



Harrisburg City Council Agenda  
January 09, 2024  
6:30 PM

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Mayor: Robert Duncan  
Council President: Mike Caughey  
Councilors: Kimberly Downey, Robert Boese, Randy Klemm, Charlotte Thomas  
and Cindy Knox  
Meeting Location: Harrisburg Municipal Center Located at 354 Smith St

**PUBLIC NOTICES:**

1. *This meeting is open to the public and will be tape-recorded.*
2. *Copies of the Staff Reports or other written documents relating to each item on the agenda are on file in the office of the City Recorder and are available for public inspection.*
3. *All matters on the Consent Agenda are considered routine and will be enacted by one motion. Any member of the public can request that a matter be removed from the Consent Agenda for discussion. It will then be discussed under the "Other" part of the meeting schedule.*
4. *The City Hall Council Chambers are handicapped accessible. Persons with disabilities wishing accommodations, including assisted listening devices and sign language assistance are requested to contact City Hall at 541-995-6655, at least 48 hours prior to the meeting date. If a meeting is held with less than 48 hours' notice, reasonable effort shall be made to have an interpreter present. The requirement for an interpreter does not apply to an emergency meeting. ORS 192.630(5)*
5. *Persons contacting the City for information requiring accessibility for deaf, hard of hearing, or speech-impaired persons, can use TTY 711; call 1-800-735-1232, or for Spanish voice TTY, call 1-800-735-3896.*
6. *The City of Harrisburg does not discriminate against individuals with disabilities, and is an equal opportunity provider.*
7. *For information regarding items of discussion on this agenda, please contact City Recorder Lori Ross, at 541-995-6655*
8. *Masks are not required currently. The City asks that anyone running a fever, having an active cough or other respiratory issues, not to attend this meeting.*
9. *If you wish to testify, and are unable to attend due to health concerns, please contact the City Recorder to be placed on a Conference Call list during the meeting.*

**CALL TO ORDER AND ROLL CALL** by Mayor, Robert Duncan

**CONCERNED CITIZEN(S) IN THE AUDIENCE.** (Please limit presentation to two minutes per issue.)

**RESOLUTIONS**

- 1. THE MATTER OF INCREASING THE CURRENT SOLID WASTE FRANCHISE RATE FOR REPUBLIC SERVICES, TO REFLECT A 1% INCREASE TO CURRENT RATES, BASED ON THE RATE REFUSE INDEX, BY APPROVING RESOLUTION NO. 1286**

**STAFF REPORT:**

Exhibit A: Resolution No. 1286

**ACTION: MOTION TO APPROVE RESOLUTION NO. 1286, 'A RESOLUTION APPROVING A 1% RATE INCREASE FOR SOLID WASTE MANAGEMENT SERVICES PROVIDED BY REPUBLIC SERVICES'**

**NEW BUSINESS**

- 2. THE MATTER OF UPDATED INFORMATION IN RELATION TO CONTINUING THE WATER BOND PROJECT**

**STAFF REPORT:**

Exhibit A: None

**ACTION: FOR DISCUSSION AND INFORMATION**

- 3. THE MATTER OF REVIEWING KEYWORDS IMPORTANT TO ADVOCACY FOR THE CITY OF HARRISBURG**

**STAFF REPORT:**

Exhibit A: Brownsville Legislative Keywords

**ACTION: FOR DISCUSSION**

- 4. THE MATTER OF APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN HARRISBURG SCHOOL DISTRICT AND THE CITY OF HARRISBURG**

**STAFF REPORT:**

Exhibit A: PROPOSED IGA

**ACTION: MOTION TO APPROVE THE IGA BETWEEN THE HARRISBURG SCHOOL DISTRICT AND THE CITY OF HARRISBURG.**

- 5. THE MATTER OF HOLDING AN EXECUTIVE SESSION UNDER ORS 192.660(1)(2)(H) "TO CONSULT WITH COUNSEL CONCERNING THE LEGAL RIGHTS AND DUTIES OF**

**A PUBLIC BODY WITH REGARD TO CURRENT LITIGATION OR LITIGATION LIKELY TO BE FILED”**

**STAFF REPORT:**

Exhibit A: None

**ACTION: MOTION TO TABLE THE EXECUTIVE SESSION TO THE MEETING OF FEBRUARY 13, 2024.**

**CONSENT LIST:** Consent list materials will be included in the agenda for January 23, 2024

**VERBAL REPORT:** Discussions below should be limited to five minutes of conservation per topic. Topics of interest that require more than five minutes of conversation should be moved to a future meeting where possible.

- **City Attorney Search**
- **Development Code Changes**

**OTHER ITEMS**

**ADJOURN**

Agenda Bill  
**Harrisburg City Council**  
Harrisburg, Oregon

**THE MATTER OF INCREASING THE CURRENT SOLID WASTE FRANCHISE RATE FOR REPUBLIC SERVICES, TO REFLECT A 1% INCREASE TO CURRENT RATES, BASED ON THE RATE REFUSE INDEX, BY APPROVING RESOLUTION NO. 1286**

**STAFF REPORT:**

Exhibit A: Resolution No. 1286

**ACTION: MOTION TO APPROVE RESOLUTION NO. 1286, ‘A RESOLUTION APPROVING A 1% RATE INCREASE FOR SOLID WASTE MANAGEMENT SERVICES PROVIDED BY REPUBLIC SERVICES’**

**THIS AGENDA BILL IS DESTINED FOR:** Agenda – January 9, 2024

<b>BUDGET IMPACT</b>		
<b>COST</b>	<b>BUDGETED?</b>	<b>SOURCE OF FUNDS</b>
N/A	N/A	N/A

**STAFF RECOMMENDATION:**  
**Staff recommends the City Council approve Resolution No. 1286**

**BACKGROUND INFORMATION:**

Republic Services sends information to the City on an annual basis when they anticipate a rate increase in the following calendar year. At the last meeting, the City Council agreed to allow the 1% rate increase, and to have Staff return with the resolution at this meeting.

Proposed rate increases are based on a formula that Republic Services identifies as the annual Refuse Rate Index (RRI). The RRI formula includes the rate as provided in the CPI (Consumer Price Index), along with the CPI rate for low sulfur diesel, and the rate charged by the Coffin Butte Disposal. This year, Republic Services requested a 1% increase for solid waste services, based off of the RRI schedule for 2023. A 1% increase represents an average increase of \$.22 cents - \$.36 cents per month depending upon the customer’s cart size. The table below tracks the increases requested since 2017.

<b>Year of Increase</b>	<b>% of Increase</b>	<b>Description</b>
2017	3.5%	Refuse Rate Index – Resolution No. 1171
2018 (1)	\$2 per month	Recycling Changes – Resolution No. 1187 (May)
2018 (2)	5.7%	Refuse Rate Index – Resolution No. 1205 (Dec)


2019	2.4%	Refuse Rate Index – Resolution No 1222
2020	<i>No Change</i>	<i>Coronavirus Pandemic – No Changes</i>
2021	5.9%	Refuse Rate index – Resolution No. 1262
2022	9% 7.5% Allowed	Refuse Rate Index – Resolution No. 1273
2023	1% - Requested	Refuse Rate Index

According to the Franchise Agreement, in section 20, it notes that the City may approve the rates if they are not unreasonable and are not substantially higher than those charged generally under similar service requirements and for the same and similar quality of service. Section 20 appears in the agenda bill from the last Council meeting.

Republic Services (RS) does provide community services to the City as part of their services offered. A recycle roundup day has been provided on an annual basis for many years, and is almost always held prior to the 4<sup>th</sup> of July. They will continue to do this going forward. The collection of bulky waste (requested by the City) in the 2023 event was expensive, and therefore Republic Services provided several options to the City if they wanted to continue to allow it. Council declined to allow the cost of allowing bulk items or additional garbage collections to be passed onto customers with their rate increase. The likely path forward will involve charging people only if they bring additional garbage, or bulky waste that doesn't fit the description of what is normally accepted at the Recycle Roundup.

Staff would like to thank Republic Services for following up and paying for the 2023 Summer Sounds Sponsorship.

REVIEW AND APPROVAL:

  
 \_\_\_\_\_  
 Michele Eldridge    Date    01.02.24  
 City Administrator

**RESOLUTION NO. 1286**

**A RESOLUTION APPROVING A 1% RATE INCREASE FOR SOLID WASTE MANAGEMENT SERVICES PROVIDED BY REPUBLIC SERVICES**

WHEREAS, Section 20 of Ordinance No. 879 authorizes the City Council to approve by Resolution rate adjustments for solid waste management services; and

WHEREAS, the expenses for the operation of the waste management program for Republic Services have increased this year; and

WHEREAS, the City Council finds the proposed rate adjustment is just, fair, reasonable and sufficient to provide proper waste management service to the public.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Harrisburg, Oregon, that the customer rates for waste management services provided by Republic Services be increased by 1%.

Section 1. Effective Date: This Resolution shall take effect as of this meeting date of January 9, 2024.

PASSED AND ADOPTED by the Harrisburg City Council this 9<sup>th</sup> day of January, 2024.

Approved by the Mayor this 9<sup>th</sup> day of January, 2024.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY RECORDER

Agenda Bill  
**Harrisburg City Council**  
Harrisburg, Oregon

**THE MATTER OF UPDATED INFORMATION IN RELATION TO CONTINUING THE WATER BOND PROJECT**

**STAFF REPORT:**

Exhibit A: None

**ACTION: FOR DISCUSSION AND INFORMATION**

**THIS AGENDA BILL IS DESTINED FOR:** Agenda – January 9, 2024

<b>BUDGET IMPACT</b>		
<b>COST</b>	<b>BUDGETED?</b>	<b>SOURCE OF FUNDS</b>
\$9,555M	\$5.3M \$2.0M \$2,255M	General Obligation Bond HRA Various Options

**STAFF RECOMMENDATION:**

**Staff recommends the City Council participate in the discussion, and ask questions to fully understand where the City is on this important project.**

**BACKGROUND INFORMATION:**

City Staff have been working hard over the last year to determine how the City will move forward with the Water Bond Project. Previously, bids were submitted in Fall 2021, and in late spring 2022. The last bid was \$2.7M over the budget we had originally set. Since then, (not counting projects that were previously completed) the City has done the following:

1. Spent 8 months going through the statutory process in order to utilize the \$2.1 million available in the HRA Fund.
2. Met with Congressional office staff, and the Statewide Regional Solutions Team. (RST).
3. Met with Senator Cedric Hayden and Representative Jami Cate (twice).
4. Attended the Infrastructure Summit in Corvallis with RST members in September.
5. Submitted Capital Funding Requests to the Legislature for the 2023 legislative session; now altering the Water Bond Project capital funding request per Jami Cate’s suggestion for the 2024 short session.
6. Verified that Bond Counsel feels that we are still in an unusual circumstances period, and therefore we are not yet required to use the \$5.3M in bond funds that are in the State Investment Pool.

7. RST and Congressional offices determined between them that the process to obtain a waiver to the Build American, Buy American Act (BABA) was too challenging for the City in order to utilize the parts we have already purchased for the water treatment plants.

After the Infrastructure Summit, Staff spoke with RST and BIZOregon staff members who finally determined that the best option for the City would be to take on additional debt to bridge the funding gap. Because the City is fixing the aesthetic quality of the water system, and doesn't have distribution or health problems with it, grants are generally not going to apply to us. Therefore, one of the cheapest options for the City is to obtain a low-cost loan from the Special Public Works Fund (SPFW). These loans are available through the BizOregon network and are funded by bond dollars issued by the State of Oregon on an annual basis.

The current interest rate for a SPWF loan was just lowered from 4.10% to 3.71% for a 30-year term, and 3.38% for a 20-year term for tax exempt projects. Fees change on a quarterly basis. Rates are checked monthly, so if the City applies for this funding, and the rate goes down, then the City would receive the advantage of the lower rate. If they go up, we would still receive the quarterly rate. The interest rate on a project is actually determined at the time the project is in underwriting, rather than when the application is received. Once the project is slated for the bond bank, they generally issue a lower 'interim' interest rate during construction. When the bonds are sold, the permanent loan rate would be set. We have ten years in which to pay off the loan, or refinance it, and then the permanent loan would kick in. There is a bond issuance fee that would be disclosed during the loan approval process. Our A+ rating will help keep our interest rates and fees lower than what some cities experience.

We have also explored obtaining our own municipal bonds through D.A. Davison, who financed the water bond project for us. We can also obtain more funds through the HRA, as we haven't yet met our maximum indebtedness ceiling. Staff would prefer to keep this option open, as we would prefer to use these funds for the remaining projects in the HRA plan, as well as having them available for Economic Development.

Our Finance Officer has worked through the budget numbers as though we had to obtain a low interest loan, and we are pleased to tell you that we can currently afford the debt payments on a loan, such as one through the SPFW, and will only need to increase the rates by 3% for the next fiscal year. (This includes the projections for both revenue and expenditures in the 2024/2025 fiscal year.)

Unfortunately, the engineer who originally put together the bid documents is no longer employed, and as such, the City now has a different engineer who must now review those documents in their entirety in order to sanction/stamp them. The bid documents will hopefully be sent out sometime this spring. Once the bid is received, we can decide how we will proceed on funding the remaining budget gap. Staff will continue to research, and work to find funding without needing to go into debt, whether that is



through a grant, or if reworking our capital request should get approved during the short session this early spring. Representative Cate is still very enthused by our shovel ready project, and has advised us on how to modify the current request so that it is likely more attractive to other legislators.

REVIEW AND APPROVAL:



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Michele Eldridge 01.03.24  
City Administrator

Agenda Bill  
**Harrisburg City Council**  
Harrisburg, Oregon

**THE MATTER OF REVIEWING KEYWORDS IMPORTANT TO ADVOCACY FOR THE CITY OF HARRISBURG**

**STAFF REPORT:**

Exhibit A:     Brownsville Legislative Keywords

**ACTION:                   FOR DISCUSSION**

**THIS AGENDA BILL IS DESTINED FOR:** Agenda – January 9, 2024

<b>BUDGET IMPACT</b>		
COST	BUDGETED?	SOURCE OF FUNDS
N/A	Yes/No	N/A

**STAFF RECOMMENDATION:**

**Staff recommends Council think about keywords that might represent some of their concerns in relation to legislative bills important to Harrisburg**

**BACKGROUND INFORMATION:**

The City of Harrisburg is one of the founding partners of SMAC, the Small Municipality Advocacy Coalition. Our lobbyist, Sean Tate, has developed software that allows him to sift through hundreds of legislative bills to focus on issues that are of concern to municipalities. Brownsville has a well-fleshed Legislative Advocacy and Policy Committee, that has met and determined many of the issues that they are concerned about.

Harrisburg also has many issues that we care about, not all of them the same as Brownsville. Staff is asking Council to look through these keywords below, and tell her if there words that they'd like to insert, or remove from this to make a good representation for things important to Harrisburg. The keywords should represent both issues that we want to support, as well as those we oppose.

1. TMDL, Mercury, and Temperature
2. Climate Change
3. Public Contracting Laws
4. Municipal Court
5. State of Oregon - Regulatory Oversight
6. Economic Development – Small Business

- 7. Risk Management
- 8. Public Safety
- 9. Local Budget Law – GASB (Further Restrictions)
- 10. Wetlands
- 11. Stormwater Management
- 12. Water
- 13. Sewer
- 14. Tort Limits
- 15. Recreational Immunity
- 16. Frivolous Suits
- 17. Public Meetings Law – Public Disclosure
- 18. Accountability
- 19. Housing Development
- 20. Infrastructure Development
- 21. SDC Limitations

REVIEW AND APPROVAL:



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Michele Eldridge 01.04.24  
City Administrator



# Legislative Advocacy & Policy Committee Recommendations

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Agenda Bill  
**Harrisburg City Council**  
Harrisburg, Oregon

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**THE MATTER OF APPROVING AN INTERGOVERNMENTAL AGREEMENT  
BETWEEN HARRISBURG SCHOOL DISTRICT AND THE CITY OF HARRISBURG  
STAFF REPORT:**

Exhibit A: PROPOSED IGA

**ACTION: MOTION TO APPROVE THE IGA BETWEEN THE  
HARRISBURG SCHOOL DISTRICT AND THE CITY OF HARRISBURG.**

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**THIS AGENDA BILL IS DESTINED FOR:** Agenda – June 9, 2024

<b>BUDGET IMPACT</b>		
COST	BUDGETED?	SOURCE OF FUNDS
N/A	Yes/No	N/A

**STAFF RECOMMENDATION:**  
**Staff recommends the City Council approve the IGA with the Harrisburg School District.**

**BACKGROUND INFORMATION:**

On June 13, 2023, our newest City Council member, Cindy Knox, presented a playground project for the property located between the skateboard park and the tennis/pickle ball/basketball courts. The City of Harrisburg pledged \$15,000 towards the capital campaign, but in order to use public funds for something that isn't owned by the City, a new IGA would need to be put into effect, which would stipulate that the playground and exercise equipment added to this area would need to be open to the general public on days when classes are not in session, after school on regular school days, and on weekends when it's not in use by the school district.

The agreement shown in Exhibit A is similar to the previous one, with one small change added by the school board, under item No. 2.c on the signage. This will allow the Harrisburg School District to add rule changes if they are needed. Because this is their property, Staff didn't feel that this would be a problem, as long as the property remained open for public use of the playground area as agreed to in the IGA.

The community is looking forward to this being a central park area for Harrisburg citizens to use; it will really be something special once the playground equipment is completed, along with the work that the City will be doing to improve S. 6<sup>th</sup> St in this area. The City is also working with the school district as they explore obtaining a SRTS

grant for planning future improvements to the drop off/pick up points at the elementary school. This SRTS grant is potentially different from the City's proposed SRTS Construction Grant. This will be the 3<sup>rd</sup> year of asking for the SRTS grant to improve N. 9<sup>th</sup> St. where there are no sidewalks or bike lanes for children to avoid sharing the roadway with vehicular traffic.

REVIEW AND APPROVAL:



\_\_\_\_\_  
Michele Eldridge 01.03.24  
City Administrator

Intergovernmental Agreement Between  
Harrisburg School District and the City of Harrisburg

WHEREAS, The Harrisburg School District is the owner of real property near the southwest corner of Smith St. and S. 6<sup>th</sup> St., across from Harrisburg Elementary School, and immediately adjacent to the skateboard park; and,

WHEREAS, Harrisburg Citizens plan on raising funds to create a large playground and basic workout equipment in the area located between the refurbished tennis courts/basketball court/pickleball courts, and the City's skateboard park; and

WHEREAS, The Harrisburg City Council wishes to donate funds towards the project, which will result in paid invoices for the project itself, with the understanding that the new playground area and exercise equipment will be available for the general public to use when not in use by the school district.

NOW, THEREFORE, the Harrisburg School District acknowledges that the City of Harrisburg is assisting the developers of the project, and the parties hereto acknowledge and agree as follows:

- 1. The contractors shall take reasonable and prudent precautions to protect children and the public during construction
- 2. Signage shall be posted near the court complex that substantially states:
  - a. The playground and exercise equipment are open to the general public on days when classes are not in session, after 3:45 PM on regular school days, and 15 minutes after school is dismissed on other school days;
  - b. No glass containers shall be allowed.
  - c. Such other rules as the Harrisburg School District determines from time to time as appropriate.
- 3. After improvements are completed by the Citizens working on the project, the Harrisburg School District agrees to maintain future landscaping and equipment maintenance.

Acknowledged and agreed to by:

City of Harrisburg

Harrisburg School District

By \_\_\_\_\_

By  \_\_\_\_\_

Robert Duncan, Mayor

Eric Hill, Chairperson

Date: \_\_\_\_\_

Date: 11-14-2023