



AGENDA

CITY COUNCIL

91136 N Willamette Street

541-682-7852 | coburgoregon.org

Tuesday, April 12, 2022 at 7:00 PM

CALL THE CITY COUNCIL MEETING TO ORDER This meeting will be in-person and through Zoom. To participate by Zoom you will need to **pre-register by 3PM** the day of the meeting. Questions contact City Recorder, Sammy Egbert, sammy.egbert@ci.coburg.or.us or 541-682-7852.

PLEDGE OF ALLEGIANCE

ROLL CALL

MAYOR COMMENTS

AGENDA REVIEW

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

RESPONSE(S) BY CITY COUNCIL

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

- [1.](#) Minutes February 8, 2022 City Council
- [2.](#) Minutes February 22, 2022 City Council & Planning Commission Joint Work Session
- [3.](#) Minutes February 22, 2022 Special City Council Meeting
- [4.](#) Minutes March 8, 2022 City Council
- [5.](#) Minutes March 29, 2022 City Council Work Session

SPECIAL GUEST

ORDINANCES AND RESOLUTIONS

- [6.](#) **Second Reading**
ORDINANCE A-200-J AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF COBURG IDENTIFIED AS TAX LOT 00202 OF ASSESSORS MAP 16-03-34-00 AND CONSISTING OF 107.43 ACRES, AND AMENDING ORDINANCE A-200-G TO CHANGE THE COBURG ZONING MAP TO REZONE SAID TERRITORY FROM LANE COUNTY ZONING DISTRICT EXCLUSIVE FARM USE (E-40) TO COBURG ZONING DISTRICT LIGHT INDUSTRIAL, AND ADOPTING A SEVERABILITY CLAUSE
- [7.](#) RESOLUTION **2022-09** A RESOLUTION AUTHORIZING THE APPLICATION FOR STREET PROJECT FUNDING TO OREGON TRANSPORTATION INFRASTRUCTURE BANK
- [8.](#) RESOLUTION **2022-10** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COBURG ADOPTING A CAPITAL IMPROVEMENT POLICY AND PROJECT LIST

COUNCIL ACTION ITEMS

- [9.](#) City Council Goals for Fiscal Year 2022-23

ADMINISTRATIVE INFORMATION REPORTS

- [10.](#) 1992 Coburg Charter Revision
- [11.](#) Finance Monthly Report
- [12.](#) Administration Monthly Update

COUNCIL COMMENTS**UPCOMING AGENDA ITEMS**

Police and Finance Quarterly Presentations

FUTURE MEETINGS

- April 13 Heritage Committee
- April 19 Park Tree Committee
- April 20 Planning Commission
- April 26 Special City Council Meeting, **6PM**
- April 27 Finance Audit Committee
- May 10 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.



MINUTES

Coburg City Council Meeting

February 8, 2022 7:00 P.M.

Coburg City Hall

Virtual and at 91136 N Willamette Street

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

STAFF PRESENT: Sammy Egbert, City Recorder; Anne Heath, City Administrator; Megan Winner, Anne Davies, City Attorney; Tim Gaines, Finance Director; Brian Harmon, Public Works Director and Chief Larry Larson, Police.

GUESTS: Cathy Engebretson, Finance Audit Committee.

RECORDED BY: Marlene Hockema, LCOG.

CALL TO ORDER

Mayor Smith called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

Ms. Egbert led the pledge of allegiance.

ROLL CALL

Ms. Egbert took roll and a quorum was present.

MAYOR COMMENTS

Mayor Smith reported he had been meeting with Ms. Heath, Ms. Winner and Councilor Fox regarding transportation issues in Coburg and throughout the region adding that they would be reaching out for input from other small towns.

Ms. Heath was pleased to announce the Employee of the Year 2021 as Sammy Egbert; the group was in agreement that she was the hub that kept things flowing.

Ms. Heath presented an employee achievement award, for five years tenure with the city, to David Gregory who has made great strides towards improving the police evidence room.

AGENDA REVIEW

Ms. Egbert suggested changing the agenda order to 1) Audit Presentation, 2) Finance Audit Committee Report and 3) Resolution 2022-05.

CITIZEN TESTIMONY

Cathy Engebretson commented she had brought up the topic of land use codes, several years ago, but added they would still be lacking. Of concern, is the zoning of multi-family dwellings which would become more prevalent in the near future. She also expressed concern regarding a potential water bottling plant which would export the city's water and possibly leave residents wanting.

RESPONSE(S) BY CITY COUNCIL

The council expressed their ongoing concern as noted by Ms. Engebretson. Mayor Smith responded that this topic is on the council's agenda adding there would be two items that need addressing, 1) multi-family housing and 2) state mandates regarding population.

Councilor Blain joined the meeting at 7:25 p.m.

CONSENT AGENDA

1. Minutes January 11, 2022 City Council

MOTION: Councilor Bell moved, and Councilor Blain seconded, a motion to accept the January 11, 2022 meeting minutes. Motion passed unanimously.

SPECIAL GUEST

2. Audit Presentation – Steve Tuchscherer

Steve Tuchscherer, Umpqua Valley Financial, reported the audit went well although remote reporting presented challenges. He was pleased to report that the improvement in the city's financials was phenomenal and a credit to the staff.

Councilor Lehmann noted that a city gas tax should be added to page 25 in Street Fund Revenue and questioned the reference on page 64 to a ten-year trend. Mr. Tuchscherer agreed to make those changes and have revisions available on February 9, 2022.

MOTION: Councilor Fox moved, and Councilor Blain seconded a motion to approve the Annual Financial Report, as amended, for the period ending June 30, 2021. Motion passed unanimously.

Finance Audit Committee Report – Cathy Engebretson

Ms. Engebretson stated she wanted to clarify a letter that had been received from the Secretary of State which listed three items of issue and of which Ms. Engebretson indicated she would rate two as suggestions and one as mute. Consequently, the letter would be of no eminent concern.

ORDINANCES AND RESOLUTIONS

3. RESOLUTION 2022-05 A RESOLUTION AUTHORIZING THE ADOPTION OF A HEALTH REIMBURSEMENT ARRANGEMENT (HRA) PLAN

Tim Gaines, Finance Director, informed the council that due to dissatisfaction with customer service at Pacific Source he would be presenting a change in (HRA) Health Reimbursement Arrangement to Gallagher Insurance and provided a report showing comparisons. Councilor McConnell questioned if Pacific Source was sent a letter to express employee concern and it was pointed out that no letter was sent as no responses had been received regarding complaints. Councilor Lehmann expressed concern that this was a first read of the document to which Mayor Smith clarified that while ordinances require multiple reads, resolutions do not.

MOTION: Councilor Blain moved, and Councilor McConnell seconded, a motion to approve Resolution 2202-05 a resolution authorizing the adoption of a health reimbursement arrangement (HRA) plan. Motion passed 5:4:1.

COUNCIL ACTION ITEMS

ADMINISTRATIVE INFORMATION REPORTS

4. Police Quarterly Report

Chief Larson presented a pie chart which indicated percentage changes for the quarter October-December 2021 in the following categories.

- Traffic stops
- Business patrolling
- Sex, fights
- Property crime
- Society crimes
- Fugitive (from another state)
- All other

Councilor Alexander asked if there was a correlation between the increased number of stops and the decreased number of crimes. Chief Larson answered in the affirmative inserting that they had also hired an additional officer. He further noted that according to HB2355, the (STOP) Statistical Transparency of Policing program, there had been no racial profiling noted by the state.

5. Coburg Building Department Operating Plan

Ms. Winner provided a report of the Coburg Building Department Operating Plan stating it was a big burden for small cities. Mayor Smith stated contracting with Cottage Grove had made this plan much easier.

6. Finance Monthly Report and Quarterly Plan

Tim Gaines, Finance Director, used a slide presentation to report the 2021-2022 finances: revenue, budget, expenditures, cash on hand, city gas tax revenue and transportation utility

fees. As noted earlier, he further stated that tax revenue had been received at a slower rate than previous years.

7. Administration Monthly Update

Ms. Heath reported that they are currently project heavy with lots going on at the same time and most projects in engineering design. She was pleased to announce that following closure, due to illness, city hall would reopen on February 14, 2022. She also informed the group that the city hall building had been painted and she was pleased with the final result. Councilor McConnell questioned if there would be a change to the City of Coburg logo; she stated it had been discussed, last year, but no decision had been made. Following discussion, the group determined that the current logo was out-dated and the council should consider a change.

UPCOMING AGENDA ITEMS

- Quasi-Judicial Public Hearing on Annexation of 105 acres into the city

FUTURE MEETINGS

- February 9 Heritage Committee
- February 15 Park Tree Committee
- February 16 Planning Commission
- February 21 City Hall Closed – Presidents Day
- February 22 City Council/Planning Commission Joint Work Session
- February 22 City Council Special Meeting
- March 8 City Council

ADJOURNMENT

Hearing no further discussion, Mayor Smith adjourned the meeting at 8:49 p.m.

APPROVED by the Coburg City Council on this 12th day of April 2022.

Ray Smith, Mayor of Coburg

ATTEST:

Sammy L. Egbert, City Recorder



City Council & Planning Commission

Joint Work Session
 February 22, 2022
 Coburg City Hall
 91069 North Willamette Street
 Virtual via Zoom

COUNCILORS PRESENT: Ray Smith, Mayor; Mark Alexander, Kyle Blain, Nancy Bell, Patricia McConnell, John Fox.

COMMISSIONERS PRESENT: Paul Thompson, Seth Clark, John Marshall.

STAFF PRESENT: Gary Darnielle, Sammy Egbert, Damien Gilbert, Brian Harmon, Anne Heath, Fire Chief Chad Minster.

1. Call Work Session to Order

Mayor Smith opened the Joint City Council and Planning Commission work session at 6:00 p.m.

2. Transportation Information

Mr. Darnielle reminded everyone that at the last meeting there were a lot of questions about Light Industrial zoning versus Campus zoning. Staff had put together a presentation in order to inform both the Council and Commission on what their development code dictated for those zonings. The presentation would utilize a fake scenario that staff put together.

Mr. Darnielle said that the developer had to provide a concept plan to the City. The concept plan was made up of a few parts. First was a statement describing the character of the proposed development and reasons behind choices made by the applicant. Second was a development schedule with approximate dates of construction of the development and phases. Third was a narrative report documenting modifications of standards (compliance with approval criteria). The developer must make the City aware of any modifications as soon as they can. Fourth were special studies of qualified professionals required by planning staff, the Planning Commission, and the City Council (i.e. traffic, geologic, noise, environmental, natural resource, etc.). Fifth was an existing conditions map. Sixth was a conceptual plan showing building envelopes, circulation, open space, and utility connections. Seventh was a grading plan where extensive grading was anticipated. Eighth was a landscape concept, which showed retention of existing vegetation and general planting areas. Ninth was an architectural concept (describe architectural style, building heights, and general materials).

For the concept plan to be approved it had to meet the following standards. First was it had to be consistent with the Comprehensive Plan. Second, it had to comply with land division standards. Third, it had to meet development and design standards of Articles VII and VIII (except where modified). Fourth, it had to meet the open space requirement of 20%.

Mr. Darnielle noted that a development would need to go in front of the City Council at least twice. The Planning Commission would be involved in the process as well.

Mayor Smith asked what level of involvement the community (this included the Planning Commission) had in the subjectivity and objectivity of the development code. Mr. Darnielle responded that there was a lot of flexibility. The City Council had to make the developer aware of the standards that they had to meet.

Councilor Fox wanted them to tighten up their code to make sure developments the community did not want were not built. He was personally passionate about eliminating the amount of light pollution in Coburg. Mr. Darnielle responded that there were standards (noise, traffic, etc.) that the developer had to meet. He suggested that if there were standards that the City Council did not agree with that, they change them quickly. Once a development application was sent it had to be processed under the rules that existed when it was submitted.

Commissioner Marshall asked when they should enter negotiation on code standards when a developer was asking for an exception. Mr. Darnielle replied that the City had final approval on whether they wanted to give the developer an exception. He said that the type of exemption determined the course of action as well.

Councilor McConnell brought up a citizen concern that was brought up at the last City Council meeting. They asked whether a beverage distribution company could use City water resources to package and redistribute water and what impact that would have on resident's water usage. Mr. Darnielle replied that any development had to conform to the master water plan. The City was aware of the limitations of their water system and would not put a company's water needs above the community. Mr. Harmon was concerned with beverage manufactures coming into the area. He would be against those types of developments entering the City.

Commissioner Clark remembered a few years back when a development was denied based on water usage. There was not enough infrastructure for companies to bottle the water in Coburg and resell it. Mayor Smith added that the development was not denied. They were in negotiations to find out if the City was able to provide the water necessary. In those situations, if more water is needed, than the developer must pay for that development. Through those conversations the developer decided to back out. Ms. Heath stated that when there was interest in a property by a manufacturer, they sent them a questionnaire. The questionnaire asked how much power, water, sewage, etc. They would need. City staff was very involved in figuring out if they had the capacity to give the business. She said there had been times in the past when they had to deny businesses based on that criterion.

Councilor Alexander inquired into who would pay for the infrastructure that was being brought over from across the freeway. Mayor Smith replied that the System Development Charges (SDC) and water fees were utilized. Mr. Harmon clarified that they did not solely take the water under the freeway for development. A reservoir would be put in place on that side of the freeway in the future.

Councilor McConnell had some concerns with traffic studies based on the one that was done during the Hayden Home application process. Mr. Gilbert responded that traffic studies were complex. It looked at future capacity and condition of the roads. The study helped make decisions like if a stop sign or a traffic light would be better to put in. Mayor Smith had found that engineering standards and other standards differed. Mr. Gilbert mentioned that the Planning Commission could change the standard for their traffic study. Commissioner Marshall stated that while they could do that, those changes could not be applied to County roads.

Councilor Alexander asked if a traffic study considered how much traffic would reroute because of not wanting to use the freeway, the other entrances and exits near the fire station, and rerouting because of bridge traffic. Fire Chief Minster responded that the intent of a traffic study was not to get into every detail. Rather if a traffic signal was needed, or if another lane should be added for a turn.

Ms. Heath mentioned that the code did not specify which utilities to include, and it was the charge of the staff to determine. Mr. Harmon said that was correct, but he was not sure if that applied to private development. Mr. Gilbert concurred.

3. Adjournment

Mayor Smith adjourned the work session at 7:31 p.m.

(Minutes recorded by Lydia Dysart)

APPROVED by the City Council of the City of Coburg on this __ day of March 2022.

Ray Smith, Mayor of Coburg

ATTEST:

Sammy L. Egbert, City Recorder

APPROVED by the Planning Commission of the City of Coburg on this __ day of ____ 2022.

Paul Thompson, Chair

ATTEST:

Sammy L. Egbert, City Recorder

DRAFT



Coburg City Council

February 22, 2022
Coburg City Hall
91069 North Willamette Street
Virtual via Zoom

COUNCILORS PRESENT: Ray Smith, Mayor; Mark Alexander, Kyle Blain, Nancy Bell, Patricia McConnell, John Fox.

COUNCILORS ABSENT: John Lehmann.

GUESTS PRESENT: Tom Bartlet, John Brown, Paul Burrell, Kevin Dwyer, Raymond Fisher, Andrew Hays, Steve Lee, Jae Pudwell.

STAFF PRESENT: Sammy Egbert, Anne Heath, Brian Harmon.

1. Call the City Council Special Meeting to Order

Mayor Smith called the City Council special meeting to order at 7:41 p.m.

2. Pledge of Allegiance

They sung the pledge of allegiance.

3. Roll Call

Ms. Egbert conducted a roll call.

4. Mayor Comments

Mayor Smith stated that during the process before them that night he was doing his best to stay educated and make the right decision.

5. Agenda Review

There were no changes made to the agenda.

6. Citizen Testimony

There was no citizen testimony.

7. Response(s) by City Council

There were no responses by City Council.

8. Ordinances and Resolutions

a. Public Hearing | First Reading

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

Mayor Smith opened the hearing at 7:45 p.m. and conducted the first reading of Ordinance A-200-J.

Mayor Smith mentioned that three ex-parta contacts were shared at the previous City Council meeting. There were no additional contacts.

Raymond Fisher, applicant, thanked the City Council for their time. He hoped they could answer all questions that the City Council had.

Mr. Fisher gave a brief history of the development. In 2004 they had developed the Diamond Ridge Subdivision, which was a success. In 2010 they purchased the property they were discussing that night. In 2014 an urbanization study was done. In 2015 the UGB expansion was approved by Lane County. The UGB later had to be revised and reapproved by the County in 2017 and was later approved by Coburg in 2018. In 2020 they applied for the annexation and land use to be changed to Light Industrial.

Mr. Fisher knew there had been a lot of discussion on Light Industrial zoning versus Campus Industrial zoning. He shared that Campus Industrial was usually seen as a zone for office space. Due to COVID-19, there was a rethinking of how companies allocated capital investment in office spaces. As a result, it was not a good time to build office space. Mr. Fisher mentioned that office space generally had 10 times more vehicle trips person square foot than light industrial. (3.93 trips/1,000 square feet versus .4 trips/1,000 square feet). Campus Industrial code stated that no manufacturing was permitted where air pollution authority required an air quality permit. That would severely limit the possibility for the property.

Mr. Fisher shared that Bigfoot Beverage, the company looking to build on the property, would fit into the Light Industrial zoning code perfectly. Their traffic impact, water, sewage, and power usages would be minimal. He thought having a respected local family company in the are would be beneficial. If the property was zoned Campus Industrial Bigfoot Beverage would not be eligible to build on the property. Mr. Fisher stated that the 40% open space required for Campus Industrial would be a deal killer and Bigfoot Beverage would back out.

Steve Lee, a Coburg developer, did not think that the Campus Industrial zoning should be adopted. As the City grew and needed more revenue, they would not have enough buildable land to utilize.

John Brown, a real estate broker, stated that none of his comments that night reflected any of the Boards, Committees, or Commissions that he served on. He said that the City Council should only zone the property as Campus Industrial if they wanted to land bank it.

Mr. Fisher stated that they did not find it viable to move forward on a project if the property was zoned Campus Industrial. However, if the property was zoned Light Industrial they could move forward with breaking ground once they got the wetland permit issued.

Councilor Alexander found the information helpful. While he liked the people involved in the project and thought they had good character, he wished more people working on the property were living in Coburg.

Councilor Blaine asked for more information on the wetland permit. Mr. Fisher replied that they had 14 acres of the 107-acre wetland area. They were applying to fill those acres and buy for mitigation at a wetlands bank.

Jae Pudewell, a resident of Coburg, had lived in the area for over 13 years. He wanted them to keep in mind the economic benefits that could come with the property and the Light Industrial zoning. Mr. Pudewell understood the traffic concerns. Most of the already existing traffic was from the West side of town. This property would be on the East side of town.

Mayor Smith mentioned that they had received written testimony from Kristen Bartlet, Tom Bartlet, and Karen Coury. All those comments were available on the Coburg website for viewing.

Kevin Dwyer, a Coburg resident in the Diamond Ridge neighborhood, stated that traffic interference greatly affected their lives. He believed that having an additional green space on the property would benefit everyone. Mr. Dwyer was concerned with the condition of the bridge and the capacity that the on and off ramps provided. He did not find it beneficial to the community to have a company that could work under Light Industrial in the area.

Paul Burrell, a Coburg resident, shared that his property was next to the property in question. He was concerned that there had been no talk about including a buffer or green space on the South side of the lot (near his property). There had been conversations to include those near the RV park and Van Duyn. Mr. Burrell emphasized the need for the City to serve its citizens.

Tom Bartlet, a Coburg resident, opposed the annexation and rezoning. He agreed with the concerns that Councilor Fox had voiced about light pollution. There would also be an increase in traffic and noise. Mr. Bartlet had already noticed that Coburg had become noisier in recent years.

Andrew Hays, a former resident of Coburg and current resident of the Diamond Ridge neighborhood, thanked the City Council and Planning Commission for all their work. He did not think that a Light Industrial zone should be built next to a residentially zoned area. There was a

property north of Van Duyn that was better suited for Light Industrial that he advised they look into. Mr. Hays advised that they zone the property under consideration as Campus Industrial. He understood that it might take longer to build on that land but thought it would be in the best interest of Coburg residents.

Mr. Fisher understood the concerns that those who gave testimony had surrounding traffic. He said that the property would be developed in stages and more traffic studies would be conducted. Mr. Fisher showed a map of the property and explained that there would be a grouping of trees between any construction and the neighborhood Mr. Burrell lived in. The buffer zone would be bigger than anything done for the RV park.

Mayor Smith closed the public hearing at 8:49 p.m.

9. Council Comments

Councilor Blaine thanked everyone who gave testimony. As a resident, he understood the concerns that everyone had. Councilor Blaine stated that adding a tax to the Industrial zones in the area would help alleviate some taxes on the community. While he sympathized with the residents of the Diamond Ridge neighborhood, they did not have to foot the bill. The City had to worry about their revenues and building on that property could help. Overall, Councilor Blaine believed that building on that property would benefit the City of Coburg.

Mayor Smith shared that he originally got involved with the Planning Commission because he wanted to stop Coburg from growing. He liked Coburg how it was. After getting involved with the Planning Commission he learned that the State law required the City plan for growth. It was not possible for them to stop growth. Mayor Smith believed that the City Council and the Planning Commission would make the right decision.

Councilor Fox said that the testimony given today echoed what he had heard from other people in the community. He believed that there would be benefit from a development. He would continue to advocate against light pollution. He brought up the Dark Sky ordinance which some smaller cities incorporated. Mayor Smith urged him to move forward with adopting such an ordinance for Coburg.

Mayor Smith said that the interchange in Coburg was near the top of the list for funding at the State level.

Councilor Bell echoed what her fellow Councilors had said. These decisions were not easy to make but they had to plan for growth. If they did not move forward, then they would fall behind.

10. Upcoming Agenda Items

Second Reading of Ordinance A-200-J

11. Future Meetings

March 8 – City Council

12. Adjournment

Mayor Smith adjourned the special meeting at 9:07 p.m.
(Minutes recorded by Lydia Dysart)

APPROVED by the City Council of the City of Coburg on this __ day of _____2022.

Ray Smith, Mayor of Coburg

ATTEST:

Sammy L. Egbert, City Recorder

DRAFT



MINUTES

Coburg City Council Meeting

March 8, 2022 7:00 P.M.

City Hall 91136 N Willamette Street

Virtual via Zoom

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

STAFF PRESENT: Sammy Egbert, City Recorder; Anne Heath, City Administrator; Megan Winner, Anne Davies, City Attorney; Tim Gaines, Finance Director; Brian Harmon, Public Works Director and Chief Larry Larson, Police.

GUESTS: None.

RECORDED BY: Marlene Hockema, LCOG.

CALL TO ORDER

Mayor Smith called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

Mr. Blain led the pledge of allegiance.

ROLL CALL

Ms. Egbert took roll and a quorum was present.

MAYOR COMMENTS

1. Arbor Day Proclamation

Mayor Smith read the Arbor Day Proclamation declaring April 29, 2022 Coburg Arbor Day.

2. Child Abuse Prevention Proclamation

Mayor Smith read the Child Abuse Prevention Proclamation proclaiming April 2022 Coburg Child Abuse Prevention Month.

AGENDA REVIEW**CITIZEN TESTIMONY**

None.

RESPONSE(S) BY CITY COUNCIL

None.

CONSENT AGENDA

None.

SPECIAL GUEST**3. Park Tree Committee Annual Presentation by Chair, Mary Mosier**

Ms. Mosier was not in attendance of the meeting but had submitted a report which was included in the Council's meeting packets.

ORDINANCES AND RESOLUTIONS**4. First Reading**

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

Attorney Gary Darnielle stated the purposed Ordinance **A-200-J** would be important to the Planning Department because the City has a pending land use application that has not been acted on yet by the approval body. By City Council rendering a final decision on the applications, the application would be officially completed at the local level. The application is important to the City because the annexed land has the ability to meet the employment lands need that was identified as regional need in past urbanization studies. The City has also invested heavily in infrastructure for planned growth on the east side of I5 of which development on the subject property was factored in.

The staff presented a recommendation that the Council approve the annexation and rezone applications by adoption of Ordinance **A-200-J**.

During a time of discussion Mr. Darnielle informed the Council that the second reading would be postponed to the April 12, 2022 meeting as the public would have ten days, to respond, and the City an additional week allowed for written rebuttal and closure, followed by a decision prior to the April meeting.

MOTION: Mr. Blain moved and Mr. Fox seconded to accept **ORDINANCE A-200-J** as stated above. Mayor Smith called for a vote: Markus Alexander , Nancy Bell , Kyle Blain , John Fox , John Lehmann , and Patty McConnell . Motion passed 6:0.

5. RESOLUTION 2022-06 A RESOLUTION AUTHORIZING GRANT FUNDING APPLICATION TO THE STATE HISTORIC PRESERVATION OFFICE (SHPO) FOR THE OREGON MAIN STREET REVITALIZATION GRANT PROGRAM.

The staff presented a recommendation to approve Resolution **2022-06**, a resolution authorizing the application to the State Historic Preservation Office (SHPO) for Oregon Main Street Revitalization Grant for an amount up to \$200,000.

Tracy Pugh stated the State Historic Preservation Office (SHPO) offered matching grants that would support downtown revitalization efforts in communities participating in the Oregon Main Street Network. The purpose of the program would be to acquire, rehabilitate, and construct buildings on properties in designated downtown areas statewide and facilitate community revitalization that would lead to private investment, job creation or retention, establishing or expanding viable businesses, or creating a stronger tax base.

Mr. Alexander questioned the return on investment in a rented building; discussion determined that there would be benefits but not necessarily monetary.

MOTION: Ms. Bell moved and Mr. Blain seconded to accept ORDINANCE **2022-06** as stated above. Mayor Smith called for a vote: Markus Alexander, Nancy Bell, Kyle Blain, John Fox, John Lehmann, and Patty McConnell. Motion passed 6:0.

6. RESOLUTION 2022-07 A RESOLUTION AUTHORIZING GRANT FUNDING APPLICATION FOR A LOCAL GOVERNMENT GRANT FROM THE OREGON PARKS AND RECREATION DEPARTMENT FOR THE DEVELOPMENT OF A PLAZA AT PAVILION PARK AND DELEGATINT AUTHORITY FOR THE CITY ADMINISTRATOR TO SIGN THE APPLICATION.

The staff presented a recommendation to approve Resolution **2022-07** authorizing the application for a Local Government Grant from the Oregon Parks and Recreation Department for an amount up to \$750,000.

Mayor Smith asked if the renderings submitted would be flexible to which Mr. Harmon responded in the affirmative, if the grant was awarded.

MOTION: Mr. Blain moved and Mr. Fox seconded to accept ORDINANCE **2022-07** as stated above. Mayor Smith called for a vote: Markus Alexander, Nancy Bell, Kyle Blain, John Fox, John Lehmann and Patty McConnell. Motion passed 6:0.

7. RESOLUTION 2022-08 A RESOLUTION AUTHORIZING GRANT FUNDING APPLICATION TO THE OREGON STATE HOMELAND SECURITY GRANT PROGRAM THROUGH THE OREGON MILITARY DEPARTMENT OFFICE OF EMERGENCY MANAGEMENT.

The staff presented a recommendation to approve Resolution **2022-08** authorizing the application to the Oregon Military Department Office of Emergency Management State Homeland Security Grant in an amount not to exceed \$150,000.

Jim Bell presented the background for the resolution stating emergency preparation of the City of Coburg and its residents should be a priority. He added that the City has participated in local and regional planning for emergencies such as natural disasters, chemical spills, and or domestic terrorism. Through these discussions a list of priority needs had been identified as:

- Communications equipment
- Emergency fuel storage
- Emergency preparedness training
- Public information outreach

MOTION: Ms. Bell moved and Mr. Fox seconded to accept Resolution **2022-08** as stated above. Mayor Smith called for a vote: Markus Alexander, Nancy Bell, Kyle Blain, John Fox, John Lehman, and Patty McConnell. Motion passed 6:0.

COUNCIL ACTION ITEMS

8. Budget Officer Appointment 2022-23

Ms. Heath nominated Tim Gaines, Finance Director, as Budget Officer for the FY2022-23.

MOTION: Mr. Blain moved and Ms. Bell seconded to approve appointment of Tim Gaines as Budget Officer for FY 2022-23. Mayor Smith called for a vote: Markus Alexander, Nancy Bell, Kyle Blain, John Fox, John Lehmann and Patty McConnell. Motion passed 6:0.

ADMINISTRATIVE INFORMATION REPORTS

9. Finance Monthly Report

Ms. Heath presented a written report and clarified any questions.

10. Administration Monthly Update

Ms. Heath presented a written report and addressed preliminary costs noting that fuel will be significantly higher than projected. When questioned as to whether the façade on city hall would be natural wood Mayor Smith said he would like to see that; additionally, he stated his concern whether the awning would have the needed 3' clearance.

UPCOMING AGENDA ITEMS

- City Charter Discussion
- 2022-2023 Goals and Work Plan

FUTURE MEETINGS

- March 15 Heritage Committee
- March 16 Park Tree Committee
- March 17 Code Review Ad-Hoc
- March 29 Council Work Session
- April 12 City Council

ADJOURNMENT

Hearing no further discussion, Mayor Smith adjourned the meeting at 8:07 p.m.

APPROVED by the Coburg City Council on this xx day of xx 2022.

Ray Smith, Mayor of Coburg

ATTEST:

Sammy L. Egbert, City Recorder

DRAFT



MINUTES

City Council Work Session

March 29, 2022 6:00 P.M.

Coburg City Hall

Virtual - 91136 N Willamette Street

MEMBERS PRESENT: Mayor Ray Smith, Councilor Bell, Councilor Alexander, Councilor Fox, Councilor McConnell, Councilor Lehmann.

MEMBERS ABSENT: Councilor Blain.

STAFF PRESENT: Sammy Egbert, City Recorder; Anne Heath, City Administrator; Brian Harmon, Public Works Director; Megan Winner, Planning and Economic Development; and Chief Larry Larson, Police.

RECORDED BY: Marlene Hockema, Lane Council of Governments (LCOG).

CALL TO ORDER

Mayor Smith called the meeting to order at 6:00 p.m.

- 1. Welcome

Mayor Smith stated the meeting would be to address staff goals, priorities, and budgets and commended the staff on the effort involved compiling the documents. Mayor Smith turned the meeting over to Ms. Heath who provided a slide presentation.

REPORTS AND INFORMATION

- 2. City Administration

Priority 1 - Personnel Management, Training and Retention

Priority 2 - Leadership at Every Level

Priority 3 - Successful Project Management

Priority 4 - Communication

Priority 5 - Fiscal Responsibility and Budget Management

Priority 6 - Economic Growth, Community Health and Vitality

Priority 7 - Capital Improvements

Comments: Ms. Heath indicated new software would be considered; Mr. Lehmann asked if it would be more efficient and Ms. Heath responded affirmative. Chair Smith noted that staff turnover, retention and a succession plan would be high priority. Ms.

Heath noted that new carpet would be needed and Mr. Lehmann suggested carpet squares.

3. City Recorder

Priority 1 - Public Records Management/Retention

Priority 2 - Public Meetings

Comments: Ms. Heath commented that hybrid meetings require additional time and planning and a great deal of flexibility due to the different preferred methods of communication among generations.

Priority 3 - Administrative Process and Policy

Priority 4 – Elections

4. Utility Billing

Priority 1 - Ensure Monthly Utility Billing/Collections are Accurate/Timely

5. Office Administration

Priority 1 - Customer Service

6. Emergency Management

Priority 1 - Recruitment for Additional Emergency Volunteers

Priority 2 - Acquire Small Scale/Independent Solar/Wind Energy Capability

Priority 3 – Success of Emergency Coordinator Duties to Public Works

7. Municipal Court

Priority 1 - Education

Priority 2 - Compliance with State of Oregon Retention Policies

Priority 3 - Continue Scanning Project

Priority 4 - Expand Pool for Court Appointed Attorney

Comments: Ms. Mandy Balcom reported that they currently had one court appointed attorney and she would be recruiting to increase that number to three.

8. Finance Department

Priority 1 - Purchase New Financial Software

Priority 2 - RFP for Banking Services

Priority 3 - Benefit Management and Human Resource

Priority 4 - Education

9. Planning and Economic Development

Priority 1 - Successfully Manage New and Ensuing Development

Priority 2 - Address Transportation Issues

Priority 3 - Implement Work of Ad-Hoc Code Review Committee

Priority 4 - Review and Record Planning Department Processes

Priority 5 - Facilitation of Planning Commission and Heritage Committee

Priority 6 - Project Management

Priority 7 - Continue Staff and Committee/Commission Education

10. Economic Development – Main Street

Priority 1 - Finalize Establishing 501 c (3) Non Profit Corporation for Coburg Main Street

Priority 2 - Continued Support, Partnership, and Leadership in Oregon

Priority 3 - Continue Community Partnerships

Priority 4 - Centralized Website

Priority 5 - Wayfinding Signage

Priority 6 - Beautification Projects

Comments: Ms. Heath stated due to costs and maintenance they would forego hanging planters again this year and offer potted plants to businesses in town.

11. Police Department

Priority 1 - Training

Priority 2 - CAD Computer

Priority 3 - Computer and Software for Truck Inspection Program

Priority 4 – Firearms

Comments: Chief Larson informed the council that he would be looking for used police cars and indicated the department had many upcoming community events scheduled.

PUBLIC WORKS AND INFORMATION

12. Parks Department

Priority 1 - Communication and Relationship Building

Priority 2 - Education

Priority 3 - Park Upgrades

Priority 4 - Seasonal Assistance

Comments: Mayor Smith commended the department on their hard work and improved communication within the department.

13. Sewer Department

Priority 1 - Team Training

Priority 2 - Inspection Program

Priority 3 - Premier RV Tank Replacement

Priority 4 - Inflow and Infiltration into Collection System

Comments: Mr. Harmon noted that isolating where the I&I (Inflow and Infiltration) is coming from would lower operation costs and impact on treatment plant.

14. Street Department

Priority 1 - Capital Projects

Priority 2 - Preventative Pavement Maintenance

Priority 3 - Team Training

Priority 4 - Purchase of Street Sweeper and Maintenance Equipment

Comments: Mr. Harmon indicated the department had a lot of projects to complete of which engineering needs to be completed prior to determining the expense of the

project.

15. Water Department

Priority 1 - Water Master Plan Project

Priority 2 - Team Training

Priority 3 - Priority Inventory System

Priority 4 - Operations Facility Engineering and Design

Comments: Ms. Heath commented that there would need to be changes to the proposed reservoir and those would be unveiled at the April 26th meeting.

CITY COUNCIL GOALS AND WORKPLAN

16. 2021-22 Goals and Work plan

17. 2022-23 Goals and Work plan (Draft)

Councilor Alexander joined the meeting via zoom at 7:50

CITY OF COBURG COST OF LIVING ADJUSTMENT

18. City of Coburg Cost of Living Adjustment FY 2022-2023

Comments: Mr. Gaines informed the council that he would be requesting their input on COLA (Cost of Living Adjustment) for fiscal year 2022-2023 due to the volatility of the the cost of living across the nation. He added that they had acquired COLA percentage increase information from 29 cities which indicated an increase spread of 2%-9%. Mr. Lehmann requested a pie chart based on 2021 expenditures and adjusted with 3%, 4% and 5% increases for comparison purposes; Mr. Gaines will compile that information and forward it to council members.

ADJOURNMENT

Hearing no further discussion, Mayor Smith adjourned the meeting at 8:00 P.M.

NEXT MEETING:

Next meeting, Tuesday April 12, 2022 at 7:00 p.m.

APPROVED by the Coburg City Council on this xx day of xx 2022.

Ray Smith, Mayor of Coburg

ATTEST:

Sammy L. Egbert, City Recorder

COBURG CITY COUNCIL MONTHLY REPORTS



TOPIC: 2nd Reading of Ordinance A-200-J and Final Decision for Land Use File ANX 01-20 & ZC 01-20

Meeting Date: April 12, 2022
 Staff Contact: Anne Davies
 Contact: 541-682-4040, adavies@lcog.org

REQUESTED COUNCIL ACTION:

Second Reading and adoption of Ordinance A-200-J.

Suggested Motion: *"I move to adopt Ordinance A-200-J an ordinance annexing territory to the City of Coburg identified as tax lot 00202 of assessor's map 16-03-34-00 and consisting of 107.43 acres, and amending ordinance A-200-G to change the Coburg Zoning Map to rezone said territory from Lane County Zoning district Exclusive Farm Use (E-40) to Coburg Zoning District Light Industrial, and adopting a severability clause."*

CITY COUNCIL GOAL

- Livability, Health, and Vitality
 - Utilities and Infrastructure Capacity
 - Responsible Fiscal Stewardship
 - Economic Development
-

BACKGROUND

Approval of the annexation and rezone applications will bring into city limits approximately 107 acres of land to be zoned Light Industrial. The property was brought into the UGB by City Council in 2018. At the same time, City Council applied a Comprehensive Plan Designation of Light Industrial to the property. Staff feel they've answered the Council's questions on this proposal through previous meetings and by conducting several work sessions.

Planning Commission held a public hearing on both applications on November 17, 2021. Planning Commission passed a motion to recommend approval of both applications onto City Council. Planning Commission recommended that the zoning to be applied to Light Industrial.

The Findings of Fact are written in the affirmative and reflect a zoning of Light Industrial. If City Council wants to amend the proposed findings, they must identify specifically what is to be amended.

PURPOSE

These applications are important to the Planning Department because the City has a pending land use application that has not yet been acted on by the approval body. With City Council rendering a final decision on the applications, they will officially be completed at the local level. The application is important to the City because the annexed land has the ability to meet the employment lands needs that were identified as a regional need in the 2010 and 2014 Urbanization Studies. The City has also invested heavily in infrastructure for planned growth on the east side of Interstate 5, of which development on the subject property was factored into.

BUDGET

No specific budget item. Land use application fees have been paid by the applicant.

RECOMMENDATION

Staff recommends that the Council approve the annexation and rezone applications by adoption of Ordinance A-200-J.

NEXT STEPS

Following a final decision by City Council staff will submit Form 2 Notice of Adoption to DLCD. At the same time, staff will prepare and send notice of decision to interested parties within 5-days of a decision being rendered. Staff will also notify the Oregon Department of Revenue (DOR).

ATTACHMENT**Ordinance A-200-J****Exhibits attached to Ordinance A-200-J:**

- A .Legal Property Description**
 - B. Final Order and Findings**
 - C. Annexation Agreement**
 - D. Zoning Map**
-

REVIEWED THROUGH:

Megan Winner, Planning
Anne Davies, Legal
Anne Heath, City Administrator
Sammy Egbert, City Recorder



ORDINANCE NO. A-200-J

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

THE CITY COUNCIL OF THE CITY OF COBURG FINDS THAT:

WHEREAS, a request to annex certain territory was submitted on September 20, 2020, said territory being described as Assessor's Map 16-03-34, Tax Lot 202, which is generally depicted and more particularly described in **Exhibit A**, attached hereto.

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

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

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

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

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

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

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

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

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

WHEREAS, on November 17, 2021, the Coburg Planning Commission held a public hearing on the annexation and voted to recommend to the Coburg City Council that the annexation be approved and that the annexed property be rezoned to Light Industrial; and

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

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

WHEREAS, on January 11, 2022, the City Council was expected to hold a Second Reading of the Ordinance and issue a final decision but did not. City Council directed staff to conduct a joint work session on the master planned process and to return on February 22, 2022, to present those materials; and

WHEREAS, on February 9, 2022, notice of the February 22, 2022, public hearing was published in the Register Guard, posted in four public places for two weeks prior to the hearing and mailed to adjacent property owners within 300-feet of the subject property and interested parties; and

WHEREAS, on February 22, 2022, a First Reading and a public hearing on this Ordinance was conducted by the City Council; and

WHEREAS, on March 8, 2022, City Council reopened the record to allow for interested parties sufficient time for rebuttal of the applicant's presentation materials presented on February 22, 2022. City Council gave oral notice to all in attendance, in-person and remotely, that City Council would reconvene on April 12, 2022, to conduct a Second Reading of this Ordinance and render a final decision.

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

NOW THEREFORE, THE CITY OF COBURG ORDAINS AS FOLLOWS:

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

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

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

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

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

SECTION 5: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion hereof.

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

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

Ray Smith, Mayor

ATTEST:

Sammy L. Egbert, City Recorder

**EXHIBIT A
ORDINANCE NO. A-200-J**

LEGAL DESCRIPTION:

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

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

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

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

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

DRAFT

**EXHIBIT B - Ordinance A-200-J
CITY OF COBURG CITY COUNCIL
PO BOX 8316 Coburg, OR 97408**

**FINDINGS OF FACT
Annexation & Rezone
ANX 01-20 & ZC 01-20**

Findings Adopted Date: _____

Planning Commission
Public Hearing Date: November 17, 2021

City Council
Public Hearing
or Meeting Dates: December 14, 2021, January 11, 2022, February 22, 2022,
March 8, 2022, and April 12, 2022

I. Basic Data

Property Owners: Ravin Ventures & Hardly Hackit, LLC
3555 Gateway Street, Suite 200
Springfield, OR 97477

Applicant Consultant
/Engineer: Mr. Anthony Favreau
The Favreau Group
Eugene, OR 97405

Assessors' Map Lot#: 16-03-34-00-00202

Comprehensive Plan
Designation: Light Industrial

Current Zoning: Exclusive Farm Use (EFU-40 Acre Minimum)

Noticing: Mailed notice: November 23, 2021 & February 9, 2022
Notice posted: November 30, 2021 & February 9, 2022, at
City Hall, Coburg Post Office, Norma Pfeiffer Park shelter
and Pavilion Park.
Notice posted at subject property: December 1, 2021 &
February 9, 2022.

Notice published in *Register Guard*: November 27, 28, December 4, and December 11, 2021 & February 9, 2022.

Findings Prepared by: Henry Hearley, Lane Council of Governments, Contract Coburg Planner & Gary Darnielle, City Attorney, Lane Council of Governments

II. Request

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

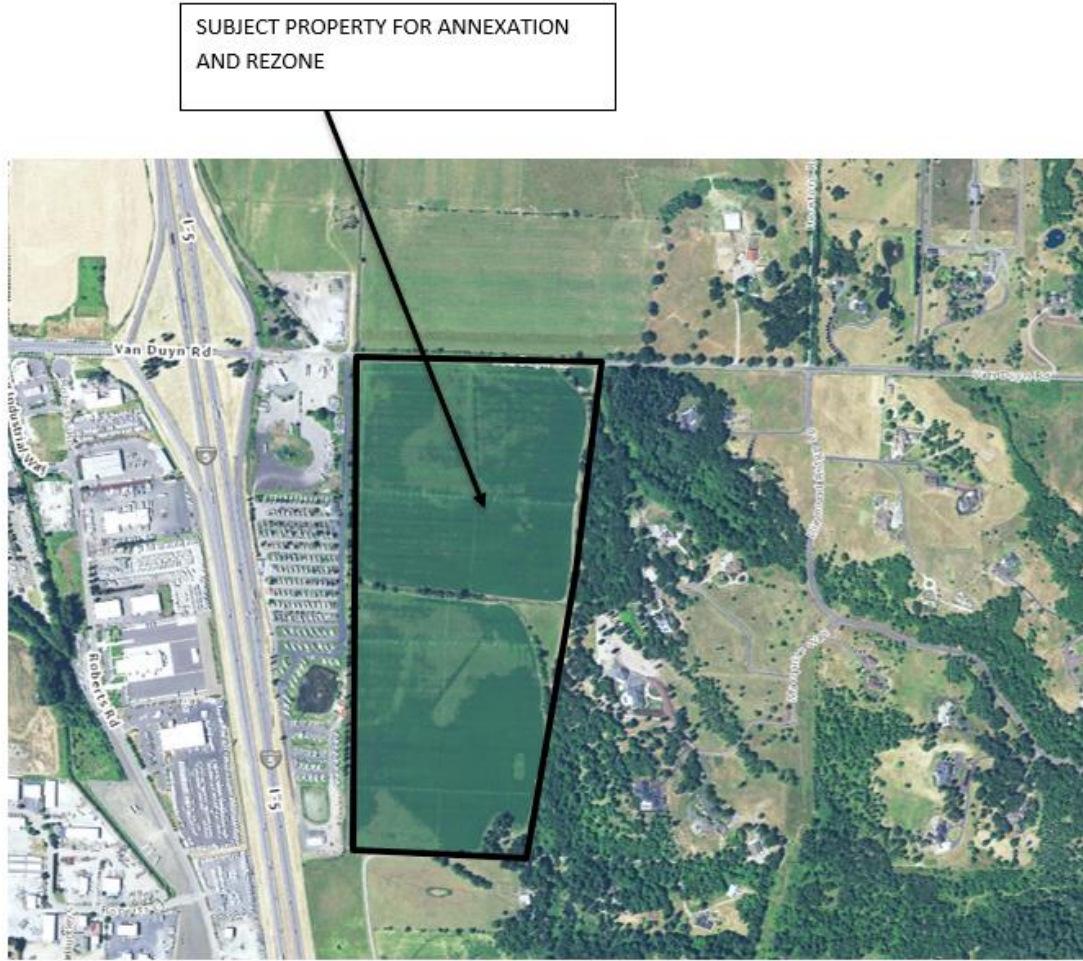


Figure 1: Subject Property

III. Summary of Previous Public/Meetings Hearings

From Planning Commission Hearing on November 17, 2021:

The Planning Commission held a public hearing on the subject applications on November 17, 2021. After receiving the staff report, public testimony and applicant presentation, Planning Commission closed the hearing and the record. Planning Commission entered deliberations and passed a motion to recommend approval of the annexation and rezone onto City Council for final action. Planning Commission also recommended the zoning to be applied be Light Industrial.

From City Council Public Hearing on December 14, 2021:

The City Council received the staff report, public testimony and applicant presentation. City Council closed the hearing and public record and performed the first reading of the ordinance. City Council adjourned until January 11, 2022, to perform the second reading of the ordinance, deliberate and make a decision on the subject applications.

From City Council on January 11, 2022:

City Council reconvened on January 11, 2022. Staff presented the suggested motions for approval. City Council had several questions of staff and a discussion ensued. City Council adjourned the meeting without performing a second reading of the ordinance or making a decision on the subject applications. City Council directed staff to perform additional research on several topics. Staff agreed to hold a work session with City Council and Planning Commission on the master planned development process on February 22, 2022, and report back on as much of the additional information as possible that Council had requested.

From Planning Commission and City Council Work Session on February 22, 2022:

Staff presented a hypothetical master planned scenario in an attempt to walk city decision makers through a hypothetical master planned development. Following staff's presentation, staff answered questions of the Commission and Council. Following the work session, the Mayor convened a special meeting of the Council.

From City Council Special Meeting on February 22, 2022:

The Mayor conducted the first reading of the ordinance to approve the annexation and apply a zoning of Light Industrial to the property. The applicant presented an applicant presentation that discussed the background of the proposal, the history of how the property was brought into the Urban Growth Boundary (UGB) and why Light Industrial zoning is preferred to Campus Industrial. The applicant introduced two experts in the field of industrial real estate development. The two experts highlighted local examples to Campus Industrial real estate development failures and why Light Industrial is vastly preferred to developers and in much greater demand than Campus Industrial. Following the applicant's presentation, City Council accepted oral testimony from those in favor and in opposition to the proposal. Following testimony, City Council discussed the proposal. Issues of traffic, light, air and noise pollution were brought up. There seemed to be consensus amongst Council that the issues and concerns of the Council could be addressed through the master planning process and the City decision makers have a great deal of subjectivity and latitude on various design elements relating to development on the subject property. The Mayor adjourned the meeting to March 8, 2022, at which time a second and final reading of the ordinance was to be expected.

From City Council Meeting on March 8, 2022:

City Council was expected to conduct a second reading of the ordinance and render a final decision on the subject applications, but that did not happen. Instead, a request to reopen the record was made by Mr. Zach P. Mittage, an attorney representing the Diamond Ridge Water Association. As such, City Council passed a motion to reopen the record to allow for sufficient rebuttal of the materials presented at the February 22 meeting. Further, at the counsel of the City Attorney, the City Council reopened the record to allow for open-record periods for the submission of new evidence, rebuttal of evidence and for a final applicant written rebuttal. City Council also expressly stated that all materials presented at the February 22 meeting and the letter from the representative of the Diamond Ridge Water Association, received on March 2, will hereby be entered into the record. City Council established open record periods as follows:

- First open record period – March 8-18 at 4 P.M. New evidence is permitted.
- Second open record period – March 18-March 25 at 4 P.M. Limited to rebuttal based on information received during the first open record period.
- Applicant’s final written rebuttal – March 28-April 1. No new evidence is permitted.

IV. Staff Review of Open Record Materials

Section IV will provide a staff response to materials submitted during the open record periods by opponents as well as other relevant testimony submitted by interested parties and the applicant.

The first submittal staff want to address is that of Messrs. Kevin Dwyer and Andrew Hays on behalf of Diamond Ridge Water Association, received by the City on March 1, 2022. The commenters set forth an argument that Study Area 7 should be considered for annexation and inclusion into the UGB in order to meet the City’s employment land needs. The argument is moot because the UGB has already been expanded to include Study Area 8. This action was undertaken by City Council and DLCD in January of 2018. The appeal timeframe for this action has long since passed. The proposed annexation and rezone are not considering lands outside of the UGB - Study Area 7 is outside of the UGB. Further, the site also has 23 acres of land that is within the 100-year floodplain (Zone A) or in an identified wetland. These 23 acres were identified as constraints. Conversely, Study Area 8 was identified as having zero constrained acres. A complete rationale for the selection of Study Area 8 into the City’s UGB is provided for in the 2010 and 2014 Coburg Urbanization Studies.

The second submittal staff want to address is that of Mr. Zach P. Mittage, attorney for the Diamond Ridge Water Association. The City received Mr. Mittage’s correspondence on March 2, 2022. The submittal was the impetuous for City Council reopening the record. In the March 2 correspondence, Mr. Mittage formally requests that the City Council provide copies of materials introduced into evidence by the applicant at the February 22 meeting, reopen the record to allow for an opportunity to respond to the

materials presented on February 22, and lastly, postpone the second reading of Ordinance A-200-J to allow Council to consider the interested parties' responses. Staff note that at no time during the February 22 special meeting neither Messrs. Dwyer nor Mr. Hays requested that the record be left open. Both Messrs. Dwyer and Hays were both present virtually at the February 22 meeting and provided oral testimony. Nonetheless, the amount of information presented by the applicant at the February 22 special meeting was extensive and a reasonable argument can be made that interested parties were not afforded a legitimate opportunity to respond to those materials. Therefore, staff recommended to City Council to honor Mr. Mittage's request. As such, the record was reopened by City Council on March 8 to establish open record periods; no second reading of the ordinance was conducted.

The first submittal during the first open record period was submitted on March 17, 2022, by Messrs. Dwyer and Hays on behalf of the Diamond Water Association. The submittal is a response to the applicant's materials and evidence presented on February 22. The commenters questioned the applicant's assertion that zoning the subject property Campus Industrial would essentially leave the property to languish undeveloped into the foreseeable future. To make their point, the commenters include an analysis of other cities adjacent to Interstate 5 to show the percentage of lands zoned Light Industrial that are built out; their point is that none of the properties are completely built out at 100 percent. Further, the commenters refute the applicant's assertion that Campus Industrial zoned land has not been in demand "over the last 20 years." The commenters point out that the applicant neglected to point out that the county experienced a national recession in 2008 that greatly impacted local and national development. In their written testimony, the commenters point out that it took the well-known Fifth Street Development in Downtown Eugene was impacted by the 2008 recession and it took until 2019 for the market to recover enough to start construction.

Lastly, with respect to the March 17 submittal, staff want to address the comment made about air quality permits in the Campus Industrial zone. The Coburg Development code provides in Article VII(F)(2)(a) that manufacturing, and assembly uses are permitted in the Campus Industrial zone where the use does not require a permit from an air quality public agency. The commenter calls this code requirement nonsensical – and staff agrees. Manufacturing and assembly uses are prohibited in the Campus Industrial zone if the use requires an air quality permit. This issue has been raised in the past and it has been recommended by governmental agencies that the City look at removing this language from the permitted uses section of the Campus Industrial zone.

The applicant submitted rebuttal statements to Messrs. Dwyer's and Hays's submittals during the second open record period. The first rebuttal was received by the City on March 24, 2022. The submittal rebuts Messrs. Dwyer and Hays March 1 submittal. In rebuttal the applicant states the issue of which Study Area was ultimately chosen for selection into the City's UGB back in 2018 was a State, County and City decision and is not part of the current annexation and rezone application. Staff note, the applicant is correct in this statement. As alluded to earlier, the UGB was expanded to bring in

employment lands into the UGB. Study Area 8 was the property that was selected for inclusion into the UGB. That process has completed and the timeframe to appeal such a decision to the Land Use Board of Appeals has passed. The applicant also addresses the issue of the buffer to be placed in between future development on the property and the adjacent residential uses occurring in and near the Diamond Ridge Subdivision. The Coburg Development Code does allow Light Industrial zones to locate adjacent to residential uses so long as a buffer is implemented. As the applicant points out, the minimum code requirement for this buffer is 25-feet. The applicant has addressed this requirement and concern by proposing a landscape buffer the entire length of the eastern property line that abuts the adjacent residential use. This buffer, in some cases, is 500-feet wide and at no point is less than required. The terms of the buffer along the eastern property line are included in the annexation agreement. Lastly, the applicant points out that Messrs. Dwyer and Hays are not residents of the City of Coburg and that they've been receptive to the concerns of the residents of the Diamond Ridge Subdivision.

The applicant's second open record period submittal was received by the City on March 24, 2022. The applicant's submittal is in response to Messrs. Dwyer's and Hays's March 17 submittal. In the submittal, the applicant points out that the likelihood for development for Campus Industrial properties versus Light Industrial properties is not an approval criterion as are the uses that can be located in each respective zone. However, staff do note that the record contains evidence outlining that the economic success of the property is vital to the city's planned and on-going capital improvement projects (specifically water). The vitality, in terms of economic success, of the property can be interpreted to fall into the category of an applicable approval criterion for zone changes as seen in Article XXI (2) b), in that the amendment, in this case a zone change, fulfills a public need of supplying water service for projected growth east of Interstate 5 and light industrially zoned properties of at least 20-acres in size. Pursuant to the City's water master plan, the City has anticipated growth on properties located east of Interstate 5. The water master plan and the commencement of certain water related capital improvement projects assumed expansion of water services to users east of Interstate 5. The future users on the other side of the Interstate are part of the equation that is paying for construction costs associated with the capital improvement projects. So, failure to develop on the subject property or to apply a zoning designation conduce to long-term successfully development puts in jeopardy they City's ability to maintain an affordable water rate of no more than \$53.54 per 7,500 gallons base rate to the City's end users. The City and City Council has taken into consideration the likelihood for development on the subject property with respect to Campus Industrial versus Light Industrial and find that a zoning of Light Industrial fulfills a demonstration public need.

In rebuttal of Messrs. Dwyer and Hays comparative analysis of Light Industrial and Campus Industrial zoned properties in the greater Eugene/Springfield area, the applicant asserts that, by their own definition, the rate of development on certain properties is based on their own calculations by visually inspecting maps and making

educated guesses as to what is developed versus undeveloped. Further, the percentages referenced by Messrs. Dwyer and Hays lack context without performing a buildable lands analysis, the goals of each respective community, the uses allowed in each zone, and other constraints to development that may be present on each respective property.

Also received during the second open record period on March 21, 2022, was a submittal from Ms. Lisa Hadley of Premier RV Resorts. It is unclear if the submittal is in direct response to any of the materials submitted during the first open record or the applicant's February 22 presentation. The submittal is more centered around understanding the proposal rather taking a position on the merits of the application. The commenter understands "outside parties" are wanting the subject property to be zoned Campus Industrial over Light Industrial. While the commenter admittedly does not own a residence adjacent to the property, just an RV park, the commenters previous experiences with Light Industrial uses in the Sherwood (Oregon) area have not been an issue.

The applicant's final written rebuttal was received on April 1, 2022. By staff's assessment the applicant's final written rebuttal does not contain any new evidence. The final written rebuttal includes a reference to Ms. Hadley's March 21 submittal. The applicant states they've heard no complaints about the proposal from any neighbors within the city limits of Coburg. The applicant states they've has provided evidence sufficient throughout the process that demonstrates Light Industrial is the only zoning designation that would be economically feasible to proceed with.

V. Background

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

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

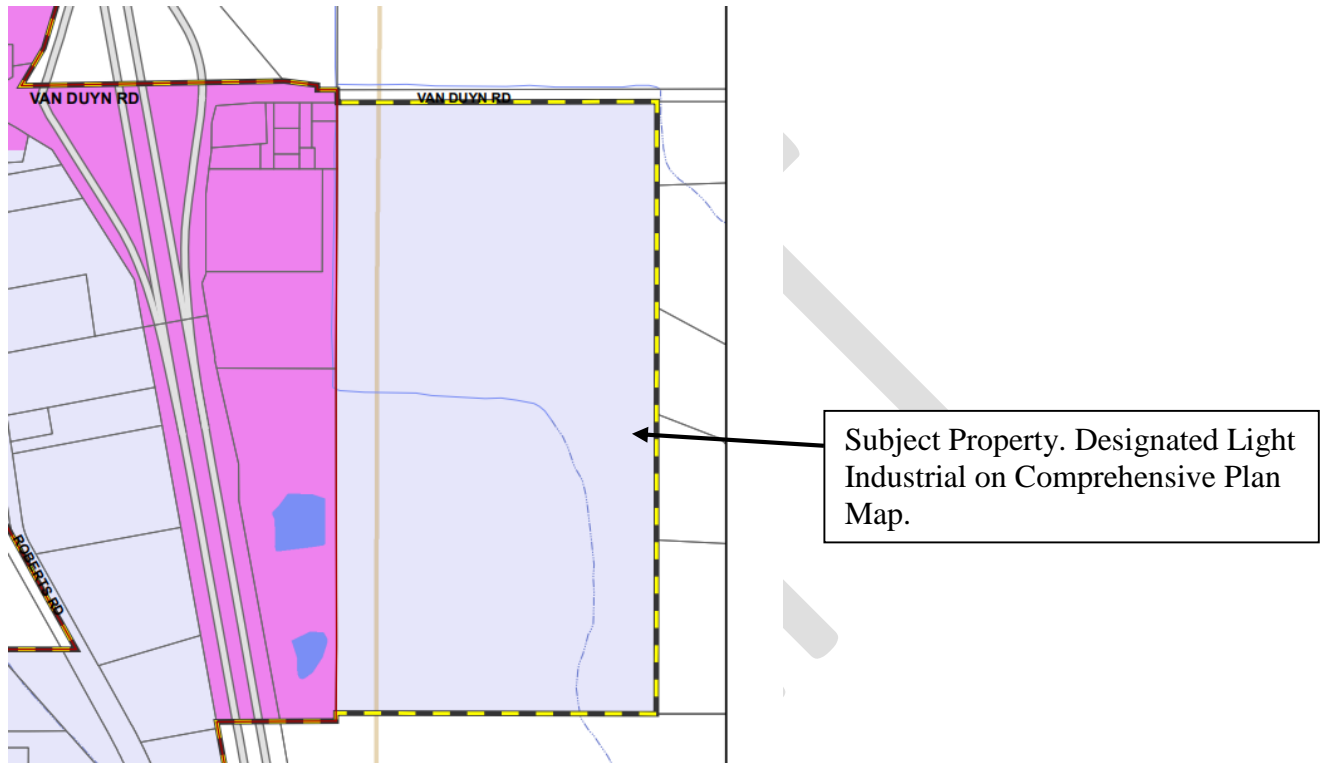


Figure 2: Coburg Comprehensive Plan Map of Subject Property

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

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

Lastly, City staff and the applicant have held several meetings with affected property owners located to the east of the subject property. Staff have sent them an

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

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

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

FINDING: As seen in subsection I, the provision states that if land is annexed into the City and the intent of the City and applicant is to zone the annexed land the same as the existing Comprehensive Plan zoning designation, it automatically is zoned as such. The applicant has requested the zoning to be applied to the subject property be Light Industrial. Applying subsection I to the proposed rezone, it would mean the property be zoned Light Industrial as the current Plan designation of the subject property is also Light Industrial. The proposal is consistent with subsection I of Article IV.

VII. Article XX. Boundary Changes (ANNEXATION) (code sections appear in bolded italics)

A. Annexation and Withdrawal Procedures and Criteria

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

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

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

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

- (1) The affected tax lots, including the township, section and range numbers;*
- (2) The street or site addresses within the affected territory as shown in the Lane County Regional Land Information Database system (RLID);*
- (3) A list of all eligible electors registered at an address within the affected territory; and*
- (4) Signed petitions, as may be required.*

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

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

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

- (i) All of the owners within the affected territory; and*
- (ii) Not less than 50 percent of the eligible electors, if any, registered within the affected territory; or*

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

- (i) More than half the owners of land in the territory, who also own more than half the land in the contiguous territory and of real property therein representing more than half the assessed value of all real property in the contiguous territory; or*
- (ii) A majority of the electors registered in the territory proposed to be annexed and a majority of the owners of more than half the land. (iii) Publicly owned rights-of-way can be added to annexations initiated by these two methods without any consents.*

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

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

FINDING: The applicant has submitted a waiver signed by each owner within the affected territory as allowed by ORS 222.173. Criterion met.

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

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

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

FINDING: The applicant and the City have mutually drafted an annexation agreement that addresses connection to and extension of public facilities and services. Further, the Agreement also outlines the applicant's obligation to construct frontage improvements along Van Duyn for the portion that abuts the subject property. The road improvements are necessary to facilitate initial development stages on the subject property. The road improvements are not located off-site, they are along the frontage of the subject property. Van Duyn is currently classified as a local lane county road, but with eventual industrial development to locate on the subject property will function more similar to a major collector. Lane County Transportation is facilitating an official road reclassification of Van Duyn to Major Collector. The required improvements are consistent with a Major Collector and are necessary to facilitate early stages of development on the property and are limited to the property's frontage. The applicant is aware of their responsibility for completing the frontage improvements and agrees to complete them at their expense. The frontage improvements to be constructed by the applicant on Van Duyn include:

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

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

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

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

- (1) The applicant, property owner and active electors in the affected territory;*
- (2) Owners and occupants of properties located within 300 feet of the perimeter of the affected territory;*
- (3) Affected special districts and all other public utility providers; and*
- (4) Lane County Land Management Division, Lane County Elections, and the Lane County Board of Commissioners.*

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

FINDING: For the November Planning Commission hearing, mailed notice was sent to properties located within 300-feet of the subject property on October 8, 2021. Posted notice was placed by the applicant on the subject property and by staff at four conspicuous locations in Coburg on November 2, 2021. City staff e-mailed agency referral notice to affected governmental agencies on October 7, 2021. Notice for the Planning Commission hearing was published in the *Register Guard* on November 2 and 3, 2021. For the December City Council hearing, notice was published in the *Register Guard* on November 27, 28 and December 4 and 11, 2021. Notice of the December City Council public hearing was mailed to property owners within 300-feet of the subject property on November 23, 2021, and posted on November 30, 2021. For the February public hearing, mailed notice was sent to properties located within 300-feet of the subject property and posted by staff at four conspicuous locations in Coburg on February 9, 2022. Notice for the February City Council hearing was published in the *Register Guard* on February 9, 2022.

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

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

- (1) Contiguous to the City limits; or*

FINDING: As seen in Figure 3 below, the subject property is contiguous with the existing city limits along the entirety of the western property line. Criterion met.

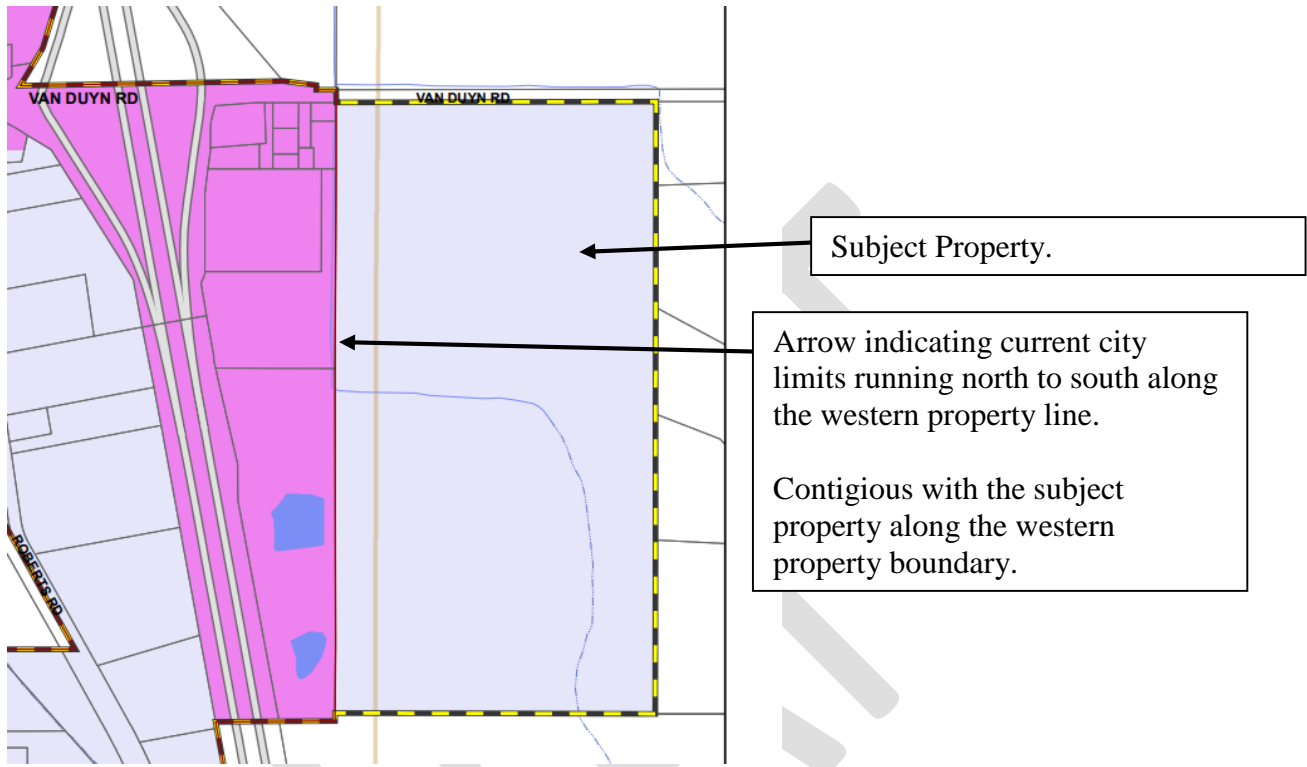


Figure 3: Contiguity of the subject property with existing city limits

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

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

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

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

FINDING: Goal 1 of the Comprehensive Plan is much aligned with Goal 1 of the Oregon Statewide Planning Goal, which is also citizen involvement. Commonly, in most cities, the citizen involvement committee is effectively the Planning Commission. Coburg maintains an effective, active and well-informed Planning Commission that reviews land use applications in a public forum which revolves heavily around citizen involvement. In the case of the proposed annexation and rezone, Planning Commission held a public hearing on November 17, 2021, and accepted testimony from those in favor of the proposal and those in opposition to the proposal. At the conclusion of the Planning Commission hearing, Planning Commission passed a motion to recommend approval of the annexation and application of a zoning designation of Light Industrial onto City Council for final action. The first evidentiary hearing in front of the Planning Commission in November and hearing in front of City Council were both duly noticed in accordance with the Coburg Development Code and ORS 222.120(3), which dictates that notice of the hearing shall be published once each week for two successive weeks prior to the day of the hearing, in a newspaper of generally circulation and mailed notice be sent to all property owners within 300-feet of the property. The initial first reading of the ordinance occurred December 14, 2021, but Council later redid the first reading on February 22, 2022. In addition, the City sent notice to interested parties that requested to receive notice of any hearing related to the applications. The City also held one or more informal meetings with property owners located east of the subject property to listen to their concerns and inform them of the land use process. The February 22, 2022, City Council first reading was published in the Register Guard on February 9, 2022, as well as mailed and posted.

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

FINDING: This policy authorizes the City to use Refinement Plans to refine the Comprehensive Plan and or Zoning Ordinance to further implement the Comprehensive Plan Policies. The Coburg Urbanization Study that was first conducted in 2010 and updated in 2014 is a form of a Refinement Plan that was specifically undertaken to address a specific issue and develop policies and recommendations to address the issue of employment lands. The results of the Urbanization Study drove the need for the City to expand the UGB to address deficiencies in land availability for residential and industrial uses. Ultimately, the expansion of the UGB to include additional residential lands was abandoned, but the UGB was expanded to specifically include the subject property to address a specific deficiency in land availability for industrial uses and

further address a regional need for large parcels of 20-acres or more. As a result, the Comprehensive Plan and Map were amended to add Policy 28 of Goal 9 and to include the subject property in the UGB with a Light Industrial Plan designation. Criterion met.

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

FINDING: This policy states the Plan designations for land use categories are intended to guide zoning. Applying a zoning designation of Light Industrial to the property would be consistent with Policy 7 of Goal 2. Criterion met.

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

FINDING: This policy relates to the City’s inventory of wetlands. The City’s Local Wetland Inventory (LWI) Map shall be used to identify properties that may need a wetland permit from Oregon Department State of Lands (DSL) and the US Army Corps of Engineers (USACE), prior to development on the site. The subject property is known to contain wetlands. However, the City’s present LWI Map does not extend east of Interstate 5, so the subject property is not depicted on the LWI Map. As such, staff turn the Lane County GIS layer for a discussion on the wetlands present on the subject property. Based on the National Wetlands Inventory map and Lane County GIS data, the subject property contains a 0.75-acre and 0.99-acre freshwater emergent wetland classified as PEM1Cx. The two Freshwater emergent wetlands generally run through the center of the subject property north to south. Also, running through the middle center and down the southern portion of the east property line is a 2.96-acre freshwater forested/shrub wetland (PFOC). See Figure 4 below. This discussion about wetlands is added to make City decision makers aware that subsequent development to occur on the subject property will be subject to the regulatory requirements of DSL and USACE, prior to development activities commencing. Criterion met.

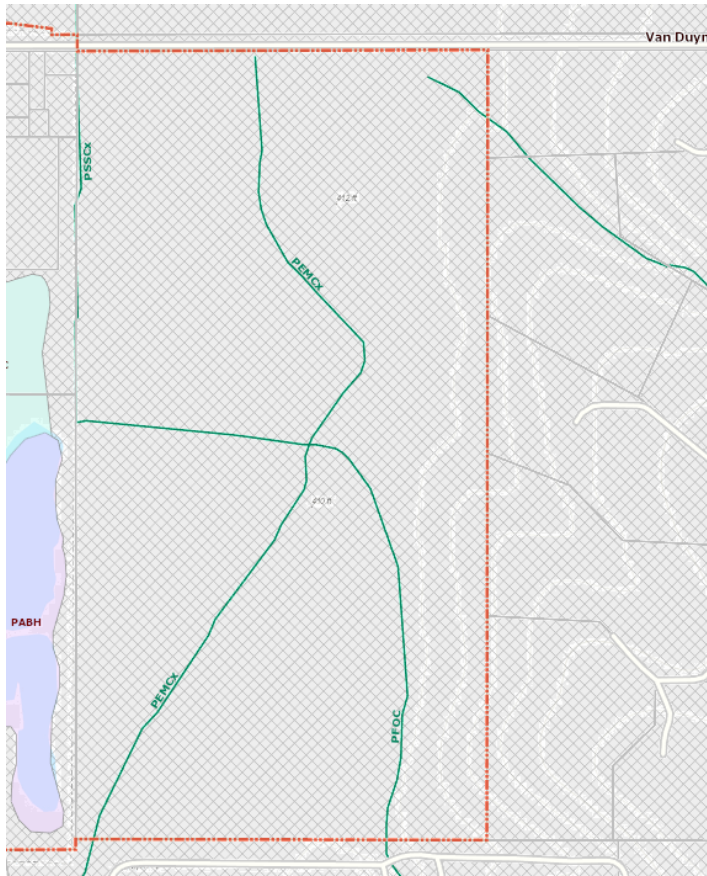


Figure 4: Known wetland features on the subject property.

Goal 6: Air, Water and Land Resource Quality:

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

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

FINDING: Policy 1 and 2 of Goal 6 are applicable because of the proposed zoning designation to be applied to the subject property will likely contain light industrial type uses. All future development to occur on the subject property shall be in accordance with DEQ air quality maintenance and applicable and secondary standards of the Lane Regional Air Pollution Authority (LRAPA). Even before agency referral notice is sent to DEQ and LARAPA, the City will invite a local DEQ and LARAPA representative in any pre-application conference that occurs prior to the submittal of a land use application for development on the subject property. This ensures the coordination mentioned in Policy 2 begins in earnest for any development on the subject property. Criterion met.

ANX 01-20 & ZC 01-20 Ravin Ventures and Hardly Hackit Annexation & Rezone
 April 12, 2022 - Findings of Fact
 Page 17

Goal 9: Economy of the City.

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

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

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

FINDING: A landscape buffer is proposed as seen in the Open Space exhibit to separate the subject property from the adjacent residential district to the east. As was brought up during the Planning Commission hearing, Industrial Policy 7 is intended to provide for a buffer between conflicting uses. As was discussed by the Planning Commission during the first evidentiary hearing, the Premier RV property (zoned Highway Commercial) located immediately to the west and abutting the subject property contains different uses than will be sited on the subject property, as such, Planning Commission found these two districts to contain conflicting uses and thus a buffer should be placed in between the two districts. The Premier RV property is a RV campground that is used for short and long-term stays and acts as a form of residence for some patrons. As such, Planning Commission found the uses sited on the Primer RV property would conflict with the future industrial uses to locate on the subject property. Thus, as allowed for in Industrial Policy 7, a buffer will be implemented. Staff believe this buffer can be thoroughly implemented and addressed by the applicant during the master plan process. Accordingly, staff have included a discussion of Industrial Policy 7 and the need for a buffer in between Premier RV and the subject property into the annexation agreement. Along similar lines of the buffer discussion between the Premier RV property and the subject property, a commenter owning property that abuts the southern property line of the subject property gave oral testimony in front of Council that they should be afforded a similar buffer as the properties located to the east and west of the subject property. The issue of adding another buffer along the southern property line between the subject property and TL 00303 can be addressed during the master plan process for when development is proposed in the southern portion of the subject property. The same commenter that provided oral testimony in front of City Council also submitted written testimony, which was received by the City on November 30, 2021. In the written comments, the

commenter questions why this property is being considered for Light Industrial zoning when there are still multiple lots on Roberts Road that have never developed and raises issues of noise and disturbance and impacts to wildfire and the Muddy Creek. The commenter also requests a buffer be placed between properties, of which will be provided for by the developer upon development of the southern portion of the subject property. The noise and disturbance concerns can be mitigated by the implementation of a buffer and further refined during the site-specific master plan process. Any development proposed on the site will have to obtain the appropriate DEQ, DSL, USACE permits that address any perceived impacts to Muddy Creek and wetlands that are present; such permitting processes shall be a part of the development process that is expected to commence following annexation and rezone. Policy sufficiently addressed. Criterion met.

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

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

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

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

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

The City's water system east of Interstate 5 is under construction and includes an extension line that runs underneath Interstate 5. When completed, there will be a 12-inch watermain to connect to within approximately 300-feet of the southwest corner of

the property. There is a 20-foot Public Utility Easement (PUE) located along the southerly and westerly edges of the property to accommodate public water. With subsequent development of the subject property, water will need to be extended and connected throughout the site.

Furthermore, and importantly, the City's water master plan was adopted in 2016. The purpose of the water master plan was to anticipate growth of the City and the City's ability to serve current and future water users. Based on the assumed growth projections of the City, the City Council committed to certain capital projects related to water. These projects included (not an exhaustive list): development of a third well water site, bore of a water line underneath Interstate 5, and construction of a new water reservoir. The projected cost of the projects is \$6.5M of which the City has been approved funding for \$5.5M. The water master plan and commencement of certain water related capital projects assumed expansion of water services to the east side of Interstate 5 to serve current and future users. The future users are part of the equation that is paying for the construction of the capital projects. Failure to develop on the subject property or to zone it a zoning designation not conducive to long-term successful development, such as Campus Industrial, puts in jeopardy the City's ability to maintain an affordable water rate of no more than \$53.54 per 7,500 gallons base rate to the City's end users.

Additionally, like the water master plan, the wastewater capital improvement plan is also important. A recent analysis completed by Public Works showed the City's current wastewater system could bill up to 1500 EDUs. The sewer plan projects the future users with the current infrastructure as well as informs City decision makers at what point the City needs to upgrade sewer facilities to address growth. Currently, the City bills approximately 808 EDUs on a monthly basis. A similar sized light industrial zone could be projected to use approximately 52 EDUs. When adding in other anticipated residential and commercial development, the City does have plenty of capacity before it needs to consider expanding the current system. The responsibility of paying capital debt for critical wastewater facilities is placed on the current users, *as well as the projected future users.*

Put simply – City Council recognizes that the financial commitment to the water master plan and wastewater capital improvement plan anticipates, plans and projects the growth of the City. Development east of Interstate 5 and on the subject property was very much part of that projection.

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

ANX 01-20 & ZC 01-20 Ravin Ventures and Hardly Hackit Annexation & Rezone
 April 12, 2022 - Findings of Fact
 Page 20

- Dedication of approximately 20-feet of right-of-way along the frontage of Van Duyn;
- Construction of a 56-foot-wide roadway;
- Sidewalk, curb, gutter, public utilities, and two eastbound vehicle travel lanes from the property's west boundary to the access road; and
- Internal roadway providing access in accordance with the adopted IAMP.

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

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

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

- a. Provide developable land necessary to accommodate economic growth***
- b. Research and develop policies that discourage big-box retail and strip commercial uses***

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

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

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

Goal 11: Public Facilities and Services.

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

FINDING: The requirements of public facility improvements and extensions of services are outlined in the Annexation Agreement. The extension of existing public facilities and construction of new public facilities shall be the responsibility of the developer. Criterion met.

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

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

Goal 12: Transportation

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

2.1 All development proposals, plan amendments, or zone changes shall conform to the adopted Transportation System Plan.

2.2 Protect the function of existing and planned transportation systems as identified in the Transportation System Plan through application of appropriate land use regulations. When making a land use decision, the City shall consider the impact on the existing and planned transportation facilities.

2.3 Consider the potential to establish or maintain accessways, paths, or trails prior to the vacation of any public easement or right-of-way.

2.4 At the time of land development or land division, require the dedication of additional street right-of-way in order to obtain adequate street widths in accordance with all street plans adopted by the City.

FINDING: Policy 2 of Goal 12 calls for the City to take a long-range view in approving street patterns for new development. The long-range view of street patterns that would

serve the development is established by the IAMP which was adopted by the City, County, and ODOT. The IAMP calls for access control and improvement of East Van Duyn Road which would require a new frontage road through the development to serve as access and upgrading East Van Duyn Road to include bike lanes, sidewalks, and any needed turning lanes to serve the operational needs of the development while ensuring safe and efficient travel of the public.

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

The applicant will be constructing the road improvements as specifically identified in the annexation agreement and as consistent with the IAMP and TIA. These improvements are intended to see through the future bridge/overpass replacement headed up by ODOT. Although Lane County is the road authority for the abutting portion of East Van Duyn, access and design standards of Lane Code are superseded by the IAMP which was adopted by Lane County. Lane County Transportation has reviewed the proposed frontage improvements for East Van Duyn and agrees with the proposed improvements. The improvements have been designed in a manner that takes into account the future bridge/overpass replacement and the reclassification of Van Duyn from a local road to a major collector. The road improvements and the status of Van Duyn will be further discussed in this report under a discussion of compliance with the Oregon Statewide Planning Goals. See Figure 5 below. Criterion met.



Figure 5: East Van Duyn Road

Policy 40: *The exception area immediately east of Interstate 5, when included within the urban growth boundary and city limits, shall have a process for transportation review criteria placed on the property to assure that any new development or redevelopment on the property that increases trip generation from the site is required to go through a plan amendment application with the city and will be required to address the requirements of Section 0060 of the TPR regarding impacts to state, county, and city transportation facilities. The property owner or applicant may be required to complete a traffic impact analysis, road dedications, and road improvements for affected County Roads, consistent with the Lane County Transportation System Plan goals and policies and with County requirements for roads in Lane Code 15.*

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

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

ANX 01-20 & ZC 01-20 Ravin Ventures and Hardly Hackit Annexation & Rezone

April 12, 2022 - Findings of Fact

Page 24

requirements for roads in Lane Code 15. The new site development or redevelopment shall be required to measure the following trip impacts for all three of the following:

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

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

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

The trip cap will apply in perpetuity or until another Transportation Planning Rule Analysis (TPRA) is submitted on changes facilities, uses, etc. The trip cap will be written

into the subsequent deeds of the parcels of land that are created through the land division process. The trip cap has been added to the annexation agreement.

Additionally, on the issue of traffic with respect to differing zoning designations. The applicant presented materials on February 22 to City Council highlighting that office space generally associated with Campus Industrial produces 10X more vehicle trips per square foot than Light Industrial, with office space generating 3.9 trips per 1,000 square feet compared to 0.4 trips per 1,000 square feet under Light Industrial. The applicant's presentation did not cite a reference to the figures. The discussion around transportation and Goal 12 will again be addressed under Goal 12 of the Oregon Statewide Planning Goals. Criterion met.

Goals 14: Urbanization

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

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

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

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

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

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

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

5. Application of Zoning Districts

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

FINDING: When the subject property was brought into the UGB, City Council applied the plan designation of Light Industrial to the property. Presently, the Comprehensive Plan map designates the property as Light Industrial which generally means a City fully intends and plans for those uses to eventually located on the property. An application of a Light Industrial zoning designation to the subject property would be a straight-forward one-to-one implementation of the Light Industrial Plan designation because the zoning and Plan designation are the same. Planning Commission recommended to City Council the zoning to be applied to the subject property be Light Industrial. Planning Commission cited subsection I of Article IV and Article XX (A)(5)(a) of the Coburg Development Code, and Policy 5 of Goal 2 of the Comprehensive Plan, as the basis for their decision.

Under subsection, I of Article IV, Planning Commission and City Council found that the zoning to be applied shall be Light Industrial. Further, Policy 7 of Goal 2 under Interpretation of Comprehensive Plan Map, the policy reads “Plan *designations for land use categories are intended to guide zoning.*” Utilizing Policy 7, Planning Commission and City Council, found the Comprehensive Plan designation applied to the subject property was intended to guide the future zoning of the property when it comes into city limits. As such, Planning Commission and City Council relied on this Policy when it decided to apply a zoning designation of Light Industrial to the subject property. The aforementioned sections of the Development Code and Comprehensive Plan goals and policies are cited by City decision makers in support of the decision to apply a zoning designation of Light Industrial to the subject property. Criterion met.

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

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

VIII. Article XXI. Zone Changes.

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

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

FINDING: As discussed in previous staff reports and discussed in the public hearings, there are two possible zoning designations that could be applied to the subject property: Campus Industrial or Light Industrial.

Both of these zoning designations would implement the Plan designation of Light Industrial. Both plan designations provide for manufacturing, assembly, packaging, wholesaling and related activities. In the Campus Industrial zone industrial uses are permitted so long as the use does not require an air quality permit, which may effectively limit any industrial uses from locating on the subject property. The prospect of the subject property remaining vacant and undeveloped as a result of a zoning of Campus Industrial would be in detriment the funding of certain water and wastewater capital projects in which development on the east side of Interstate 5 was incorporated into to pay towards the costs of those capital improvement projects. City decision makers wholeheartedly took under advisement the concerns of the residents of Coburg, neighbors near the subject property, and residents of the Diamond Ridge Subdivision. In response to the concerns raised (commonly centered around traffic, air, light and noise pollution) Council found the appropriate way to address the concerns is through the master planned process.

Additionally, and it cannot be understated, with the requirement for all subsequent developments to undergo the master planned process this will allow for residents and City decision makers to have a certain level of discretion and control over development to protect the perseveration of Coburg to remain a small, rural historical town that values its livability for all residents. As such, City Council accepted Planning Commission's recommendation for a zoning designation of Light Industrial. Criterion met.

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

FINDING: The driving force behind the City's past UGB expansion that brought the subject property into the UGB was a demonstrated public need for employment lands in the region and Coburg was found to be able to meet that need most readily compared to other cities in Lane County and to support the projected growth east of Interstate 5 with city services. As discussed earlier in this report, the resultant recommendation of the Urbanization Study was to expand the City's UGB to capture Study Area 8, which is the subject property. Once Study Area 8 was incorporated into the City's UGB the next logical step towards addressing the regional need for employment lands is to annex the property into city limits so development can be realized towards meeting the identified

regional need. The proposed amendment to the City's zoning map to bring the subject property into the city limits fulfills a demonstrated public need. Criterion met.

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

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

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

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

3. Land Use Applications that fall within the IAMP.

a. The City and County shall coordinate with ODOT in the review of land use applications for areas within the IAMP boundary. Land use actions within the IAMP that may affect the performance of an interchange, such as zone changes will be consistent with the adopted IAMP. The City Planner shall include ODOT as an agency referral partner. Actions not consistent with the IAMP may only be approved by also amending the IAMP and related transportation system plans consistent with OAR 660-012-0050 and 0055. Lands bounded by IAMP can be found in ARTICLE X.

FINDING: City, Lane County and ODOT staff have been working cooperatively with the applicant since application submittal in September 2020. ODOT and Lane County were both sent a request for agency referral comment. Because the subject property falls within the IAMP area, a TIA was required of the applicant and because the zone change triggered the TPR. Both ODOT and Lane County have provided extensive comment on the applicant's TIA and after several rounds of review and comment, the TIA was accepted by all parties. The TIA was found to be consistent with the IAMP. Criterion met.

IX. Consistency with Oregon Statewide Planning Goals.

Goal 1: Citizen Involvement.

FINDING: Goal 1 of the Comprehensive Plan is much aligned with Goal 1 of the Oregon Statewide Planning Goal, which is also citizen involvement. Commonly, in most cities, the citizen involvement committee is effectively the Planning Commission. Coburg maintains an effective, active and well-informed Planning Commission that reviews land

use applications in a public forum which revolves heavily around citizen involvement. In the case of the proposed annexation and rezone, Planning Commission held a public hearing on November 17, 2021, and accepted testimony from those in favor of the proposal and those in opposition to the proposal. Following the Planning Commission hearing, the Planning Commission passed a motion to recommend approval of the annexation and application of a zoning designation of Light Industrial onto City Council. All hearings were duly noticed in accordance with the Coburg Development Code and ORS 222.120(3), which dictates that notice of the hearing shall be published once each week for two successive weeks prior to the day of the hearing, in a newspaper of generally circulation.

On December 14, 2021, City Council held a second hearing on both requests and again accepted oral and written testimony of those in favor and opposed to the proposal and performed the first reading of the adopting ordinance.

City Council reconvened on January 11, 2022, to perform a second and final reading of the ordinance. However, no second reading of the ordinance was performed, and no decision was rendered. Instead, Council directed staff to provide more information on the master planned process and other related research items. However, the first reading would later be redone by City Council on February 22, 2022.

Staff returned to City Council on February 22, 2022, to conduct a work session on the master planned process in front of the City Council and Planning Commission. Following the work session, Council held a special meeting and held another public hearing on the matter. Council accepted public testimony from those in favor and opposition. A first reading of the adopting ordinance was conducted at the special meeting.

Goal 2: Land Use Planning.

FINDING: Goal 2 outlines the basic procedures for Oregon's statewide planning program, stating that land use decisions must be made in accordance with comprehensive plans and the effective implementation ordinances must be adopted. The City's past UGB expansion, which brought the subject property into the City's UGB, was implemented by Ordinance A-199-G, which specifically amended the Comprehensive Plan and map to state that the subject property shall not be partitioned into parcels of less than 20-acres and the plan designation of the subject property shall be Light Industrial. As discussed during the public hearings and found in these findings, Planning Commission recommended onto City Council the annexation and rezone be approved and the Light Industrial zoning designation be applied to the property. The proposed annexation and rezone are consistent with the City's adopted Comprehensive Plan and Map. Criterion met.

Goal 3: Agriculture Lands.

Goal 4: Forest Lands.

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

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

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

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

Goal 6: Air, Water and Land Resources Quality.

FINDING: Goal 6 states that all waste and processes discharges from future development, when combined with such discharges from existing developments shall not threaten to violate, or violate applicable state or federal environmental quality statutes, rules and standards. Similar to the finding for Goal 5, above, upon site specific development, the developer will be required to comply with state and federal water air quality standards through the Department of Environmental Quality (DEQ) and LRAPA. DEQ and LARAPA will be included on the agency referral comment list when site specific development is proposed. The local representative for DEQ has reviewed the

annexation and rezone request with respect to air and water quality permitting. Goal 6 satisfactorily addressed.

Goal 7: Natural Hazards.

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

Goal 8: Recreational Needs.

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

Goal 9: Economic Development.

FINDING: Goal 9 requires local governments to contribute to a stable and healthy economy in all regions of the State. The impetus of the UGB expansion that brought the subject property into the UGB was driven by a regional demonstrated need for employment lands in the form of large-scale, light industrial lands. The proposed annexation and rezone are the next steps towards the City and region realizing those past UGB expansion efforts. The annexation will formally bring the subject property within Coburg's city limits and give it its initial city zoning designation, thus effectively making the property ready for development and able to contribute to the local and regional economy of the State. As discussed earlier in these findings, if the subject property were not annexed into city limits or a zoning designation were applied that is not conducive to development and the long-term success of the property, it would be brought into detriment the City's future ability to off-set some of the capital improvement costs that are expected to be recouped by development occurring east of Interstate 5. The City planned for, consistent with the water and sewer master plans, and anticipated for growth and development east of Interstate 5. Goal 9 satisfactorily addressed.

Goal 10: Housing.

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

Goal 11: Public Facilities.

FINDING: Goal 11 requires local governments to plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development. As discussed earlier in these findings, the City appropriately planned for growth and development on properties east of Interstate 5 consistent with the policies, goals and capital improvement projects as listed in the water and wastewater master plans. Goal 11 states the local governments shall not allow the establishment or extension of sewer systems outside urban growth boundaries or unincorporated community boundaries. The proposed water line to serve the subject property will be located near the southwest corner of the property, which is within the UGB. The proposed sewer line to serve the subject property is near the northwest corner, which is also within the UGB; Neither utility line (water or sewer) will serve any properties outside of the UGB. Goal 11 satisfactorily addressed.

Goal 12: Transportation.

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

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

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

Because Van Duyn is located outside of the UGB, Council would like to address OAR 660-012-0065. This rule identifies transportation facilities, services and improvements

which may be permitted on rural lands consistent with Goals 3,4, 11 and 14 without pursuing a goal exception process.

One of the listed exceptions to improvement on rural roads is found under subsection (3)(o) of OAR 660-012-0065, “*transportation facilities, services and improvements other than those listed in this rule that serve local travel needs. The travel capacity and performance standards of facilities and improvements serving local travel needs shall be limited to that necessary to support local land uses identified in the acknowledged comprehensive plan or to provide adequate emergency access.*” The proposed frontage improvements along Van Duyn are required to support local travel needs and are identified in the IAMP (a refinement plan of the Comprehensive Plan). Further as outlined in subsection (3)(c) and (d) channelization and realignment of roads is an allowed transportation improvement on rural roads that is consistent with Goal 3, 4, 11 and 14. Both channelization and realignment of Van Duyn will occur as a result of the frontage improvements. Goal 12 satisfactorily addressed.

Goal 13: Energy Conservation.

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

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

Goal 14: Urbanization.

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

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

X. Informational items.

- Engineering plans for the Van Duyn frontage improvements are subject to review and approval by the City Engineer before construction of the improvements commence. This requirement is also outlined in the annexation agreement.

- A trip cap of 613 PM Peak Hour trips shall be set on the subject property. The trip cap shall be placed as deed restrictions on the subsequent parcels that are created as a result of the land division process. This requirement is also outlined in the annexation agreement. The trip cap should also be addressed and added as a condition of approval during the land division process that will occur following annexation.

XI. Conclusion.

City Council accepted Planning Commission's recommendation that the annexation and rezone request be approved and for the subject property to contain a zoning designation of Light Industrial. As outlined in these findings, the proposed annexation and rezone meet the applicable approval criteria.

DRAFT

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

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

ANNEXATION AGREEMENT

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

RECITALS

- A. RAVIN/HARDLY owns the parcel of land legally described in Exhibit A and shown on the map attached as Exhibit B. The property is contiguous to the jurisdictional limits of CITY on its eastern boundary.
- B. RAVIN/HARDLY has submitted to CITY an Annexation Application (ANX 01–20), to annex approximately 107.43 acres of tax lot 202. Assessor’s Map 16–03–34-00 (“PROPERTY”).
- C. RAVIN/HARDLY wishes to annex the PROPERTY to the CITY and seeks approval from the CITY for the annexation and for a concurrent zone change (ZC 01–20). It is understood that RAVIN/HARDLY intends to develop the PROPERTY or sell one or more portions of the PROPERTY to purchaser(s) who will develop the PROPERTY, for light industrial or campus industrial purposes.
- D. The PROPERTY is currently designated in the Coburg Comprehensive Land Use Plan as Light Industrial and is zoned by Lane County as E–40 (Exclusive Farm Use–40 Acre Minimum). Per Section B.2.b. of Article XIV of the Coburg Development Code, development on Light Industrial–zoned property east of Interstate 5 and/or property within the Coburg/Interstate 5 Interchange Area Management Plan (IAMP) must have a Master Planned Development overlay designation prior to development. In addition, Section I.1.a. of Article X of the Coburg Development Code requires that a Traffic Impact Study be conducted when a land use application involves a change in zoning.
- E. Annexation of the PROPERTY requires a showing under Article XX, Section A.4. of the Coburg Development Code that:
 - a. The PROPERTY proposed to be annexed is within the CITY’s urban growth boundary, and is;
 - (1) Contiguous to the CITY limits; or

- (2) Separated from the CITY only by a public right-of-way or a stream, lake or other body of water.
- b. The proposed annexation is consistent with applicable policies in the Coburg Comprehensive Plan and in any applicable refinement plans;
- c. The proposed annexation will result in a boundary within which key services can be provided.
- d. Where applicable, fiscal impacts to the CITY have been mitigated through an Annexation Agreement or other mechanism approved by the City Council.
- F. The purpose of this Agreement is to memorialize RAVIN/HARDLY'S and CITY's commitment and agreement to the allocation of financial responsibility for public facilities and services for the PROPERTY and other users of the facilities, sufficient to meet the CITY's requirements for the provision of key urban services necessary for an affirmative CITY recommendation for the annexation request.
- G. **SANITARY SEWER:** There is a 6" sanitary sewer line that crosses the freeway under the Van Duyn overpass. Currently, the pipe is serving approximately **45 EDUs**, leaving approximately **1,055 EDUs** of capacity for future area properties. Any additional capacity needed beyond the available capacity will be the responsibility of the developer.

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

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

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

- I. **STORMWATER:** A detailed drainage plan will be submitted as part of application for any development of the property. The plan will demonstrate compliance with the

requirements of the Coburg Development Code and the applicable Master Planned Development plan.

- J. **STREETS:** The PROPERTY has approximately 1540 feet of frontage on Van Duyn Road and is about 3,100 feet deep. The property owner will be responsible for complying with street improvement requirements imposed by the CITY and County through all applicable land development review processes at the time development is proposed. Newly created public streets will be constructed to the required standards. All street improvements will comply with Section E of Article VIII of the Coburg Development Code.
- K. **PARKS:** The CITY has adopted a system development charge (SDC) for parks. When a building permit is requested for construction, the owner of the property being improved shall pay a park SDC fee commensurate with the type of building proposed based upon the City's Parks SDC Methodology Study.
- L. CITY staff has determined that the minimum level of key urban services is currently available to the subject property with regard to water, sewer, electricity, schools and fire and emergency services (with the exception that additional signage, street width, lift station and hydrants may be required as part of development improvements).
- M. In order to facilitate orderly development of the PROPERTY and ensure the full provision of key urban services that are satisfactory to the CITY and meet the CITY's conditions for an affirmative recommendation for annexation, and in exchange for the obligations of CITY set forth below, RAVIN/HARDLY shall comply with all requirements imposed on the CITY in this Agreement.
- N. The PROPERTY will be required to be Master Planned, consistent with Article XIV of the Coburg Development Code. Per Section F.4, of Article XIV, master plans shall contain a minimum of 20 percent open space. The PROPERTY is 107.43 acres (4,679,771 square feet); 20 percent of the total area of the PROPERTY is 935,954 square feet (21.48 acres). As seen on **Exhibit D**, RAVIN/HARDLY will provide an initial open space allotment of 458,338 square feet (10.52 acres). The 10.52-acre open space also acts as a natural landscape buffer between the future uses on the property and the residential areas located immediately to the east. The CITY finds the initial allotment of 10.52 acres as an open space and landscape buffer acceptable and will count towards the total required 20 percent of open space. Each subsequent parcel partitioned from the parent parcel (tax lot 202) will be required to contain 20% open space. The initial allotment of 10.52 acres of open space shall be improved by RAVIN/HARDLY with recreational walking paths and benches for employee working at the respective businesses to be located on the subject property. The recreational walking path and related open space improvements for the initial allotment of open space shall be put in place at the same time as the rights-of-way are constructed. The purpose of the open space requirement is to provide employee respite and recreation. The remainder of the 20 percent require open space shall be fulfilled by subsequent developments that occur on the subject property.

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

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

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

- P. The subject property is located adjacent to a residential district. As such, the CITY and RAVIN/HARDLY agree the setback along the eastern property boundary that abuts the residential district shall be no less than 25-foot wide and run the entire length of the property boundary.
- Q. Per Article VII.E.4.b(3) of the Coburg Development Code, a minimum of 15 percent of the total area of the site shall be landscaped in accordance with ARTICLE VIII, Supplementary District Regulations. Water quality treatment areas may be incorporated into required landscape area. Additionally, the required landscaping percentage may be counted towards the required open space percentage requirements.
- R. The open space as seen in **Exhibit D**, shall be placed in a conservation easement. RAVIN/HARDLY will be responsible for the conservation easement until the PROPERTY sells or conservation easement is transferred to another party. RAVIN/HARDLY shall prepare the legal description and record the conservation easement described in **Exhibit C**, in accordance with ORS 92.
- S. As seen on pages 1, 22-23 and 26 of the Traffic Impact Study, dated October 12, 2021, and completed by Sandow Engineering on behalf of RAVIN/HARDLY, the PROPERTY can be developed to add up to 613 PM Peak Hour trips before the Pearl Street at Interstate 5 Southbound ramps intersections do not meet mobility standards. At 614-720 PM Peak Hour trips, the intersection will require mitigation. As such, the CITY imposes a trip cap of 613 for the entire PROPERTY. The trip cap shall remain in perpetuity, or until another Transportation Planning Rule Analysis (TPRA) is submitted based on changes of facilities, uses, etc. The trip cap shall be recorded on all subsequent deeds for properties that are created from the PROPERTY, in the form a deed restriction. RAVIN/HARDLY shall notify all potential purchasers of the PROEPRTY that a trip cap of 613 PM Peak Hour trips exists on the PROPERTY and the trip cap will be placed on the deed as a deed restriction. The aforementioned pages of the Traffic Impact Study are incorporated into this agreement as **Exhibit F**.
- T. Through the public hearings process for the requested annexation and rezone, Planning Commission and City Council found that Industrial Policy 7 of the Coburg Comprehensive Plan directly applies to the annexation request. Specifically, the annexation and subsequent industrial development will create conflicting uses with the

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

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

AGREEMENT

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

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

1.2 RAVIN/HARDLY shall notify potential purchasers of the PROPERTY that on-site public sanitary sewer and water conveyance systems shall be the responsibility of the developer of the PROPERTY and that those systems shall be designed to adequately serve any future development and to comply with the

public sewer connection requirements of Section F.5. of Article VIII of the Coburg Development Code.

- 1.3 In conjunction with any future development, any existing wells shall be abandoned per applicable standards of the State of Oregon Administrative Rules, Chapter 690, Division 220, Rules 5 through 140 (OAR 690–220–0005 through 690–220–0140). Develop on–site and off–site water system as may be necessary to adequately serve any future development and that complies with applicable CITY and County requirements, including but not limited to the City's Master Water Plan and Section F.6. of Article VIII of the Coburg Development Code. All water service will be provided to the annexed area consistent with and in accordance with applicable CITY and County requirements, including but not limited to Section F.6. of Article VIII of the Coburg Development Code.
- 1.4 RAVIN/HARDLY shall notify potential purchasers of the PROPERTY that the developer of the PROPERTY shall develop on–site and off–site stormwater management facilities and dedicate drainage easements as may be necessary to adequately manage and treat stormwater runoff from the development site and develop the site in accordance with stormwater quality measures that comply with applicable CITY and County storm drainage requirements, including but not limited to those set forth in the Coburg Development Code, including those above.
- 1.4 RAVIN/HARDLY shall notify potential purchasers of the PROPERTY that dedication of right–of–ways as may be determined necessary during development review and approval processes and improvements to full CITY standards must be made to all new or impacted street right–of–ways at a level as needed to support the approved development.
- 1.5 RAVIN/HARDLY shall notify potential purchasers of the PROPERTY that the developer of the PROPERTY shall be required to pay a park SDC fee commensurate with the type of building proposed based on the CITY's Parks SDC Methodology Study.
- 1.6 RAVIN/HARDLY shall notify potential purchasers of the PROPERTY that prior to development of the PROPERTY, the developer shall present the CITY with an application for a Master Planned Development plan for the PROPERTY. Within one year of the approval of the application, the developer shall present the CITY with a Master Planned Development plan for the PROPERTY.
- 1.7 RAVIN/HARDLY shall, at the time of development of the first parcel, dedicate approximately 20–feet of right-of-way along the frontage of Van Duyn of Map and Tax Lot 16–03–34–00–00202 and construct a total of a 56–foot (including the existing roadway width) wide roadway, as generally illustrated in the attached conceptual drawing (**Exhibit E**). At a minimum, frontage improvements shall include: sidewalk, curb and gutter, public utilities, two eastbound vehicle travel lanes from the property's west boundary to the access road, and an internal roadway providing access in accordance with the adopted IMAP. Exact details of

the roadway and improvements are subject to final engineering design and review approval process.

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

- 2.1 Recommend and support annexation of the PROPERTY to the City of Coburg. If development activities (as defined above in Section 1.1) have not been commenced at the PROPERTY by the deadline described above in Section 1.1 (as such deadline may be extended pursuant to Section 1.1 above) CITY may consider withdrawal of the PROPERTY under the procedures of ORS 222.460.
- 2.2 Use good faith in the timely review and decision making of the applications to the amendments to the Comprehensive Plan Diagram and Zoning Map, and to the timely review and decision making of the Master Planned Developments Plan for the PROPERTY. CITY will support any appeal of a decision by the CITY on these applications but will not assume financial responsibility to provide legal counsel on appeal.
- 2.3 The CITY will provide sewer and water service to the PROPERTY. Sewer and water lines may extend outside the Coburg Urban Growth Boundary within the subsurface right-of-way of Van Duyn Road but, consistent with OAR 660-011-060(3) and -065(2), these lines shall not be used to serve any property outside of the corporate limits of Coburg.

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

4. Mutual Cooperation. City and RAVIN/HARDLY shall endeavor to mutually cooperate with each other in implementing the various matters contained herein. For so long as Ravin Ventures, LLC and Hardly Hackit, LLC both own interests in the PROPERTY, they shall each be jointly and severally bound by the obligations of RAVIN/HARDLY under this Agreement; as provided above in Section 3, if either or both of Ravin Ventures, LLC and/or Hardly Hackit, LLC (or any of their respective successors in interest) transfers an ownership interest in the PROPERTY (whether voluntarily or by operation of law), the transferee will automatically be bound by the obligations of RAVIN/HARDLY under this Agreement (jointly and severally with all other

owners of the PROPERTY, if there is more than one owner) and the transferor will have no further obligation under this Agreement.

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

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

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

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

DATED this ____ day of _____, 2022.

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

City of Coburg

By: _____
Ray Smith, Mayor

Ravin Ventures, LLC

By: _____ Title: _____

Hardly Hackit, LLC

By: _____ Title: _____

STATE OF OREGON
 County of Lane

This record was acknowledged before me on _____, 2022, by

Ray Smith as Mayor of City of Coburg.

 Notary Public for Oregon
 Commission Expires _____

STATE OF OREGON
 County of Lane

This record was acknowledged before me on _____, 2022, by

_____ as _____ of Ravin Ventures LLC.

 Notary Public for Oregon
 Commission Expires _____

STATE OF OREGON
 County of Lane

This record was acknowledged before me on _____, 2022, by

_____ as _____ of Hardly Hackit, LLC.

 Notary Public for Oregon
 Commission Expires _____

**EXHIBIT A
LEGAL DESCRIPTION**

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

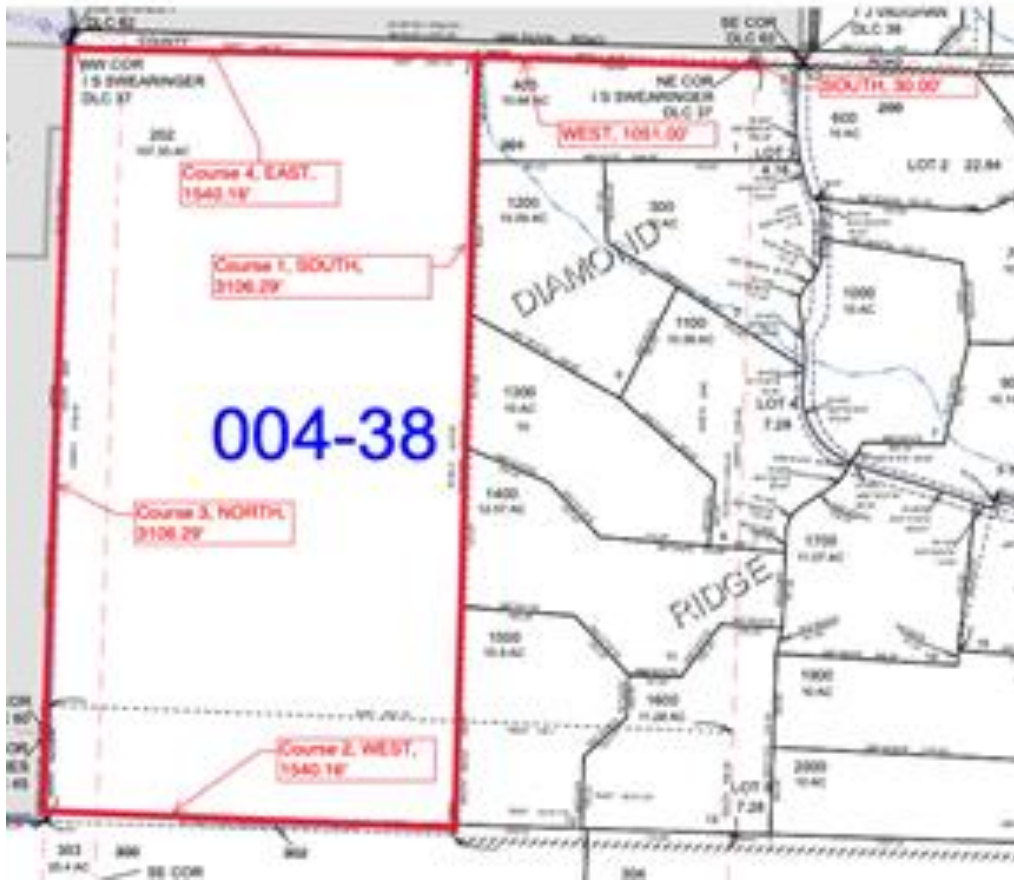
THENCE RUNNING PARALLEL WITH THE EAST LINE OF SAID DONATION LAND CLAIM NO. 37, SOUTH 3106.29 FEET(Course 1), MORE OR LESS, TO A POINT ON THE SOUTH LINE OF TRACT 4 AS DESCRIBED IN A DEED RECORDED AUGUST 2, 1939 IN BOOK 198, PAGE 572 OF THE LANE COUNTY OREGON DEED RECORDS;

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

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

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

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



LEGAL DESCRIPTION

BEGINNING AT A POINT ON THE WEST LINE OF LOT 1 OF THE DIAMOND RIDGE SUBDIVISION AS PLATTED AND RECORDED IN DOCUMENT NO. 2004-049903, LANE COUNTY DEEDS AND RECORDS, LANE COUNTY OREGON, SAID POINT BEING S00°07'28"W, 20.00 FEET FROM THE NORTHWEST CORNER OF SAID LOT 1;

THENCE ALONG THE WEST BOUNDARY OF SAID DIAMOND RIDGE SUBDIVISION S00°07'28"W, 3013.84 FEET;

THENCE N89°57'48"W, 381.23 FEET;

THENCE N18°02'41"E, 99.43 FEET;

THENCE N07°17'53"E, 253.70 FEET;

THENCE N17°19'52"E, 219.59 FEET;

THENCE N00°40'35"E, 223.62 FEET;

THENCE N59°59'03"E, 304.62 FEET;

THENCE N00°07'28"E, 584.04 FEET;

THENCE N44°52'32"W, 70.71 FEET;

THENCE N00°07'28"E, 395.64 FEET;

THENCE N44°52'32"W, 70.71 FEET;

THENCE N00°07'28"E, 281.78 FEET;

THENCE N45°07'28"E, 70.71 FEET;

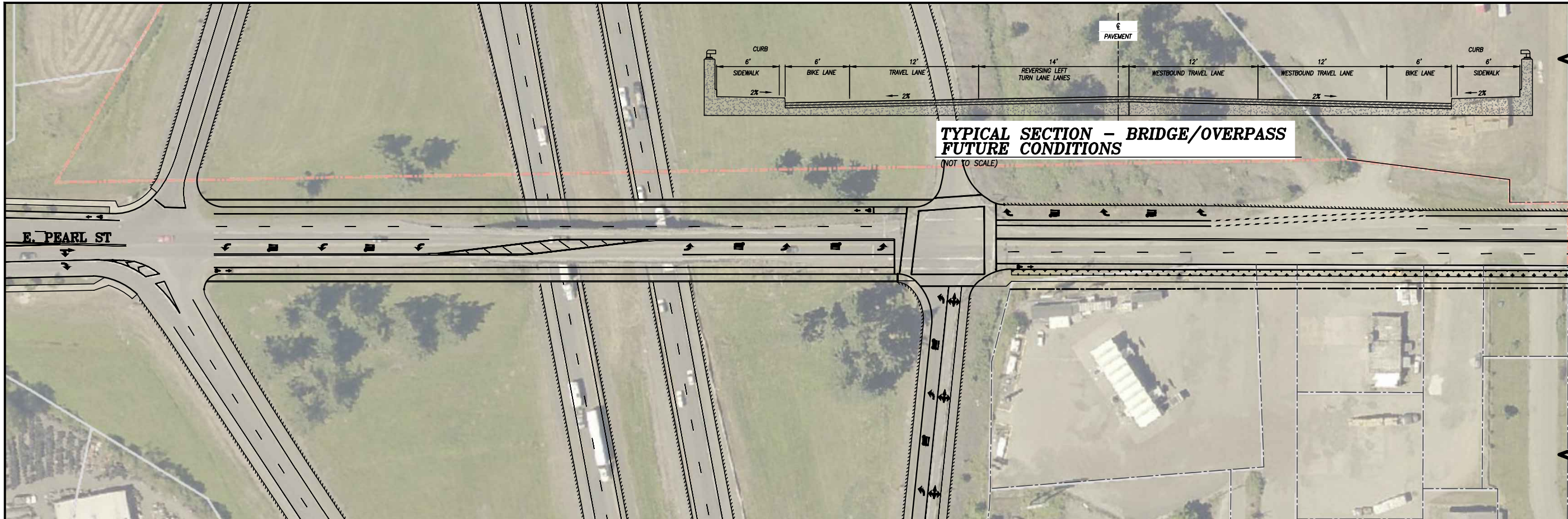
THENCE N00°07'28"E, 186.06 FEET;

THENCE N45°07'28"E, 106.07 FEET;

THENCE N00°07'28"E, 409.40 FEET;

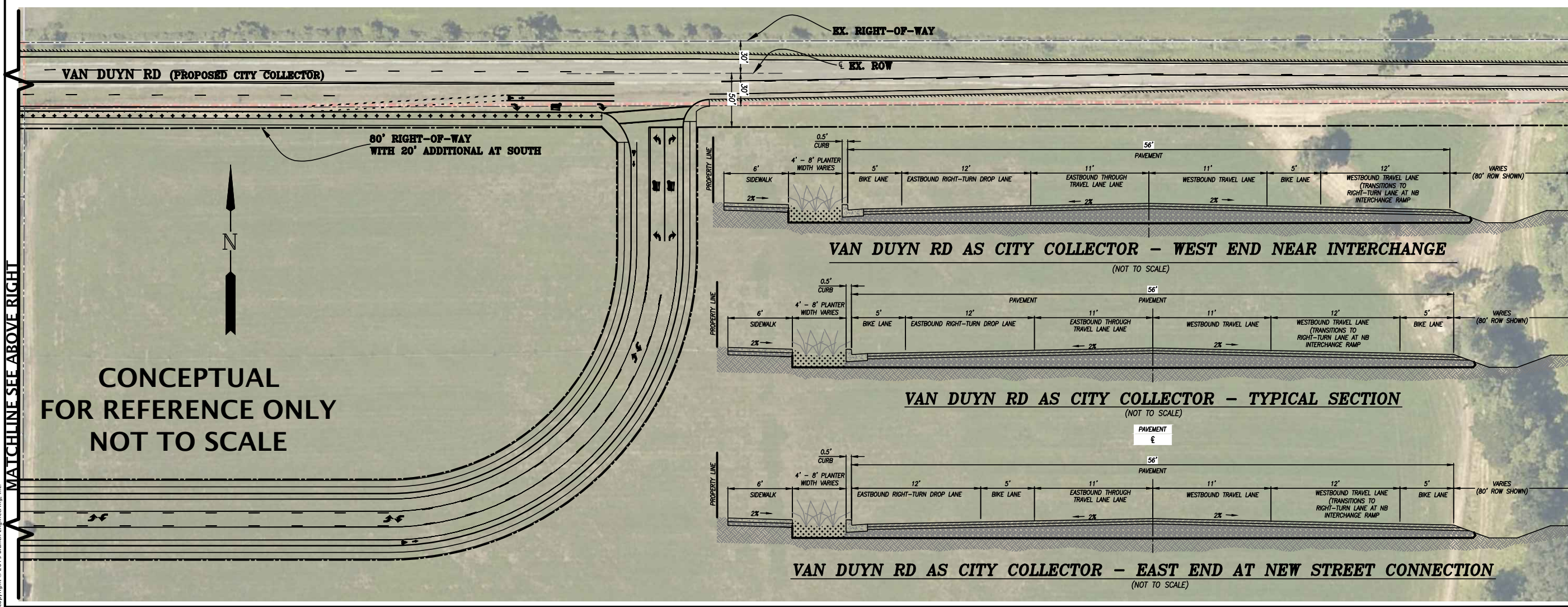
THENCE S89°51'46"E, 25.00 FEET TO THE POINT OF BEGINNING, ALL IN LANE COUNTY, OREGON.

Z:\2020\20-004g Industrial UGB Annexation\E. Van Dуйn Rd\21-004 Van Dуйn Rd Street Sec.dwg 6/29/2021 8:00 PM DANH
copyright © 2019 Branch Engineering, Inc.



MATCHLINE SEE BELOW LEFT

EXHIBIT E



**CITY OF COBURG
CONCEPTUAL VAN DUYN RD
IMPROVEMENT PLAN
COBURG, OREGON**

revisions:
date: JUNE 30, 2021
drawn by: DNH
designer: DNH
project no: 20-004G
**TYPICAL
STREET
SECTIONS**

EXECUTIVE SUMMARY

This report provides the Traffic Impact Analysis and findings prepared for the proposed Annexation and Zone Change for Tax lot 202 in Coburg, Oregon. The subject site is located south of Van Duyn Road east of Interstate-5 on Assessor's Map 16-03-34-00 tax lot 202. The 107-acre parcel is currently vacant and is zoned E40. The applicant is proposing to annex the site and rezone the property to Light Industrial.

The analysis evaluates the transportation impacts as per the Oregon Administrative Ruling, OAR 660-012-060, Transportation Planning Rule (TPR) evaluating conditions as per the City of Coburg, ODOT, and Lane County criteria. The analysis evaluates adjacent roadway and intersection operations with the proposed zone change for the end of the applicable planning horizon.

The analysis is required to evaluate conditions consistent with the City of Coburg Transportation System Plan. The evaluation is prepared for the PM Peak Hour for the reasonable worst-case development scenario. The reasonable worst-case development scenario has the potential to generate 720 PM Peak Hour trips.

The following report recommendations are based on the information and analysis documented in this report.

FINDINGS

- **Pearl St at I-5 SB Ramps:** This intersection is stop-controlled with the stop approach for the southbound ramp. The proposed zone change will add a substantial number of trips to the westbound left-turn movement. The site can be developed to add up to 613 PM Peak Hour trips before the intersection does not meet the mobility standard. At 614-720 PM Peak Hour trips, the intersection will require mitigation. The mitigation at this development level is a traffic signal with protective-permissive phasing for the westbound left turn. With the trip cap at 613 trips, the intersection will operate at a v/c 0.82. With the traffic signal, the intersection will operate at LOS B and v/c 0.65, meeting the standard.
- The addition of development traffic does not substantially increase queuing conditions.
- The right turn lane at the site access on Van Duyne Rd meets the ODOT APM right turn lane criteria.
- The TPR requirements of OAR 660-012-0060 have been demonstrated to be met with the proposed zone change.

	NB	T	100	n/a	n/a	n/a	n/a	0	0
N Willamette St @ Coburg Rd	EB	LTR	250	25	50	25	50	25	50
	WB	LTR	250	25	25	25	50	25	50
	NB	LTR	110	25	25	0	0	0	25
	SB	LTR	350	0	0	25	25	0	0
Coburg Bottom Loop Rd @ Coburg Rd	EB	LTR	500	25	25	25	25	25	25
	WB	LTR	650	25	50	25	50	25	50
	NB	LTR	500	25	50	25	50	25	50
	SB	LTR	500	50	75	50	75	50	100

As demonstrated in Table 7, the addition of development traffic increases the queuing at the I-5 NB ramps and I-5 SB Ramps.

8.0 MITIGATION

As shown in Table 5, the I-5 NB and SB ramps will not meet the standards with the reasonable worst-case development scenario with the proposed zone change. The following provides the recommended mitigation measures for the intersections.

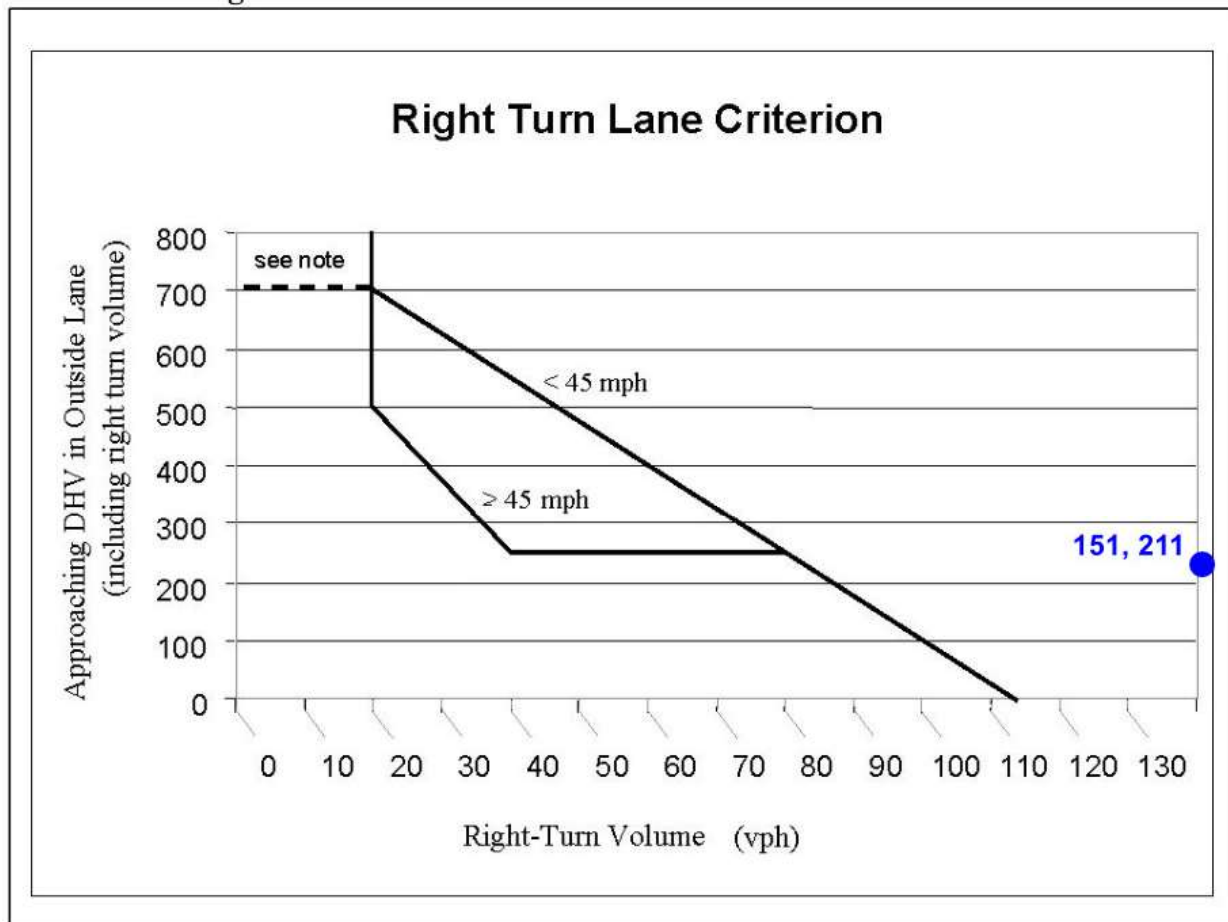
Pearl St at I-5 SB Ramps: This intersection is stop-controlled with the stop approach for the southbound ramp. The proposed zone change will add a substantial number of trips to the westbound left-turn movement. The site can be developed to add up to 613 PM Peak Hour trips before the intersection does not meet the mobility standard. At 614-720 PM Peak Hour trips, the intersection will require mitigation. The mitigation at this development level is a traffic signal with protective-permissive phasing for the westbound left turn. With the trip cap at 613 trips, the intersection will operate at a v/c 0.82. With the traffic signal, the intersection will operate at LOS B and v/c 0.65, meeting the standard. Appendix G contains the HCM outputs.

The ODOT Preliminary Traffic Signal Warrant analysis was performed for this intersection. The warrant considers traffic volumes based on the MUTCD Warrant 1. The warrant analysis was performed for the year 2036 with full build out and considers the 70% warrant criteria based on the current population of Coburg. The preliminary warrant is provided in Appendix G. The traffic volumes are not met for Case A or Case B when the discount for the right turns for the SB approach is considered. However, the traffic volumes for Case B are just under the threshold. It is recommended that a new warrant analysis be prepared when the development

exceeds the trip cap threshold of 613 trips. At this time traffic volumes may have changes enough in the area to meet the volume threshold.

9.0 RIGHT TURN LANE WARRANT

A right turn lane warrant was prepared for the site access to Van Duyne Rd. ODOT Analysis Procedures Manual, APM, has three criteria for determining when a separate right-turn pocket should be installed. Criterion 1 is the comparison of right-turn traffic volumes to approaching traffic volumes. As per Figure 7, during the year 2036 PM peak hour, there are 151 right turns, 211 approaching volumes, and the speed of Van Duyne Rd is 45 mph. The illustration below shows the right turn lane criterion.



Note: If there is no right turn lane, a shoulder needs to be provided. If this intersection is in a rural area and is a connection to a public street, a right turn lane is needed.

development trips or signalization. With the trip cap or signalization, the intersection meets standards. This standard is met.

(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.” OAR 660-12-0060(1)

All intersections will meet the mobility standards prior to the development. This standard is not applicable.

12.0 CONCLUSION

This report provides the Transportation Planning Rule Analysis and findings prepared for the proposed Annexation and Zone Change for Tax lot 202 in Coburg, Oregon. The subject site is located south of Van Duyn Road east of Interstate-5 on Assessor's Map 16-03-34-00 tax lot 202. The 107-acre parcel is currently vacant and is zoned E40. The applicant is proposing to annex the site and rezone the property to Light Industrial.

FINDINGS

- **Pearl St at I-5 SB Ramps:** This intersection is stop-controlled with the stop approach for the southbound ramp. The proposed zone change will add a substantial number of trips to the westbound left-turn movement. The site can be developed to add up to 613 PM Peak Hour trips before the intersection does not meet the mobility standard. At 614-720 PM Peak Hour trips, the intersection will require mitigation. The mitigation at this development level is a traffic signal with protective-permissive phasing for the westbound left turn. With the trip cap at 613 trips, the intersection will operate at a v/c 0.82. With the traffic signal, the intersection will operate at LOS B and v/c 0.65, meeting the standard.
- The addition of development traffic does not substantially increase queuing conditions.
- The right turn lane at the site access on Van Duyne Rd meets the ODOT APM right turn lane criteria.
- The TPR requirements of OAR 660-012-0060 have been demonstrated to be met with the proposed zone change.



COBURG CITY COUNCIL ACTION/ISSUE ITEM

TOPIC: Resolution 2022-09, A Resolution Approving a Funding Application to the Oregon Transportation Infrastructure Bank

Meeting Date: April 12, 2022
 Staff Contact: Anne Heath, City Administrator
 Contact: 541-682-7871, Anne.Heath@ci.coburg.or.us

REQUESTED COUNCIL ACTION

Approval of Resolutions 2022-09, A Resolution Approving a Funding Application to the Oregon Transportation Infrastructure Bank

Suggested motion:

I move to approve resolution 2022-09, A resolution authorizing the application to the Oregon Transportation Infrastructure Bank

POLICIES OR CITY COUNCIL GOAL(S) ADDRESSED

City Council Goal #1 – Improve Infrastructure

HISTORICAL

In January, 2018 the City received a Pavement Management Report which specified the updates and maintenance needed for the streets in city limits of Coburg.

The Council then made the repair of streets a priority and formed an Ad-Hoc Committee to consider the report, gather information and make a recommendation for repairing the streets.

The recommendation of the Ad-Hoc Committee was that the City increase the local fuel tax to .06 cents, and to implement a Transportation Utility Fee for all properties in Coburg.

On December 10, 2019, Ordinance A-211-B was adopted which increased the fuel tax to .06 per gallon for gasoline. This was approved by the voters.

On July 27th, 2021, Ordinance A-252 was adopted establishing the Transportation Utility Fee. The establishment of the Transportation Utility Fee was delayed due to the Covid-19

emergency declaration and the limitations to the public process. In 2021, the City picked up the process and provided information and opportunity to the community to weigh in on the fee.

In early 2022, the staff completed a capital project list for the streets in Coburg and prioritized the projects.

BUDGET

The estimated cost of repairs to the streets in Coburg is approximately between \$3,750,000 to \$4,000,000. At this time, it is hard to put a total cost on the projects that will take place in future years due to the volatility of the Construction Price Index. The City is asking for \$2,500,000 funding at this time to fund the large projects coming up over the next several years. The City also has already established some funding sources outside of the loan such as an STA Grant for Mckenzie Street in the amount of \$100,000, and a Regional Grant in the amount of \$750,000 for our Collector Street network. Additional funding will come from street taxes and the Transportation Utility Fee, as well as System Development Charges. The City will continue to apply for grant opportunities as they become available.

Specifically, this funding will go toward the repairs on Roberts Road, Mckenzie Street, and other local streets scheduled for repairs over the next two years.

Both the Transportation Utility Fee Revenues as well as the Fuel Tax Revenues may be used for the retirement of debt for the maintenance and repairs of the streets.

PUBLIC INVOLVEMENT

Public Hearing on 4/5/2022

NEXT STEPS

- Completion and submittal of the loan application
 - Approving a loan funding contract through Council if approved
 - Implementation of projects as scheduled through the Capital Project List
-

ATTACHMENTS

- A. Resolution 2022-09
 - B. Draft Project Application
-

REVIEWED BY:

Brian Harmon, Public Works Director

Damien Gilbert, City Engineer

ATTACHMENT A**RESOLUTION 2022-09****A RESOLUTION AUTHORIZING THE APPLICATION FOR STREET PROJECT FUNDING TO OREGON TRANSPORTATION INFRASTRUCTURE BANK.**

WHEREAS, The Coburg City Council have identified street improvements as a priority; and

WHEREAS, the City has conducted a pavement study and a capital project list of recommended upgrades to the City streets; and

WHEREAS, the City of Coburg desires to pursue such street infrastructure upgrades over the next five (5) years; and

WHEREAS, the City has established funding sources to repay infrastructure debt by passing Ordinance A-211-B to increase the City Gas Tax, and Ordinance A-252 to establish a Transportation Utility Fee; and

WHEREAS, funding will make it possible for the City to complete street projects over the next five years and pay for the debt over a longer period of 10 years;

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

1. The City Council demonstrates its support for the submittal of an application to the Oregon Transportation Infrastructure Bank.
2. The City Council Authorizes the Mayor to sign the application.
3. This Resolution shall be effective following its adoption by the Coburg City Council

Adopted by the **City Council** of the **City of Coburg**, Oregon, by a vote of ___ for and ___ against, this 12th day of April, 2022.

Ray Smith, Mayor

ATTEST:

Sammy L. Egbert, City Recorder

OREGON TRANSPORTATION INFRASTRUCTURE BANK
APPLICATION

Oregon Department of Transportation
355 Capitol St NE, MS 21
Salem, OR 97301

PLEASE SUBMIT ONE ORIGINAL

SECTION 1: APPLICANT

Organization: City of Coburg

Address: P.O. Box 8316, Coburg, Oregon 97408,
91136 N. Willamette Street, Coburg, Oregon 97408

Contact Person: Anne Heath

Phone: 541-682-7871

Email Address: Anne.Heath@ci.coburg.or.us

PROJECT TITLE: COBURG STREET REPAIR AND MAINTENANCE PROJECT

SECTION 2: PROJECT JUSTIFICATION

Explain in detail the need for the project and summarize the scope of work to be completed.

Coburg seeks to bring our local streets up to an acceptable PCI standard of 80 or above over a five year period. We have conducted a Pavement Management Study and inventory of our streets, assigned preliminary treatment, and created a projected cost for each street.

Our street network includes streets that need complete reconstruction, an 2 inch overlay, crack seals and slurry seals. Most of these projects are on local streets. However, one of the largest projects is on a collector street in our industrial area where trucks utilize the road heavily on a daily basis.

It is our intention to balance the reconstruction of our worst streets with the preventative treatments of our best streets in order to not fall farther behind in our plan to restore to acceptable PCI.

The local streets in Coburg are old and were built on an unacceptable base by today's standard. They are all narrow and can be unsafe due to the condition of the pavement. Our pavement study showed the average PCI of 59. However for many of our local streets this falls to poor and even very poor condition with functional classes under 25.

The schedule attached illustrates the anticipated treatment of each street associated with the project year of completion. Coburg plans to have some streets in the engineering stage each year while others are under construction. This will offer a continual march of progress to hit our goal of a 80 or above PCI for all local streets within a five year period.

SECTION 3: PROJECT BUDGET AND LOAN REQUEST

	Estimated Project Amounts	Amount to be funded through OTIB
Preliminary Engineering	\$ 389,713	389,713
Right of Way	\$ 0	0
Construction	\$ 2,598,085	2,110,287
Equipment	\$ 190,000	0
Design & Architectural	\$ 0	0
Land Acquisition & Site Preparation	\$ 0	0
Other Capital Costs	\$ 0	0
Contingency	\$ 519,617	0
Loan Fee (1%)	\$ 25,000	0
Other (_____)	\$ 0	0
Total Costs:	\$ 3,722,415	2,500,000

Have you bid the project yet? Yes___ NoX

It is anticipated that there will be projects go out to bid very soon

Roberts Road and Mckenzie Streets could go out to bid in the late spring

Has any equipment been ordered or purchased? Yes___ NoX___

If yes, when was it ordered or purchased? _____

Over how long a period would you like to repay your OTIB Loan? **10 years**

Do you expect to use additional debt for this project in the future? Yes___ No X

The City can cover future costs with the Street Utility Fee, gas tax, and regional MPO funding once the majority of the work has been completed. However, the volatility of the CPI index at this time makes it very hard to predict the true costs of projects over the next several years.

SECTION 4: SUMMARY OF PLEDGED AND OTHER REVENUE

All OTIB loans require a pledge of any Highway User Tax Apportionment due to the Applicant to provide security for the loan. If the Apportionment received by the Applicant has not historically been sufficient to cover projected loan repayments, additional collateral will be required. The loan may be repaid out of other sources available to the Applicant. Please answer the following:

1. What funds have already been identified to repay the loan?

The City of Coburg has both a state and local fuel tax which equal approximately \$250,000 per year. In addition, the City implemented a Transportation Utility Fee in the fall of 2021 which will provide approximately \$150,000 annually for the repair and/or construction, or the retirement of debt incurred for the repair and/or construction of the roads in Coburg. In the case of the City Fuel tax as well as the Transportation Utility Fee, the ordinances clearly state that the retirement of debt incurred for the purpose or repairs and maintenance to the roads is an allowable expense.

2. What other funds are potentially available to secure the loan, if necessary?

The Street Fund is an independent fund of the City and it is in the best interest of the City for all funding and debt to be secured by the revenues of this fund. However, if needed, the General Fund could be considered an additional source if needed.

3. Does the applicant have a credit rating published by any of the three credit rating agencies: Fitch, Moody's, or Standard and Poor's? If so, please indicate the ratings and when established and last reviewed. If available, please attach the most recent credit rating report as an appendix to this application.

YES - See Attached

SECTION 5: OTHER FINANCIAL INFORMATION

1. Has the Applicant suffered an operating deficit in either its General Fund or Road Fund, or other similar enterprise fund in the last 5 years? If so, what actions were taken?

No, the City has been operating quite successfully in all funds for the last five years.

2. Does the project involve the formation of a local improvement district (LID) or an urban renewal district (URD) or similar entity? If so, provide the status of negotiations with benefited property owners, an engineer's report on the district formation and assessments (if available), and any resolutions creating the district.

No.

3. Are the benefited property owners participating in the cost of construction? If yes, list the benefiting property owners and corresponding participation. If no, explain why.

Yes, the property owners pay a both a City and state gas tax when purchasing fuel in Coburg. In addition, each property in Coburg has been assessed a Transportation Utility Fee. Additionally, there will be some system development charges available to our projects.

4. Does this project use any "innovative" sources of financing, such as revenue from traffic impact fees, transportation improvement district fees, system development charges, urban renewal assessments, private funds, or tolls. What percentages of project funds are "innovative" versus "traditional?" Be specific.

Approximately 37% of the funds needed for this project will come from a newly implemented Transportation Utility Fee. Approximately 10% of the project could come from System Development Charges with approximately 53% coming from both local and state gas taxes.

5. Summarize any pending litigation that may affect the ability of the Applicant to repay a loan.

N/A

6. Has the Applicant ever defaulted on a debt? If so, provide a complete summary of all circumstances relative to the default.

N/A

7. How will the ongoing maintenance, operation and replacement of the project be financed?

The City anticipates \$400,000 - \$450,00 annually in revenue to the Street Fund consisting of gas taxes and the Street Utility Fee.

SDC's will also be available for some projects but are dependent on the continued growth and development in Coburg.

We would like to finance upfront the work for some larger portions of the project and then utilize revenues available to repay the debt. All other revenue funds available will go to the maintenance and operations of the street fund.

We anticipate budgeting \$50,000 annually for preventative seals on the road. The City plans to purchase equipment and train our public works employees to operate it in order to perform some of the streets seals in house.

SECTION 6: PROJECT PLANNING & DESIGN

- 1. The OTIB will fund only projects that conform to local transportation system plans and/or the Statewide Transportation Improvement Program (STIP).

Is this project in the local area transportation plan? Yes No

Although not called out individually, the maintenance and health of our local roads are a priority in our transportation plan

Is this project in the STIP?

Some of the projects are currently in the STIP

Yes No

If no, is a STIP Amendment in process?

Yes No N/A

- 2. Name all plans that contain the project. What stage is the project in these plans (for example, developmental or construction). What cost estimates are shown there?

Currently the City is focused on four projects which are in the engineering phase at this time.

- 1. **Roberts Road- Collector which is used for heavy truck traffic and needs reconstruction. \$1,000,000 of which no funding is available at this time.**
- 2. **Mckenzie Street - In the STA grant process. Mckenzie street is a downtown business district east-west connector between neighborhoods, parks and downtown businesses. (\$280,000) - \$100,00 STA funding.**
- 3. **Engineering Collector Street Network Currently we are in the engineering phase of our network of collector streets. This is a STIP funded project for which the City has been awarded \$750,000 to be constructed in 2023-24. We are attempting to align with a current water project.**
- 4. **Preventative Maintenance - Some newer streets will be treated in the summer of 2022 with seals. (\$50,000). This supports our balance of maintaining the good streets while we treat the worst.**

All other streets will fall into a cycle of selecting a quadrant of town each year to be engineered, and the construction will take place the following year.

See attached street treatment map. This is an early version and at this time, some of the projects will change based upon available funding and the ability to align with other capital projects of the City such as water line replacement. This saves on the costs of both projects.

- 3. Describe the planning and land use requirements that apply to this project, if any. Discuss where the project is in the approval process. If a land use action is required, when will the approving body issue a decision?

Currently, the City has drafted an alternative street design standard for our narrow collector streets which can't support a standard collector design. We hope to have this alternative design completed and added to our development code by the end of April, 2022 and adopted in June of 2022. This change to our development code will be a land use action. This would be passed by both the Planning Commission as well as the City Council with required public hearings.

4. Describe the environmental impacts of this project. For a federally funded project, please provide the status, or attach, the Environmental Impact Statement (EIS). If no EIS is required, please provide the categorical exclusion that the Applicant has qualified under.
 Engineer to answer this question
5. Some State and Federal OTIB funds require that a project is federal aid eligible, even if the project will not be subject to other federal requirements. Please specify if this project meets federal-aid eligibility requirements.

The Collector street projects are federal-aid eligible including Roberts Road, Coburg Industrial North (future seal project), and the collector street network within the residential neighborhoods. However, Roberts road was not funded in the last round and the road is in terrible condition and will not wait until the next round. It must be fixed in order to avoid an increase in the repair budget.

To be eligible for federal funding, a project must qualify under Title 23 or Title 49 of the Code of Federal Regulations. A road will be eligible if it is part of a "federal-aid highway." A federal-aid highway is any street or highway that is open to public travel, except one functionally classified as a local street and/or minor collector. Roads designated as part of the National Highway System are eligible.

6. OTIB will fund only projects that meet highway design standards appropriate to the class of project. Describe the class of job for your project and the standards you have met and, if any, design exceptions and their rationale.

All of our projects will be on local residential streets, or collector streets. We will follow all street standards as approved in our guiding documents such as the TSP and the development code. The City has extremely narrow streets and in some circumstances, these are collector streets that are not appropriate for the standard collector design. These are historical residential streets where many times there are homes and outbuildings that would make it impossible to widen to a standard collector design. Therefore, the City will implement an update to the development code to allow for a flexible design standard for our collectors to enhance safety, allow for some alternative parking, etc.

7. When will the project be ready to begin construction? When will the construction be complete? Will OTIB funding will make this project possible or advance it? Will any new work be done because of this loan? Absent OTIB funding, when would the project go to contract?

The construction will begin in the summer of 2022 and is anticipated to last at least 5 years in order to bring all streets up to acceptable standards.

OTIB funding will allow us to engineer and construct streets up front and then pay over a course of several years. Without this funding, we will be left to only tackle a few streets at a time and only when we have built up enough funds to do so.

In regards to Roberts Road, the repair of this road is crucial at this time and the City does not have the funds to repair it. If we can fund the work on this road than we do have the annual revenues to pay back over several years.

The majority of the roads in Coburg are in need of treatment as soon as possible. Our five-year plan addresses this. However, Street Fund revenues will not allow for us to do this in this short time. Therefore, funding up front to get the work done, and paying over several years is the best case scenario for the City. Absence of funds to get this work done will result in some streets continuing to become worse, and what could be an overlay at this time, may be a total reconstruction in a few years if left untreated.

DRAFT

SECTION 7: OTHER PROJECT INFORMATION

1. Does this project have any safety impacts? If project is related to road construction, what are the current accident rates of the affected project area, if any? What are projected accident rates if improvements are made? Please supply any data that supports safety improvements.

The majority of our streets are residential streets where few accidents take place. These are low speed areas. Roberts Road and Coburg Industrial North are commercial streets that see mainly truck and employee traffic and have an equally low rate of accidents if any.

2. Does this project contribute to traffic growth management? If so, how?

Yes, this expands pedestrian and multi-modal use of the road due to safer and updated surfaces. It repairs the streets in our current neighborhoods in order to maintain the small town character and feel but retaining narrow and quiet streets.

3. Does this project improve livability?

Examples include: encouraging development designed to allow people to live, work and shop in the same area; making walking, biking and transit convenient and accessible; or assuring accessibility of service to rural communities.

Yes, currently our roads are unsafe for pedestrians, biking and especially for those with walkers, wheel chairs, or disabilities. Securing safe roads with acceptable PCI will increase the accessibility and safety to the whole community and all abilities.

4. Does this project strengthen Oregon's economic development?

Examples include: improving infrastructure, investing in rural or distressed communities, improve the business climate, enhance the community's image, or job creation,

Yes, the City of Coburg is a historic district which draws tourism in order to take advantage of our Historic Home Tour. Additionally, Coburg is on the Willamette Scenic Bikeway which runs down through the center of the City. Coupled with a draw of antique stores, gift shops, and quality restaurants, Coburg is a viable economic driver for the region. Safe and reliable roads are important to maintain a strong community image, business climate and a pleasant experience for our visitors.

5. Does this project impact Oregon's quality of life?

Examples include: improvements in air or water quality, lower commute times, reducing vehicle miles traveled, promoting inter-modal connections, or maintaining or improving access for emergency services.

This project will enhance and promote more mobility through biking and walkability of the community which does enhance quality of life for our residents and visitors. It increases the safety of both drivers and pedestrians by providing a quality road surface for traveling by removing all large potholes, failed road beds, and standing water. In addition, the repaired roads will lend itself to a higher air quality by removing the dust created when utilizing failed roads.

DRAFT

SECTION 8: ATTACHMENTS

Attach the following items with the application:

1. If available, attach an engineering feasibility analysis, prepared and stamped by a registered professional engineer. Typically, this analysis will include:

Yes___No___N/A___

- the name, address, and phone number of the professional engineer.

Engineer of Record - Branch Engineering
Managing Engineer - Damien Gilbert
Phone - 541-746-0637
Email - Damieng@branchengineering.com

- an explanation of the basis for the size and/or capacity of the proposed project;
- project alternatives considered;
- detailed cost estimate including all items necessary to complete the project;
- preliminary drawing of the project;
- maps showing the general location of the project, tax lots or parcels in the project area, and the specific location of the project;
- environmental concerns;
- needed permits and/or licenses to construct the project;
- what jurisdiction(s) will own, operate and/or maintain the proposed project; **All projects will be owned by Coburg**
- anticipated project schedule:
 - project start - **Summer, 2022**
 - preliminary engineering/design
 - Construction - **Ongoing for multiple projects**

2. An anticipated draw down schedule of loan proceeds.

Yes_X_No___N/A___

3. Public hearing notice, minutes of the public hearing and minutes of the meeting at which submission of this application was approved.

YesXNo___N/A___

4. One copy of each of the last three years of the Applicant's audited financial statements.

YesXNo___N/A___

5. One copy of the Applicant's current budget.

YesX_No___N/A___

6. Adopted Capital Improvement Plan (if available) and transportation facilities plans as appropriate.

Yes X No_ _N/A___

7. If Applicant is not a city or county, one copy of the Applicant's enabling charter or resolution as amended.

Yes___No___N/A___

DRAFT

SECTION 9: CERTIFICATION

I certify that:

The Applicant has the authority to request and incur the debt described in this application and, upon approval, may enter into a contract for the repayment of the loans.

The Applicant has held any locally required public hearings or notices and will comply with all applicable state and federal regulations and requirements.

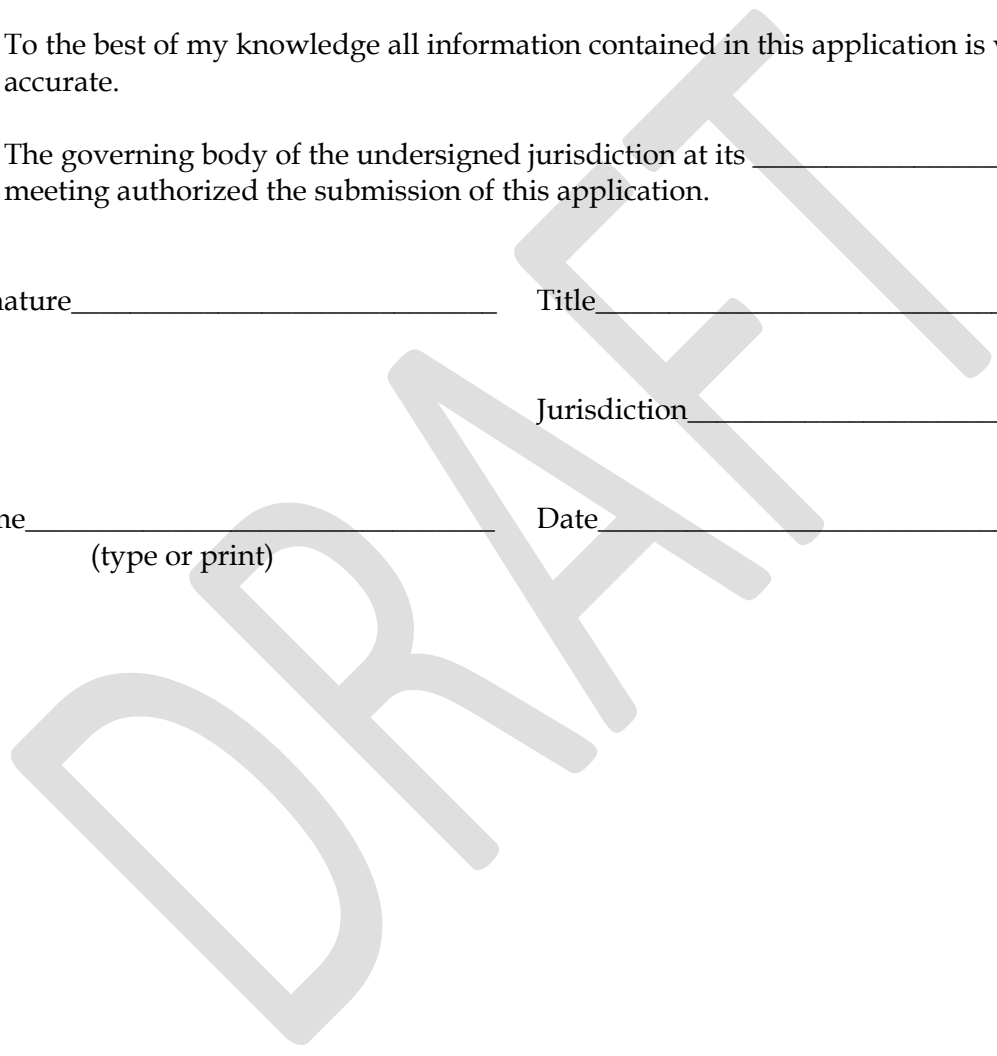
To the best of my knowledge all information contained in this application is valid and accurate.

The governing body of the undersigned jurisdiction at its _____ (date) meeting authorized the submission of this application.

Signature _____ Title _____

Jurisdiction _____

Name _____ Date _____
(type or print)





COBURG CITY COUNCIL ACTION/ISSUE ITEM

TOPIC: Resolution 2022-10, A Resolution Establishing a Capital Improvement Policy and Capital Project List

Meeting Date: April 12, 2022

Staff Contact: Anne Heath, City Administration

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

REQUESTED COUNCIL ACTION

Adopt Resolution 2022-10

Recommended Motion:

"I move to adopt Resolution 2022-10, A resolution establishing a Capital Improvement Policy and Capital Project List".

BACKGROUND

This City has historically kept a capital project list which was tied to the budget each year. Additionally, when the City has updated our SDC charges, a project list was part of the adoption of those fees so that an applicable percentage of eligible SDC costs could be applied to each project. However, the City has not adopted a policy in how capital project lists will be updated. This policy establishes how projects will be developed and how they will be added to the Capital list. Additionally, it requires that the capital list be reviewed annually, and then approved by the City Council prior to the budget process.

System Development eligibility is usually applied to each and every project. However, this is not work the staff can complete and it must out-sourced as it is a very specific skill level to apply these percentages. Therefore, once the policy and the list of projects are adopted, the staff will work with FCS Group to apply eligibility percentages to the list. Moving forward, the list will be reviewed and updated, and then any new projects will then have an eligibility percentage applied to it.

The Policy requires that projects must be listed on the Capital Plan in order to be implemented into the budget, or in order to seek funding for them. If there is a new project or opportunity that surfaces, staff will need to either seek an update to the project list, or wait for the next adoption period to add it to the list. This ensures that the City is continuing an adopted process for facilitating capital projects, and provides for future planning, process, and history, when there are changes in staffing.

PUBLIC INVOLVEMENT

Much of the projects listed have already been vetted through public process in order to be adopted. For example, the water master plan contains the water capital projects. This was adopted under the public process.

As far as the park projects, the Park and Open Space Master Plan was reviewed as well as several discussions with the Park|Tree Committee to consider what projects should be added to the project list.

Street Projects listed were part of the Capital Pavement Study on the City streets, as well as projects listed in the Transportation System Plan.

Staff has essentially taken all of the projects listed in these plans, and created a list of viable projects that most likely will move forward in future years.

RECOMMENDATIONS:

- Move to adopt Resolution 2022-10, which also calls for an update and re-adoption annually.

NEXT STEPS

1. Implement policy and contract to update SDC Eligibility percentages
2. Train staff on policy and how to utilizing them in planning and facilitation of projects

ATTACHMENTS

- A. Policy
- B. Resolution 2022-10
- C. Capital Project List

Reviewed by:

Anne Heath, City Administrator
Coburg Parks and Tree Committee
Brian Harmon, Public Works Director
Gary Darnielle, City Attorney

ATTACHMENT B

RESOLUTION 2022-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COBURG ADOPTING A CAPITAL IMPROVEMENT POLICY AND PROJECT LIST.

WHEREAS, the City has a capital project list that is utilized to schedule and budget projects; and

WHEREAS, the City wishes to establish a uniform policy for how the project list will be updated and maintained; and

WHEREAS, the City has Master Planned documents that inform the project lists; and

WHEREAS, the City wishes to ensure that Capital projects are planned, funded and constructed in a timely manner; and

WHEREAS, the City wishes for the Capital Project List to be reviewed and updated annually through resolution prior to the Budget Process;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Coburg, the adoption of the Capital Improvement Policy and Capital Project List.

Adopted by the **City Council** of the **City of Coburg**, Oregon, by a vote of _____ for and _____ against, this 14th day of August, 2022.

Ray Smith, Mayor

ATTEST:

Sammy L. Egbert, City Recorder

CITY OF COBURG



WASTEWATER CAPITAL PROJECT LIST					FUNDING
LOCATION	CAPITAL ASSET	VALUE	TIME-LINE	SOURCE	
PREMIER RV	TANK REPLACEMENT	\$450,000	2023	SDC/UF	
SEWER PLANT	HEADWORKS STRUCTURE	\$120,000	0-10 YEARS	SDC/UF	
SEWER PLANT	ADDITIONAL MEMBRANE	\$600,000	6-10 YEARS	SDC/UF	
SEWER PLANT	ADDITIONAL TREATMENT BASIN	\$900,000	6-10 YEARS	SDC/UF	
SEWER PLANT	BRIDGE CRANE	\$175,000	0-10 YEARS	SDC/UF	
SEWER PLANT	EFFLUENT STORAGE POND	\$250,000	6-10 YEARS	SDC/UF	
SEWER PLANT	ADDITIONAL COOLING	\$150,000	0-10 YEARS	SDC/UF	
SEWER PLANT	EMERGENCY FUEL STORAGE	\$150,000	2023-25	FEMA	
SEWER PLANT	WASTEWATER FACILITIES PLAN	\$50,000	2023-2024	SDC	
SEWER PLANT	PUBLIC WORKS SHOP	\$500,000	2023-25	TBD	

**COBURG CITY COUNCIL
ACTION/ISSUE ITEM**



TOPIC: City Council Goals for Fiscal Year 2022-2023

Meeting Date: April 12, 2022
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 list of work plan goals so stated in Attachment A for Fiscal Year 2023.

POLICIES OR CITY COUNCIL GOAL(S) ADDRESSED

Annual Council Goals

BACKGROUND

Substantial input from staff was incorporated into the annual discussion of the City Council at their work session held on March 29, 2022. The Council accepted the goals and work plan as written and asked that they be brought to the next City Council for adoption. There are two changes to the work plan goals as follows:

- Updates to the Pavilion and Information Kiosk have been incorporated into the Pavilion Plaza Project which is listed on the Work Plan. These two items were included in the project and the project funding request.
- Analysis of PVE Water System has been added. This is an important element that needs to be undertaken in order to determine the future of the system.

Preamble Statement from the prior year has no recommended changes.

City Council received the draft at their 2022 goal setting work session held on March 29th and was able to discuss and provide input prior to this presentation.

ANALYSIS

It is intended that this will be living document and be thoroughly integrated with the budget process, including additional or ongoing public input.

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 staff work plan

ATTACHMENTS

Fiscal Year 2022-2023 City Council Goals

REVIEWED THROUGH:

Sammy Egbert, City Recorder

City of Coburg

Council Goals for FY 2022-2023

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

CITY COUNCIL GOALS & PRIORITIES WORK PLAN

Fiscal Year 2022-2023

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 2023-24	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 2022	Rebranding of City and Community utilizing new Logo FY 2023	Enhance Communications from Committees to Council Ongoing
Continue Staff Training in FEMA Ongoing	Carpet Replacement in City Hall FY 2023-24	Project Staff Capacity needed for Future Development of the City in Every Department - Ongoing	Purchase and Implement new Financial Software TBD	Planning for Emergency Drills with City Staff and Partners – 2022-23	Continue to provide leadership and partnership in Oregon Main Streets Ongoing	Review and Update Committee Bylaws for consistency for all committees FY 2023
Continue Effort to Grow Citizen Response Team FY 2023	Lobby Redesign to create more attractive and welcome environment Ongoing	Expand Pool for Court Appointed Attorneys in the Municipal Court FY 2023	Maintain multi-level Fiscal oversight Ongoing	Planning and Implementation for Mutual Support with other Agencies FY 2022	Development of a Broadband Plan FY 2023	Facilitate Work Parties and planning for projects for Park & Tree Committee Ongoing
Address Transportation Issues such as speed, signage and transportation on roads owned by other jurisdictions Ongoing	Continue to update fleet in Public Works and Police as needed in order to ensure operational capacity, safety and financial feasibility - Ongoing	Continued Staff Education in Every Department per specific need of department - Ongoing	Conduct RFP for Banking Services FY 2023	Planning and application to MPC for funding to conduct feasibility study for an east-west connector road FY 2023	Continued Investments and Partnership with Oregon Rain Ongoing	Education for Planning Commission on Land Use and other issues related to planning in Coburg and the State of Oregon Ongoing
Form a Citizen and Staff Committee to discuss and make recommendations for Diversity, Equity and Inclusion Policies for the City. FY2023	Improve Utility Billing Policies FY 2022	Continue Scanning Court Documents on an ongoing basis Ongoing	Consider Purchase of Capital Project Tracking Software	Plan and Implement General Orders and Standard Court Operations FY 2022	Continue to Update Website to provide information to Citizens on city Services - Ongoing	Support to all Committee and Commission Goals by Staff Representatives Ongoing
Community Planning and Participation in the implementation of Pavilion Park Plaza FY 2023-2025	Update Utility Billing Website Pages FY 2022	Update to Standard Procedures and Processes in Planning Department Ongoing	Timely and Accurate Process for seeking Reimbursement for Funding Capital Projects Ongoing	Update Transportation Plan TBD	Expansion of City Hall Parking availability to the North F Y2023-23	Research for the Development of a Park & Recreation District Ongoing
Community Planning for Julia Morneau Heritage Park	Implement on-line Payment Option FY 2022	Project Staff Capacity needed for Future Development of the	Review and Update to All City Contracts as they come due	Complete Storm Water Master Plan		Create Process for purchase and planning of future park land

FY 2022-2023		City in Every Department Ongoing	Ongoing	Fall, 2022		FY2023
Community Planning for Park to be located in Coburg Creek FY 2023	Analysis on PVE Water System for Future FY 2023	Install Laptop Computer for CAD system for officers FY 2023		Alley Analysis and determination of future of alleys in Coburg – 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 2022-23	Reduce Inflow and Infiltration into the Collection System FY 2023	Install Computer Software for performing electronic truck inspections FY 2023		Add Emergency and replacement inventory of equipment and supplies – Ongoing		Update Committees on Council Adopted Goals and Priorities FY 2023
Education to Community on Land Use and the Public Process - Ongoing	Continue Planning and facilitation of Street Capital projects Ongoing	Continue PW and PD Certification of staff on critical training elements Ongoing		Review and address possible changes in the sign ordinance – FY 2023		Involve Elementary School in Youth Heritage Program Ongoing
	Institute and begin Preventative Maintenance Program for Streets FY 2023	Install Priority inventory system for Water Department to reduce down time FY 2023				Training for Heritage Committee and involvement in the CLG Network Ongoing
	Design, Seek Funding and construct Public Works Operations Building – FY 2023-24					Place new Booth Kelly Historical Signs FY 2023
	Replace Septic Tanks at Premier RV FY 2023					
	Planning and design for collector Street Improvements FY 2023					
	Continue Inspections and planning for tank maintenance and aging ongoing					
	Continue to Complete Water Master Plan Projects Ongoing					
	Purchase Street Sweeper and Street Maintenance Equipment FY 2024					



COBURG CITY COUNCIL DISCUSSION ITEM

TOPIC: Revisions to City of Coburg City Charter

Meeting Date: April 12, 2022
 Staff Contact: Anne Davies, City Attorney
 Contact: 541-682-4040; adavies@lcog.org

SUGGESTED COUNCIL ACTION

N/A Discussion only; possible direction to staff for next council meeting

POLICIES OR COUNCIL GOAL(S) FY22

- 2022 City Council Goals: Dynamic Operational Capacity
-

INTRODUCTION

This memorandum is the result of efforts to address some high-level concerns about the division of authority as spelled out in the City Charter. It also addresses some instances where the Charter simply needed to be updated to reflect the current structure of the City government. Attached to this memo is a copy of the current City Charter and a copy of the proposed changes to the Charter, shown in legislative format. This memorandum is intended as a key or guide for those documents so the reader can track the intent and purpose of each proposed change. The Section numbers, unless clarified otherwise, are to remain the Section numbers in the current version of the Charter.

CITY CHARTER CHANGES

Section 12 (Officers): The current version of the Charter lists the following officers: a municipal judge, City Recorder, and Treasurer. The proposed version would remove the Treasurer as an officer (that position now falls under the management of the City Administrator) and would add the City Administrator and the City Attorney.

Section 13 (Salaries): The current version prohibits elected officials from being paid a salary. This prohibition could preclude lower income folks from serving. Accordingly, the proposed version removes that prohibition.

Section 14 (Qualifications of Officers): The current version prohibits a mayor or councilor from serving more than eight years (excluding partial terms). The proposal is to remove that prohibition.

Section 15 (Meetings): The proposed version of the Charter includes two options for the Council to take a recess; i.e., not hold a regular meeting each month. The first option would provide for two built-in recesses for summer and winter holidays. The second option would allow the Council to vote to take up to two recesses at other times.

Added Section 16 (Council Rules): The current version mentions the Council Rules in Section 15. That reference is proposed to be removed, and a new section added, requiring the adoption of Council Rules by resolution and requires that they be reviewed every five years.

Section 20 (Vote Required): The current version of the Charter contains some rather confusing language about how votes are counted in the event of an abstention. That confusing language is proposed to be removed, and, hopefully, a clearer explanation provided in the Council Rules. The general rule, that approval by a majority of a quorum of the council is necessary to decide a question, remains in the Charter.

Section 21 (Mayor): Subsection (1) The mayor will be authorized to appoint members of any committees that are established by Council Rules, with the consent of Council. We are proposing to add a provision that authorizes the Mayor to appoint members of ad hoc committees without the consent of Council. Previously, the Charter was silent on this point.

Added subsection (3): The mayor will be authorized to supervise all officers listed in Section 12 and other officers appointed pursuant to Section 12, except the municipal judge and city attorney.

Added Section 23 (City Administrator): The current Charter does not provide for a City Administrator. The City now has a City Administrator, so the revised Charter will provide for that officer position. The Mayor appoints the City Administrator with consent of the Council.

Added Section 24 (City Recorder): Because the City Recorder is an Officer, it makes sense to add a Section briefly describing that position, as is done with the other officer positions.

Added Section 25 (City Attorney): The current Charter does not provide for a City Attorney. The City Attorney is appointed and may be removed by a majority of the Council.

Section 26 (Vacancies in Office): The current Charter makes a distinction between excused and unexcused absences from Council meetings. It provides that four consecutive unexcused absences provide a basis for removal from office. The proposed language removes the excused/unexcused absence distinction. It would provide that a councilor or mayor's office would become vacant if they miss two Council meetings in a 60-day period or if they miss four Council meetings in a 12-month period. The idea is that, whether the

absences are excused or not, if a councilor cannot regularly attend the meetings, then the seat should be filled by someone who can attend.

Added Section 37: See discussion under Section 34, below.

Section 29(5) (Mode of Enactment): After an ordinance is enacted, the City Recorder endorses it; the mayor does not thereafter endorse it and date it. So that second step will be removed from the Charter.

Section 34 (Repeal of Previously Enacted Provisions): The provision currently mentions a provision from a previous version of the charter that is intended to be retained. It is referenced but the language is not provided. We propose merely including the language of that new provision in a new Section (numbered as Section 37).

Section 37 (Time of Effect of Charter): This provision states that the Charter becomes effective upon voter approval. Examples of other charters provide specific effective dates with a reference to when the voters approved the measure. That approach may be a clearer way to determine the effective date.

ELECTION TIMELINE FOR REFERRAL:

There are two options for placing the proposed revised City Charter on the ballot: August 23, 2022 or November 8, 2022.

August 23, 2022 Election –

- If the measure is the only one on the ballot, Coburg would pay the full cost of the election (estimated cost \$2500)
- Final Council action required at or before May 10, 2022 City Council Meeting. City Recorder must notify Lane County (Form 802) by June 23, 2022 that the issue will be placed on the ballot.

November 8, 2022 Election –

- General Election we will have 3 Councilor and Mayor on the ballot.
- Final Council action required at or before August 9, 2022 meeting. City Recorder must notify Lane County (Form 802) by September 8, 2022 that the issue will be placed on the ballot.

RECOMMENDATION

Direction to staff for next council meeting

BUDGET / FINANCIAL IMPACT

No impact.

PUBLIC INVOLVEMENT

Staff would provide neutral information to the public leading up to the election.

NEXT STEPS

The next steps will depend on the direction provided by Council. Possible preparation of ordinance or resolution to initiate vote on Charter revisions.

ATTACHMENTS

- 1992 City Charter
 - Track Changes version of the proposed Coburg City Charter
-

REVIEWED BY

Anne Heath, City Administrator

1992

CITY OF COBURG CHARTER

PREAMBLE

We the people of the City of Coburg, Lane County, Oregon, in order to avail ourselves of self-determination in municipal affairs to the fullest extent now or hereafter granted or allowed by the constitutions and laws of the United States and the State of Oregon, by this Charter confer upon the City the following powers, subject it to the following restrictions, prescribe for it the following procedures and governmental structure, and repeal all Charter procedures and governmental structure, and repeal all Charter provisions, except as hereinafter provided in Section 34, of the City Charter enacted prior to the time this Charter takes effect.

CHAPTER I

Name and Boundaries

SECTION 1. Title and Enactment. This enactment may be referred to as the 1992 Coburg Charter.

SECTION 2. Name of City. The City of Coburg, Lane County, Oregon shall continue to be a municipal corporation with the name City of Coburg, Oregon.

SECTION 3. Boundaries. The City shall include all territory encompassed by its boundaries as they now exist or hereafter are modified under state law. The custodian of City records shall keep at the City Hall at least two copies of this Charter and an accurate, current description of the City’s boundaries. The copies of the Charter and the City boundary descriptions shall be available for public inspection during regular City office hours.

CHAPTER II

Powers

SECTION 4. Powers of the City.

- (1) The City shall have all powers that the constitutions, statutes and common law of the United States and of the State of Oregon expressly or impliedly grant or allow municipalities as though this Charter specifically enumerated each of those powers, including, without limitation, extramural powers.

- (2) The following shall be deemed to be a description of some of the powers conferred upon the City by this Charter, but shall not be interpreted to limit any or all of the powers herein conferred:
- (a) Property. To acquire property within or without the corporate limits of the City for any City purposes , in fee simple or any lesser interest or estate, by purchase, gift, devise, lease or condemnation; and to sell, lease, mortgage, and manage and control such property as the interests of the City may require;
 - (b) Indebtedness. To borrow money within the limits prescribed by general laws;
 - (c) Public Services. To purchase, hire, construct, maintain and operate or lease public utilities; to furnish all local public services, either within or without the corporate limits of the City; to grant local franchises for the use of public ways and to regulate the exercise of all franchisees;
 - (d) Public Improvements. To make local public improvements and to protect and preserve the improvements;
 - (e) Bonds. To issue and sell general obligation, refunding, revenue or other bonds on the security of the faith and credit of the City, or to issue and sell any of such bonds on the security, in whole or in part, of any property or any utility owned by the City, or the revenues thereof, or by both;
 - (f) Police Power Regulations. To adopt and enforce regulations not in conflict with general law that are necessary for the public peace, health, safety and welfare;
 - (g) Occupational and Police Power Regulatory Taxes. To license, tax, and regulate for the purpose of City revenue and police power regulations all businesses, callings, trades, and employments, whether conducted as a nonprofit or otherwise, as the City Council may require; and,
 - (h) Annexations. To annex areas to the City in accordance with State law.

SECTION 5. Construction of Charter. In this Charter no specification of a power is exclusive or restricts authority that the City would have if the power were not specified. The Charter shall be liberally construed so that the City may exercise as fully as possible all powers possible for it under this Charter and under United States and Oregon law. A power of the City is continuing unless the grant of the power clearly indicates the contrary.

CHAPTER III

Form of Government

SECTION 6. Where Powers Vested. Except as this Charter provides otherwise and as the Oregon Constitution reserves municipal legislative power to the electors of the City, all powers of the City are vested in the Council.

SECTION 7. Council. The Council shall be composed of six Councilors nominated and elected from the City at large, except that when one or more vacancies exist on the council, it shall be deemed to be composed of those persons actually then holding the office of councilor.

SECTION 8. Councilors. Councilors in office at the time this Charter is adopted shall continue in the office until the end of the present term of office of each. At each biennial general election after this Charter takes effect, three Councilors shall be elected, each for a term of four years.

SECTION 9. Term of Office. The term of office of city officers elected at a biennial general election commences at the first Council meeting of the calendar year immediately after the election and continues until the successor to the office assumes the office.

SECTION 10. Oath of Office. Before commencing the duties of office, each officer shall take an oath or shall affirm faithful performance of the duties of the office and support for the constitutions and laws of the United States and the State of Oregon.

SECTION 11. Mayor. The present Mayor shall serve the remainder of his or her term of office, and at the next biennial general election following enactment of this Charter and every two years thereafter a Mayor shall be elected.

SECTION 12. Judge, City Recorder, Treasurer. Additional officers of the City may include a Municipal Judge, City Recorder, and Treasurer, and such other officers as the Council deems necessary, each of whom shall be appointed and may be removed by the Mayor with the consent of the council. The Council may combine any two or more appointive offices, except that in judicial functions the Municipal Judge shall not be subject to supervision by any other appointive officer.

SECTION 13. Salaries. The Council shall fix the amount of compensation for City officers and shall approve a compensation plan for City employees. Elected officers shall receive no compensation for serving in an official capacity as elected officers, but may be reimbursed for actual authorized expenses.

SECTION 14. Qualifications of Officers.

- (1) No person shall be eligible for an elective office of the City unless at the time his or her term of office commences following election or appointment he or she is a qualified elector within the meaning of the State Constitution and has resided in the City for the twelve month period immediately preceding election or appointment.
- (2) No City appointive officer whose position was created under section 12 above or employee may serve on the Council.
- (3) No person may be a candidate at a single election for more than one elective office of the City.
- (4) No person shall serve a continuous period as Mayor or on the Council of more than eight years plus the portion of any partial term to which the official may have been originally appointed.
- (5) The Council shall be the final judge of the qualifications and election of its own members and the Mayor.

CHAPTER IV

Council

SECTION 15. Meetings. The Council shall hold regular meetings at least once a month in the City at a time and place that it designates. Other meetings of the Council may be held as prescribed by State law. The Council may adopt rules for the governance of its members and proceedings.

SECTION 16. Quorum. A majority of the number of persons actually holding the office of councilor at any given time shall constitute a quorum for it to conduct business, but a smaller number may meet and compel the attendance of the absent members in a manner provided by council rules. In the event, however, that due to vacancies on the Council the number of persons actually holding the Office of Councilor is reduced to less than three persons, then the Council shall not enact any new or amended ordinances, except as shall be required by law, actual emergency or to continue the uninterrupted fiscal and other operations of the City, until its membership again numbers three or more persons.

SECTION 17. Record of Proceedings. Except when exempt from public disclosure under State law, the record of Council proceedings shall be open for public inspection at City Hall during normal business hours under reasonable Council rules for preservation of the records, efficiency of the City operations and recovery of costs.

SECTION 18. Mayor's Functions at Council Meetings. The Mayor shall:

- (1) Preside over Council deliberations and preserve order;
- (2) Not vote except in the case of a tie;
- (3) Enforce the rules of the Council; and,
- (4) Determine the order of business under the Council rules.

SECTION 19. President of the Council. At its first meeting of each odd-numbered year, or upon a vacancy in the position of council president, the Council shall elect a President from its membership. In the Mayor's absence from a Council meeting, the President shall preside over it. Whenever the Mayor is unable to perform the functions of that office, the President shall exercise and perform during that time, unless and until a Mayor pro tem is appointed, the powers and duties of the Mayor as provided in this Charter, and shall for that time not be a member of the Council.

SECTION 20. Vote Required. Except as this Charter otherwise provides, the affirmative concurrence of a majority of the members of the Council voting when a quorum of the Council is present shall decide any question before the Council. No Councilor present at a Council meeting shall abstain from voting without first stating at the meeting the reasons for so abstaining. An abstention by a Councilor shall be counted as a vote cast on a question, but it shall not be considered as a vote cast with the majority of the Councilors who voted other than by abstaining. In the event that a question before the Council cannot be decided by reason of one or more Councilors abstaining due to declared potential or actual legal conflicts of interest, then by the concurrence of a majority of the members of the Council who did not abstain from voting due to such declared potential or actual legal conflicts of interest, or if there be no such Councilors, then by order of the Mayor, all Councilors who abstained for declared potential or actual legal conflicts of interest may be by necessity authorized to vote on the question before the Council.

CHAPTER V

Powers and Duties of Officers

SECTION 21. Mayor. The Mayor shall be the executive officer of the City. The Mayor shall, in addition to the other powers and duties granted herein to the Mayor:

- (1) Appoint members of committees established by Council rules and other persons required by the Council to be so appointed;
- (2) Promptly sign all ordinances, records of actions or proceedings, and agreements approved or authorized by the Council; and faithfully implement and enforce, or so cause to be, this Charter and all ordinances, resolutions, orders, motions, agreements and policies of the Council; and,
- (3) Supervise all officers, except the municipal judge in the performance of his or her judicial duties, employees, agents, commissions and committees of the city, but

shall have the power to delegate such duties of supervision to members of the Council or others as the Mayor may deem appropriate for the effective and efficient administration of the City government.

SECTION 22. Municipal Judge.

- (1) The Municipal Judge shall hold within the City at a place and times that the Council specifies a court known as the Municipal Court for the City of Coburg, Lane County, Oregon.
- (2) Except as this Charter or City ordinance prescribes to the contrary, proceedings of the Court shall conform to the general laws of this State governing justices of the peace and justice courts.
- (3) All areas within the City and, to the extent provided by state law, area outside the City is within the territorial jurisdiction of the Court.
- (4) The Municipal Court has original jurisdiction over all offenses that ordinances of the City make punishable. The Court may enforce forfeitures and other penalties that the ordinances prescribe for the offenses.
- (5) The Municipal Judge may:
 - (a) Render judgments and, for enforcing them, impose sanctions of person and property within the Court's territorial jurisdiction;
 - (b) Order the arrest of anyone accused of an offense against the City;
 - (c) Commit to jail or admit to bail anyone accused of such an offense;
 - (d) Issue and compel obedience to subpoenas;
 - (e) Compel witnesses to appear and testify and jurors to serve in the trial of matters before the Court;
 - (f) Penalize contempt of Court;
 - (g) Issue process necessary to effectuate judgments and orders of the Court;
 - (h) Issue search warrants; and
 - (i) Perform other judicial and quasi-judicial functions prescribed by City ordinance.
- (6) The Council may authorize municipal judges pro tem.
- (7) Notwithstanding this Section and Section 12 of this Charter, the Council may transfer some or all of the functions of the municipal court to any appropriate court of this State or covert those functions to a civil infraction hearing process.

CHAPTER VI

Elections

SECTION 23. Regulation of Elections Generally. Except as this Charter or as the Council by ordinance provides to the contrary, the general laws of the State apply to City elections.

SECTION 24. Tie Votes. In the event of a tie vote for candidates for an elective office, the successful candidate shall be determined by a public drawing of lots in a manner prescribed by the Council.

SECTION 25. Nominations. A qualified elector who shall have resided in the City during the 12 months immediately preceding the election or the appointment may be nominated for an elective City office. Nomination for election shall be by petition specifying the elective office sought in a form prescribed by the Council. Such petition shall be signed by not fewer than 25 electors. Nomination petitions shall be in the form and filed in the manner and within the time prescribed by general ordinance. The custodian of City records shall make a record of the exact time at which each petition is filed and shall take and preserve the name and address of the person by whom it is filled.

CHAPTER VII

Vacancies in Office

SECTION 26. Vacancies in Office.

- (1) The office of Mayor or Councilor becomes vacant upon the incumbent's; (a) Death.
 - (b) Adjudicated incompetence.
 - (c) Conviction of a public offense which is punishable by loss of liberty for one year or more.
 - (d) Unlawful destruction of public records.
 - (e) Resignation.
 - (f) Recall from office.
 - (g) Ceasing to possess the qualifications for office.
 - (h) Failure, following election or appointment, to qualify for the office as defined in this Charter at the time the term of office is to commence.
- (2) In the case of a Mayor or Councilor, an office also becomes vacant upon the incumbent's removal from residency in the City, absence from the City for 30 consecutive days without consent of the Council, or absence from four consecutive regular meetings of the Council without like consent, and upon a declaration by the Council of the vacancy.

SECTION 27. Filling Vacancies.

- (1) Written public notice of any vacancy in an elective office shall be promptly given by posting in three public places in the City. Application for vacant elective offices shall be made on forms prescribed by Council and submitted to the City in compliance with the rules and by the time established by the Council consistent with this Charter. The filling of a vacancy in an elective office shall be made by the Council without unreasonable delay.
- (2) Vacancies in elective offices shall be filled by appointment by a majority vote of the remaining persons actually holding the office of Councilor. The term of office of a person appointed to fill a vacancy in an elective office shall begin immediately upon appointment and shall continue through the unexpired term of the predecessor.
- (3) In the event that all positions of Councilor shall be vacant at the same time, the Mayor shall appoint three persons as Councilors and those appointed Councilors shall fill the remaining vacancies as provided in this Section 27.
- (4) During the temporary disability of any elected officer or during an elected officer's temporary absence from the City for any cause, the office may be filled pro tem in the manner provided for filling vacancies in office permanently.

CHAPTER VIII

Ordinances

SECTION 28. Enacting Clause. The enacting clause of all ordinances shall read:

- (1) In case of enactment by the Council alone, "The City of Coburg ordains as follows:",
- (2) In case of enactment or ratification by the electors of the City, "The people of the City of Coburg ordain as follows:".

SECTION 29. Mode of Enactment.

- (1) Except as provided in Subsection (2) of this section, before being put upon its final passage, every ordinance of the Council shall be read in open Council meeting on two different days.
- (2) An ordinance may be enacted at a single meeting of the Council without being read twice with unanimous consent of all Council members present and then being put upon its final passage.
- (3) As used in Subsection (1) and (2) of this Section, an ordinance is deemed to be read by any one of the following methods:
 - (a) by being read fully and distinctly;
 - (b) by title only, if no Council member present at the time of the reading requests that the ordinance be read in full; or

- (c) by title only, if no later than seven days before the first reading of the ordinance, a copy of the ordinance is provided each Council member, a copy is provided for public inspection at City Hall and notice of the availability of the ordinance is posted in three public places in the City or is published in a newspaper of general circulation in the City.
- (4) Upon the final vote on an ordinance, the ayes and nays of the members of the Council shall be taken and entered in the record of the proceedings.
- (5) Upon the enactment of an ordinance, the custodian of city records shall endorse it with the date of its enactment and the endorser's name and title of office, and within three days thereafter the Mayor shall endorse it and date it.

SECTION 30. When Ordinances Take Effect. An ordinance shall take effect on the thirtieth day after its enactment. When the Council deems it advisable, however, an ordinance may provide a later or earlier time for it to take effect, and in case of an emergency, it may take effect immediately.

CHAPTER IX

Local Improvements

SECTION 31. Procedure for Making Local Improvements. The following shall be governed by general ordinance of the City or to the extent not so governed by applicable State law;

- (1) The time, method, and manner of making all street, sidewalk, sewer, water and other local improvements and the method of financing the same;
- (2) The procedure for vacation, alteration, or abandonment of streets and other City property and improvements.

SECTION 32. Special Assessments. The procedure for determining, levying, collecting and enforcing the payment of special assessments for local improvements or other services to be charged against real property shall be governed by general ordinance.

CHAPTER X

Miscellaneous Provisions

SECTION 33. Existing Ordinances Continued. All ordinances of the City consistent with this Charter and in force when it takes effect shall remain in effect until amended or repealed.

SECTION 34. Repeal of Previously Enacted Provisions. All Charter provisions of the city enacted prior to the time that this Charter takes effect are hereby repealed, except

Chapter XII, Section 45, Special Capital Improvement Bond Issue, which shall remain in full force and effect following adoption of this Charter, is incorporated herein by this reference, and hereby redesignated as Chapter X, Section 35.

SECTION 36. Severability. The terms of this Charter are severable. If a part of this Charter is held invalid, that invalidity shall not affect the legal validity of any other part of this Charter except as the logical relationship between the two parts requires.

SECTION 37. Time of Effect of Charter. This Charter shall take effect immediately upon voter approval.

1992

CITY OF COBURG CHARTER

PREAMBLE

We the people of the City of Coburg, Lane County, Oregon, in order to avail ourselves of self-determination in municipal affairs to the fullest extent now or hereafter granted or allowed by the constitutions and laws of the United States and the State of Oregon, by this Charter confer upon the City the following powers, subject it to the following restrictions, prescribe for it the following procedures and governmental structure, and repeal all Charter procedures and governmental structure, and repeal all Charter provisions, except as hereinafter provided in Section 34, of the City Charter enacted prior to the time this Charter takes effect.

CHAPTER I*Name and Boundaries*

SECTION 1. Title and Enactment. This enactment may be referred to as the 1992 Coburg Charter.

SECTION 2. Name of City. The City of Coburg, Lane County, Oregon shall continue to be a municipal corporation with the name City of Coburg, Oregon.

SECTION 3. Boundaries. The City shall include all territory encompassed by its boundaries as they now exist or hereafter are modified under state law. The custodian of City records shall keep at the City Hall at least two copies of this Charter and an accurate, current description of the City's boundaries. The copies of the Charter and the City boundary descriptions shall be available for public inspection during regular City office hours.

CHAPTER II*Powers*

SECTION 4. Powers of the City.

- (1) The City shall have all powers that the constitutions, statutes and common law of the United States and of the State of Oregon expressly or impliedly grant or allow municipalities as though this Charter specifically enumerated each of those powers, including, without limitation, extramural powers.

- (2) The following shall be deemed to be a description of some of the powers conferred upon the City by this Charter, but shall not be interpreted to limit any or all of the powers herein conferred:
- (a) Property. To acquire property within or without the corporate limits of the City for any City ~~purpose~~, purposes, in fee simple or any lesser interest or estate, by purchase, gift, devise, lease or condemnation; and to sell, lease, mortgage, and manage and control such property as the interests of the City may require;
 - (b) Indebtedness. To borrow money within the limits prescribed by general laws;
 - (c) Public Services. To purchase, hire, construct, maintain and operate or lease public utilities; to furnish all local public services, either within or without the corporate limits of the City; to grant local franchises for the use of ~~public~~ public ways and to regulate the exercise of all franchisees;
 - (d) Public Improvements. To make local public improvements and to protect and preserve the improvements;
 - (e) Bonds. To issue and sell general obligation, refunding, revenue or other bonds on the security of the faith and credit of the City, or to issue and sell any of such bonds on the security, in whole or in part, of any property or any utility owned by the City, or the revenues thereof, or by both;
 - (f) Police Power Regulations. To adopt and enforce regulations not in conflict with general law that are necessary for the public peace, health, safety and welfare;
 - (g) Occupational and Police Power Regulatory Taxes. To license, tax, and regulate for the purpose of City revenue and police ~~power~~ regulations all businesses, callings, trades, and employments, whether conducted as a nonprofit or otherwise, as the City Council may require; and,
 - (h) Annexations. To annex areas to the City in accordance with State law.

SECTION 5. Construction of Charter. In this Charter no specification of a power is exclusive or restricts authority that the City would have if the power were not specified. The Charter shall be liberally construed so that the City may exercise as fully as possible all powers possible for it under this Charter and under United States and Oregon law. A power of the City is continuing unless the grant of the power clearly indicates the contrary.

~~CHAPTER III~~ CHAPTER III*Form of Government*

SECTION 6. Where Powers Vested. Except as this Charter provides otherwise and as the Oregon Constitution reserves municipal legislative power to the electors of the City, all powers of the City are vested in the Council.

SECTION 7. Council. The Council shall be composed of six Councilors nominated and elected from the City at large, except that when one or more vacancies exist on the council, it shall be deemed to be composed of those persons actually then holding the office of councilor.

SECTION 8. Councilors. Councilors in office at the time this Charter is adopted shall continue in the office until the end of the present term of office of each. At each biennial general election after this Charter takes effect, three Councilors shall be elected, each for a term of four years.

SECTION 9. Term of Office. The term of office of city officers elected at a biennial general election commences at the first Council meeting of the calendar year immediately after the election and continues until the successor to the office assumes the office.

SECTION 10. Oath of Office. Before commencing the duties of office, each officer shall take an oath or shall affirm faithful performance of the duties of the office and support for the constitutions and laws of the United States and the State of Oregon.

SECTION 11. Mayor. The present Mayor shall serve the remainder of his or her term of office, and at the next biennial general election following enactment of this Charter and every two years thereafter a Mayor shall be elected.

SECTION 12. Judge, City Recorder, City Administrator, City Attorney ~~Treasurer~~. Additional officers of the City may include a Municipal Judge, City Recorder, City Administrator, and City Attorney and ~~Treasurer~~, and such other officers as the Council deems necessary, each of whom shall be appointed and may be removed by the Mayor with the consent of the council. The Council may combine any two or more appointive offices, except that in judicial functions the Municipal Judge shall not be subject to supervision by any other appointive officer.

SECTION 13. Salaries. The Council shall fix the amount of compensation for City officers and shall approve a compensation plan for City employees. ~~Elected officers shall receive~~

~~no compensation for serving in an official capacity as elected officers, but may be reimbursed for actual authorized expenses.~~

SECTION 14. Qualifications of Officers.

- (1) No person shall be eligible for an elective office of the City unless at the time his or her term of office commences following election or appointment he or she is a qualified elector within the meaning of the State Constitution and has resided in the City for the twelve-month period immediately preceding election or appointment.
- (2) No City appointive officer whose position was created under section 12 above or employee may serve on the Council.
- (3) No person may be a candidate at a single election for more than one elective office of the City.
- ~~(4) No person shall serve a continuous period as Mayor or on the Council of more than eight years plus the portion of any partial term to which the official may have been originally appointed.~~
- ~~(5)~~(4) The Council shall be the final judge of the qualifications and election of its own members and the Mayor.

CHAPTER IV

Council

SECTION 15. Meetings. ~~Except as otherwise provided in this Section, t~~The Council shall hold regular meetings at least once a month in the City at a time and place that it designates. Other meetings of the Council may be held as prescribed by State law. ~~The Council may adopt rules for the governance of its members and proceedings.~~

[The following provides two Options the Council could adopt into the Charter for recesses]

Option A:

(1) To allow for a summer and winter recess, Council will not hold regular meetings during the months of August and December, but may schedule a special meeting, if needed.

Option B:

(1) Council may take up to two recesses per calendar year when agreed upon by a majority vote of the City Council.

(2) Any Council meeting may be cancelled by the Mayor or by a majority vote of the City Council for a lack of agenda items, adverse weather, or an emergency.

Section 16. Council Rules. The Council must, by resolution, adopt rules of governance of its members and meetings. Such rules shall be reviewed and revised, if necessary, every five years. Such rules may set forth procedures for removal of councilors for violations of rules.

SECTION 176. Quorum. A majority of the number of persons actually holding the office of councilor at any given time shall constitute a quorum for it to conduct business, but a smaller number may meet and compel the attendance of the absent members in a manner provided by council rules. In the event, however, that due to vacancies on the Council the number of persons actually holding the Office of Councilor is reduced to less than three persons, then the Council shall not enact any new or amended ordinances, except as shall be required by law, actual emergency or to continue the uninterrupted fiscal and other operations of the City, until its membership again numbers three or more persons.

SECTION 187. Record of Proceedings. Except when exempt from public disclosure under State law, the record of Council proceedings shall be open for public inspection at City Hall during normal business hours under reasonable Council rules for preservation of the records, efficiency of the City operations and recovery of costs.

SECTION 198. Mayor's Functions at Council Meetings. The Mayor shall:

- (1) Preside over Council deliberations and preserve order;
- (2) Not vote except in the case of a tie;
- (3) Enforce the rules of the Council; and,
- (4) Determine the order of business under the Council rules.

SECTION 2019. President of the Council. At its first meeting of each odd-numbered year, or upon a vacancy in the position of council president, the Council shall elect a President from its membership. In the Mayor's absence from a Council meeting, the President shall preside over it. Whenever the Mayor is unable to perform the functions of that office, the President shall exercise and perform during that time, unless and until a Mayor pro tem is appointed, the powers and duties of the Mayor as provided in this Charter, and shall for that time not be a member of the Council.

SECTION 210. Vote Required. Except as this Charter otherwise provides, the express approval of a majority of a quorum of the council is necessary to decide any question before the Council. ~~Except as this Charter otherwise provides, the affirmative concurrence of a majority of the members of the Council voting when a quorum of the Council is present shall decide any question before the Council. No Councilor present at a Council meeting shall abstain from voting without first stating at the meeting the~~

~~reasons for so abstaining. An abstention by a Councilor shall be counted as a vote cast on a question, but it shall not be considered as a vote cast with the majority of the Councilors who voted other than by abstaining. In the event that a question before the Council cannot be decided by reason of one or more Councilors abstaining due to declared potential or actual legal conflicts of interest, then by the concurrence of a majority of the members of the Council who did not abstain from voting due to such declared potential or actual legal conflicts of interest, or if there be no such Councilors, then by order of the Mayor, all Councilors who abstained for declared potential or actual legal conflicts of interest may be by necessity authorized to vote on the question before the Council.~~

CHAPTER V

Powers and Duties of Officers

SECTION 22~~4~~. Mayor. The Mayor shall be the executive officer of the City. The Mayor shall, in addition to the other powers and duties granted herein to the Mayor:

- (1) ~~With the consent of Council, a~~Appoint members of committees established by Council rules and other persons required by the Council to be so appointed; ~~The Mayor may appoint members of a~~Ad-hoc committees without Council consent.
- (2) Promptly sign all ordinances, records of actions or proceedings, and agreements approved or authorized by the Council; and faithfully implement and enforce, or so cause to be, this Charter and all ordinances, resolutions, orders, motions, agreements and policies of the Council; and,
- (3) ~~Supervise all officers, except the City Attorney and the municipal judge in the performance of his or her~~their judicial duties; ~~employees, agents, commissions and committees of the city, but shall have the power to delegate such duties of supervision to members of the Council or others as the Mayor may deem appropriate for the effective and efficient administration of the City government.~~
(3) The Mayor may delegate supervisionuch duties set forth in subsection (3) to the City Administrator or City Recorder.

SECTION 23~~2~~. Municipal Judge.

- (1) The Municipal Judge shall hold within the City at a place and times that the Council specifies a court known as the Municipal Court for the City of Coburg, Lane County, Oregon.
- (2) Except as this Charter or City ordinance prescribes to the contrary, proceedings of the Court shall conform to the general laws of this State governing justices of the peace and justice courts.
- (3) All areas within the City and, to the extent provided by state law, area outside the City is within the territorial jurisdiction of the Court.

- (4) The Municipal Court has original jurisdiction over all offenses that ordinances of the City make punishable. The Court may enforce forfeitures and other penalties that the ordinances prescribe for the offenses.
- (5) The Municipal Judge may:
- (a) Render judgments and, for enforcing them, impose sanctions of person and property within the Court's territorial jurisdiction;
 - (b) Order the arrest of anyone accused of an offense against the City;
 - (c) Commit to jail or admit to bail anyone accused of such an offense;
 - (d) Issue and compel obedience to subpoenas;
 - (e) Compel witnesses to appear and testify and jurors to serve in the trial of matters before the Court;
 - (f) Penalize contempt of Court;
 - (g) Issue process necessary to effectuate judgments and orders of the Court;
 - (h) Issue search warrants; and
 - (i) Perform other judicial and quasi-judicial functions prescribed by City ordinance.
- (6) The Council may authorize municipal judges pro tem.
- (7) Notwithstanding this Section and Section 12 of this Charter, the Council may transfer some or all of the functions of the municipal court to any appropriate court of this State or convert those functions to a civil infraction hearing process.

Section 243. City Administrator. The City Administrator shall be the chief administrative officer of the City. The City Administrator has the experience and qualifications necessary to manage the City. The City Administrator shall be appointed by the Mayor with the consent, by majority vote, of the City Council. The duties of the City Administrator are outlined in a duly adopted ordinance.

(1) No Council member may directly or indirectly attempt to coerce the City Administrator or a candidate for the office of City Administrator in the appointment or removal of any city employee, or in administrative decisions regarding city property or contracts. Violation of this prohibition is grounds for removal from office by a majority of the Council after a public hearing. In council meetings, councilors may discuss or suggest anything with the City Administrator relating to city business.

Section 254. City Recorder. The City Recorder shall serve ex-officio as Clerk of the Council, attend all its meetings unless excused therefrom by the City Administrator, keep an accurate record of its proceedings in a book provided for that purpose.

Section 265. City Attorney. The office of City Attorney is established as the chief legal officer of the city government. A majority of the council must appoint and may remove the attorney. The attorney may appoint, supervise, and may remove any employees who work in and for the City Attorney's office.

CHAPTER VI

Elections

SECTION ~~273~~. Regulation of Elections Generally. Except as this Charter or as the Council by ordinance provides to the contrary, the general laws of the State apply to City elections.

SECTION ~~284~~. Tie Votes. In the event of a tie vote for candidates for an elective office, the successful candidate shall be determined by a public drawing of lots in a manner prescribed by the Council.

SECTION ~~295~~. Nominations. A qualified elector who shall have resided in the City during the 12 months immediately preceding the election or the appointment may be nominated for an elective City office. Nomination for election shall be by petition specifying the elective office sought in a form prescribed by the Council. Such petition shall be signed by not fewer than 25 electors. Nomination petitions shall be in the form and filed in the manner and within the time prescribed by general ordinance. The custodian of City records shall make a record of the exact time at which each petition is filed and shall take and preserve the name and address of the person by whom it is filled.

CHAPTER VII

Vacancies in Office

SECTION ~~3026~~. Vacancies in Office.

- (1) The office of Mayor or Councilor becomes vacant upon the incumbent's;
 - (a) Death.
 - (b) Adjudicated incompetence.
 - (c) Conviction of a public offense which is punishable by loss of liberty for one year or more.
 - (d) Unlawful destruction of public records.
 - (e) Resignation.
 - (f) Recall from office.
 - (g) Ceasing to possess the qualifications for office.
 - (h) Failure, following election or appointment, to qualify for the office as defined in this Charter at the time the term of office is to commence.

- (2) In the case of a Mayor or Councilor, an office also becomes vacant upon (1) the incumbent's removal from residency in the City, ~~absence from the City for 30 consecutive days without consent of the Council, or absence from four consecutive regular meetings of the Council without like consent, and upon (2) two absences from all Council meetings within a 60-day period, or (3) four absences from all Council meetings in a 12-month period,~~ a declaration by the Council of the vacancy.
- ~~(2)~~(3) Any vacancy shall become effective upon declaration of such vacancy by majority vote of the City Council.

SECTION ~~3127~~. Filling Vacancies.

- (1) Written public notice of any vacancy in an elective office shall be promptly given by posting in three public places in the City. Application for vacant elective offices shall be made on forms prescribed by Council and submitted to the City in compliance with the rules and by the time established by the Council consistent with this Charter. The filling of a vacancy in an elective office shall be made by the Council without unreasonable delay.
- (2) Vacancies in elective offices shall be filled by appointment by a majority vote of the remaining persons actually holding the office of Councilor. The term of office of a person appointed to fill a vacancy in an elective office shall begin immediately upon appointment and shall continue through the unexpired term of the predecessor.
- (3) In the event that all positions of Councilor shall be vacant at the same time, the Mayor shall appoint three persons as Councilors and those appointed Councilors shall fill the remaining vacancies as provided in this Section 27.
- (4) During the temporary disability of any elected officer or during an elected officer's temporary absence from the City for any cause, the office may be filled pro tem in the manner provided for filling vacancies in office permanently.

CHAPTER VIII

Ordinances

SECTION ~~3228~~. Enacting Clause. The enacting clause of all ordinances shall read:

- (1) In case of enactment by the Council alone, "The City of Coburg ordains as follows:",

- (2) In case of enactment or ratification by the electors of the City, “The people of the City of Coburg ordain as follows:”.

SECTION ~~3329~~. Mode of Enactment.

- (1) Except as provided in Subsection (2) of this section, before being put upon its final passage, every ordinance of the Council shall be read in open Council meeting on two different days.
- (2) An ordinance may be enacted at a single meeting of the Council without being read twice with unanimous consent of all Council members present and then being put upon its final passage.
- (3) As used in Subsection (1) and (2) of this Section, an ordinance is deemed to be read by any one of the following methods:
- (a) by being read fully and distinctly;
 - (b) by title only, if no Council member present at the time of the reading requests that the ordinance be read in full; or
 - (c) by title only, if no later than seven days before the first reading of the ordinance, a copy of the ordinance is provided each Council member, a copy is provided for public inspection at City Hall and notice of the availability of the ordinance is posted in three public places in the City or is published in a newspaper of general circulation in the City.
- (4) Upon the final vote on an ordinance, the ayes and nays of the members of the Council shall be taken and entered in the record of the proceedings.
- (5) Upon the enactment of an ordinance, the custodian of city records shall endorse it with the date of its enactment and the endorser’s name and title of office, ~~and within three days thereafter the Mayor shall endorse it and date it.~~

SECTION ~~340~~. When Ordinances Take Effect. An ordinance shall take effect on the thirtieth day after its enactment. When the Council deems it advisable, however, an ordinance may provide a later or earlier time for it to take effect, and in case of an emergency, it may take effect immediately.

CHAPTER IX

Local Improvements

SECTION ~~351~~. Procedure for Making Local Improvements. The following shall be governed by general ordinance of the City or to the extent not so governed by applicable State law;

- (1) The time, method, and manner of making all street, sidewalk, sewer, water and other local improvements and the method of financing the same;

- (2) The procedure for vacation, alteration, or abandonment of streets and other City property and improvements.

SECTION ~~362~~. Special Assessments. The procedure for determining, levying, collecting and enforcing the payment of special assessments for local improvements or other services to be charged against real property shall be governed by general ordinance.

CHAPTER X

Miscellaneous Provisions

SECTION 37. The City is hereby authorized, empowered, and directed to issue and sell as needed, and as shall be deemed expedient, convenient and necessary by the Council, negotiable bonds of the City in any amount up to the amount of \$225,000, and to expend the proceeds thereof to make repairs, improvements, additions and extensions to the water system owned by the City, and to budget and levy such sums annually as shall be necessary to retire the principal and interest of the bonds when due.

SECTION ~~383~~. Existing Ordinances Continued. All ordinances of the City consistent with this Charter and in force when it takes effect shall remain in effect until amended or repealed.

SECTION ~~394~~. Repeal of Previously Enacted Provisions. All Charter provisions of the City enacted prior to the time that this Charter takes effect are hereby repealed, ~~except Chapter XII, Section 45, Special Capital Improvement Bond Issue, which shall remain in full force and effect following adoption of this Charter, is incorporated herein by this reference, and hereby redesignated as Chapter X, Section 35.~~

SECTION ~~40356~~. Severability. The terms of this Charter are severable. If a part of this Charter is held invalid, that invalidity shall not affect the legal validity of any other part of this Charter except as the logical relationship between the two parts requires.

SECTION ~~41367~~. Time of Effect of Charter. This Charter shall take effect immediately upon voter approval.



COBURG CITY COUNCIL ACTION/ISSUE ITEM

TOPIC: FINANCE DEPARTMENT MONTHLY REPORT

Meeting Date: April 12, 2022
 Staff Contact: Tim Gaines
 Contact: 541-682-7870, tim.gaines@ci.coburg.or.us

REQUESTED COUNCIL ACTION

- Information only
-

POLICIES OR CITY COUNCIL GOAL(S) ADDRESSED

2021-22 City Council Goals:

- Fiscal Stewardship
-

ANALYSIS

Important notes regarding the month ended February 2022

- February is the 8th month of the fiscal year. If revenues and expenses were spread evenly throughout the year, the City should be at 67% of budget with each.
 - **Whole City Revenue** received \$3,523,342 or 23% of budgeted. Compared to \$3,198,825 last year at February month end.
 - **Whole City Expenses** are \$3,431,123 which is 22% of budgeted. Compared to \$3,795,322 last year at February month end.
 - There is a 1% difference between Revenues received and Expenditures.
- As of February 28, 2022, tax receipts were \$ 819,498, which is 98% of budget for current taxes to be received.
- Revenues budgeted are often time sensitive such as grant funds or reimbursements for projects. Therefore, revenues may seem behind, but in reality, they are fine. Good examples of this would be County Taxes that are mostly received in November, and URA transfer to Sewer for Debt service that usually happens at the end of the year.
- Water Fees are exceeding budgeted revenues. Currently Water User Fees collected through February 28, 2022 are \$596,369 which is approximately 68% of budget.

- Sewer Fees are not reaching budgeted revenues. Currently Sewer User Fees collected through February 28, 2022 are \$559,276 which is approximately 60% of budget. As mentioned last month, the main reason for this shortfall is that we budgeted for a new subdivision that has been delayed.
- All Funds, General, Streets, Water, Sewer are operating within their budgets.

PUBLIC INVOLVEMENT

N/A

NEXT STEPS

- Continue Budget Work
- Continue work on Water Project

ATTACHMENTS

- A. Budget Performance Analysis – General Fund**
- B. Cash on Hand Spreadsheet**
- C. Full City Revenue and Expense Charts**
- D. Fund Total sheets – From Springbrook**
- E. Bank Statements – February 2022**
- F. Checks written list for February 2022**
- G. LGIP Statements – February 2022**

REVIEWED BY:

Anne Heath, City Administrator

**CITY OF COBURG
GENERAL FUND BUDGET PERFORMANCE ANALYSIS
February 28, 2022**

		CURRENT BUDGET YEAR 2021-2022																													
Account #	Account Name	HISTORICAL ACTUALS					Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Budget	Budget	Budget	Budget	YTD	YTD	Variance	YTD									
		2016-17	2017-18	2018-19	2019-20	2020-21	JUL	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	ACT/PROJ	BUDGET	(fav)/UnFav)	%									
TOTAL GENERAL FUND REVENUE		1,920,492	2,322,272	2,764,876	2,075,738	2,299,185	70,091	285,476	118,022	109,820	717,867	350,292	117,274	163,361	264,386	264,386	264,386	264,386	2,989,748	3,172,634	182,886.40	94%									
																			750,000	Beginning Fund Balance											
PERSONAL SERVICES																			3,922,634												
ADMINISTRATION		305,091	339,253	412,997	448,344	450,154	35,576	37,928	58,129	42,346	42,028	42,988	44,706	45,324	46,800	46,800	46,800	46,800	536,228	561,604	25,376	95%									
PLANNING		49,664	60,154	87,192	79,098	39,402	2,784	4,734	5,388	4,172	4,917	4,393	4,459	4,478	4,911	4,911	4,911	4,911	54,971	58,937	3,966	93%									
POLICE		284,948	354,383	390,597	401,572	469,242	28,033	40,410	58,692	43,684	45,082	44,404	46,334	45,097	48,761	48,761	48,761	48,761	546,780	585,135	38,355	93%									
COURT		86,201	95,160	97,451	104,352	105,729	6,473	9,955	12,027	8,728	8,728	9,215	9,228	8,719	9,764	9,764	9,764	9,764	112,129	117,171	5,042	96%									
ECONOMIC DEVELOPMENT		49,664	60,154	87,192	79,098	39,402	0	862	3,097	2,189	2,414	2,342	2,603	2,697	2,198	2,198	2,198	2,198	24,993	26,370	1,377	95%									
PUBLIC WORKS		298,864	273,993	330,627	397,303	404,159	24,721	36,413	52,469	41,649	38,465	37,595	40,433	41,856	42,904	42,904	42,904	42,904	485,216	514,847	29,631	94%									
TOTAL PERSONAL SERVICES		1,024,768	1,183,097	1,406,056	1,509,767	1,508,088	97,587	130,301	189,801	142,768	141,634	140,938	147,763	148,171	155,339	155,339	155,339	155,339	1,760,317	1,864,064	103,747	94%									
																		1,760,317	proof												
MATERIALS AND SERVICES																															
ADMINISTRATION		226,043	248,187	220,817	219,341	252,167	74,479	12,698	27,675	11,001	23,800	9,668	14,530	7,471	21,525	21,525	21,525	21,525	267,425	258,300	-9,125	104%									
FACILITIES		97,833	170,524	82,624	153,795	99,485	3,928	9,543	1,522	24,516	10,358	12,436	9,100	16,449	12,342	12,342	12,342	12,342	137,218	148,100	10,882	93%									
PLANNING		151,662	235,060	258,088	101,478	159,930	17,444	10,514	1,408	29,562	24,127	61,665	34,222	9,961	23,274	23,274	23,274	23,274	281,999	279,290	-2,709	101%									
POLICE		115,200	117,469	118,724	142,855	160,800	4,564	2,596	2,071	2,745	25,154	26,390	5,309	3,951	18,849	18,849	18,849	18,849	148,177	226,190	78,013	66%									
COURT		19,796	28,606	27,291	38,908	42,050	3,280	2,011	711	2,421	1,196	2,471	2,008	1,222	3,671	3,671	3,671	3,671	30,004	44,050	14,046	68%									
ECONOMIC DEVELOPMENT		50,451	23,836	42,939	80,991	21,600	12,996	1,035	6,159	7,866	1,643	3,623	768	1,080	5,892	5,892	5,892	5,892	58,737	70,700	11,963	83%									
PARK & PARK CAPITAL		67,307	90,399	59,280	450,213	97,450	2,030	2,327	3,067	3,184	1,670	3,429	4,284	1,016	8,956	8,956	8,956	8,956	56,828	107,469	50,641	53%									
TOTAL MATERIALS AND SERVICES		728,292	914,081	809,763	1,187,581	833,482	118,720	40,724	42,614	81,297	87,947	119,682	70,222	41,150	94,508	94,508	94,508	94,508	980,389	1,134,099	153,710	86%									
																		980,389	proof												
INTERFUND TRANSFERS-OUT																															
PARK FUND			0	0	0	0																									
WATER CAPITAL FUND			0	0	0	0																									
PAYROLL ALLOCATION - PLANNING		19,601	0	0	0	0																									
STREET FUND				50,000	50,000	50,000																									
SEWER FUND		50,000	0	0	0	0																									
TOTAL TRANSFERS OUT		69,601	0	50,000	50,000	50,000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0									
																		0													
TOTAL EXPENSES		1,822,661	2,097,178	2,265,819	2,747,348	2,391,570	216,307	171,025	232,415	224,065	229,581	260,620	217,984	189,321	249,847	249,847	249,847	249,847	2,740,706	2,998,163	257,457	91%									
TOTAL REVENUE/(LOSS)		97,831	225,094	499,057	586,250	-92,385	-146,215	114,450	-114,393	-114,245	488,286	89,672	-100,710	-25,960	14,539	14,539	14,539	14,539	249,042	249,042											
																		249,042	Net Income/Loss												
CASH IN BANK BEGINNING																		910,837	676,407	718,071	984,318	523,759	1,005,371	1,095,066	997,889	971,164	985,703	1,000,242	1,014,782		
Revenue/(Loss)																		-146,215	114,450	-114,393	-114,245	488,286	89,672	-100,710	-25,960	14,539	14,539	14,539	14,539		
Balance Sheet Adjustments																		-88,215	-72,786	380,640	-346,314	-6,673	22	3,534	-765						
CASH IN BANK ENDING																		676,407	718,071	984,318	523,759	1,005,371	1,095,066	997,889	971,164	985,703	1,000,242	1,014,782	1,029,321	Projected Ending Cash	

IMPORTANT NOTE:
This worksheet has been created for projection purposes only. It should not be read entirely as a year-to-date source. It is important for the purpose of projecting cash on hand at the end of the fiscal year

General Fund Cash 971,164
Park Reserve
Total Cash on Hand 971,164

250,000 Contingency
159,936 Restricted for Park SDC
514,535 Ending Fund Balance
3,922,634 Budget Expenditures

CITY OF COBURG
February 28, 2022 **Fiscal Year 2022**
CASH ON HAND PER FUND

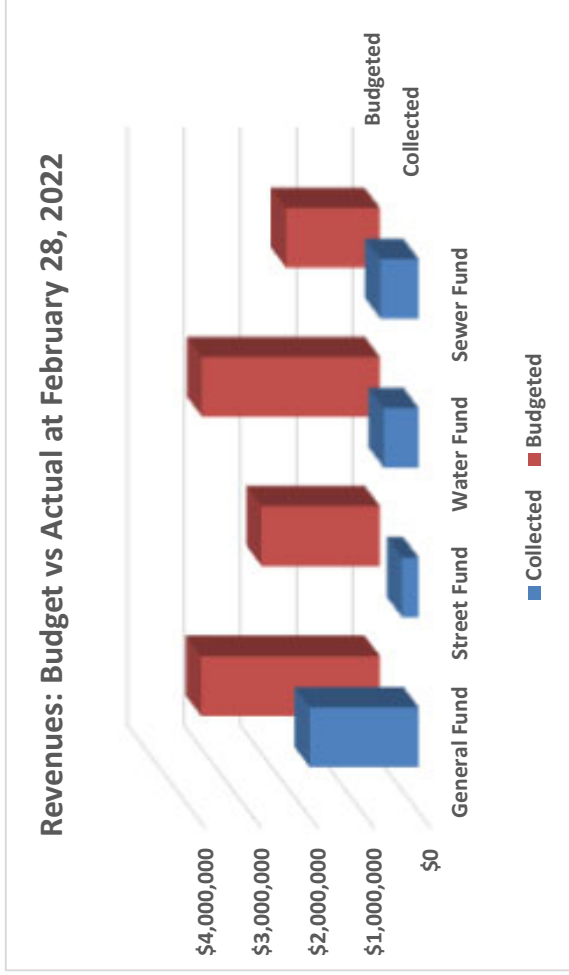
Bank Accounts									
Funds	KEY BANK - GEN	SP GEN.	SP SDC	For	SP SAVINGS	For	SUMMIT BANK	POLICE EVID.	TOTAL
GEN 001	147,396	502,563			151,921				801,880
PD Drug Educ.									-
Park Cap	124,291		44,994	Park SDC					169,284
STREET 003	130,400	373,958	410,078	Street SDC					914,436
WATER 004	508,201	995,029	48,714	Water SDC					1,551,944
SEWER 005	561,903		906,856	Sewer SDC	27,355	Membrane Replace			1,496,114
SEWER DEBT	92,855				121,875	Sewer Debt Reserve	-	Sewer Debt Res	214,730
EVIDENCE		-						100	100
TOTAL	1,565,046	1,871,550	1,410,642		301,151		-	100	5,148,488

<i>CIP SDCs</i>	
Cash Balance 2/28/2022	\$5,148,488
Cash Balance 2/28/2021	\$4,279,660
<i>Difference</i>	868,828

REVENUE GENERATION BY FUND	
GENERAL FUND	Interest, taxes, State Shared Revenue, Cigarette Taxes, Liquor taxes, Land Use Fees, SDC Admin Fees, Franchise Fees Tourism, Fines & Bails, Planning , Park user fees Capital and SDC, Park Donations and Grants, Building Dev. Fees
STREET FUND	Street Taxes, User Fees, Grants, CIP Funds, SDC, Grants Loans
WATER FUND	User Fees, Grants, Capital Funds, SDC
SEWER FUND	User Fees, Grants, Capital Funds, SDC, Loans
SEWER DEBT FUND	LID, Loan Proceeds, URA Debt Service
EVIDENCE	Evidence Cash Seized

CITY OF COBURG
REVENUES COLLECTED COMPARED TO BUDGET
Fiscal Year To Date As of February 2022

Fund	Collected	Budgeted	Difference	Percentage
General Fund	\$1,932,203	\$3,172,634	\$1,240,431	61%
Street Fund	\$293,934	\$2,098,569	\$1,804,635	14%
Water Fund	\$619,141	\$3,155,768	\$2,536,627	20%
Sewer Fund	\$678,102	\$1,664,700	\$986,598	41%
TOTAL ALL FUNDS	\$3,523,379	\$10,091,671	\$6,568,292	35%

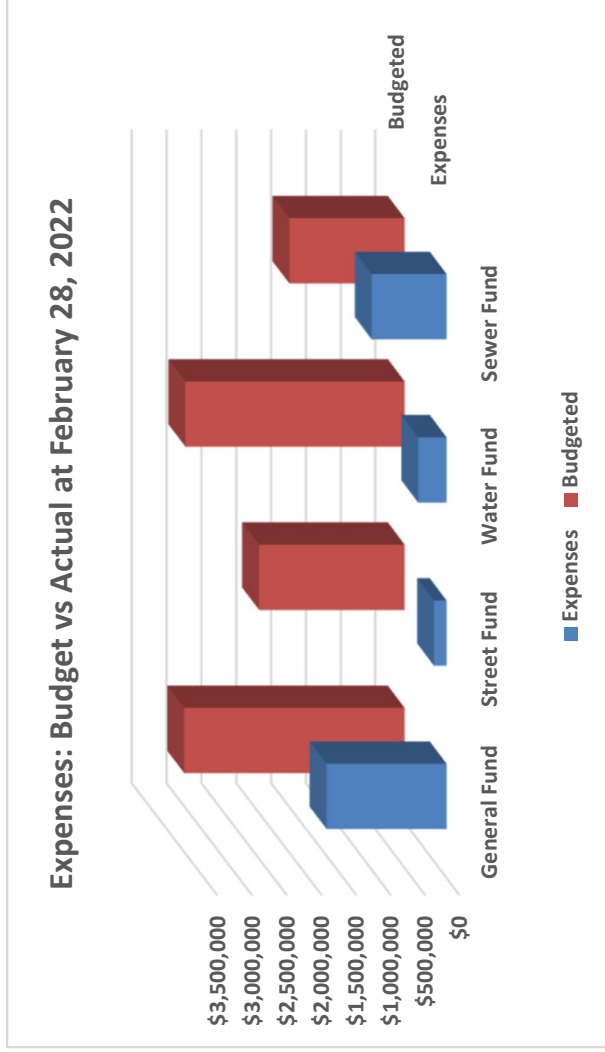


Important Notes:

Overall revenues should be 67% if spread evenly throughout the year. Budgeted revenues are net of Beginning Fund balance, which means the budgeted amounts do not include Beginning Fund Balance. Property tax receipts for the month of January were \$4,616. Grant Funds and Debt Reimbursement (Water Project) have not been received yet. City Fuel Taxes received through the month of January were \$115,523, 74% of budget. State Fuel Taxes received through the month of January were \$64,717, 63% of budget. Transportation Utility Fee (TUF) has collected \$62,340 through February. Total Property tax receipts to date were \$824,113, 96% of Budget.

**CITY OF COBURG
EXPENSES INCURRED COMPARED TO BUDGET
Fiscal Year To Date As of February 2022**

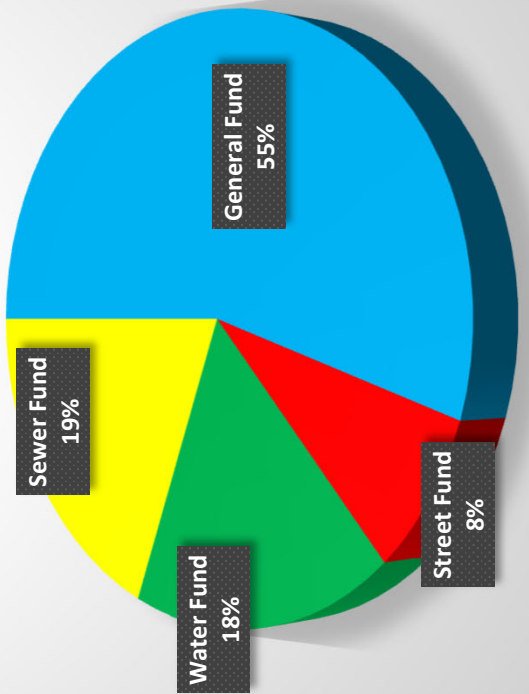
Fund	Expenses	Budgeted	Difference	Percentage
General Fund	\$1,741,318	\$3,172,634	\$1,431,316	55%
Street Fund	\$183,871	\$2,098,569	\$1,914,698	9%
Water Fund	\$414,359	\$3,155,768	\$2,741,409	13%
Sewer Fund	\$1,091,632	\$1,664,700	\$573,068	66%
TOTAL ALL FUNDS	\$3,431,179	\$10,091,671	\$6,660,492	34%



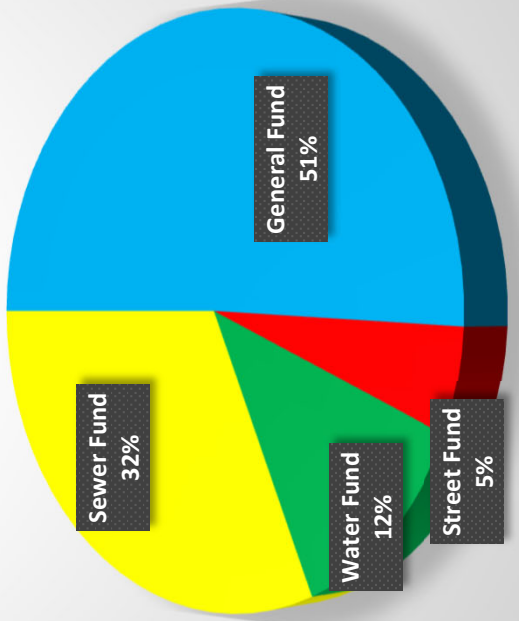
Important Notes

Overall expenses should be 67% if spread evenly throughout the year.
 Water and Street projects have been delayed due to Covid-19
 Budgeted expenses are net of Beginning Fund balance,
 which means the budgeted amounts do not include Beginning Fund Balance
 All Personal Services are within budget.
 Materials & Services are all within budget.
 Scheduled Capital Projects are time sensitive and not reflected until later in the year.

CITY WIDE REVENUES 2/28/2022



CITY WIDE EXPENSES 2/28/2022



Account Number	Description	Budget Amount	Period Amount	YTD Amount	YTD Var	Encumbered Amount	Available	% Available Item 11.
	Fund Revenue Sub Totals:	3,922,634.00	163,360.91	1,932,202.93	1,990,431.07	0.00	1,990,431.07	50.74
	Fund Expense Sub Totals:	3,922,634.00	189,265.48	1,741,262.38	2,181,371.62	0.00	2,181,371.62	55.61
	Fund 001 Sub Totals:	0.00	25,904.57	-190,940.55	190,940.55	0.00		

General Fund

Account Number	Description	Budget Amount	Period Amount	YTD Amount	YTD Var	Encumbered Amount	Available	% Available Item 11.
	Fund Revenue Sub Totals:	2,980,763.00	36,408.76	293,933.56	2,686,829.44	0.00	2,686,829.44	90.14
	Fund Expense Sub Totals:	2,980,763.00	20,237.34	183,870.73	2,796,892.27	0.00	2,796,892.27	93.83
	Fund 003 Sub Totals:	0.00	-16,171.42	-110,062.83	110,062.83	0.00		

Street Fund

Account Number	Description	Budget Amount	Period Amount	YTD Amount	YTD Var	Encumbered Amount	Available	% Available Item 11.
	Fund Revenue Sub Totals:	4,464,970.00	-6,202.47	619,140.51	3,845,829.49	0.00	3,845,829.49	86.13
	Fund Expense Sub Totals:	4,464,970.00	66,950.98	414,358.52	4,050,611.48	0.00	4,050,611.48	90.72
	Fund 004 Sub Totals:	0.00	73,153.45	-204,781.99	204,781.99	0.00		

Water Fund

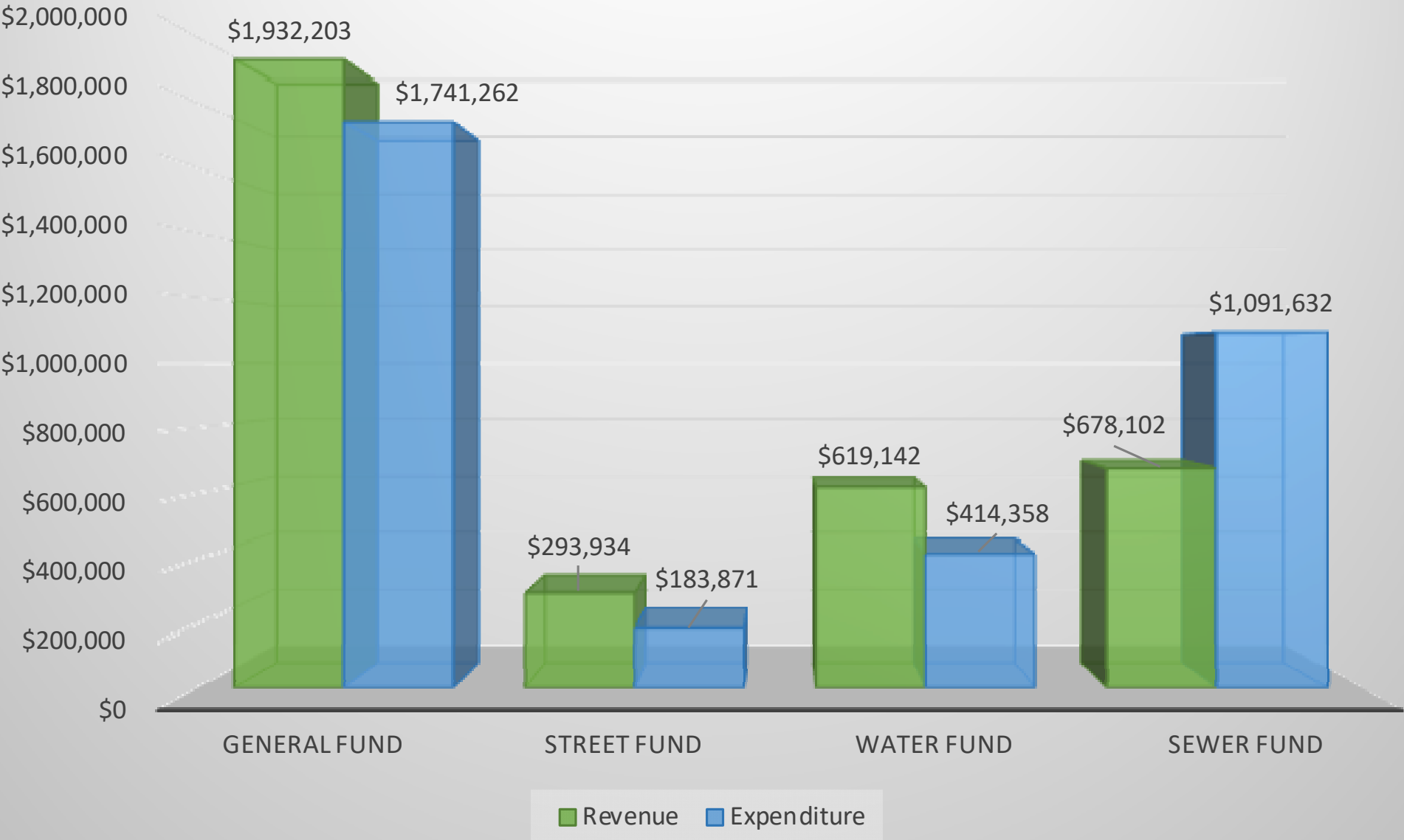
Account Number	Description	Budget Amount	Period Amount	YTD Amount	YTD Var	Encumbered Amount	Available	% Available Item 11.
	Fund Revenue Sub Totals:	3,855,143.00	78,775.32	678,102.29	3,177,040.71	0.00	3,177,040.71	82.41
	Fund Expense Sub Totals:	3,855,143.00	44,254.42	1,091,631.72	2,763,511.28	0.00	2,763,511.28	71.68
	Fund 005 Sub Totals:	0.00	-34,520.90	413,529.43	-413,529.43	0.00		

Sewer Fund

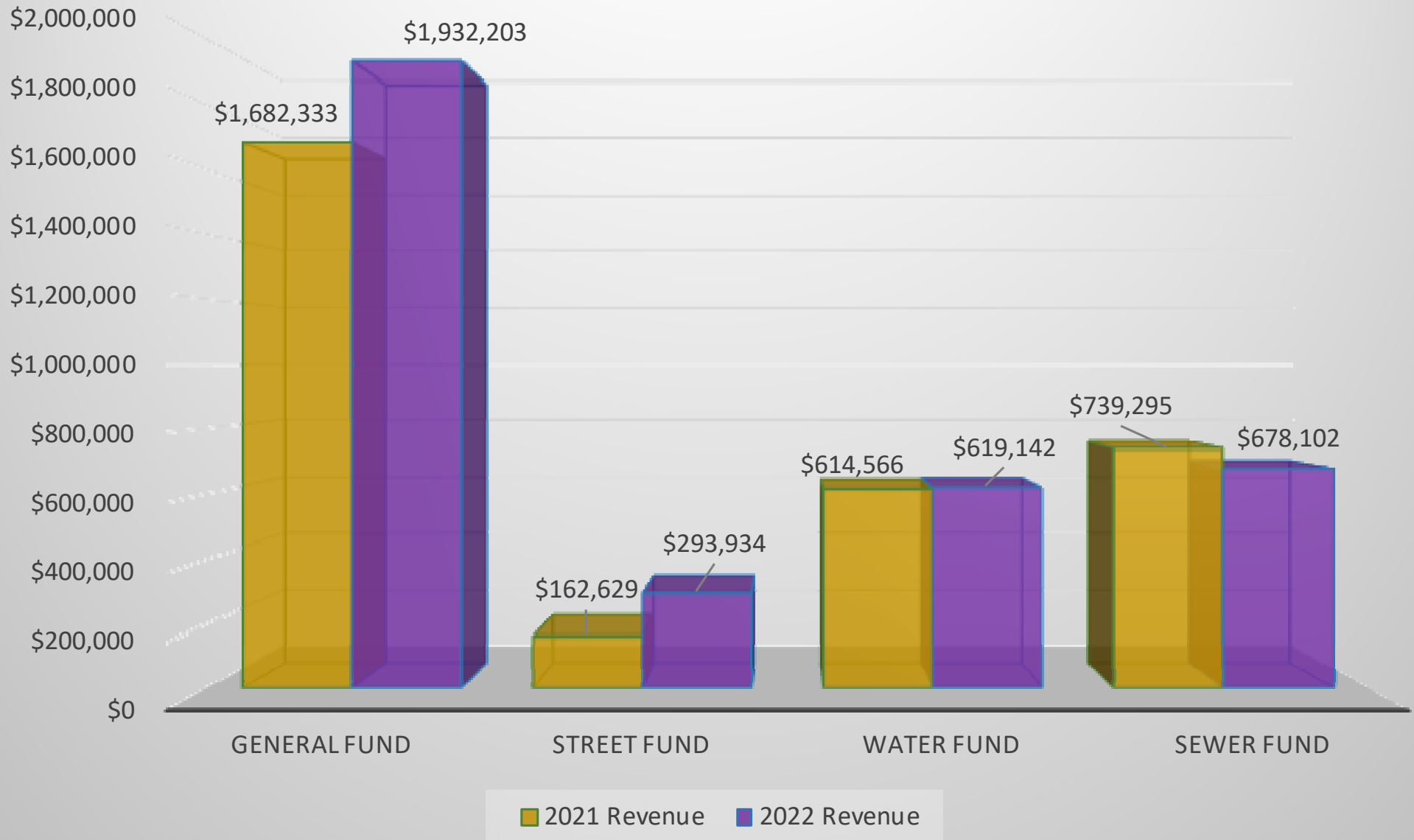
Account Number	Description	Budget Amount	Period Amount	YTD Amount	YTD Var	Encumbered Amount	Available	% Available Item 11.
	Revenue Totals:	15,223,510.00	272,342.52	3,523,379.29	11,700,130.71	0.00	11,700,130.71	76.86
	Expense Totals:	15,223,510.00	320,708.22	3,431,123.35	11,792,386.65	0.00	11,792,386.65	77.46
	Report Totals:	0.00	48,365.70	-92,255.94	92,255.94	0.00		

Total All Funds

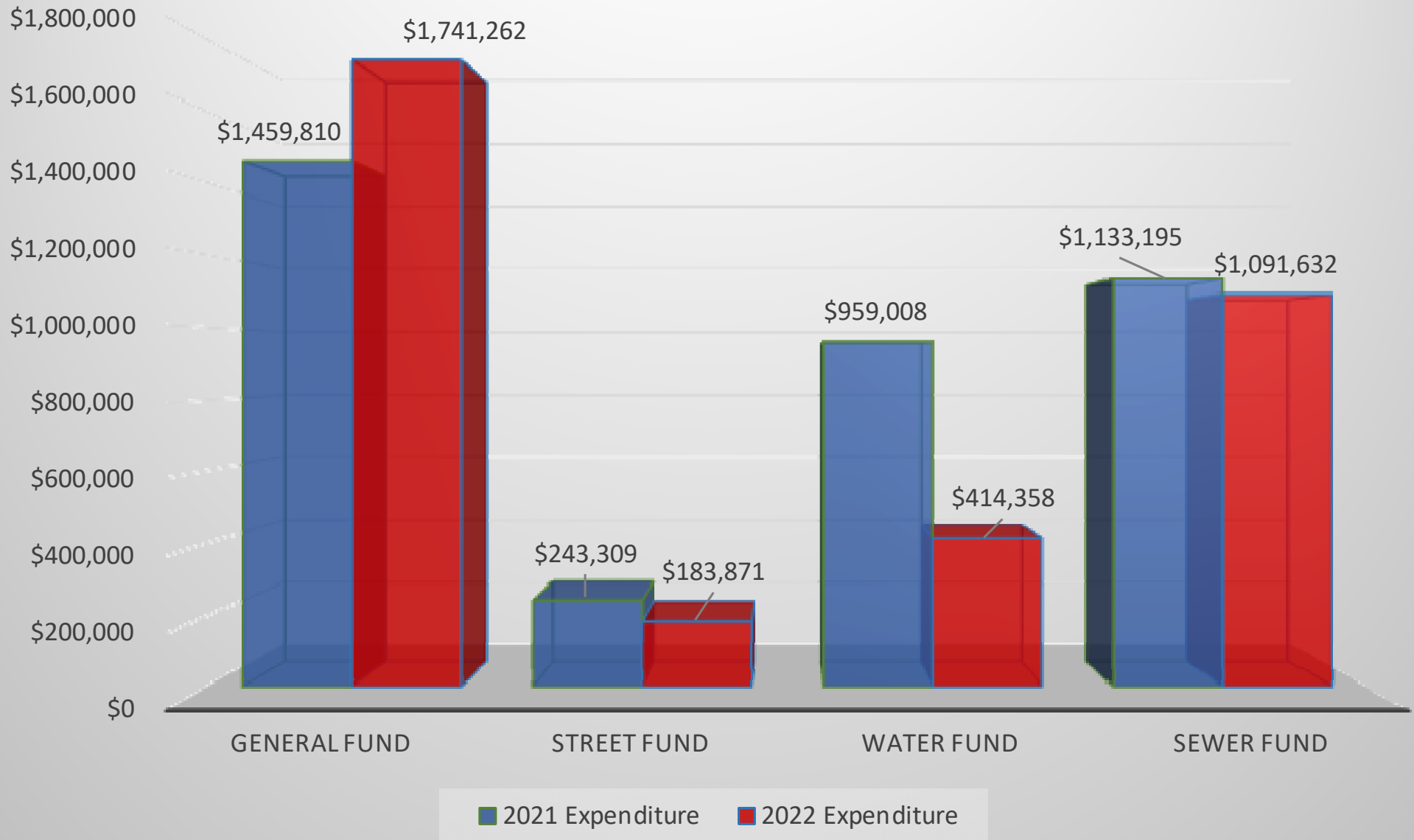
Revenue to Expenses Comparison February 2022



Revenues Comparison February 2021 to February 2022



Expenses Comparison February 2021 to February 2022





KeyBank
P.O. Box 93885
Cleveland, OH 44101-5885

Public Sector Statement
February 28, 2022
page 1 of 5

71 31 T 908 00000 R EM AO
CITY OF COBURG
GENERAL ACCOUNT
PO BOX 8316
COBURG OR 97408-1310

Questions or comments?
Call our Key Business Resource Center
1-888-KEY4BIZ (1-888-539-4249)

Public Transaction
CITY OF COBURG
GENERAL ACCOUNT

Beginning balance 1-31-22	\$1,641,165.90
74 Additions	+228,385.27
91 Subtractions	-271,181.64
Net fees and charges	-496.43
Ending balance 2-28-22	\$1,597,873.10

Additions

Deposits Date	Serial #	Source	
2-1		Key Capture Deposit	\$4,152.97
2-1		Key Capture Deposit	665.00
2-1		Merchant Svcs Merch Dep 8008238126	423.70
2-1		Merchant Svcs Merch Dep 8008238142	30.00
2-2		Merchant Svcs Merch Dep 8008238126	288.70
2-2		Merchant Svcs Merch Dep 8008238142	232.00
2-3		Key Capture Deposit	9,298.37
2-3		Key Capture Deposit	4,752.51
2-3		Merchant Svcs Merch Dep 8008238142	705.00
2-3		Direct Deposit, Pcs OR Trust Pcs OR Tr	348.67
2-3		Merchant Svcs Merch Dep 8008238126	148.70
2-4		Key Capture Deposit	2,616.12
2-4		Merchant Svcs Merch Dep 8008238126	1,337.49
2-4		Merchant Svcs Merch Dep 8008238142	475.00
2-4		Direct Deposit, Merchant S 8030298668	86.25
2-7		Direct Deposit, City of Coburg Consumer	27,874.07
2-7		Direct Deposit, City of Coburg Cons Coll	3,349.00
2-7		Merchant Svcs Merch Dep 8008238126	1,146.86
2-8		Key Capture Deposit	6,234.27
2-8		Merchant Svcs Merch Dep 8008238126	1,467.24
2-8		Key Capture Deposit	802.02
2-8		Merchant Svcs Merch Dep 8008238142	265.00
2-8		Key Capture Deposit	79.00
2-8		Key Capture Deposit	50.00

Item 11.

Additions
 (con't)

Deposits	Date	Serial #	Source	
	2-9		Merchant Svcs Merch Dep 8008238142	1,510.00
	2-9		Key Capture Deposit	497.40
	2-9		Merchant Svcs Merch Dep 8008238126	316.73
	2-10		Merchant Svcs Merch Dep 8008238126	345.04
	2-10		Merchant Svcs Merch Dep 8008238142	200.00
	2-10		Direct Deposit, Merchant S 8030298668	86.25
	2-11		Direct Deposit, Pcs OR Trust Pcs OR Tr	41.25
	2-14		Credit Adjustment	338.77
	2-14		Merchant Svcs Merch Dep 8008238142	265.00
	2-14		Merchant Svcs Merch Dep 8008238126	153.70
	2-15		Key Capture Deposit	5,961.40
	2-15		Key Capture Deposit	3,665.43
	2-15		Merchant Svcs Merch Dep 8008238142	1,460.00
	2-15		Merchant Svcs Merch Dep 8008238126	1,329.91
	2-15		Key Capture Deposit	914.05
	2-15		Key Capture Deposit	665.00
	2-15		Deposit Branch 0067 Oregon	440.00
	2-15		Deposit Branch 0067 Oregon	120.00
	2-16		Key Capture Deposit	56,062.94
	2-16		Merchant Svcs Merch Dep 8008238126	479.25
	2-16		Merchant Svcs Merch Dep 8008238142	415.00
	2-17		Key Capture Deposit	10,058.96
	2-17		Key Capture Deposit	5,087.83
	2-17		Merchant Svcs Merch Dep 8008238126	1,482.71
	2-17		Merchant Svcs Merch Dep 8008238142	690.00
	2-17		Direct Deposit, Pcs OR Trust Pcs OR Tr	206.28
	2-17		Key Capture Deposit	100.00
	2-18		Merchant Svcs Merch Dep 8008238126	985.40
	2-18		Merchant Svcs Merch Dep 8008238142	660.00
	2-22		Key Capture Deposit	3,831.97
	2-22		Key Capture Deposit	891.00
	2-22		Merchant Svcs Merch Dep 8008238126	160.00
	2-22		Merchant Svcs Merch Dep 8008238142	100.00
	2-23		Merchant Svcs Merch Dep 8008238142	2,507.00
	2-23		Merchant Svcs Merch Dep 8008238126	508.12
	2-24		Key Capture Deposit	14,897.20
	2-24		Merchant Svcs Merch Dep 8008238126	704.80
	2-24		Merchant Svcs Merch Dep 8008238142	365.00
	2-25		Key Capture Deposit	19,995.95
	2-25		Key Capture Deposit	5,391.52
	2-25		Key Capture Deposit	1,073.43
	2-25		Merchant Svcs Merch Dep 8008238126	672.82
	2-28		Key Capture Deposit	13,585.06
	2-28		Merchant Svcs Merch Dep 8008238126	1,100.46
	2-28		Deposit Branch 0067 Oregon	577.00
	2-28		Merchant Svcs Merch Dep 8008238142	292.00
	2-28		Deposit Branch 0067 Oregon	200.00
	2-28		Deposit Branch 0067 Oregon	100.70
	2-28		Key Capture Deposit	50.00

Item 11.



Additions
(con't)

Deposits Date	Serial #	Source	Amount
2-28		Key Capture Deposit	15.00
Total additions			\$228,385.27

Subtractions

Paper Checks * check missing from sequence

Check	Date	Amount	Check	Date	Amount	Check	Date	Amount
87244	2-22	\$3,900.00	87358	2-14	105.64	87383	2-17	366.43
*87294	2-3	205.91	*87360	2-9	35.35	87384	2-14	1,084.14
*87302	2-1	200.00	87361	2-14	137.26	87385	2-16	569.66
*87306	2-4	32.00	87362	2-10	846.36	87386	2-14	28.00
*87326	2-8	176.87	87363	2-9	1,222.42	87387	2-14	2,612.00
*87328	2-15	17.46	87364	2-7	1,769.04	87388	2-22	434.16
*87340	2-1	11,051.27	87365	2-10	1,258.63	87389	2-14	1,830.75
87341	2-1	712.50	87366	2-7	3,300.00	*87391	2-18	562.85
87342	2-1	591.42	87367	2-11	800.00	87392	2-15	645.26
87343	2-4	73.07	87368	2-7	958.70	87393	2-22	176.59
87344	2-11	427.98	87369	2-11	100.62	87394	2-25	6,126.00
87345	2-2	3,313.84	87370	2-14	750.47	*87397	2-22	11,142.21
87346	2-3	900.00	87371	2-8	1,907.02	87398	2-22	437.31
87347	2-1	4,690.54	87372	2-15	1,362.96	87399	2-23	748.00
87348	2-2	938.00	87373	2-16	612.74	*87401	2-24	1,516.69
87349	2-2	277.50	87374	2-15	714.00	87402	2-22	1,340.17
87350	2-10	66.25	87375	2-14	51.62	87403	2-28	100.62
87351	2-2	140.60	87376	2-18	262.73	87404	2-24	511.50
87352	2-9	306.00	87377	2-22	340.71	87405	2-22	375.00
87353	2-8	20,055.02	87378	2-23	35.00	*87407	2-28	1,895.50
87354	2-10	22.27	87379	2-15	7,577.00	87408	2-28	273.04
87355	2-7	2,442.37	87380	2-14	12,649.98	*87410	2-28	1,565.66
87356	2-15	205.02	87381	2-15	21.00	*87416	2-28	184.00
87357	2-8	4,446.00	87382	2-16	315.55			

Paper Checks Paid \$126,852.23

Withdrawals Date	Serial #	Location	Amount
2-1		Direct Withdrawal, City of Coburg Dir Dep	\$33,490.85
2-1		Merchant Svcs Merch Fee 8008238126	1,267.03
2-1		Direct Withdrawal, Asi Hc220127	551.00
2-1		Merchant Svcs Merch Fee 8008238142	245.73
2-2		Direct Withdrawal, Invoice PA00029Tbiling	112.90
2-2		Direct Withdrawal, Merchant S 8030298668	52.09
2-8		Direct Withdrawal, Cis Trust 5037633834	28,784.35
2-9		Direct Withdrawal, City of Coburg Return	148.70
2-9		Direct Withdrawal, Irs Usat taxpymt	10,782.13
2-9		Direct Withdrawal, OR Revenue Dept Taxpayment	3,050.67
2-10		Direct Withdrawal, KeyBank Auto Pymt	2,663.93
2-10		Direct Withdrawal, Asi Asi Fees	22.50
2-11		Direct Withdrawal, Employer Contrb Pers Cntrb	14,220.64
2-11		Direct Withdrawal, Employer Contrb Pers Cntrb	4,596.23
2-11		Direct Withdrawal, Employer Contrb Pers Cntrb	12.00
2-15		Direct Withdrawal, City of Coburg Dir Dep	31,040.00

Item 11.

Subtractions
 (con't)

<i>Withdrawals</i>	<i>Date</i>	<i>Serial #</i>	<i>Location</i>	
	2-16		Direct Withdrawal, Invoice PA0002Glbilling	112.90
	2-23		Direct Withdrawal, Irs Usat taxpymt	10,178.35
	2-23		Direct Withdrawal, OR Revenue Dept Taxpayment	2,882.15
	2-28		Direct Withdrawal, Employer Contrb Pers Cntrb	134.29
			Total subtractions	\$271,181.64

Fees and charges

<i>Date</i>		<i>Quantity</i>	<i>Unit Charge</i>	
2-8-22	Jan Analysis Service Chg	1	496.43	-\$496.43
				-\$496.43

Fees and charges assessed this period

See your Account Analysis statement for details.

Accounts Payable

Checks by Date - Summary by Check Date

User: Tim Gaines
 Printed: 3/2/2022 10:07 AM



Check No	Vendor No	Vendor Name	Check Date	Check Amount
87352	ANA165	Analytical Laboratory Group	02/03/2022	306.00
87353	BRA344	Branch Engineering	02/03/2022	20,055.02
87354	CAR476	Carquest Auto Parts	02/03/2022	22.27
87355	CasCol	Cascade Columbia Dist Co	02/03/2022	2,442.37
87356	Petty	Petty Cash Reimbursement Cash	02/03/2022	205.02
87357	CPP	CertaPro Painters	02/03/2022	4,446.00
87358	CINTA	Cintas Corporation	02/03/2022	105.64
87359	EDMS	EDMS	02/03/2022	1,932.99
87360	EME131	Emerald People's Utility	02/03/2022	35.35
87361	HDEPOT	Home Depot Credit Services	02/03/2022	137.26
87362	KEND	Kendall Auto Group	02/03/2022	846.36
87363	KENC	Kendall Collision Center	02/03/2022	1,222.42
87364	LAN129	Lane Council of Governments	02/03/2022	1,769.04
87365	OffDep	Office Depot Credit Plan	02/03/2022	1,258.63
87366	OHADWS	OHA Drinking Water Services	02/03/2022	3,300.00
87367	PACI	Pacific Power Group LLC	02/03/2022	800.00
87368	PacificS	PacificSource Administrators	02/03/2022	958.70
87369	Stanley	Stanley Convergent Security Solutions, Inc.	02/03/2022	100.62
87370	Verizon	Verizon Wireless	02/03/2022	750.47
87371	WelWel	Welt & Welt, Inc	02/03/2022	1,907.02

Total for 2/3/2022:

42,601.18

87372	911 Sup	911 Supply Inc	02/09/2022	1,362.96
87373	AFL250	AFLAC	02/09/2022	612.74
87374	ANA165	Analytical Laboratory Group	02/09/2022	714.00
87375	CenLin	CenturyLink	02/09/2022	51.62
87376	CINTA	Cintas Corporation	02/09/2022	262.73
87377	CROWN	Crown Products, LLC	02/09/2022	340.71
87378	DOCU	DocuTRAK Imaging, Inc.	02/09/2022	35.00
87379	EME131	Emerald People's Utility	02/09/2022	7,577.00
87380	HDFow	HD Fowler Company	02/09/2022	12,649.98
87381	GH	George Hill	02/09/2022	21.00
87382	HUNTER	Hunter Communications	02/09/2022	315.55
87383	IRO100	Iron Mountain	02/09/2022	366.43
87384	MidState	Mid-State Industrial Service inc	02/09/2022	1,084.14
87385	NOR146	NW Natural	02/09/2022	569.66
87386	Rexius	Rexius	02/09/2022	28.00
87387	RoyFlu	Royal Flush Environmental	02/09/2022	2,612.00
87388	SAIF	SAIF CORPORATION	02/09/2022	434.16
87389	SECR	Security Monster	02/09/2022	1,830.75
87390	SSW	Sierra Springs	02/09/2022	24.65
87391	USA426	USA Blue Book	02/09/2022	562.85
87392	WelWel	Welt & Welt, Inc	02/09/2022	645.26

Hydrant Parts

Total for 2/9/2022:

32,101.19

Item 11.
 3/2/2022

Check No	Vendor No	Vendor Name	Check Date	Check Amount
87393	CenLin	CenturyLink	02/17/2022	176.59
87394	CPP	CertaPro Painters	02/17/2022	6,126.00
87395	BRF	Briana R Fossati	02/17/2022	2.00
87396	BKH	Brian Kyle Howard	02/17/2022	53.00
87397	LAN129	Lane Council of Governments	02/17/2022	11,142.21
87398	Lanfin	Lane County Finance Department	02/17/2022	437.31
87399	JLOND	London & Paris, LLP	02/17/2022	748.00
87400	OGFOA	OGFOA	02/17/2022	365.00
87401	OreRev	Oregon Dept. of Revenue	02/17/2022	1,516.69
87402	PAC150	Pacific Power	02/17/2022	1,340.17
87403	Stanley	Stanley Convergent Security Solutions, Inc.	02/17/2022	100.62
87404	TYLE	Tyler Technologies	02/17/2022	511.50
87405	PhWill	Phillip Williams	02/17/2022	375.00
Total for 2/17/2022:				22,894.09
87406	ANA165	Analytical Laboratory Group	02/24/2022	357.00
87407	CasCol	Cascade Columbia Dist Co	02/24/2022	1,895.50
87408	CenLin	CenturyLink	02/24/2022	273.04
87409	CINTA	Cintas Corporation	02/24/2022	160.59
87410	CON188	Consolidated Supply Co.	02/24/2022	1,565.66
87411	EDMS	EDMS	02/24/2022	703.40
87412	ERA100	Environmental Resource Assoc	02/24/2022	119.30
87413	EEP	Eugene Emergency Physicians	02/24/2022	370.00
87414	Kimball	Kimball Midwest	02/24/2022	278.06
87415	PRO350	Professional ID Cards	02/24/2022	20.50
87416	Rexius	Rexius	02/24/2022	184.00
87417	RVBD	Riverbend Materials	02/24/2022	536.01
87418	RoyFlu	Royal Flush Environmental	02/24/2022	1,035.00
87419	USA426	USA Blue Book	02/24/2022	200.53
87420	OSGP	Voya-Oregon Savings Growth Plan	02/24/2022	200.00
87421	WelWel	Welt & Welt, Inc	02/24/2022	1,229.70
Total for 2/24/2022:				9,128.29
Report Total (70 checks):				106,724.75

Multiple Projects & Departments



KeyBank
 P.O. Box 93885
 Cleveland, OH 44101-5885

31 RTMLX T 908 00000 R EM AO

CITY OF COBURG
 POLICE EVIDENCE TRUST
 PO BOX 8816
 COBURG OR 97408-1310

Questions or comments?
 Call our Key Business Resource Center
 1-888-KEY4BIZ (1-888-539-4249)

Public Transaction	
CITY OF COBURG	
POLICE EVIDENCE TRUST	
<hr/>	
	Beginning balance 1-31-22
	\$100.00
	Ending balance 2-28-22
	\$100.00

Fees and charges See your Account Analysis statement for details.



Account Statement - Transaction Summary

For the Month Ending **February 28, 2022**

COBURG CITY OF - COBURG CITY OF / GENERAL - 5969

Oregon LGIP	
Opening Balance	1,853,861.22
Purchases	17,689.39
Redemptions	(0.15)
<hr/>	
Closing Balance	\$1,871,550.46
Dividends	642.06

Asset Summary		
	February 28, 2022	January 31, 2022
Oregon LGIP	1,871,550.46	1,853,861.22
<hr/>		
Total	\$1,871,550.46	\$1,853,861.22



Account Statement

For the Month Ending **February 28, 2022**

COBURG CITY OF - COBURG CITY OF / GENERAL - 5969

Trade Date	Settlement Date	Transaction Description	Share or Unit Price	Dollar Amount of Transaction	Balance
Oregon LGIP					
Opening Balance					1,853,861.22
02/01/22	02/01/22	LGIP Fees - ACH Redemption (1 @ \$0.05 - From 5969) - January 2022	1.00	(0.05)	1,853,861.17
02/01/22	02/01/22	LGIP Fees - Received ACH (1 @ \$0.10 - From 5969) - January 2022	1.00	(0.10)	1,853,861.07
02/11/22	02/11/22	Lane County - Tax Seg for January 01-31-2022	1.00	4,616.07	1,858,477.14
02/22/22	02/22/22	ODOT - ODOT PYMNT	1.00	12,431.26	1,870,908.40
02/28/22	03/01/22	Accrual Income Div Reinvestment - Distributions	1.00	642.06	1,871,550.46
Closing Balance					1,871,550.46

	Month of February	Fiscal YTD July-February		
Opening Balance	1,853,861.22	1,686,282.71	Closing Balance	1,871,550.46
Purchases	17,689.39	1,447,620.92	Average Monthly Balance	1,859,959.29
Redemptions	(0.15)	(1,262,353.17)	Monthly Distribution Yield	0.45%
Closing Balance	1,871,550.46	1,871,550.46		
Dividends	642.06	6,048.83		



Account Statement - Transaction Summary

For the Month Ending **February 28, 2022**

COBURG CITY OF - COBURG CITY OF / SDC - 3711

Oregon LGIP	
Opening Balance	1,410,154.75
Purchases	486.79
Redemptions	0.00
<hr/>	
Closing Balance	\$1,410,641.54
Dividends	486.79

Asset Summary		
	February 28, 2022	January 31, 2022
Oregon LGIP	1,410,641.54	1,410,154.75
Total	\$1,410,641.54	\$1,410,154.75



Account Statement

For the Month Ending **February 28, 2022**

COBURG CITY OF - COBURG CITY OF / SDC - 3711

Trade Date	Settlement Date	Transaction Description	Share or Unit Price	Dollar Amount of Transaction	Balance
Oregon LGIP					
Opening Balance					1,410,154.75
02/28/22	03/01/22	Accrual Income Div Reinvestment - Distributions	1.00	486.79	1,410,641.54
Closing Balance					1,410,641.54

	Month of February	Fiscal YTD July-February		
Opening Balance	1,410,154.75	1,405,968.14	Closing Balance	1,410,641.54
Purchases	486.79	4,673.40	Average Monthly Balance	1,410,172.14
Redemptions	0.00	0.00	Monthly Distribution Yield	0.45%
<hr/>				
Closing Balance	1,410,641.54	1,410,641.54		
Dividends	486.79	4,673.40		



Account Statement - Transaction Summary

For the Month Ending **February 28, 2022**

COBURG CITY OF - COBURG CITY OF / GENERAL FUND SAVINGS - 3784

Oregon LGIP	
Opening Balance	301,046.92
Purchases	103.92
Redemptions	0.00
<hr/>	
Closing Balance	\$301,150.84
Dividends	103.92

Asset Summary		
	February 28, 2022	January 31, 2022
Oregon LGIP	301,150.84	301,046.92
Total	\$301,150.84	\$301,046.92



Account Statement

For the Month Ending **February 28, 2022**

COBURG CITY OF - COBURG CITY OF / GENERAL FUND SAVINGS - 3784

Trade Date	Settlement Date	Transaction Description	Share or Unit Price	Dollar Amount of Transaction	Balance
Oregon LGIP					
Opening Balance					301,046.92
02/28/22	03/01/22	Accrual Income Div Reinvestment - Distributions	1.00	103.92	301,150.84
Closing Balance					301,150.84

	Month of February	Fiscal YTD July-February		
Opening Balance	301,046.92	170,426.12	Closing Balance	301,150.84
Purchases	103.92	313,212.72	Average Monthly Balance	301,050.63
Redemptions	0.00	(182,488.00)	Monthly Distribution Yield	0.45%
Closing Balance	301,150.84	301,150.84		
Dividends	103.92	860.55		

COBURG CITY COUNCIL MONTHLY REPORTS



TOPIC: City Administration Report

Meeting Date: April 12, 2022

Staff Contact: Anne Heath, City Administrator

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

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

GENERAL ADMINISTRATION

Water Project

- Well under design
- I-5 Bore hookup to west-side water infrastructure is complete
- Mainline replacement – Coleman Street under design
- Council Work Session on Water Project – Scheduled for April 26th
- Public Works Shop is under design- Will house the SCADA system

Street Projects

- **McKenzie Street Rebuild** – Under design/Fall of 2022 Construction
- **Roberts Road** – Under Design/Summer of 2022 Construction
- **Collector Streets** – Under Design/Summer of 2023 Construction
- **Funding options** – Funding Application is contained in this packet for Council approval.

Park Project

- The grant for the Pavilion Park Plaza has been submitted. The grant amount was approximately \$400,000.

Land Swap – Has been signed by both parties and is now in the recording process as well as the planning process for a lot line adjustment.

City Hall Repairs, Paint and Façade Design – Preliminary Façade Design attached to this packet.

Building Official – Per Oregon state law the City must have a building official to oversee our building department. The City contracts with Cottage Grove for a building official. On April 20 at 7:00 p.m. Faye Stewart will be addressing the Planning Commission on the building program. Councilors are welcome to attend this meeting in person or by zoom. Those wanting to attend

this informative meeting, please notify Sammy Egbert so that she can notice the meeting in the event that there will be a quorum present. Please let her know of your intentions no later than Wednesday, April 13th.

Council Goals and Work Plan – Staff report attached to this packet with draft Goals and Work Plan.

Cyber Security Insurance – The City has been notified that the Cyber Security Insurance that we have been purchasing will no longer be available through CIS leaving us with only a standard \$50,000 in insurance provided through our liability insurance. We also have the option to purchase up to \$250,000 addition with a rigid application process. Staff has met with WHA Insurance to discuss other options and go over the insurance renewal information. The City will be meeting with IT to discuss this and will investigate the best option for the City.

Weichart Residential Subdivision – The roadwork into the subdivision is underway and is expected to be paved by Friday, April 8th. It is expected that residential housing permits applications will begin in late spring and summer of 2022.

Upcoming Meetings

Heritage Committee	4/13
Park Tree Committee	4/19
Planning Commission	4/20
City Council Special Meeting	4/26
Finance Audit Committee	4/27
City Council	5/10

DEPARTMENTS AND OPERATIONS

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

City Recorder

- March 9th to April 14th managed seven Public Meetings. All Public meeting are noticed, electronic and paper retention completed, minutes drafted, signed and recorded.
- Completed 6 lien searches. Released recorded lien and SDC finance agreement on a property that paid off balance.
- Drafted flow chart and internal process for Grant applications.
- Outlined the internal hiring process and prepared timeline for Police Chief.
- Worked with and trained Megan on the required Orientation process for the Planning Commissioners.

- Noticed, responded to and recorded all documents when the record on Ordinance A-200-J from March 8th through April 1st.
- Released Request for Proposal for Audit Services on March 18, 2022. Accepting proposals until April 18, 2022. I processed the RFP meeting the requirements of City Ordinances and Oregon Revised Statutes.
- Sewer Easement for new tank installed in on commercial property drafted and provided to Planning and property owner.
- Worked on surplus process and documents with Chief Larson to surplus two of the unused police cars. Notified DMV the City no longer has vehicles and recorded all items for retention.
- Worked with several councilors, planning commissioners and staff in completing the annual Statement of Economic Interest by deadline. **DUE April 15, 2022**

Utility Billing

- February | March Utility bills month end covering 2/12 to 3/11
 - Billed Water \$55,000 | Sewer \$69,700 | TUF \$13,500
 - Payments Received \$131,530
 - Past dues charged 83
 - 2 Active payment plans
 - 5 change in service

Administration front Office

- **Special Events** - The City is currently processing twelve Special Event applications! In 2019 before COVID there was ten Special Events held in town. Sara Athey is the administrative lead for managing the administrative application process. There are many steps in processing these permits and applications. The estimated staff time is 8 to 12 hours per permit. As Sara goes through the permitting process this year she is updating forms (all fillable) and applications as well as putting together the plan to get them all online for the 2022-23 year.
- New copier set up for the front office. Worked with IT to fix the microphone and computer issues in the City Council Chamber.
- Coordinated food for three public meetings.
- Coordinated, assigned and tracked CIS on line training for “Cyber Security” for all staff members.
- Records Retention project - Oath of Office for Mayor, City Councilor, Police Officers and Attorneys, Judge have a permanent retention requirement per ORS 166-200-0285. Sara is working on scanning and cataloging City of Coburg’s oath offices starting from the 1950’s to current.

Finance

- See Finance Report under separate tab.

Planning – Prepared by Megan Winner

- ANX 01-20 & ZC 01-20: Second reading of ordinance scheduled for April 12th regular meeting;
- SUB 02-20: Construction on the N Coleman Street ROW is underway. Informational letters were hand delivered to neighboring properties;
- Development Code update including the Central Business District form-based code project with Urban Collaborative LLC. is underway. Second draft of the regulating plan was reviewed by the Code Review Ad Hoc Committee and Planning Commission at a Joint Work Session on March 17th. First public hearing for Development Code update scheduled for Planning Commission meeting on May 18th;
- 14 Structural/Plumbing/Mechanical/Electrical Permits issued in March;
- Construction on the Bike Hub is complete. Signage and finishing touches remain. Grand opening celebration with Lane County, LCOG, GEARS and other partner organizations scheduled for May during Bike Month event;
- Planning Commission presentation on the Building Program with Faye Stewart, Cottage Grove Public Works Director, scheduled for April meeting;
- Heritage Committee planning Historic Art Contest to celebrate Preservation Month in May. The selected theme for this year is Historic Homes and Gardens. Call for entries has been released with a deadline to register by April 1;

Main Streets and Economic Development – Prepared by Tracey Pugh

- Met with 3 designers regarding a Map/Directory of Coburg
- Updating Chamber website to be Main Street website
- Met with Anne and the Mayor and Main Street Executive Committee
- Coordinated and attended monthly Coburg Main Street committee meetings
- Coordinated and attended monthly Main Street Executive Committee meetings
- Submitted Oregon Main Street grant for IOOF building
- Finishing up Main Street Bylaws and Conflict of Interest Policy
- Working with new Coburg Antique Fair Director
- Toured Serenity Lane facility
- Working on Farmers Market for July/August
- Participating in weekly Oregon Main Street zoom meetings

Public Works – Prepared by Brian Harmon

- **Streets and ROW.**
 - **Street**
 - **Tree Removal**
 - Removed a large Cottonwood on Booth Kelly Trail
 - Tree Removal on Willamette St
 - **Potholes**
 - Repaired several potholes around the City
 - **Repairs**
 - Had another light pole destroyed on Van Duyn St
 - Cleaned up trash left by homeless
- **Water Utility**
 - **Repairs**
 - **SCADA System**
 - We had some issues with the radios communicating between the Wells, Booster Station, and the main hub. We were able to get this repaired within 10 days. The issue did cause some pressure fluctuations within the City. We had to monitor the system which caused several hours of overtime.
 - **Training**
 - Backflow training class Brian and Burke
 - Week long training classes Brian and Ty
 - **Reports**
 - Cross Connection and Backflow Report
- **Sewer Utility**
 - **Collections**
 - **New Service Install**
 - 1
 - **Inspections**
 - 4
 - **Callouts**
 - 5
 - **Plant Repairs & Major Maintenance**
 - We replaced Train 2 Level Transducers Lighting Transtector.
- **Parks Dept**
 - **Parks and Tree Committee**
 - Work Party planted trees and shrubs at Trails End and worked at Jacob Spores Park.
 - **Park Maintenance**
 - Finished the Bike Hub
 - Weed & Feed at all Parks

- Aerated Johnny Diamond Park
- Trimmed trees at Norma Pfeiffer Park
- Trimmed trees on Coburg Loop Path
- New play chips at Norma Pfeiffer Playground
- **Misc.**
 - **Locates 13**
 - **Work Orders 69**

Municipal Court - Prepared by Mandy Balcom

- **March 2022 Activity Measures:**
 - **Citations (Crimes and Violations)**
 - New Citations for March 1, 2022 Court Date: 64
 - **March 2022 Receipts Including Collections,**
 - **Total Fines:** \$16,984.78 (total monies taken in for the month, nothing deducted), *compared to \$ 18,996.44 in March of 2021*
 - **Net Fines:** \$ 12,708.00 (City share only, NOT including collections), *compared to \$10,482.50 in March of 2021*
 - **March 2022 Professional Credit Service Collections:**
 - **Total Collection Revenue:** \$4,276.78 *compared to \$8,513.94 in March of 2021*
 - **Turned over to collection:** \$ 10,694.50 *compared to \$30,300.00 in March of 2021*

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:

- **Next Court session scheduled for April 5, 2022**
- **Jury Trial: Wednesday, April 6, 2022**
- **Court Administrator to attend the OACA Court Conference April 23-26, 2022 in Newport, OR**
- **Judge Williams attended the Oregon Municipal Judge's Association Conference March 16-18, 2022**

Police Department – Prepared by Chief Larry Larson

- Officers recovered a stolen vehicle out of Portland. The male driver took off all his cloths and was running around in his underwear on the I5 overpass. The male was arrested and lodged in the Lane County Jail
- The department took in 40 pounds of prescription drugs from the take back drop box

- Officers arrested a male for failing to register as a sex offender
- Officers arrested a male for criminal trespass II
- Officers worked several city ordinance violations
- Officers completed truck inspector training for the ODOT
- Officers worked bailiff duties at Coburg Municipal Court
- Officers investigated a motor vehicle crash on N Coburg Road
- Officers responded to several alarm calls
- Officers investigated a hit and run on Van Duyn
- Officers will be working the ODOT speed grant on April 4th through the 11th
- Officers were involved with a vehicle that failed to yield to a police car. The driver was detained for investigation and then released
- Officers used CHETT fund to buy fuel for a stranded motorist
- Officers received training on new legislative updates
- Officers investigated two DHS referrals regarding possible child abuse
- Officers worked bailiff duties at Harrisburg Municipal Court
- Officers completed their LEDS certification
- Officers arrested a subject on outstanding warrants
- Officers completed several vehicle vin inspections

Upcoming Events:

- Saturday April 16th 10:00 to 2:00 pm Coburg Community Shred Day
- Saturday April 30th 10:00 to 2:00 pm DEA National Prescription Drug Take Back Day
- Officer will be working the ODOT traffic safety grant April 4th through 11th

Upcoming Events:

- Officers will be attending the range for firearms qualification
- Officers will attend training for defensive tactics/de-escalation
- Officers will be working the ODOT speed grant on 3/22

ATTACHED

At the 2021 City Council retreat the City Council discussed ways to better connect with City Committees and the Planning Commission. Council decided it would be helpful to stay updated monthly on what each committee is working on. They requested that staff provide the minutes from all public meetings in the monthly City Council packets.

- | | | |
|----|-----------|---|
| A. | 3/9/2022 | Heritage Committee |
| B. | 3/15/2022 | Park Tree Committee |
| C. | 3/17/2022 | Planning Commission & Code Review Ad-Hoc Work Session |



Coburg Heritage Committee

March 9, 2022 – 6:00 p.m.

Virtual Meeting – City Hall

91136 North Willamette St.

COMMITTEE MEMBERS PRESENT: Shannon Sardell, Michelle Shattuck, Stephan Sheehan.

COMMITTEE MEMBERS ABSENT: Marissa Doyle, Chair.

STAFF PRESENT: Megan Winner.

1. Call The Meeting to Order

Ms. Shattuck called the meeting of the Heritage Committee to order at 6:04 p.m.

2. Roll Call

Ms. Winner called roll. Chair Doyle was absent. A quorum was present.

3. Committee Business

- Nominations for Preservation Plaques

Ms. Winner reminded everyone that at their last meeting they nominated the Steele home for a plaque. They still had two other plaques to award.

Ms. Shattuck remembered they wanted to give the oldest homes plaques if there were no nominations. Ms. Sardell thought that was a great idea.

Ms. Shattuck said that they would award plaques to the Steele home, already nominated, and two of the oldest historical homes. Ms. Winner said that they would finalize their list at the next meeting.

Ms. Sardell said that from quickly looking at the historic district pamphlet the oldest houses were the H.J Cox House, built in 1899, and the Pollard House, built in 1854. Mr. Sheehan owned the Pollard property. Ms. Sardell noted that there was also the Healy House, built in 1898. She wanted them to check the dates and make sure that they were picking the oldest houses.

- Timeline for Art Contest & Plaques

Ms. Winner said that at that time they had not received any registrations for the Art Contest. She wanted them to push it more. A Facebook post had gone out that week and she hoped that would bring people in.

Ms. Sardell would try and drop off posters at the art store and at the University of Oregon bookstore.

Mr. Sheehan would stop by and get a few posters to hang up.

Ms. Shattuck remembered that in the past they had prizes for winners. She thought that would incentivize people to join. Mr. Sheehan said that Elk Horn Brewery could donate some gift cards as prizes. He would reach out to other businesses for prizes. Ms. Winner said that they did not need to do prizes but could instead put a gift basket together with some local goods.

Ms. Winner thought they could go ahead and contact the company to make the plaques. Ms. Shattuck asked to get the names of the buildings from Ms. Winner. After she got those, she would contact the company.

- Additional CLG Funds

Ms. Winner stated that they would have some additional funds in the grant after they awarded the plaques. She wanted them to brainstorm some ideas on what to do with that money.

Ms. Sardell liked the idea of doing a window workshop at the antique fair in September 2022. Ms. Winner noted that the grant went through September 2022 so they would need to make sure the funds were allocated before September.

4. Future Meetings | Dates to Remember

- Next Heritage Committee Meeting: April 13, 2022

Ms. Sardell said that the Oregon Heritage Conference would be held virtually from April 27 – 29 2022. Ms. Winner mentioned that if a Committee member was interested in attending the City would cover their registration fee.

Ms. Shattuck said that a community member had a paper weight that she put in the Heritage Committee cabinet.

Ms. Sardell wondered if they could do something with the piece of wood that Councilor Alexander had brought up a few months ago.

5. Adjournment

Ms. Shattuck adjourned the meeting at 6:30 p.m.

(Minutes recorded by Lydia Dysart)

APPROVED by the Heritage Committee on this ____ day of March 2022.

Marissa Doyle, Chair

ATTEST:

Sammy L. Egbert, City Recorder

DRAFT



Coburg Parks | Tree Committee

City Hall, 91136 N. Willamette

March 15, 2022 – 6:00 p.m.

COMMITTEE MEMBERS PRESENT: Mary Mosier, Chair; Tom Beatty, Vice Chair; Claire Smith, Karen Coury, Joe Morneau.

COMMITTEE MEMBERS ABSENT: Lonna Meston, Coleen Marshall.

GUESTS: Teri Kohley, Main Street Art Committee; Patty McConnell, City Council Liaison.

STAFF PRESENT: Brian Harmon.

1. Call To Order

Chair Mosier opened the Park & Tree Committee meeting at 6:01 p.m.

2. Roll Call

Mr. Harmon called roll. Ms. Meston and Ms. Marshall were absent. A quorum was present.

3. Agenda Review

Chair Moser said that she would add Terry's item to the agenda and put have it as their first Committee Business item. Mr. Harmon added that he wanted them to talk about the capital improvements.

Teri Kohley of Coburg Main Street Arts Committee passed out a handout which detailed the type and price of each of the three bicycles. For the design that would go on the wall she said that they had decided on depicting a hand. The idea was that it was "hands on bike repair". Children from the local school would put their handprints on the plywood. Carrie said that Lowe's had donated the materials needed for the project. They were excited that the project would add more color and excitement to the area for both adults and children.

Chair Mosier asked if the materials would just be added to the existing plywood. Carrie replied that all the new materials would be measured out and fit to the dimensions of the existing structure. Chair Mosier asked if anything had to be done to the original structure before they moved forward. Carrie replied that nothing had to be done.

The Committee agreed that all options were nice, and they looked forward to it being completed.

Ms. Smith asked if they had to approve and recommend to City Council that the project be approved. Mr. Harmon replied that if there was no issue with the draft design than it did not need to go in front of City Council. All the required forms had already been filled out. The Committee unanimously agreed to move forward with the project. Mr. Harmon would finalize paperwork the next day.

4. Approve Minutes from February 15th

Chair Mosier had a few corrections. On the third page it said, “making sure the mural was access”, it should say accessible. On the fifth page it said, “him and Megan Winner” but it should say “he and Megan Winner”.

MOTION: Ms. Smith moved, seconded by Ms. Coury, to approve the February 15, 2022, Park & Tree Committee meeting minutes as amended.

VOTE: The motion passed – 4:0:1. Mr. Morneau abstained.

5. City Updates/City Administrator Report

6. Committee Business

- Report to City Council

Chair Mosier said that the report had been sent to City Council and was included in the packet.

- Roses for Dairy Mart Beds

Mr. Beatty mentioned that they had done the original planting in that area last Fall. They had left some space in the West bed. He and Ms. Meston had picked out three rose shrubs. They were ever blooming and self-cleaning. He noted that one of the roses was called “Hope for Humanity”. Mr. Beatty said that The Grange has donated the flowers.

Chair Mosier thanked Mr. Beatty and Ms. Meston for their work on planting the flowers. Ms. Coury wanted them to include a thank you in the newsletter to Dairy Mart and The Grange.

- Arbor Day Plan input

Chair Mosier asked if they were moving forward with their plan to work with the school children. Mr. Harmon replied that no arrangement had been made with the charter school. He would send an email out later in the week.

Ms. Smith knew that if they were following District guidelines then volunteer work might not be allowed. Mr. Harmon hoped that it would be allowed since the event would be on April 29, 2022, and it would take place outside.

Ms. Smith asked if they had decided on what the project would be. Mr. Harmon replied that they had two donation trees to plant: one at Pavilion Park one at Norma Pfeiffer Park. There

were also all the ash trees that would be planted around the same time. Those trees would be planted on the East side to create a barrier by the freeway.

Chair Mosier asked where the tree at Pavilion Park would be planted. Mr. Harmon replied that it had not been decided yet and the Committee could make a recommendation. He mentioned that if they got the grant for Pavilion Park it might change where they wanted to put the tree. Mr. Beatty did not want to plant a tree if they then had to move it. Chair Mosier suggested they wait to plant the tree until the Pavilion plans were finalized and the grant was approved.

Mr. Harmon said they had to figure out how the tree would be paid for. Mr. Beatty stated that the Grange would pay for it. He said that the Red Oak was \$65.

Councilor McConnell was interested in getting another Red Oak for Norma Pfeiffer Park. Mr. Beatty would check to see if there were any left.

- Pickle Ball Court Plan Update

Mr. Harmon had no updates. They had started to look at the prices for nets, rackets, and balls.

- Upcoming Work Party Date & Location

Chair Mosier had talked with Ms. Marshall about the next work party date. Ms. Marshall had suggested Monday March 28, 2022, but Chair Mosier would not be available. They could move forward with that date if the Committee wanted. Everyone agreed to have the next work party on March 28, 2022.

Chair Mosier said that they would be cleaning up around Jacob Spores Park.

- Tree Donations & Other Tree Related Topics

Mr. Beatty said that he and Ms. Meston had bubbled out the nine plots for planting. He wanted wood chips if the City could get some, otherwise a mulch would work fine. Mr. Beatty got some sleeves from McKenzie River Trust to keep animals from eating the plants.

Mr. Harmon asked if they could use the same wood chips, they used at Pavilion Park. Mr. Beatty replied that those would work well.

Ms. Smith asked if they could water the trees through a pump in the wetlands. Mr. Harmon was unsure if that was a good idea. Wetlands were not set up for that type of work. A water plan could be set up for those trees. Mr. Beatty did not think an elaborate system had to be set up. Someone would just need to go out once or twice a month, depending on the weather, and water the trees.

Mr. Harmon told Mr. Beatty that the Public Works department would till the spots he had mentioned.

Ms. Coury thought they could put a sign up explaining why specific plants were chosen. She said that people were interested in that kind of information. Mr. Beatty agreed that it would be a good addition. He just wanted to make sure that they did not fill the parks with signs. Ms. Smith stated that they could put a link or QR code on a sign to send people to a website with information. The Committee loved that idea. Mr. Morneau said that until they set that up, they could have the Arts Committee create signs with the plywood from Lowes.

Mr. Beatty wanted to clean up some of the dead cherry trees with some of the people at Public Works. Mr. Harmon would put that together for Friday March 18, 2022, at 1:30p.m.

- Volunteer & Park Rental Report for 2021

Ms. Smith noted that there had been consistent bookings. Chair Mosier agreed. There were a few cancelations, but those groups rebooked.

Ms. Smith wanted to make sure that the parks were not always booked. They wanted to make sure that casual use of the parks was available. She did not think so far it had been an issue.

Ms. Meston arrived at 6:53 p.m.

Chair Mosier was impressed that they were able to get so many volunteer hours. Mr. Harmon appreciated all the work that the Committee did. Chair Mosier mentioned that there were more volunteers outside of the Committee that year.

- Bike Hub Rock Wall

Mr. Harmon said that he would finalize the donation papers the next day.

Chair Mosier was impressed that they were able to extend the rock wall so far. Mr. Harmon said that staff had decided to prioritize extending the rock wall. He mentioned that they would not be able to put art on all the panels because they were required to have bike trails mapped out.

Mr. Harmon mentioned that someone brought up putting rain gutters on the bike hub. He was surprised that they were not in the original plan. Ms. Smith thought that if gutters were added they might want to put rock where the gutter went out to avoid mud.

- Capital Improvements

Mr. Harmon asked the Committee to look through the list. He told them to ignore the values associated with each line. Those numbers would change every year depending on the market. The Committee would need to email any edits or additions to Anne Heath by April 1, 2022.

Mr. Harmon said that instead of updating the master plans they were putting together a plan for all capital improvement projects. They would be incorporating all department projects into one document.

Chair Mosier wanted to add a project line for a Southeast mini-park since there was a line for a Southwest mini-park.

7. Adjournment

Chair Mosier adjourned the meeting at 7:27 p.m.

(Minutes recorded by Lydia Dysart)

APPROVED by Park & Tree Committee on this 19th day of April 2022.

Mary Mosier, Chair

ATTEST:

Sammy L. Egbert, City Recorder

DRAFT



**Planning Commission & Code Review Committee Joint
Joint Work Session
March 17, 2022 at 6:00 p.m.
Coburg City Hall
91136 N. Willamette St.
Hybrid Meeting**

COMMISSIONERS PRESENT: Marissa Doyle.

COMMISSIONERS ABSENT: Paul Thompson, William Wood, Jonathon Derby, Seth Clark, John Marshall

CODE REVIEW COMMITTEE PRESENT: Jerry Behney, Cathy Engebretson, Marissa Doyle

CODE REVIEW COMMITTEE ABSENT: John Fox, Patty McConnell, Paul Thompson, Alan Wells,

STAFF PRESENT: Anne Heath, Megan Winner

GUEST PRESENT: Planners Zoe Anton & Adyna Sarasmita, Principal Mark Gilham, Urban Collaborative LLC; Councilor Bell, Planning Commission Liaison

No quorum of the Planning Commission or the Code Review Ad-Hoc Committee.

No decisions were made at this meeting. This is a summary of the meeting and will be filed with the Planning Commission and the Code Review Ad-Hoc Committee for information only.

1. DEVELOPMENT CODE REVIEW

Zoe Anton of Urban Collaborative LLC. stated that everyone would receive the draft regulating plan of the form base code for the Central Business District document that was being shared during the presentation. They would have until **March 25, 2022** to review and send any questions or revisions that they would like to discuss or see implemented. Ms. Anton pointed out that they did not wish to change the purpose of the Central Business District, only to enhance the downtown and historical area of the community. She discussed the purpose and applicability of the regulating plan, which designated parcel typology.

Anne Heath, City Administrator inquired of the property directly behind City Hall and wondered if it could be used for some form of cottage cluster housing. Zoe Anton, lead for Urban Collaborative LCC., referred to the handout of the building code options and stated that the Downtown Core parcel and the Downtown Flex parcel types included plans for that. Ms. Zoe explained the plans in greater detail.

Nancy Bell, Council Liaison to Planning Commission raised concern for elderly housing. She felt that housing options to age in place are in need for the elderly members of the community to be able to stay in Coburg, being provided with easy walking access to downtown shopping areas. Zoe Anton, Urban Collaborative LLC., replied that the form based code allows for various housing developments to be available for both the aging and the young who wished to remain in Coburg, but the buildings would be required to be two stories, so perhaps younger people would be interested in the upper story options.

The following topics of discussion were as follows:

- Ms. Anton posed the question to the committee as to whether they preferred flat or pitched roofs. Ms. Engebretson stated that they would like to see flat roofs continued in the downtown historical area and slow pitch roofs used in the downtown neighborhoods. Ms. Anton noted that the existing building codes for roof pitch and style was too broad and needed greater clarification. The group agreed the roof pitch requirement should be a specific range.
- Within Coburg's Architecturally Controlled Area, each shopfront would be responsible for implementing a minimum of two pedestrian amenities listed in the options handout.
- Sustainable landscape standards for downtown Coburg included use of biofiltration stormwater management including integration of sustainable stormwater management known as Low Impact Development (LID). Implementation of these would be the responsibility of the applicant and/or developer.
- The downtown business area promoted and integrated sustainability into their landscape and parking lot designs. Plans included pervious pavements which help to filter and infiltrate water into the ground instead of running off site into storm drains.
- Rain gardens collect and hold stormwater runoff, allowing pollutants to settle and filter out as water infiltrates into the ground. This plan was incorporated into the city's existing gardens. The option plans featured rain gardens, grassed swale and vegetative swale as visual enhancements, but more importantly as an aid in drainage and landscape sustainability.
- Jerry Behney inquired of Parking lot designs, maintenance responsibility, and maintenance regulations. He asked who would be responsible for maintenance and how that would be regulated. Ms. Anton replied that the property owner was responsible for maintenance, and she imagined that it would be regulated on a complaint basis, then reported to the city for code violations which could result in a fine to the owner.

- Ms. Heath stated that if the Ad-Hoc Code Review Committee wished to continue reviewing different sections of the Development Code, that a request to continue working as an ad-hoc committee would need to come before City Council. The Central Business District has been addressed, and if the Committee wants to look at other sections of the Code such as subdivisions, they would need to request to continue working.

This is a summary of the meeting and will be filed with the Planning Commission and the Code Review Ad-Hoc Committee for information only.



Sammy Egbert, City Recorder



CITY OF COBURG
 City Hall Facade Enhancement
 91136 N. Willamette Street
 Coburg, Oregon

DATE 02.09.2022

REVISIONS

RENDERINGS



Property/Casualty, Workers' Compensation & Health

Budget Forecast

2022 Renewals



Dear Council Members, City Manager and Risk Manager:

This information has been generated to assist your Municipality with projected insurance premiums as you prepare your operating budget for adoption in June 2022. *Your Municipality's individual claims frequency and severity of losses will play a key role in the final equation for your potential increases or decreases of premiums.*

General Observations

These last couple years have been challenging for every organization due to the ongoing COVID-19 pandemic. Optimistically, we are reaching the end of a pandemic and moving into a disease that is endemic within a highly protected society. Most, if not all, establishments are open and have resumed relatively normal operations. That is to say, the public is allowed back in your buildings, you are renting facilities, and conducting routine operations. The challenges have included personnel shortages, supply chain delays, whipsawing rules, and not least, the loss of loved ones. One of the biggest challenges has been hiring and retaining people. Call them personnel, labor, staff, or human resources. But unlike your vehicles, buildings, and equipment, people have minds and they have made them up. They are burned out from the politicized animus in the workplace. They are tired of the long hours, perhaps covering for other people that are out sick or for long-vacant positions you have been unable to fill. They are tired of the public versus their Board or Council, the Board or Council versus your organization's leadership, and the peer-to-peer tension. People are leaving their jobs in droves and organizations are struggling to hire. This is forcing organizations to re-think how they operate and their expectations of their people. Many organizations want to return to Business-as-Usual with all employees in the building and working normal hours. However, many people have not only grown accustomed to the flexibility of working from home but have come to rely on it as daycare is unavailable, schools change schedules and intermittently close, and inflation has driven up all the costs of working including clothing, fuel, insurance, daycare, and vehicles. Your "human resources" have made up their mind and most are saying, "let me continue working flexibly in both time and location or else." And the challenges are not just at the entry and middle levels. We are seeing record leadership departures due to these challenges and conflicts. Certainly, many of your employees must be present to perform hands-on jobs in many of your departments.

The challenges for organizations to recruit and retain talented people stresses your ability for continuity of operations and to be resilient. WHA offers trainings to address the morale in your organization and improve the workplace culture. We encourage your organization to be thoughtful and inclusive in your deliberations of how to balance in-person, hybrid, and remote work options.

Property

This was another record year for insured losses from natural catastrophes. Reaching \$120 billion which was the 4th highest on record. Contributing to this was Hurricane Ida (\$36 bln), Texas Freeze (\$15 bln), and flash floods in Europe (\$13 bln). Additional factors affecting affordability of insurance are inflation, increased claims costs, rising construction costs, tight labor market, and supply chain challenges. The upside of rising interest rates is the ability for insurance carriers to offset these costs with their investments. We strongly recommend including your insurance agent as you plan construction and remodeling projects. We can assist with discussing the effects of location and construction type such as flood and wildfire risks, costs, and benefits of builders' risk coverage, Crime Prevention Through Environmental Design, and Prevention Through Design for safe workplaces.

Cyber

This threat is exponentially growing and affecting any type and all organizations. Public entities are a primary focus of these criminal efforts. Hackers have many paths to disrupt your organization including ransomware, phishing, directed denial of service (DDOS), and so much more. The primary way they gain access is through an employee clicking on a link, opening an infected communication, or otherwise divulging information that compromises your security. Some of the best ways to address this risk are through aggressive prevention measures both with hardware and software as well as with employee training and penetration testing. We strongly recommend enlisting a cyber security firm to conduct a thorough risk assessment and then prioritizing the work and budget to address their recommendations. We see insurance markets declining to offer coverage to Public Entities regardless of their clean loss runs and top-notch practices. Your best practice is to implement prevention strategies.

Liability

Public records requests from citizens have skyrocketed this last year as a political action tool to bully organizations by swamping them with records requests. You have certainly heard of citizens using boilerplate letters to request public officials' bonds information, crime policy information, and more. Rest assured that your insurance pool (CIS, SDIS, and PACE) all include public official coverage in the Crime policy. These groups threaten claims directly to the public official in an effort to get organizations to act contrary to the law in dropping mask and vaccine requirements. This has put many leaders in a tight spot when their Board or Council is directing actions contrary to law. Remember that your organization has some coverage for legal defense related to COVID-19 only when you are in compliance with laws. If your organization is considering making any changes, we strongly recommend you contact your carrier's pre-loss legal counsel as well as your own retained counsel. WHA can discuss how changes affect your coverage.

Auto Physical Damage

Catalytic converter thefts skyrocketed this last year. The State of Oregon's legislature is considering legislation that will make it more challenging for criminals to recycle these items for cash. Criminals have already adapted to stealing components from Air Handling Units on the roofs of buildings. Again, WHA's Public Entities team have experts in Crime Prevention Through Environmental Design that can assist you in reducing your exposure.



Preparedness Breeds Resilience

WHA has one primary message because of all the challenges in Property, Liability, Cyber, and Auto. That is to improve your Resilience. Conduct a thorough Risk Assessment and improve your Resilience through proactive measures. Ensure you can continue operations when an event occurs. Lean on your neighboring and partner organizations such as COGs, ESDs. Consider contracting ahead of time for disaster recovery services to have them available when emergencies occur.

| Property

Early indications suggest that property rates will increase in 2022. We expect to **see property rates to increase 10%**. WHA expects **property values to be trended 10%** due to high real estate normal inflation. It is possible that some high-value properties could see a larger increase as carriers continue to fear catastrophic losses from a single event. This fear was sadly realized in our 2020 wildfires. Our suggestion is to review deductible options that align with your risk appetite. Evaluate the City's Personal Property and Mobile Equipment to reflect new acquisitions and upgrades. It may be actuarially sound next renewal to explore increasing your deductibles, which could balance out or reduce the overall rate increase.

If your City has added any new vehicles or adjusted vehicle values, buildings, equipment, or other property exposures, you will need to take those into account when anticipating premiums for your budgeting purposes.

One of the best actions a policyholder can take to control your rate increases is to prevent and mitigate your property and equipment losses. WHA Risk Management personnel will consult with you to harden your property against wildfires, to deter criminal behavior (CPTED), and to identify the best preventive maintenance practices to prevent water damage and other easily avoidable losses.

| Liability

Liability (Casualty) premiums are based on budgets, payroll, and past losses. Therefore, if the City's budgeted income or payrolls are projected to increase, plan on proportional increases for the premium. Additionally, you may want to budget for a **12% to 15% increase in your general liability rates**. Liability exposures from employee relations and sexual abuse and molestation have drastically increased the costs of this insurance with re-insurers assessing higher premiums to staunch their losses.

If your City has increased Budgeted Personal Services, Budgeted Materials and Supplies, and Budgeted Contingencies, or any other liability exposures, you will need to take those into account when anticipating premiums for your budgeting purposes.



TOTAL PACKAGE INCREASE

After careful consideration and discussions with CIS, we tentatively anticipate a rate increase higher than the one we experienced for the 2021 CIS Package renewal.

Our recommendation is to err on the side of caution and budget for an overall increase of at least 17% to 20% for the CIS package policy. Individual rates will vary.

Workers' Compensation

In September of 2021, Oregon Department of Consumer and Business Services approved 2022 pure rates submitted by NCCI with an average 5.8% reduction from 2021 and **an overall decline of 51% during the 2013-2022 period**. The NCCI's (National Council on Compensation Insurance) pure rate is the starting point for each class code and is multiplied by the carrier's rate load (operating costs) to obtain the cost per \$100 of payroll for each class code. The City's claims for the three full years prior to the most recently completed year are factored into an equation to give an experience modifier based on your claims experience. The **formula used to calculate the experience modifier caps each individual primary loss point at \$18,500 for 2022; the single claim limit remains at \$200,500**. Your experience modifier (1.0 is the average for each industry) further adjusts the premium for the Workers' Compensation coverage.

In the next few months, those Citys that have opted for reimbursement of non-disabling claims will be given the option to pay back small claims, removing them from the experience modifier calculation. Part of our continuing service is to assist your City with the review of those claims and provide you with a Cost Benefit Analysis.

Important Notes for the Coming Year of Workers' Compensation:

- The cents-per-hour assessment for the Workers Benefit Fund will remain at 2.2 cents per hour
- The non-disabling claims reimbursement limit remains at \$2,300
- DCBS Assessment increased to 9.8% effective 1/1/2022. For public-sector self-insured employer groups, the DCBS Assessment is 9.9%
- Effective 1/1/21, new and renewing, qualifying COVID-19 Claims will not be considered in the number of claims in the rating period

Please note Pure Rate changes in the following common Class Codes*:

CODE	Description	'21	'22	% Chg
9102	Park: All Employees - Noc	1.77	1.69	-4.52%
7720	Police Officers & Drivers	1.83	1.58	-13.66%
7520	Waterworks Operations	1.38	1.29	-6.52%
9410	Building Inspectors	0.77	0.72	-6.49%
7539	Electric Power Company: NOC	1.03	0.97	-5.83%

**Please let us know if there are other Class Codes you'd like to see*

| Health Benefits

Over the past year, we have seen an increase in COVID-19 claims across the board. In addition, as services continue to re-open, we have also seen an uptick in elective procedures and dental services. While the industry average is still around 8-10% for Medical and 3-5% for Dental we did have a couple of new legislative changes effective January 1, 2022, that could potentially impact future claims.

One is the No Surprises Act that, as of January 1, 2022, gives consumers new billing protections when getting emergency care, non-emergency care from out-of-network providers at in-network facilities, and air ambulance services from out-of-network providers. Through new rules aimed to protect consumers, excessive out-of-pocket costs are restricted, and emergency services must continue to be covered without any prior authorization, and regardless of whether or not a provider or facility is in-network.

The second is a change to acupuncture and spinal manipulation, moving from a dollar limit to a visit limit. Benefit can vary, but the Benchmark is a 12-visit annual limit for acupuncture and a 20-visit annual limit for spinal manipulation.

Since SDIS is a self-funded program, SDIS will be able to provide a better estimate to the SDIS group at the SDAO conference in February. However, we have heard that claim experience has improved over the past 12 months, so we anticipate the overall increase for 2022 to be lower than 2021.

If you have any question or would like to discuss your specific group, please contact Rich Allm at rallm@whainsurance.com or Kim Nicholsen at knicholsen@whainsurance.com with any benefits questions.

| Bond/Crime Coverage

The City should avoid having more than one carrier for your Bond and/or Crime coverage to avoid potential reduction of coverage. Our recommendation to protect the City is that Blanket Bonds or Crime Coverage should be written to cover full faithful performance of duties for all employees.

The rates with most companies will remain flat from the prior year. Recent claims against public entities suggest the need to evaluate accounting policies and procedures, as well as consider updating the limits to reflect your current exposure. While the State of Oregon's minimum requirement for the smallest City is \$10,000, most Citys should consider a minimum \$100,000 limit. Implementing more non-cost bearing internal controls and security systems is also recommended to reduce potential claims.

| Specialty Markets Builders' Risk, Cyber, Excess Liability, Earthquake & Flood

Specialty markets have been significantly impacted by the events of the last year. Civil unrest, riots, theft, arson, malicious mischief, and vandalism all contribute to increase risk for carriers. New construction projects are an attractive nuisance anytime and even more so now. Expect to see carriers that offer Builders' Risk to increase contingencies (coverage requirements) such as 24-hour surveillance, 100% fenced projects, or onsite physical security. The record-breaking wildfire season in the Northwest in addition to the many other disasters are contributing to very high rates for Builders' Risk coverage. The Special Citys pool continues to be the most competitive option for construction projects valued up to \$2,000,000.

Cyber coverage has been somewhat included by Oregon's pools including Special Cities for PACE and SDIS and CIS for cities and counties. Due to the increased frequency and high cost of claims expect to see these coverages change significantly. None of the pools' coverages are as comprehensive as a stand-alone Cyber policy. However, this has been somewhat mitigated by having the Crime coverage under the same policy. Expect to see continued changes to their cyber coverage. We strongly recommend working with your WHA agent to secure stand-alone comprehensive Cyber coverage.

Excess Liability: A new recommendation from WHA is for our clients to strongly consider purchasing excess liability policies that can provide not just excess coverage but also drop-down coverage that can fill in gaps and add coverage to sublimits in your primary layer of coverage. As the insurance market hardens and carriers add exclusions, raise deductibles, and narrow definitions, an excess policy can fill those gaps and provide excess limits in the event of severe claims.

Earthquake & Flood. The pools limit total coverage under earthquake and flood. WHA recommends working with your agent to identify the most at-risk properties and crafting a plan to protect them. Earthquake and flood policies can be used to cover specific individual properties.

Marketing

WHA monitors carriers and programs in the marketplace to fulfill our duty of due diligence for the most comprehensive coverage and policy forms, competitive premiums, efficient claims adjustors and loss control services. As we work with you, we will continue to approach the general insurance industry to provide a thorough market analysis.

WHA is a full-service safety and risk management insurance agency. Our team is available to aid with your ongoing insurance and risk management efforts. If you have any questions or would like assistance, please contact us at 800-852-6140 or email your question to Jeff Griffin at jgriffin@whainsurance.com, or Nathan Cortez at ncortez@whainsurance.com.

Best Regards,



Jeff Griffin
Chief Executive Officer



WHA Insurance Agency | 2930 Chad Drive, Eugene, OR 97408
whainsurance.com | 541-342-4441

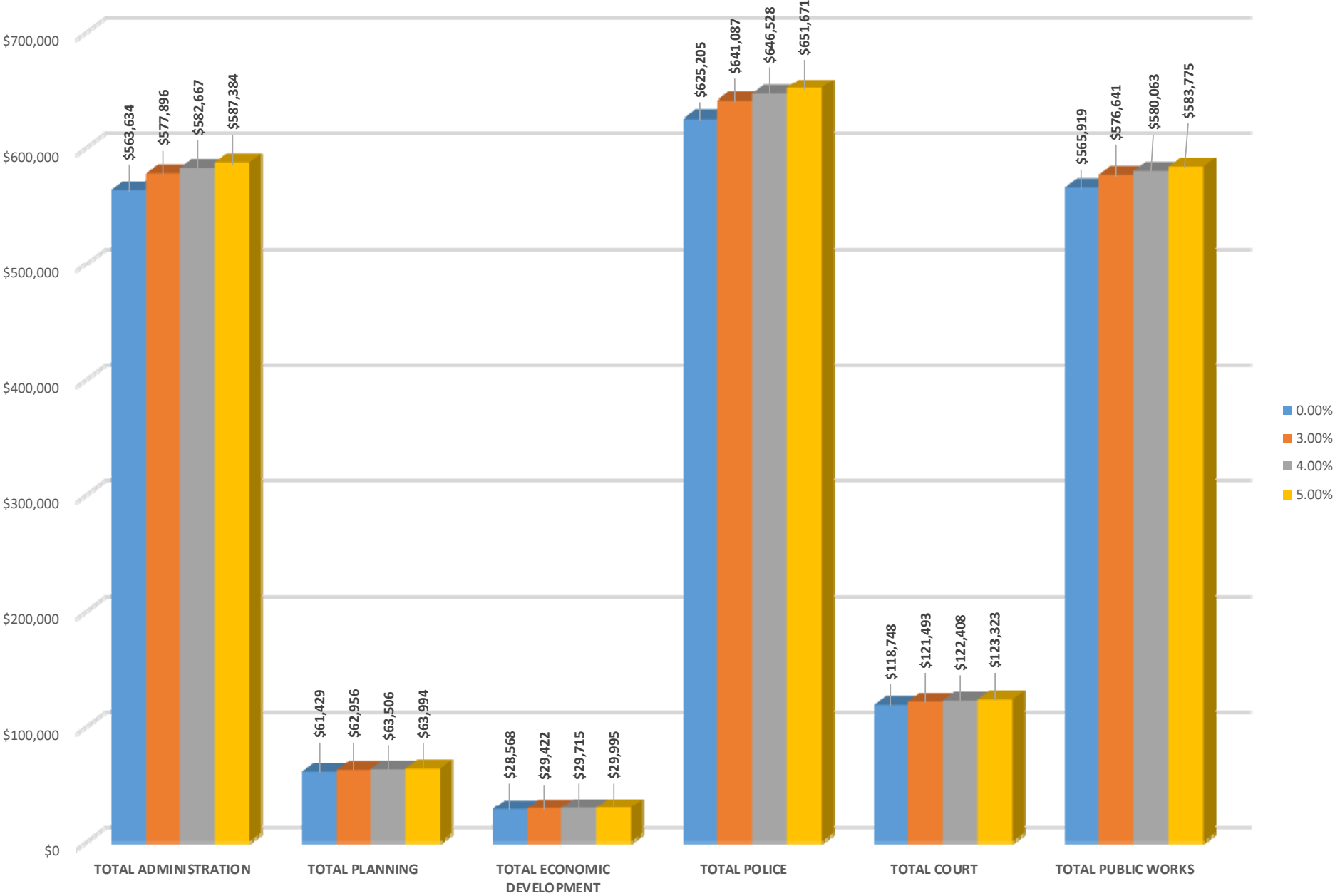
City of Coburg Payroll COLA Options
FY 2022-2023

Department	0.0%	3.0%	Difference 0.0%-3.0%	4.0%	Difference 0.0%-4.0%	5.0%	Difference 0.0%-5.0%
TOTAL ADMINISTRATION	\$563,634	\$577,896	\$14,262	\$582,667	\$19,033	\$587,384	\$23,750
TOTAL PLANNING	\$61,429	\$62,956	\$1,527	\$63,506	\$2,076	\$63,994	\$2,565
TOTAL ECONOMIC DEVELOPMENT	\$28,568	\$29,422	\$854	\$29,715	\$1,146	\$29,995	\$1,427
TOTAL POLICE	\$625,205	\$641,087	\$15,882	\$646,528	\$21,323	\$651,671	\$26,466
TOTAL COURT	\$118,748	\$121,493	\$2,745	\$122,408	\$3,660	\$123,323	\$4,575
TOTAL PUBLIC WORKS	\$565,919	\$576,641	\$10,722	\$580,063	\$14,144	\$583,775	\$17,856
TOTALS	\$1,963,503	\$2,009,496	\$45,992	\$2,024,887	\$61,383	\$2,040,143	\$76,640

City of Coburg Payroll COLA Options FY 2022-2023

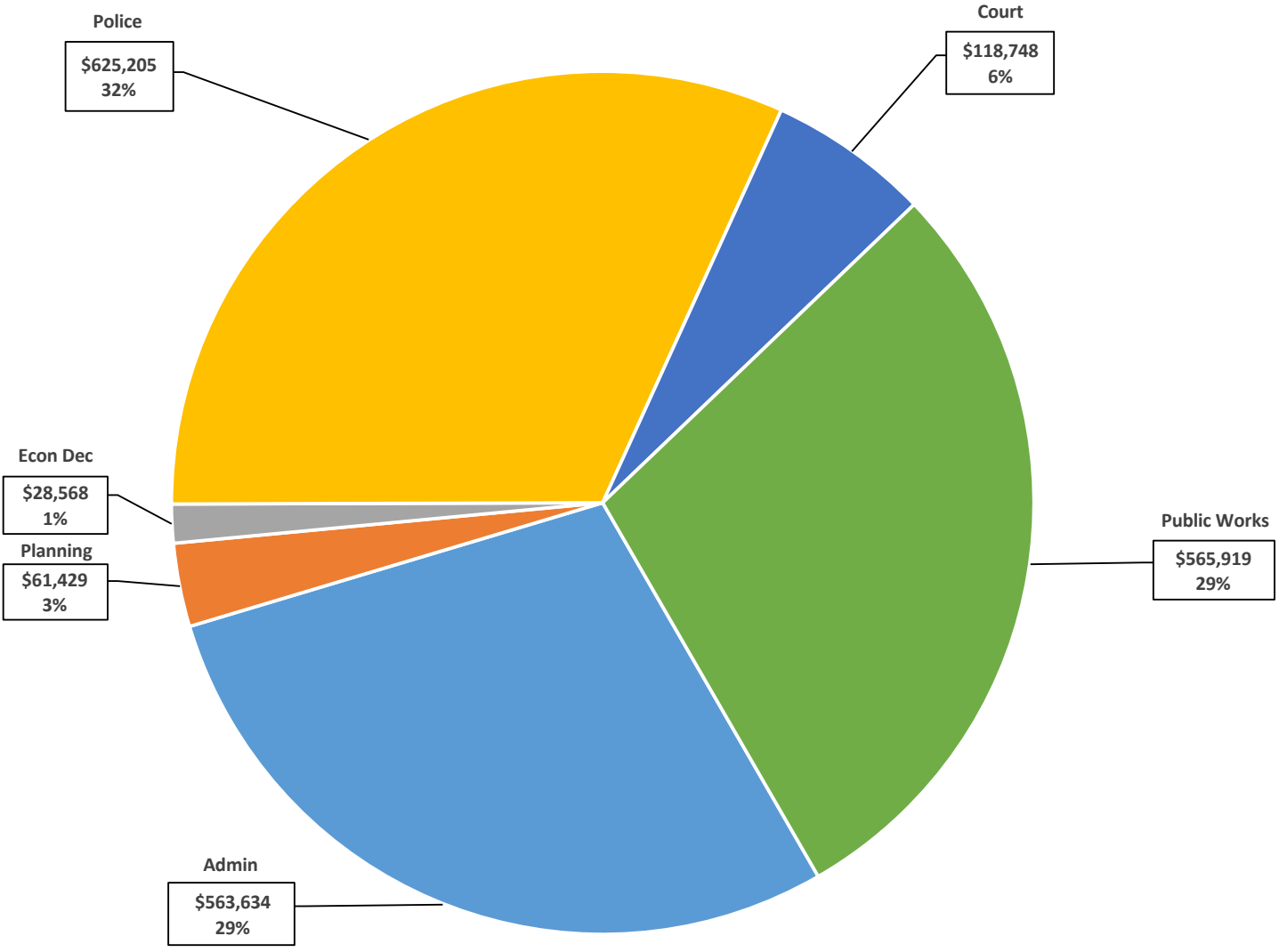
Department	0% Increase	3% Increase	Difference 0.0%-3.0%	4% Increase	Difference 0.0%-4.0%	5% Increase	Difference 0.0%-5.0%
TOTAL ADMINISTRATION	\$563,634	\$577,896	\$14,262	\$582,667	\$19,033	\$587,384	\$23,750
TOTAL PLANNING	\$61,429	\$62,956	\$1,527	\$63,506	\$2,076	\$63,994	\$2,565
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Compare By Department



Payroll Department Percentage 0.0%

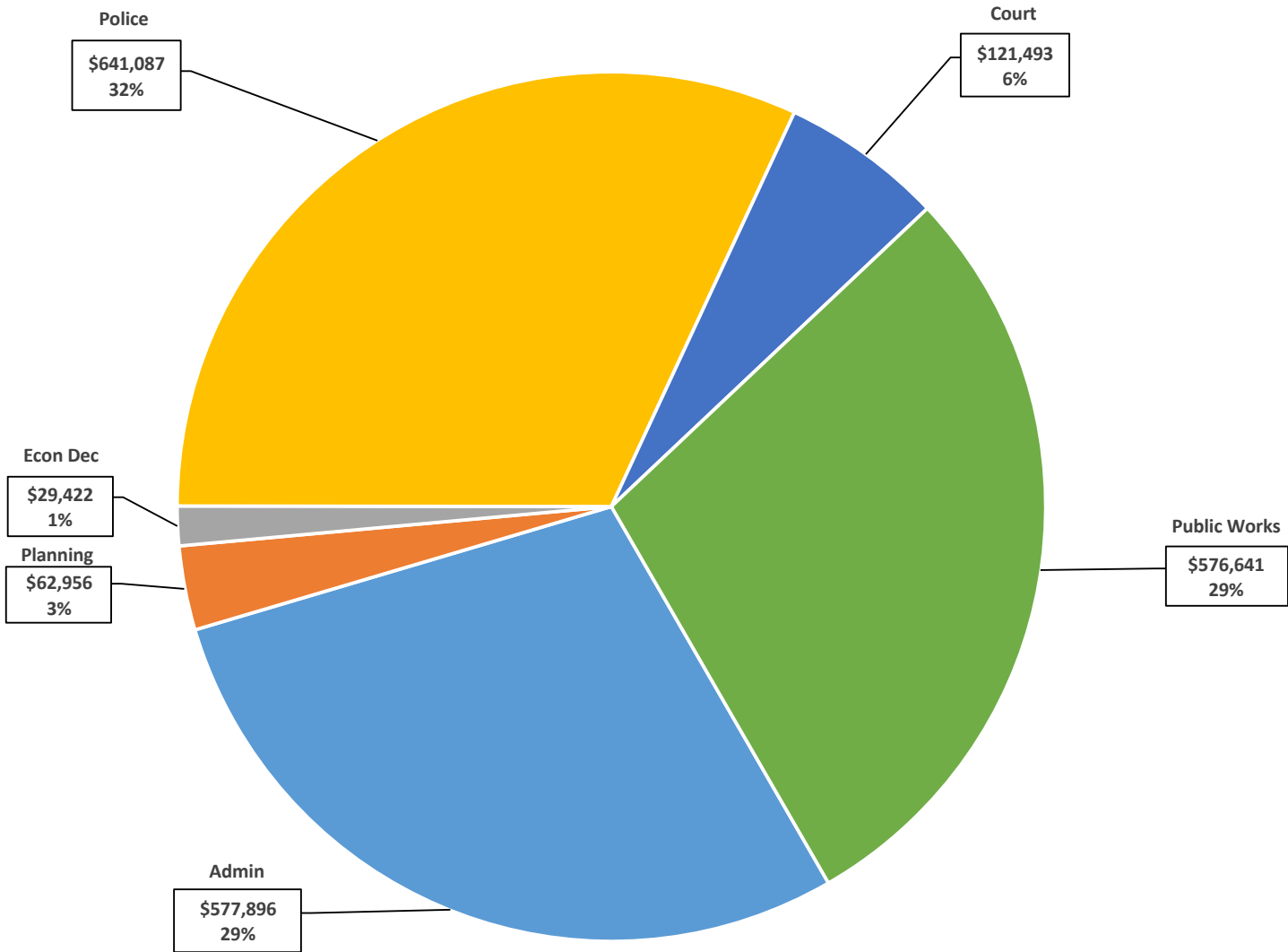
Total Payroll- \$1,963,503



■ TOTAL ADMINISTRATION ■ TOTAL PLANNING ■ TOTAL ECONOMIC DEVELOPMENT ■ TOTAL POLICE ■ TOTAL COURT ■ TOTAL PUBLIC WORKS

Payroll Department Percentage 3.0%

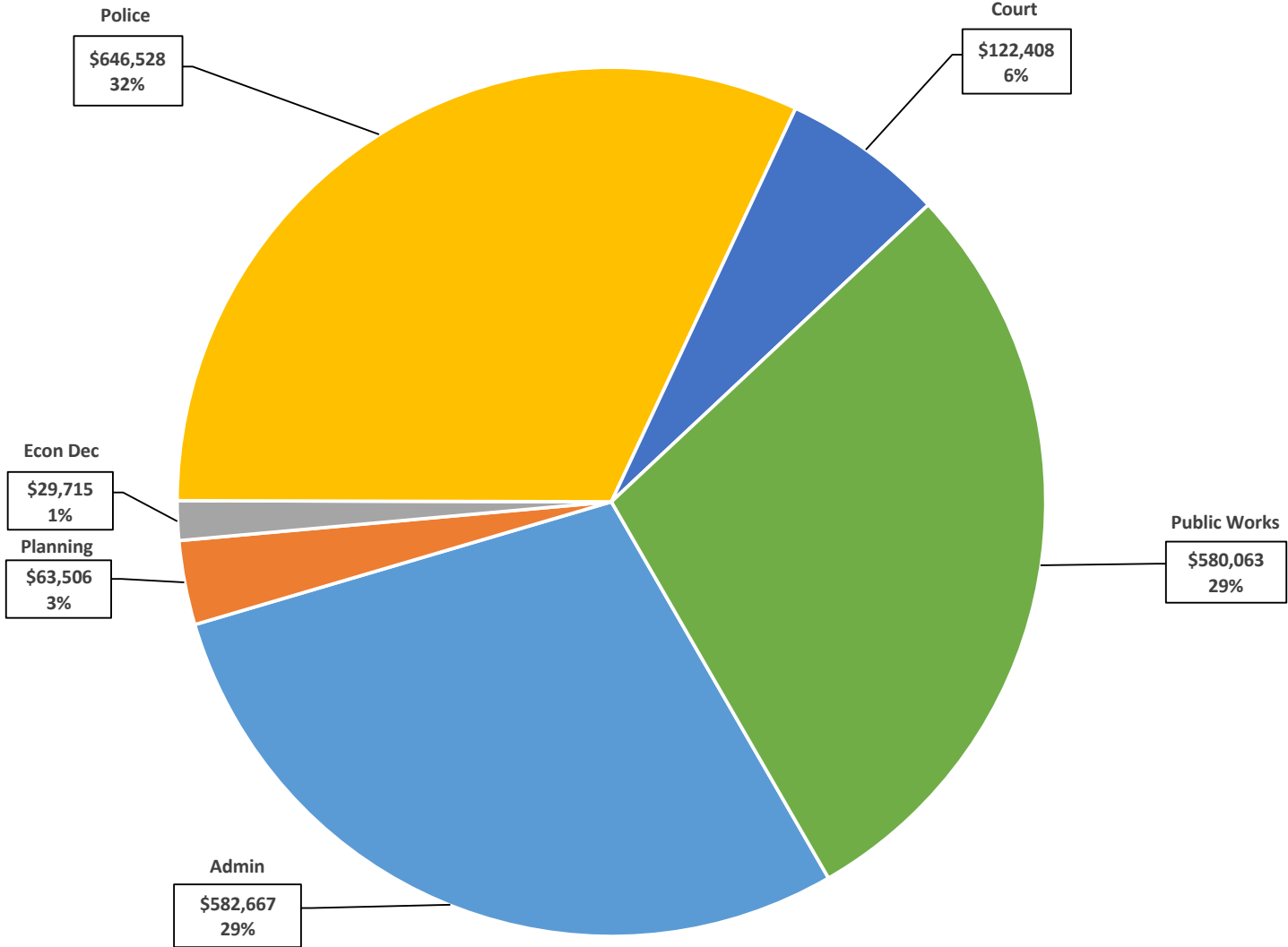
Total Payroll- \$2,009,496



■ TOTAL ADMINISTRATION ■ TOTAL PLANNING ■ TOTAL ECONOMIC DEVELOPMENT ■ TOTAL POLICE ■ TOTAL COURT ■ TOTAL PUBLIC WORKS

Payroll Department Percentage 4.0%

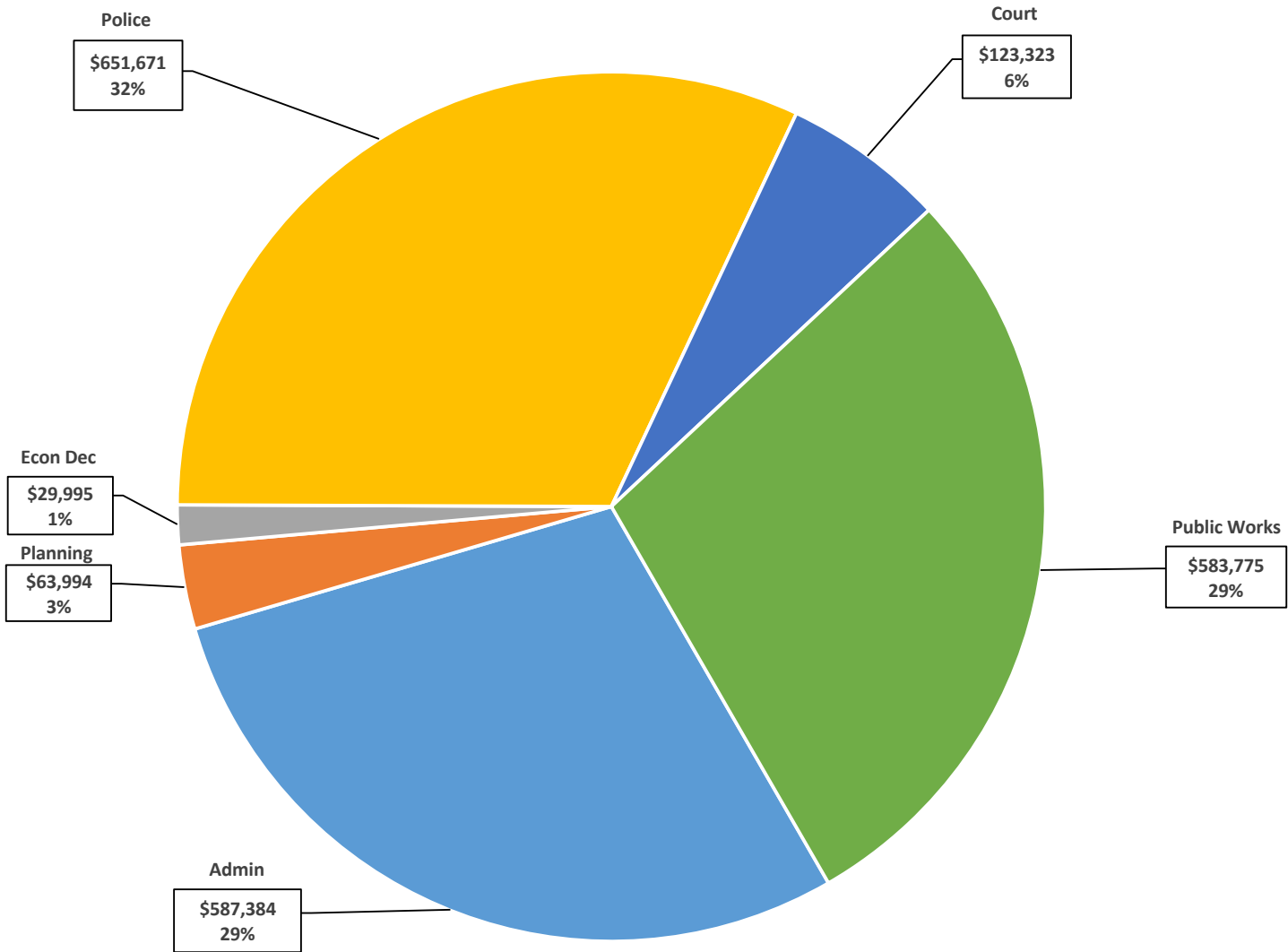
Total Payroll- \$2,024,887



■ TOTAL ADMINISTRATION ■ TOTAL PLANNING ■ TOTAL ECONOMIC DEVELOPMENT ■ TOTAL POLICE ■ TOTAL COURT ■ TOTAL PUBLIC WORKS

Payroll Department Percentage 5.0%

Total Payroll- \$2,040,143



■ TOTAL ADMINISTRATION ■ TOTAL PLANNING ■ TOTAL ECONOMIC DEVELOPMENT ■ TOTAL POLICE ■ TOTAL COURT ■ TOTAL PUBLIC WORKS