of November 2021 minutes was tabled until January 2022 meeting due to discrepancies on page 3 which not all members had.

5. City Updates/City Administrator Report
There were no questions.

6. Committee Business

- McKenzie Street Project

Mr. Harmon reported no recent work on the McKenzie Street Project.

- Plaza Ideas for Pavilion Park

Ms. Marshall updated Ms. Smith on the discussion from the previous work session.

Restrooms – Two unisex portables with sink at the SW corner
15’ x 15’ minimum size with custom siding (historic, rustic, modern), in any color, precast, easy, cheap, low maintenance due to all stainless; no breakage due to concrete composite, pitched

roof, $25,000 for something plain, including 3’ awning and wheelchair access, not visible from Willamette Street.

Urban Forest
Eliminate traffic noise, not dense for hiding, include mural that ties in, split rail fence, size dependent on location, coordinating landscaping on SE for balance, possibilities are: white dogwood, native trees, boulders, ADA access and parking, sidewalk (extend current sidewalk to restrooms).

Eating
North side, food trucks away from restrooms, farm tables, gaming tables, south side terraced to shop with tables and chairs.
Other
Amphitheater and path, tables and chairs by ice cream store, retaining wall. Name path, or art, after Shepherd’s Daughter’s Grave, water wall/feature, climbing structures for children, close access to vehicles, crosswalk like Mill Street, solid surface sidewalks.

Grant

*Who uses: concerts, weddings, celebrations, out-of-towners, destination events,
* How it is used: alternate transportation, maps showing park/town layout, play structures for children, walking path, reflection art.

- Budget

Mr. Harmon stated a retreat is scheduled for January 2022 and goals needed to submitted prior to January 14, 2022 so he has them available for the retreat. He added that a temporary employee will be added to the staff working spring to fall. A tentative meeting date of January 12, 2022, 5:00 p.m., was scheduled depending on staff availability.

7. Adjournment
Chair Mosier adjourned the meeting at 6:26 p.m.

(Minutes recorded by Marlene Hockema)

APPROVED by Park & Tree Committee on this 18th day of January 2022.

_____
Mary Mosier, Chair

ATTEST:

_____
Sammy L. Egbert, City Recorder

COBURG CITY COUNCIL
ACTION/ISSUE ITEM

TOPIC: Finance Department Monthly Report

Meeting Date: January 11, 2022
Staff Contact: Tim Gaines
Contact: 541-682-7870, tim.gaines@ci.coburg.or.us

REQUESTED COUNCIL ACTION

- Information only

POLICIES OR CITY COUNCIL GOAL(S) ADDRESSED

2021-22 City Council Goals:

- Fiscal Stewardship

ANALYSIS

Important notes regarding the month ended November 30, 2021

- November is the 5th month of the fiscal year. If revenues and expenses were spread evenly throughout the year, the City should be at 42% of budget with each.
    - **Whole City Revenue** received $2,315,247 or 23% of budgeted. Compared to $1,866,093 last year at November month end.
    - **Whole City Expenses** are $2,086,023 which is 21% of budgeted. Compared to $2,360,821 last year at November month end.
- There is a 2% difference between Revenues received and Expenditures paid out.
- A quick update on the City's debt:
    - City Hall's first debt service payment was made on December 1, 2021. The current balance is $520,000. The second payment will be made June 1, 2022. After that payment, the balance will be $505,000. This debt will sunset on June 30, 2045.
    - The Water Fund's first debt service payment was made on December 1, 2021. The current balance is $555,000. The second payment will be made June 1, 2022. After that payment, the balance will be $405,000. This debt will sunset on June 30, 2026.

- The Sewer Fund's first debt service payment was made on December 1, 2021. The current balance is $5,135,000. The second payment will be made June 1, 2022. After that payment, the balance will be $5,050,000. This debt will sunset on June 30, 2055.

- The USDA Sewer Fund's first debt service payment was made on August 1, 2021. The current balance is $8,246,602. The second payment will be made February 1, 2022. After that payment, the balance will be $7,978,065. This debt will sunset on February 1, 2036.

- Water Project reimbursement #4 has been submitted. We will be getting reimbursed approximately $40,700. We should receive the funds by the end of January. This reimbursement is for work done between July 1, 2021 through September 30, 2021.

- Financing of the Water Project. The Public Works shop may be added to the current Water Project funding if council would like to pursue that.

- All Funds, General, Streets, Water, Sewer are operating within their budgets.

- Finance/Audit Committee to meet in January.

AUDIT

- The Finance Director was preparing all audit materials for the first time and had issues with the process and Springbrook software. We did not get all of the material to the auditor in as timely of a manner as we would have liked.

- Our auditor, Umpqua Valley Financial, had multiple closures due to COVID between July and September.

- We will be putting together an RFP For audit services as required by council motion.

PUBLIC INVOLVEMENT

N/A

NEXT STEPS

- Begin Budget
- Continue work on Water Project
- Year-end SDC reconciliation
- Finance/Audit Committee to meet in January

ATTACHMENTS

A. **Budget Performance Analysis – General Fund**
B. **Cash on Hand Spreadsheet**
C. **Full City Revenue and Expense Charts**

D. **Fund Total sheets – From Springbrook**
E. **Bank Statements – November 2021**
F. **Checks written list for November 2021**
G. **Bank Statements – October 2021**
H. **Checks written list for October 2021**
I. **LGIP Statements – November 2021**
J. **LGIP Statements – October 2021**

REVIEWED BY:

Anne Heath, City Administrator

CITY OF COBURG
GENERAL FUND BUDGET PERFORMANCE ANALYSIS
November 30, 2021

CURRENT BUDGET YEAR 2021-2022

Account #	Account Name	HISTORICAL ACTUALS 2016-17	2017-18	2018-19	2019-20	2020-21	Actual JUL	Actual AUG	Actual SEPT	Actual OCT	Actual NOV	Budget DEC	Budget JAN	Budget FEB	Budget MAR	Budget APR	Budget MAY	Budget JUN	YTD ACT/PROJ	YTD BUDGET	Variance (fav)/UnFav)	YTD %
TOTAL GENERAL FUND REVENUE		**1,920,492**	**2,322,272**	**2,764,876**	**2,075,738**	**2,299,185**	**70,091**	**285,476**	**118,022**	**109,820**	**717,743**	**264,386**	**264,386**	**264,386**	**264,386**	**264,386**	**264,386**	**264,386**	**3,151,855**	**3,172,634**	**20,779.06**	**99%**
																				750,000	**Beginning Fund Balance**	
PERSONAL SERVICES																				**3,922,634**		
	ADMINISTRATION	305,091	339,253	412,997	448,344	450,154	47,722	37,928	58,129	42,346	42,028	46,800	46,800	46,800	46,800	46,800	46,800	46,800	**555,756**	**561,604**	**5,848**	**99%**
	PLANNING	49,664	60,154	87,192	79,098	39,402	3,724	4,734	5,388	4,172	4,917	4,911	4,911	4,911	4,911	4,911	4,911	4,911	**57,315**	**58,937**	**1,622**	**97%**
	POLICE	284,948	354,383	390,597	401,572	469,242	40,990	40,410	58,692	43,684	45,082	48,761	48,761	48,761	48,761	48,761	48,761	48,761	**570,186**	**585,135**	**14,949**	**97%**
	COURT	86,201	95,160	97,451	104,352	105,729	8,943	9,955	12,027	8,728	8,728	9,764	9,764	9,764	9,764	9,764	9,764	9,764	**116,730**	**117,171**	**441**	**100%**
	ECONOMIC DEVELOPMENT	49,664	60,154	87,192	79,098	39,402	0	862	3,097	2,189	2,414	2,198	2,198	2,198	2,198	2,198	2,198	2,198	**23,943**	**26,370**	**2,427**	**91%**
	PUBLIC WORKS	298,864	273,993	330,627	397,303	404,159	34,945	36,413	52,469	41,649	38,465	42,904	42,904	42,904	42,904	42,904	42,904	42,904	**504,268**	**514,847**	**10,579**	**98%**
TOTAL PERSONAL SERVICES		**1,024,768**	**1,183,097**	**1,406,056**	**1,509,767**	**1,508,088**	**136,324**	**130,301**	**189,801**	**142,768**	**141,634**	**155,339**	**155,339**	**155,339**	**155,339**	**155,339**	**155,339**	**155,339**	**1,828,199**	**1,864,064**	**35,865**	**98%**
																			1,828,199 proof			
MATERIALS AND SERVICES																						
	ADMINISTRATION	226,043	248,187	220,817	219,341	252,167	74,479	12,698	27,675	11,001	24,002	21,525	21,525	21,525	21,525	21,525	21,525	21,525	**300,532**	**258,300**	**-42,232**	**116%**
	FACILITIES	97,833	170,524	82,624	153,795	99,485	3,928	9,543	1,522	24,516	10,311	12,342	12,342	12,342	12,342	12,342	12,342	12,342	**136,212**	**148,100**	**11,888**	**92%**
	PLANNING	151,662	235,060	258,088	101,478	159,930	17,444	10,514	1,408	29,562	24,127	23,274	23,274	23,274	23,274	23,274	23,274	23,274	**245,973**	**279,290**	**33,317**	**88%**
	POLICE	115,200	117,469	118,724	142,855	160,800	4,564	2,596	2,071	2,745	25,154	18,849	18,849	18,849	18,849	18,849	18,849	18,849	**169,075**	**226,190**	**57,115**	**75%**
	COURT	19,796	28,606	27,291	38,908	42,050	3,280	2,011	711	2,421	1,196	3,671	3,671	3,671	3,671	3,671	3,671	3,671	**35,316**	**44,050**	**8,734**	**80%**
	ECONOMIC DEVELOPMENT	50,451	23,836	42,939	80,991	21,600	12,996	1,035	6,159	7,866	1,643	5,892	5,892	5,892	5,892	5,892	5,892	5,892	**70,941**	**70,700**	**-241**	**100%**
	PARK & PARK CAPITAL	67,307	90,399	59,280	450,213	97,450	2,030	2,327	3,067	3,184	1,670	8,956	8,956	8,956	8,956	8,956	8,956	8,956	**74,967**	**107,469**	**32,502**	**70%**
TOTAL MATERIALS AND SERVICES		**728,292**	**914,081**	**809,763**	**1,187,581**	**833,482**	**118,720**	**40,724**	**42,614**	**81,297**	**88,103**	**94,508**	**94,508**	**94,508**	**94,508**	**94,508**	**94,508**	**94,508**	**1,033,015**	**1,134,099**	**101,084**	**91%**
																			1,033,015 proof			
INTERFUND TRANSFERS-OUT																						
	PARK FUND		0	0	0	0																
	WATER CAPITAL FUND		0	0	0	0																
	PAYROLL ALLOCATION -PLANNING	19,601	0	0	0	0																
	STREET FUND			50,000	50,000	50,000																
	SEWER FUND	50,000	0	0	0	0																
TOTAL TRANSFERS OUT		69,601	0	50,000	50,000	50,000	0	0	0	0	0	0	0	0	0	0	0	0	**0**			
					0																	
TOTAL EXPENSES		**1,822,661**	**2,097,178**	**2,265,819**	**2,747,348**	**2,391,570**	**255,044**	**171,025**	**232,415**	**224,065**	**229,737**	**249,847**	**249,847**	**249,847**	**249,847**	**249,847**	**249,847**	**249,847**	**2,861,214**	**2,998,163**	136,949	**95%**
TOTAL REVENUE/(LOSS)		**97,831**	**225,094**	**499,057**	**586,250**	**-92,385**	**-184,953**	**114,450**	**-114,393**	**-114,245**	**488,006**	**14,539**	**14,539**	**14,539**	**14,539**	**14,539**	**14,539**	**14,539**	**290,641**			
																			Net Income/Loss	**250,000**	**Contingency**	
	CASH IN BANK BEGINNING						**910,837**	**676,407**	**718,071**	**984,318**	**523,759**	**1,007,531**	**1,022,070**	**1,036,609**	**1,051,148**	**1,065,688**	**1,080,227**	**1,094,766**	***290,641***	**159,936**	**Restricted for Park SDC**	
	Revenue/(Loss)						**-184,953**	**114,450**	**-114,393**	**-114,245**	**488,006**	**14,539**	**14,539**	**14,539**	**14,539**	**14,539**	**14,539**	**14,539**		**514,535**	**Ending Fund Balance**	
	Balance Sheet Adjustments						**-49,477**	**-72,786**	**380,640**	**-346,314**	**-4,234**									**3,922,634**	**Budget Expenditures**	
	CASH IN BANK ENDING						**676,407**	**718,071**	**984,318**	**523,759**	**1,007,531**	**1,022,070**	**1,036,609**	**1,051,148**	**1,065,688**	**1,080,227**	**1,094,766**	**1,109,305**	**Projected Ending Cash**			

IMPORTANT NOTE:
This worksheet has been created for projection purposes only. It should not be read entirely as a year-to-date source. It is important for the purpose of projecting cash on hand at the end of the fiscal year

General Fund Cash	**1,007,531**
Park Reserve	
Total Cash on Hand	**1,007,531**

CITY OF COBURG

November 30, 2021 Fiscal Year 2022

CASH ON HAND PER FUND

	Bank Accounts								
Funds	**KEY BANK - GEN**	**SP GEN.**	**SP SDC**	**For**	**SP SAVINGS**	**For**	**SUMMIT BANK**	**POLICE EVID.**	**TOTAL**
GEN 001	183,803	512,659			151,752				848,215
PD Drug Educ.									-
Park Cap	114,372		44,944	Park SDC					159,316
STREET 003	127,992	334,755	409,623	Street SDC					872,370
WATER 004	514,719	993,880	48,660	Water SDC					1,557,258
SEWER 005	495,917		905,851	Sewer SDC	27,324	Membrane Replace			1,429,091
SEWER DEBT	372,945				121,740	Sewer Debt Reserve	-	Sewer Debt Res	494,685
EVIDENCE		-						100	100
TOTAL	1,809,747	1,841,294	1,409,077		300,817		-	100	5,361,035

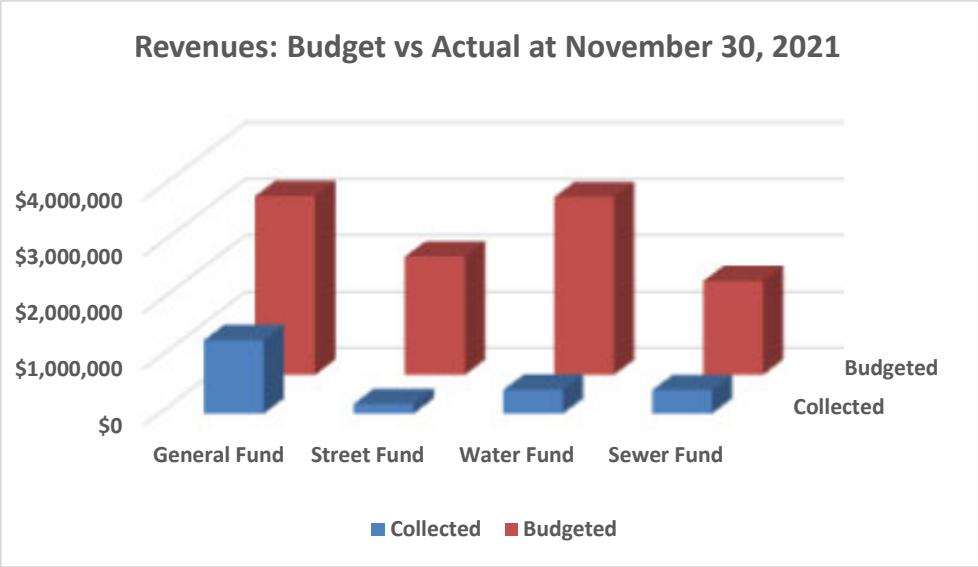
	CIP SDCs
Cash Balance 11/30/2021	$5,361,035
Cash Balance 11/30/2020	$4,434,805
Difference	*926,230*

REVENUE GENERATION BY FUND	
GENERAL FUND	Interest, taxes, State Shared Revenue, Cigarette Taxes, Liquor taxes, Land Use Fees, SDC Admin Fees, Franchise Fees Tourism, Fines & Bails, Planning , Park user fees Capital and SDC, Park Donations and Grants, Building Dev. Fees
STREET FUND	Street Taxes, User Fees, Grants, CIP Funds, SDC, Grants Loans
WATER FUND	User Fees, Grants, Capital Funds, SDC
SEWER FUND	User Fees, Grants,Capital Funds, SDC, Loans
SEWER DEBT FUND	LID, Loan Proceeds, URA Debt Service
EVIDENCE	Evidence Cash Seized

CITY OF COBURG

REVENUES COLLECTED COMPARED TO BUDGET
Fiscal Year To Date As Of November 2021

Fund	Collected	Budgeted	Difference	Percentage
General Fund	$1,301,152	$3,172,634	$1,871,482	41%
Street Fund	$171,207	$2,098,569	$1,927,362	8%
Water Fund	$424,490	$3,155,768	$2,731,278	13%
Sewer Fund	$418,399	$1,664,700	$1,246,301	25%
TOTAL ALL FUNDS	**$2,315,247**	**$10,091,671**	**$7,776,424**	**23%**



Important Notes:

Overall revenues should be 42% if spread evenly throughout the year.

Budgeted revenues are net of Beginning Fund balance,

which means the budgeted amounts do not include Beginning Fund Balance

Property tax receipts for the month of November were $584,882.

Grant Funds and Debt Reimbursement (Water Project) have not been received yet.

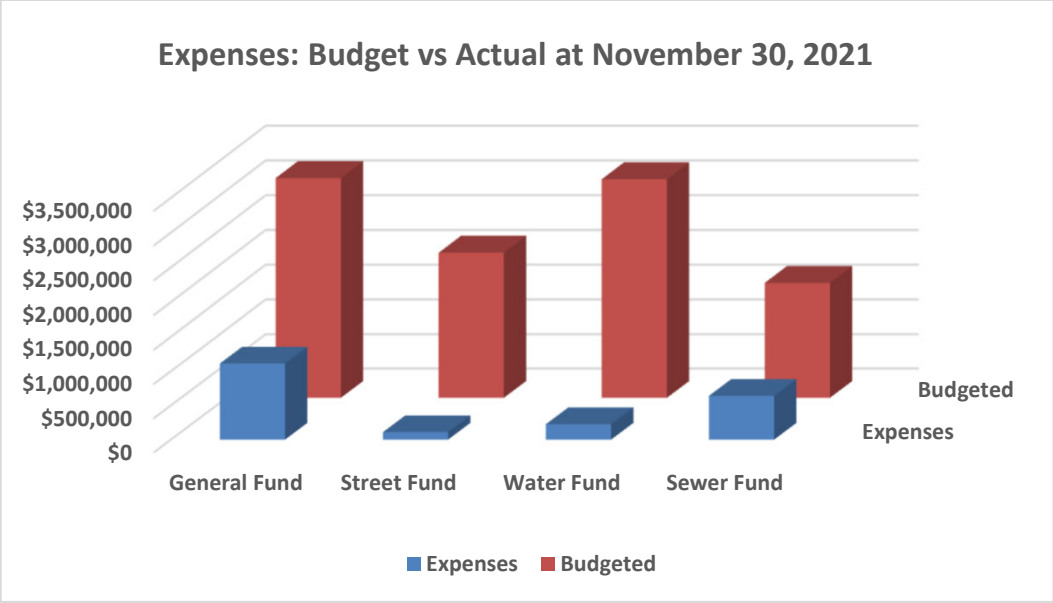
City Fuel Taxes received through the month of November were $76,720, 50% of budget.

State Fuel Taxes received through the month of November were $37,289, 63% of budget.

Total Property tax receipts to date were $789,715, 92% of Budget.

CITY OF COBURG
EXPENSES INCURRED COMPARED TO BUDGET
Fiscal Year To Date As Of November 2021

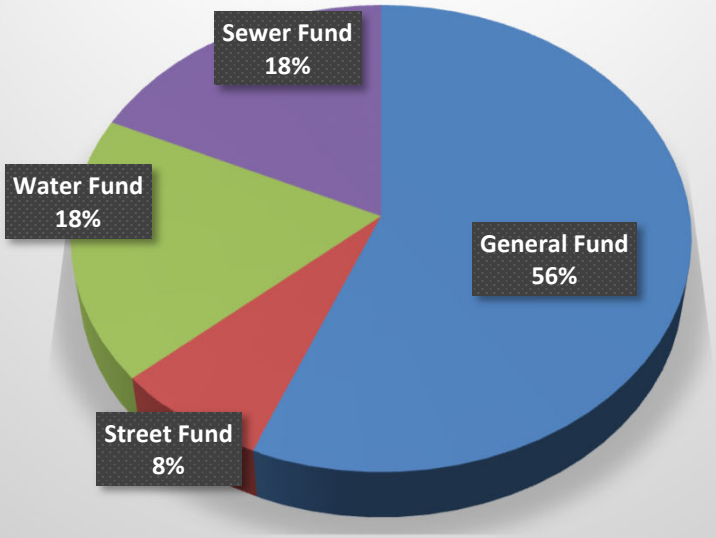
Fund	Expenses	Budgeted	Difference	Percentage
General Fund	$1,112,286	$3,172,634	$2,060,348	35%
Street Fund	$108,826	$2,098,569	$1,989,743	5%
Water Fund	$225,047	$3,155,768	$2,930,721	7%
Sewer Fund	$639,864	$1,664,700	$1,024,836	38%
TOTAL ALL FUNDS	$2,086,023	$10,091,671	$8,005,648	21%



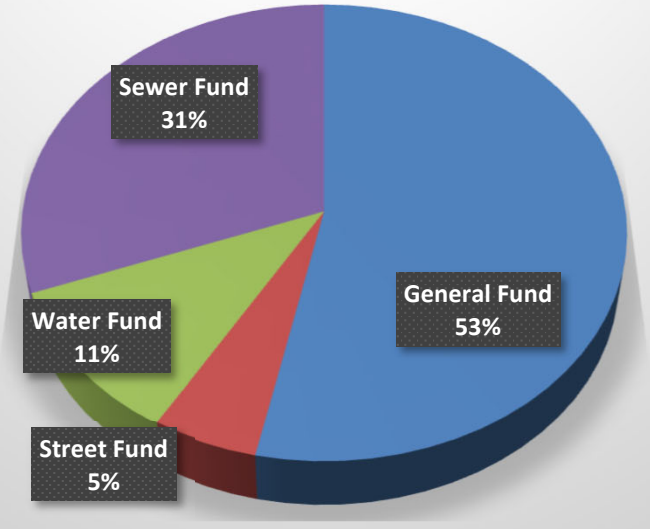
Important Notes

Overall expenses should be 42% if spread evenly throughout the year.
Water and Street projects have been delayed due to Covid-19
Budgeted expenses are net of Beginning Fund balance,
which means the budgeted amounts do not include Beginning Fund Balance
All Personal Services are within budget.
Materials & Services are all within budget.
Scheduled Capital Projects are time sensitive and not reflected until later in the year.

CITY WIDE REVENUES
11/30/2021



CITY WIDE EXPENSES
11/30/2021



Account Number	Description	Budget Amount	Period Amount	YTD Amount	YTD Var	Encumbered Amount	Available	% Available
	Fund Revenue Sub Totals:	3,922,634.00	717,742.71	1,301,151.77	2,621,482.23	0.00	2,621,482.23	66.83
	Fund Expense Sub Totals:	3,922,634.00	229,736.70	1,112,286.09	2,810,347.91	0.00	2,810,347.91	71.64
	Fund 001 Sub Totals:	0.00	-488,006.01	-188,865.68	188,865.68	0.00		

General Fund

Account Number	Description	Budget Amount	Period Amount	YTD Amount	YTD Var	Encumbered Amount	Available	% Available
	Fund Revenue Sub Totals:	2,980,763.00	60,581.10	171,206.54	2,809,556.46	0.00	2,809,556.46	94.26
	Fund Expense Sub Totals:	2,980,763.00	22,958.05	108,825.74	2,871,937.26	0.00	2,871,937.26	96.35
	Fund 003 Sub Totals:	0.00	-37,623.05	-62,380.80	62,380.80	0.00		

Street Fund

Account Number	Description	Budget Amount	Period Amount	YTD Amount	YTD Var	Encumbered Amount	Available	% Available
	Fund Revenue Sub Totals:	4,464,970.00	60,688.43	424,489.72	4,040,480.28	0.00	4,040,480.28	90.49
	Fund Expense Sub Totals:	4,464,970.00	43,013.69	225,047.46	4,239,922.54	0.00	4,239,922.54	94.96
	Fund 004 Sub Totals:	0.00	-17,674.74	-199,442.26	199,442.26	0.00		

Water Fund

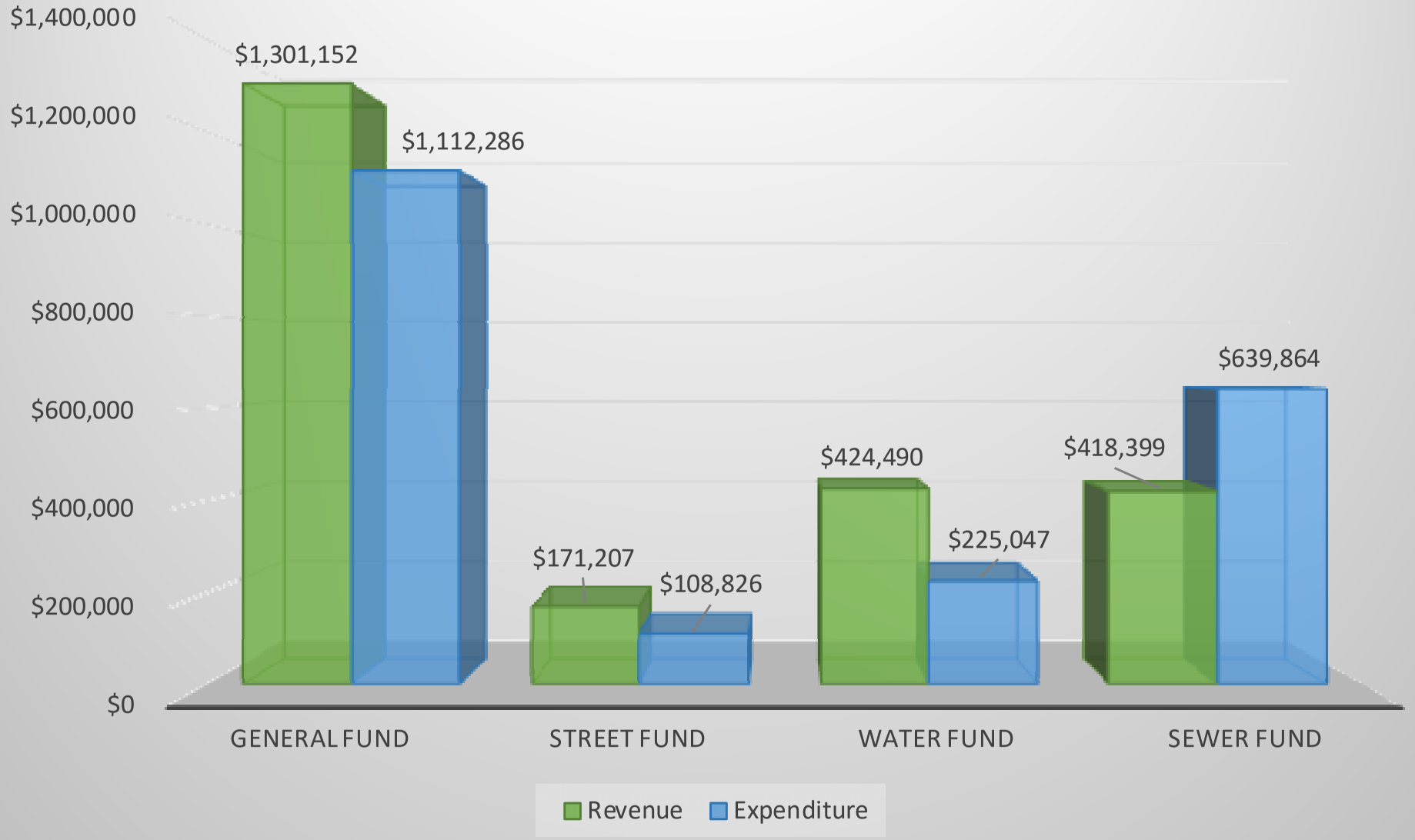
Account Number	Description	Budget Amount	Period Amount	YTD Amount	YTD Var	Encumbered Amount	Available	% Available
	Fund Revenue Sub Totals:	3,855,143.00	74,567.82	418,398.84	3,436,744.16	0.00	3,436,744.16	89.15
	Fund Expense Sub Totals:	3,855,143.00	126,153.61	639,863.93	3,215,279.07	0.00	3,215,279.07	83.40
	Fund 005 Sub Totals:	0.00	51,585.79	221,465.09	-221,465.09	0.00		

Sewer Fund

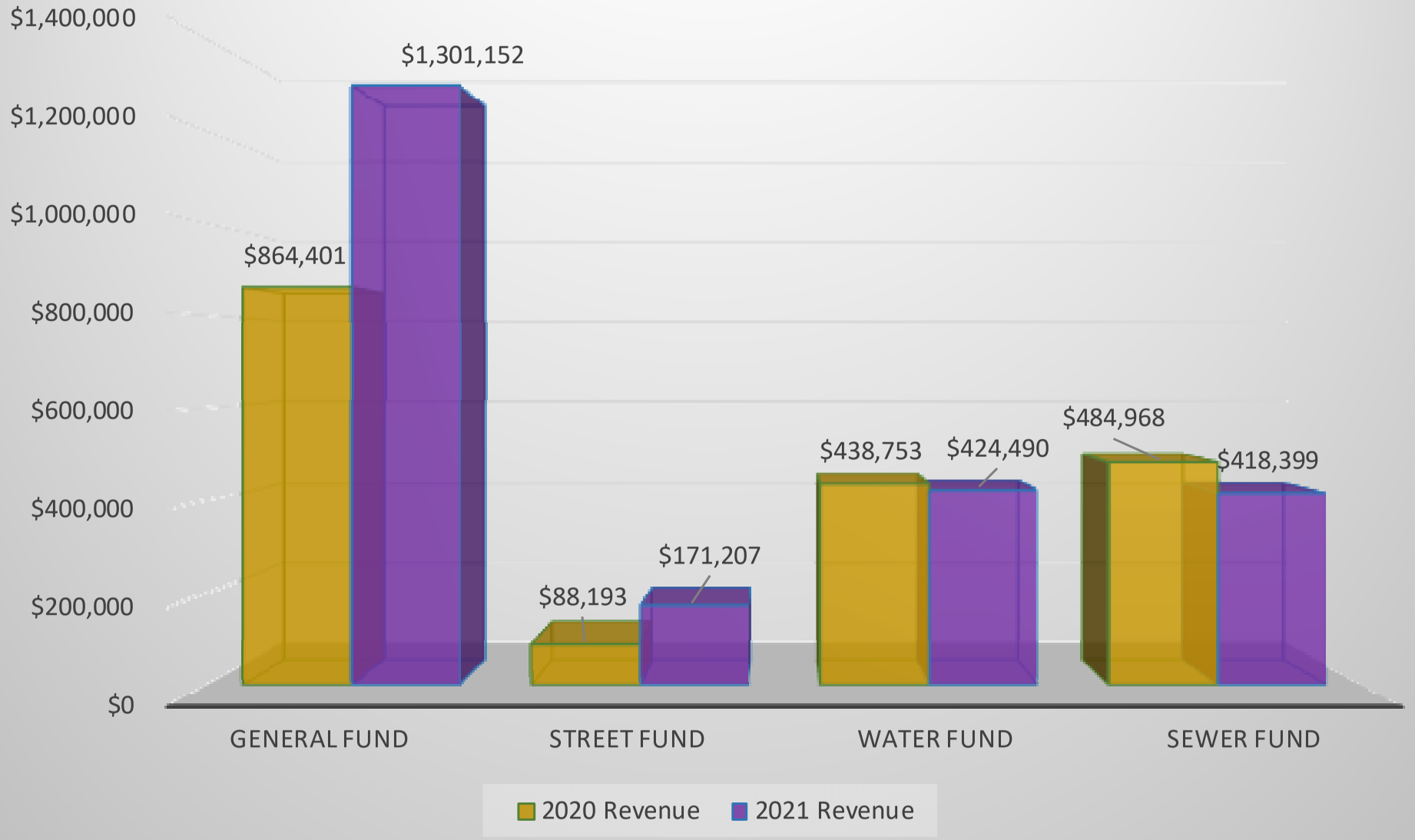
Account Number	Description	Budget Amount	Period Amount	YTD Amount	YTD Var	Encumbered Amount	Available	% Available
	Revenue Totals:	15,223,510.00	913,580.06	2,315,246.87	12,908,263.13	0.00	12,908,263.13	84.79
	Expense Totals:	15,223,510.00	421,862.05	2,086,023.22	13,137,486.78	0.00	13,137,486.78	86.30
	Report Totals:	0.00	-491,718.01	-229,223.65	229,223.65	0.00		

Total All Funds

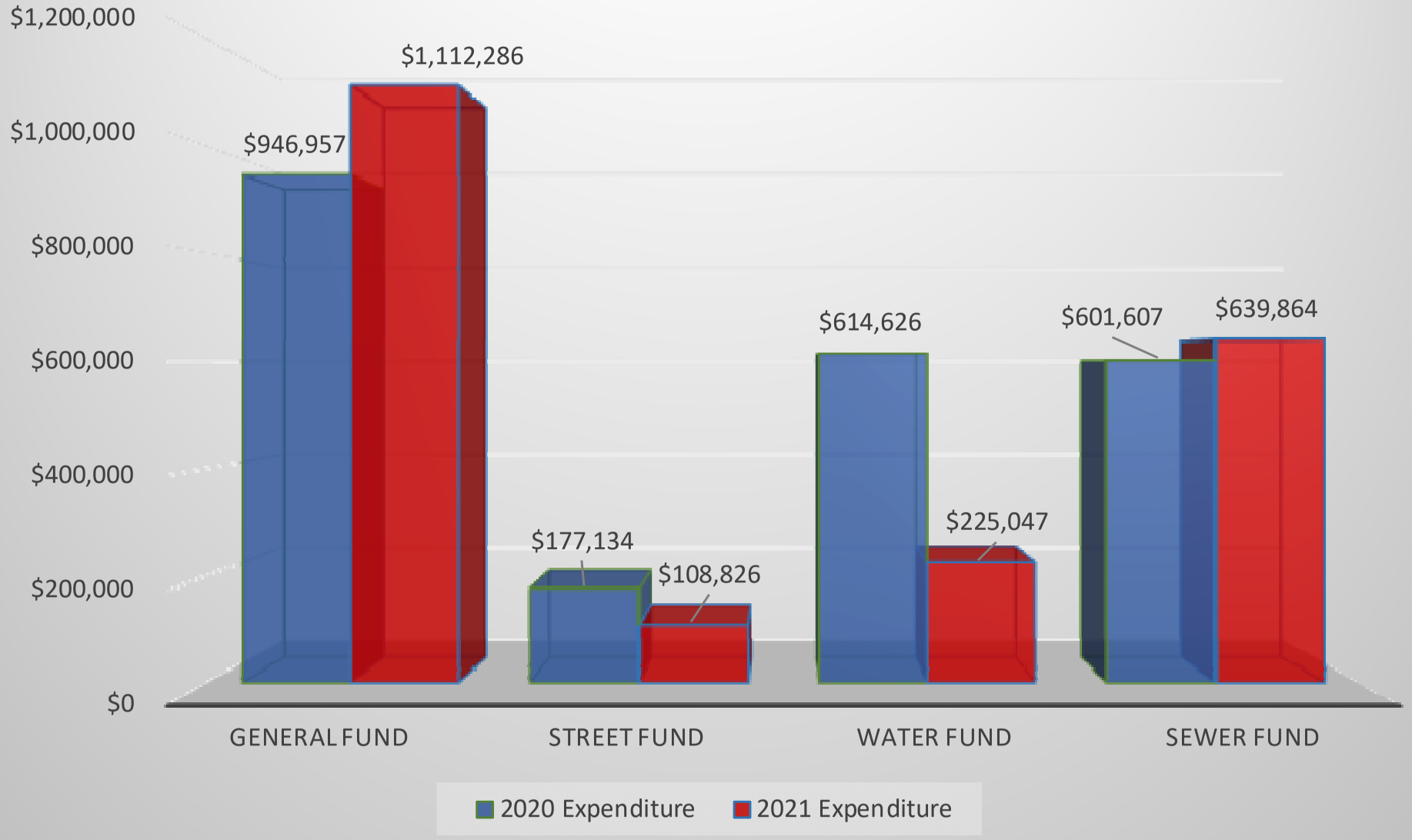
Revenue to Expenses Comparison
November 2021



Revenues Comparison
November 2020 to November 2021



Expenses Comparison
November 2020 to November 2021



KeyBank
P.O. Box 93885
Cleveland, OH 44101-5885

75 T 908 00000 R EM T1
CITY OF COBURG
GENERAL ACCOUNT
PO BOX 8316
COBURG OR 97408-1310

Questions or comments?
Call our Key Business Resource Center
1-888-KEY4BIZ (1-888-539-4249)

Public Transaction
CITY OF COBURG
GENERAL ACCOUNT

Beginning balance 10-31-21	$1,703,732.12
79 Additions	+516,681.23
97 Subtractions	-375,506.91
Net fees and charges	-496.18
Ending balance 11-30-21	**$1,844,410.26**

Additions

Deposits	*Date*	*Serial #*	*Source*	
	11-1		Merchant Svcs Merch Dep 8008238126	$959.13
	11-2		Merchant Svcs Merch Dep 8008238126	1,884.71
	11-3		Key Capture Deposit	11,882.40
	11-3		Key Capture Deposit	1,811.18
	11-3		Merchant Svcs Merch Dep 8008238126	819.55
	11-3		Key Capture Deposit	766.38
	11-3		Merchant Svcs Merch Dep 8008238142	465.00
	11-4		Key Capture Deposit	4,226.78
	11-4		Key Capture Deposit	1,863.83
	11-4		Merchant Svcs Merch Dep 8008238126	591.86
	11-4		Direct Deposit, Pcs OR Trust Pcs OR Tr	241.44
	11-4		Direct Deposit, Merchant S 8030298668	172.50
	11-5		Direct Deposit, City of Coburg Consumer	30,716.11
	11-5		Direct Deposit, City of Coburg Cons Coll	3,370.00
	11-5		Merchant Svcs Merch Dep 8008238126	2,401.31
	11-5		Merchant Svcs Merch Dep 8008238142	265.00
	11-5		Direct Deposit, Merchant S 8030298668	188.60
	11-8		Merchant Svcs Merch Dep 8008238126	1,268.68
	11-9		Key Capture Deposit	9,481.67
	11-9		Key Capture Deposit	2,444.01
	11-9		Key Capture Deposit	2,122.56
	11-9		Key Capture Deposit	1,831.85
	11-9		Merchant Svcs Merch Dep 8008238126	1,636.94
	11-9		Key Capture Deposit	1,162.00

Additions
(con't)

Deposits	*Date*	*Serial #*	*Source*	
	11-9		Key Capture Deposit	456.77
	11-9		Deposit Branch 0067 Oregon	400.00
	11-9		Deposit Branch 0067 Oregon	350.00
	11-9		Deposit Branch 0067 Oregon	300.70
	11-9		Key Capture Deposit	79.00
	11-9		Deposit Branch 0067 Oregon	15.00
	11-9		Deposit Branch 0067 Oregon	15.00
	11-10		Merchant Svcs Merch Dep 8008238126	690.13
	11-10		Key Capture Deposit	316.13
	11-10		Key Capture Deposit	301.16
	11-10		Key Capture Deposit	148.70
	11-12		Direct Deposit, Pcs OR Trust Pcs OR Tr	1,714.72
	11-12		Merchant Svcs Merch Dep 8008238126	768.57
	11-12		Direct Deposit, Merchant S 8030298668	310.45
	11-12		Merchant Svcs Merch Dep 8008238142	265.00
	11-15		Key Capture Deposit	10,153.72
	11-16		Merchant Svcs Merch Dep 8008238126	2,254.90
	11-16		Merchant Svcs Merch Dep 8008238142	1,972.00
	11-17		Merchant Svcs Merch Dep 8008238142	1,859.00
	11-17		Merchant Svcs Merch Dep 8008238126	1,527.01
	11-17		Direct Deposit, Pcs OR Trust Pcs OR Tr	172.69
	11-18		Key Capture Deposit	25,916.48
	11-18		Key Capture Deposit	2,872.82
	11-18		Key Capture Deposit	1,221.98
	11-18		Merchant Svcs Merch Dep 8008238142	165.00
	11-19		Key Capture Deposit	9,353.86
	11-19		Key Capture Deposit	6,973.69
	11-19		Key Capture Deposit	3,082.94
	11-19		Merchant Svcs Merch Dep 8008238126	638.66
	11-19		Merchant Svcs Merch Dep 8008238142	440.00
	11-22		Merchant Svcs Merch Dep 8008238126	1,588.29
	11-22		Merchant Svcs Merch Dep 8008238142	342.00
	11-23		Merchant Svcs Merch Dep 8008238126	1,497.10
	11-23		Merchant Svcs Merch Dep 8008238142	1,195.00
	11-24		Key Capture Deposit	16,185.45
	11-24		Key Capture Deposit	1,830.00
	11-24		Merchant Svcs Merch Dep 8008238142	449.50
	11-24		Merchant Svcs Merch Dep 8008238126	375.23
	11-26		Merchant Svcs Merch Dep 8008238126	871.61
	11-26		Direct Deposit, Pcs OR Trust Pcs OR Tr	590.42
	11-29		Key Capture Deposit	14,137.20
	11-29		Key Capture Deposit	12,828.84
	11-29		Key Capture Deposit	8,879.77
	11-29		Key Capture Deposit	3,236.45
	11-30		Direct Deposit, Oregon St Treas Lgip ACH	250,000.00
	11-30		Key Capture Deposit	33,951.55
	11-30		Key Capture Deposit	5,888.68
	11-30		Merchant Svcs Merch Dep 8008238126	1,903.87
	11-30		Key Capture Deposit	1,637.00
	11-30		Deposit Branch 0067 Oregon	995.00

Additions
(con't)

Deposits	Date	Serial #	Source	
	11-30		Merchant Svcs Merch Dep 8008238142	585.00
	11-30		Key Capture Deposit	200.00
	11-30		Deposit Branch 0067 Oregon	100.00
	11-30		Deposit Branch 0067 Oregon	88.70
	11-30		Deposit Branch 0067 Oregon	15.00
			Total additions	**$516,681.23**

Subtractions

Paper Checks ** check missing from sequence*

Check	Date	Amount	Check	Date	Amount	Check	Date	Amount
86933	11-15	$147.65	87126	11-8	1,115.96	87151	11-16	22.50
*86968	11-26	350.00	87127	11-8	19.78	87152	11-17	548.82
*87004	11-15	41.35	87128	11-9	24.18	87153	11-15	315.55
*87104	11-2	174.46	87129	11-17	54.94	87154	11-15	293.05
87105	11-1	548.32	87130	11-9	3,240.51	87155	11-15	15,748.42
87106	11-1	273.49	87131	11-8	2,561.42	87156	11-19	1,396.50
87107	11-2	949.30	87132	11-5	965.57	87157	11-18	240.00
87108	11-2	36.08	87133	11-5	703.00	87158	11-16	1,349.48
87109	11-10	416.25	87134	11-10	300.00	87159	11-12	200.00
87110	11-8	926.38	87135	11-17	2,400.00	87160	11-15	1,300.00
87111	11-1	2,211.59	87136	11-8	4,811.21	87161	11-16	94.92
87112	11-4	61.48	87137	11-8	253.14	87162	11-15	1,132.06
87113	11-1	251.39	87138	11-9	18.00	87163	11-30	520.18
87114	11-3	178.78	87139	11-9	3,509.60	87164	11-26	35.94
87115	11-5	189.84	87140	11-8	160.00	87165	11-26	176.17
87116	11-8	361.40	87141	11-18	19.25	*87167	11-30	1,600.00
87117	11-4	200.00	87142	11-9	375.00	*87169	11-26	6,099.25
87118	11-2	1,753.85	87143	11-8	103,849.10	87170	11-29	541.71
87119	11-3	862.50	87144	11-9	750.72	87171	11-26	1,327.51
87120	11-9	127.99	87145	11-8	265.00	87172	11-26	311.94
87121	11-8	354.00	87146	11-16	18,718.26	87173	11-29	3,358.14
87122	11-9	115.00	87147	11-15	52.04	87174	11-29	16,222.50
87123	11-9	7,543.75	87148	11-22	901.00	*87176	11-24	200.00
87124	11-8	376.00	87149	11-15	972.17	87177	11-30	134.77
87125	11-10	650.01	87150	11-12	728.23	*87179	11-26	586.88

Paper Checks Paid **$219,625.23**

Withdrawals	Date	Serial #	Location	
	11-1		Direct Withdrawal, Valic Eremit Prm	$6,276.99
	11-1		Direct Withdrawal, OR Revenue Dept Taxpayment	3,914.08
	11-1		Merchant Svcs Merch Fee 8008238126	1,554.82
	11-1		Direct Withdrawal, Asi Hc211027	435.00
	11-1		Merchant Svcs Merch Fee 8008238142	311.81
	11-2		Direct Withdrawal, Merchant S 8030298668	149.02
	11-3		Direct Withdrawal, Irs Usataxpymt	9,951.61
	11-3		Direct Withdrawal, OR Revenue Dept Taxpayment	2,760.07
	11-8		Direct Withdrawal, Cis Trust 5037633834	26,779.80
	11-9		Direct Withdrawal, City of Coburg Return	202.08
	11-9		Direct Withdrawal, City of Coburg Dir Dep	30,975.32

Subtractions

(con't)

Withdrawals	*Date*	*Serial #*	*Location*	
	11-10		Direct Withdrawal, KeyBank Auto Pymt	3,943.32
	11-10		Direct Withdrawal, Invoice PA 2065Billing	115.80
	11-10		Direct Withdrawal, Asi Asi Fees	22.50
	11-15		Direct Withdrawal, Employer Contrb Pers Cntrb	14,313.85
	11-15		Direct Withdrawal, Employer Contrb Pers Cntrb	4,648.55
	11-15		Direct Withdrawal, Employer Contrb Pers Cntrb	12.92
	11-17		Direct Withdrawal, Irs Usataxpymt	10,495.32
	11-18		Direct Withdrawal, OR Revenue Dept Taxpayment	2,919.61
	11-22		Direct Withdrawal, Valic Eremit Prm	6,370.38
	11-23		Direct Withdrawal, City of Coburg Dir Dep	29,619.03
	11-24		Direct Withdrawal, Invoice PA00017Xbilling	109.80
			Total subtractions	**$375,506.91**

Fees and charges

Date		*Quantity*	*Unit Charge*	
11-8-21	Oct Analysis Service Chg	1	496.18	-$496.18
	Fees and charges assessed this period			**-$496.18**

See your Account Analysis statement for details.

Accounts Payable

Checks by Date - Summary by Check Date

User: Tim Gaines
Printed: 12/29/2021 9:46 AM

Check No	Vendor No	Vendor Name	Check Date		Check Amount
87120	911Sup	911 Supply Inc	11/04/2021		127.99
87121	ANA165	Analytical Laboratory Group	11/04/2021		354.00
87122	BAT400	Batteries Plus	11/04/2021		115.00
87123	BRA344	Branch Engineering	11/04/2021		7,543.75
87124	CasCol	Cascade Columbia Dist Co	11/04/2021		376.00
87125	CINTA	Cintas Corporation	11/04/2021		650.01
87126	CUM208	Cummins Northwest, LLC	11/04/2021		1,115.96
87127	EGB100	Sammy Egbert	11/04/2021		19.78
87128	EME131	Emerald People's Utility	11/04/2021		24.18
87129	FERG	Ferguson Waterworks	11/04/2021		54.94
87130	GSA	Goble Sampson Associates	11/04/2021		3,240.51
87131	LAN129	Lane Council of Governments	11/04/2021		2,561.42
87132	Lanfin	Lane County Finance Department	11/04/2021		965.57
87133	MCKINLEY	McKinley Printing Co.	11/04/2021		703.00
87134	Mikal	Mikal McPherson	11/04/2021		300.00
87135	NEL100	Nelson Tree Svcs Inc	11/04/2021		2,400.00
87136	OMSC	Oakmont Service Center	11/04/2021		4,811.21
87137	OffDep	Office Depot Credit Plan	11/04/2021		253.14
87138	ONE193	One Call Concepts, Inc.	11/04/2021		18.00
87139	OreRev	Oregon Dept. of Revenue	11/04/2021		3,509.60
87140	OreDeq	Oregon DEQ Business office	11/04/2021		160.00
87141	SP	Sarah Peters	11/04/2021		19.25
87142	MS	Michael Sherman	11/04/2021		375.00
87143	USBFFC	U.S. Bank St Paul	11/04/2021	**December 2021 Bonded Debt Payment**	103,849.10
87144	Verizon	Verizon Wireless	11/04/2021		750.72
87145	JEW	John Edward Wright	11/04/2021		265.00
			Total for 11/4/2021:		134,563.13
87146	BRA344	Branch Engineering	11/10/2021	**Various Projects**	18,718.26
87147	CenLin	CenturyLink	11/10/2021		52.04
87148	CLASSIC	Classic Design and Construction LLC	11/10/2021		901.00
87149	CTX	Copytronix	11/10/2021		972.17
87150	EDMS	EDMS	11/10/2021		728.23
87151	GCRTire	GCR Coburg Tire	11/10/2021		22.50
87152	GovEth	Government Ethics Commission	11/10/2021		548.82
87153	HUNTER	Hunter Communications	11/10/2021		315.55
87154	IRO100	Iron Mountain	11/10/2021		293.05
87155	LAN129	Lane Council of Governments	11/10/2021	**Various Poducts and Services**	15,748.42
87156	Marsh	Marshalls Heating Equipment & Sales	11/10/2021		1,396.50
87157	OreDeq	Oregon DEQ Business office	11/10/2021		240.00
87158	PAC150	Pacific Power	11/10/2021		1,349.48
87159	Rexius	Rexius	11/10/2021		200.00
87160	SHRB	Sacred Heart Riverbend	11/10/2021		1,300.00
87161	Stanley	Stanley Convergent Security Solutions, Inc.	11/10/2021		94.92
87162	WelWel	Welt & Welt, Inc	11/10/2021		1,132.06

Check No	Vendor No	Vendor Name	Check Date	Check	
			Total for 11/10/2021:		44,013.00
87163	AFL250	AFLAC	11/22/2021		520.18
87164	CAR476	Carquest Auto Parts	11/22/2021		35.94
87165	CenLin	CenturyLink	11/22/2021		176.17
87166	CINTA	Cintas Corporation	11/22/2021		262.73
87167	CDI	Conway Data, Inc	11/22/2021		1,600.00
87168	DOCU	DocuTRAK Imaging, Inc.	11/22/2021		35.00
87169	EME131	Emerald People's Utility	11/22/2021		6,099.25
87170	FERG	Ferguson Waterworks	11/22/2021		541.71
87171	HDFow	HD Fowler Company	11/22/2021		1,327.51
87172	HERC	Herc Rentals Inc.	11/22/2021		311.94
87173	LAN129	Lane Council of Governments	11/22/2021		3,358.14
87174	LCSO	Lane County Sheriff's Office	11/22/2021	**Police Dispatch Contract**	16,222.50
87175	JLOND	London & Paris, LLP	11/22/2021		1,914.00
87176	Rexius	Rexius	11/22/2021		200.00
87177	RVBD	Riverbend Materials	11/22/2021		134.77
87178	OSGP	Voya-Oregon Savings Growth Plan	11/22/2021		200.00
87179	WelWel	Welt & Welt, Inc	11/22/2021		586.88
87180	PhWill	Phillip Williams	11/22/2021		712.50
			Total for 11/22/2021:		34,239.22
			Report Total (61 checks):		212,815.35

KeyBank
P.O. Box 93885
Cleveland, OH 44101-5885

RTM1X T 908 00000 R EM T1
CITY OF COBURG
POLICE EVIDENCE TRUST
PO BOX 8316
COBURG OR 97408-1310

Questions or comments?
Call our Key Business Resource Center
1-888-KEY4BIZ (1-888-539-4249)

Public Transaction
CITY OF COBURG
POLICE EVIDENCE TRUST

Beginning balance 10-31-21	$100.00
Ending balance 11-30-21	**$100.00**

Fees and charges *See your Account Analysis statement for details.*

KeyBank
P.O. Box 93885
Cleveland, OH 44101-5885

66 T 908 00000 R EM T1
CITY OF COBURG
GENERAL ACCOUNT
PO BOX 8316
COBURG OR 97408-1310

Questions or comments?
Call our Key Business Resource Center
1-888-KEY4BIZ (1-888-539-4249)

Public Transaction
CITY OF COBURG
GENERAL ACCOUNT

Beginning balance 9-30-21	$1,334,977.45
88 Additions	+677,282.74
86 Subtractions	-307,946.50
Net fees and charges	-581.57
Ending balance 10-31-21	**$1,703,732.12**

Additions

Deposits	*Date*	*Serial #*	*Source*	
	10-1		Merchant Svcs Merch Dep 8008238126	$1,523.35
	10-1		Merchant Svcs Merch Dep 8008238142	165.00
	10-4		Key Capture Deposit	3,453.50
	10-4		Direct Deposit, Merchant S 8030298668	2,475.18
	10-4		Merchant Svcs Merch Dep 8008238126	1,754.59
	10-4		Merchant Svcs Merch Dep 8008238142	300.00
	10-4		Direct Deposit, Merchant S 8030298668	124.20
	10-5		Direct Deposit, City of Coburg Consumer	32,239.34
	10-5		Key Capture Deposit	22,072.37
	10-5		Key Capture Deposit	3,811.73
	10-5		Direct Deposit, City of Coburg Cons Coll	3,393.00
	10-5		Merchant Svcs Merch Dep 8008238126	2,910.18
	10-5		Merchant Svcs Merch Dep 8008238142	540.00
	10-5		Key Capture Deposit	265.00
	10-5		Key Capture Deposit	79.00
	10-6		Merchant Svcs Merch Dep 8008238126	2,604.29
	10-6		Key Capture Deposit	2,431.62
	10-6		Merchant Svcs Merch Dep 8008238142	1,570.00
	10-6		Direct Deposit, Merchant S 8030298668	1,023.11
	10-7		Direct Deposit, Oregon St Treas Lgip ACH	450,000.00
	10-7		Key Capture Deposit	1,287.10
	10-7		Direct Deposit, Pcs OR Trust Pcs OR Tr	580.75
	10-7		Merchant Svcs Merch Dep 8008238126	505.40
	10-8		Key Capture Deposit	2,152.13

Additions
(con't)

Deposits	*Date*	*Serial #*	*Source*	
	10-8		Direct Deposit, Merchant S 8030298668	133.40
	10-12		Key Capture Deposit	12,326.99
	10-12		Merchant Svcs Merch Dep 8008238126	674.82
	10-12		Merchant Svcs Merch Dep 8008238126	522.65
	10-12		Key Capture Deposit	459.09
	10-12		Merchant Svcs Merch Dep 8008238142	340.00
	10-12		Merchant Svcs Merch Dep 8008238142	262.00
	10-13		Merchant Svcs Merch Dep 8008238126	351.92
	10-13		Direct Deposit, Merchant S 8030298668	309.00
	10-14		Direct Deposit, Pcs OR Trust Pcs OR Tr	1,735.04
	10-14		Merchant Svcs Merch Dep 8008238126	1,055.40
	10-15		Merchant Svcs Merch Dep 8008238126	1,994.98
	10-15		Deposit Branch 0067 Oregon	161.35
	10-15		Deposit Branch 0067 Oregon	160.00
	10-15		Deposit Branch 0067 Oregon	86.70
	10-15		Deposit Branch 0067 Oregon	40.00
	10-15		Deposit Branch 0067 Oregon	5.00
	10-18		Key Capture Deposit	9,906.76
	10-18		Key Capture Deposit	2,216.78
	10-18		Key Capture Deposit	1,911.15
	10-18		Merchant Svcs Merch Dep 8008238126	1,055.65
	10-18		Key Capture Deposit	930.29
	10-18		Merchant Svcs Merch Dep 8008238142	765.00
	10-19		Key Capture Deposit	2,345.00
	10-19		Merchant Svcs Merch Dep 8008238126	514.27
	10-20		Merchant Svcs Merch Dep 8008238126	3,435.54
	10-20		Direct Deposit, Pcs OR Trust Pcs OR Tr	857.01
	10-20		Merchant Svcs Merch Dep 8008238142	340.00
	10-21		Key Capture Deposit	10,520.46
	10-21		Key Capture Deposit	4,405.93
	10-21		Merchant Svcs Merch Dep 8008238142	1,355.00
	10-21		Merchant Svcs Merch Dep 8008238126	678.67
	10-21		Direct Deposit, Merchant S 8030298668	86.25
	10-22		Merchant Svcs Merch Dep 8008238142	590.00
	10-22		Merchant Svcs Merch Dep 8008238126	356.33
	10-25		Key Capture Deposit	26,211.34
	10-25		Key Capture Deposit	18,748.93
	10-25		Key Capture Deposit	4,116.75
	10-25		Merchant Svcs Merch Dep 8008238142	50.00
	10-26		Merchant Svcs Merch Dep 8008238142	1,000.00
	10-26		Key Capture Deposit	810.00
	10-26		Merchant Svcs Merch Dep 8008238126	554.76
	10-27		Key Capture Deposit	8,480.99
	10-27		Key Capture Deposit	3,009.29
	10-27		Key Capture Deposit	2,164.96
	10-27		Key Capture Deposit	1,105.00
	10-27		Merchant Svcs Merch Dep 8008238126	1,086.57
	10-27		Merchant Svcs Merch Dep 8008238142	760.00
	10-27		Direct Deposit, Merchant S 8030298668	207.00
	10-28		Key Capture Deposit	2,319.20

Additions
(con't)

Deposits	*Date*	*Serial #*	*Source*	
	10-28		Merchant Svcs Merch Dep 8008238126	1,174.12
	10-28		Merchant Svcs Merch Dep 8008238142	545.00
	10-28		Direct Deposit, Pcs OR Trust Pcs OR Tr	521.53
	10-28		Key Capture Deposit	165.00
	10-28		Direct Deposit, Merchant S 8030298668	86.25
	10-29		Key Capture Deposit	3,023.61
	10-29		Deposit Branch 0067 Oregon	363.00
	10-29		Merchant Svcs Merch Dep 8008238126	335.17
	10-29		Deposit Branch 0067 Oregon	100.00
	10-29		Deposit Branch 0067 Oregon	100.00
	10-29		Deposit Branch 0067 Oregon	50.00
	10-29		Key Capture Deposit	25.00
	10-29		Deposit Branch 0067 Oregon	15.00
	10-29		Deposit Branch 0067 Oregon	5.00
			Total additions	**$677,282.74**

Subtractions

Paper Checks ** check missing from sequence*

Check	*Date*	*Amount*	*Check*	*Date*	*Amount*	*Check*	*Date*	*Amount*
86815	10-20	$28.08	87059	10-12	2,605.30	87081	10-22	1,004.52
*86928	10-12	31.58	87060	10-12	34.97	87082	10-22	1,422.65
*86988	10-1	10,000.00	87061	10-14	19.20	87083	10-21	470.25
*86990	10-12	333.96	87062	10-13	1,356.53	*87085	10-27	70.50
*87027	10-1	133.90	87063	10-13	917.42	87086	10-28	36,817.73
*87040	10-4	94.92	87064	10-12	625.00	87087	10-27	76.67
*87043	10-13	520.18	87065	10-18	1,405.06	87088	10-27	168.44
87044	10-14	88.00	87066	10-12	558.75	87089	10-27	122.00
87045	10-12	48.10	87067	10-21	195.00	87090	10-27	16,454.50
87046	10-15	1,377.50	87068	10-15	192.60	87091	10-27	29.00
87047	10-21	500.00	87069	10-12	387.75	87092	10-26	5,989.23
87048	10-12	1,607.20	87070	10-18	4,000.00	87093	10-29	1,862.89
87049	10-15	632.72	87071	10-14	12.74	87094	10-27	6,173.00
87050	10-12	5,122.63	87072	10-18	200.00	87095	10-26	814.64
87051	10-12	49.64	87073	10-12	148.29	87096	10-27	7,606.96
87052	10-20	29.00	87074	10-13	1,389.58	87097	10-27	550.00
87053	10-12	661.90	87075	10-12	337.50	87098	10-25	42.00
87054	10-21	24.18	87076	10-13	11,954.00	87099	10-27	111.06
87055	10-14	459.69	87077	10-20	52.30	87100	10-28	1,035.00
87056	10-13	109.88	87078	10-26	323.75	87101	10-28	19,951.60
87057	10-12	293.05	87079	10-25	1,500.72	87102	10-25	750.96
87058	10-12	401.70	87080	10-21	315.55	87103	10-29	877.49

Paper Checks Paid **$153,480.91**

Withdrawals	*Date*	*Serial #*	*Location*	
	10-1		Merchant Svcs Merch Fee 8008238126	$1,318.50
	10-1		Direct Withdrawal, Asi Hc210930	435.00
	10-1		Merchant Svcs Merch Fee 8008238142	143.40
	10-4		Direct Withdrawal, Merchant S 8030298668	111.77
	10-6		Direct Withdrawal, City of Coburg Return	37.00

Subtractions

(con't)

Withdrawals	*Date*	*Serial #*	*Location*	
	10-6		Direct Withdrawal, Cis Trust 5037633834	27,556.14
	10-6		Direct Withdrawal, Irs Usataxpymt	9,980.40
	10-6		Direct Withdrawal, OR Revenue Dept Taxpayment	2,790.12
	10-12		Direct Withdrawal, City of Coburg Dir Dep	31,974.60
	10-12		Direct Withdrawal, Asi Asi Fees	22.50
	10-13		Direct Withdrawal, Employer Contrb Pers Cntrb	20,186.07
	10-13		Direct Withdrawal, Valic Eremit Prm	7,946.51
	10-13		Direct Withdrawal, Employer Contrb Pers Cntrb	6,525.78
	10-13		Direct Withdrawal, KeyBank Auto Pymt	2,013.26
	10-13		Direct Withdrawal, Invoice PA 2065Billing	160.40
	10-13		Direct Withdrawal, Employer Contrb Pers Cntrb	19.02
	10-20		Direct Withdrawal, Irs Usataxpymt	10,571.78
	10-20		Direct Withdrawal, OR Revenue Dept Taxpayment	2,932.38
	10-26		Direct Withdrawal, City of Coburg Dir Dep	29,628.06
	10-27		Direct Withdrawal, Invoice PA 2065Billing	112.90
			Total subtractions	**$307,946.50**

Fees and charges

Date		*Quantity*	*Unit Charge*	
10-8-21	Sep Analysis Service Chg	1	581.57	-$581.57
	Fees and charges assessed this period			**-$581.57**

See your Account Analysis statement for details.

Accounts Payable

Checks by Date - Summary by Check Date

User: Tim Gaines
Printed: 12/29/2021 9:47 AM

Check No	Vendor No	Vendor Name	Check Date		Check Amount
87043	AFL250	AFLAC	10/06/2021		520.18
87044	ANA165	Analytical Laboratory Group	10/06/2021		88.00
87045	ATH	Sara Athey	10/06/2021		48.10
87046	BRA344	Branch Engineering	10/06/2021		1,377.50
87047	BOLI	Bureau of Labor & Industries	10/06/2021		500.00
87048	CasCol	Cascade Columbia Dist Co	10/06/2021		1,607.20
87049	CitEug	City of Eugene	10/06/2021		632.72
87050	CON188	Consolidated Supply Co.	10/06/2021		5,122.63
87051	CTX	Copytronix	10/06/2021		49.64
87052	DOCU	DocuTRAK Imaging, Inc.	10/06/2021		29.00
87053	EDMS	EDMS	10/06/2021		661.90
87054	EME131	Emerald People's Utility	10/06/2021		24.18
87055	FERG	Ferguson Waterworks	10/06/2021		459.69
87056	Grainger	Grainger	10/06/2021		109.88
87057	IRO100	Iron Mountain	10/06/2021		293.05
87058	KC	Kast Construction	10/06/2021		401.70
87059	MidState	Mid-State Industrial Service inc	10/06/2021		2,605.30
87060	NOR146	NW Natural	10/06/2021		34.97
87061	ONE193	One Call Concepts, Inc.	10/06/2021		19.20
87062	PacificS	PacificSource Administrators	10/06/2021		1,356.53
87063	RAD300	Radar Shop	10/06/2021		917.42
87064	Rexius	Rexius	10/06/2021		625.00
87065	TANG	Tangent	10/06/2021		1,405.06
87066	TAG	The Automation Group, Inc.	10/06/2021		558.75
87067	TRAVEL	Travel Lane County	10/06/2021		195.00
87068	Tri-Coun	Tri-County Fire Protection	10/06/2021		192.60
87069	TYLE	Tyler Technologies	10/06/2021		387.75
87070	UQVF	Umpqua Valley Financial	10/06/2021		4,000.00
87071	Valvln	Valvoline Instant Oil Change	10/06/2021		12.74
87072	OSGP	Voya-Oregon Savings Growth Plan	10/06/2021		200.00
87073	WaltNels	Walter E. Nelson Co.	10/06/2021		148.29
87074	WelWel	Welt & Welt, Inc	10/06/2021		1,389.58
87075	PhWill	Phillip Williams	10/06/2021		337.50
87076	ZENevco	Zenon Enviromental Corp	10/06/2021	Sewer Pant Monitoring	11,954.00
			Total for 10/6/2021:		38,265.06
87077	CenLin	CenturyLink	10/13/2021		52.30
87078	FCSG	FCS Group	10/13/2021		323.75
87079	HDEPOT	Home Depot Credit Services	10/13/2021		1,500.72
87080	HUNTER	Hunter Communications	10/13/2021		315.55
87081	OffDep	Office Depot Credit Plan	10/13/2021		1,004.52
87082	PAC150	Pacific Power	10/13/2021		1,422.65
87083	TYLE	Tyler Technologies	10/13/2021		470.25
			Total for 10/13/2021:		5,089.74

Check No	Vendor No	Vendor Name	Check Date	Check	
87085	BAT400	Batteries Plus	10/20/2021		70.50
87086	BRA344	Branch Engineering	10/20/2021	**Various Projects**	36,817.73
87087	CAR476	Carquest Auto Parts	10/20/2021		76.67
87088	CenLin	CenturyLink	10/20/2021		168.44
87089	CINTA	Cintas Corporation	10/20/2021		122.00
87090	CityCott	City of Cottage Grove	10/20/2021	**Quarterly Building Pesmits Service Fee**	16,454.50
87091	DOCU	DocuTRAK Imaging, Inc.	10/20/2021		29.00
87092	EME131	Emerald People's Utility	10/20/2021		5,989.23
87093	FERG	Ferguson Waterworks	10/20/2021		1,862.89
87094	GC	GC Systems Incorporated	10/20/2021		6,173.00
87095	ICMA	ICMA Membership Renewals	10/20/2021		814.64
87096	KTRS	KaTom Restaurant Supplies	10/20/2021		7,606.96
87097	JLOND	London & Paris, LLP	10/20/2021		550.00
87098	Rexius	Rexius	10/20/2021		42.00
87099	RVBD	Riverbend Materials	10/20/2021		111.06
87100	RoyFlu	Royal Flush Environmental	10/20/2021		1,035.00
87101	SprBrk	SpringBrook Software, Inc	10/20/2021	**Finacial Software Yearly Support Fee**	19,951.60
87102	Verizon	Verizon Wireless	10/20/2021		750.96
			Total for 10/20/2021:		98,626.18
87103	CW	Corbin Wasson	10/27/2021		877.49
87104	CAR476	Carquest Auto Parts	10/27/2021		174.46
87105	CasCol	Cascade Columbia Dist Co	10/27/2021		548.32
87106	CenLin	CenturyLink	10/27/2021		273.49
87107	CON188	Consolidated Supply Co.	10/27/2021		949.30
87108	EME131	Emerald People's Utility	10/27/2021		36.08
87109	FCSG	FCS Group	10/27/2021		416.25
87110	HDEPOT	Home Depot Credit Services	10/27/2021		926.38
87111	LAN129	Lane Council of Governments	10/27/2021		2,211.59
87112	NOR146	NW Natural	10/27/2021		61.48
87113	PacificS	PacificSource Administrators	10/27/2021		251.39
87114	RVBD	Riverbend Materials	10/27/2021		178.78
87115	Stanley	Stanley Convergent Security Solutions, Inc.	10/27/2021		189.84
87116	TANG	Tangent	10/27/2021		361.40
87117	OSGP	Voya-Oregon Savings Growth Plan	10/27/2021		200.00
87118	WelWel	Welt & Welt, Inc	10/27/2021		1,753.85
87119	PhWill	Phillip Williams	10/27/2021		862.50
			Total for 10/27/2021:		10,272.60
			Report Total (76 checks):		152,253.58

OREGON STATE TREASURY

Account Statement - Transaction Summary

For the Month Ending **November 30, 2021**

COBURG CITY OF - COBURG CITY OF / GENERAL - 5969

Oregon LGIP	
Opening Balance	1,492,013.92
Purchases	599,280.19
Redemptions	(250,000.15)
Closing Balance	**$1,841,293.96**
Dividends	618.80

Asset Summary	November 30, 2021	October 31, 2021
Oregon LGIP	1,841,293.96	1,492,013.92
Total	**$1,841,293.96**	**$1,492,013.92**

OREGON STATE TREASURY

Account Statement

For the Month Ending **November 30, 2021**

COBURG CITY OF - COBURG CITY OF / GENERAL - 5969

Trade Date	Settlement Date	Transaction Description	Share or Unit Price	Dollar Amount of Transaction	Balance
Oregon LGIP					
Opening Balance					**1,492,013.92**
11/01/21	11/01/21	LGIP Fees - ACH Redemption (1 @ $0.05 - From 5969) - October 2021	1.00	(0.05)	1,492,013.87
11/01/21	11/01/21	LGIP Fees - Received ACH (1 @ $0.10 - From 5969) - October 2021	1.00	(0.10)	1,492,013.77
11/10/21	11/10/21	Lane County - Tax Seg for October 01-31-2021	1.00	109,735.41	1,601,749.18
11/15/21	11/15/21	ODOT - ODOT PYMNT	1.00	13,778.88	1,615,528.06
11/19/21	11/19/21	Lane County - Tax Seg for November 01-05-2021	1.00	111,441.40	1,726,969.46
11/26/21	11/26/21	Lane County - Tax Seg for November 08-12-2021	1.00	363,705.70	2,090,675.16
11/30/21	11/30/21	Redemption - ACH Redemption	1.00	(250,000.00)	1,840,675.16
11/30/21	12/01/21	Accrual Income Div Reinvestment - Distributions	1.00	618.80	1,841,293.96
Closing Balance					**1,841,293.96**

	Month of November	Fiscal YTD July-November
Opening Balance	1,492,013.92	1,686,282.71
Purchases	599,280.19	1,167,364.02
Redemptions	(250,000.15)	(1,012,352.77)
Closing Balance	**1,841,293.96**	**1,841,293.96**
Dividends	618.80	3,826.06

Closing Balance	1,841,293.96
Average Monthly Balance	1,673,058.76
Monthly Distribution Yield	0.45%

OREGON STATE TREASURY

Account Statement - Transaction Summary

For the Month Ending **November 30, 2021**

COBURG CITY OF - COBURG CITY OF / SDC - 3711

Oregon LGIP	
Opening Balance	1,408,556.51
Purchases	520.97
Redemptions	0.00
Closing Balance	**$1,409,077.48**
Dividends	520.97

Asset Summary		
	November 30, 2021	**October 31, 2021**
Oregon LGIP	1,409,077.48	1,408,556.51
Total	**$1,409,077.48**	**$1,408,556.51**

OREGON STATE TREASURY

Account Statement

For the Month Ending **November 30, 2021**

COBURG CITY OF - COBURG CITY OF / SDC - 3711

Trade Date	Settlement Date	Transaction Description	Share or Unit Price	Dollar Amount of Transaction	Balance
Oregon LGIP					
Opening Balance					**1,408,556.51**
11/30/21	12/01/21	Accrual Income Div Reinvestment - Distributions	1.00	520.97	1,409,077.48
Closing Balance					**1,409,077.48**

	Month of November	Fiscal YTD July-November
Opening Balance	1,408,556.51	1,405,968.14
Purchases	520.97	3,109.34
Redemptions	0.00	0.00
Closing Balance	**1,409,077.48**	**1,409,077.48**
Dividends	520.97	3,109.34

Closing Balance	1,409,077.48
Average Monthly Balance	1,408,573.88
Monthly Distribution Yield	0.45%

OREGON STATE TREASURY

Account Statement - Transaction Summary

For the Month Ending **November 30, 2021**

COBURG CITY OF - COBURG CITY OF / GENERAL FUND SAVINGS - 3784

Oregon LGIP	
Opening Balance	300,705.72
Purchases	111.22
Redemptions	0.00
Closing Balance	**$300,816.94**
Dividends	111.22

Asset Summary		
	November 30, 2021	**October 31, 2021**
Oregon LGIP	300,816.94	300,705.72
Total	**$300,816.94**	**$300,705.72**

OREGON STATE TREASURY

Account Statement

For the Month Ending **November 30, 2021**

COBURG CITY OF - COBURG CITY OF / GENERAL FUND SAVINGS - 3784

Trade Date	Settlement Date	Transaction Description	Share or Unit Price	Dollar Amount of Transaction	Balance
Oregon LGIP					
Opening Balance					**300,705.72**
11/30/21	12/01/21	Accrual Income Div Reinvestment - Distributions	1.00	111.22	300,816.94
Closing Balance					**300,816.94**

	Month of November	Fiscal YTD July-November
Opening Balance	300,705.72	170,426.12
Purchases	111.22	312,878.82
Redemptions	0.00	(182,488.00)
Closing Balance	**300,816.94**	**300,816.94**
Dividends	111.22	526.65

Closing Balance	300,816.94
Average Monthly Balance	300,709.43
Monthly Distribution Yield	0.45%

OREGON STATE TREASURY

Account Statement - Transaction Summary

For the Month Ending **October 31, 2021**

COBURG CITY OF - COBURG CITY OF / GENERAL - 5969

Oregon LGIP	
Opening Balance	1,923,412.02
Purchases	18,602.00
Redemptions	(450,000.10)
Closing Balance	**$1,492,013.92**
Dividends	655.02

Asset Summary		
	October 31, 2021	**September 30, 2021**
Oregon LGIP	1,492,013.92	1,923,412.02
Total	**$1,492,013.92**	**$1,923,412.02**

OREGON STATE TREASURY

Account Statement

For the Month Ending **October 31, 2021**

COBURG CITY OF - COBURG CITY OF / GENERAL - 5969

Trade Date	Settlement Date	Transaction Description	Share or Unit Price	Dollar Amount of Transaction	Balance
Oregon LGIP					
Opening Balance					**1,923,412.02**
10/01/21	10/01/21	LGIP Fees - Received ACH (1 @ $0.10 - From 5969) - September 2021	1.00	(0.10)	1,923,411.92
10/07/21	10/07/21	Redemption - ACH Redemption	1.00	(450,000.00)	1,473,411.92
10/13/21	10/13/21	Lane County - Tax Seg for September 01-30-2021	1.00	1,301.62	1,474,713.54
10/20/21	10/20/21	ODOT - ODOT PYMNT	1.00	16,572.30	1,491,285.84
10/25/21	10/25/21	SFMS Fr:Administrative Services, Dept of Coronavirus State and Local Fiscal Recov	1.00	73.06	1,491,358.90
10/29/21	11/01/21	Accrual Income Div Reinvestment - Distributions	1.00	655.02	1,492,013.92
Closing Balance					**1,492,013.92**

	Month of October	Fiscal YTD July-October
Opening Balance	1,923,412.02	1,686,282.71
Purchases	18,602.00	568,083.83
Redemptions	(450,000.10)	(762,352.62)
Closing Balance	**1,492,013.92**	**1,492,013.92**
Dividends	655.02	3,207.26

Closing Balance	1,492,013.92
Average Monthly Balance	1,567,801.43
Monthly Distribution Yield	0.49%

OREGON STATE TREASURY

Account Statement - Transaction Summary

For the Month Ending **October 31, 2021**

COBURG CITY OF - COBURG CITY OF / SDC - 3711

Oregon LGIP	
Opening Balance	1,407,972.10
Purchases	584.41
Redemptions	0.00
Closing Balance	**$1,408,556.51**
Dividends	584.41

Asset Summary		
	October 31, 2021	**September 30, 2021**
Oregon LGIP	1,408,556.51	1,407,972.10
Total	**$1,408,556.51**	**$1,407,972.10**

OREGON STATE TREASURY

Account Statement

For the Month Ending **October 31, 2021**

COBURG CITY OF - COBURG CITY OF / SDC - 3711

Trade Date	Settlement Date	Transaction Description	Share or Unit Price	Dollar Amount of Transaction	Balance
Oregon LGIP					
Opening Balance					**1,407,972.10**
10/29/21	11/01/21	Accrual Income Div Reinvestment - Distributions	1.00	584.41	1,408,556.51
Closing Balance					**1,408,556.51**

	Month of October	Fiscal YTD July-October
Opening Balance	1,407,972.10	1,405,968.14
Purchases	584.41	2,588.37
Redemptions	0.00	0.00
Closing Balance	**1,408,556.51**	**1,408,556.51**
Dividends	584.41	2,588.37

Closing Balance	1,408,556.51
Average Monthly Balance	1,408,028.66
Monthly Distribution Yield	0.49%

OREGON STATE TREASURY

Account Statement - Transaction Summary

For the Month Ending **October 31, 2021**

COBURG CITY OF - COBURG CITY OF / GENERAL FUND SAVINGS - 3784

Oregon LGIP	
Opening Balance	300,580.96
Purchases	124.76
Redemptions	0.00
Closing Balance	**$300,705.72**
Dividends	124.76

Asset Summary		
	October 31, 2021	**September 30, 2021**
Oregon LGIP	300,705.72	300,580.96
Total	**$300,705.72**	**$300,580.96**

OREGON STATE TREASURY

Account Statement

For the Month Ending **October 31, 2021**

COBURG CITY OF - COBURG CITY OF / GENERAL FUND SAVINGS - 3784

Trade Date	Settlement Date	Transaction Description	Share or Unit Price	Dollar Amount of Transaction	Balance
Oregon LGIP					
Opening Balance					**300,580.96**
10/29/21	11/01/21	Accrual Income Div Reinvestment - Distributions	1.00	124.76	300,705.72
Closing Balance					**300,705.72**

	Month of October	Fiscal YTD July-October
Opening Balance	300,580.96	170,426.12
Purchases	124.76	312,767.60
Redemptions	0.00	(182,488.00)
Closing Balance	**300,705.72**	**300,705.72**
Dividends	124.76	415.43

Closing Balance	300,705.72
Average Monthly Balance	300,593.03
Monthly Distribution Yield	0.49%