



AGENDA

CITY COUNCIL

91136 N Willamette Street

541-682-7852 | coburgoregon.org

Tuesday, March 14, 2023 at 6:00 PM

Join this meeting in-person at City Hall, or by Zoom. To participate by Zoom pre-register with the City by 3PM the day of the meeting. Council meetings are recorded and live stream both available at coburgoregon.org

CALL THE CITY COUNCIL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

MAYOR COMMENTS

- [1.](#) Arbor Day Proclamation
- [2.](#) Child Abuse Prevention Proclamation

AGENDA REVIEW

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

- [3.](#) Written Testimony Premier RV
- [4.](#) Written Testimony Chief Minter

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.)*

- [5.](#) Minutes February 14, 2023, City Council
- [6.](#) Employee Housing Agreement - Stallings Lane

SPECIAL GUEST

7. Coburg Main Streets - Russ Hayworth
8. Financial Consulting Solutions Group, Inc. - **UTILITY RATE Presentation**

COUNCIL ACTION ITEMS

- [9.](#) Junction City Intergovernmental Agreement for Police Chief
- [10.](#) Planning Commission Recommendations to Council
- [11.](#) Budget Officer 2023-24
- [12.](#) Council Goals and Work Plan 2023-24

ADMINISTRATIVE INFORMATION REPORTS

- [13.](#) Administration Monthly Report
- [14.](#) Local Government Basics

COUNCIL COMMENTS

15. Liaison Appointments 2023

UPCOMING AGENDA ITEMS

Water and Sewer Rates - **PUBLIC HEARINGS**

2023-24 Cost of Living

Mural Policy

FUTURE MEETINGS

March 21 Park Tree Committee

March 28 Council Work Session

April 11 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.



ARBOR DAY PROCLAMATION

In 1872 Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees.

That special day became known as ARBOR DAY. It was observed by the planting of more than a million trees in the State of Nebraska.

Arbor Day is now observed throughout the nation and the world.

Trees can reduce the erosion of precious top soil by wind and water, lower heating and cooling cost, moderate the temperature, clean the air, produce oxygen and create woodlands and habitats for wildlife.

Trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products.

Trees, wherever they are planted, are a source of joy and spiritual renewal.

In keeping up with the spirit of Sterling Morton's dream, I Nancy Bell, Mayor of the City of Coburg, do hereby proclaim April 28, 2023, as Arbor Day in the City of Coburg, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands; and

I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Proclaimed this 14th day of March, 2023

Nancy Bell, Mayor

Attest

Sammy Egbert, City Recorder

2022 Arbor Day





Child Abuse Prevention Month Proclamation

Every child is a precious and unique gift who deserves the security of a healthy home.

We all have a responsibility, as individuals, neighbors, community member, and citizens of Coburg to help create healthy, safe, nurturing experiences for children.

Preventing child abuse and neglect is a community value that depends on the involvement and education of citizens throughout the community.

Safe and healthy childhoods help produce confident and successful adults.

Child abuse and neglect not only directly harm children, but the trauma can also increase the likelihood of health problems, alcohol and substance abuse, continued family violence and criminal behavior.

Effective child abuse prevention programs succeed because of partnerships among social service agencies, schools, faith communities, law enforcement agencies and the business community.

We acknowledge that we must work together as a community to increase awareness about child abuse and contribute to promoting the social and emotional well-being of children in a safe, stable, nurturing environment.

I Nancy Bell, Mayor of the City of Coburg, do hereby proclaim April 2023 as “**Child Abuse Prevention Month**” and call upon all citizens, community agencies, faith groups, and businesses to increase their participation in our efforts to support children and their families in living safe and healthy lives, therefore, preventing child abuse and strengthening the communities in which we live.

Proclaimed this 14th day of March, 2023

Nancy Bell, Mayor

Attest:

Sammy Egbert, City Recorder

**Premier RV Resorts, LLC
Eugene Premier RV Resort, LLC
33620 SW Firdale Rd.
Cornelius, Or. 97113**

January 30, 2023

Anne Heath
City Administrator
91136 N. Willamette Street,
Coburg OR 97408

RE: Domestic water to Eugene Premier RV Resort, LLC

33022 Van Duyn Rd, Eugene, OR 97408

Dear Ms. Heath,

Thank you for the productive meeting with your staff concerning the extension of the city water line to our property.

Based on our discussion with you and your staff we propose the following:

1. The City of Coburg extend the water line the approximately 71 feet to reach our south property line at its cost.
2. The city installs a water meter (which shall be paid for by Eugene Premier RV Resort LLC) sized to serve our resort as determined by our engineer.
3. Eugene Premier RV Resort will hire an engineer at its expense to determine the size of meter, and supply pipe needed to service the resort and the required back flow device to meet the city standards.
4. The city will keep us apprised of the progress in getting the state permit and will review our engineering as we wait for the state permit so that we can begin construction of our water line as soon as the state permit is issued.

Time is of the essence for this project. We cannot predict how long our domestic water wells will have sufficient flow to provide the potable water for our resort.

Please share this letter with the mayor and council members.

We remind the city that we have been promised water for almost 18 years and the proposed hook up date has been moved back at least 4 times in the last 4 years.

We do not want to have to litigate this issue but are prepared to do so should the city again fail to perform as promised.

Very Truly Yours,

Paul Williams

Managing Member Eugene Premier RV Resort, LLC



Coburg Fire District

91232 North Coburg Road • P.O. Box 8345
Coburg, OR 97408 • (541) 686-1573

Received by
City of Coburg
MAR 09 2023

City of Coburg Administrator, Mayor and Council

March 9, 2023

Like many of you I learned that the Junction City Police Chief is retiring and the Coburg Police Chief is in process of filling in as interim. I am providing you with my thoughts on why I think this something the City of Coburg should not be involved in, and why we should keep our limited staff in Coburg.

In the fire and medical service we strongly believe in mutual and automatic aid agreements to help each other in emergencies and mitigate all emergencies as fast as we can with a safe outcome using the closest units, district lines are not important to us. That is true and should be true in all public safety services for emergencies. If the public is in danger and Coburg PD can help, no matter the location, I think they should. However; Administrative vacancies or non emergent issues are not part of that process. They can be a drain on a small police department that does not have true, not on call from a residence in another town, 24 hour coverage.

A question we should be asking is why the sudden retirement of the Chief in Junction City, usually there is a reason for a sudden departure or retirement that has had no successor planning; you are likely stepping into a bad situation. Something here should raise a big red flag for you!

We currently do not have 24 hour police coverage. I am told we have officers on call 24 hours a day, but that is not 24 hour coverage, and we do not always get an officer. The last major incident we had when we were concerned for our safety in the city was a stabbing on February 7th 2023. We had no response from Coburg PD, they were not available. I understand how difficult 24 hour coverage is with little staff. The fire district has three full time employees and a cadre of volunteers to accomplish 24 hour, in district medical and fire coverage.

Training and Certification: You may be lead to believe Junction City needs a Chief with a specific certification level. There are exemptions for that certification for up to two years for someone that is working on the certification. Junction City should have a plan for such vacancies. As an example they should have a captain that is actively working on those task books. If not, this is a succession issue Junction City should have planned for.

What is your plan if our Police Chief retires or is offered a full time job in Junction City after you give another agency an opportunity to have a part time trial of services? What are you doing for secession planning for our Chief of Police as he nears retirement?

I do not want you to think the relationship between the Coburg Fire District and the Coburg Police is in any way compromised. We have wonderful police officers in Coburg and they are very helpful and dedicated to our citizens. We have great working relationships, just like the public we just want to have a police officer available when we need one. We would like 24 hours of coverage with an officer on duty for our safety and the public's safety. As one of the smallest police agencies in the county, if someone needs to help maybe it shouldn't take away from our needs here in Coburg.

Thank you for consideration of my concerns,



Chad Minter
Fire Chief



MINUTES

Coburg City Council Meeting

February 14th, 2023 at 6:00 P.M.

91136 N Willamette Street

Hybrid Meeting in-person or via Zoom

MEMBERS PRESENT: Mayor Nancy Bell, John Fox, John Lehmann, Cathy Engebretson

MEMBERS ABSENT: Kyle Blain, Alan Wells

STAFF PRESENT: City Administrator Anne Heath, City Recorder Sammy Egbert, Chief of Police Larry Larson, Public Works Director Brian Harmon

GUESTS: Park | Tree Committee, Chair Mosier; Planning Commission, Chair Bell

RECORDED BY: Angela Kern, Lane Council of Governments (LCOG)

CALL TO ORDER

Mayor Bell called the meeting to order at 6:16 pm.

PLEDGE OF ALLEGIANCE

Mayor Bell led the Pledge of Allegiance.

ROLL CALL

Ms. Egbert called roll. A quorum of three was present.

MAYOR COMMENTS

Mayor Bell announced that the appointment of liaisons would be moved to the March Agenda. After thanking the Council for a great retreat, she noted that the official resignation of the City Administrator could be found in the red folders. She thanked Ms. Heath for the written notice.

AGENDA REVIEW

Ms. Egbert noted that the red folders contained Agenda Item 5.1, an IGA (Inter-governmental agreement) for the recruitment of a City Administrator, as well as an informational copy of the Quarterly Finance Report.

CITIZEN TESTIMONY

None.

RESPONSE BY CITY COUNCIL

None.

CONSENT AGENDA

1. Heritage Committee Appointment - Ronald Spores
2. Minutes January 10, 2023 City Council
3. Minutes January 24, 2023 City Council Work Session

Councilor Fox stated the title on the January 24, 2023 meeting should be changed, the wording should be changed from City Council “Meeting” to “Work Session”.

MOTION: Councilor Engebretson moved to accept the Consent Agenda as amended, seconded by Councilor Lehmann. The motion passed unanimously -- 3:0:0.

Mayor Bell officially appointed Ronald Spores to the Heritage Committee for the remainder of the term expiring in March of 2024.

SPECIAL GUEST

Park | Tree Committee, Chair Mosier

Ms. Mosier presented an update on the Park & Tree Committee’s activities and projects. The Committee requested that the Council consider funding for the planned Veterans Memorial, with an estimate to be provided by May for inclusion in the conceptual budget.

Planning Commission, Chair Bell

Commissioner Bell stated that the Planning Commission had adopted the same goals for 2023 as it had for 2022. He mentioned that the Commission had a vacancy to be filled. Commissioner Bell brought up narrow legacy streets and increased traffic, particularly the Weichert subdivision, as a subject for further consideration.

ORDINANCES AND RESOLUTIONS

4. RESOLUTION 2023-02 A RESOLUTION AUTHORIZING GRANT PROPOSAL TO THE REGIONAL FIBER CONSORTIUM FOR EXTENDING FIBER LINE TO THE SEWER PLANT AND NORTH COBURG ROAD

MOTION: Councilor Lehmann moved to adopt Resolution 2023-02 as presented, seconded by Councilor Fox. The motion passed unanimously -- 3:0:0.

COUNCIL ACTION ITEMS

5. Audit | Annual Finance Report through 6/30/2022

Ms. Heath presented, noting that the Council had chosen to let the Finance/Audit Committee receive the audit. Their recommendation was to accept the audit as presented.

MOTION: Councilor Engebretson moved to accept the Audit | Annual Finance Report through 6/30/2022 as presented, seconded by Councilor Fox. The motion passed unanimously -- 3:0:0.

5.1 Lane Council of Governments (LCOG) Local Government Personnel Services (LGPS) IGA

Mayor Bell opened the topic of City Administrator Recruitment, saying that the Council had considered three recruitment options and had chosen LCOG LGPS. She noted an inconsistency in the language of the contract and requested that paragraph 3 be amended to “not to exceed \$8500.”

MOTION: Councilor Lehmann moved to accept the IGA as amended, seconded by Councilor Fox. The motion passed unanimously -- 3:0:0.

ADMINISTRATIVE INFORMATION REPORTS

6. Public Works Operations Building Update

Mr. Harmon presented, stating that the new Public Works building was 90% planned, with the bidding process expected to begin in May or June.

7. American Rescue Fund Update

Ms. Heath requested that the Council consider how to allocate \$130,000. She gave the recommendations of lost revenues, Main Streets, safe routes to school and food banks as possible options.

8. Citizen Inquiry Quarterly Report

Ms. Egbert explained the process of Citizen Inquiry. She said the noise reports were being monitored.

9. Police Department Quarterly Presentation

Chief Larson presented, noting that the third quarter was high due to ODOT traffic stops. He also noted that an officer had been out of service due to medical reasons.

Councilor Lehmann asked if the majority of stops were residents. Chief Larson said the majority were travelers. Councilor Lehmann requested information on physical contact. Chief Larson stated that all contact was reported in Level of Resistance forms and he would provide that data. Councilor Lehmann wondered about the use of body cams and chokeholds. Chief Larson said that body cams were used regularly and that Oregon law forbade the use of chokeholds.

10. Finance Quarterly Presentation

Ms. Heath presented.

11. Administration Monthly Report

Ms. Heath brought to the Council's attention a letter from Paul Williams of Premiere RV, requesting that the City extend a water line to the south end of his property at the City's expense. The estimated cost was \$175,000 - 180,000 with a 20% contingency. The decision by consensus was to add a Staff Report to the March Agenda including any documentation, distances and the City's legal obligations.

Ms. Heath shared that public feedback on Macy Street was divided equally between no changes and adding speed cushions and sidewalks. The Council's direction to Mr. Harmon was to work with the engineers for a final design that might include future traffic calming solutions.

Ms. Heath outlined a timeline for moving forward with a utility fee increase.

- Council suggestions to be sent and received by February 22nd
- Informational material to be mailed and posted on social media before March 14th
- Public hearings on March 14 and April 11th
- Decision to be made no later than May for inclusion in the new budget in July

Lehmann requested the inclusion of the Consumer Price Index (CPI) in the informational material.

COUNCIL COMMENTS

Councilor Lehmann wanted to add discussing a stipend for the position of Mayor to the Agenda. He wondered how the City of Eugene's ban on natural gas might affect Coburg.

Councilor Fox noted that the new Heritage Committee member was the great-grandson of Jacob Spores. He recommended microphone checks for the benefit of those attending remotely.

Councilor Engebretson thanked the Staff for their work.

ADJOURNMENT

Mayor Bell adjourned at 8:45 pm.

APPROVED by the City Council of the City of Coburg on this 14th day of March, 2023.

Nancy Bell, Mayor of Coburg

ATTEST:

Sammy L. Egbert, City Recorder

DRAFT

EMPLOYEE HOUSING AGREEMENT FOR WELLFIELD PROPERTY

91430 Stallings Lane, Eugene, OR 97408

BETWEEN: City of Coburg, a municipal corporation (“Lessor”)

AND: Dax Wilson (“Lessee 1”)

AND: Jacob Suttles (“Lessee 2”)

DATED EFFECTIVE: April 1, 2023

RECITALS

- A. Lessor is a municipal corporation organized under the laws of the State of Oregon. Lessor wishes to provide for the maintenance and cleaning of Lessor’s residential property, and to provide for the added security measure for the Wellfield Property.
- B. **Dax Wilson**, Lessee 1, is an employee of the City of Coburg and is eligible to occupy the leased premises as a condition of his/her position for the benefit and convenience of Lessor.
- C. **Jacob Suttles**, Lessee 2, is an employee of the City of Coburg and is eligible to occupy the leased premises as a condition of his/her position for the benefit and convenience of Lessor.
- D. Subject to the terms of this Agreement, Lessee 1 and Lessee 2 shall reside on the leased premises at or below a market rental rate, as part of **Dax Wilson** and **Jacob Suttle’s** official compensation as employees of the City of Coburg.

AGREEMENT

1. **Premises.** The Lessor, in consideration of the mutual covenants and conditions exchanged herein and the rental payment provided for herein, hereby leases and lets to Lessee 1 and Lessee 2 a residential dwelling at the premises described as follows: 91430 Stallings Lane, Eugene, OR 97408, as further delineated on the attached **Exhibit A** (“Premises”). This Agreement specifically does not authorize or allow Lessees’ use of any other property surrounding the described leasehold.
2. **Term.** This lease shall run for a period of two (2) years and nine (9) months commencing on the **1st day of April, 2023**, and terminating at 12:00 am (midnight) on the **31st day of**

December, 2025. This lease may be extended by both parties by mutual consent at the end of the Agreement. If either lessee ends their employment at the City, their eligibility to lease the premises is null and they must vacate the premises within 30 days of last day of employment.

3. **Purpose.** Lessees agree to use and occupy the Premises for residential purposes and for the purposes expressed in this Agreement, and for no other purpose.
 - a. Lessee 1 and Lessee 2 agree to maintain the grounds in and around the residence, driveway, street right-of-way, including the grass and landscaping to the north of the driveway.
 - b. Lessee 1 and Lessee 2 agree to provide usual security for the Wellfield Property.
4. **Rental.**
 - a. Lessee 1 and Lessee 2 agree to pay **\$600.00** per month as rent for the Premises, payable in advance by the 5th day of each month, beginning April 5, 2023.
 - b. This monthly rent shall increase annually on the anniversary of the effective date of this Lease. The annual increase shall be equal to a percentage equal to the percentage change in the consumer price index (CPI) determined by using the All Urban Consumers CPI-U West. The change shall be determined by the U.S. Bureau of Labor Statistics' published 12-month percent change for all items index, not seasonally adjusted. In no event, however, shall rent be reduced below the prior year's rent.
 - c. The rent shall be paid to Lessor at 91136 N Willamette Street, Coburg, OR 97408, or PO Box 8316, Coburg, OR 97408.
5. **Security Deposit.** The total security deposit for each Lessee is **\$250**, due on or before signing of this Housing Agreement, to be applied to remedy any default by Lessee 1 or Lessee 2 in performing Lessees' obligations under the Housing Agreement, including unpaid rent, and to repair damages to the Premises caused by Lessees, not including ordinary wear and tear. Within 60 days after termination of the Housing Agreement, Lessor either will refund the deposit to Lessees or will give Lessees a written accounting stating the basis or bases of Lessor's claim to the deposit. Lessor will provide the written accounting by mailing the accounting to the last known address of the Lessors. If costs of repairing damages exceed the amount of the security deposit, Lessees will be responsible for all such excess costs. No interest will accrue or be payable on this deposit.]
6. **Compliance with Law.** Lessee 1 and Lessee 2, each at their own expense, shall promptly observe and comply with all present and future laws, orders, regulations, rules, ordinances, and requirements of federal, state, county, and city governments with respect to the use, care, and control of the leased Premises.
7. **Hazardous Substances.**
 - a. Lessee 1 and Lessee 2 shall each comply fully with all laws pertaining to the protection of human health and the environment, all laws regarding the use, generation, storage, transportation, treatment, disposal, or other handling of

hazardous substances. Lessee 1 and Lessee 2 shall promptly advise Lessor in writing of any hazardous substances regulated by such laws that are used, generated, manufactured, stored, transported or otherwise handled on the Premises. Lessee 1 and Lessee 2 shall each exercise extreme care in handling any hazardous substances and shall not cause or permit hazardous substances to be spilled, leaked, disposed of or otherwise released on the Premises.

- b. The term “hazardous substances” is used in its very broadest sense and refers to materials which, because of their quantity, concentration, or physical, chemical or infectious characteristics, may cause or pose a present or potential hazard to human health or the environment when improperly handled, treated, stored, transported, disposed of or otherwise managed. The term shall include, but is not limited to, all hazardous substances, hazardous materials and hazardous wastes listed by the U.S. Environmental Protection Agency and the state in which the Premises is located under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), the Resource Conservation and Recovery Act (RCRA), the Toxic Substances Control Act (TCSA), and comparable state statutes.
8. **Protection of Premises.** Lessee 1 and Lessee 2 shall at all times use the Premises in a reasonable manner considering the purpose for which they were intended: keep it clean; sanitary and free from accumulation of debris, filth, rubbish and garbage; dispose of all ashes, garbage, rubbish and other wastes in a clean and safe manner; not deliberately nor negligently destroy, deface, damage, impair or remove any part of the Premises, nor permit any person to do so and conduct themselves and require other persons on the Premises to conduct themselves in a peaceable manner.
9. **Appliances.** The leased Premises are unfurnished except for appliances present on the Premises including washer, dryer, stove, refrigerator, and microwave.
10. **Representations.** Lessee 1 and Lessee 2 acknowledge that this lease is accepted and executed on the basis of their own examination and personal knowledge of the value and condition of the Premises; that no representation as to the value, condition or repair of the Premises has been made by Lessor or Lessor’s agents, and that the Lessees agree to take this leasehold Premises in the condition the Premises are in at the time of Agreement execution.
11. **Assignment and Sub-Lease.** Lessee 1 and Lessee 2 covenant that this lease shall not be assigned, and that no portion of the leased Premises will be sublet by either Lessee 1 or Lessee 2 without the written consent of the Lessor. If Lessees make such an assignment, or sublease without the written consent of Lessor, such assignment or sublease shall be null and void, and Lessor shall have the option and right to terminate this lease and re-enter the Premises. The exercise of this option by Lessor shall not be a waiver by Lessor of its right to collect damages from Lessees’ breach of this Agreement.
12. **Return of the Premises.**

- a. Upon the expiration of this lease or upon its termination for any cause, Lessee 1 and Lessee 2 will surrender the Premises, including its appliances, in as good order and condition as when received, reasonable wear and tear, damage from the elements, fire, acts of God, or other casualty not caused by the negligence or fault of the Lessees, agents, guests, or invitees, excepted.
 - b. If Lessee fails to remove any improvements that Lessor authorizes Lessee to remove within thirty (30) days following termination of this lease for any reason, title to all such improvement shall vest in Lessor.
- 13. Fixtures.** Lessee 1 and Lessee 2 shall remove all their furnishings, furniture, and trade fixtures that remain the property of Lessee 1 or Lessee 2 and restore all damage caused by such removal. If either Lessee fails to do so, said property shall be deemed abandoned and Lessor may retain the property and all rights of Lessee with respect to it shall cease or, by notice in writing given to either Lessee within twenty (20) days after removal was required, Lessor may elect to hold Lessee to its obligation of removal. If Lessor elects to require Lessee to remove fixtures, Lessor may effect a removal and place the property in public storage for Lessee's account. Lessee shall be liable to Lessor for the cost of removal, restoration, transportation to storage, and storage.
- 14. Access by Lessor.**
 - a. Lessor, or Lessor's representatives and agents, shall have reasonable access to the Premises at reasonable times for the purpose of examining or exhibiting the same, or to make any repairs or alternations on the premises, which the Lessor deems convenient for the maintenance or preservation thereof.
 - b. Lessor shall have the right to place "For Rent" signs on the Premises at any time within thirty (30) days prior to the expiration of this lease. This paragraph shall not be construed to impose any obligation to repair the leased Premises or such sign on Lessor.
- 15. Repairs.** The obligation to repair, maintain, improve or remodel the Premises shall be apportioned among Lessor and the Lessees as follows:
 - a. Lessor shall maintain and repair the following:
 - i. The roof, exterior walls, outside plumbing, and major repairs to the interior plumbing not caused by Lessees.
 - ii. Major repairs to the hot water heater, range, refrigerator, and furnace.
 - iii. A major repair is defined as one exceeding \$200.00 on each occasion, provided however, the furnace shall be cleaned once each year at Lessor's expense, whether or not the cost exceeds \$200.00.
 - b. Lessee may request that Lessor perform needed major repairs, as outlined in Section 15(a) of this Agreement or may choose to self-perform such repairs. In either case, Lessee shall notify Lessor of all needed major repairs, and shall provide Lessor with an invoice for materials for all major repairs that Lessee self-perform. Lessor shall pay such invoice within thirty (30) days of receipt.

- c. Lessees shall be responsible for the following maintenance, repairs, improvements, and remodeling:
 - i. All glass breakage caused by Lessees on the Premises.
 - ii. The maintenance of the exterior sidewalk and driveway in front of the Premises.
 - iii. Any painting to the interior of the Premises desired by Lessees, subject to Lessor's approval of the color.
 - iv. All minor maintenance and repairs required to the hot water heater, refrigerator, range, and furnace, carpet cleanings, and plumbing. Minor maintenance and repairs are those that do not exceed \$200.00 on each occasion.
 - v. Replacement of light bulbs and repair, replacement and maintenance of light fixtures and outlets.
 - vi. Maintenance of the yard, including watering, weeding the flower gardens, trimming the shrubs and mowing the lawn, pressure washing house and concrete areas, trimming trees, addressing blowdowns and branches, pruning fruit trees annually, and controlling noxious weeds, including but not limited to blackberry bramble.
 - vii. Any and all improvements or remodeling required or desired by Lessees, provided however, that no such improvement or remodeling shall be accomplished without first having received the written consent of Lessor.
 - viii. Repair or replacement of any of Lessor's property damaged or destroyed by Lessees, Lessees' agents, guests, or invitees.
 - ix. The cleaning, maintenance, and treatment of the rain gutters, downspouts, and roof.
 - x. Maintain drainage in and around Premises. Clear out drainage ways as needed.
 - xi. All other items of maintenance and repair not specifically identified as being the obligation of Lessor.
16. **Liens and Encumbrances.** Lessees shall pay as due all claims for work done on or for services rendered or material furnished to the Premises, and shall keep the Premises free of any liens other than liens created by Lessor, except that Lessees may withhold payment of any claim in connection with a good faith dispute over the obligation to pay, so long as Lessor's property interest is not jeopardized. If Lessees fail to pay such claim or to discharge any lien, Lessor may do so and collect such amount as additional rent. Such payment by Lessor shall not constitute a waiver of any right or remedy Lessor may have because of Lessees' default.
17. **Injury to Property or Person.** The Lessees shall be responsible for the condition of the leased Premises and the sidewalk in front of the Premises during the term of this lease, any damage or injury to property or person resulting from the condition of the leased Premises or sidewalk, or the activities of Lessees, and Lessees' agents and employees

thereon, or any independent contractor hired by Lessees. Lessees agree to indemnify and hold Lessor harmless from any liability or loss caused by such conditions or activities.

18. **Utilities.** Lessees are responsible to establish needed service and utility accounts and shall pay when due all associated charges incurred in connections with the use, occupancy, operation, and maintenance of the leased Premises, including but not limited to fuel, water, gas, electricity, sewage disposal, power, refrigeration, air conditioning, telephone, landscaping, and janitorial services.
19. **Termination by Lessor.** The remedies of Lessor and Lessees for breach of this lease or of the Residential Landlord and Tenant Act will be as set forth in ORS 90.360 through 90.440, 90.322(7) through (8) and 105.105 through 105.168. Lessor may terminate this rental agreement by giving not less than ninety (90) days' written notice to Lessees for any or no reason. Lessor may terminate this rental agreement upon sixty (60) days' written notice if Lessee 1 or Lessee 2 ceases, for any reason, to be employed by City. Lessor may terminate this rental agreement upon 24 hours' written notice if:
 - a. Lessees or someone in Lessees' control seriously threaten to inflict personal injury on Lessor agents or invitees to the Premises;
 - b. Lessees or someone in Lessees' control intentionally inflict any substantial damage to the Premises;
 - c. Lessees inflict substantial damage to the Premises on more than one occasion;
 - d. Lessees vacate the Premises and the person in possession holds the Premises contrary to a written rental agreement;
 - e. Lessees or someone in Lessees' control commit any act that is outrageous and extreme on the Premises or in the immediate vicinity of the Premises, including, but not limited to cultivating, manufacturing, distributing any controlled substance on the Premises or any way using proceeds from possession, cultivation, or manufacturer, distribution or sale of any controlled substance as defined by federal law.
20. **Termination or Re-Letting on Default.** In case Lessees violate or omit to perform any of the covenants or conditions herein contained, or in case the Premises shall become vacant for an extended period exceeding forty-five (45) days, or be abandoned or deserted by the Lessees, Lessor may exercise one of the following options:
 - a. Re-enter the Premises without notice and take possession thereof and in such event, Lessor may elect to terminate the lease or relet the Premises at any time as the agent of Lessees, and whatever rent obtainable shall be applied first to the payment of any expenses of Lessor in re-entering and re-letting, and then to the payment of the rent due and to the fulfillment of Lessees covenants, and the excess, if any, shall be paid to the Lessees. Lessees, in this option, shall remain liable to the Lessor for any deficiency.
 - b. Consider such act to be a breach of the lease and accelerate the obligations of Lessees so that Lessor may initiate whatever action is available to Lessor, either

at law or in equity and recover, whatever damages Lessor suffered as a result of such breach.

21. **Default Remedies.** In the event of a default, Lessor shall be entitled to all remedies provided by law and all remedies provided by this Agreement. Such remedies shall be cumulative. In addition, if Lessees fail to cure any default under Section 15 of this agreement within ten (10) days' notice from Lessor specifying the default, Lessor may, but shall not be required to, undertake whatever maintenance and/or repairs are reasonably necessary to protect the Premises, and Lessees shall immediately pay to Lessor reimbursement for costs incurred upon receipt of invoice from City (Lessor), reflecting the actual cost of all labor and materials expended in such maintenance and/or repair.
22. **Destruction of Premises.** If the leased Premises are destroyed or injured by an act of God, by fire or other casualty not occasioned by the act or omission of Lessees, to such an extent that Lessor consider it impractical or inadvisable to repair the damage or to reconstruct the Premises, the Lessor shall give Lessees notice of such decision and this lease shall terminate as of the date of such destruction. Lessor shall have a period of thirty (30) days following the destruction or damage in which to decide whether the repairs or reconstruction shall be made. If Lessor decides to repair or reconstruct, and proceeds with due diligence to effect the repairs or reconstruction, this lease shall continue in full force and effect. In any event, Lessees shall be entitled to a reduction of rent from the date of such destruction or damage until the repairs or reconstruction is completed, in an amount proportionate to the extent to which such damage and destruction and the making of the repairs or reconstruction interferes with the occupancy by Lessees of the Premises.
23. **Insurance.** Lessees shall each purchase and maintain during the term of this Agreement renters insurance covering Lessee's personal property located on the Premises, and renters liability insurance or personal liability in an amount not less than \$100,000 per occurrence, covering bodily and personal injury and property damage, Lessees shall each provide a Certificate of Insurance evidencing such coverage.
24. **Taxes.**
 - a. **Personal Property Taxes.** Lessees shall pay when due all personal property taxes assessed against their personal property, equipment, or trade fixtures on the leased Premises.
 - b. **Taxes and Assessments.** Lessees shall apply for any exemptions from property tax for their use of the leased Premises. The rent for the leased Premises is below market rent to reflect property tax exemptions, if any. In the event that any real property taxes and special assessments are levied against the leased Premises, Lessor may choose, in Lessor's sole discretion, to add those amounts to Lessees' annual rent, to be paid in monthly installments with the monthly rent set in Section 4 of this Lease.

25. **Insolvency of Lessees.** If Lessee 1 or Lessee 2 files a petition in bankruptcy or is declared bankrupt or insolvent according to law, or makes an assignment for the benefit of creditors, or if the leasehold estate is taken, or sought to be taken, on execution, then at the option of Lessor, this lease shall terminate and Lessor, without notice or demand, may re-enter the Premises and remove all persons, and effects without prejudice to any remedies which might otherwise be used by the Lessor for any breach of Lessees covenants.
26. **Notice.** Lessees shall not be deemed in default until notice has been given as follows:
- For failure to pay rent within seven (7) days after it is due, notice shall be 72 hours.
 - For all other defaults, notice shall be thirty (30) days for the first occurrence and, for the second occurrence of substantially the same act; notice shall be ten (10) days.
 - Any notice required to be given hereunder or by law shall be in writing and may be delivered personally or by certified mail, addressed to the Lessees at **91430 Stallings Lane, Eugene, OR 97408**, whether or not Lessees have departed from, vacated, or abandoned the Premises, or Lessor at **Coburg City Hall, 91136 N Willamette Street, or PO Box 8316, Coburg, Oregon 97408** or to either of them in any manner prescribed by law.
27. **Interpretation.** All the covenants, agreements, conditions, and terms contained in this lease shall be binding upon, apply to and inure to the benefit of the successors and assigns respectively of Lessor and Lessees, and all such covenants shall be construed as covenants running with the land. This paragraph shall not be construed as consent by Lessor to the assignment or subletting of the leasehold Premises.
28. **Waiver.** Failure of Lessor to insist upon the strict performance of the terms, covenants, agreements, and conditions contained in this lease, or any of them, shall not constitute or be construed as a waiver or relinquishment of Lessor's right to thereafter enforce any such term, covenant, agreement, or condition but the same shall continue in full force and effect.
29. **Arbitration.**
- Dispute to be arbitrated. If any dispute arises between the parties, either party may request arbitration and appoint as an arbitrator a MAI Independent Real Estate Appraiser having knowledge of valuation or rental properties comparable to the Premises. The other party shall also choose an arbitrator with such qualifications and the two arbitrators shall choose a third. If the choice of the second or third arbitrator is not made within ten (10) days of the choosing of the prior arbitrator, then either party may apply to the presiding judge of the Lane County Oregon Circuit Court for the appointment of the required arbitrator.
 - Procedure for Arbitration. The arbitrator shall proceed according to the Oregon Uniform Arbitration Act, ORS 36.600 et seq., and the award of the arbitrators shall be binding upon both parties.

30. **Litigation Expense.** If any legal proceeding is initiated which directly or indirectly arises out of this lease, including a suit by Lessor to recover possession of the Premises, then the prevailing party in such proceeding shall be entitled to a reasonable attorney's fee allowed in such proceeding, or in any appeal therefrom, as well as the costs and disbursements of such proceedings.
31. **Severability.** If this lease, or any portion thereof, is determined to be unlawful, ineffective, or unenforceable, the remainder of the lease will continue.
32. **No Smoking Within Premises.** Smoking is not permitted inside the Premises. Smoking shall not be permitted within 25 feet of the Premises.
33. **Smoke and Carbon Monoxide Alarm Disclosure.** The Premises is equipped with one or more legally required smoke alarm(s) and, if the Premises contains a carbon monoxide source or is within a structure that contains a carbon monoxide source, one or more carbon monoxide alarm(s).
- a. If the smoke alarm is battery-operated, the battery is a 10-year battery. Lessor has tested the alarms prior to entering this Agreement and has determined that the are working properly, and the batteries have power, as of April 1, 2023.
 - b. Lessee 1 and Lessee 2 are responsible for testing the alarms no less than every six (6) months. To test, Lessees should press and hold the "test" button briefly. If the alarm does not sound, Lessees must notify Lessor in writing immediately.
 - c. Lessees are responsible for replacing dead batteries, and must use only 10-year batteries in the smoke alarm(s).
32. **Lead-Based Paint.** Pursuant to the Residential Lead-Based Reduction Act of 1992, if the Premises was built prior to 1978, the Lessor is required to: (1) disclose information regarding known lead-based paint and lead-based paint hazards; (2) provide any such reports to its tenants; and (3) provide a lead warning statement and a lead hazard information pamphlet. Accordingly, this information is provided as **Exhibit B** and made a part of this Agreement.
33. **Compliance with Residential Landlord and Tenant Act.** This lease is intended to comply with the provisions of the Residential Landlord and Tenant Act (the Act), ORS 90.100 through 90.850, in effect on the effective date of this agreement. If a court determines that any provision of this lease conflicts with the Act, the provisions of the Act shall control. This lease will be deemed to be amended to comply with any statutory changes in the Act, if the changes apply retroactively to existing leases, but not otherwise.

City of Coburg and Employees have acknowledged the terms and conditions contained in this agreement.

Employee #1 | Lessee

Dax Wilson, Coburg Public Works Employee

Date: _____

Employee #2 | Lessee

Jacob Suttles, Coburg Public Works Employee

Date: _____

City of Coburg | Lessor

Anne Heath, City Administrator

Date: _____

Exhibit A

91430 Stallings Lane Employee Housing Agreement



Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards

Lead Warning Statement

Housing built before 1978 may contain lead-based paint. Lead from paint, paint chips, and dust can pose health hazards if not managed properly. Lead exposure is especially harmful to young children and pregnant women. Before renting pre-1978 housing, lessors must disclose the presence of known lead-based paint and/or lead-based paint hazards in the dwelling. Lessees must also receive a federally approved pamphlet on lead poisoning prevention.

Lessor's Disclosure

(a) Presence of lead-based paint and/or lead-based paint hazards (check (i) or (ii) below):

(i) _____ Known lead-based paint and/or lead-based paint hazards are present in the housing (explain).

(ii) _____ Lessor has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.

(b) Records and reports available to the lessor (check (i) or (ii) below):

(i) _____ Lessor has provided the lessee with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below).

(ii) _____ Lessor has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

Lessee's Acknowledgment (initial)

(c) _____ Lessee has received copies of all information listed above.

(d) _____ Lessee has received the pamphlet *Protect Your Family from Lead in Your Home*.

Agent's Acknowledgment (initial)

(e) _____ Agent has informed the lessor of the lessor's obligations under 42 U.S.C. 4852d and is aware of his/her responsibility to ensure compliance.

Certification of Accuracy

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate.

_____ Lessor	_____ Date	_____ Lessor	_____ Date
_____ Lessee	_____ Date	_____ Lessee	_____ Date
_____ Agent	_____ Date	_____ Agent	_____ Date



Protect Your Family From Lead in Your Home



United States
Environmental
Protection Agency



United States
Consumer Product
Safety Commission



United States
Department of Housing
and Urban Development

Are You Planning to Buy or Rent a Home Built Before 1978?

Did you know that many homes built before 1978 have **lead-based paint**? Lead from paint, chips, and dust can pose serious health hazards.

Read this entire brochure to learn:

- How lead gets into the body
- How lead affects health
- What you can do to protect your family
- Where to go for more information

Before renting or buying a pre-1978 home or apartment, federal law requires:

- Sellers must disclose known information on lead-based paint or lead-based paint hazards before selling a house.
- Real estate sales contracts must include a specific warning statement about lead-based paint. Buyers have up to 10 days to check for lead.
- Landlords must disclose known information on lead-based paint or lead-based paint hazards before leases take effect. Leases must include a specific warning statement about lead-based paint.

If undertaking renovations, repairs, or painting (RRP) projects in your pre-1978 home or apartment:

- Read EPA's pamphlet, *The Lead-Safe Certified Guide to Renovate Right*, to learn about the lead-safe work practices that contractors are required to follow when working in your home (see page 12).



Simple Steps to Protect Your Family from Lead Hazards

If you think your home has lead-based paint:

- Don't try to remove lead-based paint yourself.
- Always keep painted surfaces in good condition to minimize deterioration.
- Get your home checked for lead hazards. Find a certified inspector or risk assessor at [epa.gov/lead](https://www.epa.gov/lead).
- Talk to your landlord about fixing surfaces with peeling or chipping paint.
- Regularly clean floors, window sills, and other surfaces.
- Take precautions to avoid exposure to lead dust when remodeling.
- When renovating, repairing, or painting, hire only EPA- or state-approved Lead-Safe certified renovation firms.
- Before buying, renting, or renovating your home, have it checked for lead-based paint.
- Consult your health care provider about testing your children for lead. Your pediatrician can check for lead with a simple blood test.
- Wash children's hands, bottles, pacifiers, and toys often.
- Make sure children eat healthy, low-fat foods high in iron, calcium, and vitamin C.
- Remove shoes or wipe soil off shoes before entering your house.

Lead Gets into the Body in Many Ways

Adults and children can get lead into their bodies if they:

- Breathe in lead dust (especially during activities such as renovations, repairs, or painting that disturb painted surfaces).
- Swallow lead dust that has settled on food, food preparation surfaces, and other places.
- Eat paint chips or soil that contains lead.

Lead is especially dangerous to children under the age of 6.

- At this age, children's brains and nervous systems are more sensitive to the damaging effects of lead.
- Children's growing bodies absorb more lead.
- Babies and young children often put their hands and other objects in their mouths. These objects can have lead dust on them.



Women of childbearing age should know that lead is dangerous to a developing fetus.

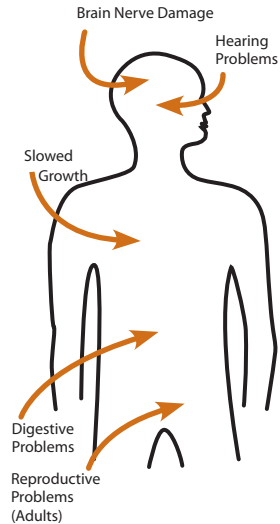
- Women with a high lead level in their system before or during pregnancy risk exposing the fetus to lead through the placenta during fetal development.

Health Effects of Lead

Lead affects the body in many ways. It is important to know that even exposure to low levels of lead can severely harm children.

In children, exposure to lead can cause:

- Nervous system and kidney damage
- Learning disabilities, attention-deficit disorder, and decreased intelligence
- Speech, language, and behavior problems
- Poor muscle coordination
- Decreased muscle and bone growth
- Hearing damage



While low-lead exposure is most common, exposure to high amounts of lead can have devastating effects on children, including seizures, unconsciousness, and in some cases, death.

Although children are especially susceptible to lead exposure, lead can be dangerous for adults, too.

In adults, exposure to lead can cause:

- Harm to a developing fetus
- Increased chance of high blood pressure during pregnancy
- Fertility problems (in men and women)
- High blood pressure
- Digestive problems
- Nerve disorders
- Memory and concentration problems
- Muscle and joint pain

Check Your Family for Lead

Get your children and home tested if you think your home has lead.

Children's blood lead levels tend to increase rapidly from 6 to 12 months of age, and tend to peak at 18 to 24 months of age.

Consult your doctor for advice on testing your children. A simple blood test can detect lead. Blood lead tests are usually recommended for:

- Children at ages 1 and 2
- Children or other family members who have been exposed to high levels of lead
- Children who should be tested under your state or local health screening plan

Your doctor can explain what the test results mean and if more testing will be needed.

Where Lead-Based Paint Is Found

In general, the older your home or childcare facility, the more likely it has lead-based paint.¹

Many homes, including private, federally-assisted, federally-owned housing, and childcare facilities built before 1978 have lead-based paint. In 1978, the federal government banned consumer uses of lead-containing paint.²

Learn how to determine if paint is lead-based paint on page 7.

Lead can be found:

- In homes and childcare facilities in the city, country, or suburbs,
- In private and public single-family homes and apartments,
- On surfaces inside and outside of the house, and
- In soil around a home. (Soil can pick up lead from exterior paint or other sources, such as past use of leaded gas in cars.)

Learn more about where lead is found at [epa.gov/lead](https://www.epa.gov/lead).

¹ "Lead-based paint" is currently defined by the federal government as paint with lead levels greater than or equal to 1.0 milligram per square centimeter (mg/cm²), or more than 0.5% by weight.

² "Lead-containing paint" is currently defined by the federal government as lead in dried paint in excess of 90 parts per million (ppm) by weight.

Identifying Lead-Based Paint and Lead-Based Paint Hazards

Deteriorated lead-based paint (peeling, chipping, chalking, cracking, or damaged paint) is a hazard and needs immediate attention. **Lead-based paint** may also be a hazard when found on surfaces that children can chew or that get a lot of wear and tear, such as:

- On windows and window sills
- Doors and door frames
- Stairs, railings, banisters, and porches

Lead-based paint is usually not a hazard if it is in good condition and if it is not on an impact or friction surface like a window.

Lead dust can form when lead-based paint is scraped, sanded, or heated. Lead dust also forms when painted surfaces containing lead bump or rub together. Lead paint chips and dust can get on surfaces and objects that people touch. Settled lead dust can reenter the air when the home is vacuumed or swept, or when people walk through it. EPA currently defines the following levels of lead in dust as hazardous:

- 10 micrograms per square foot ($\mu\text{g}/\text{ft}^2$) and higher for floors, including carpeted floors
- 100 $\mu\text{g}/\text{ft}^2$ and higher for interior window sills

Lead in soil can be a hazard when children play in bare soil or when people bring soil into the house on their shoes. EPA currently defines the following levels of lead in soil as hazardous:

- 400 parts per million (ppm) and higher in play areas of bare soil
- 1,200 ppm (average) and higher in bare soil in the remainder of the yard

Remember, lead from paint chips—which you can see—and lead dust—which you may not be able to see—both can be hazards.

The only way to find out if paint, dust, or soil lead hazards exist is to test for them. The next page describes how to do this.

Checking Your Home for Lead

You can get your home tested for lead in several different ways:

- A lead-based paint **inspection** tells you if your home has lead-based paint and where it is located. It won't tell you whether your home currently has lead hazards. A trained and certified testing professional, called a lead-based paint inspector, will conduct a paint inspection using methods, such as:
 - Portable x-ray fluorescence (XRF) machine
 - Lab tests of paint samples
- A **risk assessment** tells you if your home currently has any lead hazards from lead in paint, dust, or soil. It also tells you what actions to take to address any hazards. A trained and certified testing professional, called a risk assessor, will:
 - Sample paint that is deteriorated on doors, windows, floors, stairs, and walls
 - Sample dust near painted surfaces and sample bare soil in the yard
 - Get lab tests of paint, dust, and soil samples
- A combination inspection and risk assessment tells you if your home has any lead-based paint and if your home has any lead hazards, and where both are located.



Be sure to read the report provided to you after your inspection or risk assessment is completed, and ask questions about anything you do not understand.

Checking Your Home for Lead, continued

In preparing for renovation, repair, or painting work in a pre-1978 home, Lead-Safe Certified renovators (see page 12) may:

- Take paint chip samples to determine if lead-based paint is present in the area planned for renovation and send them to an EPA-recognized lead lab for analysis. In housing receiving federal assistance, the person collecting these samples must be a certified lead-based paint inspector or risk assessor
- Use EPA-recognized tests kits to determine if lead-based paint is absent (but not in housing receiving federal assistance)
- Presume that lead-based paint is present and use lead-safe work practices

There are state and federal programs in place to ensure that testing is done safely, reliably, and effectively. Contact your state or local agency for more information, visit epa.gov/lead, or call **1-800-424-LEAD (5323)** for a list of contacts in your area.³

³ Hearing- or speech-challenged individuals may access this number through TTY by calling the Federal Relay Service at 1-800-877-8339.

What You Can Do Now to Protect Your Family

If you suspect that your house has lead-based paint hazards, you can take some immediate steps to reduce your family's risk:

- If you rent, notify your landlord of peeling or chipping paint.
- Keep painted surfaces clean and free of dust. Clean floors, window frames, window sills, and other surfaces weekly. Use a mop or sponge with warm water and a general all-purpose cleaner. (Remember: never mix ammonia and bleach products together because they can form a dangerous gas.)
- Carefully clean up paint chips immediately without creating dust.
- Thoroughly rinse sponges and mop heads often during cleaning of dirty or dusty areas, and again afterward.
- Wash your hands and your children's hands often, especially before they eat and before nap time and bed time.
- Keep play areas clean. Wash bottles, pacifiers, toys, and stuffed animals regularly.
- Keep children from chewing window sills or other painted surfaces, or eating soil.
- When renovating, repairing, or painting, hire only EPA- or state-approved Lead-Safe Certified renovation firms (see page 12).
- Clean or remove shoes before entering your home to avoid tracking in lead from soil.
- Make sure children eat nutritious, low-fat meals high in iron, and calcium, such as spinach and dairy products. Children with good diets absorb less lead.

Reducing Lead Hazards

Disturbing lead-based paint or removing lead improperly can increase the hazard to your family by spreading even more lead dust around the house.

- In addition to day-to-day cleaning and good nutrition, you can **temporarily** reduce lead-based paint hazards by taking actions, such as repairing damaged painted surfaces and planting grass to cover lead-contaminated soil. These actions are not permanent solutions and will need ongoing attention.
- You can minimize exposure to lead when renovating, repairing, or painting by hiring an EPA- or state-certified renovator who is trained in the use of lead-safe work practices. If you are a do-it-yourselfer, learn how to use lead-safe work practices in your home.
- To remove lead hazards permanently, you should hire a certified lead abatement contractor. Abatement (or permanent hazard elimination) methods include removing, sealing, or enclosing lead-based paint with special materials. Just painting over the hazard with regular paint is not permanent control.



Always use a certified contractor who is trained to address lead hazards safely.

- Hire a Lead-Safe Certified firm (see page 12) to perform renovation, repair, or painting (RRP) projects that disturb painted surfaces.
- To correct lead hazards permanently, hire a certified lead abatement contractor. This will ensure your contractor knows how to work safely and has the proper equipment to clean up thoroughly.

Certified contractors will employ qualified workers and follow strict safety rules as set by their state or by the federal government.

Reducing Lead Hazards, continued

If your home has had lead abatement work done or if the housing is receiving federal assistance, once the work is completed, dust cleanup activities must be conducted until clearance testing indicates that lead dust levels are below the following levels:

- 10 micrograms per square foot ($\mu\text{g}/\text{ft}^2$) for floors, including carpeted floors
- 100 $\mu\text{g}/\text{ft}^2$ for interior windows sills
- 400 $\mu\text{g}/\text{ft}^2$ for window troughs

Abatements are designed to permanently eliminate lead-based paint hazards. However, lead dust can be reintroduced into an abated area.

- Use a HEPA vacuum on all furniture and other items returned to the area, to reduce the potential for reintroducing lead dust.
- Regularly clean floors, window sills, troughs, and other hard surfaces with a damp cloth or sponge and a general all-purpose cleaner.

Please see page 9 for more information on steps you can take to protect your home after the abatement. For help in locating certified lead abatement professionals in your area, call your state or local agency (see pages 15 and 16), [epa.gov/lead](https://www.epa.gov/lead), or call 1-800-424-LEAD.

Renovating, Repairing or Painting a Home with Lead-Based Paint

If you hire a contractor to conduct renovation, repair, or painting (RRP) projects in your pre-1978 home or childcare facility (such as pre-school and kindergarten), your contractor must:

- Be a Lead-Safe Certified firm approved by EPA or an EPA-authorized state program
- Use qualified trained individuals (Lead-Safe Certified renovators) who follow specific lead-safe work practices to prevent lead contamination
- Provide a copy of EPA's lead hazard information document, *The Lead-Safe Certified Guide to Renovate Right*



RRP contractors working in pre-1978 homes and childcare facilities must follow lead-safe work practices that:

- **Contain the work area.** The area must be contained so that dust and debris do not escape from the work area. Warning signs must be put up, and plastic or other impermeable material and tape must be used.
- **Avoid renovation methods that generate large amounts of lead-contaminated dust.** Some methods generate so much lead-contaminated dust that their use is prohibited. They are:
 - Open-flame burning or torching
 - Sanding, grinding, planing, needle gunning, or blasting with power tools and equipment not equipped with a shroud and HEPA vacuum attachment
 - Using a heat gun at temperatures greater than 1100°F
- **Clean up thoroughly.** The work area should be cleaned up daily. When all the work is done, the area must be cleaned up using special cleaning methods.
- **Dispose of waste properly.** Collect and seal waste in a heavy duty bag or sheeting. When transported, ensure that waste is contained to prevent release of dust and debris.

To learn more about EPA's requirements for RRP projects, visit [epa.gov/getleadsafe](https://www.epa.gov/getleadsafe), or read *The Lead-Safe Certified Guide to Renovate Right*.

Other Sources of Lead

Lead in Drinking Water

The most common sources of lead in drinking water are lead pipes, faucets, and fixtures.

Lead pipes are more likely to be found in older cities and homes built before 1986.

You can't smell or taste lead in drinking water.

To find out for certain if you have lead in drinking water, have your water tested.

Remember older homes with a private well can also have plumbing materials that contain lead.

Important Steps You Can Take to Reduce Lead in Drinking Water

- Use only cold water for drinking, cooking and making baby formula. Remember, boiling water does not remove lead from water.
- Before drinking, flush your home's pipes by running the tap, taking a shower, doing laundry, or doing a load of dishes.
- Regularly clean your faucet's screen (also known as an aerator).
- If you use a filter certified to remove lead, don't forget to read the directions to learn when to change the cartridge. Using a filter after it has expired can make it less effective at removing lead.

Contact your water company to determine if the pipe that connects your home to the water main (called a service line) is made from lead. Your area's water company can also provide information about the lead levels in your system's drinking water.

For more information about lead in drinking water, please contact EPA's Safe Drinking Water Hotline at 1-800-426-4791. If you have other questions about lead poisoning prevention, call 1-800 424-LEAD.*

Call your local health department or water company to find out about testing your water, or visit [epa.gov/safewater](https://www.epa.gov/safewater) for EPA's lead in drinking water information. Some states or utilities offer programs to pay for water testing for residents. Contact your state or local water company to learn more.

* Hearing- or speech-challenged individuals may access this number through TTY by calling the Federal Relay Service at 1-800-877-8339.

Other Sources of Lead, continued

- **Lead smelters** or other industries that release lead into the air.
- **Your job.** If you work with lead, you could bring it home on your body or clothes. Shower and change clothes before coming home. Launder your work clothes separately from the rest of your family's clothes.
- **Hobbies** that use lead, such as making pottery or stained glass, or refinishing furniture. Call your local health department for information about hobbies that may use lead.
- Old **toys** and **furniture** may have been painted with lead-containing paint. Older toys and other children's products may have parts that contain lead.⁴
- Food and liquids cooked or stored in **lead crystal** or **lead-glazed pottery or porcelain** may contain lead.
- Folk remedies, such as "**greta**" and "**azarcon**," used to treat an upset stomach.

⁴ In 1978, the federal government banned toys, other children's products, and furniture with lead-containing paint. In 2008, the federal government banned lead in most children's products. The federal government currently bans lead in excess of 100 parts per million by weight in most children's products.

For More Information

The National Lead Information Center

Learn how to protect children from lead poisoning and get other information about lead hazards on the Web at epa.gov/lead and hud.gov/lead, or call **1-800-424-LEAD (5323)**.

EPA's Safe Drinking Water Hotline

For information about lead in drinking water, call **1-800-426-4791**, or visit epa.gov/safewater for information about lead in drinking water.

Consumer Product Safety Commission (CPSC) Hotline

For information on lead in toys and other consumer products, or to report an unsafe consumer product or a product-related injury, call **1-800-638-2772**, or visit CPSC's website at cpsc.gov or saferproducts.gov.

State and Local Health and Environmental Agencies

Some states, tribes, and cities have their own rules related to lead-based paint. Check with your local agency to see which laws apply to you. Most agencies can also provide information on finding a lead abatement firm in your area, and on possible sources of financial aid for reducing lead hazards. Receive up-to-date address and phone information for your state or local contacts on the Web at epa.gov/lead, or contact the National Lead Information Center at **1-800-424-LEAD**.

Hearing- or speech-challenged individuals may access any of the phone numbers in this brochure through TTY by calling the toll-free Federal Relay Service at **1-800-877-8339**.

U. S. Environmental Protection Agency (EPA) Regional Offices

The mission of EPA is to protect human health and the environment. Your Regional EPA Office can provide further information regarding regulations and lead protection programs.

Region 1 (Connecticut, Massachusetts, Maine, New Hampshire, Rhode Island, Vermont)

Regional Lead Contact
U.S. EPA Region 1
5 Post Office Square, Suite 100, OES 05-4
Boston, MA 02109-3912
(888) 372-7341

Region 2 (New Jersey, New York, Puerto Rico, Virgin Islands)

Regional Lead Contact
U.S. EPA Region 2
2890 Woodbridge Avenue
Building 205, Mail Stop 225
Edison, NJ 08837-3679
(732) 906-6809

Region 3 (Delaware, Maryland, Pennsylvania, Virginia, DC, West Virginia)

Regional Lead Contact
U.S. EPA Region 3
1650 Arch Street
Philadelphia, PA 19103
(215) 814-2088

Region 4 (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee)

Regional Lead Contact
U.S. EPA Region 4
AFC Tower, 12th Floor, Air, Pesticides & Toxics
61 Forsyth Street, SW
Atlanta, GA 30303
(404) 562-8998

Region 5 (Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin)

Regional Lead Contact
U.S. EPA Region 5 (LL-17J)
77 West Jackson Boulevard
Chicago, IL 60604-3666
(312) 353-3808

Region 6 (Arkansas, Louisiana, New Mexico, Oklahoma, Texas, and 66 Tribes)

Regional Lead Contact
U.S. EPA Region 6
1445 Ross Avenue, 12th Floor
Dallas, TX 75202-2733
(214) 665-2704

Region 7 (Iowa, Kansas, Missouri, Nebraska)

Regional Lead Contact
U.S. EPA Region 7
11201 Renner Blvd.
Lenexa, KS 66219
(800) 223-0425

Region 8 (Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming)

Regional Lead Contact
U.S. EPA Region 8
1595 Wynkoop St.
Denver, CO 80202
(303) 312-6966

Region 9 (Arizona, California, Hawaii, Nevada)

Regional Lead Contact
U.S. EPA Region 9 (CMD-4-2)
75 Hawthorne Street
San Francisco, CA 94105
(415) 947-4280

Region 10 (Alaska, Idaho, Oregon, Washington)

Regional Lead Contact
U.S. EPA Region 10 (20-C04)
Air and Toxics Enforcement Section
1200 Sixth Avenue, Suite 155
Seattle, WA 98101
(206) 553-1200

Consumer Product Safety Commission (CPSC)

The CPSC protects the public against unreasonable risk of injury from consumer products through education, safety standards activities, and enforcement. Contact CPSC for further information regarding consumer product safety and regulations.

CPSC

4330 East West Highway
Bethesda, MD 20814-4421
1-800-638-2772
cpsc.gov or saferproducts.gov

U. S. Department of Housing and Urban Development (HUD)

HUD's mission is to create strong, sustainable, inclusive communities and quality affordable homes for all. Contact to Office of Lead Hazard Control and Healthy Homes for further information regarding the Lead Safe Housing Rule, which protects families in pre-1978 assisted housing, and for the lead hazard control and research grant programs.

HUD

451 Seventh Street, SW, Room 8236
Washington, DC 20410-3000
(202) 402-7698
hud.gov/lead

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IMPORTANT!

Lead From Paint, Dust, and Soil in and Around Your Home Can Be Dangerous if Not Managed Properly

- Children under 6 years old are most at risk for lead poisoning in your home.
- Lead exposure can harm young children and babies even before they are born.
- Homes, schools, and child care facilities built before 1978 are likely to contain lead-based paint.
- Even children who seem healthy may have dangerous levels of lead in their bodies.
- Disturbing surfaces with lead-based paint or removing lead-based paint improperly can increase the danger to your family.
- People can get lead into their bodies by breathing or swallowing lead dust, or by eating soil or paint chips containing lead.
- People have many options for reducing lead hazards. Generally, lead-based paint that is in good condition is not a hazard (see page 10).

**INTERGOVERNMENTAL AGREEMENT
LAW ENFORCEMENT SERVICES**

CITY OF JUNCTION CITY/CITY OF COBURG

THIS AGREEMENT is made and entered by and between the CITY OF JUNCTION CITY hereinafter called JUNCTION CITY a municipal corporation of the State of Oregon, and the CITY OF COBURG, hereinafter called COBURG, a municipal corporation of the State of Oregon.

WITNESSETH

WHEREAS, JUNCTION CITY is desirous of contracting with COBURG for the performance of the hereinafter described short-term Chief of Police services for the administration of its Police Department, and;

WHEREAS, COBURG has agreed to tender such services on the terms and conditions hereinafter set forth; and

WHEREAS, such contracts are authorized and provided for by the provisions of ORS 190.010.

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL PROMISES AND COVENANTS HEREIN CONTAINED, IT IS MUTUALLY AGREED AS FOLLOWS:

1. **TERM:** The initial term of this agreement shall begin on March 15, 2023, and terminate on June 30, 2023. Such term may be extended and amended as mutually agreed in accordance with Section 9 or terminated in accordance with Section 7 of this agreement.

2. **SCOPE OF WORK:**

COBURG agrees to provide a minimum of 10 hours per week and not to exceed 20 hours of Chief of Police Administrative services within the corporate limits of JUNCTION CITY to the extent and in the manner set forth below. The services shall encompass duties and functions of the type coming within the jurisdiction of and customarily rendered by a Chief of Police. Such services shall include Administrative Management of the Junction City Police Department including overseeing enforcement and investigations involved in the field of traffic, public safety, criminal law enforcement, and related fields within the legal power of the Chief of Police to

so provide, and shall be provided in conformance with the standards generally accepted within the policing profession.

3. ADMINISTRATION:

The Coburg Chief of Police shall be under the administrative direction of the City Administrator of the City of Coburg and shall exercise all authority vested in that office.

- a. JUNCTION CITY shall furnish and supply all other necessary labor, supervision, equipment, communications facilities, and supplies to maintain the level of services to be rendered hereunder.
- b. COBURG will provide a written report to JUNCTION CITY at the end of the contract term or as requested by the City Administrator or City Council of the City of Junction City. The Chief of Police or his designee shall attend any meetings concerning policing issues as may be necessary and as requested by JUNCTION CITY or COBURG. Such attendance at meeting will be included in the hours approved by this contract.

4. COMPENSATION:

- a. For such law enforcement services, JUNCTION CITY shall pay to COBURG an hourly rate of \$104.00 for regular hours, and \$156.00 for hours that put the Chief into overtime at Coburg.

5. PERSONNEL: The rendition of services, standards of performance, the discipline of officers, and other matters incident to the performance of such services and control of personnel so employed shall remain solely with the City of Coburg Police Chief.

- a. With the exception of police department, all personnel employed in the performance of services pursuant to this agreement shall be Junction City employees, and any status or rights under the provisions of City employment paid for by JUNCTION CITY.
- b. JUNCTION CITY shall not be called upon to assume any liability for the direct payment of any salaries, wages, or other compensation to the Coburg Police Chief while performing services hereunder for JUNCTION CITY, or any liability other than that provided for in this agreement.

6. **DISPUTE RESOLUTION:** Specifically, the Administrators shall attempt to resolve any disputes between the cities concerning the terms of this agreement and the performance thereof and may recommend that the cities enter into mediation or arbitration if the Administrators are unable to resolve a dispute matter.

7. **TERMINATION:** This agreement may be terminated by either city at any time upon giving 3 days' written notice of their intent to do so. Termination of this agreement may also be made by 24-hour emergency email notice by COBURG to the Junction City City Administrator, or notice by JUNCTION CITY to the Coburg City Administrator in the event of an unforeseen or an urgent or emergency situation. These include, but are not limited to, the necessary allocation of City of Coburg Police Chief elsewhere, a financial exigency, or other pressing City need as determined by the Coburg City Administrator or Junction City City Administrator.

8. **HOLD HARMLESS:** The parties hereby covenant and agree to hold and save each other, their officers, agents and other employees, harmless from all claims whatsoever, including attorney's fees and costs, by reason of any act or omission of each city, its officers, agents, or employees.

9. **AMENDMENTS :** The agreement may be amended or extended by written agreement of both parties and shall be approved by the respective councils.

IN WITNESS WHEREOF, this instrument has been executed in duplicate pursuant to resolutions heretofore duly and legally adopted by each of the parties hereto.

CITY OF COBURG

CITY OF JUNCTION CITY

 Anne Heath, Date
 City Administrator
Anne.Heath@ci.coburg.or.us

 Jason Knope Date
 City Administrator
jknope@ci.junction-city.or.us

COBURG CITY COUNCIL MONTHLY REPORTS



TOPIC: Planning Commission Recommendations

Meeting Date: March 14, 2023

Staff Contact: Megan Winner, Planner

Contact: 541.682.7862, megan.winner@ci.coburg.or.us

REQUESTED COUNCIL ACTION:

Staff is presenting the following recommendations from Planning Commission to City Council to share the information, and ask City Council for further direction for staff on the two recommendations.

CITY COUNCIL GOAL

Goal 7: Committee and Commission Communications

BACKGROUND

At the January 18th, 2023 Planning Commission meeting, the Planning Commission made two recommendations to City Council. These recommendations came out of discussion on the first addition (Phase II) to the existing Coburg Creek subdivision, but are not tied, nor can they be a condition of the approval of the tentative subdivision. The application has been approved through the Planning Commission. Below are the recommendations from Planning Commission as found in the minutes (Attachment A):

Commissioner Marshall stated, in conjunction with the recommendation for approval of the Coburg Creek Subdivision First Addition, he would like to recommend to City Council to direct staff to assure that the planned improvements to Macy Street, North Willamette, and Harrison Street were complete on or before the developer completes the connection of the subdivision to Macy St. prior to subdivision completion.

Commissioner Marshall moved, seconded by Commissioner Derby to request the Mayor and City Council to formally address the issue of the intersection of North Willamette Street and Van Duyn Street, to direct staff to research possible modifications to this intersection, as being a safe route to the school.

To clarify, neither motion from Planning Commission is a conditional approval of the first addition to the Coburg Creek subdivision (SUB 01-22). It is the intention of staff to align the street improvements projects with the connection of Macy Street to the greatest extent possible. In addition, the intersection of Van Duyn St. and Willamette St. was added to the staff workplan at the City Council retreat in February.

BUDGET

N/A

RECOMMENDATION

Staff recommends that the Council provide direction to staff on next steps

NEXT STEPS

Staff will continue to address the transportation issues as requested by Planning Commission

ATTACHMENTS

A. January 18, 2023 Planning Commission Meeting DRAFT Minutes

REVIEWED THROUGH:



Coburg Planning Commission
January 18, 2023 at 6:00 p.m.
Coburg City Hall
91136 N. Willamette St.
Hybrid Meeting

COMMISSIONERS PRESENT: Chair Jim Bell, John Marshall, Marissa Doyle and Jonathan Derby.
Absent: Vice Chair William Wood and Seth Clark.

STAFF PRESENT: Anne Heath and Megan Winner

GUEST PRESENT: Don Johnson.
Virtually Present: Alan Wells.

1. Call Meeting to Order

Chair Bell opened the Planning Commission Work Session at 6:03 p.m.

2. Roll Call

Chair Bell called roll. A quorum was present.

3. Agenda Review

Ms. Winner had two additions to the Agenda:

- Review and discuss the goals and priorities of the Planning Commission for 2023.
- Recruitment for a Planning Commission vacancy.

Ms. Winner stated that Alan Wells had resigned from the Planning Commission because he was elected to City Council. The discussion and review of priorities and goals would be addressed after
Agenda (8.) Discussion Items.

4. Approval of Minutes - December 21, 2022

MOTION: *Commissioner Marshall moved, seconded by Commissioner Derby to approve the December 21, 2022 Planning Commission Meeting minutes as presented.*

The motion passed. Vote, 4:0.

5. Public Testimony

There were no public speakers.

6. Commission Business

A Public Hearing on land use application SUB 01-22; submitted by Bruce Wiechert Custom Homes for the Coburg Creek Subdivision First Addition.

Chair Bell re-opened the Public Hearing from the December 21, 2023 meeting.

Staff Presentation:

The Commission proceeded to testimony.

Ms. Winner read aloud four written pieces of testimony that were emailed to the Commission.

Coburg residents, Sandra and James Marr opposed Land Use Proposal SUB 01-22.

Coburg residents, Edward and Susan Wojakowski opposed Land Use Proposal SUB 01-22.

Peter Chapin supported Land Use Proposal SUB 01-22.

Stanley Shattuck submitted an addendum to the testimony that he provided on the December 21, 2022 meeting.

Chair Bell asked the Commission if anyone wished to disclose any ex parte contact since the first hearing of December. There were no comments.

Mr. Marshall commented that the connection of Macy Street to the subdivision seemed to be a concern in the written testimonies. He said it was not listed as a condition, but was within the development plat and proposal. He asked if that was sufficient to satisfy the concern of the people or should the Commission add a condition that the subdivision be connected to Macy Street?

Ms. Winner commented that it was her understanding that the Council acceptance of the dedication of the portion of Macy Street previously, as well as the subdivision application showing a connection of Macy St., was approval of that access being connected westward.

Commissioner Marshall asked if all the streets, access points to the subdivision needed to be approved prior to any building permits issued?

Ms. Winner answered that it was correct, the utilities, infrastructure, and streets would all go through a public improvement review process.

Ms. Doyle asked if Macy Street was included in that?

Ms. Winner replied that Macy Street would go through its own design approval process. Beginning February 1, 2023, there would be two designs, prepared by the city engineers and available for the public to weigh in on.

Ms. Heath clarified that the developer was asked to make changes to Macy Street up to Harrison Street. It was important to the Council that they heard from the community on not just Macy Street, but North Willamette Street design, as well as the Harrison Street design. Those street projects were expected to take place next summer.

MOTION: Commissioner Doyle moved, seconded by Commissioner Derby to close the public hearing on the Bruce Wiechert Custom Homes Inc. at 6:23p.m.

The motion passed. Vote, 4:0.

Ms. Doyle asked if there was enough room for a delivery-like truck to turn around at the intersection of Van Duyn Street and Skinner Street.

Ms. Heath answered that it was not a concern related to the traffic pattern of the subdivision, however it could be brought up to the City as a concern by a citizen.

Mr. Marshall understood the tie from Skinner Street to the subdivision was primarily for pedestrians and bicycles and the bollards were to keep vehicles from going through. The bollards could be moved for emergency vehicles, while the dead end Van Duyn Street was not applicable to the subdivision and the City would most likely post a sign stating that it was not a turn around.

MOTION: Commissioner Marshall moved, seconded by Commissioner Derby to recommend approval of the proposed Coburg Creek Subdivision First Addition SUB-01-22, with the conditions of approval items 1 - 9, as listed in the Staff Report.

The motion passed. Vote, 4:0.

Commissioner Marshall stated, in conjunction with the recommendation for approval of the Coburg Creek Subdivision First Addition, he would like to recommend to City Council to direct staff to assure that the planned improvements to Macy Street, North Willamette, and Harrison Street were complete on or before the developer completes the connection of the subdivision to Macy St. prior to subdivision completion.

Seconded by Commissioner Derby. The motion passed. Vote 4-0.

7. Commission Business

Public Hearing on SR 04-22 Food Truck Plaza The Barnyard Site Review

Chair Bell opened the Public Hearing at 6:36p.m..

Staff Report:

Ms. Winner presented an overview of the proposal. The proposal is for a site design review for a food plaza called The Barnyard, located on Willamette Street near the intersection of Pearl Street. The proposed project would be constructed in two phases. Phase-1 would include a concrete pad for up to five trucks, a small stage and approximately a 1000 square foot building that would include restrooms. Phase-2 would include a small entertainment stage and the small building called The Barn. Currently, the subject property is a vacant field south of The Coburg Inn, mixed-use development and is the anticipated location for Phase-2 of the Coburg mixed-use development. According to the applicant and property owner, this was not planned as a final use for the property, but rather a limited duration development until Phase-2 of The Coburg Inn was more economically feasible. The proposal meets the building standards. The Central Business District is exempt from the minimum parking requirements for vehicles. Employee parking would be accommodated in the existing Coburg Inn parking lot. The proposed project would share parking and access with The Coburg Inn.

The three recommended conditions of approval are:

- All food trucks must obtain a Type-1 approval for mobile vending prior to operation.
- Prior to commencement of construction activities, the applicant shall submit for and obtain the required building permits.
- Bicycle parking facilities to accommodate a minimum of nine bicycles must be provided on-site, as part of the first proposed phase of the food truck plaza.

Ms. Winner read aloud a written testimony received by the Commission from Stephen Sheehan, opposing Land Use Proposal SR 04-22.

The applicant, a Coburg resident and local business owner, Mr. Alan Wells stated that he had spoken with the area business owners and every one of them were in support of the project.

Mr. Derby asked if the Phase-2, add-on to The Barn was going to be adjacent to The Coburg Inn, blocking the view of the food trucks?

Mr. Wells answered that it was not the intention to block the view of the trucks. They would be seen from the intersection. When Phase-2 is built the food trucks would be removed.

Mr. Marshall asked if the food trucks would be stored there.

Mr. Wells answered that they prefer the trucks would be open from 11 a.m.-8 p.m., seven days a week. When not in use they would be securely locked, with additional security cameras in use.

Chair Bell stated that since staff had put it in the report as temporary, then the Commission must make the record clear and place a condition of a time limit on it.

Albany resident and architect for the proposed project, Don Johnson, explained in greater detail, the building design to the Commission.

Hearing closed at 6:50p.m.

MOTION: Commissioner Derby moved, seconded by Commissioner Doyle to approve the application with the three conditions found by staff, including a fourth condition of clarification on a time horizon, specifically to be revisited in five years.

The motion passed. Vote, 4:0.

Ms. Winner asked for clarification of the fourth condition of approval.

Mr. Derby stated the fourth condition of approval would be that we revisit the temporary status of the food truck plaza in five years in consultation with the applicants.

8. Discussion Items

- Intersection of Willamette St. & Van Duyn St.

Mr. Marshall pointed out that the intersection had been addressed previously. The City's Transportation Plan (TSP) stated that it needed modifications. Mr. Marshall proposed that the Planning Commission pass a motion asking the City Council to address the intersection formally with the County and have the Council Direct Staff work with the County to create some modifications to make it safer.

Ms. Heath clarified that the engineers were currently designing Van Duyn Street to North Willamette Street with the thought that it was a safe route to school from the neighborhoods, with possible sidewalks connecting to the existing sidewalks.

MOTION: Commissioner Marshall moved, seconded by Commissioner Derby to request the Mayor and City Council to formally address the issue of the intersection of North Willamette Street and Van Duyn Street, to direct staff to research possible modifications to this intersection, as being a safe route to the school.

The motion passed. Vote, 4:0.

Ms. Heath offered to add it to the Work Plan presented to the Council on their February 4, 2023 retreat, as a request from the Planning Commission and informed the Commission that any one of them could go and represent the decision as a whole, to the next Council meeting.

9. Planning Commission Goals for 2022-2023

Ms. Winner announced that it was time for the Planning Commission to set the goals and priorities for 2023. She instructed the Planning Commission to look at the 2022 list and choose to keep those as they were or make additions or removals.

The Board asked for more training on master planned developments, specifically their purpose and use; types of land use applications the expirations of land use approvals and Planning Commission responsibilities.

MOTION: *Commissioner Marshall moved, seconded by Commissioner Doyle to approve the list as amended, with specific topics.*

The motion passed. 4:0.

10. Adjournment

Chair Bell adjourned the meeting at 7:45 p.m.

(Minutes recorded by Trenay Ryan, LCOG)

APPROVED by The Planning Commission of the City of Coburg on this

Jim Bell, Commission Chair

ATTEST:

Sammy L. Egbert, City Recorder

COBURG CITY COUNCIL ACTION/ISSUE ITEM



TOPIC: Budget Officer Appointment

Meeting Date: March 14, 2023

Staff Contact: Sammy Egbert, City Recorder

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

REQUESTED COUNCIL ACTION:

Appoint a Budget Officer for Fiscal Year 2024 process.

Suggestion Motion: "I move to appoint City Administrator, Anne Heath as the Budget Officer for 2023-24"

CITY COUNCIL GOAL

Responsible Fiscal Stewardship

BACKGROUND

Each local government must have a budget officer, either appointed by the governing body or designated by the local government's charter. The budget officer prepares or supervises the preparation of the proposed budget for the coming fiscal year.

The budget officer:

- Works with all departments to prepare proposed budget.
- Review and approve all material to be included in the annual budget binders.
- Prepares the required legal notices for budget committee meeting and budget hearings.
- Coordinate, schedule and staff the Budget Committee meetings.
- Prepares and present a balanced budget to the budget committee.
- Holds 2 budget hearings.
- Prepares resolution to adopt budget, make appropriations, impose and categorize taxes.
- Submit certifications documents to assessors by July 15.
- Submit complete budget to County Clerk by September 30.

2022 Coburg Charter requires the City Administrator to “Coordinate and supervise preparation of the preliminary budget for submission to the Mayor, and administer the budget after adoption.

The last few years the City Administrator was able to work directly with the Finance Director who was appointed “Budget Officer” to coordinate and supervise the budget process. This year we are in the recruitment process and the finance position is not filled.

BUDGET / FINANCIAL IMPACT

There is no financial impact of designating a budget officer. However, it is clear that the budget officer maintains the primary responsibility for preparing the core tools, analysis, insight, and recommendations required for the City to adopt a sound, balanced budget.

NEXT STEPS

- Plan and schedule the budget process
- Budget Committee will meet, discuss and approve the fiscal year 2023 budget and move for adoption by City Council.

ATTACHMENTS

N/A

REVIEWED THROUGH:

Anne Heath, City Administrator

CITY OF COBURG BUDGET CALENDAR

FISCAL YEAR 2023-24

TASK	RESPONSIBLE	DATE
Appoint Budget Officer	City Council	Tuesday, March 14, 2023
Prepare Proposed Budget	Budget Officer	
Proposed Budget Available	Budget Officer	Tuesday, May 9, 2023
Publish Notice of Budget Committee Meetings (City & URA)	City Recorder	5-30 days before meeting & 10+ days on Website
Proposed Budget Available	Budget Officer	Tuesday, May 9, 2023
1st Budget Committee Training/Business	Budget Committee	Tuesday, May 16, 2023
2nd Budget Committee Meeting	Budget Committee	Tuesday, May 30, 2023
URA 1st Budget Meeting	Budget Committee	Tuesday, May 30, 2023
Publish Notice of Budget Hearings (City & URA)	City Recorder	5-30 days before meeting & 10+ days on Website
URA Budget Hearing (Public Hearing)	Urban Renewal Agency	Tuesday, June 13, 2023
City Budget Hearing (Public Hearing)	City Council	Tuesday, June 13, 2023
Adopted Budget goes into effect	City	Sunday, July 1, 2023
Adopted Budget submitted to County Assessor & OR Dept of Revenue	Budget Officer	Friday, July 14, 2023

COBURG CITY COUNCIL ACTION/ISSUE ITEM



TOPIC: City Council Goals for Fiscal Year 2023-2024

Meeting Date: March 14, 2023
Staff Contact: Anne Heath, City Administrator
Contact: 541-682-7871, anne.heath@ci.coburg.or.us

REQUESTED COUNCIL ACTION

Adoption

Motion: I move to adopt the preamble statement and work plan goals so stated in Attachment A for Fiscal Year 2023-2024.

POLICIES OR CITY COUNCIL GOAL(S) ADDRESSED

Annual Council Goals

BACKGROUND

Substantial input from staff directors was included in the document submitted for the annual discussion of the City Council at their retreat held on February 4, 2023. The Council accepted the goals and work plan as written, removed some items, and added a few items. The next step is for City Council to adopt the Goals and Work plan for Fiscal Year 2023-24.

Preamble Statement from the prior year has no recommended changes.

City Council received the draft at their 2023-202 goal setting work session held on February 4, 2023, and was able to discuss and provide input on the final document.

The items added during the retreat are highlighted in yellow. Additionally, there is one item added that was a recommendation from the Finance/Audit Committee in which they are requesting that the Council consider the blending of the Finance/Audit Committee with the Budget Committee. This discussion should take place with both committees, with final decision made by the City Council.

USE OF THE DOCUMENT

This is the work plan for which the staff sets their budgets, and plans the operations of their departments. Projects not on this plan may come up during the year, and should be discussed by the City Council who can decide as to whether those projects should be added to the work plan. City Council should be aware that when adding projects to the work plan, staff capacity must be considered. There may be a need to prioritize projects to meet the time frame the Council wishes to place on any project.

It is intended that this will be a living document and be thoroughly integrated with the budget process, including additional ongoing public input as might be needed for any project.

RECOMMENDATION AND ALTERNATIVES

Option A – Adopt the Goals as written

Option B – Revise the stated Goals

Option C – Do not adopt

BUDGET / FINANCIAL IMPACT

Work plan items may or may not have a budget impact in related departments. For example, a capital project approved through the work plan will be budgeted as an expense to a department.

PUBLIC INVOLVEMENT

N/A

NEXT STEPS

Utilize goals in budget preparation and in on-going operations of City departments

ATTACHMENTS

Fiscal Year 2023-2024 City Council Goals

REVIEWED THROUGH:

Sammy Egbert, City Recorder

City of Coburg

Council Goals for FY 2023-2024

Considering substantial input from staff and community, it is the intent of the Coburg City Council members to adopt the following major goals to sustain and improve the well-being of the community, support the functions of the city government, and build for the future.

- ❖ **Livability, Health, and Vitality**
- ❖ **Utilities and Infrastructure Capacity**
- ❖ **Dynamic Operational Capacity**
- ❖ **Responsible Fiscal Stewardship**
- ❖ **Strategic Planning**
- ❖ **Economic Development**
- ❖ **Citizen Committees and Commissions**

CITY OF COBURG

DRAFT CITY COUNCIL GOALS & PRIORITIES WORK PLAN

Fiscal Year 2023-2024

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	Update to City Hall Façade FY 2023-2024 Need Funding	Implement leadership training and team building at every level of City Ongoing	Maintain Fiscal Responsibility and contingency reserves in every fund Ongoing	Update Council Rules of Order FY 2023-2024	Rebranding of City and Community utilizing new Logo FY 2023-2024	Enhance Communications from Committees to Council Ongoing
Continue Staff Training in FEMA Ongoing	Carpet Replacement in City Hall FY 2023-2024	Project Staff Capacity needed for Future Development of the City in Every Department - Ongoing	Maintain multi-level Fiscal oversight Ongoing – Depends on CA hire. If a CA has the ability to review financials then no-outside oversight is needed. If CA does not have financial experience then an outside CPA needs to be retained.	Planning for Emergency Drills with City Staff and Partners – 2022-2023 <i>Planning for City wide emergency faire to be held in park in earlier summer of 2023. All agencies to be involved.</i>	Continue to invest and provide leadership and partnership in Oregon Main Streets Ongoing Budget for 2024 Needs Council Discussion	Review and Update Committee Bylaws for consistency for all committees FY 2023
Continue Effort to Grow Citizen Response Team Ongoing <i>Recruitment planned for Community Emergency Faire.</i>	Lobby Redesign to create more attractive and welcome environment FY 2023-2024	Continue Scanning Court Documents on an ongoing basis Ongoing	Timely applications for Capital Works Funding and reimbursement requests for capital project expenses. Ongoing	Planning and Implementation for Mutual Support with other Agencies Ongoing	Completion on Broadband availability Mapping of City FY 2023-2024	Facilitate Work Parties and planning for projects for Park & Tree Committee Ongoing
Form Transportation Committee and continue to address transportation challenges in Coburg and planning for update to TSP FY 2023-2024	Continue to update fleet in Public Works and Police as needed in order to ensure operational capacity, safety and financial feasibility - Ongoing	Update to Standard Procedures and Processes in Planning Department Ongoing	Successful Hire and Training of Finance Professional. FY 2023-24 – Recruitment and Interviews in FY 2023	Continue to Implement General Orders and Standard Court Operations as changes are needed Ongoing	Implement New Logo including a public input process, with a soft roll-out Ongoing	Education for Planning Commission on Land Use and other issues related to planning in Coburg and the State of Oregon Ongoing

Form a Citizen and Staff Committee to discuss and make recommendations for Diversity, Equity and Inclusion Policies for the City. FY 2023	Purchase of Public Works service Truck FY 2023-2024	Continue PW and PD Certification of staff on critical training elements Ongoing	Consider combining of the Finance/Audit Committee and Budget Committee – Consideration of By-laws and Budget ORS FY 2023-2023	Update Transportation Plan based upon recommendations of Transportation Committee – Grant Funding will be needed to complete TBD	Continue to Update Website to provide information to Citizens on city Services - Ongoing	Support to all Committee and Commission Goals by Staff Representatives Ongoing
Design and construction of Pavilion Park Plaza Summer/Fall of CY FY 2023	Analysis on PVE Water System for Future FY 2024 Needs to be completed but is not a priority ahead of other City work that is priority TBD	Establish inventory system and storage for Water Department Parts in New Operations Center FY 2024		Complete Storm Water Master Plan <i>Pushed to FY 2023-24 due to capacity. Not an emergency but does need to be completed when we can schedule it.</i>	Work with owners of property to the north of City Hall to attempt to establish additional parking for City Hall and downtown- FY 2023-2024	Research for the Development of a Park & Recreation District Ongoing – Park Committee
Heritage Committee initial planning for Heritage Park Spring FY 2023-2024	Reduce Inflow and Infiltration into the Collection System Ongoing	Public Works Staff Training on Playground Safety inspections and Landscaping and Law Maintenance. FY 2023-24		Add Emergency and replacement inventory of equipment and supplies – Ongoing	Re-visit IOOF lease to extend to a 5-7 year lease. FY 2024	Create Process for purchase and planning of future park land FY2024 – Park Committee
Planning for Park to be located in Coburg Creek FY 2024	Design and Construction of Macy Street and updates to N Harrison, Van Duyn and North Willamette. Summer/Fall 2023	Hire additional Public Works Operator for FY 2023-2024		Review and address possible changes in the sign ordinance FY 2023		Establish a community Volunteer Base for the Parks – Ongoing
Plan and Establish a Community Museum and safe storage for community artifacts and antiquities FY 2024	Continue preventative maintenance to streets – Sarah, Rustic, Shane, Miller Summer, 2023	Design monitoring plan for commercial site compliance as well as inflow and infiltration into collection system. FY 2023-2024		Design of Social Media policy FY 2023-2024		Update Committees on Council Adopted Goals and Priorities- Each Fiscal Year - Ongoing

Education to Community on Land Use and the Public Process - Ongoing	Construction Public Works Operations Buildings Summer/Fall 2023	Public Works Training on inspection of street projects FY 2023-24		Updates to Utility Ordinance FY2023-2024		Involve Elementary School in Youth Heritage Program Ongoing – Heritage Committee
Design and Construction of Veteran Memorial Park in Norma Pheifer FY2023-2024	Replace Septic Tanks at Premier RV Summer/Fall, 2023	Increase budget for Community Assistance Program to make funding available for towing of abandoned vehicles FY 2024		Research and Recommendation to Council for Codification of City zoning code, ordinances and resolutions. FY 2023-24		Training for Heritage Committee and involvement in the CLG Network Ongoing – Heritage Committee
Review Camping ordinance with recommended legal language regarding homelessness and camping. FY 2023-24	Planning and design for collector Street Improvements Begin July 2023 Construction in FY 23-24			Address Night Sky and appropriate lighting policies in City Zoning Code FY 2024-2026		Training on Master Planned Development criteria, and Application Types – Planning Commission – FY 2023-2024
Plant Trees on Willamette and East Pearl in empty spaces FY 2023-2024	Inspections and planning for tank maintenance and aging ongoing			Update Zoning Code for Food Trucks TBD		Seek Funding for Identifying Historic markers Heritage Committee FY 2023-2024
	Design and complete water projects for 2023-24 including well design, well building, update to SCADA System, Mainline replacement and transmission lines FY2023-24			Discussion and design options for increasing safety of intersection at North Willamette and West Van Duyn FY 2023-2024		Research historic district guidelines in other jurisdictions and make recommendations for zoning code updates Heritage Committee FY 2023-24
	Purchase Street Sweeper and Street Maintenance Equipment FY 2024					To Design and Conduction Community Survey on support and value to historic preservation in Coburg Heritage committee FY 2023-24
	Purchase Ballistic Shields for Patrol in the event of an active shooter incident					

	FY 2023-2024					
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Item 12.

COBURG CITY COUNCIL MONTHLY REPORTS



TOPIC: City Administration Report

Meeting Date: March 14, 2023

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 January, general administration, and upcoming work to be done. The City Administrator and Department Directors compiled the information in this report.

City Administrator Recruitment

All recruitments documents have been prepared and the following tentative timeline has been established:

March 4 th	Recruitment Opened
April 3 rd	Recruitment Closed – Applications Reviewed by Recruiter
April 10 th	Recruited will present Candidates
April, TBA	On Site or Zoom Interviews
TBD	Final Interviews

Water Project

- LOI was filed with Business Oregon by City Administrator to ask for the opportunity to file an application for additional funding for the water project. This is request for invitation to file, and not an application. A copy of the LOI filed is attached to this report. It is anticipated that this will be reviewed around mid-March and the City will be notified if we can submit an application. This application submittal will be approved separately through the City Council.
- Water and Sewer 20 year analysis will be presented by Doug Gabbard of FCS at the March 14th City Council meet which will assist the Council in making decisions regarding setting fees.
- A brochure on Utility Fees was created by staff, reviewed by Council, and is being distributed to the community including in utility billing in March and April, on social media, as well as placed in common public information places around town. **Copy is attached**
- Coleman Street Waterline is under construction
- North Willamette and Macy Street Waterline being prepared for bid process
- Well is in engineering design stage and will be going out for bid in the late spring.
- East-side water line to Premier RV is still under discussion. Premier RV has requested to speak with the Council. We have scheduled them to participate in the Work Session to be held on March 28.

- The City has received an opportunity to receive assistance in seeking and writing grants from the Cascades West Council of Governments, which serves Benton, Lane, Lincoln and Lane County. City Administrator has requested assistance of \$10,000 to seek and write grants for the Water Project. These grants will need to be written by the end of June, 2023. As of this writing, we have not heard back as to whether we will receive this assistance.

Street Project

- **Macy/Harrison/North Willamette** – Engineering is working with Public Works to design the project based upon the input received. This was the direction of the City Council. The final design will be presented to the City Council. Engineering will also be working with Weichert Developer to design Macy Street connection to the phase II subdivision in order to align the project with the City's project.
- **Transportation Plan Update** – The City has been invited to apply for grant funding to update the City's transportation plan which is out of date. This will be a grant request that is very similar to the last one we submitted for which we were not funded. Staff will work with LCOG staff to support the writing and submission of the Grant. Staff will bring request for approval of the application to the Council April meeting.

Council Goals and Work Plan

The Work Plan has been updated with Council input and is under a different tab in this packet.

Park Projects

- **Pavilion Park Planning** – The Park Committee has received the feedback from the community and is working on a final design for the park.

Finance Department Staffing – The posting closed on March 7, 2023. The City has two candidates to interview for the accountant position. There were no candidates eligible for the Finance Director position. Interviews will take place the week of March 13, 2023. As this is not a director position, interview panelists will be staffed by department heads of the City.

Budget Calendar – The calendar for the Budget Process is attached under the Budget Officer Tab.

Upcoming Meetings

March 15	Planning Commission
March 21	Park Tree Committee
March 28	City Council Work Session
April 11	City Council

DEPARTMENTS AND OPERATIONS

City Recorder | Utility Billing | Office Administration - Prepared by Sammy Egbert

City Recorder

- February 15th to March 14th managed six **Public Meetings**. Each meeting is noticed, created, require electronic and paper files for retention. I review, edit and process draft minutes for approval then record and post approved signed minutes.
- Recruitment for Finance Position, and assistance with City Administrator recruitment.
- Recruitment continues for City Councilor and Planning Commissioner.

Administration Front Office

- Facebook updates and management. Time was created for administration position to dedicate to posts. This assures that the information shared is consistent and also engaging. A schedule has been created for monthly/weekly posts that will include public meetings, public hearings, project info, historical "Flashback Friday's". The engagement is way up in the last 2 weeks.
- Intake record and routed 3 **Citizen Inquiry** and 1 **facility** right of way permit.
- Accounts payable inputting invoices and preparing checks, and additional accounts receivable tasks. These tasks will be added to the administration position.
- Painted accent wall in the front lobby.
- One Park rental application processed.
- IOOF was rented 2 times.

Utility Billing

- **February utility billing covers 1/10 to 2/10/2023**
 - Billed Water \$55,400 | Sewer \$70,500 | Transportation Utility Fee \$12,300
 - Cash Receipts or Payments Received \$136,100
 - Past dues charged 93
 - 3 Utility Billing related work orders
 - 5 Door Hangers for past due accounts

Finance

- A financial report for January and February will be available to the Council at their April, 2023 meeting.

Planning – Prepared by Megan Winner

- SR 01-22 & CUP 01-22: Site review and conditional use permit for restaurant and brewery "Willamette Forks" at 91032 S Willamette approved by Planning Commission on February 15th;

- SR 02-22: Construction continues at Roberts Rd. light industrial park;
- SUB 02-20: Construction continues. Permit for one new single family dwelling issued in December;
- SUB 01-22: Public improvements plan for phase two of the Coburg Creek Subdivision is under review by Public Works and Engineering;
- Two Structural/Plumbing/Mechanical/Electrical Permits issued in February;
- Participating in Coburg Community Charter School 8th grade mentorship program;
- Attended regional transportation meetings including Transportation Planning Committee, Safe Lane Coalition, Transportation Options Advisory Committee and Technical Advisory Sub-Committee (of MPC).

Main Streets and Economic Development – Prepared by Tracey Pugh

- Coordinated and attended Board Retreat for Coburg Main Street - February 15
- Completed March/April Our Town newsletter
- Coordinated monthly Main Street Board Meeting
- Working with art committee on Mural Policy, banners, and artwork
- Working with Main Street treasurer to finalize 2023 Main Street Budget
- Working on grant opportunities with Ford Family Foundation and Oregon Main Street
- Working on Strategic Plan for Main Street
- Updated Main Street website with event calendar
- Working with Board to establish policies and procedures for finances and events
- Meeting with different community partners
- Participating in Oregon Main Street zoom meetings

Public Works – Prepared by Brian Harmon

- **Streets and ROW.**
 - **Street**
 - **ROW**
 - Fixed handrail on S Industrial Way
 - Two new signs installed
 - Stop on Locust and Skinner
 - Dead End on N Skinner
 - **Potholes**
 - Repairs several potholes around the City
 - **Maintenance**
 - Tested out a Street Sweeper. This is the only sweeper available that can be delivered in 2023. We are looking for a NON CDL truck. Cost is \$189,000 roughly. We have budgeted \$190,000.

Water Utility

- **Repairs**
 - **Leaks**
 - Repaired a 2" mainline on East Dixon

- **Maintenance**
 - Some locations of water lines on the Coleman St Water Project were unknown and crews spent several hours attempting to locate and determine feed locations. This was successful.
 - Also crews were successful in locating a stretch of 8" AC that previously was not locatable. It was over 7' deep and now on maps.
 - **Projects**
 - New 8" water main on Coleman St is going well and on schedule.
 - **Distribution System**
 - **New Service Installs**
 - 2
- **Sewer Utility**
 - **Collections**
 - **New Service Install**
 - 1
 - **Inspections**
 - 7
 - **Callouts**
 - 6
 - **Tank Pumping**
 - 3
 - **Plant Repairs & Major Maintenance**
 - We are working with a vendor for the mixers at the treatment plant that keep over temping and causing shut downs at the Plant. We should have answers by next week.
- **Parks Dept**
 - **Parks and Tree Committee**
 - Working on a Plaza Concept with landscaping design engineers at Pavilion Park Project.
 - Work Party on the flag pole area at Norma Pfeiffer Park.
 - Focused work on annual report to City Council
- **Misc.**
 - **Locates** 56
 - **Work Orders** 90
- **House on the Stallings Ln Property**

- We have spent many hours trying to get painting, electrical, smoke detectors, flooring, and light maintenance done. We are anticipating being done with this by end of March.
- **Animal Control**
 - We have released two animals that a homeowner has brought to City Hall for Public Works to deal with. This is not a normal activity for Public Works.

Municipal Court - Prepared by Mandy Balcom

- **February 2023 Activity Measures:**
 - **Citations (Crimes and Violations)**
 - New Citations for February 14, 2023 Court Date: 23
 - **February 2023 Receipts Including Collections,**
 - **Total Fines:** \$8,276.16 (total monies taken in for the month, nothing deducted), *compared to \$ 15,542.20 in February of 2022*
 - **Net Fines:** \$ 6,195.00 (City share only, NOT including collections), *compared to \$14,946.00 in February of 2022*
 - **February 2023 Professional Credit Service Collections:**
 - **Total Collection Revenue:** \$ 2,081.16 *compared to \$596.20 in February of 2022*
 - **Turned over to collection:** \$ 8,090.00 *compared to \$8,090.00 in February of 2022*

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: March 7, 2023 Regular Court Session
April 4, 2023 Regular Court Session
April 12, 2023 Suppression Hearing
April 18, 2023 Jury Trial
- Judge Williams will be attending the Oregon Municipal Judges Association conference March 22-24, 2023

Police Department – Prepared by Chief Larry Larson

- Officer arrested a subject for a felony drug warrant.
- Officer had an abandoned vehicle towed.
- Officer investigated a dog bite and cited the owner for having a vicious dog.
- Officer responded to a domestic disturbance and forwarded the information to DHS.

- Officer used CHETT funds to provide gas for a female to get to the Women's Shelter.
- Officer investigated a domestic dispute and forwarded the information to DHS.
- Officer investigated an unlawful possession of a rented vehicle; the vehicle was returned.
- Officer investigated a stolen vehicle; the vehicle was later returned and the suspect was cited.
- Officer investigated a minor theft.
- Officer investigated a theft of jewelry from a business.
- Officer investigated an unlawful use of a vehicle and cited the suspect.
- Officer investigated theft of money at a business and the suspect was cited.
- Officer investigated a domestic assault where the suspect fled the scene. The suspect had a felony warrant and the case has been submitted the District Attorney's Office.
- The Department got the new car decal.
- Officers performed bailiff duties for the Coburg Municipal Court.
- Officer performed bailiff duties for the Harrisburg Municipal Court.
- The Department got the speed trailer software working and moving the trailer around various locations throughout the City.
- A Coburg Charter Student completed his internship hours.
- Officers attended a wellness training.
- Officers completed defensive tactics training.
- Officers assisted with escorting the Harrisburg Wrestling Team on their way to the State Championships.
- Officers returned multiple loose dogs to their owners.
- Officers attended a wellness conference.
- Officers trained in defensive tactics.

Upcoming Events:

- Coburg Community Shred Day on April 15, 2023
- Officers are scheduled to attend Collaborative Child Abuse Response (CCAR) Training in March
- Officer will attend Impaired Driving Regional Workshop in March

ATTACHED

- 1) Utility Rates Brochure
- 2) LOI – Water Loan Fund Letter of Interest
- 3) **Public Meeting Minutes** - Council requested copies of all public meeting minutes be included in with the monthly City Administration report.
 - 2/8/2023 Heritage Committee Minutes DRAFT

- 2/14/2023 Urban Renewal Agency Minutes DRAFT
- 2/15/2023 Planning Commission Minutes DRAFT
- 2/21/2023 Park Tree Committee Work Session Minutes DRAFT
- 2/21/2023 Park Tree Committee Minutes DRAFT

Timeline

- **April 2022 - City Council work session on Water Project updates and Utility Rates**
- **January 2023 - Feasibility and cost analysis presented to the City Council for Water Project**
- **March 14, 2023 - City Council will receive presentation on Utility Rate setting**
- **April 11, 2023 - Council will hold a public hearing on Utility Rate setting**
- **May 10, 2023 - City Council will hold the 2nd public hearing on Utility Rate setting and make a decision on Utility Rate increases**
- **July 1, 2023 - Effective date, if new rates are approved**

Limited Income Assistance

The City of Coburg offers a reduced fee to eligible customers who are having trouble paying their bills.

Customers who are interested in applying for Limited Income Assistance, please call Coburg City Hall at 541-682-7850.

How Can I Get Involved and Share My Voice As A Citizen?

The City Council invites all citizens to attend the **March 14, 2023** Council meeting to watch the presentation on Utility Rates. The Council will then hold (2) public hearings at the **April 11, 2023** and **May 10, 2023** regular City Council Meetings. Testimony is limited to (3) minutes and all comments must be addressed to the City Council.

Council Meetings are held in-person at City Hall, or by Zoom. To participate by Zoom you must pre-register with the City by 3:00 PM the day of the meeting. To watch the Council meetings by live stream, or a recording of the meeting, go to coburgoregon.org

Public Testimony Options

In person at public meetings

OR

Written testimony submitted by 3:00 PM the day of the meeting:

• **Submit via email to City Recorder**

• **Mail to City of Coburg, Attn: City Recorder, PO Box 8316, Coburg, Oregon, 97408**

• **Drop off at Coburg City Hall, 91136 N. Willamette St, 8:00 am to 5:00 pm, Monday through Friday.**

Item 13.



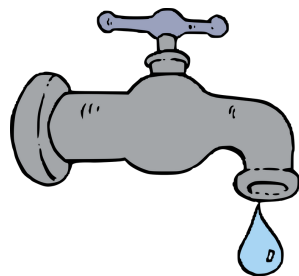
Utility Rates in Coburg



Why Do We Need to Consider a Rate Increase?

Due to the very significant increase in inflation and the expenses to operate our sewer and water systems, and the rising costs of projects needed to insure safe and reliable water in Coburg now and in the future, City Council began discussing utility rate increases nearly a year ago. These discussions are guided by the Water Master Plan that includes:

- Additional Water Source
- Extending Water to the Eastside of I-5
- Aging Water Infrastructure Replacement
- Upgrades to Utility Monitoring



Water Master Project

The first Water Master Plan was adopted in Coburg in 1966 and was amended in 2016. Implementation of the plan began in 2019.

The city applied for and received loans in the amount of \$5.5 million for funding the projects necessary. The debt of the water department must be paid back with user fees and reserves over a 30-year period.

The city has received an analysis of the updated costs for completing the water projects. Operational costs have increased more than 8% in the past year. There also has been greater increases in construction costs, operations of the utilities, as well as capital projects. These factors require the City Council to consider utility fee increases.

How Are Rates Set?

The city sets water and sewer rates by estimating the current and long-term costs of providing these services. Costs of on-going materials and services, personnel, and debt service are all estimated out 20 years to make sure that the city continues to maintain a high level of on-going service. This analysis is performed annually in order to update new information, and to consider changes in costs associated with operating the utilities.

Item 13.

How Will My Rates Change?

Utility bills include water, sewer, transportation utility fee, tree fee. The base monthly bill for a single family residential customer using 700 cubic feet (5,236 gallons) per month is currently \$148.70.

April 26, 2022 - The City Council requested staff to budget a 1.5% sewer fee and 3% water fee increase. The Council acknowledged that a higher increase may be necessary when the financial analysis was completed.

Residential water currently pays a monthly base rate of \$53.00. A 3% increase would add \$1.59 a month. The total residential base water rate would be \$54.59.

Residential Sewer currently pays a monthly base rate of \$86.70. A 1.5% increase would add \$1.30 a month. The total residential sewer bill would be \$88.00.

A 3% water and 1.5% sewer increase would increase the base bill \$2.89 a month, the total monthly bill would be \$151.59. **However, this should be considered a placeholder for rate increases and may not reflect the final increases which will be decided by the City Council at their May meeting.**

Safe Drinking Water Revolving Loan Fund

Letter of Interest

Note: Submit completed Letter of Interest to LOI.DW@biz.oregon.gov

Semi-annual submittal deadlines are March 15th and September 15th. Contact your Business Oregon Regional Development Officer if you have questions about the form. Contact information can be found at www.oregon.gov/biz

Section I A: Basic Information

City of Coburg

Water System Name

91136 North Willamette, Coburg, Oregon

Address

541-682-7871

Office Phone

OR4100200

Public Water System ID #

Lane

County Served

City

Organization Type

Section I B: Contacts

Main Contact

Anne Heath

Name

City Administrator

Title

anne.heath@ci.coburg.or.us

Email

541-682-7871

Phone

Secondary Contact

Julie Leland, P.E.

Name

Engineer

Title

Juliel@branchengineering.com

Email

541-746-0637

Phone

Section I C: Project Overview

Continuation of Project S19007 Water System Improvement

Project Title (Give your project a short but descriptive title.)

Describe the drinking water quality or other concern that the project would address.

Note: If applicable, please attach or reference documentation that supports any public health risk or compliance issue.

This project is to continue the Project S19007 Water System Improvements already in process. The drinking water quality concerns the Project addresses are to extend city water to supply a small portion of the city of Coburg, that is immediately to the east of I-5, with city water and remove them from the private, transient, non community water system that has taste and odor issues as well as a history of Coliform bacteria contamination. Additionally, both existing wells have elevated nitrate levels that have been steadily increasing over the years, though they still remain below 10mg/L. The wells are also extremely close in proximity and lack redundancy. The existing water reservoirs were constructed in the 1970's and have a single inlet/outlet which increases the risk for disinfection by proximity and inadequate chlorine levels in the drinking water. The Project initially was to extend city water to the east side of I-5 through I-5 Bores from west to east and from east to west, create a 3rd well, reservoir, replace transmission lines, install SCADA systems and upgrade existing SCADA, and rehabilitation existing wells. A newly completed feasibility study for the elevated reservoir, inflation, and as well as an updated cost analysis for the full Project requires more funding for completion.

Section I D: Project Details

Project Description (Attach Additional Pages if Necessary)

Note: Provide a brief, but specific project description. Identify each project element to be constructed/replaced/rehabilitated and include a brief description of how the project would address the problem or concern identified above.

This portion of the project would be for replacing transmission lines, extending transmission lines, I-5 bore from east to west and rehabilitation of the existing reservoirs.

Significant progress has been made to extend city water to the east side of I-5 through an I-5 bore, from west to east, but the City is still working towards removing the private, transient, non community water system from within the city limits. This will be done by extending transmission line and an additional bore from east to west, to loop the city's water system.

The city has already purchased additional land for a new well field and is currently working towards installing an additional source for redundancy and to meet future demands, along with installing transmission line to connect the new source to the existing water system.

The original Project called for a reservoir to be placed on the hillside on the east side of I-5 for elevated storage, but due to complications with the site, it proved to be a nonviable location for the proposed reservoir. A newly completed feasibility study created for the elevated reservoir, has made the rehabilitation of the existing reservoirs a top priority while at this time, delaying the elevated reservoir phase of the Project.

Due to these project complications and inflation, an updated cost analysis for the full Project has re-prioritized some phases that requires more funding for completion.

Activity

Estimated
Start Date

Estimated
Completion Date

East - West I-5 Bore	1/1/2024	6/30/2025
Transmission Lines	9/1/2023	6/30/2025
Reservoir Rehabilitation	7/1/2024	6/30/2026

Estimated First Cash Reimbursement Request Date 3/1/2024

Estimated Project Completion Date 6/30/2026

Section I E: Summary of User rates and Population Served

A. Population. Identify the permanent population that would be served by the project: 1325

Note: Permanent = more than six months per year.

B. User Rates. Identify the current monthly residential user rate charged for 7,500 gallons of water usage per month: 53.00

Note: Use 7,500 gallons per month (~10 units) as the average amount of water use for residential user rate calculation.

Section I F: Project Budget

Budget Line Item	SDWRLF Funds	Other BizOR Funds	Non-BizOR Funds	Total
Planning				0
Design / Engineering (20% Max*)	1250000			1250000
Construction	5550000		550000.0	6100000
Construction Contingency (10% Max**)	500000		40000.0	540000
Labor Standards (\$15,000 Max)	10000.0			10000
Environmental Review				0
Project Management (\$15,000 Max)	10000.00			10000
Legal Fees				0
Cultural Resource Report(s) and Monitoring				0
Permitting and Regulatory Fees				0
				0
				0
Total Project Costs				7910000

Note:

* Design/Engineering may not exceed 20% of Construction and Construction Contingency total.

** Construction Contingency may not exceed 10% of Construction costs unless justification is provided. Justification is subject to approval by the Department.

A 1.5% origination fee will be charged for those communities with a median household income above the state average. The borrower may choose to finance the fee amount.

Prepared By:

Anne Heath

Name

City Administrator

Title

City of Coburg

Organization

2/25/2023

Date

Section I G: Federal Reporting - SDWRLF Funds

For federal reporting purposes, Business Oregon is required to identify the federal project categories implemented with SDWRLF Funds. Identify the percentage of the SDWRLF budget that would be allocated for the following project categories.

Treatment	7.5 %	Purchase of System	0 %
Transmission & Distribution	61.5 %	Restructuring	0 %
Source	0 %	Land Acquisition	0 %
Storage	31 %	Other:	%
Total	100 %		

Section I G: Financing Sources

Source of Funds	Amount	Status
SDWRLF	7320000.0	
Applicant Funds	590000.0	Not Budgeted
		Choose an Item
		Choose an Item
		Choose an Item
Total	7910000	

Section I H: Loan Repayment

Check all source(s) of funds intended to be used in meeting loan repayment obligations.

- ☒ Water Use Fees
 ☐ Voter-approved General Obligation
☐ Connection Fees
 ☒ Reserves
☐ Other

Section II: Compliance

If your project addresses a Safe Drinking Water Act compliance issue, please identify and describe:

For Example: Arsenic, Nitrate, Microbiological, etc.

Note: If applicable, please attach or reference documentation that supports the public health risk or compliance issue.

Portions of the City's population, within the City Limits, were not being served by the City water utility. The I-5 Bore projects, west to east and east to west are necessary to extend the City's water utility, and loop the system, to the east side and service all residences within City Limits.

Section III: Additional Project Information

- A. Is the project consistent with the local acknowledged comprehensive plan? ☒ Yes ☐ No
- B. Is the project listed on any local county-wide or regional plan (e.g., adopted capital improvement plan, master plan, facility study, or local inventory of planned projects)? ☒ Yes ☐ No
- C. Has any project application or coordination been submitted to your local city or county community development review department, engineering and/or local permit center related to this specific project? ☒ Yes ☐ No

If yes, list name(s) and contact information:

Branch Engineering - Julie Leland, P.E. - Juliel@Branchengineering.com

- D. Has a licensed engineer certified in a master plan or other technical report (e.g. feasibility study) that the project is feasible and cost effective?

☒ Yes ☐ No

If yes, date of plan or report: 07/01/201

- E. Is the project consistent with the existing master plan (for 300 or more connections) or feasibility study (less than 300 connections)?

☒ Yes ☐ No

If no, an updated plan or study will be required prior to construction and may be included in the project scope and budget. Will an updated master plan or feasibility study be completed as part of this project?

☒ Yes ☐ No

- F. Has a licensed engineer aided you in project development and the completion of this LOI?

If yes, list name and contact information:

☒ Yes ☐ No

Julie Leland, P.E.

541-746-0637

Engineer Name:

Phone:

Branch Engineering

juliel@branchengineering.com

Firm:

Email:

- G. For construction projects, has the governing body of the water system conducted a public meeting (council or board meeting, public hearing, workshop, etc.) to identify and discuss the proposed project, including such items as the nature and need for the project, starting date, financing requirements that may involve taking on debt and raising rates, and consistency with the local comprehensive land use plan?

☒ Yes ☐ No

If yes, type of public meeting: Work Session

Date of public meeting: 1/24/202

If no, when will a public meeting be held?

Additional Public Meetings will be held on March 14, 2023, April 11, 2023, and May 10, 2023 with two public hearings for public comment.

- H. Does the water system either own, or have a permanent easement or right of way, for all properties on which the improvements will take place?

☒ Yes ☐ No

If no, explain:

- I. Does the water system have a meter(s) at the water supply source(s)? ☒ Yes ☐ No

If no, explain:

- J. Does the water system require meter installation on all service connections? ☒ Yes ☐ No

- K. Does the water system have meters installed on all service connections? ☒ Yes ☐ No

If no, percent not metered: %

If no, explain:

- L. Does the water system have an operations program to read and maintain the required source and service connection meter(s)?

If no, explain ☒ Yes ☐ No

M. Does the water system bill its customers based on water usage?

☒ Yes

☐ No

If no, explain:

N. Is this project the result of a study funded through the Sustainable Infrastructure Planning Projects (SIPP) program?

☐ Yes

☒ No

If yes, describe how the SIPP program benefited the water system.

Section IV: Certification

☒ Yes, I certify that, to the best of my knowledge, all information contained in this pre-application and Letter of Interest is valid and accurate. By typing my name below, I certify that I am a designated or authorized signatory for the city, county or water system entity.

Anne L. Heath

Authorized Signatory

City Administrator

Title

City of Coburg

County/Jurisdiction:

02/24/2023

Date:

Good afternoon City Council,

I have just returned from a much needed vacation today. I have just a few items that I wanted to address with you.

Planning Commission Recommendation

Last month there was a presentation from the Planning Commission. However, two recommendations that the Planning Commission officially made to be brought to City Council were not presented. There are two recommendations that they would like to make to the council as will be presented in a staff report which will be in your council packets, along with the Planning Commission minutes which were not available for the last City Council meeting.

1. Planning Commission recommends that Council direct staff to assure that the City planned improvements for Macy Street, North Willamette, and Harrison Street are completed in conjunction with the developers connection from Macy Street to the sub-division.
2. Planning Commission recommends that the Council formally address the issue of the intersection of North Willamette and Van Duyn Street. This includes researching possible modifications in order to create a safer transportation route including safe route to schools.

These are two unrelated recommendations while they are addressing the same roads. The second recommendation requires that the City work closely with the County to find solutions, as Willamette and Van Duyn are County owned roads.

Council did discuss this at their retreat and at least the intersection of Van Duyn and North Willamette were added to the work plan.

Staff will provide the planning commission minutes (not available for the last Council meeting as staff had not yet received them), as part of the staff report.

Recruitment for City Administrator

Recruitment documents have been approved and the recruitment is being posted. I will update the Council on the timeline in by City Administrator's report.

Recruitment for Finance

This recruitment will be open for a few more days. However, the City has received minimal applications. Sometimes, the last few days bring in more applications.

LOC Local Focus Magazine – I'm including this in this email. It has fantastic information in it for City Councilors this quarter on everything from how property taxes are managed, state shared revenues, and many other very useful topics of information.

Hope you have a great weekend.

Anne L. Heath
City Administrator
541-682-7871
Anne.heath@ci.coburg.or.us



MINUTES

Coburg Heritage Committee Hybrid Meeting In-Person and via Zoom February 8th, 2023 – 6:00 P.M 91136 North Willamette St.

COMMITTEE MEMBERS PRESENT: Marissa Doyle, Chair; Shannon Sardell, Stephan Sheehan

STAFF PRESENT: Megan Winner

1. Call the Meeting to Order

Chair Doyle called the meeting of the Heritage Committee to order at 6:09 p.m.

2. Roll Call

Ms. Winner called roll. A quorum was present.

3. Minutes for Approval | January 11th, 2023

MOTION: Ms. Sardell moved to approve the January 11th, 2023, Heritage Committee meeting minutes as presented, seconded by Mr. Sheehan. The motion passed unanimously – 3:0:0.

4. COMMITTEE BUSINESS

- CLG Project Ideas

Ms. Winner informed the Committee that CLG grant requests must be between \$13,500 - \$15,000.

Ms. Sardell wondered what the previous year's grant had been. Ms. Winner said \$9,000.

Ms. Sardell asked whether this would mean suspending the plaque project. After discussion, the decision by consensus was to pursue different funding options and perhaps reduce the number of plaques.

Chair Doyle suggested bringing ideas for CLG projects to the next meeting. Ms. Winner offered to email information on eligible project types.

- Future Meeting Frequency

The decision by consensus was to continue meeting monthly until May, when the topic would

be revisited.

Mr. Sheehan requested the Committee's mission statement. Ms. Winner offered to email the pertinent Ordinance language.

- Info Share

Chair Dyle requested that the Art Contest be added to the March agenda.

Ms. Sardell asked about Ronald Spores' application. Ms. Winner said that it was on the City Council's agenda.

5. Future Meetings | Dates to Remember

- Next Heritage Committee Meeting: March 8th at 6:00 p.m.

6. Adjournment

Chair Doyle adjourned the meeting at 6:28 p.m.

(Minutes recorded by Angela Kern, LCOG)

APPROVED by Heritage Committee on this _____ day of _____, 2023.

Marissa Doyle, Chair

ATTEST: _____
Sammy L. Egbert, City Recorder



MINUTES

Urban Renewal Agency Meeting

February 14th, 2023 at 6:00 P.M.

91136 N Willamette Street

Hybrid Meeting in-person or via Zoom

DIRECTORS PRESENT: Mayor Nancy Bell, John Fox, John Lehmann, Cathy Engebretson

DIRECTORS ABSENT: Kyle Blain, Alan Wells

STAFF PRESENT: Anne Heath, City Administrator; Sammy Egbert, City Recorder

RECORDED BY: Angela Kern, Lane Council of Governments (LCOG)

CALL TO ORDER

Director Bell called the meeting to order at 6:04 pm.

ROLL CALL

Ms. Egbert called roll. A quorum was present.

CITIZEN TESTIMONY

None.

BUSINESS ITEMS

1. Audit | Annual Finance Report through 6/30/2022

Ms. Heath presented.

MOTION: Director Lehmann moved to approve the Urban Renewal Agency (URA) Audit and Finance Report as presented, seconded by Director Engebretson. The motion passed unanimously – 4:0:0.

2. URA Finance Update

Ms. Heath presented.

3. Approve June 14, 2022 Urban Renewal Agency Minutes

MOTION: Director Fox moved to approve the Urban Renewal Agency (URA) June 14th, 2022 meeting minutes as presented, seconded by Director Lehmann. The motion passed unanimously – 4:0:0.

ADJOURNMENT

Director Bell adjourned at 6:16 pm.

APPROVED by the City Council of the City of Coburg on this ____ day of _____, ____.

Nancy Bell, Mayor of Coburg

ATTEST:

Sammy L. Egbert, City Recorder



Coburg Planning Commission
February 15th, 2023 at 6:00 p.m.
Coburg City Hall
91136 N. Willamette St.
Hybrid Meeting

COMMISSIONERS PRESENT: Chair Jim Bell, John Marshall, Marissa Doyle and Seth Clark

STAFF PRESENT: Megan Winner

GUEST PRESENT: Stephen & Colleen Sheehan

CALL MEETING TO ORDER

Chair Bell opened the Planning Commission Work Session at 6:12 p.m.

ROLL CALL

Ms. Winner called roll. A quorum was present.

COMMISSION BUSINESS

1. PUBLIC HEARING: SR 01-22 Site Review & CUP 01-22 Conditional Use Permit

"Willamette Forks" Restaurant & Brewery, 91032 S Willamette St.

Chair Bell opened the Public Hearing at 6:14 p.m.

Ms. Winner presented the application and Staff recommendations.

Applicant Stephen Sheehan declined to make a presentation.

One piece of written testimony in opposition was entered, citing concerns about noise, odors and property values. Mr. Sheehan addressed the concerns.

Commissioner Marshall requested a definition of "serving station." Mr. Sheehan provided it.

Commissioner Marshall asked about outdoor cooking and the placement of the crosswalk.

MOTION: Commissioner Doyle moved to close the Public Hearing, seconded by Commissioner Marshall. The motion passed unanimously, 4:0.

The Public Hearing was closed at 6:40 p.m.

Commissioner Marshall inquired if the Commission could add conditions. On confirmation, he

suggested adding the condition of an included smoking area.

Chair Bell re-opened the Public Hearing at 6:44 p.m. to allow Mr. Sheehan to address the suggestion. Mr. Sheehan stated that he did not wish to allow smoking on the property.

Chair Bell closed the Public Hearing at 6:46 p.m.

MOTION: Commissioner Doyle moved to approve the application and adopt the findings and conditions presented in the Staff Report, seconded by Commissioner Marshall.
The motion passed unanimously, 4:0.

APPROVAL OF MINUTES - January 18, 2023

2. January 18, 2023 Planning Commission Minutes

MOTION: Commissioner Marshall moved to approve the January 18, 2023 Planning Commission Meeting minutes as presented, seconded by Commissioner Doyle.
The motion passed unanimously, 4:0.

UPDATES & FUTURE AGENDA ITEMS

3. City Administration Update

Ms. Winner noted that the update was informational only. There were no questions.

ADJOURNMENT

Chair Bell adjourned the meeting at 6:49 p.m.

(Minutes recorded by Angela Kern, LCOG)

APPROVED by The Planning Commission of the City of Coburg on this _____ day of _____, 2023.

Jim Bell, Commission Chair

ATTEST: _____
Sammy L. Egbert, City Recorder



MINUTES

Park Tree Committee

Work Session

February 21, 2023 at 4:30 P.M.

Coburg City Hall

91136 N Willamette Street

Roll Call

Tom Beatty	<u>Present</u>	Absent
Karen Coury	<u>Present</u>	<u>Absent</u>
Coleen Marshall	<u>Present</u>	Absent
Lonna Meston	<u>Present</u>	Absent
Joe Morneau	<u>Present</u>	Absent 5:00 pm
Mary Mosier	<u>Present</u>	Absent
Clarie Smith	<u>Present</u>	Absent

Others Present

Brian Harmon

February 21, 20213 Park Tree Committee Work Session **called to order** by

Mary Mosier at 4:30 PM.

Attach Summary Work Session Topic and Discussion and all documents provided at meeting.

Work Session was adjourned at 6:00 PM.

Minutes prepared by: Coleen Marshall

Parks Work Session Notes February 22, 2023

Meeting with Chuck Sheppard went well...he and wife like the idea of fountain; maybe a plaque nearby; mural idea. They have no expectations but appreciate committee ideas. – reported by Mary M. and Lonna M.

Results of community comments:

- Concerns for food vendor's access for set-up at events
- Access available on Harrison St. where new benches and restrooms will be
- Some comments about pathways were negative, but will be explained to public later

Specifics:

Bathrooms – pitched roof to resemble pavilion; back of restroom parallel to Thomas building; doors facing north.

- Interior: light tubes; free-line sinks; stainless sinks and toilets; power hand dryers. Changing tables on both sides. Spouts mounted on wall for sink. Small hot water heater; auto-flush toilets; motion sensor lights; concrete floor
- Exterior: try to match pavilion; roof gutters; overhang in front to protect entrance; approach to restroom with slate, (like stone around pavilion)

Pavilion Improvements:

- decorate bottom of posts with stone or stone-look; same with kiosk
- rebuild steps with wood? Concrete? Trex?
- Refinish wood; not sure how
- Improve handrails

Bike Hub:

- Wrap posts with cedar
- Protect bottom of existing posts that are set in concrete

Pathways:

- New pathways will be soft and permeable (ADA) with decomposed granite
- Concrete path from ADA north around raingarden
- Existing paths stay in place
- Path thru urban forest loop back to itself and move that path more into park

Lighting:

- Dark sky along all paths with electrical outlets to use for Christmas decorations
- Outside restroom lights

Children's climbing area

- Tree climber with adjacent logs; material? Design? Placement?

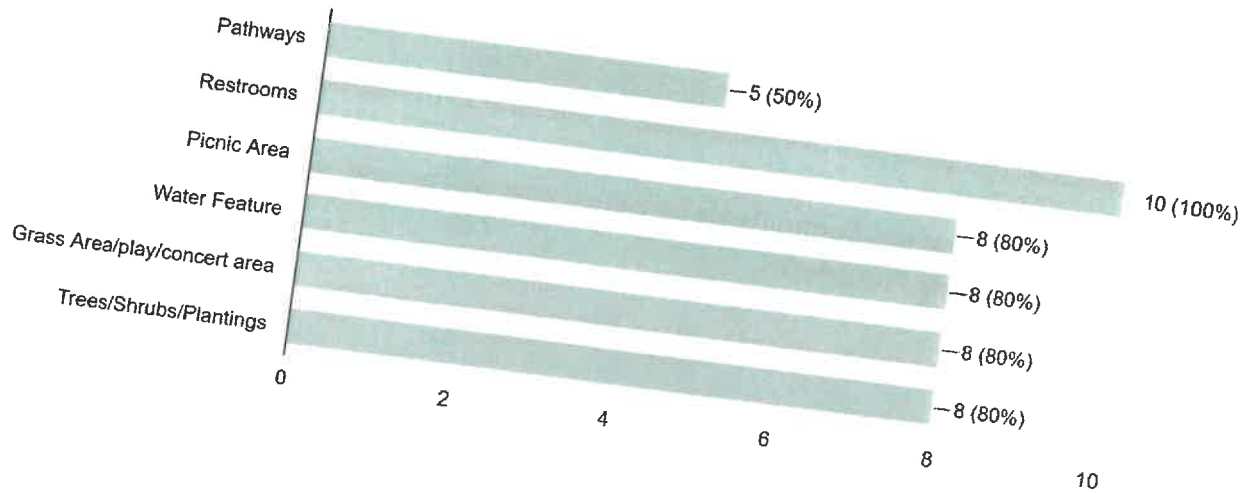
Water Feature

- Still to decide

Pavilion Park Plaza Comment Survey Results Data Visualizations

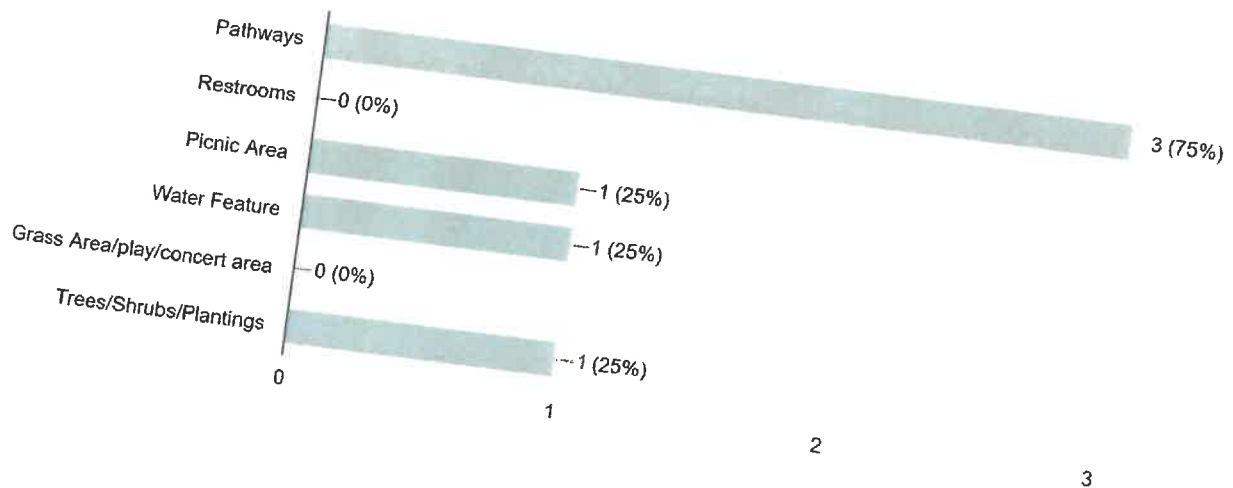
Design features you like

10 responses



Design features you do not like

4 responses



Other features I would like to see in the park:

Chess tables

Water presentation features

Mural

Picnic area at south end also

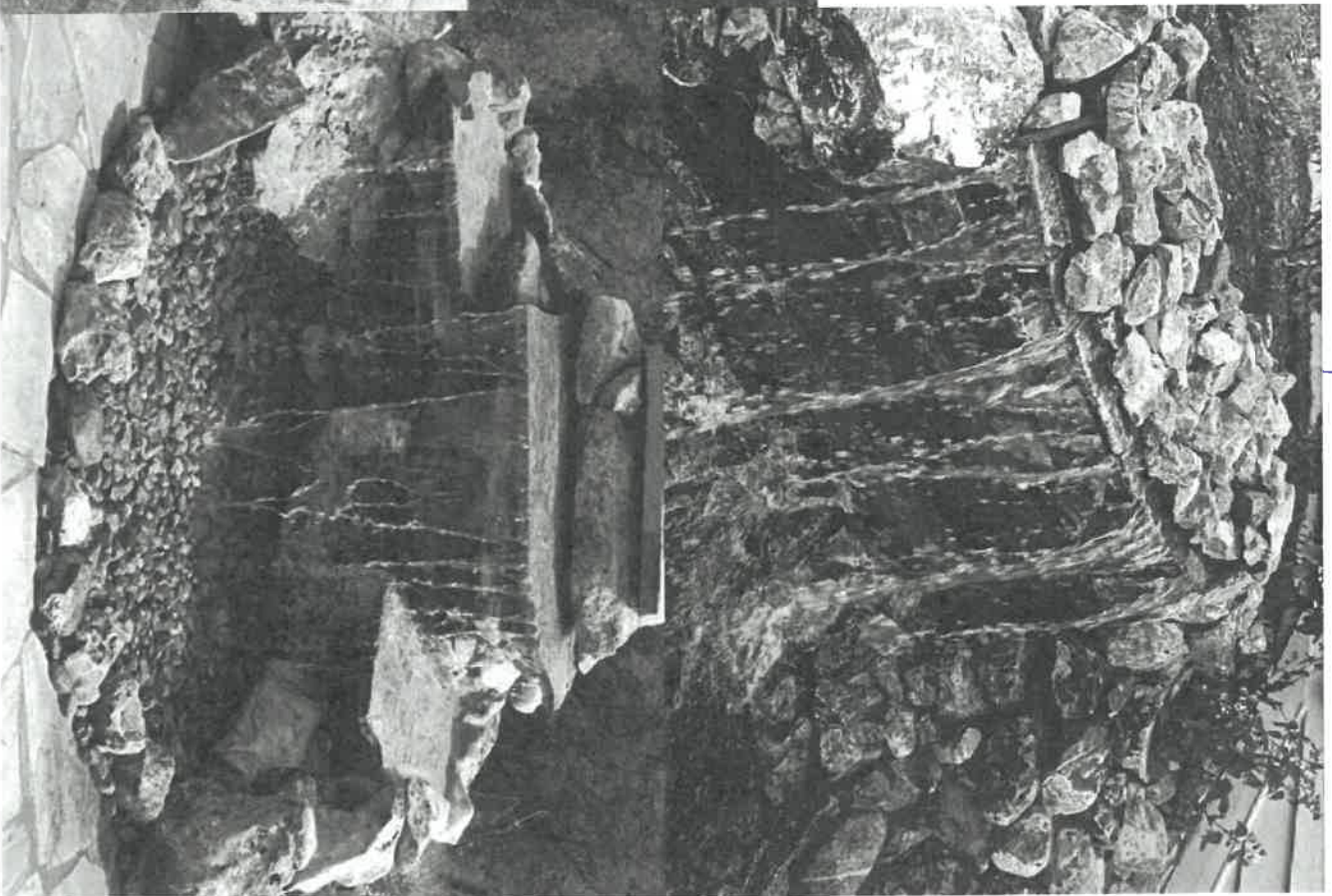
Other comments or ideas I would like to share about this design:

Native plants in the garden with butterfly attracting plants

Shade trees as well as evergreens would be nice

MEMORIAL FOUNTAIN WALL

A rounded water feature made of local basalt is proposed to allow for spaces to be contemplative and allow people to interact with flowing water



1/25

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Barclay Park



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Directions

Barclay Park
211 W Cascade Ave
Sisters, OR 97759



MINUTES

Coburg Parks | Tree Committee
 City Hall, 91136 N. Willamette
 February 21st, 2023 – 6:00 p.m.

COMMITTEE MEMBERS PRESENT: Chair Mary Mosier, Vice Chair Tom Beatty, Lonna Meston, Coleen Marshall, Claire Smith, Joe Morneau

COMMITTEE MEMBERS ABSENT: Karen Coury

STAFF: Public Works Director Brian Harmon

1. Call to Order

Chair Mosier opened the Parks | Tree Committee meeting at 6:03 p.m.

2. Roll Call

Chair Mosier acknowledged those present. There was a quorum.

3. AGENDA REVIEW | Approve Minutes from January 17th, 2022

Chair Mosier noted that on page 2, sentence 2, "City Council" should be corrected to "City Staff".

MOTION: Ms. Marshall moved to approve the January 17th minutes as amended, seconded by Ms. Meston. The motion passed - 4:0:2. Ms. Smith and Mr. Morneau abstained.

4. City Updates/City Administrator Report

There were no Park | Tree related questions. There was a brief conversation about City water projects.

5. Committee Business

- Arbor Day - April 28th

The decision by consensus was to invite 5th grade students to participate in the removal of holly and the planting of a Crimson King maple and possibly some shrubs at Norma Pfeiffer Park under the supervision of Vice Chair Beatty.

Mr. Morneau requested the specific criteria to qualify an event for Arbor Day participation.

Mr. Harmon replied that all that was required was trees and planting, involvement, and taking a picture with the flag for the next year's application.

- Our Town Newsletter Article - April 14th

The Committee decided by consensus that Chair Mosier would write an article summarizing the annual report to Council with an update on the Veterans Memorial project. The deadline for submission for the May issue was determined to be April 14th.

There was some discussion about funding. Mr. Harmon wondered if engineering was necessary for the project. Chair Mosier noted that a plan or rendering was needed before donations could be solicited.

- Update on Tree Replacement in Norma Pfeiffer Park

The tree replacement would take place on Arbor Day as part of the celebration.

- Work Party

Ms. Marshall presented. Ms. Mosier, Ms. Meston, Ms. Marshall, Mr. Beatty and a community volunteer had cleaned up around the flagpole at Norma Pfeiffer Park. Mr. Beatty and the volunteer had trimmed and mulched the roses.

Meetings were scheduled for trimming at Jacob Spores Park on March 20th and for cleanup inside the fence at Johnny Diamond Park on April 17th. A request was made of Mr. Harmon for landscaping outside of the Johnny Diamond fence.

- Results of Needs in Park Walk-Through

Vice Chair Beatty presented. The list consisted of:

- Nesting boxes
- Drinking fountains with dog bowls
- Nature and historical signage
- Viewing blind at Trail's End
- Native trees and shrubs
- Military banners at Norma Pfeiffer
- Chess tables at Norma Pfeiffer and Pavilion Parks

Chair Mosier suggested enlisting local Scouts to build nesting boxes. Vice Chair Beatty noted the need for clean-up along the bike trail.

- Work Session

A work session was scheduled for March 21st at 3:00 pm. Mr. Harmon and Chair Mosier agreed to work together beforehand to figure out details to be addressed before submitting the design.

6. Adjournment

Chair Mosier adjourned the meeting at 6:43 p.m.

FUTURE MEETINGS

March 20th Work Party - 9:00 a.m., Jacob Spores
March 21st Parks and Tree Work Session - 3:00 p.m.
March 21st Parks and Tree Meeting - 6:00 p.m.
April 17th Work Party - 9:00 a.m., Johnny Diamond

(Minutes recorded by Angela Kern, LCOG)

APPROVED by the Park & Tree Committee on this ____ day of _____ 2023.

ATTEST:

Sammy L. Egbert, City Recorder

Mary Mosier, Chair

DRAFT



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The Magazine of the LOC

FIRST QUARTER 2023



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Local Focus

Item 14.



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Half of Winning is Showing Up

Steve Callaway, LOC President;
Mayor, Hillsboro



Steve Callaway
LOC President; Mayor,
Hillsboro

This past October, the LOC held its first in-person conference in two years. It was a great event in Bend, and I left with many takeaways. But the most important realization for me was how much we care about each other, enjoyed each other's "in-person" company, and how much we truly need each other. It was so good to be back to an in-person event, to see old friends, and make new ones.

During my incoming president remarks I noted how well attended the conference was—nearly 500 attendees—and how the presence of so many reinforces the reality that you can pretend to care but you can't pretend to show up. I issued the challenge to continue to show up: for your cities, for each other, and for the LOC.

And you are all doing just that!

From late November through January, the "Elected Essentials" program was held in all 12 regions and 300 elected officials attended, learning (or getting a refresher on) how to be an effective public official, serve your community ethically, and work successfully with your fellow councilors and mayors. The conversations, questions, and discussions showed deep engagement and that each person showed up because they care!

City Day at the Capitol is another example of League members showing up in impactful ways and big numbers. More than 80 cities came to Salem for the event, representing all 12 regions! There were more participants than we have ever had before, close to 240! By showing up, we had the opportunity to hear from Governor Kotek and other legislative leadership from both parties, to ask questions, and have brief conversations in the lobby and hallways. At the Capitol, you showed up en masse, and dozens of legislators heard about your community's needs, as

well as the LOC priorities that you had a hand in determining. Because you care, you showed up and made a difference!

Now it's up to us to keep the momentum going and continue showing up. Here's why it's important:

- By showing up, we can model civility to our communities;
- By showing up, we speak to youth and help them understand that they can serve and send the message that it's important that they do;
- By showing up, we can find common ground that leads to solutions;
- By showing up, we create understanding; and
- By showing up, we can celebrate other's successes and help support each other's losses.

I look forward to showing up in your communities this year during the President's Regional Meetings, LOC Board meetings, caucus meetings, and the Local Government Spring Conference in Seaside in April.

Thank you all for showing up and making a difference in your communities, the LOC, and throughout our great state. ■

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From the Executive Director Dedicated Local Leaders

When I first began working in city government almost 20 years ago, I had no real concept of what cities do—no real grasp of the breadth of services provided, the types of problems leaders were expected to solve, or the number of lives cities can positively impact. To say I was drinking from a fire hose was an understatement. My experience was not unique.

Between November of 2022 and January of 2023, the LOC traveled across the state providing newly elected and veteran city officials its Elected Essentials training program. The program is designed to provide Oregon's city leaders with basic information on municipal governance—from understanding roles and responsibilities, to complying with Oregon's public meetings law. At the conclusion of these trainings, one might assume many in attendance would feel overwhelmed by all that they learned. But, in my experience, when the trainings conclude, those in attendance feel energized, enthusiastic, and ready to tackle the challenges their communities are facing. Of course, those officials attending the training know they're drinking from the same fire hose I was drinking from 20 years ago, but like me, they're ready for the challenge.

The challenges facing cities today are greater than any other period in my lifetime. Oregon's property tax system strangles its cities' ability to provide essential services. Replacing aging infrastructure is a high priority, but often cost prohibitive. The challenges facing society at large, from homelessness to a distrust in government, have landed squarely on our cities' doorsteps. And while to the outside world it may seem as if no one is tackling these problems, those attending the LOC's Elected Essentials training program were given a front row seat to more than 300 Oregon city officials who are facing these problems head on with passion and commitment.

Responding to today's challenges is not something cities can do alone. The challenges are so great that a strong partnership between local and state government is essential. And that fire hose, which we all drank from when we began our careers in city government, is the same fire hose state officials are drinking from when they begin to learn about all that it means to be a city in Oregon. Many in state government have never worked for or on behalf of a city, which naturally limits their understanding of city processes, programs, budgets, and needs. While it is important for those working in cities to understand the inner-workings of their own communities, it is equally important that those innerworkings be understood by the governor, state agencies, and the Legislature.

On January 25, more than 200 city officials from across the state of Oregon converged on Salem to discuss the challenges facing cities with Governor Kotek and the Legislature. While many may see LOC's City Day at the Capitol event as a lobbying event, LOC staff sees it as an educational event. City Day is an opportunity for local leaders to educate their state partners on

cities. The event provides the LOC and its members the opportunity to inform state leaders on: how cities work, the challenges cities face, and why an equitable partnership between cities and the state is the key to a successful Oregon. Of the 4.2 million people living in Oregon, more than 3 million live in cities—the LOC's City Day event allowed local leaders the opportunity to inform state leaders of what these 3 million Oregonians need for their communities to thrive.

As the LOC starts another year, and its 241 cities do the same, I am reflecting on my conversations with city leaders during the Elected Essentials training event and City Day at the Capitol. When taken as a whole, all those conversations fill me with hope—hope that the challenges of today will be tackled by steadfast and dedicated local leaders, working in collaboration with state leaders.



Patty Mulvihill
LOC Executive Director

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Register for the Local Government Spring Conference in Seaside

The LOC is excited to bring the 2023 Local Government Spring Conference to Seaside on **April 25-26**. This two-day event will be a great opportunity for public officials from across Oregon to network and learn about issues impacting all cities.

Preliminary Agenda

Tuesday, April 25

- 8:00 a.m. – 11:30 a.m. **Mayors Workshop** – Active Civility: How Mayors Can Help Local Political Cultures Heal *(additional \$75 fee)*
- 8:30 a.m. – 11:30 a.m. **Councilors Workshop** – Combating Misinformation in the Era of Polarization *(additional \$75 fee)*
- 8:30 a.m. – 11:00 a.m. **Managers Workshop** *(additional \$75 fee)*
- 11:30 a.m. – 12:00 p.m. **Networking Break**
- 12:00 p.m. – 1:30 p.m. **Welcome Lunch & Keynote** – Andrea Bell, Executive Director, Oregon Housing and Community Services (OHCS)
- 1:30 p.m. – 2:00 p.m. **Networking Break**
- 2:00 p.m. – 3:00 p.m. **Breakout Sessions**
- Cyber Security – Prepare and Respond to a Cyber Disruption
 - Legislative Update
- 3:00 p.m. – 3:30 p.m. **Networking Break**
- 3:30 p.m. – 4:30 p.m. **Breakout Sessions**
- OHCS 101
 - Aging Infrastructure: Tidal Gates
- 5:30 p.m. – 9:00 p.m. **Offsite Networking Reception**

Wednesday, April 26

- 7:30 a.m. – 8:30 a.m. **Networking Breakfast**
- 8:30 a.m. – 10:00 a.m. **Breakout Sessions**
- Behavioral Health and Housing Impacts
 - Diversity, Equity and Inclusion
- 10:00 a.m. – 10:30 a.m. **Networking Break**
- 10:30 a.m. – 11:30 a.m. **Breakout Sessions**
- From Employee Speech to Public Comment & Protests: The First Amendment's Impact on Cities
 - Addressing the Workforce Housing Shortage
- 11:30 a.m. – 11:45 a.m. **Networking Break**
- 11:45 a.m. – 1:15 p.m. **Lunch & General Session** – Top 5 Things State Agencies Wish City Officials Knew About Them
- 1:15 p.m. – 1:45 p.m. **Networking Break**
- 1:45 p.m. – 2:45 p.m. **Breakout Sessions**
- Regional Collaboration
 - Update on Homelessness Initiatives
- 2:45 p.m. – 3:00 p.m. **Networking Break**
- 3:00 p.m. – 4:30 p.m. **General Session - Roundtable Discussions**
- 4:30 p.m. – 6:00 p.m. **Happy Hour Reception**
- 6:00 p.m. **Dinner on your own**

Hotel Information

LOC has secured a block of rooms at several Seaside hotels. Find booking information on the Spring Conference website at www.orcities.org.

Register Now

Register at www.orcities.org. The cost is \$250 for LOC members if registered before April 3. Space is limited so register now!

Meet the 2023 LOC Board of Directors

OFFICERS



President
Steve Callaway
Mayor, Hillsboro

Mayor Callaway was elected to the Hillsboro City Council in November 2010, re-elected in 2014, and became mayor in 2016. His previous experience includes the city's budget committee, the Hillsboro 2020 Vision Implementation Committee and the city's planning commission. Additional community involvement includes the Jackson Bottom Wetlands Preserve Board, the Hillsboro Library Foundation, the Boys and Girls Club, and the Hillsboro Schools Foundation. Mayor Callaway recently retired from his position as a principal at Tobias Elementary School in Hillsboro.



Vice President
Dr. Dave Drotzmann
Mayor, Hermiston

Dave Drotzmann was elected mayor of the Hermiston City Council in 2012. He previously served on the LOC Board of Directors from 2017-2019 and was recognized as the League's legislative advocate of the year in 2019. Prior to his city council service, Mayor Drotzmann served eight years on the Hermiston School District Board of Directors. He's been actively involved for years with multiple community organizations, including the Hermiston Chamber of Commerce, Rotary, and the Hermiston Booster Club, as well as a coach of youth and high school sports programs. Dr. Drotzmann currently sits on the editorial team for The Oregon Way and is a partner in an eyecare practice in Hermiston.



Treasurer
Travis Stovall
Mayor, Gresham

Mayor Stovall was elected mayor of Gresham in 2021. He makes history as the first Black mayor of any large city in the Portland metro area and across the state. A longtime Gresham resident, Mayor Stovall is the owner and CEO of eRep, Inc. He also serves as vice president of the TriMet Board of Directors and has been featured in The Oregonian for his dynamic leadership when serving as president of the Gresham Area Chamber of Commerce and Visitors Center.

Mayor Stovall's lengthy history of volunteer service in local government includes the Gresham Community Development and Housing Subcommittee; as chair of the city's Charter Review Committee; and the Gresham Task Force on Housing to help create affordable housing units.



Immediate Past President
Tanea Browning
Councilor, Central Point

Councilor Browning is a native Oregonian, appointed in 2015 and elected in 2016 to her current position. She has served on the Central Point Urban Renewal Agency and Budget Committee. Her commitments also include the Central Point Visitor Information Center and the boards of the Rogue Valley Council of Governments and Jackson County Fire District No. 3. She is a member of the Central Point Rotary, a director with the Crater Foundation, founder of the public non-profit Direct Involvement Recreation Teaching, and executive director for the Central Point Chamber of Commerce.



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Robert Cowie
Councilor, Chiloquin

Elected in November 2020, Councilor Cowie is serving in public office for the first time. He worked for more than 20 years at Sony Electronics in many capacities, including VP of Customer Insight, VP of the VAIO Technology Center, Director of Engineering, Director of Product Quality, and program management. His previous work experience also includes many years in the broadcast television and cable television industries. He currently is a customer experience consultant, helping businesses establish and grow their customer experience and employee engagement programs.



Rod Cross
Mayor, Toledo

Mayor Cross has led the city of Toledo since 2018. He ran for mayor to restore stability and civility to the city, and believes his biggest accomplishment has been giving staff and citizens the tools to not just survive the recent pandemic but to thrive during it. Toledo has had more projects completed in the last two years than the previous several years, including launching the ART Toledo initiative, the urban renewal project, and coordinated efforts to improve the city of Toledo with its school system. Mayor Cross currently serves as the President-Elect of the Oregon Mayors Association.



Aaron Cubic
City Manager,
Grants Pass

Mr. Cubic has 17 years' experience serving as a city manager in Oregon. He was appointed city manager in Grants Pass in 2012, and previously had served as city manager in Myrtle Point. Mr. Cubic also has 10 years' experience in county government as a program manager and special district director. In 2014, he served as president of the Oregon City/County Management Association (OCCMA) and has been a member of multiple OCCMA committees, including Finance & Taxation, General Government, and Human Resources. An International City/County Management Association Credentialed Manager, Mr. Cubic is a graduate of the University of Virginia's Senior Executive Institute and the ICMA Williamsburg Leadership Institute. *(Non-voting position)*



David Emami
Councilor, Happy Valley

Councilor Emami was appointed to Happy Valley City Council in 2019 and elected to a four-year term in 2020. Prior to his appointment, he served on the Happy Valley Planning Commission, the Parks Advisory Committee, the Clackamas County Street Light Budget Committee and was president of his HOA. Councilor Emami previously served on the LOC Bylaws Committee and is currently the treasurer for the Local Government People of Color Caucus. He also has extensive volunteer experience with local schools, state educational programs, local charities and non-profit organizations. Born and raised in Oregon, Councilor Emami earned his bachelor's degree in economics from Oregon State University.



Jessica Engelke
Mayor, North Bend

Mayor Engelke was elected as North Bend's first female mayor in November 2020. She is a longtime North Bend resident, invested in making Oregon's south coast a better place. Mayor Engelke is a tenured business professor at Southwestern Oregon Community College and teaches a variety of business classes. She has more than 25 years of hands-on experience in the business community and is a former president of the Bay Area Chamber of Commerce.



Roberto Escobedo
Councilor, Nyssa

Councilor Escobedo was elected in 2020 and is a volunteer with the Nyssa City Fire Department. He is a native and current resident of Nyssa and the second oldest of six children. Councilor Escobedo currently works as a wildland firefighter for the Snake River Valley program through the U.S. Bureau of Land Management. At a young age, he learned the value of hard work while working in the summer with his family in the fields. These values have never left him, and he practices them daily. Councilor Escobedo is committed to working hard for the region he represents and to helping rural Oregon communities evolve and grow, with a particular focus on diversity and inclusion. *(Non-voting position)*

(continued on page 10)

2023 LOC BOARD OF DIRECTORS



Carol MacInnes
Councilor, Fossil

Councilor MacInnes has spent the past 30 years volunteering for her community through a broad range of service activities. She is currently an EMT-I for the local ambulance service, a reserve deputy for the sheriff's office, and a medicolegal death investigator for the district attorney's office, all in addition to her paying job as a victim advocate for Wheeler County. Elected in 2014, she served eight years as mayor and was appointed to the city council in 2023 after not running for re-election. Councilor MacInnes previously served on the Oregon Mayors Association Board of Directors, representing all east side rural communities and was proud to be on the OMA Taskforce to address homelessness. (*Non-voting position*)



McKennon McDonald
Councilor, Pendleton

Councilor McDonald was elected to the Pendleton City Council in 2014 and was re-elected in 2022 for a third term. In addition to serving as Council President, she currently serves on the Pendleton Airport Commission, Development Commission, Library Board, and Budget Committee. Councilor McDonald has also previously served on the LOC Conference Planning Committee and the LOC Nominating Committee, and was recently elected to the LOC Women's Caucus Board of Directors. Her commitments also include a full-time job with the InterMountain Education Service District, volunteering in the community in her free time, and being a wife and mother. She holds a bachelor's degree in political science from the University of Portland, an M.A.T. from Eastern Oregon University, and most recently an Educational Administration degree from Lewis & Clark College.



Tita Montero
Councilor, Seaside

A resident of Seaside since 2002, Councilor Montero served six years on her city's tourism board prior to being appointed and elected to the Seaside City Council in 2010. Having been re-elected in 2014, 2018 and 2022, she is the longest-sitting elected city or county official in Clatsop County. Homelessness has been an important focus for her work. Her prior community commitments include serving on the boards of the Seaside Downtown Development Association, Clatsop Behavioral Health, Clatsop CASA and Clatsop Development Resources, as well as serving as president of the Seaside Chamber of Commerce. She currently serves on the Clatsop County Budget Committee, the Senior Advisory

Council for Northwest Disabilities and Senior Services, and the Clatsop Citizen Review Board. Councilor Montero holds a bachelor's degree in recreation administration and a master's degree in library sciences, and her professional work includes health system and health plan executive management, and serving as executive director for Seaside Downtown Development Association. Councilor Montero assisted in the establishment of the LOC Women's Caucus and currently serves as its president.



Beach Pace
Councilor, Hillsboro

In her first run for elected office, Councilor Pace was elected to the Hillsboro City Council in 2018. She currently serves as the CEO of Big Brothers Big Sisters (BBBS) of the Columbia NW and on the board of the Westside Queer Resource Center. Previously, she served at-risk youth as vice president and executive director of City Year San Jose/Silicon Valley. Councilor Pace holds a bachelor's degree from the United States Military Academy at West Point and an MPA from Northern Michigan University. She served in the U.S. Army in the Ordnance branch both domestically and overseas as a Bomb Squad Executive Officer and Commander.



Chalice Savage
Councilor, Cottage Grove

Councilor Savage has served on the Cottage Grove council since 2021. She previously spent nearly 15 years in the medical field, and currently works as an independent contractor with Blackstone, Inc. Councilor Savage also owns her own photography business.



John Walsh
City Administrator,
St. Helens

Mr. Walsh has overseen the day-to-day operations for the city of St. Helens since 2012. He previously served as the city manager of Myrtle Point, Ore. and held management roles in the cities of Centralia and Pacific, Wa. With more than 20 years of public sector experience, Mr. Walsh has led many large and complex capital improvement projects, including infrastructure and brownfield redevelopment projects, as well as several community and economic development initiatives. He is a credentialed city manager through the International City/County Management Association (ICMA-CM) and has earned recognition for excellence and good governance from the LOC.



Kenna West
City Manager,
Independence

Ms. West is a native Oregonian with her roots firmly planted in rural towns. She has served the city of Independence since May 2022. She previously served the cities of Willamina and Salem and Marion County for more than a decade. Ms. West came to government service following a career as a lawyer. She holds a juris doctorate from Northwestern School of Law at Lewis and Clark College, and was in private practice for more than a decade. Along with her love of community, she is also passionate about equine rescue and care. When she isn't serving her beautiful city of Independence, her energy is focused on helping abused and neglected horses, and training and racing her barrel horses.



Ted Wheeler
Mayor, Portland

Mayor Wheeler has led the city of Portland since 2017. He was elected chair of Multnomah County in 2006 and took office in 2007, where he balanced the county budget during the worst years of the recession and reduced debt while maintaining safety net programs for vulnerable populations. Mayor Wheeler was then appointed to the office of Oregon State Treasurer in 2010 and elected to the position in 2012. He earned an undergraduate degree in economics from Stanford University, and later received an MBA from Columbia University's business school, as well as a master's degree in public policy from Harvard University's John F. Kennedy School of Government. ■

2023 LOC Board of Directors Meetings

- April 24 – 9 a.m. - 4 p.m.
Seaside
- June 23 – 9 a.m. - 4 p.m.
Hillsboro
- October 11 – 9 a.m. - 2 p.m.
Eugene
- December 15 – 9 a.m. - 4 p.m.
Location TBD

LOC Board Meets in Salem

The LOC Board of Directors met in person in Salem on December 9 and took the following actions:

- Approved the appointment of Patty Mulvihill to the position of LOC Executive Director;
- Approved an amendment to the composition of the LOC's Finance Committee, allowing city finance directors to serve on the committee;
- Approved a 6.5% increase in member dues for Fiscal Year 2023/2024;
- Appointed Councilors Taneea Browning and Greg Evans, and Mayors Jessica Engelke, Cathy Clark, and John McArdle to the LOC Foundation's Board of Directors;
- Appointed Councilor Chalice Savage of Cottage Grove to the LOC's Board of Directors;
- Approved 190 Agreements between the LOC and the Oregon Department of Transportation regarding the Small City Allotment Program, between the LOC and Portland State University regarding consultant services, and between the LOC and Oregon Municipal Electric Utilities;
- Appointed Councilor Drew Farmer of Coos Bay to the CIS Board of Trustees; and
- Appointed Jayme Pierce to the position of LOC General Counsel.

LOC Board Meets in Detroit

The LOC Board of Directors met in person in Detroit on January 24 and took the following actions:

- Reappointed SueLing Gandee to CIS's Board of Trustees; and
- Approved an amendment to the LOC's budget for Fiscal Year 2022/2023, reallocating funds from its contingency reserves to the Legal/Research Department and the Building and Equipment Fund.

LOC Online Calendar Updated with 2023 Dates



The LOC has updated its online master calendar to help cities plan for 2023. The online calendar includes all of the dates from the printed wall calendar – conferences, meetings, deadlines – and will be updated regularly.

Record Attendance Highlights City Day at the Capitol

It was nearly three years to the day when the LOC and Oregon Mayors Association (OMA) last held an in-person City Day at the Capitol. This time around, 250 mayors, councilors, and city staff from across Oregon, representing every LOC region statewide, assembled at the Salem Convention Center on January 25 for a full day of advocacy and training. The program was highlighted by remarks from Governor Tina Kotek and members of the state's new legislative leadership.

The LOC added two new educational components to this year's program, including "Lobbying 101," and "Strategies for Securing State Funding." Part of the afternoon segment included a deeper discussion on economic development incentives, and a presentation on regulating public spaces relative to the current statewide homelessness crisis. Before the evening reception, representatives from multiple state agencies were on hand for meetings with attending city officials. The new content was added to the City Days agenda this year to comply with policies at the Capitol that limited access to the building due to ongoing construction and seismic improvements.

By all accounts, it was one of the most successful "City Day" events in recent memory, as LOC members had a chance to meet with their legislators in the Capitol and during the evening reception, which was attended by more than two dozen legislators and their staff.

As the 2023 session approaches the 60-day mark, there are critical decisions that will be made. The Legislature is expected to move a funding and policy package to address Governor Kotek's recent executive order which declared a homeless emergency in Oregon. The LOC's government relations team and the Oregon Mayors Association continue to advocate for statewide funding to address homelessness and will keep that fight up throughout the session.

The governor will also be coming forward with perhaps the most pivotal economic development initiative Oregon has ever seen from the Legislature. We are expecting a \$200 million funding package to advance a significant investment in site readiness, and policy to keep Oregon as a key leader of the world's semiconductor industry. This could be Oregon's signal to Congress and the U.S. Department of Commerce that Oregon is serious about investment, enabling the state's ability to leverage some of the \$52 billion in the federal CHIPS Act.

In the weeks and months to come, contact with legislators will remain critical. For LOC members, a grass roots lobbying effort will need to be maintained throughout this year. Participation

in City Day at the Capitol is a great first stop, and contributing testimony will always be helpful, but in-district follow-up with legislators will be critical to advancing every city's issues and reinforcing the LOC's legislative priorities.

Photo Captions

1. Governor Tina Kotek welcomes attendees and outlines her priorities for the legislative session.
2. Senate President Rob Wagner discusses the top issues for the legislative session.
3. House Minority Leader Vikki Breese-Iverson speaks to City Day attendees.
4. Senate Minority Leader Tim Knopp answers questions from attendees.
5. Representative Greg Smith (Heppner) with Umatilla City Manager David Stockdale.
6. Representative Hoa Nguyen (Portland) meets with city officials from Happy Valley.
7. House Majority Leader Julie Fahey shares her thoughts on legislative priorities and answers questions from attendees.
8. Senator David Brock Smith chats with city officials during the evening reception.
9. City officials from Newport meet with Senator Dick Anderson (Lincoln City).
10. Representative Charlie Conrad (Lowell) discusses local and regional issues with Cottage Grove city officials.
11. Representative Christine Goodwin (Canyonville) interacts with city officials during the evening reception.
12. Senator Jeff Golden (Ashland) chats with Central Point Councilor Tanea Browning and LOC Legislative Director Jim McCauley.
13. Representative Travis Nelson (Portland) networks with city leaders during the evening reception.
14. Members of the Independence City Council meet with Representative Paul Evans (Monmouth).
15. Representative Anna Scharf (Dallas) meets with Dayton City Manager Rochelle Roaden (left) and Independence City Manager Kenna West (right).
16. Representative James Hieb (Canby) listens to a city official during the evening reception.
17. City officials from Hermiston, Fossil and Umatilla with Representative Greg Smith (Heppner) on the House floor.



City Deadline Calendar

Important statutory deadlines cities need to know

MARCH

March 1:

Budget: Budget Officer to Prepare Proposed Budget

Budget officer shall prepare or supervise the preparation of the budget document.

Note: Depending upon a city's size and total budget, the budget process may begin sooner or later than noted. This budget deadline is therefore suggested, not statutory.

March 14:

ELECTION DAY – Special

Note: Double majority rules apply for property tax measures.

March 18:

Budget: Publish First Notice of Budget Committee Meeting and Notice of Public Hearing Regarding City's Use of State Shared Revenues

Budget: The budget officer must publish the first notice of the budget committee meeting not more than 30 days and not less than five days before a meeting. Different requirements apply for other notification methods. **State shared revenues:** As a separate matter, a public hearing on state shared revenues is required to occur no later than July 31 of the calendar year, and cities must then certify to the State that this hearing has occurred. Beginning with notice, we recommend that cities incorporate this hearing's requirements into the budget process.

Note: Depending upon a city's size and total budget, the budget process may begin sooner or later than noted. This budget deadline is therefore suggested, not statutory.

March 16:

May Election: File Statements of Offices, Candidates and Measures with County

City elections filing officer must file no later than the 61st day before the date of the election. Thursday, March 16, is this year's deadline to file as it is 61 days before the May 16 election.

March 31:

Ethics: Submit Statement of Economic Interest Exemption Applications

By no later than 5:00 pm on March 31, cities may submit SEI exemption applications to the Oregon Government Ethics Commission for certain members of public bodies that meet or act so infrequently that an SEI is not required.

APRIL

April 1:

Budget: Publish Second Notice of Budget Committee Meeting and Notice of Public Hearing Regarding Shared Revenues

Budget: Budget officer must publish the second notice of the budget committee meeting in the newspaper not more than 30 days and at least five days before the meeting. Alternatively, if the first notice was published in the newspaper within those timelines, the second notice may be posted on the city's website in a prominent manner and must be maintained on the website for at least 10 days before the meeting. **State shared revenues:** We recommend cities publish notice of the public hearing on state shared revenues at this time as well.

Note: Depending upon a city's size and total budget, the budget process may begin sooner or later than noted. This budget deadline is therefore suggested, not statutory.

April 8:

Budget: Committee Meeting

Budget: The budget committee must hold one or more budget committee meetings for the purpose of receiving the budget message and the budget document. The meeting also provides the public the opportunity to ask questions and make comments on the budget document. If the budget committee holds more than one meeting, the budget message and the budget document must be received at the first meeting. **State shared revenues:** We recommend holding the required public hearing on state shared revenues during the budget hearing before city council. Cities are advised to consult with their budget officer and city attorney on how to incorporate this hearing into the budget process.

Note: Depending upon a city's size and total budget, the budget process may begin sooner or later than noted. This budget deadline is therefore suggested, not statutory.

Download the full 2023 deadline calendar

The complete calendar is available on the [LOC website](#) under Resources, then Reference Materials.

Are You Signed Up for the *Bulletin*?

Each and every week, the *LOC Bulletin* brings the latest news of interest to Oregon's cities directly to your email inbox. To be added to the list, send a request to loc@orcities.org.

Legislative Update Webinars

Join Us Fridays at Noon for the Latest Legislative News

LOC Executive Director Patty Mulvihill, Legislative Director Jim McCauley and the Intergovernmental Relations team provide the latest information from the Capitol as the 2023 legislative session continues.

When: Fridays at 12 p.m.*

**March 10, March 17, May 5 and May 12 webinars will be held at 1:30 p.m. due to scheduling conflicts with the President's Regional Roundtables.*

Learn how to participate via Zoom on the LOC's website: www.orcities.org.

LOC Welcomes Lindsay Tenes to Lobby Team



Lindsay Tenes joined the LOC's lobby team on January 19, replacing Mark Gharst, who accepted a position with Business Oregon. Lindsay brings extensive experience in the tax and revenue portfolio and an outstanding background in the legislative process and building knowledge. Prior to joining the LOC, Lindsay was the Deputy Finance Manager with the Senate Democratic Leadership Fund. In addition, she served as chief of staff for Representative Nancy Nathanson, who is the House Revenue Chair. Lindsay can be reached at ltenes@orcities.org.

Mark Gharst Takes Position with Business Oregon



After three years of excellent work as a lobbyist for the LOC, Mark Gharst recently accepted a new position with Business Oregon. Mark's LOC work included a portfolio that focused on tax policy, shared revenue, and economic development. Mark also took on the role of helping members with CARES Act and ARPA funds and reporting requirements. While the LOC is sad to see Mark go, his work with Business Oregon will keep him involved with many of the LOC's priorities.

LOC Training Opportunities

From November through January, following local elections every two years, the LOC offers "Elected Essentials," a training program for newly-elected city leaders. These workshops are offered in 12 regions around the state. After the most recent elections, more than 350 people attended this training in the 12 LOC regions across the state, and more than 60 people attended an additional training held in Keizer on January 26.

In the year between elections, the LOC offers its "Local Government Fundamentals" training program, which covers similar information as "Elected Essentials," but in a shorter format. This training will be offered for members who missed the "Elected Essentials" training or would like a refresher course. Look for more information later this year!

In addition, the LOC will also begin taking requests for facilitation services beginning April 1. Cities may request facilitation services to work on goal setting, strategic planning, teambuilding, or request a custom training to resolve the specific needs of the city.

Additional information on the above trainings, additional educational opportunities available on-demand, pricing and topics are listed on the LOC's training page: www.orcities.org/training-events/training.

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Cities: Your LOC Membership Now Includes Easy Access to PSU Services

The LOC has entered into an agreement with Portland State University (PSU) that gives member cities a simple way to contract for training or consulting from the university's Center for Public Service (CPS). Rather than going through a more involved intergovernmental agreement or personal services contract process, the "umbrella agreement" between the LOC and PSU allows a city to contract for services through a simple scope of work and cost agreement.

The intent of the umbrella agreement is to reduce staff time and overhead cost associated with contract administration. It will benefit all cities, but especially smaller cities that seek affordable training or consulting services. The CPS taps into the expertise of faculty, experienced practitioners, and graduate students to provide services to public agencies throughout Oregon and the Northwest. Examples of recent projects performed by CPS include:

- **Customized Training**
 - City council leadership effectiveness and strategic planning
 - Performance measurement
 - Diversity Equity Inclusion (DEI) framework for leaders
 - Expenditure control budgeting
- **Service Delivery Studies**
 - Consolidation and contracting options for police, fire, and emergency dispatch
 - Regional intergovernmental options for wastewater treatment
 - Annexation and extension of services to unincorporated areas

- **HR-Related Studies**

- Classification and compensation studies
- Job description review

- Cyber security training and consulting, targeted to elected officials and managers.
- Environmental studies and services, including solid waste reuse and recycling and development of climate action plans.
- Other governance and internal organizational studies, including updated council district boundaries, and coordination of environmental initiatives across departments.

The CPS also provides graduate student fellows, recruited from throughout the U.S., and available for 10-weeks summer work or (for recent graduates) a 10-month public service fellowship.

The LOC offers a variety of training and consulting (e.g., small city legal advice) services, and the LOC and PSU will coordinate their efforts to ensure that services offered by the two organizations complement rather than compete.

For more information see www.pdx.edu/center-for-public-service/local-government, or contact either of these individuals:

- Sara Saltzberg, Center for Public Service Director, ssaltz@pdx.edu, (503) 725-5153
- Scott Lazenby, CPS Local Government Projects Manager, slazenby@pdx.edu, (503) 894-1448 (mobile)



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Statements of Economic Interest (SEI): What You Need to Know

State law requires certain public officials to complete and electronically file a Statement of Economic Interest (SEI) with the Oregon Government Ethics Commission (OGE). Whether you are a veteran of the SEI filing process or a first-time filer, this article will provide you with the basics.

What is a Statement of Economic Interest?

The SEI is an annual financial disclosure form that certain public officials, as specified in ORS 244.050, are required to file with the OGE.

Who Must File?

Not all city officials must file an SEI. The filing requirement generally applies to those elected city officials, municipal judges, and appointed members of city planning, city zoning or city development commissions, and the chief executive officer of a city or another person, such as a city recorder, who performs the duties of a manager or principal administrator. The SEI filing requirement applies to individuals who hold one of those offices on April 15 of each filing year.

When is the Due Date?

April 15 of each filing year. For the 2023 filing year, a complete and electronically signed SEI must be submitted via the OGE's electronic filing system no later than **April 15, 2023**. Failure to complete and file an annual SEI by the April 15 deadline may subject a city official to an automatic civil penalty of \$10 per day for each of the first 14 days the SEI is late and \$50 for each day thereafter, up to a maximum penalty of \$5,000. The OGE's electronic filing system is available 24/7.

What Disclosures are Required?

SEIs disclose information regarding the previous calendar year (i.e., the reporting year). Therefore, city officials will disclose economic interests they held between January 1, 2022 and December 31, 2022. Note: Even if you did not hold your position during the 2022 disclosure period, if you hold the position as of April 15, 2023, you will have a filing requirement.

ORS 244.060, 244.070 and 244.090 describe the required content of the SEI filing. The OGE has a helpful [Statement](#)

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of [Economic Interest Filer Guide](#) that you can use while completing the filing. You will be asked to provide information about the following:

- Businesses with which a city official or members of their household held positions as officers or directors;
- Names of businesses under which a city official or members of their household did business;
- Certain sources of income to a city official and members of their household (note that only sources, not amounts, of income must be disclosed) if that income makes up at least 10% of the total annual household income;
- All real property the city official or members of their household own, other than their principal residence, if that property is located within the geographical boundaries of the jurisdiction they serve;
- Receipt of expenses in excess of \$50 for office related events from sources other than the public body you serve (this includes expenses qualifying under the gift exceptions in ORS 244.020(7)(b)(F) and (H));
- Honoraria received by a city official or member of their household;
- The name of any compensated lobbyist who, during the preceding calendar year was associated with a business with which the public official or candidate or a member of the household of the public official or candidate was also associated; and
- For each of the following categories, where the source of the income or debt is with or from an individual or business that could have a legislative or administrative interest or do business with the public body you serve:
 - Sources of income of \$1,000 or more;
 - Holders of debt of \$1,000 or more (excluding credit card or mortgage debt);
 - Business investments of \$1,000 or more; and
 - Service fees of \$1,000 or more.

Where are SEIs Filed?

The SEI is required to be filed via the OGEC's electronic filing system. The OGEC's electronic filing system is available 24/7.

How to Register as a User in the Electronic Filing System (EFS)

OGEC staff has identified the positions held by public officials who must file the SEI form and has them listed by jurisdiction. Each jurisdiction (city, county, executive department, board or commission, etc.) has a person who acts as the commission's point of contact for that jurisdiction (the jurisdictional contact) [OAR 199-020-0005(1)].

The jurisdictional contact has an important role in the annual filing of the SEI forms. It is through the jurisdictional contact that the commission obtains the current name and email address

of each public official who is required to file. It is imperative you provide a valid email address to this jurisdictional contact; this should be an email account you monitor. When there is a change, through resignation, appointment or election, in who holds a position, the jurisdictional contact should update the jurisdiction's list in the electronic filing system.

Once the jurisdictional contact has entered you into the electronic filing system, you will receive an email from the OGEC that contains a link to the electronic filing system. You then create your personal profile. Once you have successfully registered, you will be able to file your report during the open filing period each calendar year. The open filing period is from March 15 to April 15.

Where Can I Find More Information About the SEI?

The OGEC's website contains training tutorials and handouts on the use of the electronic filing system. Live online training sessions are scheduled each filing year to assist filers. For information on these training sessions, general information about SEIs, or just to ask questions, you can visit the OGEC's website at www.oregon.gov/ogec/public-records/Pages/SEIS.aspx or call directly at (503) 378-5105.

Because of the complexities of SEI disclosures, this article is necessarily general and is not intended to provide legal advice. City officials are advised to please consult with their city attorney, in accordance with their council rules for doing so, with private legal counsel or with the OGEC to ensure full compliance with SEI disclosure requirements.

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Communities Benefit from Funding Secured by Congressional Delegation

By Melody Finnemore

Nearly 150 public projects across Oregon have been made possible through billions in federal funding secured by Oregon's congressional delegation late last year.

Senators Ron Wyden and Jeff Merkley played a key role in directing money toward Oregon through Congress's fiscal year 2023 omnibus appropriations package. With the support of state Representatives Suzanne Bonamici, Earl Blumenauer, Kurt Schrader and now-retired Peter DeFazio, a total of 145 community-initiated projects were included in the package.

The projects span investments in wildfire and drought resiliency, affordable housing, health care, education, manufacturing and much more, all while creating essential services and good-paying jobs, according to a press release issued by Merkley's office that includes a full list of the projects.

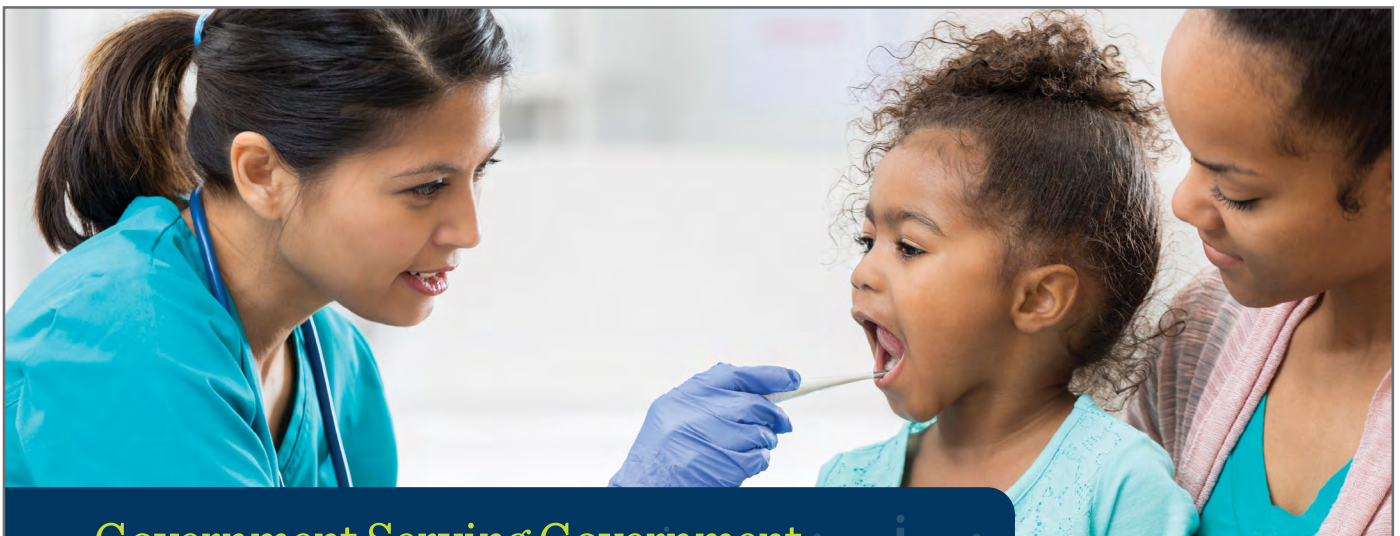
"No one knows the unique needs of communities across Oregon like the folks living and working in them," said Merkley, who helped drive inclusion of Oregon projects as the only Oregon member of Congress from either chamber to serve on the Appropriations Committee since the late Sen. Mark Hatfield.

"I joined the committee in 2013 to ensure Oregon has a strong voice in decisions about our nation's investments. Community-initiated projects are an incredible example of this because these local and regional projects were generated at the ground level by folks who are working to make their communities better," he said.

Wyden said the investments represent "the best of the Oregon Way" because people in communities across the state worked together to determine local quality-of-life solutions that will keep people safe and generate jobs that strengthen the economy.

"I've heard during more than 1,000 town halls in each of our 36 counties how Oregonians want federal investments just like these that reflect their grassroots priorities. And I'm glad to have teamed up with them and Senator Merkley to produce these tangible and significant results," he said.

Rep. Bonamici noted that the Oregon delegation has been successful in securing funding in large part because of collaboration with local partners and organizations. "We have wonderful people working at the local and state level to make Oregon a better place, and they help raise awareness about the significant needs in



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AERIAL VIEW FROM NORTHWEST

Site plan and architectural rendering of Hood River's 780 Rand Road affordable housing project.

"The leadership shown by Senators Merkley and Wyden helps bring the 780 Rand Road project closer to realizing our goal of providing homes for over 120 families" – Hood River Mayor Kate McBride

communities across Northwest Oregon and the state. I also want to emphasize that Senators Ron Wyden and Jeff Merkley have been very supportive during the appropriations process," she said.

Bonamici added that for specific Community Project Funding projects, she focuses on investments that will create jobs, help the economy recover and address the needs of underserved communities.

"It's also important that they have strong community support and represent the geographic diversity of Northwest Oregon. The funding I secured this year will support affordable housing, make our roads safer, improve equity in our health care system and upgrade critical infrastructure. I look forward to seeing how the completed projects make a difference for the Oregonians and communities I am honored to represent," she said.

Funding to Strengthen Community Resilience

On the Oregon Coast, projects include health care facilities, public safety improvements, environmental mitigation, maintenance dredging for shipping, and greater access to high-speed internet.

Lincoln County Sheriff Curtis Landers said the funding will help update the department's radio system and enhance public safety communications. "This will keep our first responders, citizens and visitors safer during disasters such as the 2020 Echo Mountain Wildfire, and also during day-to-day operations."

Brenda Meade, chair of the Coquille Indian Tribe, expressed gratitude to Merkley and Wyden for securing funds that expand the tribe's salmon restoration on the Coquille River. "The tribe will use the funding to directly improve the health and abundance of fall chinook for the benefit of all Oregonians."

In Eastern Oregon, projects include affordable housing for veterans; more supplies for local food banks; broader access to dental, primary and mental health care; education and research; and improvements to water systems and other infrastructure.

"Our existing water distribution pipelines are crumbling in some areas of the city due to much of it being approximately 100 years old," said Burns City Manager Nancy Gardner. "Senator Merkley and Senator Wyden recognized the essential need to fund this water project. Both senators have proven what many already knew, that they genuinely care for the well-being of all Oregonians throughout this great state."

Pendleton Mayor John Turner said the funding will allow his city to build an arterial road through an undeveloped area that can potentially hold more than 1,000 houses, which are much needed in his community.

Southern Oregon will use funding from the bill to expand substance abuse treatment and recovery programs, which includes establishing the region's first regional recovery campus to help alleviate long waitlists for overburdened residential care facilities and improve access to supportive housing for adults, adolescents and families.

"From detoxification and stabilization to supportive recovery housing and vocational support, we see this as a major step forward in providing valuable care to our communities," said Dr. Gregory Brigham, CEO of Adapt Integrated Health Care.

Also among Southern Oregon's top priorities are the Elliott State Research Forest. Part of that region's funding will be invested to repurpose the Shutter Creek facility as the research forest's potential new headquarters.

(continued on page 22)



Then Oregon Labor Commissioner Val Hoyle, U.S. Sen. Ron Wyden and Newport Mayor Dean Sawyer talk next to the upper Big Creek dam during a tour of the facility in July of 2022.

“Senator Wyden and Senator Merkley understand that rural Oregon needs facilities like the Shutter Creek rehabilitation project to keep our rural community economically viable to offer our children opportunities for a bright future,” said Coos County Commissioner Melissa Cribbins. “Investment such as this allows us to diversify our economy and make our communities resilient.”

Affordable housing is a pressing need in many Oregon communities, including Hood River. “Hood River City Council has worked for years to make housing more available and affordable in our community,” Mayor Kate McBride said. “The leadership shown by Senators Merkley and Wyden helps bring the 780 Rand Road project closer to realizing our goal of providing homes for over 120 families.”

Recently retired Mosier Mayor Arlene Burns said her city is “over the moon” that the Mosier Center is included in the bill.

The building will serve as a much-needed community center, city office and fire station. It will also provide a food pantry and space for an emergency shelter, a commercial kitchen with flex space, an outdoor area designated for a permanent farmer’s market location, and a visitor’s welcome center.

“Thanks to Senators Merkley and Wyden, this crucial funding will enable our vision to become a reality, providing critical infrastructure for fire safety and community resilience for generations to come. This will help us get over the finish line!” she said.

Water Infrastructure, Wildfire Recovery Bolstered

Recently retired Redmond Mayor George Endicott said his city proudly prioritizes safe and clean water as well as protecting its natural resources. “Being awarded funding...enables us to accelerate needed investments in our water infrastructure and more efficiently meet the demands of our growing community,” he said.



Land Use & Transportation Planning Grants and Assistance

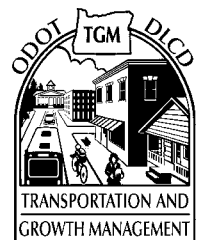
Planning Grants – Publications
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Marion County will be using the congressional funding to help families still displaced from the 2020 wildfires, plus economic revitalization and natural resources.

In Marion County, where the 2020 wildfires devastated the Santiam Canyon community, funding from the appropriations bill will be used to purchase a transitional housing facility to help families who are still displaced move back into housing stability. It also will go toward economic revitalization and natural resources, Commissioner Kevin Cameron said.

“Using these funds to help build a trail that can be both enjoyed by locals and enhance recreational tourism in the region will continue to support this community’s economic recovery. We thank our federal delegation for investing these dollars in the people of the Canyon,” he said.

Scores of projects across the Portland metro area received funding as well. St. Helens City Councilor Jessica Chilton said it will allow her city to protect its most vulnerable community members—children.

“This funding will assist us in increasing high-quality service and the documentation needed to bring justice to exploited children and help fight this national crisis,” she said.

A second major piece of federal legislation, the National Defense Authorization Act, included \$60 million for Newport’s Big Creek Dams Project. The two dams on the Big Creek Reservoirs contain the city’s sole water supply, are seismically deficient and will not withstand an earthquake.

Both dams were built more than 50 years ago and, due to internal seepage, were deemed unsafe by the Oregon Water Resources Department Dam Safety Engineer in 2021, which requires immediate repairs or a pause in use.

The project will keep Newport’s water supply reliable by making it earthquake resilient and allow the city to store more water for future population growth and for use during drought. The city aims to accomplish its water supply goals while enhancing natural habitat and lessening its reliance on already-stressed water resources.

“We are a town of 10,000 and trying to fund a project over \$100 million is way beyond our means. We definitely needed help from our state and federal partners to get that done and we’ve been working on it for a long time,” Mayor Dean Sawyer said. “Every year we do not start building the cost goes up \$5 million because of the rising cost of materials and the lack of workers. Our ability, at our level, to bond anywhere near that kind of money is impractical.”

Ms. Finnemore is a Portland-area freelance writer. Contact her at precisionpdx@comcast.net.



Item 14.

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Key Issues Highlighted During CIS' Annual Strategic Planning Session

At the beginning of every year, the CIS Board of Trustees, including LOC Executive Director Patty Mulvihill, attend a day and a half strategic planning session to discuss the overall strength of the organization. The board reviews the status of CIS' strategic initiatives and is presented with professional analysis from independent industry experts who assess the health and strength of CIS. Highlights from the board's most recent session include:

- Financial audit presentation by Plante Moran, PLLC
- Property/Casualty (P/C) Trust actuarial presentation by Aon Risk Consultants, Inc.
- Capital Adequacy Assessment for CIS Benefits and P/C Trust by PricewaterhouseCoopers (PwC)
- CIS Collaboration Center Update
- Managing the Risks of Post-Traumatic Stress Disorder (PTSD) in Public Safety
- Reinsurance Markets and Planning

Financial Audit

Plante Moran, one of the nation's largest accounting firms, verified CIS' good standing and strong financial footing—giving the organization a clean audit. The firm shared with the board that CIS' accounting principles are solid (see full audit on CIS' website). The audit report did provide an overview of the investment losses that CIS faced with the decreased market value from bonds and stocks in 2022—but CIS weathered these adjustments for unrealized market value changes and maintained extremely solid financials. They concluded that CIS' finances are appropriately reported, and the organization's accounting systems are well-organized.

Actuarial Report

The respected actuarial firm, Aon Risk Consultants, analyzed CIS' past experiences to evaluate the financial impact of current economic and social trends on future events. Aon's report helps determine CIS' funding target for the upcoming fiscal year. The actuaries noted that liabilities related to public safety services were increasingly costly to settle. They also noted an increase in auto liability claims. However, they explained that CIS' experience



PROFESSIONAL CERTIFICATE IN BUILDING CYBER RESILIENCE

PSU's Mark O. Hatfield Center for Cybersecurity, an NSA/DHS National Center of Academic Excellence in Cyber Research, is launching a new 12-week non-credit professional certificate in Building Cyber Resilience. The program is designed to help public leaders, managers, and IT professionals gain foundational knowledge to better manage cyber risk through policy and planning. Sessions will be delivered in a virtual format with live instructors and student interaction alongside weekly online lessons. Learn more at: www.pdx.edu/center-for-public-service/professional-certificate-building-cyber-resilience



Portland State
Mark O. Hatfield
Center for Cybersecurity

with public safety and autos followed trends that they noticed with other risk pooling programs across the nation.

PricewaterhouseCoopers Assesses CIS' Capital Adequacy

PricewaterhouseCoopers firm (PwC) provided the CIS Board with a capital adequacy assessment for the CIS Benefits Trusts as well as the Property/Casualty (P/C) Trust during the session. They conducted a formal analysis of capital reserve funding requirements. The analysis was based on the requirements of the Member Equity Policy and considered many internal and external factors including underwriting risk, reserving risk, asset and credit risk, and operational risk.

PwC's report found that both CIS' capital for the Benefits Trusts as well as the P/C Trust is adequate and are in the proper range. This was important because it confirms that CIS has enough funds in reserves to cover catastrophic claims and other financial disruptions—such as the market value declines on investments.

Collaboration Center Update

The CIS Board provided direction to staff to begin plans for a new Collaboration Center to serve as an office for staff and training center for members and agents. CIS sold its Salem and Tigard office buildings, opened a temporary Wilsonville office, and purchased land in Wilsonville for a future Collaboration Center.

Plans call for a building with multiple meeting rooms, including a large room that can be used for member/agent trainings. Staff has selected an owner's representative, architectural firm and construction manager/general contractor through request for proposal (RFP) processes. CIS plans to meet with the architectural firm this quarter to kick off the design process.

Managing the Risks of Post-Traumatic Stress Disorder (PTSD) in Public Safety

In June 2019, Senate Bill 507 passed, making PTSD a presumption for public safety workers (i.e., full-time firefighters, police officers, corrections officers, parole/probation officers, and first responders). CIS supports public safety workers having presumptive claims. CIS' public safety team is working proactively to prevent PTSD claims by:

- Providing critical incident grants to public safety personnel and in some cases, non-public safety, to receive mental health services that have a focus on PTSD.
- Providing training around PTSD via Employee Assistance Program (EAP), Peer Support, and total worker health.
- Developing mental health providers around the state that have a focus on PTSD in public safety or military.
- Including CIS Benefits Director Mike Beyrouthy to find ways for the CIS Benefits programs to support PTSD-prevention efforts.

The purpose of the report was to begin CIS Board discussions on additional services that can help reduce the impact of PTSD.

Reinsurance Markets and Planning

CIS purchases reinsurance to protect the P/C Trust from catastrophic and high dollar claims.

For property, CIS self-insures the first \$500,000 of each claim and offers \$600 million of shared limits. For liability, CIS self-insures the first \$1million per claim but offers liability coverage up to \$20 million. For cyber, CIS self-insures the first \$250,000 of each claim and offers an optional reinsured tier of coverage with limits up to \$1.25 million.

Reinsurance coverage cycles between soft and hard markets. Experts point to missed earnings targets in recent years as evidence that the industry is in a hard market. This means reinsurers have greater bargaining power and can push for higher premiums and restructure terms to their advantage, such as limiting coverage for certain risks or demanding higher retentions (deductibles).

CIS marketed reinsurance coverage to dozens of carriers during 2022 to maintain the best carriers, pricing, and terms to financially back its property and liability programs. Marketing efforts included strengthening partnerships with existing carriers and identifying new carriers to diversify risks and increase capacity.

In this tough environment, CIS' efforts to build and strengthen its reinsurance partnerships means that they can retain the needed reinsurance despite a hard market.

CIS Helps Cities Create Effective Learning Plans for Employees and Supervisors

With the new year underway, for many it's a good time to set both personal and professional goals. One goal that should make the list is ensuring that city employees always receive training each year. An effective training program can help employees and their supervisors be more successful in their roles—and help promote compliance with policies and procedures.

For many cities, assigning and tracking training can be difficult. Annual training requirements can range from a mandatory bloodborne pathogens course for some staff to a required cyber security or sexual harassment training for all staff. Creating an annual training plan provides a structure for employee development throughout the year. It also enables cities to review progress at desired intervals.

With that in mind, here are a few steps to take for a successful 2023.

1. Identify Required Training for Staff

The first step in creating a learning plan is to identify required training. This includes training required by law, by contractual obligations, or by organization. Be sure to think about training for both new hires as well as existing employees—CIS can help set up training plans for both.

There's no such thing as "one size fits all" when it comes to the learning initiatives that are important to CIS members.

(continued on page

The 108 customized plans in the CIS system are composed of 192 different courses. They range from just one course on the plan to over 30! Some of the most common we see include:

- Bloodborne Pathogens;
- Cyber Security Basics;
- Preventing Discrimination and Harassment;
- Distracted Driving;
- Valuing Diversity; and
- Personal Protective Equipment.

2. Decide How Often Staff Should Take Training

Training can be set at the beginning of the year, and can be automatically assigned to staff at any desired interval. Receiving five required training courses in March can seem daunting, but plans can be set to assign one per month or quarter. In addition, reports can be set to alert staff monthly, quarterly, or annually to show completed courses as well as those who have outstanding assignments.

3. Contact the CIS Learning Center for Help

Once city staff have identified what training is required and how often employees should receive it, the final step is setting up a training plan in the CIS Learning Center. Each plan is highly customized to meet each member's specific needs.

A customized learning plan allows one to choose which courses to include, set due dates or recurrence intervals, and automate assignment, if desired. CIS can also include items such as internal policies or new hire packet documents for online review along with electronic acknowledgments and tracking reports. There are many custom options available and the CIS team is happy to help find just the right mix to meet a city's needs.

CIS' Employee Assistance Program (EAP) Supports Member Cities

An employee's wellbeing isn't just about their physical health—it's a combination of physical, mental, emotional, social and financial health.

The CIS Benefits team has been providing the majority of employee health coverage for city employees for over 40 years. More than 24,000 public employees and their families are covered under CIS. And part of that CIS coverage is an employee assistance program (EAP) program based out of Portland known as Canopy, Inc. This innovative company provides counseling, a crisis line, work-life balance programs, and health and wellness coaching for employer groups.

CIS Benefits supports the comprehensive wellbeing of its members by offering a robust EAP option. This free, confidential service helps city employees access a wide range of wellness and counseling resources to support members and their family through life's varied journeys—from moments of crisis and grief to phases of personal and career growth.

In addition to offering free and confidential counseling services, Canopy can also provide city employees with concierge services to help make day-to-day stresses a little easier. Whether an employee is looking for child or elder care in their area, Canopy can pre-screen facilities within a given area and assist with information about ratings and availabilities. Their wide range of services include:

Personal Consultation with an EAP Professional

These include face-to-face, over-the-phone, or online counseling sessions for concerns such as:

- Anxiety
- Alcohol or drug abuse
- Career development services
- Depression
- Family relationships
- Grieving a loss
- Marital conflict
- Resources for life
- Stress management

Resources for Life

Canopy will help locate resources and information related to eldercare, childcare or anything else an employee may need.

Legal Consultations/Mediation

Members can call Canopy for a free 30-minute office or telephone consultation. Plus, a 25% discount from the attorney's/mediator's normal hourly rate is available thereafter.

Financial Coaching

Coaches will provide unlimited financial coaching to help develop better spending habits, reduce debt, improve credit, increase savings, and plan for retirement.

Identity Theft

Members receive a free 60-minute consultation with a Fraud Resolution Specialist™ (FRS) who will conduct emergency response activities and assist CIS members with restoring their identity, good credit, and dispute fraudulent debts.

Home Ownership

Members receive program assistance and discounts for buying, selling, and refinancing.

Life Coaching

Canopy offers three (3) telephonic sessions with a master's degree level coach, focusing on setting achievable goals, identifying barriers and making a plan to achieve those goals.

Pet Parent Resources

Canopy offers free pet information and support, including pet insurance discounts, new pet parent resources and bereavement support.

Wellbeing Tools

- Fertility health support
- Gym membership discounts
- Online legal tools
- Will kit questionnaire

To learn more about CIS Benefits EAP program, visit CISBenefits.org. Additional information can be found online at <https://canopywell.com/Personal-Assistance> or by calling Canopy at 800-433-2320. ■



Local Government

The Basics

13 Essentials for City Officials

Home Rule Fundamentals

The League of Oregon Cities (LOC) was established in 1925 to protect against the erosion of local “home rule” by the state Legislature. The LOC has fought to protect home rule since that time. But what, exactly, is “home rule,” and why does it matter?

In Oregon, home rule forms the legal basis for city governments to act. Thus, home rule is an important legal concept with real-world implications for a city’s ability to serve the needs of its citizens. This article briefly explains the origins of Oregon’s home rule, how home rule impacts city government authority, and the continuing fight between city and state government over the scope of local authority.

CITIES DERIVE THEIR EXISTENCE FROM THE STATES

The United States of America is a “federal republic,” meaning that government authority is divided between the federal government and the states. The United States Constitution grants limited powers to the federal government and reserves the remaining powers to the state governments. But what about local governments, such as cities and counties?

Interestingly, the United States Constitution makes no mention of local governments. Instead, it places all government authority not granted to the federal government with the states. Thus, the courts have uniformly concluded that cities derive their authority and existence from state governments and lack any inherent authority. In fact, the Supreme Court of the United States has stated that cities are simply “convenient agencies”¹ of their states, and states may abolish or reorganize cities at any time.

DILLON’S RULE

Under the United States Constitution, cities derive their authority from the states. For that reason, judges and legal scholars took the view that city governments could only act in areas expressly authorized by a state legislature. That principle is often called “Dillon’s Rule,”² and is still followed in many states.

In a Dillon’s Rule state, local governments lack authority to act unless they can show how a state law allows them to take an action, such as levying property taxes, maintaining a fire department, or operating a parks system.

The Dillon’s Rule model allows a state legislature to closely control local government structure, the methods of financing local government activities, local procedures, and local government authority to address local problems.

DILLON’S RULE IN OREGON

In the late 1800s, the Oregon Supreme Court formally endorsed the Dillon’s Rule model of state-local relations.³ Under Dillon’s Rule, Oregon’s cities were not able to effectively respond to local problems, as no local action could be undertaken without express permission from the Oregon Legislature, which only met for short biennial sessions.

HOME RULE INCLUDES THE POWERS TO:

- Regulate for protection of public health, safety, morals & welfare;
- To license;
- To tax; and
- To incur debt.

Home rule is the right to local self-government, without express or implied legislative authorization.

OREGON’S SHIFT TOWARDS HOME RULE

In the early 20th century, a wave of political populism began to sweep the country. As a part of that political movement, cities and political reformers in Oregon began to push for a “home rule” amendment to the Oregon Constitution.

Frustrated by the special interests that dominated the Legislature and by the time it took to address local problems, a group of Oregonians, led by William Simon U’Ren, sought to amend the Oregon Constitution. Their goal was to vest authority over local affairs in the voters, through the adoption of home rule charters. In U’Ren’s view, cities would exist independently from the Legislature and would derive their authority from the city charter, not from the Legislature.

¹ *Hunter v. City of Pittsburg*, 207 US 161, 178-79 (1907).

² Dillon’s Rule is named for John F. Dillon, a Justice of the Iowa Supreme Court and later federal judge. See 1 John F. Dillon, *THE LAW OF MUNICIPAL CORPORATIONS*, § 9(b), at 93 (2d ed 1873).

³ *City of Corvallis v Carlile*, 10 Or 139 (1882).

“The legal voters of every city and town are hereby granted power to enact and amend their municipal charter.”

– Oregon Constitution

In 1906, consistent with a wave of home rule reform sweeping the nation, the voters of Oregon adopted a constitutional amendment that granted the people the right to draft and amend municipal charters. That provision states:

“The Legislative Assembly shall not enact, amend or repeal any charter or act of incorporation for any municipality, city or town. The legal voters of every city and town are hereby granted power to enact and amend their municipal charter, subject to the Constitution and criminal laws of the state of Oregon[.]”⁴

At the same election, the voters of Oregon “reserved” initiative and referendum powers “to the qualified voters of each municipality and district as to all local, special and municipal legislation of every character in or for their municipality or district.”⁵

Note that the home rule amendments do not use the term “home rule,” nor do they specifically confer substantive lawmaking authority. Rather, the amendments prevent the Legislature from enacting or amending municipal charters, and free cities from the burden of seeking approval from the state before amending their charter. What that means, in practice, is that cities—and their voters—now possess substantial lawmaking authority independent of the state, although the precise relationship between cities and the state has evolved over the last 100-plus years, primarily through judicial interpretation of the home rule amendments. One of the most significant aspects of that relationship is the ability of the Legislature to preempt certain municipal policy decisions.

HOME RULE CHARTERS

For a city to become a home rule city, its residents must vote to adopt a home rule charter. By doing so, a community vests all possible legal authority in its city government. A city charter operates much like a state constitution in apportioning authorities to various officials and setting out the system of government for that community, whether it be a commission, mayor-council, council-manager, or strong mayor form of government. Today, all 241 cities in Oregon have home rule charters.

⁴ Or Const, Art XI, § 2.

⁵ Or Const, Art IV, § 1(5).

ONLINE RESOURCES

ORIGINS, EVOLUTION AND FUTURE OF HOME RULE



This white paper examines the origin of the “home rule” doctrine in Oregon, how that doctrine has changed over time, and the current legal fight over the meaning of Oregon’s home rule provisions. Available in the LOC’s online Reference Library: tinyurl.com/home-rule

HOME RULE 101

A two-page overview of home rule in Oregon. Available at: tinyurl.com/home-rule-101

GUIDE TO STATUTORY PREEMPTION OF HOME RULE

This legal guide is designed to provide city leaders with general information regarding specific examples of how and when municipalities are preempted from taking certain actions or regulating particular conduct. Available at: tinyurl.com/preempt-guide

OREGON MUNICIPAL HANDBOOK – Chapter 2: Home Rule & Its Limits

This Handbook chapter explores in detail the “home rule” authority granted to cities by the Oregon Constitution and the limits placed on it by state and federal authority.

Find it online at: tinyurl.com/handbook-2

Once adopted, a home rule charter vests in the city the authority to do all things necessary to address matters of local concern without legislative authorization. The LOC’s model charter, based on the council-manager form of government, was written to provide a city with as much authority as permitted under the Oregon Constitution.

All 241 cities in Oregon have home rule charters

Oregon is a home rule state, which gives voters the authority to establish their own form of local government and empowers that government to enact substantive policies. Unlike a Dillon's Rule state, home rule authority allows cities to act as policy innovators and quickly address social problems, especially when faced with inaction from the state and federal government.

PREEMPTION

The following list highlights some of the areas in which the state has preempted local governments from acting. Please note that the list is not comprehensive. For a comprehensive list of preemptions on local authority, please see the LOC's Legal Guide to Oregon's Statutory Preemptions of Home Rule (tinyurl.com/yc83xkxn).

Taxing

- ▶ Cities may not impose or collect a business license tax from licensed real estate brokers.
- ▶ The state has the exclusive right to tax tobacco products.
- ▶ The state has the exclusive right to tax alcoholic beverages.

General Governance

- ▶ Cities must hold elections in compliance with Oregon election law.
- ▶ Public officials, including city officials, must comply with the Oregon Ethics Code.
- ▶ City government must comply with Oregon's public records and meetings law.

Land Use

- ▶ Cities are required to comply with statewide land use and development goals.
- ▶ Cities may not prohibit certain types of housing.

Personnel

- ▶ Cities must offer PERS coverage to police and firefighters.
- ▶ State minimum wage laws preempt contrary city ordinances or charter provisions.
- ▶ State sick leave requirements preempt contrary city ordinances or charter provisions.
- ▶ State law restricts the use of credit score reports for hiring purposes.

Regulatory Authority

- ▶ State preemption of regulations on vending machines that dispense tobacco or e-cigarette systems.
- ▶ State preemption of local laws concerning various liquor uses and consumption.
- ▶ State building code preempts local ordinances.
- ▶ State preemption of local ordinances that makes a shooting range a nuisance or trespass.
- ▶ State preemption of local regulations on cell phone use in vehicles. ■



From the Sidelines to the Playing Field:

The Importance of Council Teamwork and Knowing Your Role

A high functioning city government requires multiple roles to be adequately fulfilled. Equally important is for individuals to understand their role in order to better serve the city as a whole. Building a high functioning city council requires subscription to the theory of how local government functions, hard work, and commitment to the responsibility of the council role. In other words, a high functioning city council must act as a team and work towards shared goals.

HOW DO INDEPENDENTLY ELECTED INDIVIDUALS BECOME A TEAM?

According to Robert Maddux, author of *Team Building: An Exercise in Leadership*,¹ the below seven principles outline how a group of individuals can transform into a team:

1. **Shared Understanding:** There is a shared understanding between the members that personal and team goals can be achieved best with mutual support.
2. **Shared Ownership:** Members feel a shared ownership of their work and the team's goals and are committed to the commonly established rules.
3. **Everyone Contributes:** Everyone can contribute their personal and professional competencies to the success of the team's goals.
4. **Room for Everyone to Express Ideas and Opinions:** There is room to express ideas and opinions, and team members are making effort to understand each other.
5. **No Person Feels Threatened by Conflict:** No one person feels threatened by conflict and conflict is viewed as a normal aspect of teamwork.

6. **Atmosphere of Trust and Encouragement:** There is an atmosphere of trust and encouragement, and members are encouraged to improve their skills and competencies.

7. **Participative Decision-Making:** The decision-making process is participative, and no one is left out or unheard.

HOW DO TEAM PRINCIPLES TRANSLATE INTO EFFECTIVE CITY COUNCILS?

With a teamwork mindset in place, it is equally important for each individual to know their role and responsibility to the team. Imagine a football team where no one had a defined position, and everyone tried to play quarterback—this does not paint a championship picture. Just like positions on a football team, a city and its council have defined roles and responsibilities. Each city's charter and locally adopted council rules of procedure set forth the parameters of each person's roles and responsibilities. While every city is governed slightly differently, the majority of cities in Oregon practice a variation of the council-manager form of government. In this form of government, the following are a few roles:

The Team Captain: Mayor

The mayor serves on council but is generally limited to the role of presiding officer in council meetings and is the city's ceremonial head. In some cities, the mayor only votes to break a tie, and in others, the mayor votes along with the rest of the council.

The Offense: City Councilors

Under the council-manager form of government, the city council acts as a whole to develop the city policy and legislation—with little to no authority vested in any individual councilor. Individual councilors bring their unique skills and learned experience to the

¹ *Team Building: An Exercise in Leadership*, Robert B. Maddux, 1986.

A high functioning city council must act as a team and work towards shared goals.



table, but must work with one another to effectuate city policy and legislation. Think of the council members as the quarterback, running back, wide receiver, fullback, tight end, and offensive line. Each player holds an important role, and they must work together to complete a successful play.

The Coach: City Manager/City Administrator

The city manager serves as the city's chief executive officer and takes the policy implemented by the council and sees it to fruition. Oftentimes, the city manager is the only city staff member who is supervised by the council. As the city's "CEO," the city manager oversees all city staff, and the council must respect the manager's role and not overstep into managing staff who are not under their direct supervision.

The Fans: Citizens

Finally, the city's voters also play a role on the team. Citizens vote to elect the city council members and vote on any charter amendments or ordinances put out for a vote. Most importantly, the city's voters may also recall individual city council members as well as the mayor.

"TALENT WINS GAMES, BUT TEAMWORK AND INTELLIGENCE WIN CHAMPIONSHIPS." – MICHAEL JORDAN

Conflict, in the form of robust discussion wherein all participants are open to learning from others, can lead to creative solutions that no single person could have developed. To win the proverbial "championship game" requires a high functioning council, where individual members of the council contribute their individual knowledge and work together to form a solution. However, there is no requirement that everyone on council votes unanimously on all issues. After all, there are many ways to win a game. In fact, the advantage a council holds is that it is comprised of diverse individuals. Ultimately, a council is there to serve its city and to effectuate long-term and long-lasting change that benefits their constituents. Even if a councilor votes against a certain decision and the majority of the council votes in favor, the councilor's role is to stand with the team and be a united front. The council only has power as a collective and speaking against the collective only acts as a disservice.

We've all seen the post-game interviews where an athlete is interviewed about the team's performance. Imagine if that player called out their teammates for performing badly? Instead, the athlete typically will focus on the positive actions of their teammates and when necessary, address avenues for improvement. Individual athletes take responsibility for their team's performance whether they win or lose a game. Athletes focus on working together and stand up for their fellow teammates—council members should

ONLINE RESOURCES

MODEL RULES OF PROCEDURE FOR COUNCIL MEETINGS

The purpose of this guide is to provide cities with a starting point in creating their rules of procedure, where required by the city charter, or where a council so desires. Available in the LOC's online Reference Library: tinyurl.com/council-rules



FAQ ON LEGISLATIVE, ADMINISTRATIVE AND QUASI-JUDICIAL COUNCIL DECISIONS

Most cities vest all powers of government in their city council, which functions as the legislative, executive and judicial body. Because a single council plays multiple roles in city government, the council's actions may have different legal ramifications. As this FAQ demonstrates, the nature of a council's actions has important consequences for a city and its residents. Available at: tinyurl.com/faq-council-decisions

OREGON MUNICIPAL HANDBOOK – Chapter 3: Municipal Officials

This Handbook chapter provides an overview of the common roles of municipal officials, including roles of elected council members, mayors, and city staff.

Find it online at: tinyurl.com/handbook-3

too. Remember, since council members have limited authority as an individual, council members should speak as a single group and not necessarily as an individual member unless they had authority to act individually. Like their athletic counterparts, council members should take responsibility for their council's decisions—whether they are popular or not. Win or lose, councils are a team and working together is the most important step towards victory. ■

Public Meetings:

What Elected Officials Need to Know

INTRODUCTION

Oregon law sets the policy for open decision-making at various levels of government. These laws ensure that the public is aware of the deliberations and decisions of governing bodies, as well as the information that forms the basis of the governing bodies' decisions.¹

The key requirements of the Oregon Public Meetings Law (OPML) include:

- Conducting meetings that are open to the public—unless an executive session is authorized;
- Giving proper notice of meetings being held within their jurisdiction; and
- Taking minutes or another record of meetings.

Further, the OPML imposes other requirements regarding location, voting, and accessibility to persons with disabilities.

Please note that this article is not a substitute for legal advice, nor is it comprehensive. The OPML is complicated, and public officials are encouraged to speak with their legal counsel for legal advice, case-by-case.

ENTITIES SUBJECT TO THE PUBLIC MEETINGS LAW

Understanding which entities are subject to the OPML is critical for ensuring compliance with the provisions of the law. In short, the OPML applies to any governing body of a public body, when that governing body holds a meeting for which a quorum is required to make a decision or deliberate toward a decision on any matter.²

The OPML applies to meetings of a “governing body of a public body.” A public body is the state, any regional council, a county, a city, a district, or any other municipal or public corporation. A “public body” also includes a board, department, commission, council, bureau, committee, subcommittee, or advisory group of any of the entities in the previous sentence. If two or more members of any public body have “the authority to make decisions for or recommendations to a public body on public body policy or administration,” they are a “governing body” for purposes of the OPML.

MEETINGS SUBJECT TO THE PUBLIC MEETINGS LAW

Not every action that a governing body takes is subject to the OPML. The law defines a “meeting” as the convening of any of the “governing bodies” subject to the law “for which a quorum is required in order to make a decision or to deliberate toward a decision on any matter.” Thus, the definition of a meeting has three elements: (1) the convening of a governing body; (2) for which a quorum is required; (3) to make a decision or deliberate toward a decision on any matter. The first of those elements was addressed in the previous section.

The term “quorum” is not defined in the OPML. For cities, quorum requirements are often set by charter, bylaws, council rules, or ordinance. A gathering of less than a quorum of a governing body of a public body is not a “meeting” under the OPML.

However, case law recently established that a “serial meeting” can take place if there are “contemporaneous gatherings of a quorum and ORS 192.630(1) applies to such meetings.”³ The Oregon Attorney General recommends that members of a governing body should not meet in private to discuss business, or exchange private communications about business, even if those involved constitute less than a quorum.⁴

Finally, staff meetings are typically not covered by the OPML, as they are usually held without a quorum requirement. A staff meeting called by a single official is not subject to the law because the staff do not make decisions for or recommendations to a “governing body.” Importantly, the OPML applies if a quorum of a governing body, such as a five-member commission, meets with staff to deliberate on matters of “policy or administration.”

REQUIREMENTS OF THE LAW

The last two sections covered which entities are subject to and what meetings of those entities trigger the OPML. The next section addresses the substantive requirements of the OPML, including notice, space and location, accessibility, public attendance, control of meetings, voting, and minutes and record keeping.

¹ ORS 192.260 establishes Oregon’s policy of open decision-making through public meetings.

² ORS 192.610(5); ORS 192.630(1).

³ *Handy v. Lane County*, 274 Or App 644, 658 (2015).

⁴ ODOJ, Attorney General’s Public Records and Meetings Manual 145 (2019).

Notice

The OPML requires that notice be provided of the time and place of public meetings, including regular, special and emergency meetings.⁵ For regular meetings, notice must be reasonably calculated to provide actual notice to the persons and the media that have stated in writing that they wish to be notified of every meeting. Special notice requirements apply to executive sessions.

Space, Location, and Accessibility

For any meeting, the public body should consider the probable public attendance and should meet where there is sufficient room to accommodate that attendance. In the event of an unexpectedly high turnout, the public body should do its best to accommodate the greater number of people. Additionally, effective January 1, 2022, state law requires governing bodies to provide members of the public, “to the extent reasonably possible” an opportunity for virtual access to meetings held.⁶

► Geographic Location

The OPML states that meetings of a governing body of a public body must be held within the geographic boundaries of the area over which the public body has jurisdiction, at its administrative headquarters, or at “the other nearest practical location.”⁷ In the case of an actual emergency necessitating immediate action, however, a governing body may hold an emergency meeting at a different location than one described in ORS 192.630(4).

► Nondiscriminatory Site

Governing bodies are prohibited from holding meetings at any place where discrimination based on race, color, creed, sex, sexual orientation, national origin, age or disability is practiced. A governing body may hold a meeting at a location that is also used by a restricted-membership organization if the use of the location by such an organization is not its primary use.

► Accessibility to Persons with Disabilities

The OPML imposes two requirements relating to accessibility to persons with disabilities. First, meetings subject to the OPML must be held in places accessible to individuals with mobility and other impairments. Second, the public body must make a good-faith effort to provide an interpreter at the request of deaf or hard-of-hearing persons.

⁵ ORS 192.640 provides for both regular and executive session notice requirements.

⁶ ORS 192.670.

⁷ ORS 192.630(4) provides for both geographic location as well as accessibility of these locations.

ONLINE RESOURCES

GUIDE TO EXECUTIVE SESSIONS (2019)

A comprehensive review of where, when and how cities may conduct executive sessions, complete with model forms and policies. Available at: tinyurl.com/exec-sessions.



HANDLING DISRUPTIVE PEOPLE IN PUBLIC MEETINGS (2017)

A legal guide to help cities know their options for dealing with disruptive behavior. The guide covers when the public has a right to speak at public meetings, constitutional speech protections, and issues involved in removing someone from a council meeting. Available at: tinyurl.com/disruptive-people.

MODEL RULES OF PROCEDURE FOR COUNCIL MEETINGS (2017)

A guide providing cities with a starting point in creating their rules of procedure, where required by the city charter, or where a council so desires. Available at: tinyurl.com/model-rules-proc.

FAQ ON NOTICE REQUIREMENTS FOR PUBLIC MEETINGS (2021)

Answers to common questions about the notice requirements associated with public meetings. Available at: tinyurl.com/notice-reqs.

OREGON MUNICIPAL HANDBOOK – Chapter 9: Public Meetings Law

This Handbook chapter touches on the basic requirements of the Oregon Public Meetings Law. Find it online at: tinyurl.com/handbook-9.

VOTING

All official actions by a governing body of a public body must be taken by public vote. The vote of each member must be recorded unless the governing body has 26 or more members.⁸ Even then, any member of the governing body may request that the votes of each member be recorded. The governing body may take its vote through a voice vote or through written ballots, but ballots must identify each member voting and the vote must be announced. ***Secret ballots are prohibited.***⁹ State law preempts any local charter or ordinance that permits voting through secret ballots.

RECORDED OR WRITTEN MINUTES

The OPML requires that the governing body of a public body provide for sound, video or digital recording, or written minutes, of its public meetings. The record of the meeting—in whatever format—must include at least the following information:

- The members present;
- All motions, proposals, resolutions, orders, ordinances, and measures proposed and their disposition;
- The results of all votes and, except for governing bodies consisting of more than 25 members unless requested by a member of the governing body, the vote of each member by name;
- The substance of any discussion on any matter; and
- Subject to the Oregon Public Records Law, a reference to any document discussed at the meeting.¹⁰

Written minutes need not be a verbatim transcript and sound or video recordings need not contain a full recording of the meeting. Rather, the record must provide “a true reflection of the matters discussed at the meeting and the views of the participants.” The record must be made available to the public “within a reasonable time after the meeting.”¹¹

EXECUTIVE SESSIONS

Governing bodies are permitted to meet in executive (closed) sessions in certain circumstances.¹² An “executive session” is defined as “any meeting or part of a meeting of a governing body which is closed to certain persons for deliberation on certain matters.”¹³ Executive sessions are not exempt from the OPML. An executive session is a type of public meeting and must conform to all applicable provisions of the OPML. Importantly, the authority to go into executive session does not relieve a governing body of its duty to comply with other requirements of the OPML.

Permissible Purposes

A governing body is permitted to hold an open meeting even when the law permits it to hold an executive session. However, a governing body may only hold an executive session in certain circumstances set forth in ORS 192.660. These permissible purposes include:

- Employment of public officers, employees and agents;
- Discipline of public officers and employees;
- Performance evaluations of public officers and employees;
- Labor negotiation consultations;
- Real property transactions;
- Discussion of public records exempt from disclosure; and
- Discussions with legal counsel.

Final Decision Prohibition

The OPML provides: “No executive session may be held for the purpose of taking any final action or making any final decision.”¹⁴ Although a governing body may reach a final consensus in an executive session, the purpose of the final-decision prohibition is to allow the public to know of the result of any such consensus. A formal vote in a public session satisfies the requirement, even if the vote merely confirms the consensus reached in executive session.

Method of Convening an Executive Session

A governing body is permitted to hold a public meeting consisting of only an executive session. The notice requirements for such a meeting are the same as those for any other meeting.¹⁵ In addition, the notice must cite the statutory authority for the executive session.

Alternatively, an executive session may be called during a regular, special, or emergency meeting for which notice has already been given in accordance with ORS 192.640. The person presiding over the meeting must announce the statutory authority for the executive session before going into the executive session.

CONCLUSION

The OPML is important and nuanced. A single article cannot fully describe all of its provisions or how it applies in various factual circumstances. For more detail on the OPML, please see the Oregon Attorney General’s Public Records and Meetings Manual (2017), available at tinyurl.com/opml-manual. ■

8 ORS 192.650(1)(c).

9 39 Op Atty Gen 525, 526-528, 1979 WL 35618 (1979).

10 ORS 192.410 to 192.505. Note that reference to a document in meeting minutes does not change the status of the document under public records law; see also ORS 192.650(3).

11 ORS 192.650(1).

12 ORS 192.660.

13 ORS 192.610(2).

14 ORS 192.660(6).

15 ORS 192.640.

Property Tax Basics

Oregon's current property tax system was shaped by Measures 5 and 50, from two constitutional amendments passed in the 1990s. Prior to Measures 5 and 50, Oregon jurisdictions used a levy-based system for assessing property taxes. Put simply, each taxing district (city, county, etc.) imposed a levy in the amount needed to cover the taxing district's budget, which was based on community service demands. County assessors estimated the real market values (RMV) of all properties in the state. The levy for each taxing district was then divided by the total RMV in the district to arrive at a district tax rate. The taxes each district imposed equaled its tax rate, multiplied by its RMV. Generally, levies for each district were constitutionally limited to an annual growth rate of 6%, and levies that would increase by more than 6% required voter approval. The levy system was dramatically altered with the passage of Measure 5 in 1990.

MEASURE 5: TAX LIMITS AND COMPRESSION

In 1990, Oregon's voters amended the state constitution by approving Ballot Measure 5, which set limits on the amount of tax that a taxing jurisdiction could impose on the RMV of property. For example, education districts could levy no more than \$5 per \$1,000 of RMV and general government districts (including cities and counties) could levy no more than \$10 per \$1,000 of RMV. The caps apply only to operating tax levies, not bonds. If property tax rates exceed the limits, the taxes must be reduced until they meet the limits imposed by Measure 5. Reducing the property tax rate to meet Measure 5 limits is commonly called "compression," and results in millions of dollars of lost revenue for taxing districts every year.

MEASURE 50: PERMANENT RATES, ASSESSED VALUE AND GROWTH LIMITS

In 1997, the voters of Oregon again decided to profoundly alter the property tax system by approving the passage of Ballot Measure 50. First, Measure 50 imposed a permanent operating tax rate limit on all existing taxing districts. The permanent rate for each taxing district was primarily determined by combining the levies that existed locally when Measure 50 was passed.

Neither a taxing district nor the voters can alter Measure 50 permanent rates—they remain at 1997 levels in perpetuity.

Second, Measure 50 also changed the concept of assessed value, to which the tax rates are applied. Assessed value is no longer equal to the RMV of a property. Instead, the amount of tax is based on the property's "assessed value" as defined by Measure 50. Measure 50 stated that a property's assessed value is calculated by reducing the property's RMV in the 1995-96 tax year 10%. That method of calculating assessed value codified inequities between comparable properties. Prior to Measure 50, the RMV of properties within a county was determined across a six-year reappraisal cycle. When Measure 50 passed, some properties had been recently assessed, while other properties had not been assessed for four or five years.

Third, Measure 50 limited the annual growth rate of taxable property to 3% of assessed value—well below the average rate of inflation. By setting assessed values at 90% of 1995-96 market levels and capping the annual rate of growth, Measure 50 permanently codified imbalances in assessed values. As a result, similarly valued properties may pay dramatically different property tax amounts.

For new properties, or those that undergo a significant change such as remodeling, new construction, rezoning, or subdivision, the assessed value is determined according to Oregon Revised Statutes 308.149 to 308.166, known as the changed property ratio (CPR) statutes. The new assessed value is determined by applying the ratio of the assessed value to the market value of all existing property within the same class (residential, commercial, etc.) in either the city or the county to the improved or changed property. In most of the state, CPR is calculated on a county-wide basis. In Multnomah County, cities can elect to calculate CPR on a city-wide basis, provided the city passes an ordinance or resolution as required by law.

MEASURES 5 & 50 IMPACTS

Measures 5 and 50 have caused significant revenue challenges for taxing authorities in Oregon. Following the passage of Measure 50, statewide property tax revenue immediately fell by \$51.4

Neither a taxing district nor the voters can alter Measure 50 permanent rates – they remain at 1997 levels in perpetuity.

Reducing the property tax rate to meet Measure 5 limits is commonly called **“compression,”** and results in millions of dollars of lost revenue for taxing districts every year.

million due to the changing of the property tax system to one based on assessed values rather than one based on market values. Since 1997, inflation has regularly exceeded the 3% limit set out in Measure 50, particularly for city expenses like employee healthcare and pension costs. Thus, cities have seen a growing disparity between property tax revenue relative to costs, even as property values continue to rise.

For a detailed look at the effects of Measures 5 and 50 over time, please see the LOC’s Primer on Measures 5 and 50 in the LOC’s online Reference Library (tinyurl.com/measures5-50).

COMPRESSION EFFECTS

To determine a property’s tax obligation each year, a county assessor must determine the property’s assessed value (as required by Measure 50) and the property’s RMV (as required by Measure 5). When a property’s assessed taxes exceed the Measure 5 limits, the tax obligation is compressed to the Measure 5 limits. The difference between the assessed value and the compressed limit is forever lost to the taxing district—typically, millions of dollars every year across the state. In fiscal year 2016-17, for example, more than 65% of Oregon’s cities were negatively affected by compression, representing \$31.4 million in lost property tax revenue.

The LOC continues to seek reforms to Oregon’s property tax system that is fair for property owners, effective for cities, and does not inhibit economic growth. ■

ONLINE RESOURCES

MEASURE 5 & 50 PRIMER

A detailed look at the effects of Measures 5 and 50 over time. Available in the LOC’s online Reference Library: tinyurl.com/measures5-50



CITY PROPERTY TAX REPORT (2016)

Statistical information regarding property taxes for cities, counties, school districts and special districts. The report includes data on tax revenues received, assessed and real market values, city tax rates, compression losses and property tax exemptions. Available at: tinyurl.com/prop-tax-report

NORTHWEST ECONOMIC RESEARCH CENTER OREGON PROPERTY TAX REPORT (2014)

This research report examines how differences in property taxes due to measures 5 and 50 have impacted the real estate market in Oregon. Available at: tinyurl.com/nerc-report



Five Things to Know About Public Records

1. WHAT ARE PUBLIC RECORDS?

State law defines a public record as: “[A]ny writing that contains information relating to the conduct of the public’s business * * * prepared, owned, used or retained by a public body regardless of physical form or characteristics.”¹ The term “writing” is defined broadly and includes any “handwriting, typewriting, printing, photographing and every means of recording, including letters, words, pictures, sounds or symbols, or combination thereof, and all papers, maps, files, facsimiles or electronic recordings.” When determining whether a record is public, the question is whether the record relates to the business of the public, not the format of the record. This often means that emails, text messages and social media posts—even those created, delivered and stored on a personal device—could be considered a public record. If a record has a relationship to a city’s business, then it is a public record.

2. DUTIES OF A CITY AND PUBLIC RECORDS

Cities have the duty to make available a written procedure for making public records requests.² The procedure must include the name of at least one city contact to whom requests may be sent, and the amounts of and manner of calculating fees that the city charges for responding to public records requests.

Once received, a city must acknowledge receipt of the public records request or provide a copy of the requested record within five business days.³ Within 10 business days of the date it was required to acknowledge the request, the city must either complete its response to the request, or provide a written statement that it is still processing the request, along with an estimated completion date. These timeframes do not apply if compliance would be impracticable.⁴ However, a city must still complete the request as soon as practicable and without unreasonable delay.

3. PUBLIC RECORDS DISCLOSURE

The public has the right to inspect any public record in a city’s possession.⁵ A city may withhold certain public records from disclosure if they are exempt by law.⁶ Cities must segregate exempt records from nonexempt records and disclose all nonexempt material. The primary list of public records exemptions may be found under ORS 192.345 and 192.355, though exemptions are scattered throughout both state and federal law. There are two primary types of exemptions: conditional and unconditional. Conditional exemptions require a city to consider the public’s interest in disclosure.⁷ Unconditional exemptions either require their own separate consideration or none at all.⁸ Remember, when in doubt, Oregon law favors disclosure.

4. PUBLIC RECORD REQUEST FEES

A city may assess reasonable fees to get reimbursed for the actual costs incurred while responding to a public records request.⁹ The city may assess a fee for the time spent by city officials and staff researching the records, providing redactions, and the city attorney’s time spent reviewing the records and redacting exempt materials. If the city wishes to charge a fee greater than \$25, the city must notify the requester in writing of the estimated amount of the fee and the requester must confirm in writing that it wishes to proceed. The city may request prepayment. If the actual cost incurred by the city is less than the amount paid, the city must promptly refund any overpayment.¹⁰

5. APPEALS AND CONSEQUENCES TO THE CITY

A person who is denied access to a public record may appeal the city’s denial.¹¹ The appeal may be made to the district attorney in the county in which the city is located, if the denial was by the city/a city official. If the district attorney denies any part of a petition, the requester may seek review in the circuit court for the county in which the city is located or the Marion County Circuit Court.

If the denial was made by an elected official, the appeal may be made by petitioning the circuit court for the county in which the elected official is located or the Marion County Circuit Court. If the requester prevails in full, the city is required to compensate the requester for the cost of litigation and trial. If the requester prevails only in part, an award of costs and attorney’s fees is discretionary.

Additional guidance regarding public records is available on the LOC’s website and in the Oregon Attorney General’s Public Records and Meetings Manual available online at: tinyurl.com/opml-manual. ■

- 1 Generally public records law is covered by ORS Chapter 192.
- 2 ORS 192.324(7).
- 3 Generally, public records request timeline covered by ORS 192.324 and ORS 192.329.
- 4 Reasons where compliance would be impracticable include staffing, performance of other necessary services, or the volume of other simultaneous public records requests.
- 5 ORS 192.318(2).
- 6 See Oregon Attorney General’s Public Records and Meetings Manual (2019), Public Records Section (I)(E); see also Oregon Department of Justice Attorney General Public Records Exemptions at <https://justice.oregon.gov/PublicRecordsExemptions>.
- 7 ORS 192.345.
- 8 ORS 192.355.
- 9 See ORS 192.324.
- 10 Oregon Attorney General’s Public Records and Meetings Manual (2019), Public Records Section (I)(D)(7).
- 11 ORS 192.415.

Gift Limitations:

What You Need to Know

GIFT BASICS

A public official, candidate, or relative or member of the household of the public official or candidate cannot receive a gift if all the below elements are met in the calendar year:¹

1. Solicit or receive
2. Directly or indirectly
3. Any gifts with an aggregate value above \$50
4. From any single source
5. If the source is reasonably known to have a legislative or administrative interest

A GIFT IS...

1. Something of economic value
2. Without cost, at a discount, or as forgiven debt
3. Not available to the general public on the same terms.

Examples: meals; lodging; event tickets²

LEGISLATIVE OR ADMINISTRATIVE INTEREST MEANS...

1. Economic interest
2. Distinct from that of the public
3. In a matter subject to the decision or vote of a public official acting in that capacity

THE FOLLOWING ARE PERMISSIBLE GIFTS:

- Gifts from relatives or members of the household
- Unsolicited token of appreciation with a resale value less than \$25
- Publications and subscriptions related to official duties
- Campaign contributions
- Waiver or discount of certain registration expenses or materials at a continuing education event to satisfy a professional licensing requirement
- Entertainment that is incidental to the main purpose of the event
- Received as part of the usual and customary practice of one's private business or employment and unrelated to holding public office

ONLINE RESOURCES

OREGON MUNICIPAL HANDBOOK – Chapter 8: Ethics

This Handbook chapter covers ethics laws regarding public officials' ethics and conflicts of interest provided by various federal and state constitutional and common law provisions, state statutes and, occasionally, local charters or ordinances. Find it online at: tinyurl.com/handbook-8.

OREGON ETHICS COMMISSION GUIDE FOR PUBLIC OFFICIALS

This guide discusses how the provisions in Oregon's statutes apply to public officials and summarizes the Commission's procedures. tinyurl.com/zrjmr8e8

Offers of lawful benefits to public officials offered by the public entity the public official represents.

WHAT TO ASK YOURSELF BEFORE ACCEPTING A GIFT³

1. **Is it a "gift?"** A gift is something of economic value not offered to others who aren't public officials (relatives or household members) on the same terms and conditions.
2. **Exceptions:** Do any of the exceptions apply?⁴
3. **Source:** Does the gift giver have a legislative or administrative interest in my decisions or votes?
4. **Value:** If so, does the value of the gift, along with any other gift received from that source this calendar year, exceed \$50? ■

1 ORS 244.025.

2 For additional information, see Oregon Government Ethics Commission "Guide for Public Officials" at tinyurl.com/zrjmr8e8 at page 26-27.

3 See also League of Oregon Cities Municipal Handbook – Ethics (tinyurl.com/handbook-8).

4 See ORS 244.020(7)(b).

Budgeting 101

A city's adopted budget is one of the most important and informative documents city officials use. This budget is prepared for each fiscal period and serves as a city's financial plan. Cities in Oregon may operate within a fiscal year, beginning on July 1 and concluding the following June 30; or cities may use a biennial budget, covering a 24-month period, beginning July 1 of the first fiscal year and ending on June 30 of the second fiscal year.

The adopted budget is a legal document establishing the authorization for the city to receive and spend money, and limits how much money can be spent for a specific activity or program. The budget presents the estimated costs of expenditures—goods or services the city plans to purchase in the coming fiscal year—and other budget requirements—contingency for unanticipated expenses—that must be planned for but may not actually be spent. The budget also presents the anticipated and actual revenues that will be available to pay for those expenditures.

Preparing a budget allows a city to look at its needs in light of funds available to meet those needs. In Oregon, all local governments must plan a balanced budget, meaning that the resources and requirements are equal. A city cannot plan to purchase more items or services than it has money to pay for them.

A CITY'S BUDGET PROCESS

Appoint a Budget Officer

The budget officer—who is either appointed by the city council or defined in the city charter—prepares the proposed budget in a format that meets the requirements set out in state statutes. The budget officer develops the budget calendar, which maps out all the steps that must be followed for the legal adoption of the city budget. A budget calendar is not required by law but is highly recommended.

Appoint Electors to the Budget Committee

The budget committee is an advisory group comprised of the city council and an equal number of appointed members. The appointed members of the budget committee must be electors of the city. Budget committee members are appointed for staggered three-year terms, and cannot be employees, officers, or agents of the city. All members of the budget committee have the same degree of authority and responsibility.

THE BUDGET PROCESS

1. Appoint a budget officer.
2. Appoint electors to the budget committee.
3. Budget officer prepares a proposed budget.
4. Public notice of budget committee meeting.
5. Budget committee meets.
6. Budget committee approves the budget.
7. Budget summary and notice of budget hearing are published.
8. Hold budget hearing.
9. Adopt budget, make appropriations, impose taxes, categorize taxes.
10. Certify taxes.
11. Post-adoption budget changes.

Source: Local Budgeting Manual 150-504-420, found under Forms & Publications at www.oregon.gov/DOR.

Budget Officer Prepares a Proposed Budget

After the budget calendar is set, the budget officer begins to develop the estimates of resources and requirements for the coming fiscal year or biennial cycle.

Every city budget will have at least one fund—the general fund—which accounts for daily operations. In practice, a city budget will

have a number of funds, each designed to account for a specific purpose. A budget should include enough different types of funds to clearly show what services and programs a local government is providing and how it is paying for expenditures. However, it is advisable to not have too many funds, as this makes the budget harder to read and understand.

There are seven types of funds used in most city budgets:

1. **General Fund** – records expenditures needed to run the daily operations of the local government.
2. **Special Revenue Fund** – accounts for money that must be used for a specific purpose.
3. **Capital Project Fund** – records the money and expenditures used to build or acquire capital facilities, such as land, buildings or infrastructure.
4. **Debt Service Fund** – records the repayment of general obligation and revenue bonds and other financing obligations.
5. **Trust and Agency Fund** – accounts for money that is held in trust for a specific purpose as defined in a trust agreement or when the government is acting as a custodian for the benefit of a group.
6. **Reserve Fund** – functions as a savings account to pay for any service, project, property, or equipment that the city can legally perform or acquire in the future.
7. **Enterprise Fund** – records the resources and expenditures of acquiring, operating, and maintaining a self-supporting facility or service—such as a city water or wastewater utility.

Oregon budget law requires a city's budget to provide an annual financial history of each fund. The financial history must include:

- The actual revenues and expenditures for the prior two years;
- The budgeted revenues and expenditures for the current year;
- The estimated balanced budget, as proposed by the budget officer, for the coming year which includes columns for the budget approved by the budget committee; and
- The final budget adopted by the governing body.

The budget also includes a column for the descriptions of expenditures and resources.

Public Notice of the Budget Meeting

The budget committee must hold at least one public meeting for the purpose of receiving the budget message and the budget document, and to provide the public with an opportunity to ask questions about and comment on the budget.

The city must give public notice for the budget meeting(s) either by: (1) printing notice two times in a newspaper of general

THE BUDGET MESSAGE

The budget message gives the public and the budget committee information that will help them understand the proposed budget. It is required by statute to contain a brief description of the financial policies reflected in a proposed budget and, in connection with the financial policies, explain the important features of the budget. The budget message must also explain proposed changes from the prior year's budget and any major changes in financial policies.

circulation; or (2) once in the newspaper and posting it on the city's website. If the budget committee does not invite the public to comment during the first meeting, the committee must provide the opportunity for public comment in at least one subsequent meeting. The notice of the meeting(s) must tell the public at which meeting comments and questions will be taken.

Budget Committee Meets

The budget message is prepared in writing so it can become part of the budget committee's records. It is delivered at the first meeting of the budget committee by the budget officer, the chief executive officer, or the governing body chair.

A quorum—more than one-half of the committee's membership—must be present for a budget committee to conduct an official meeting. Any action taken by the committee first requires the affirmative vote of the majority of the membership.

Budget Committee Approves the Budget

One of the budget committee's most important functions is to listen to comments and questions from interested citizens and consider their input while deliberating on the budget. The budget committee can revise the proposed budget to reflect changes it wants to make in the city's fiscal policy, provided that the revisions still produce a balanced budget. When the committee is satisfied, it approves the budget.

When approving the budget, the budget committee must also approve a property tax rate or the tax amounts that will be submitted to the county assessor. The budget committee should make a motion to approve the property tax so that the action is documented in the committee meeting minutes. Upon approval of the budget by the budget committee, the budget officer completes the

budget column labeled “approved by budget committee,” noting any changes from the original proposed budget.

Any action by the budget committee requires approval by a majority of the entire committee. For example, if the budget committee has 10 members, six are present at a meeting (a quorum), but only five of the six present agree with a motion to approve the proposed budget, then the motion does not pass. It is up to the budget committee to negotiate a budget and tax that is acceptable to a majority of its members.

Budget Summary and Notice of Budget Hearing are Published

A summary of the approved budget, which includes a narrative description of prominent changes to the budget from year to year, is published in the local newspaper with the notice of a public hearing to adopt the budget five (5) to thirty (30) days before the budget hearing date.

Hold Budget Hearing

The city council must conduct a budget hearing by June 30 to receive the budget committee’s approved budget, conduct deliberations, and consider any additional public comments. The council can make any adjustments it deems necessary (with some restrictions) to the approved budget before it is adopted by June 30. The budget hearing and the resolutions or ordinances necessary to adopt the budget and impose taxes can be conducted at the same public meeting.

Adopt Budget, Make Appropriations, Impose Taxes, Categorize Taxes

The city council may adopt the budget at any time after the budget hearing so long as it is adopted by June 30. It is not a requirement that the budget be adopted at the hearing.

To adopt the budget, the city council enacts a resolution or ordinance which provides the legal authority to:

- Establish or dissolve funds;
- Make appropriations for expenditures;
- Adopt a budget; impose and categorize taxes; and
- Perform all other legal actions pertaining to budgeting and authorizing tax levies.

All enacted statements can be combined into one resolution (or ordinance), which must be signed by the mayor before submission to the county assessor’s office.

Certify Taxes

Any property taxes must be certified to the county assessor annually, even if the city adopts a biennium budget. By July 15 of each year, a city must submit two copies of the resolution (or

ONLINE RESOURCES

OREGON DEPARTMENT OF REVENUE RESOURCES

LOCAL BUDGETING MANUAL

An introduction to the requirements of Local Budget Law, including information on biennial budgets. Available at www.goo.gl/gGdnwk.

LOCAL BUDGETING IN OREGON

A supplement to the Local Budgeting Manual, covering the requirements of Oregon’s Local Budget Law. Available at www.goo.gl/h5ptkS.

LOCAL BUDGET LAW WEBPAGE

A webpage dedicated to helping local governments prepare and adopt their budgets. The page contains forms, glossary of terms, sample budgets and information on free training sessions. Available at www.goo.gl/JCkgSE.

ordinance) to the county tax assessor. In addition, the notice of property tax certification (form LB-50) and successful ballot measures for local option taxes or permanent rate limits must be submitted.

In addition to the county tax assessor’s copies, a copy of the resolutions required to receive shared revenue must be submitted to the Oregon Department of Administrative Services by July 31. Finally, a copy of the published adopted budget document, including the publication and tax certification forms, must be submitted to the county clerk’s office by September 30.

Post-Adoption Budget Changes

While it is possible for changes to be made to an adopted budget once the fiscal year begins, this can only happen under specific circumstances. Two such examples are council-approved resolution transfers of funds, and supplemental budgets that make changes to adopted expenditure appropriations and estimated resources. These are actions that must be taken before more money is spent beyond what is appropriated in the adopted budget. Any changes made to the adopted budget require that the budget remain in balance after the change. ■

Successful Code Enforcement Considerations

Code enforcement can be a tricky job. Striking the balance between properly enforcing a city's codes and providing good customer service to its constituents is no easy task. Code enforcement works to protect the health and safety of the city through ensuring the city's codes are enforced, in areas such as land use code, environmental code, and building code. Generally, a city will use a complaint-based system of enforcement and will focus first on code violations that present serious risk to public health and safety.

A successful code enforcement officer excels in these six areas:

1. Knowing their code. Successful code enforcement officers are experts on their city's codes. They are extremely proficient at knowing what the code regulates and what it does not. The best code enforcement officers can point to relevant sections of their city's code when questioned by superiors and members of the public.

2. Reviewing their city's code annually. Code enforcement officers likely work with their city's codes more than any other city employee. It is often the code enforcement officer who finds the code's flaws or the proverbial loopholes. Successful code enforcement officers annually review their city's code so that, when necessary, appropriate amendments can be submitted to their city council.

3. Believing in interdepartmental cooperation. An exemplary code enforcement officer works cooperatively with employees from various city departments. Code enforcement officers regularly interact with problem properties that necessitate the involvement of numerous city departments. Knowing which employees in the various departments need to be involved in resolving the issues at a property is a unique and ideal skill.

4. Participating in successful community outreach. A quality code enforcement officer not only knows their city's code, they also educate property owners and community members about the code's requirements. Code enforcement officers with high rates of success are those who frequent neighborhood association meetings, engage with the chamber of commerce, and have regular contact with key stakeholders in the community. Making sure the community knows the code as well as they do is the mark of a successful code enforcement officer. To accomplish this, code enforcement officers may need to communicate code changes to residents in ways such as putting information in utility bills or publishing updates in a city newsletter.

5. Engaging with citizens who are in violation of the city code. Notifying property owners that they are in violation of the city's code is never a fun task. While it can be easier to try and deal with code violations via written notices, emails, and phone calls, effective code enforcement officers know that sometimes face-to-face contact is the most efficient way to remedy a violation. Meeting with a person whose property is in violation of the city code allows the code enforcement officer the opportunity to fully explain the violation, listen to the reasons behind the violation, and engage with the property owner in how to successfully and most expeditiously achieve compliance.

6. Enforcing the city's code consistently and equally. Successful code enforcement officers are fair code enforcement officers. A fair code enforcement officer is one that enforces the city's code equally against all property owners, regardless of their position in the community or the location of the property. ■



Public Employees & Political Campaign Restrictions

Each election season, the LOC is asked to clarify the restrictions on political campaigning by public employees. Generally, public employees are prohibited from using their work time to support or oppose measures, candidates, recalls, petitions, or political committees.¹ Furthermore, elected officials cannot direct their employees to engage in political activity.

Who is a Public Employee?

A public employee is any person employed by the state of Oregon, a county, a city, or a special district.² Examples of public employees include: full-time city employees; part-time city employees; city volunteers that receive no compensation for their service; and appointed board or commission members when they are acting in their official capacity.

Elected officials are not public employees.³ State law prohibiting public employees from supporting or opposing measures, candidates, recalls, petitions, and political committees do not apply to elected officials. Elected city mayors, councilors, and auditors are not public employees. Contractors are also not public employees. However, contractors cannot be directed to engage in political activity as part of the contractual service they are providing a city.

When are Public Employees “On the Job?”

An employee is “on the job” when he or she is performing work for the city in an official capacity, regardless of when and where the work is performed. For example, if a city’s parks director is required to attend a chamber of commerce event in their official capacity, the parks director is prohibited from asking event attendees to support a local ballot measure that would raise money for the city to build a new swimming pool.

Some common activities that are always considered to be performed in an official capacity include, but are not limited to:⁴

- Posting material to an official city website;
- Drafting or distributing an official city publication; and
- Appearing at an event as the city’s representative.

How Does a Public Employee Engage in Political Campaigning During their Personal Time when Everyone in the Community Identifies Them as a Public Employee?

Some public employees are in high profile positions that make them regularly known in their communities. In some small communities, public employees are known by all residents as working for the city. In these instances, it can be hard for members of the public to distinguish whether the public employee is speaking on behalf of the city as opposed to speaking on behalf of themselves. Similarly, a public employee who wishes to engage in political campaigning during their own private time should make it clear to all that they are acting in their personal capacity and are not working for or representing the city.

Can Public Employees Express their Own Personal Political Views While on the Job?

Yes. Public employees can express their own personal political views while at work. Employees can display political stickers on their personal vehicles and wear political buttons on their clothing (providing such an action does not violate the city’s uniform or personnel policies).

Also, public employee unions can have designated bulletin boards in city buildings to post information. The content of union bulletin boards is determined through a collective bargaining process and is not subject to ORS 260.432.

Conclusion

Understanding and knowing when and how public employees can engage in political campaigning can be confusing. To assist public employees and elected officials in understanding and complying with ORS 260.432, the LOC has created a document entitled “FAQ about Restrictions on Political Campaigning by Public Employees,” available in the online Reference Library at tinyurl.com/FAQ-campaigning. If city employees or leaders have questions about ORS 260.432, they are encouraged to consult with their city attorney for additional guidance. ■

¹ ORS 260.432.

² See ORS 260.432.

³ ORS 260.432(6)(a).

⁴ See Secretary of State Quick Reference on Restrictions on Political Campaigning for Public Employees - tinyurl.com/4csrymye

Tips for Handling Difficult Social Media Interactions

Elected officials typically run for office to better their community. In order to see this goal to fruition, elected officials seek tools to reach their constituents in an effective manner. One tool that elected officials have at their disposal is social media. Social media takes many forms, but all platforms typically share the following common traits: (1) communication is done electronically or digitally; (2) the platform is widely accessible to the public; and (3) the platform is interactive.

Whether using Facebook, Twitter, Instagram, webpages, or other platforms, social media has benefits that cities and their elected officials can utilize. First, cities and their officials can instantly broadcast notices and information to their residents. Second, cities and officials can receive feedback from residents on any topic. Lastly, social media is fast, affordable, and an effective alternative to other mediums of communication.

However, elected officials often find the main pitfall that comes with social media is how to properly manage and handle challenging interactions with members of the public. Elected officials must exercise caution in their interactions with members of the public while on social media platforms.

GOVERNMENT OR PRIVATE?

Generally, the initial reaction in handling a difficult interaction on a social media page is to limit and restrict comments, or perhaps even blocking individual members of the public from the account. Prior to restricting individuals interacting on a social media account, the public official should take the following steps:

- Identify whether it is a private account or a designated government/public account; and
- Regardless of the designation, identify whether the posted content is personal in nature or public business/public promotion.

Public officials are cautioned that although their social media account may have been created in a personal capacity, there could be instances when the account will be categorized by the legal

ONLINE RESOURCES

MODEL SOCIAL MEDIA POLICY

This model policy addresses legal risks such as violations of public records law and protections on free speech. This model does not address the off-duty private use of social media accounts that do not relate to public business. Available at tinyurl.com/model-sm-policy



OREGON MUNICIPAL HANDBOOK – Chapter 28: First Amendment Law

This Handbook chapter focuses on the First Amendment to the U.S. Constitution. Topics include what is protected under the First Amendment, who it applies to, and enforcement. Find it online at: tinyurl.com/handbook-28.

system as a government/public account because of the manner in which the account is used. It is important for a public official to distinguish whether an account is purely private, or if an account is government/public.

If a social media account is deemed to be public (i.e. government managed), the members of the public who interact with the account have First Amendment free speech protections under the federal and state constitutions. Unfortunately, Oregon courts have yet to interpret and provide guidance on what a government account is. However, best practice is to err on the side of

Public officials should be mindful of how they designate their social media accounts and what type of content they disseminate.



caution and assume that if the social media account is used for any type of government business or public promotion, that it will be deemed to be a government account.

IMPOSING RESTRICTIONS

The Oregon Constitution has been interpreted to mostly prohibit the government (and its officials) from implementing content-based restrictions on public speech, whether that speech is verbal or written. This content-based prohibition applies to social media accounts that are governmental in nature (this is determined by usage and content). Any restriction on speech must be content-neutral. This means that an official might be able to prohibit outcomes, such as disruptions, but the official cannot do so by targeting a specific type of content. While cities and city officials are encouraged to verify any type of restriction with their attorney prior to taking action, since the law is fluid and nuanced, the following is a list of restrictions that are likely permissible:

- Removing actual disruptive behavior such as high frequency repetitive posting or posting that is unintelligible;
- Banning the promotion of a hostile or unhealthy online environment such as postings that are sexually explicit or depict excessive violence;
- Banning the encouragement or promotion of criminal activity; and
- Banning advertising.

Another avenue in which officials can stay clear of difficult social media interactions is to disable all commenting options on posts. This restriction avoids exposure to constitutional claims but still allows for the delivery of information to the public.

If a social media account is deemed to be public, the members of the public who interact with the account have First Amendment free speech protections under the federal and state constitutions.

OTHER TIPS FOR HANDLING ONLINE INTERACTIONS

In addition to avoiding the constitutional free speech pitfalls highlighted above, the following are actions public officials should avoid doing on their social media accounts:

- Sending incorrect information;
- Making commitments the official cannot follow through on;
- Issuing long statements;
- Blaming others; and
- Engaging with negative comments and online “trolls.”

Ultimately, public officials should not be scared away from utilizing social media platforms. However, public officials should be mindful of how they designate their social media accounts and what type of content they disseminate. If public officials choose to moderate the actions of individuals on their social media accounts, they must also be aware that the moderation may expose them to liability and potential legal implications. ■



A City's Role in the Land Use Process

By Joanna Lyons-Antley, Of Counsel, Campbell Phillips

Land use is defined as what is built or developed, or what activities take place on a piece of property. A city's role in land use is to ensure that both public and private development are aligned with the standards set out in the city's comprehensive plan, zoning maps and development code.

STATEWIDE GOALS

Land use planning in Oregon is quite different when compared to other states. The Oregon land use planning program was created in 1973 when the Legislature passed the Oregon Land Use Act (SB 100) in response to Oregon's rapid population growth. Under this program, all cities and counties throughout Oregon have adopted comprehensive plans that meet 19 statewide planning goals that deal with land use, development, housing, transportation, and conservation of natural resources.

LOCAL COMPREHENSIVE PLANNING

Oregon's statewide goals are achieved through local comprehensive planning. State law requires each city and county to adopt a comprehensive plan and the zoning and land division ordinances needed to put the plan into effect. The local comprehensive plans must be consistent with the statewide planning goals. Once approved by the state's Land Conservation and Development Commission (the Commission), the plan is said to be "acknowledged," and along with state law, becomes the controlling document for land use in the city.

CITY PROCEDURES FOR LAND USE DEVELOPMENTS

Any development, whether a new single-family home or a shopping center, must receive prior approval from a city to ensure that it conforms to the land use plan and ordinances for health and safety and other local objectives. Typical land use decisions include variances, site and design review, conditional use permits, partitions, subdivisions, and zone changes.

To obtain city approval for a development, the landowner must submit the specified land use and demonstrate how the development proposal meets criteria set out in the code.

A city's land use code sets out the procedures it uses to consider land use applications. Certain kinds of development, such as an

addition to a home, may be approved quickly at the staff level, while others, such as a home based business or small office complex in a residential zone, may require conditional use approval by the planning commission. More complicated actions or policy changes, such as a new mixed-use zone or zone change from multi-family residential to retail commercial, may require approval of the city council.

CITY ROLES & DECISION-MAKING

According to state law, there are three main types of land use decisions: legislative, quasi-judicial and ministerial. For legislative decisions, city officials act like a legislature, considering changes to the land use code to establish local land use policies. In most cities, proposed legislative amendments to the comprehensive plan or zoning code are considered first by the planning commission, which holds one or more public hearings. The commission's recommendation is then considered by the governing body which holds at least one public hearing before taking final action.

For quasi-judicial decisions, city officials act like the judiciary, reviewing a landowner's land use application, holding hearings, considering testimony, and applying code criteria to decide whether the city must approve or deny the proposed development. To ensure a fair process, city officials should consider all testimony and evidence. Also, city officials should not read or talk about the pending application outside of the formal hearing and review process. If such an ex parte communication does occur, the city official must declare such communication. Decisions must be based on written findings addressing the application's consistency with the approval criteria from the code.

Ministerial land use decisions are made by planning staff based on clear and objective standards and requirements applicable to a specific development proposal or factual situation. Ministerial decisions do not require a public notice or hearing. ■

Ms. Lyons-Antley has more than 20 years of general counsel local government experience, advising her clients with practical and cost-effective solutions.

Oregon Water Rights Basics

By Olivier Jamin

With increasing stress imposed on water resources from drought and climate change, securing a safe and reliable water supply is a priority concern for every Oregon community. Many cities in Oregon operate their own water systems, while others are served by various water districts or contracts with other cities. Compared to irrigated agriculture, municipal and industrial water use constitutes just a fraction of the total amount of water withdrawn from streams or pumped from aquifers. But efforts to acquire or expand municipal water supplies attract a lot of attention and sometimes controversy. Because building new infrastructure takes time, local leaders often must forecast demand and supply over the long term. Meanwhile, the availability of new water rights is shrinking, as regulatory requirements expand.

Oregon water law, as in other western states, follows the rule of Prior Appropriation, often described as “first in time is first in right.” Prior to enactment of Oregon’s water code in 1909, the common law was that whoever first diverts water out of a stream for a beneficial use can prevent latecomers from interfering with that use. There is no sharing of shortages under this “wild west” rule of prior appropriation.

WATER RIGHTS ADMINISTRATIVE PROCESS

1. Application filed with the Oregon Water Resources Department (OWRD);
2. If water is available, the OWRD issues a permit; and
3. Once construction is complete, a Claim of Beneficial Use is filed with the OWRD by the permittee.

New water rights follow a three-step process. First, an application is filed with the Oregon Water Resources Department (OWRD), and the date of the application establishes the priority date. That’s important because the entire water right process can take considerable time to complete. Second, if the OWRD finds that water is available for appropriation, and withdrawal would not “impair or be detrimental to the public interest,” then it issues a permit. The public has a right to file a protest, possibly because the new right would deprive fish of needed flows or interfere with existing water rights. A permit allows development of water works and initial use. Third, when construction is complete, the permittee files a Claim of Beneficial Use with the OWRD that documents how the water is being used, which may differ from the rate of diversion or volume of water specified in the permit. The OWRD then issues a certificate, which is conclusive evidence of a fully vested water right.

As long as the certificate holder continues to use the water in accordance with the certificate, the right continues in perpetuity. Generally, certificated water rights may be forfeited following five consecutive years of non-use. However, municipal water rights are the exception and cannot be lost for non-use.

While somewhat simple in theory, the practice of applying for a new water right has become increasingly complicated. Most streams are over appropriated, so new permits for surface water are virtually a thing of the past, and groundwater is becoming increasingly regulated, to the point where water rights transfers may soon be the primary mechanism to acquire water rights.

WATER RIGHT TRANSFERS

A water right transfer is necessary to change one of the main components of a water right, such as the place of use, character of use, or point of diversion. The test is whether other water right holders may be “injured” by the change. An example of this is a change in point of diversion higher up in the watershed, which could mean withdrawals of water above someone else’s diversion. Proposed transfers are also subject to protest and hearings.

Because new water rights are becoming increasingly difficult to obtain, acquiring an existing water right and applying to transfer its place of use or character of use could soon become the primary way to secure water resources. In the last few years, the OWRD adopted a new position at odds with its long-standing practice, and with what some believe is their statutory duty, by refusing to process transfer requests specific to storage water rights. The OWRD’s current interpretation states that holders of storage water rights are not able to change the location of a dam or other reservoirs, even if such a change is required for safety purposes. The issue is currently in front of the courts.

MUNICIPAL EXTENSIONS OF TIME

Generally, a new permit will include a date to commence and complete construction, usually within the first year. That date can be extended for five years for good cause. The problem is that cities must plan for long-term growth. The goal of most cities is to lock in a supply that will meet anticipated demand for decades to come. A city would then develop a system in increments when it was confident the demand would be there, along with the ratepayers to carry the debt service. This reality has created tension between the legal requirement of prompt development and responsible municipal planning.

States throughout the western U.S. are also increasingly looking at water recycling and reuse programs to maximize water use and efficiency.

For decades, the OWRD had simply issued successive five-year municipal extensions to avoid this problem. That practice was disallowed by the courts in 2004. Then, in 2005, the Legislature enacted special laws pertaining to municipal water right extensions. Under that statute, new municipal water permits would extend the initial development period to 20 years, with the possibility of additional extensions of time. Following a 2013 court decision, water right permits that have not been fully developed must go through a special process that includes the potential for limits on withdrawals under the permit to protect fish flows.

ALTERNATIVE APPROACHES TO WATER SUPPLIES

Some municipalities have started purchasing existing water rights from farmers or other cities. Others pay farmers to improve irrigation efficiency, for example to install sprinklers to replace flood irrigation, or pipe to replace open canals. As a result of those efficiency improvements, additional water may be available to municipalities.

States throughout the western U.S. are also increasingly looking at water recycling and reuse programs to maximize water use and efficiency. For a long time, water reuse and recycling were limited to irrigation purposes, but drought conditions have forced states and regulators to expand those programs. In 2022, Colorado became the first state to adopt official rules governing potable water reuse. There are sure to be new opportunities for local governments moving forward to pilot new reuse and recycling programs as part of their water planning strategy.

Water resources continue to diminish around the western U.S. while competition for this scarce and precious resource increases. For local governments, this means that water planning for the next 50-100 years should start now for a better understanding of future supply and demand and to identify potential additional sources of water. The League of Oregon Cities, in collaboration with other stakeholders, is working hard to ensure that the Legislature and the courts understand the imperative and support public water supplies. ■

Mr. Jamin is an associate with the law firm of Davis Wright Tremaine LLP

Resources for City Officials

The League has a large online library of publications, guides, FAQs and models available to assist public officials in carrying out their duties. All of these are available at www.orcities.org under **Resources > Reference Materials**.

- Guide to Recruiting a City Attorney
- Manual for Ordinance Drafting and Maintenance
- Guide to Drafting a Sign Code
- Borrowing and Bonds for Oregon Municipalities
- Guide to the Local Regulation of Marijuana in Oregon
- Guide to Recruiting a City Administrator
- Guide to Local Government Regulation of Firearms
- Legal Guide to Collecting Transient Lodging Tax in Oregon
- So You Want to Run for Public Office - A Guide for Prospective City Elected Officials
- Home Rule 101
- Guide to Incorporation
- Guide to Public Display of Flags on Government Buildings
- Guide to Persons Experiencing Homelessness in Public Spaces
- FAQ on Initiative and Referendum in Oregon
- FAQ on Oaths of Office
- FAQ on Surplus Property
- FAQ on Municipal Audits
- FAQ on Urban Renewal
- FAQ on Public Record Fees
- FAQ on Vacating the Public Right of Way
- FAQ on Single-Use Plastic Bags and Straws
- FAQ on Oregon's Rent Control Laws
- FAQ on Emergency Procurement
- Telecom Toolkit
- Model Noise Ordinance
- Model Business License Ordinance
- Model System Development Charge Ordinance
- Model Beekeeping Ordinance
- Model Rules of Procedure for Council Meetings
- Model Charter for Oregon Cities
- Model Animal Ordinance
- Model Equipment Rental Agreement
- Model Technology Use Policy
- Model Fee Waiver Ordinances
- Model Motor Vehicle Fuel Tax Ordinance
- Model Cable Television Franchise Agreement
- White Paper on Disruptive Citizens in Public Meetings
- White Paper on Incorporating a City in Oregon
- Understanding Oregon's Unfunded Mandate Law
- And many more

Top Three Ways New Elected Officials Get Into Trouble

By Kirk Mylander, CIS General Counsel

INTRODUCTION

Newly elected councilors brim with energy and good intentions. Sometimes, however, a new council-person's enthusiasm can lead him or her to make avoidable mistakes. Here are the top three mistakes of the newly-elected.

I. Terminating Staff on Your First Day/Week/Month

We at CIS watch city council elections closely, as we're very interested in who we will be working with, and working for, the next few years. In the not-too-distant past, I received a call in late December from a person whom I knew had won his race for mayor.

"Congratulations on your election!" I said. "That's great. You must be very excited."

"Well, I am excited to make some changes," he told me. "That's why I'm calling you, because I have asked the city manager for his resignation."

There was a pause. A long pause. Mr. Mayor-Elect had not even been sworn in yet and he was firing the city manager?

The mayor continued.

"I know you have this PreLoss program at CIS, so that's why I'm calling. So, you know, to give you guys the heads up. Because if the city manager doesn't resign, then I'm going to fire him at our first meeting."

After 20 years of legal practice, not much can catch me off guard. This totally caught me off guard. I didn't know where to start.

"But, you're not sworn in... you don't have the authority to fire someone by yourself, it requires a majority vote, and..."

"Oh, I got the votes!" the mayor interrupted. "City manager resigns, or he's gone. This is why I ran for office."

So, then I had to explain to the mayor-elect how we could not support this termination, and his city would be required to pay the Pre-Loss deductible if he went through with it now. However, CIS could support a termination where he and other new councilors take some time to observe the city manager after they get into office. And if they see deficiencies in his job performance, then to provide the city manager with a specific list and give him a certain amount of time to improve, like 90 to 120 days. Also, provide the city manager with training and the support he

needs to do the job the correct way; demonstrate that the city council is there to help the city manager succeed. Then, with the clear expectations, training, support, and additional time, if the city manager does not raise his job performance to meet your metrics, let him go. And really, that's the pattern we want to see for all terminations at any level—where someone is told what's wrong, given the time and tools to improve, but for whatever reason they decide not to make a change. That's a winning, defensible scenario that is fair to everyone. But my new mayor friend wasn't having it.

"We're just going to have to agree to disagree on this one, Kirk. The people elected me to make a change, two other councilors agree with me, and we're going to do what we were elected to do."

And sure enough, at Mr. Mayor's very first meeting he made a motion to fire the city manager. The city manager had waived his right to an open meeting, so council chambers was packed with his supporters. When the vote started, those supporters were LOUD. The people were so loud that the mayor couldn't even hear how the councilors were voting. The mayor then shouted at the people, "Come on people, act like adults!" People in the audience shouted back, "YOU act like adults, terminating our city manager on your first day!" It was a circus.

When all the yelling and shouting was over, the city manager was fired and the citizens were mad mad mad—so mad, in fact, can you guess what happened exactly six months later?

That's right, the mayor and the two other councilors who voted to terminate the city manager were all three recalled. And do you know why it was exactly six months later? Yes! Because there is a six-month "safe harbor" during which a newly sworn in elected official cannot be recalled. Which shows how the people in this town were just waiting for those six months to be up.

II. Believing You are the City CEO and Causing a "Hostile Work Environment" for Staff: (or, doing the city manager's job instead of your own)

There's a type of person who often runs for a city council or mayor position on the basis of their experience and success in the private sector. And their success is to be commended; their skills and leadership learned in the business world can absolutely contribute to their success as an elected official. But occasionally, a councilor who is used to being the CEO of his or her own

ASK LOC

company, and having the power to make final decisions on their own, forgets that the public sector is very different. The power of a city council comes from acting as a group. Individual councilors and mayors have no power at all. If you're newly elected and you want to effect the mandate of your election, you do that by convincing a majority of the council to vote in concert with you to pass resolutions or ordinances. You alone can't do much of anything. As a group you can make law.

But like I was saying, some people who have been a successful CEO and who have strong leadership skills, they move too fast after being elected. They don't take the time to learn how the "new company" (the city) is different from their old company, and that they must follow different rules. Instead, they start individually managing city staff, and start ordering quick changes to staffers' duties, titles, and job locations. This makes the permanent city staff feel stressed. They start complaining of a "hostile work environment" cause by the micromanaging city councilor.

Here's where this can get dangerous for you as an elected official: managing staff is outside your scope of authority. You don't have the power to manage the daily activities of staff. Those duties belong to the city manager or city administrator. City staff typically know this, and so they may threaten to file, or actually file, a "hostile work environment" claim against you.

There's good news and bad news when it comes to staff filing lawsuits against you. The good news is that Oregon statutory law requires your city to "indemnify and defend" you for any lawsuits that are filed against you for actions taken "within the scope of your authority" as an elected official. Your own personal checkbook will never be on the line for lawsuits that flow from your official duties. However, like I said, there's bad news too. In the example above, the councilor who is micromanaging staff is NOT acting with(in) the course and scope of his or her official duties. Managing staff is the city manager's job. So, if you cause a lawsuit by micromanaging staff, you will be getting sued for actions that you took outside of your authority. And you will have to pay to defend yourself, most likely.

There's nothing to get scared about here. It's an easy fix. Just let the city manager manage the staff. If you see an issue that simply must be addressed, talk to your city manager about it. That's all you need to do. You are a city councilor now—you get to leave that day-to-day stuff to others!

III. Using Your Office for Personal Gain — The Six Words You Never Want to Hear Yourself Say

Now that you're a city councilor, people are going to treat you differently around town. That's unavoidable. When you have the power (when acting with your co-councilors) to make laws, people will view you in a different light than they used to. But you shouldn't view yourself in a different light. It leads to all sorts of problems. Here's one example.

There is a city in Oregon just large enough to have parking meters in its downtown core. Just the main drag downtown. Well, a person who had just successfully run for city council had a business that fronted that metered boulevard. This fellow owned an auto body shop, and he liked to park his own personal hot rod right out in front. So, what did he stop doing the day after he was sworn in as a new city councilor? You guessed right again; he stopped paying the parking meter in front of his shop.

So that day, the city meter reader began her shift by working her way down that city's primary downtown street. And the new councilor started watching her while he worked. He saw her moving from one car to another, checking meters and writing tickets. He watched until she reached his hot rod, parked directly in front of his store.

Now this meter reader, she was not a big imposing person like the councilor. She was petite and barely five feet tall.

The new city councilor saw the meter reader check his meter, get out her ticket book, and start writing out a ticket. Well, he rushed toward the street, burst out the front door of the store, threw his hand up and yelled. He yelled the six words that you never want to hear come out of your mouth as long as you are a city councilor: "DO YOU KNOW WHO I AM!?"

You never want to hear yourself say those six words, because that will be the beginning of the end for your time in public service. It never ends well after that. The meter reader burst into tears as the councilor continued yelling about how his position at the city compared to hers. She left and went back to her manager.

Her manager did all the right things. He told her how she had nothing to worry about, that she was only doing her job, and how the councilor was out of line. The manager told her to take the rest of the day off, and he would talk to his own boss, the city manager. When the city manager heard what the councilor had

done, he also said all the right things. He said he would talk to the councilor, that the meter reader had nothing to worry about and that she had done the right thing when she ticketed the councilor's car.

Now just as the manager was leaving, who comes storming into City Hall and goes straight into the city manager's office and slams the door closed? The councilor with the shop on main street. And he was still mad. He was yelling loud enough that staff could hear him shouting that he wanted the city manager to fire the meter reader, and to do it now! Who do you suppose the staff shares this with? The meter reader. The next day she emails her boss and says that the city councilor has created a hostile work environment, based upon her applying the parking regulations to the councilor the same as she applies them to everybody else. So, she got a lawyer and sued the councilor and the city.

CIS had to settle this case because the meter reader was right. The councilor did expect her to bend the rules for him, just because he was a councilor. And when she didn't, he demanded that she be fired. In a perfect world, she would have got her job back and the councilor would have been the one who got fired. But councilors can't be fired. You are in a unique position that way, and you do have a lot of responsibility. Use it judiciously and go out of your way to make sure that everyone knows you expect to live by the same rules as everyone else in town.

And never, ever, say to anyone, "Do you know who I am?!"

CONCLUSION

We want your tenure in office to be a success, and hope that you can now avoid these three common potholes that have made the

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wheels come off a few elected officials who have gone before you. Remember that your power comes from acting as a group, not alone; you're free of the day-to-day stuff, which belongs to the city manager alone; and never act or talk like you deserve special treatment because of your position, or you're going to wind up all alone. ■

Upcoming Trainings for Elected Officials

PUBLIC BUDGETING 101

March 7 at 6-9 p.m. or March 8 at 1-4 p.m. – Virtual via Zoom

This general municipal budget training is intended to familiarize members of city budget committees, including city council members, and city staff contributing to budget development.

Register on LOC's website: tinyurl.com/loc-budget-training

OREGON LAND USE PLANNING FUNDAMENTALS FOR ELECTED OFFICIALS

March 15 at 6-8 p.m. – Virtual via Zoom

This course will cover the history of Oregon planning, procedures for land use hearings, and how to support planning staff in creating defensible findings for land use decisions. In addition, participants will learn how to actively engage in long-range planning and how to guide goals and projects to improve community livability.

Register on LOC's website: tinyurl.com/land-use-training

2023 State Shared Revenues

Item 14.

Information and forecast estimates in this report are based on the best information available as of late January. The material is subject to forecast and law changes made throughout the year.

Per Capita State Shared Revenues for Cities

Per capita distributions for revenue sources are calculated based on certified population statistics from Portland State University's Center for Population Research (PSUCPR). Population estimates compiled each July are typically certified on December 15, and thereafter begin to govern the distributions. A copy of the certified estimate applicable to 2023 distributions is available near the end of this report.

	Highway Trust Fund Revenues (Gas Tax)	Liquor Revenues (20% of Total Share)	Marijuana Tax Revenues (75% of City's Share)	Cigarette Tax Revenues	9-1-1 Tax Revenues
2020-21 Actuals	\$73.61	\$19.40	\$3.06	\$0.96	\$8.05
2021-22 Actuals	\$79.89	\$18.57	\$1.26	\$0.82	\$11.08
2022-23 Estimates	\$78.64	\$18.99	\$1.26	\$0.76	\$10.68
2023-24 Estimates	\$79.46	\$19.51	\$1.35	\$0.73	\$11.27
2024-25 Estimates	\$80.34	\$20.50	\$1.44	\$0.70	\$11.80

Non-Per Capita Based State Shared Revenues for Cities

State marijuana taxes and liquor revenues are not exclusively based on population. The 14% liquor revenue share to cities uses an adjusted population formula that factors in the per capita property taxes and per capita income of each city (see ORS 221.770). The 25% state marijuana tax share to cities is distributed based on the number of licensed marijuana premises in each certified city compared to the total number of licensed marijuana premises in certified cities. This count includes grower, processor, wholesaler, and retailer premises. The estimates for the total share for all cities are provided in the following table to allow cities to see trends that will assist cities in their individual computations.

	Liquor Revenues (Based on Formula, 14% of Total Share)	Marijuana Tax Revenues (Based on Licenses, 25% of City's Share)
2020-2021 Actuals	\$40,085,560	\$2,673,042
2021-2022 Actuals	\$39,314,000	\$1,125,000
2022-2023 Estimates	\$40,356,000	\$1,125,000
2023-2024 Estimates	\$42,050,000	\$1,220,906
2024-2025 Estimates	\$44,830,000	\$1,326,148

2023 State Shared Revenues

City Budgeting Basics for the Five State Shared Revenues

By Lindsay Tenes, LOC Tax and Finance Lobbyist

Cities are expected to again receive payment from five different state shared revenue programs during the new fiscal year. Most shared revenues are distributed to cities based on population, but some use more complex distribution mechanisms. The five revenue sources are summarized below and include descriptions of each revenue source, forecast projection trends, and key legislative updates that may impact the revenue. The LOC encourages cities to join its advocacy efforts to protect and improve each of these vital revenue sources.

Using state projections, the LOC has produced estimates of state shared revenues for cities to utilize when formulating their budgets. Projections for distributions to cities may be revised throughout the year as revenues come in or as laws change. For more detailed estimates and explanations of each shared revenue, see the LOC's State Shared Revenue Report, now available online at www.orcities.org. Cities are reminded that they must take necessary steps, including completing various required certifications and reports, to receive the revenues. Those requirements are detailed in the online report.

State Shared Revenue Background

City general funds in Oregon primarily come from property taxes, franchise fees, transient lodging taxes, fees for services and state shared revenues. As a key revenue source for cities, state shared revenues help provide basic services and meet community needs. When state shared revenue formulas were first established, local governments were generally preempted by the state from enacting or continuing to enact local taxes on the same item in exchange for a specified portion of the revenues collected by the state. Thus, these revenues should not be viewed as "shared revenues," but rather as historical city and county revenues that are now collected by the state. Despite continued local revenue challenges and rising service costs, state shared revenues are often threatened through decreased shares for local governments as a tactic to help balance the state budget. In addition, when the state increases its tax rate, it often does not include the increased revenues in the share provided to local governments.

2021-22 Total City Share	
Highway Trust Fund	\$241,572,302
Liquor Revenues	\$95,477,000
Marijuana Tax	\$4,500,000
Cigarette Tax	\$2,466,667
9-1-1 Tax	\$27,118,076

The Five State Shared Revenues

1. Highway Trust Fund Revenues (Gas Taxes, etc.)



In 2017, the Legislature approved a comprehensive transportation funding package (HB 2017) that significantly increased cities' per capita funding. The package included a 10-cent gas and use fuel tax increase, and a 53% increase in the weight-mile tax (both phased in over a seven-year period), along with graduated registration and title fee increases. Future two-cent fuel tax increases are tied to meeting certain accountability and reporting requirements; these requirements were met for increases effective through December 2023, and our estimates assume they will be met for the 2024 increase.

From the cities' total allocation, \$2.5 million is directed annually off the top to the special city allotment fund. The allocation is matched and administered by the Oregon Department of Transportation (ODOT) to provide competitive grants to small cities with a population less than 5,000. This is in addition to their per capita allocation (see ORS 366.805).

The COVID-19 pandemic affected driving behavior, but initial predictions of a sharp decline and a slow recovery have proven to be incorrect. There was a significant drop in gas taxes in 2020, but it was followed by a much quicker recovery than anticipated. Long term growth in this revenue source will be tied to external factors like how the pandemic plays out, teleworking trends, population growth, and moves toward more fuel efficient and electric vehicles.

2. Liquor Revenues



Cities' share of this state shared revenue is 34%, of which 20% is distributed per capita and 14% is distributed using a formula that factors in property taxes, population and income. The three major contributors to this revenue source are: the sale of distilled spirits; taxes on beer, wine and cider; and liquor licensing fees.

Distilled spirit sales make up more than 95% of this revenue source. The state maintains the exclusive right to sell packaged distilled spirits and sets the mark-up on products using a wholesale price formula. This means that the bulk of this state shared revenue source technically is based on profits, and not taxes.

At approximately 8 cents per gallon, or about 4 cents on a six-pack, Oregon's beer and cider tax is one of the lowest in the country. In fact, Oregon's beer tax rate has remained unchanged since 1978. Meanwhile, the state wine tax is in the middle compared to other states and is 67 cents per gallon. The wine tax h

not been increased since 1983. With tax rates presently so low, it would take large tax increases to generate any significant revenue.

Changes made during the 2021 legislative session to increase compensation to liquor store agents and distillery tasting room owners have reduced net distributions from this revenue source. The OLCC warehouse is reaching capacity, and the Legislature approved construction of a new facility in 2021 using bonds that will also be paid for out of gross revenues. In 2022, the OLCC asked for and received an increase in the bonding authority for the land and buildings from \$53.2 million to \$131.9 million, a 148% increase. When the cost of the conveyor system is included, the total project cost jumps by \$83.7 million, to \$147.1 million, making the 34% city share of the project cost a staggering \$50 million. Cities' share of this revenue source is projected to continue trending upward over the long term, but these added costs mean cities will receive less revenue that they would have otherwise.

3. Marijuana Tax Revenues



The state imposes a 17% tax on recreational marijuana products. Until the end of 2020, cities received 10% of the state's total tax revenues (minus expenses) on recreational marijuana products. With the passage of Measure 110 in November 2020, which decriminalized possession of small amounts of street drugs, there was a massive shift in the allocation of state marijuana revenue distributions. Starting in March of 2021, quarterly revenue distributions to

cities from state marijuana taxes saw roughly a 74% decrease from the fourth quarter 2020 distribution (the final distribution under the old formula). Going forward, under Measure 110, cities will share \$1,125,000 quarterly, or \$4,500,000 annually, which is not indexed and will not grow with the market.

Revenue distributions to cities are made quarterly, however only individual cities that certify will receive a distribution. This certification had been required quarterly with the OLCC, but in 2020 was moved to an annual certification with the Oregon Department of Administrative Services (DAS), similar to other shared revenue certifications. Since 2017, 75% of the shared revenue is distributed to eligible cities on a per capita basis, and 25% is distributed based on the number of licensed recreational and medical premises in the city (grower, processor, wholesaler, and retailer). Note that the license portion (25%) of the distribution is particularly hard to forecast as shops are frequently opening and closing.

Cities may impose up to an additional 3% local tax on recreational marijuana products. Most cities have an agreement with the Oregon Department of Revenue to have the state collect their local tax at the same time the state tax is collected. However, that local tax revenue is not considered a state shared revenue.

The LOC will advocate on behalf of cities for additional marijuana revenues in the 2023 legislative session, but the numbers reflected in this report assume no change from the Measure 110 formula. Since the 2021 session, there have been interim

(continued on page 56)



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conversations around legislation to increase the 3% cap on local taxes or backfill Measure 110 losses, or change the distribution formula, concepts LOC continue to lobby for.

4. Cigarette Tax Revenues



This revenue source is projected to continue trending downward—as it has for more than 10 years—as smoking decreases. In November 2020 voters passed Measure 108, which increased cigarette taxes by \$2.00 per pack effective January 1, 2021, increased the cap on the cigar tax from 50 cents to \$1.00, created a tax on vape products at 65% of the retail price, and preempted cities from taxing vape products. After the increase, cigarette taxes are at \$3.33 per pack, and cities' share of that revenue is a meager 0.6% of the tax, or about 2 cents per pack. It's important to note that while cities receive a share of tax revenues for cigarettes, no shared revenue is distributed for taxes on other tobacco products, including cigars, moist snuff, chewing tobacco, pipe tobacco, and now vape.

Measure 108 was expected to have the effect of decreasing revenues to cities; cities did not get a share of the \$2.00 increase, and as prices increased by 33% on average, demand was anticipated to decrease. During discussions at the Legislature, reductions in sales as high as 25% to 35% were discussed due to reduced smoking rates in Oregon and a reduction of cross border sales into Washington and California. When the latest estimates for the 2021-22 biennium are compared to the 2019-20 biennium (the last full biennium before the tax increase) there is an almost 27% decrease in this

revenue source. Some of this decrease is likely due to longstanding trends, but it seems clear that Measure 108 has achieved the intended result of reducing smoking.

5. 9-1-1 Tax Revenues



Oregon's 9-1-1 tax was increased to \$1.00 per line or pre-paid transaction effective January 1, 2020, and further increased to \$1.25 effective January 1, 2021. Before this change in 2019's HB 2449, the rate had been 75 cents since 1995. Most cities will not directly receive this state shared revenue, as the city share is directed to the public safety answering point (PSAP) provider connected to the statewide network. Less than 20 of the 45 PSAPs in Oregon are operated by cities; most are managed by counties or a regional entity.

The PSAPs are only partially funded through the state's Emergency Communications Tax, with the balance of operating costs coming primarily from property taxes. Local governments receive approximately 60% of 9-1-1 taxes, but the taxes generally covered less than 25% of the costs of total PSAP operations before the recent rate increases. Ratios of individual PSAP costs to taxes received vary. The local government share of the state tax is distributed 1% to each county, with the remainder distributed per capita.

Contact: Lindsay Tenes – ltenes@orcities.org or (971) 416-6818 ■

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Climate Change, Inflation Put Pressure on Homeowners, Utilities

By Bill Eller, Financial Shock, Florida, Green Initiatives, Inflow & Infiltration

Warmer water and rising oceans equal more intense and more frequent storms, and the rise in frequency and destruction we've seen from storms out of the gulf and across the country are just one of the symptoms of climate change.

Hurricane Ian recently demonstrated the damage these super-sized storms can do to our infrastructure, damaging roads and bridges, shutting down airports and ports and breaking water mains. Lee County was without water in the wake of the storm and most of the county was impacted by a boil order for two weeks.

Meanwhile, Tampa was a third of the way through a \$39 million project to improve stormwater resiliency, improve drainage and reduce flooding. The project was designed after Irma left pumping stations offline for a week in 2017, but officials predicted that the city's current stormwater infrastructure wouldn't be able to handle Ian's heavy rains.

The state itself has committed \$1 billion toward making itself more climate resilient, including improving drainage, renovating wastewater pump stations, protecting wetlands and replacing septic systems with sewer system tie-ins. In the past, efforts to address climate resiliency, specifically hurricanes, focused on wind damage, but Ian's biggest punch came from flooding and storm surge.

As municipal officials rebuild, they will have to consider balancing gray and green infrastructure. Green infrastructure offers a living buffer, absorbing and slowing flood waters, while putting into place gray infrastructure, such as sea walls and flood gates or elevating important infrastructure, can divert water—possibly toward green infrastructure.

When storms hit the east coast, power outages prevent pumps from working and drinking water and sewage from being treated and stormwater flows damage water mains. Storm surges and

(continued on page 58)

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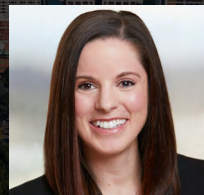
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flooding can overwhelm sewer systems, causing overflows and water quality concerns.

Another concern is financial—as storms increase in size and frequency, many homeowners are unable to afford climbing insurance premiums, and others have blanket insurance, but do not have flood insurance—it is estimated that less than 20 percent of homes hit by Ian had flood insurance. Some insurance providers are no longer renewing policies in hard-hit areas, and when there is extensive property damage, some homeowners are simply walking away, leading to higher property tax delinquencies.

Hurricanes are not the only climate change-related crisis facing water and wastewater systems. Increased extreme weather events means more rain and snow in some parts of the country and droughts and wildfire in others, while extreme heat and cold are more common everywhere, and the symptoms of climate change can adversely impact infrastructure, operations and water quality.

Meanwhile, utility customers are dealing with spiraling costs as inflation rises to a 40-year high, with the core consumer price increased over forecasts in September. Shelter, food and medical

care indexes saw the largest increases. High inflation has hit into Americans' savings and force them to break out the credit cards as they struggle with price growth, leaving an even smaller cushion if they should have an unexpected financial shock.

These two concerns overlap when it comes to home plumbing systems—water and sewer service lines serving utility customers' homes face the same challenges as utilities' delivery systems, including the impacts from climate change. However, at the same time, inflation is shrinking the average homeowner's budget, so if there is an issue, they are less prepared financially to handle it.

How can utilities help soften the blow if a customer's service line fails because of age or wear and tear? A partnership with the NLC Service Lines Warranty Program can both educate your customers about their service line responsibilities at no cost to your municipality or utility and offer a warranty that will shield them from the financial shock of an unexpected repair.

For more information on how you can educate and protect your customers, contact Homeserve at watersolutions.homeserve.com/contact. ■



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Stories from across Oregon

Good things our cities have been doing all across the state.

AUMSVILLE

New Mayor Sets Precedents

When Angelica Ceja Ochoa was sworn in Jan. 9 as Aumsville's mayor, she became the second female mayor in the city's history and the first in nearly 100 years, the previous being Stella Seely, who was mayor from 1925 through 1929. Ceja Ochoa is believed to be the first person of color to hold the position in Aumsville.

"My main and most pressing priority is getting funding for our new wastewater treatment facility. This is needed to meet the ammonia guidelines from DEQ. Without funding our city is looking at drastic increases to our water utility bill," she said.

Ceja Ochoa said that while more affordable housing is needed, she wants legislators and state leaders to understand that affordable housing is only a concept if utilities offset costs by a \$200 to \$300 water bill. "Affordable housing is more than just the cost of rent and mortgages. This is literally the main thing that consumes my brain right now," she said.

When Ceja Ochoa joined Aumsville's city council four years ago, her main focus was trying to educate the city and community about the importance of diversity, equity and inclusion and increasing community engagement and outreach.

"The city now has dual language staff and a newsletter, as well as our first female police officer. I plan on continuing to work on this. I hope to inspire and build up the next generation of leadership in our community and eventually diversify our events, committees and boards," she said. "My pie-in-the-sky goal is having the city hire a full-time bilingual police officer. For me, bridging cultural gaps is important."

Ceja Ochoa said that, among the challenges she has had to overcome, she is "extremely dyslexic."



"I've had people make fun of me in my adult life and openly question my intelligence. Becoming mayor is definitely stepping out of my comfort zone, especially in Aumsville where the last and only female mayor of record was in 1925," she said. "Add being a person of color to the list. I feel that is a lot for our small community to take in all at once. While it's exciting, it's also a bit unnerving."

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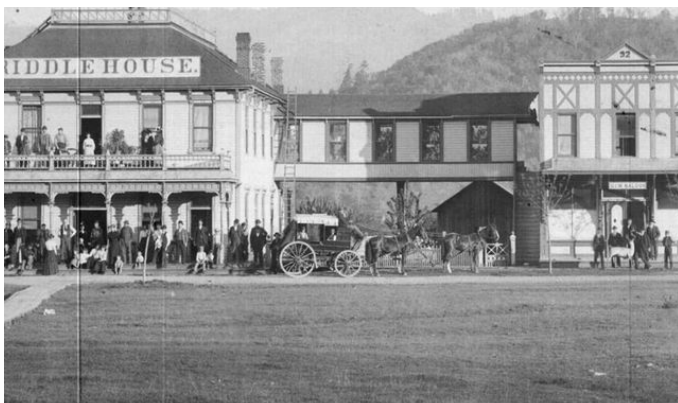
Citizens in Riddle recently gathered at the city's gazebo on Main Street to celebrate the 130 years that have passed since the city's incorporation on Jan. 30, 1893. The event included ringing the bell at the First Baptist Church 13 times, elementary school students singing "Happy Birthday" and the Riddle High School band following with their own rendition.

"We're bringing people together," said Dawn Mills, who works at the Riddle Chamber of Commerce and helped to organize the event. "And we're remembering that we're a community working together to make this a great place to live."

Elementary students also wrote letters showcasing their favorite parts of living in the town. The letters were posted in the windows of businesses along Main Street.

Riddle Mayor Bill Duckett spoke at the ceremony. After moving to the town in 1973, he was on the City Council before being elected mayor, where he's served for the past 27 years.

"I think this is great," Duckett told *The News-Review* before the ceremony. "This shows the dedication of people in our community, and that even though we're a smaller community, we've always kept our integrity. It's a great community to live in; we don't have the big city problems ... If you sneeze on one side of town, somebody on the other side will say 'bless you.'"



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MEDFORD

Park Renovations Approved

The Medford City Council has received \$714,300 for renovations at Howard School Park, thanks to an Oregon Parks and Recreation Department grant that will offset almost one-half of the cost of the project. That will be combined with city funds for the \$1.4 million improvement package.

Based on suggestions from local residents and the school, improvements to the 9.2-acre west Medford park will include a splash pad, playground, restroom, and re-paved athletic courts for activities such as basketball and pickleball. Pathways will be refurbished and the park will get better drainage and lighting.

Medford parks is completing the engineering for the park and hopes to put the project out to bid this spring. "We'll do the renovation as quickly as possible. We hope to be substantially complete in 2023," Medford Parks Director Rich Rosenthal told the *Mail Tribune*.

He said the master plan for the park was developed in 2016, but the upgrade was delayed to allow more time to obtain funding. In March 2022, Medford applied for a competitive grant



from the state. The grant requires completion of the project by Dec. 31, 2024.

The Oregon Parks and Recreation Department has disbursed more than \$70 million throughout the state for outdoor recreation projects since 1999. The grants are funded from Oregon Lottery dollars.

Medford has received nearly \$3 million of these grants over the years for Lithia & Driveway Fields, Lone Pine Park, Oregon Hills Park, Prescott Park, Cedar Links Park and Bear Creek Park. The city has been upgrading a number of older parks over the past decade, as well as building new parks, the *Mail Tribune* reported.

"Rejuvenating older facilities is every bit as good as building new ones," Rosenthal said. "Giving this very important park in the neighborhood a facelift was a top priority."



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CORVALLIS

Fire Station 3 Gets Upgrade

Corvallis Fire Station 3 is undergoing a \$3.5 million renovation and, once interior demolition is completed and the station is rebuilt, will feature four individual restrooms, six individual dorm rooms, a workout area and an open kitchen. The Corvallis Fire Department said the project should be completed late this year, according to local TV reports.

Last September, Corvallis Fire announced that the station will be closed for about 11 months while remodeling takes place. The renovation project is the first in a series of planned city facility improvements.

Fire Chief Ben Janes told KLCC that Fire Station 3 was built in 1977 and has been largely unchanged. "I was born and raised here," he said, "and I can remember being in that apparatus bay in that station in the mid-80s and getting my first station tour, and so being able to be here and to watch it be renovated and be modernized for the next 50 years is really exciting."

Janes said the project will allow the department to add a bay to keep a wildland fire truck on-site year-round. While the walls are open, the station will be plumbed to house an electric fire engine. There are just a few in the country right now, but Corvallis Fire wants to anticipate that demand in the future, he said.

Planning is underway for work on its twin station on the Oregon State University campus. The city council approved paying for both renovations with federal ARPA funds. Future projects will address other facilities including parks and recreation, staff offices and courts.





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TIGARD

Diversity in Action



Tigard has elected its most diverse city council and the first female mayor in the city's history. This broad representation means a great deal to the officials, and they hope community members feel the same.

"I believe that our government at all levels should truly reflect the people it serves because that's the only way we can truly understand the diverse needs and viewpoints of our community members," said City Council President Yi-Kang Hu, who was sworn into office at the start of the year.

Heidi Lueb, the city's first female mayor, also took office in January. She had been a member of the council since 2019, focusing heavily on balancing fiscal responsibility and ensuring community service needs were met. Lueb said stepping into the position isn't an honor she takes lightly, KOIN 6 reported.

"It's a really hard path to get there, to be the first to do it, and it's incredible that I'm the one doing it," she said. "I never really had a plan to be mayor or desire, and just being open to opportunities and seeing a space where I can do good...called me to step up and really take a chance and run for this role."

Since she was elected, Lueb has already heard from parents whose young daughters feel inspired seeing a woman leading the city. She said she's grateful to be an example to her own daughter and show her she can truly accomplish anything she sets her mind to.

Aishiki Nag, a Tigard High School student, is the city's youth councilor. She has an advisory voting position on the council, which allows her to share her opinion and represent the opinions of other young people in the community.

The councilors said they hope their diversity makes more community members feel comfortable coming forward and speaking to them, or even running for open council positions in the future.

Hu, an immigrant and member of the LGBTQ+ community, told KOIN 6 news he has experienced a lot of self-doubt in his life. "But by being elected, that really broke down a lot of barriers or internal doubt in my mind, and for the first time I don't feel like a complete outsider," he said.

Councilor Maureen Wolf, another newly elected member, said she is proud to be part of a community that values diversity.

"I am grateful to the prior council for their deep commitment to the city and setting the direction and culture as one of inclusion. While I am just getting to know council members, I believe we are all committed to listening and acting with all voices in mind and will bring our own experiences to the table," she said.

The third new city council member, Jai Raj Singh, said it's an honor to take part in this historic moment. "It means that Tigard is ready for deep systemic changes and I am ready to step up and serve our community to the best of my abilities."

Some of the council's top priorities for this year include housing, homelessness, reducing the city's impact on climate change, and improving Hall Boulevard and city-owned facilities, according to KOIN 6.

CANNON BEACH & PORTLAND

Favorite Cities to Visit

Cannon Beach and Portland were among a list of the country's most popular vacation destinations, joining the likes of Miami, Las Vegas and New York City, in a recent posting.

TripsToDiscover named the "24 Best Places to Visit in the USA" in December. Portland, which it called "one of the most unique and hippest cities in America," topped the list.

"Portland is a craft beer lover's dream because there are so many local brewers doing amazing things here," the travel and tourism platform noted. "It's also a great city to visit if you enjoy food trucks, mom & pop shops, quirky festivals, farmer's markets, interesting characters, and farm-to-table food."

In addition to Portland's "funky neighborhoods," TripsToDiscover highlighted the Rose City's proximity to great hiking, mountain biking and water sports as well as specific outdoor attractions such as Forest Park, the International Rose Test Garden and Mount Hood.

TripsToDiscover praised Cannon Beach's "oceanfront lodging, casual walks along the beach, and inspiring scenery at Haystack Rock and elsewhere along the shore."

"You can walk for miles and miles along the waterfront to get away from the crowds. Cannon Beach is also an artsy place with some great galleries and fine-dining restaurants," it said.



Cannon Beach



Portland

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SALEM

Council Eyes Commercial Air Service

The effort to revive commercial air service at Salem Airport recently got \$2.4 million closer to becoming a reality, and could see people flying to Los Angeles and Las Vegas as early as this summer.

The airport has a long journey ahead before it can be ready for commercial flights, but those in support of the project say it is well on its way to becoming the new West Coast hub of an unnamed low-cost airline, the *Statesman Journal* reported.

Salem City Council voted Jan. 9 to transfer \$2,366,000 from its general fund to renovate the terminal and hire nine new airport employees. The motion passed unanimously.

Leaders with Travel Salem and the Salem Area Chamber of Commerce spoke enthusiastically in favor of bringing commercial service to the region, saying it would increase tourism and access to Oregon's wine region, bring jobs and serve as an economic boon to local businesses.



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ROCKAWAY BEACH

ODOT Grant for Salmonberry Trail Segment

The city of Rockaway Beach received a \$1.7 million grant from the Oregon Department of Transportation (ODOT) for the city's section of the Salmonberry Trail. Rockaway Beach was one of the top recipients of the agency's Community Pathways Grant. The grant has been modified to \$750,000 for the design, which ODOT will handle.

"Once we see what ODOT's design for the trail is, we can then have public meetings to discuss the design and consider public input," City Councilor Mary McGinnis said. "The Rails and Trails project is sectional. Each city is responsible for the trail from city limit to city limit."

The Tillamook County Pioneer reported Rockaway Beach's five goals for the trail, which include bringing people to the center of town instead of driving through; Safe Routes to Schools; providing safe recreational opportunities; and bringing activity to the north and south ends of town by connecting through the center of town.

In addition, the city wants to disperse people with other walking options "because we had no idea that The Old Growth Cedar Trail would be so popular," McGinnis said.

The Salmonberry Trail Coast Segment is planned as a multiuse pathway accommodating two-way bicycle and pedestrian travel within and between eight coastal communities.

The basic standard for trail development for the coast segment is a 10- or 12-foot-wide asphalt paved surface with 2-foot-wide shoulders. The dimensions are consistent with state standards for regional multiuse trails, and the trail conforms to ADA standards for surfaces and grades.



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Email us your copy (500 words max.) detailing your city's notable achievement (i.e., a project, initiative, award or individual honor), preferably with an image.

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