



LEBANON CITY COUNCIL EXECUTIVE SESSION AND REGULAR MEETING AGENDA

July 10, 2024 at 5:00 PM

Santiam Travel Station – 750 3rd Street, Lebanon, Oregon

MISSION STATEMENT

The City of Lebanon is dedicated to providing exceptional services and opportunities that enhance the quality of life for present and future members of the community.

Mayor: Kenneth Jackola

Council President Michelle Steinhebel | Councilor Wayne Dykstra | Councilor Carl Mann

Councilor Jeremy Salvage | Councilor Kim Ullfers | Councilor Dave Workman

5:00 PM – CALL TO ORDER EXECUTIVE SESSION

Executive Session as authorized by ORS 192.660 (2) (d) which allows the City Council to meet in Executive Session to conduct deliberations with persons designated by the governing body to carry on labor negotiations; and Executive Session as authorized by ORS 192.660 (2)(e) to conduct deliberations with persons designated by the Council to negotiate real property transactions.

6:00 PM – CITY COUNCIL REGULAR SESSION

CALL TO ORDER / FLAG SALUTE

ROLL CALL

CONSENT CALENDAR

The following item(s) are considered routine and will be enacted by one motion. There will not be a separate discussion of these items unless a Councilor so requests. In this case, the item(s) will be removed from the Consent Calendar and considered separately.

1. **AGENDA:** Lebanon City Council Agenda – July 10, 2024
2. **APPROVAL TO AWARD:** Second/Third Street Alley Sanitary Pipe Lining
3. **BID AUTHORIZATION:** N. Santiam Highway - Waterline Extension
4. **COUNCIL MINUTES:** 2024-06-12 Regular and Executive Session Minutes

PRESENTATION / RECOGNITION

PUBLIC COMMENTS

*Citizens may address the Council by filling out a testimony/comment card prior to speaking and hand it to the City Recorder. Each citizen is provided up to 5 minutes to provide comments to the Council. The Council may take an additional two minutes to ask clarifying questions. The City Recorder will accept and distribute written comments at a speaker's request. Public comments can also be submitted by email to city.recorder@lebanonoregon.gov prior to **5:00 p.m. on July 9, 2024**. The City Recorder will distribute comments to the Mayor and Council prior to the meeting.*

PUBLIC HEARING(S)

- 5.** Public Hearing - Ordinance Bill No. 6 for 2024- Ordinance No. 3022 - A Bill for an Ordinance Amending Title 5, Chapter 5.50 Psilocybin Facilities to the Lebanon Municipal Code

REGULAR SESSION

- 6.** Ratification of Contract between Teamsters and City of Lebanon
- 7.** Transient Lodging Tax Policy Discussion
- 8.** League of Oregon Cities - Legislative Priorities Discussion
- 9. Department Reports:**
Administration
City Recorder
Community Development
Engineering
Finance Department
Human Resources
Information Technology
Library
Police
Public Works
Senior Center/LINX

ITEMS FROM COUNCIL

PUBLIC/PRESS COMMENTS

An opportunity for citizens and the press to comment on items of city business.

NEXT SCHEDULED COUNCIL MEETING(S):

Strategic Planning Session July 22, 2024, 9 AM at Best Western Boulder Falls Inn - 505 Mullins Drive, Lebanon, Oregon 97355

City Council Regular Meeting August 14, 2024, 6 PM at the Santiam Travel Station - 750 3rd Street, Lebanon, Oregon 97355

ADJOURNMENT

INSTRUCTIONS FOR TESTIFYING ON AGENDA AND NON-AGENDA ITEMS:

Everyone is welcome to attend City Council meetings. If you cannot attend, written testimony must be received by noon prior to the meeting via email to city.recorder@lebanonoregon.gov. Persons who desire to access the Zoom meeting to give oral testimony regarding a Public Hearing can contact the City Recorder by email at city.recorder@lebanonoregon.gov by noon prior to the meeting so that the City Recorder can provide instructions.

City Council meetings are recorded and available on the City's YouTube page at:

<https://www.youtube.com/user/CityofLebanonOR/videos>

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to the City Recorder at 541.258.4905.



925 S. Main Street
Lebanon, Oregon 97355
TEL: 541.258.4923
www.lebanonoregon.gov

MEMORANDUM

Engineering Services

To: Mayor Jackola and City Council
From: Ron Whitlatch, Engineering Services Director
Subject: **Approval to Award Project**
Second/Third Street Alley Sanitary Pipe Lining

Date: July 1, 2024

I. INTRODUCTION

The Second/Third Street Alley Sanitary Pipe Lining project was advertised on Friday, May 31, 2024 for bids.

II. CURRENT REPORT

Bids for the project were opened Tuesday, June 25, 2024. There was a total of two bids received; a comparison of the bids with the Engineer's Estimate is presented below.

Company	Bid Amount	Company	Bid Amount
Iron Horse, LLC	\$455,579.00	Insituform Technologies, LLC	\$488,165.00
		Engineer's Estimate	\$542,560.00

The lowest responsive bid was submitted by Iron Horse, LLS from Fairview, Oregon as indicated above. Their bid is approximately 16% lower than the Engineer's Estimate.

III. RECOMMENDATION

This memo requests a City Council motion to award the Second/Third Street Alley Sanitary Pipe Lining Project to Iron Horse, LLC of Fairview, Oregon.



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MEMORANDUM

Engineering Services

To: Mayor Jackola and City Council
From: Ron Whitlatch, Engineering Services Director
Subject: **Approval to Advertise Project for Bids**
N. Santiam Highway – Waterline Extension
Project No. 24703

Date: July 1, 2024

I. INTRODUCTION

As part of the Mill Race Station Development the developer is required to make improvements to Hwy 20. These improvements include widening of the highway to allow for a righthand turn lane at the new intersection of N. Fifth Street, waterline installation, storm drainage improvements, and sidewalks. The improvements also include an asphalt overlay on HWY 20 from the canal bridge (north of the proposed Fifth Street intersection) to Reeves Parkway.

There is approximately 900 feet of waterline along HWY 20 from Reeves Parkway to the southern end of the Mill Race Station Project that is need of replacement. City Staff is proposing to have this section of waterline replaced in conjunction with the Mill Race Station Project. This opportunity will provide a looped water system upon completion of the development.

K&D Engineering is currently completing design for the city. We are estimating the project to cost \$400,000, which will be paid for using water SDC funds (66%) and water utility funds. The water utility funds will be pulled from the Grant Street Waterline Replacement Project which is budgeted for this fiscal year; however, due to the need for a rail crossing permit the project will be pushed to next fiscal year.

II. RECOMMENDATION

I recommend that City Council pass a motion authorizing City staff to advertise the N. Santiam Highway – Waterline Extension Project for bids. Staff will evaluate the bids and bring a recommendation to City Council for Award.



LEBANON CITY COUNCIL EXECUTIVE SESSION AND REGULAR MEETING MINUTES

June 12, 2024 at 5:30 PM

Santiam Travel Station – 750 3rd Street, Lebanon, Oregon

MISSION STATEMENT

The City of Lebanon is dedicated to providing exceptional services and opportunities that enhance the quality of life for present and future members of the community.

Mayor: Kenneth Jackola

Council President Michelle Steinhebel | Councilor Wayne Dykstra | Councilor Carl Mann

Councilor Jeremy Salvage | Councilor Kim Ullfers | Councilor Dave Workman

5:30 PM – CITY COUNCIL EXECUTIVE SESSION

1. Executive Session Announcement:

Per ORS 192.660(2)(e) To conduct deliberations with persons designated by the Council to negotiate real property transactions.

The Executive Session was opened at 5:30 p.m. City Attorney Kennedy read the Executive Session Announcement.

The Executive Session adjourned at 5:45 p.m. There was no official decision made during the Executive Session.

6:00 PM – CITY COUNCIL REGULAR SESSION

CALL TO ORDER / FLAG SALUTE

The meeting was called to order at 6:00 p.m.

ROLL CALL

PRESENT

Mayor Kenneth Jackola
Councilor - Ward 1 Wayne Dykstra
Councilor - Ward 1 Carl Mann
Councilor - Ward 2 Kim Ullfers
Councilor - Ward 2 Dave Workman
Councilor - Ward 3 Jeremy Salvage
Council President - Ward 3 Michelle Steinhebel

STAFF

Interim City Manager Ron Whitlatch
Community and Economic Development Director Kelly Hart
Finance Director Brandon Neish
City Recorder Julie Fisher
Police Chief Frank Stevenson
IT Administrative Assistant Erin Gomez

CONSENT CALENDAR

The following item(s) are considered routine and will be enacted by one motion. There will not be a separate discussion of these items unless a Councilor so requests. In this case, the item(s) will be removed from the Consent Calendar and considered separately.

Motion to approve the Consent Calendar by Councilor - Ward 2 Ullfers, Seconded by Councilor - Ward 3 Salvage.

Voting Yea: Councilor - Ward 1 Dykstra, Councilor - Ward 1 Mann, Councilor - Ward 2 Ullfers, Councilor - Ward 2 Workman, Councilor - Ward 3 Salvage, Council President - Ward 3 Steinhebel

1. **AGENDA:** Lebanon City Council Agenda – June 12, 2024
2. **AGREEMENTS AND CONTRACTS:** *NW Code Professionals LLC
Lebanon Fire District Contract*
3. **APPOINTMENTS:**
 Budget Committee - Shantel Schroeder (appointment) and Tom Wells (reappointment)
 Library Advisory Committee - Dr. Dustin Herb (reappointment) and Denice Lee (reappointment)
 Parks, Trees & Trails Advisory Committee - Rick Barnett (reappointment) and Rod Sell (reappointment)
 Planning Commission - Dave McClain (reappointment) and Michael Miller (reappointment)
4. **BOARD MINUTES:**
 Planning Commission - April 17, 2024
5. **COUNCIL MINUTES:** *May 8, 2024, Executive Session and Regular Meeting*
6. **IRREVOCABLE PETITION:**
 Public Improvements - 985 W. Rose Street
7. **COMMUNITY DEVELOPMENT BLOCK GRANT:** *Resolution No. 2024- 18 - A Resolution to Notify All Citizens that Discrimination is Prohibited by Title VIII of the Federal Fair Housing Amendments Act of 1988.*

PRESENTATION / RECOGNITION

8. Build Lebanon Trails Funding Request

Rod Sells with the Build Lebanon Trails presented the request to Transient Lodge Tax Funds for the completion of the Georgia Pacific trail connector.

PUBLIC COMMENTS

There were no public comments.

PUBLIC HEARING(S)

9. Public Hearing - Ordinance Bill No. 2024-05, Ordinance No. 3021 - A Bill for an Ordinance Annexing and Zoning Property Following Consent Filed with the City Council by Landowners in Said Area Pursuant to ORS 222.120 And ORS 222.170 File A21-01 Josh Mitchell

The Public Hearing was opened at 6:04 p.m.

The Mayor asked of each Councilor if there was any ex parte' contact, conflict, or bias; there was none.

The Mayor asked if any member of the audience objected to the notice that was sent in this case or to the jurisdiction of this body to hear and consider this case; there was none.

The Community Development Director Hart presented the staff report which included the criteria to be considered. The Planning Commission has recommended approval.

There were no questions of staff.

The Mayor opened the hearing for Public Comment; there was none.

The Public Hearing was closed at 6:08 p.m.

The City Attorney read the title of Ordinance Bill No. 2024-05, Ordinance No. 3021 - A Bill for an Ordinance Annexing and Zoning Property Following Consent Filed with the City Council by Landowners in Said Area Pursuant to ORS 222.120 And ORS 222.170 File A21-01 Josh Mitchell.

Motion to approve Ordinance Bill No. 2024-05, Ordinance No. 3021 - A Bill for an Ordinance Annexing and Zoning Property Following Consent Filed with the City Council by Landowners in Said Area Pursuant to ORS 222.120 And ORS 222.170 File A21-01 Josh Mitchell by Councilor - Ward 2 Workman, Seconded by Council President - Ward 3 Steinhebel.

Voting Yea: Councilor - Ward 1 Dykstra, Councilor - Ward 1 Mann, Councilor - Ward 2 Ullfers, Councilor - Ward 2 Workman, Councilor - Ward 3 Salvage, Council President - Ward 3 Steinhebel

10. Public Hearing - Resolution No. 2024 -10, A Resolution of the City of Lebanon Referring to the Voters a Measure Proposing a Prohibition on Psilocybin Related Businesses and Adopting a Ballot Title and Explanatory Statement

The Public Hearing was opened at 6:09 p.m.

City Attorney Kennedy present the staff report explaining the changes to the Explanatory Statement to include additional information and give uniformity to the messaging on both Fluoride and Psilocybin information.

There were no questions of staff.

The Mayor opened the hearing to Public Comment; there was none.

The Public Hearing was closed at 6:10 p.m.

The City Attorney read the title of Resolution No. 2024 -10, A Resolution of the City of Lebanon Referring to the Voters a Measure Proposing a Prohibition on Psilocybin Related Businesses and Adopting a Ballot Title and Explanatory Statement

Motion to approve Resolution No. 2024 -10, A Resolution of the City of Lebanon Referring to the Voters a Measure Proposing a Prohibition on Psilocybin Related Businesses and Adopting a Ballot Title and Explanatory Statement by Councilor - Ward 2 Ullfers, Seconded by Councilor - Ward 1 Dykstra.

Voting Yea: Councilor - Ward 1 Dykstra, Councilor - Ward 1 Mann, Councilor - Ward 2 Ullfers, Councilor - Ward 2 Workman, Councilor - Ward 3 Salvage, Council President - Ward 3 Steinhebel

11. Public Hearing - Resolution No 2024-12, A Resolution Certifying Its Eligibility and Declaring the City of Lebanon's Election to Receive State Revenues.

The Public Hearing opened at 6:11 p.m.

Finance Director Neish presented the staff report and explained the State Shared Revenues. The State Shared Revenue Report from the League of Oregon Cities was reviewed.

There was a question on why a city wouldn't want to accept the State Shared Revenues.

The Mayor opened the hearing for Public Comment, there was none.

The Public Hearing was closed at 6:14 p.m.

The City Attorney read the title of Resolution No 2024-12, A Resolution Certifying Its Eligibility and Declaring the City of Lebanon's Election to Receive State Revenues.

Motion to approve Resolution No 2024-12, A Resolution Certifying Its Eligibility and Declaring the City of Lebanon's Election to Receive State Revenues by Councilor - Ward 3 Salvage, Seconded by Councilor - Ward 2 Ullfers.

Voting Yea: Councilor - Ward 1 Dykstra, Councilor - Ward 1 Mann, Councilor - Ward 2

Ullfers, Councilor - Ward 2 Workman, Councilor - Ward 3 Salvage, Council President - Ward 3 Steinhebel

12. Public Hearing - Resolution No. 2024-13 - A Resolution Certifying the City Complies with Sections of ORS 475 C Related to Marijuana Sales Inside City Limits

The Public Hearing opened at 6:15 p.m.

Finance Director Neish presented the staff report.

There was a question on how many marijuana retail stores could be within the City. Staff reported zoning and code requirements would be the only limitations.

The Mayor opened the hearing for Public Comment, there was none.

The Public Hearing was closed at 6:17 p.m.

City Attorney Kennedy read the title of Resolution No. 2024-13 - A Resolution Certifying the City Complies with Sections of ORS 475 C Related to Marijuana Sales Inside City Limits.

Motion to approve Resolution No. 2024-13 - A Resolution Certifying the City Complies with Sections of ORS 475 C Related to Marijuana Sales Inside City Limits by Councilor - Ward 2 Ullfers, Seconded by Councilor - Ward 1 Mann.

Voting Yea: Councilor - Ward 1 Dykstra, Councilor - Ward 1 Mann, Councilor - Ward 2 Ullfers, Councilor - Ward 2 Workman, Councilor - Ward 3 Salvage, Council President - Ward 3 Steinhebel

13. Public Hearing - Resolution No. 2024-14 - A Resolution Adopting the City of Lebanon's Budget and Making Appropriations for Fiscal Year 2024-2025. Resolution No. 2024-15 - A Resolution Levying Taxes for the City of Lebanon's Budget for Fiscal Year 2024-2025.

The Public Hearing opened at 6:18 p.m.

Finance Director Neish presented the staff report. The Budget Committee met during three separate public meetings to discuss the proposed budget. The Budget Committee approved the Budget on April 30th. Finance Director asked for adjustments in Engineering, Streets, Capital Projects, and Transfers Out. The total budget for 2024-25 is \$66,722,992.

There were no questions of staff.

The Mayor opened the hearing for Public Comment, there was none.

The Public Hearing was closed at 6:22 p.m.

City Attorney Kennedy read the title of Resolution No. 2024-14 - A Resolution Adopting the City of Lebanon's Budget and Making Appropriations for Fiscal Year 2024-2025.

Motion to approve Resolution No. 2024-14 - A Resolution Adopting the City of Lebanon's Budget and Making Appropriations for Fiscal Year 2024-2025. Resolution No. 2024-15 - A Resolution Levying Taxes for the City of Lebanon's Budget for Fiscal Year 2024-2025 by Councilor - Ward 3 Salvage, Seconded by Councilor - Ward 2 Workman.

Voting Yea: Councilor - Ward 1 Dykstra, Councilor - Ward 1 Mann, Councilor - Ward 2 Ullfers, Councilor - Ward 2 Workman, Councilor - Ward 3 Salvage, Council President - Ward 3 Steinhebel

The Public Hearing was reopened for public comment on Resolution No. 2024-15 - A Resolution Levying Taxes for the City of Lebanon's Budget for Fiscal Year 2024-2025. There was none. The City Attorney read the title of the resolution.

Motion to approve Resolution No. 2024-15 - A Resolution Levying Taxes for the City of Lebanon's Budget for Fiscal Year 2024-2025. by Councilor - Ward 3 Salvage, Seconded by Councilor - Ward 2 Workman.

Voting Yea: Councilor - Ward 1 Dykstra, Councilor - Ward 1 Mann, Councilor - Ward 2 Ullfers, Councilor - Ward 2 Workman, Councilor - Ward 3 Salvage, Council President - Ward 3 Steinhebel

14. Public Hearing - Resolution No. 2024-19 - A Resolution Amending Fees and Charges for City Services and Repealing Exhibit A "Fee Schedule" of Resolution No. 2022-18.

The Public Hearing opened at 6:25 p.m.

Finance Director Neish presented the staff report and reviewed all proposed changes. It was explained the City is not for profit and the fees are structured to cover the cost of the service. There was a question regarding what a Street Moratorium Service Fee and Reinspection Fee was.

The Mayor opened the hearing for Public Comment, Sean Eaton spoke regarding the Reinspection Fee and was in support of the fee.

The Public Hearing was closed at 6:31 p.m.

City Attorney Kennedy read the title of Resolution No. 2024-19 - A Resolution Amending Fees and Charges for City Services and Repealing Exhibit A "Fee Schedule" of Resolution No. 2022-18.

Motion to approve Resolution No. 2024-19 - A Resolution Amending Fees and Charges for City Services and Repealing Exhibit A "Fee Schedule" of Resolution No. 2022-18 by Councilor - Ward 1 Mann, Seconded by Councilor - Ward 2 Workman.

Voting Yea: Councilor - Ward 1 Dykstra, Councilor - Ward 1 Mann, Councilor - Ward 2 Ullfers, Councilor - Ward 2 Workman, Councilor - Ward 3 Salvage, Council President - Ward 3 Steinhebel

15. *Temporarily adjourn as the Lebanon City Council and convene as the Urban Renewal Agency Committee*

Public Hearing - Resolution No. 2024- 16 - A Resolution Adopting the Lebanon Urban Renewal Agency's Budget and Making Appropriations for Fiscal Year 2024-2025. Resolution No. 2024-17 A Resolution Levying Taxes for the Lebanon Urban Renewal Agency's Budget for Fiscal Year 2024-2025.

The public hearing opened at 6:33 p.m.

Finance Director Neish presented the staff report. Total Appropriations for 2024-25 is \$2,839,366.

There were no questions of staff.

The Mayor opened the hearing for Public Comment, there was none.

The Public Hearing was closed at 6:36 p.m.

City Attorney Kennedy read the title of Resolution No. 2024- 16 - A Resolution Adopting the Lebanon Urban Renewal Agency's Budget and Making Appropriations for Fiscal Year 2024-2025. City Attorney Kennedy also read by title only Resolution No. 2024-17 A Resolution Levying Taxes for the Lebanon Urban Renewal Agency's Budget for Fiscal Year 2024-2025.

Motion to approve Resolution No. 2024- 16 - A Resolution Adopting the Lebanon Urban Renewal Agency's Budget and Making Appropriations for Fiscal Year 2024-2025 by Councilor - Ward 2 Ullfers, Seconded by Councilor - Ward 3 Salvage.

Voting Yea: Councilor - Ward 1 Dykstra, Councilor - Ward 1 Mann, Councilor - Ward 2 Ullfers, Councilor - Ward 2 Workman, Councilor - Ward 3 Salvage, Council President - Ward 3 Steinhebel

Motion to approve Resolution No. 2024-17 A Resolution Levying Taxes for the Lebanon Urban Renewal Agency's Budget for Fiscal Year 2024-2025 by Council President - Ward 3 Steinhebel, Seconded by Councilor - Ward 1 Dykstra.

Voting Yea: Councilor - Ward 1 Dykstra, Councilor - Ward 1 Mann, Councilor - Ward 2 Ullfers, Councilor - Ward 2 Workman, Councilor - Ward 3 Salvage, Council President - Ward 3 Steinhebel

REGULAR SESSION

16. Resolution No. 2024-20 - A Resolution Authorizing a Transfer of Appropriations for the Lebanon Urban Renewal Agency 2023-2024 Budget.

Adjourn as the Urban Renewal Agency Committee and reconvene as the Lebanon City Council.

Finance Director Neish presented the staff report. There is one adjustment to the Mill Race Urban Renewal District due to an increase in assessed value for property within the URD. Staff is requesting an adjustment from the contingency line to comply with ORS 294.456(6).

There were no questions of staff.

**Motion to approve Resolution No. 2024-20 - A Resolution Authorizing a Transfer of Appropriations for the Lebanon Urban Renewal Agency 2023-2024 Budget by Councilor - Ward 3 Salvage, Seconded by Councilor - Ward 2 Ullfers.
Voting Yea: Councilor - Ward 1 Dykstra, Councilor - Ward 1 Mann, Councilor - Ward 2 Ullfers, Councilor - Ward 2 Workman, Councilor - Ward 3 Salvage, Council President - Ward 3 Steinhebel**

17. Resolution No. 2024-21 - A Resolution Authorizing a Transfer of Appropriations for the City of Lebanon 2023-2024 Budget.

Finance Director Neish presented the staff report and requested the following adjustments; to the finance budget in the General Fund to cover additional costs associated with appeals and the contract for the defense attorney, and in the Water and Wastewater funds to cover additional health reimbursement account expenditures incurred.

There were no questions of staff.

**Motion to approve Resolution No. 2024-21 - A Resolution Authorizing a Transfer of Appropriations for the City of Lebanon 2023-2024 Budget by Councilor - Ward 1 Mann, Seconded by Councilor - Ward 3 Salvage.
Voting Yea: Councilor - Ward 1 Dykstra, Councilor - Ward 1 Mann, Councilor - Ward 2 Ullfers, Councilor - Ward 2 Workman, Councilor - Ward 3 Salvage**

18. Build Lebanon Trails Request for Transient Lodge Tax Funds

Interim City Manager Ron Whitlatch introduced the request for Build Lebanon Trails to receive Transient Lodge Tax Funds which are designated for tourism purposes. The Council consensus was that the trails do have an impact on tourism and impact tourist activities and the request was determined to be in compliance with ORS 320.

**Motion to approve \$23,500 to Build Lebanon Trails for the construction costs related to the Georgia Pacific Mill Race Trail by Councilor - Ward 2 Workman, Seconded by Councilor - Ward 3 Salvage.
Voting Yea: Councilor - Ward 1 Dykstra, Councilor - Ward 1 Mann, Councilor - Ward 2 Ullfers, Councilor - Ward 2 Workman, Councilor - Ward 3 Salvage, Council President - Ward 3 Steinhebel**

Councilor Steinhebel expressed concerns on staff availability once the trails are built and maintenance becomes the responsibility of the city as it adds additional responsibilities to an already short staff.

19. Gill's Landing Trail Award

Interim City Manager Whitlatch presented the request for the Gill's Landing Trail Award. Six bids were received. Santiam Canyon Excavating was the lowest bid. The City Attorney reviewed the proposal.

Motion made to approve the Gill's Landing Trail Award by Councilor - Ward 3 Salvage, Seconded by Councilor - Ward 2 Workman.

Voting Yea: Councilor - Ward 1 Dykstra, Councilor - Ward 1 Mann, Councilor - Ward 2 Ullfers, Councilor - Ward 2 Workman, Councilor - Ward 3 Salvage, Council President - Ward 3 Steinhebel

20. Department Reports:

Written reports were submitted in the packet from each department.

Interim City Manager Ron Whitlatch gave an update on Airport Road traffic signal.

There was discussion on the Elmore parking concern. Discussion ensued on removing parking from the south side of the street. A Traffic Study was completed, and those findings reported to Council. Surrounding Property Owner and residents will be notified of the process moving forward.

A reminder of the Strategic Planning Session on July 22 at Boulder Falls was giving to the Council.

A Work Session will be held in August on Utility Service Fees.

Community and Economic Development Director Hart, Consultant Shawn Tate, Interim City Manager Ron Whitlatch, and Representative's from Lori Chavez DeRemer's office visited the Wastewater Treatment Plant to explore possible funding options. Mayor added the City will more aggressively seek every asset and be sure we have a voice at the table for policy making decisions that impact Lebanon.

ITEMS FROM COUNCIL

Councilor Steinhebel reported on the Strawberry Festival and acknowledged the many volunteers and staff that make it a success.

PUBLIC/PRESS COMMENTS

Connie Strupund asked if there were any plans for a bottle drop in Lebanon. Staff responded that they had reached out before but can reach out again. Ms. Strupund also questioned the plans for a roundabout on Cascade Drive as identified in the TSP.

**NEXT SCHEDULED COUNCIL MEETING(S): July 10, 2024 Regular Meeting
July 22, 2024 Strategic Planning Session**

ADJOURNMENT

The meeting adjourned at 7:06 p.m.

Kenneth E. Jackola, Mayor



Michelle Steinhebel, Council President



Attested:

Julie Fisher, City Recorder



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Lebanon, Oregon 97355

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MEMORANDUM

Community Development

To: Mayor Jackola and City Council Date: June 28, 2024
From: Kelly Hart, Community Development Director
Subject: Psilocybin Time, Place, Manner Ordinance (if voters authorize psilocybin)

I. INTRODUCTION

At the December 2023 City Council meeting, the Council directed staff to prepare a ballot measure for the November 2024 election to ask voters whether to prohibit psilocybin manufacturing and service centers in the City. Staff was also directed to draft a time, place, and manner ordinance to have in place if the voters chose to authorize the facilities.

The City Council approved the ballot measure materials at the June 2024 meeting. Staff has researched other municipal organizations that permit psilocybin facilities to identify best practices in developing the proposed ordinance. Ten cities were reviewed: Medford, Ashland, Beaverton, Bend, Albany, Hood River, Salem, Portland, Corvallis, and Eugene. Eight of the ten cities have chosen not to adopt a specific time, place, and manner ordinance, instead deferring to the Oregon Administrative Rules (OARs) developed for psilocybin service centers and manufacturers. Of the two ordinances reviewed for Medford and Corvallis, the City of Corvallis ordinance provided the best framework to address the sample regulations previously discussed with the Council and was used as the basis for the proposed ordinance.

II. CURRENT REPORT

The Oregon Administrative Rules establish the majority of the regulatory framework for psilocybin facilities. Attached for reference are the staff reports from the previous work session that summarize the state framework. For a Lebanon specific regulations, below is a summary of the proposed significant TPM components:

- Time Restrictions:
 - Psilocybin Service Centers may operate between the hours of 6 a.m. through 11:59 p.m. daily, with the last appointment scheduled for 8 p.m.
- Place Restrictions:
 - Service Center authorized zones (all other zones prohibited):
 - Highway Commercial (Z-HCM)
 - Mixed Use (Z-MU)
 - Manufacturing facilities authorized zones (all other zones prohibited):
 - Industrial (Z-IND)
 - Siting of Service Centers (separation requirements in addition to state law):
 - Prohibited within 300 feet of a property line of a City park

- Prohibited within 1,000 feet of the property line of another psilocybin treatment service center.
- Manner Restrictions:
 - All employees must be twenty-one (21) years of age to work in a service center or manufacturing facility.
 - Service center clients must be released into the care of a sober adult, unless the client is not exhibiting signs of intoxication.

In consultation with the police department, this ordinance does not propose to require any additional local licensing. As part of the State permit process, the business owner and all employees undergo a background check, and the Oregon Health Authority application procedures ensure the OARs are met in terms of siting requirements, education and training, background clearance, security measures, and internal tenant improvements to meet code. Through the State permitting, the City will be notified of the permit application through the Land Use Compatibility Statement (LUCS) process. This will allow the City to verify the proposed location meets the City's additional siting criteria, and the LUCS process allows the City to provide the State with conditions of operations for the business. Based on the robust OARs, with background checks already in place, a local license process may be redundant.

As this use would only be permissible in the City by the choice of the voters, staff is not proposing a land use permit or hearing procedure process. With the OARs and the additional TPM restrictions, the potential impacts of the uses are anticipated to be appropriately mitigated. The proposed time, place, and manner regulations are proposed to be incorporated as business regulations in Title 5 (Business License and Regulations) of the Municipal Code. The City's ordinance may be amended to require a more stringent local permitting requirement or establish land use regulations in the Development Code if deemed appropriate based on further analysis.

III. RECOMMENDED ACTION

Adopt the proposed ordinance, which will only take effect upon certification of the election results with voter approval of psilocybin service centers and manufacturing facilities in the city as determined at the general election on November 5, 2024.

ATTACHMENTS:

1. October 2023 Work Session Staff Report
2. December 2023 Council Meeting Staff Report
3. Proposed Ordinance



925 S. Main Street
Lebanon, Oregon 97355

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www.ci.lebanon.or.us

MEMORANDUM

Community Development

To: Mayor Jackola and City Council
From: Kelly Hart, Community Development Director
Subject: Psilocybin Follow-up Discussion

Date: November 28, 2023

I. INTRODUCTION

In October 2023, a work session was held with the City Council to review the Oregon Health Authority regulatory framework for the permitting and operation of psilocybin facilities. Throughout the work session, a number of questions were posed requiring follow-up, as well as a request to see a map of “exclusion areas” per State regulations. At the conclusion of the work session, Council directed staff to prepare the necessary materials to forward an opt-out/prohibition ballot measure to the voters, and develop a time, place, and manner ordinance in the circumstance the voters choose to authorize psilocybin facilities.

The purpose of this agenda report is to provide additional information based on the outstanding questions, provide the requested maps, and identify a general framework for the time, place, and manner (TPM) ordinance.

II. CURRENT REPORT

Additional research has been conducted to address the outstanding questions posed by the City Council at the work session. Below includes the documented questions, and responses:

1. What does 200 grams of psilocybin analyte look like?

Based on research, one gram of dried mushroom contains approximately 10 milligrams (mg) of psilocybin. There are 200,000 mg in 200 grams of dried mushrooms, which is the equivalent of 1,600 cups of dried mushrooms. As a visual representation this would be approximately a 10 x 10 grid of one gallon milk jugs, or a 5ft x 5ft x 1ft cube.

2. What is a standard dose of psilocybin?

Per Oregon Administrative Rules (OARs), a maximum allowed dose per session (including initial and secondary if requested as part of the same session) is 50 mgs. The minimum duration of administration sessions is determined based on the dosing:

- Clients consuming less than 2.5 mg of analyte – minimum duration of 1 hour
- 2.5-5 mg – 1 hour
- 5-10 mg – 2 hours
- 10-25 mg – 4 hours
- 25-35 mg – 5 hours
- 35-50 mg – 6 hours

3. What is the cost for psilocybin and administration sessions?

The cost of the psilocybin product is set by the manufacturers, plus a 15% State tax. The cost for administration services is set by each individual service center or facilitator (if an independent contractor). Below is an example of pricing structures from four service centers:

- Inner Trek – Portland
 - \$850 for group administration session
 - \$1,500 for individual administration session
 - Scholarships/Financial Assistance available on a limited basis
 - <https://www.instagram.com/reel/C0K28ybN2p8/?igshid=MzRIODBiNWFIZA%3D%3D> (Instagram video from the Oregonian to show the interior of a facility)
- Omnia Group – Ashland
 - \$900 room rental + \$5.50/mg of psilocybin + 15% tax, plus facilitator fee (\$1,000 - \$2,500)
 - Starting price – approximately \$2,000 per session
- EPIC Healing – Eugene
 - Facilitator cost ranges from \$1,600 – \$2,800
 - Psilocybin product cost (all in, including manufacturer cost, facility cost, and tax) – 10mg-\$172.50, 15mg-\$258.75, 20mg-\$345.00, 25mg-\$431.25, 30mg-\$517.50, 35mg-\$603.75
- Inner Guidance Services – Albany
 - Facilitation sessions range from \$999 - \$2,200 based on dose administered and duration of scheduled session
 - Psilocybin product cost – 10mg-\$57.86, 25mg-\$179.69
 - Scholarships/Financial Assistance available on a limited basis

4. How is the 15% tax on psilocybin allocated?

The entirety of the 15% tax is remitted to the State. Per the ORS, the “15% tax is administered to “further the purposes of (a) providing the [Oregon Health] authority with moneys sufficient to administer and enforce the psilocybin program, (b) not providing the authority with moneys that exceed, together with fees collected under ORS 475A.210-722, the cost of administering and enforcing.”

5. What are the restrictions for people eligible to use psilocybin?

Psilocybin may only be administered to persons 21 years or older and does not require a prescription or medical referral. As part of the required preparation session, prior to the administration of the psilocybin, the facilitator will ask a number of screening questions to help determine whether the client should move forward with the administration session.

6. Is there anything in the State regulations that restricts a client's future use of the service center facilities if they fail to follow the support or transportation plans?

No. The OARs do not restrict client patronage. Individual service centers have the ability to set their own standards and may choose to refuse service if protocols are not followed. It is in the Service Center's best interest to ensure the clients follow the support and transportation plan to maintain their license in good standing.

7. Would the City Council sign off on psilocybin licenses in a similar system to OLCC liquor licenses?

Chapter 5.10 of the LMC establishes the City procedures for liquor license recommendations. An application is submitted, the City investigates, and applications receiving a favorable recommendation from the reporting departments associated with the city investigation will be scheduled as a consent calendar item on the city council agenda. As part of a TPM ordinance, the City can choose to set up a similar process for psilocybin applications.

8. Is there a measurement of intoxication while under the influence of psilocybin?

According to the Police Department, there is no way to quantify psilocybin impairment since it is essentially a food that you digest. Psilocybin impairment should be quite noticeable in a person but not as easy to classify like when you see a drunk person. It is assumed that nobody with an untrained eye could look at someone and say, "they look like they're on psilocybin." Strange/odd behavior will be prevalent because the person will likely be confused and struggle with memory issues. Synesthesia (see sounds/hear colors) is common which will make communication difficult and may lead to paranoia. A dazed and confused appearance will be the most common, but again not to the point someone will classify it.

Per ORS 813.010, a person is defined under the influence of intoxicant for the purposes of a DUI as:

- Has 0.08 percent of more by weight of alcohol in the blood;
- Is under the influence of intoxicating liquor, cannabis, psilocybin, a controlled substance or inhalant;

- Is under the influence of any combination of intoxicating liquor, cannabis, psilocybin, a controlled substance or inhalant; or
- Within two hours after driving a vehicle and without consuming alcohol in the intervening time period, 0.08 percent or more by weight of alcohol in the blood system.

Time, Place and Manner Ordinance Framework – At the work session, a question was posed regarding what such an ordinance would address. Staff is still in the initial research phase for the development of a TPM Ordinance. Below is a brief overview of the initial proposed framework, based on initial Council input, and analysis of adopted Ordinances from other cities.

Time:

- Establish operation time limits in consultation with the police department and applicant through a conditional use permit.
- Consider stipulating that there shall be no overnight stays at the service center, restricting the “resort style” operation.

Place:

- State restrictions:
 - 1,000 feet from public/private schools that provide K-12 education
- Additional Buffer restrictions:
 - 1,000 feet from commercial childcare facilities (Kinder Care, Boys and Girls Club, etc.)
 - 1,000 feet between psilocybin service centers or production facilities
- Zoning Restrictions:
 - Only authorize in the Highway Commercial and the Industrial Zones
 - Prohibited in all residential zones, Mixed Use, Neighborhood Commercial, and Central Business (downtown) zones.

Manner:

- Establish defined criteria for “safe release of clients”
 - “Psilocybin Service Centers shall not release individuals after an administration session unless they are released into the care of a Sober Adult. “Sober Adult” means an individual at least 21 years of age who has not undergone any psilocybin treatment for at least 24 hours and does not appear to be under the influence of any other intoxicant (intoxicating liquor, cannabis, psilocybin, a controlled substance, or an inhalant.)”
- Restrict Weapons/Firearms
 - “Weapons and Firearms Prohibited. Psilocybin business owners shall enact and enforce rules prohibiting clients from bringing or possessing any weapons or firearms on the premises during the client’s treatment session. “Weapon” is defined as follows: any firearm; any knife having a blade that

projects or swings into position by force of a spring or by centrifugal force and commonly known as a switchblade knife, any dirk, any dagger, or any ice pick; sling shot, metal knuckles, or nunchaku sticks; or any similar instrument by the use of which injury could and is designed to be inflicted upon the person or property of any other person.”

- This would not restrict psilocybin facilities from maintaining weapons/firearms on-site but would prohibit clients from bringing them to the facility.
- Liability Insurance Requirements
 - “Liability Insurance Required. Psilocybin Service Centers shall secure and maintain commercial general and professional liability insurance with limits of not less than \$2 million per incident and \$3 million aggregate for claims arising out of, but not limited to, bodily injury and property damage incurred in the course of operating in the City. The insurance may not include an exclusion for psilocybin-related claims.”
- Require a Conditional Use Permit and a Psilocybin License

Included as attachments are two maps: (1) a map identifying all the exclusion areas based on the State regulations, and (2) a map identifying all the exclusion areas based on current proposed TPM ordinance language.

Staff will continue to research and evaluate the appropriate TPM restrictions and present a draft Ordinance to the Planning Commission by mid spring 2024, with the goal of presenting the Ordinance for Council consideration by early summer to provide an extended review period prior to the adoption time frame of October 2024.

III. RECOMMENDED ACTION

Receive and file the report. Provide staff with any additional direction.



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MEMORANDUM

Community Development

To: Mayor Jackola and City Council
From: Kelly Hart, Community Development Director
Subject: Psilocybin Discussion

Date: October 11, 2023

I. INTRODUCTION

In 2020, voters in Oregon passed Ballot Measure 109, allowing the "manufacture, delivery and administration" of psilocybin, a naturally occurring psychedelic drug. While psilocybin remains illegal nationally, Oregon was the first U.S. state to legalize the drug. Psilocybin must be used for "personal development" and grown and administered in licensed environments.

Measure 109 directed the Oregon Health Authority (OHA) to run the Oregon Psilocybin Services program. OHA was then required to proceed through the rulemaking process to identify the regulations and licensure process for the manufacturing, testing, and administering of psilocybin. The initial rules were adopted in December 2022. Starting January 2023, licenses could be applied for and issued by OHA for service centers, using tested psilocybin from licensed manufacturers, and legally screen and treat individuals with psilocybin in Oregon.

In terms of election results for Measure 109: statewide the measure passed with 55.75% of the vote; in Linn County 55.26% of the votes registered were against the measure; and in Lebanon 51.71% of the votes registered were against the measure (363 vote differential).

In summer, 2022, the City Council voted to refer a two-year moratorium on psilocybin facilities in Lebanon to the voters. At the November 8, 2022 general election, the voters approved the two-year moratorium. During the moratorium period, Council directed staff to review the final adopted OHA rules and bring back information for council consideration.

II. CURRENT REPORT

The following information provides a general overview of the States regulatory and permitting system for psilocybin facilities. The Oregon Administrative Rules (OARs) for all permitted psilocybin activities are also attached for review.

Types of Facilities and Licenses – There are a total of three types of facilities and five license types:

1. Manufacturer facility (cultivates, extracts, manufactures edibles)
 - a. Facility License – annual license

- b. Worker Permits (anyone working with or handling the psilocybin) – 5 year permit
 - c. Facilities permitted to date (3): Portland, Ashland, Waltherville
2. Laboratories (tests product potency from manufacturers)
- a. Facility License – annual license (must be an accredited Oregon Environmental Laboratory)
 - b. Worker Permits (anyone working with or handling the psilocybin) – 5 year permit
3. Service Centers facility (administers psilocybin in controlled environment)
- a. Facility License – annual license
 - b. Facilitators (person assisting patient through the psilocybin administration) – annual license
 - c. Worker Permits (anyone working with or handling the psilocybin) – 5 year permit
 - d. Facilities permitted to date (7): Albany, Eugene, Hood River, Portland, Ashland (2), and Bend

Each worker permit, facilitator license, and facility owner are required to go through a background check as part licensing process.

Regulations on each facility – Each facility license has specific requirements regarding locations where they may operate, how the facility is to be set up, security measures, and reporting requirements.

Laboratories – Laboratory facilities simply test the product from the manufactures to verify it meets state law/OHA standards before distribution to a licensed service center. There is no manufacturing or administration of psilocybin at these laboratories, therefore, they would not be subject to prohibition or Time, Place, Manner (TPM) ordinances. Laboratories would be permitted as a commercial use based on the city’s development code. Even with the current two-year moratorium, laboratories would be permissible in the city. To date, the city has received no inquiries to operate a laboratory.

Manufacturers – There are three different types of manufacturer “endorsements” associated with a license. Endorsements are the type of manufacturing process for psilocybin:

- 1. Fungi cultivation – growing of the psychedelic mushrooms
- 2. Psilocybin extraction – process of extracting the psychotropic chemical psilocin from the organic state
- 3. Edible psilocybin – the manufacturing of food products, tinctures, oral supplements, etc. from the cultivated fungi or the extracted psilocin.

Manufacturing facilities may hold multiple endorsements to produce the different forms of psilocybin. OHA has established rules specific for manufacturing facilities, specifically:

- 1. A maximum of 200 grams of psilocybin analyte may be stored on site at one time.
- 2. Manufacturers may only distribute to licensed Service Centers.
- 3. Detailed logs on the product produced, stored on-site, out to laboratories for testing, and distributed to Service Centers shall be maintained and reported to OHA.

4. Manufacturers must meet cultivation, extraction rules as established by OHA to ensure the product is grown without use of chemicals or pesticides that would impact the chemical composition of the product and that the extracted materials are not laced with anything to alter the affects of the product. For manufacturers with edible endorsements, the manufacturer must follow food and safety regulations through OHA and the Oregon Department of Agriculture.
5. Psilocybin cannot be adulterated, meaning altered to affect potency. Manufacturers may not add to psilocybin products any chemical, drug, plant or substance that has the effect of altering potency, intoxicating effect, duration of effect, toxicity or potential for excessive use, including beverage alcohol or cannabis.
6. A manufacturer of edible psilocybin may not engage in processing in an area that is operating as a restaurant, share a food establishment where psilocybin is produced, or process food intended for commercial sale that does not contain psilocybin.

Service Centers – Licensed Service Centers are the only legal facilities authorized to administer psilocybin to a consumer in the State. The Service Center has requirements for where it could be located, how the facility should be operated, security measures, reporting requirements, and safety protocols and procedures.

To administer psilocybin, it must be through a licensed facilitator, and must be administered on-site at a Service Center; psilocybin may not be sold to a consumer and taken off premise to be consumed elsewhere. To be licensed, the facilitator must participate in OHA required training, including 120 hours of coursework and pass a test on the materials. The test can be administered online and can be taken an unlimited number of times with no waiting period between test taking. Coursework hours can be reduced by OHA based on the applicant's education, work history and experience.

Service Centers are allowed to hold group administration sessions, and may also provide outdoor sessions, within a secured outdoor area on the facility premises. In addition, per the OARs for Service Centers, "Service centers must ensure that clients and facilitators are able to exit the client administration area as needed. Service centers may not lock client administration areas from the outside, nor take any other actions that prevent individuals within the client administration from exiting."

Every client is required participate in a preparation session prior to the commencement of the client's first administration session with the facilitator. This preparation session includes completion of a Safety and Support Plan, identifying emergency contact, and a narrative of client support concerns and plan of action to address those concerns as they may come up during a session. The client shall also provide a Safe Transportation Plan to identify how the client will access safe transportation after completing an administration session. Safe transportation does not include a client operating a motor vehicle, bicycle, or other form of self-operated transportation directly after their administration session. If a client is unable to follow their transportation plan, a facilitator must make reasonable efforts to arrange for alternative

transportation. If facilitators are unable to resolve safety issues caused by a client's failure to follow their transportation plan, facilitators must contact appropriate emergency services.

Licensed Premises Location Requirements – per the OARs, a licensed premises:

1. May not be located on state or federally owned land
2. The interior and exterior areas of a licensed premises may not overlap with:
 - a. An area that is licensed with an adult-use cannabis license
 - b. An area that is licensed with a medical marijuana grow site, processing site, or dispensary
 - c. An area that is licensed for on-site or off-site liquor sales
 - d. A health care facility
 - e. An area operating as a restaurant
 - f. A residence
3. The licensed premises of a Service Center may not be located within 1,000 feet of:
 - a. A public elementary or secondary school
 - b. A private or parochial or secondary school
 - c. An area zoned exclusively for residential use within city limits

Security Requirements – State OARs require specific security measures for all facilities handling psilocybin, including generally:

1. Establish limited access areas where the psilocybin is stored/manufactured. Any person with access to the limited access area is subject to a workers permit and background check.
2. All facilities require a security alarm system, that would be able to detect unauthorized entry, notify licensee when unauthorized entry is detected, have at least two panic buttons located inside the facility linked to the alarm system that would immediately notify a security company or law enforcement.
3. Video surveillance of the premises is required, with the video recordings available for review by state, local jurisdiction, or law enforcement. The state stipulates specifically where cameras are to be placed, including all entry/exit points, and all areas where psilocybin is stored.
4. Distinct product tracking requirements to ensure each batch of product is accounted for through the entire life cycle of the product from cultivation, processing, storage, transport, service center acceptance, administration, and waste.

Taxation – 15% Oregon Psilocybin Tax on the sales price of psilocybin products only and paid by clients in a licensed service center. No additional tax allowed by local municipalities.

Fire District Review – The Fire District was requested to evaluate the different psilocybin facilities and determine any concerns. An email response has been provided and attached for the record. Generally, the Fire District identified that service centers appeared to be well regulated, and there was not a specific concern related to Fire District regulations. Annual inspections of each commercial facility would be required.

For manufacturing facilities there are stated concerns related to the extraction process, with the chemicals uses under heat and pressure. The Fire District would request Council to consider not authorizing manufacturer facilities, though it is recognized that State law does allow for the manufacturing process and that it is highly regulated.

Police Department Review – The police department reached out to a few of the cities with permitted service centers to determine whether any issues have occurred since facility operations began. Most facilities only initiated operations this summer, and to date, no issues have arisen, but there is also a small operating window to evaluate. It was identified that if Service Centers were to be permitted, that strong relationships between the operators and the police department would be needed to ensure open communication and swift response if issues arise.

Options Before Council – The voter approved moratorium ends on November 8, 2024. Prior to the end of the moratorium, action would need to be taken, or psilocybin facilities would be permitted in the city, by-right, subject to OAR rules. Some actions would require voter approval. Included below are options to consider and key dates and timelines for required action based on each option:

- Do Nothing – If it's determined the State rules are sufficient to address operations and siting concerns, Council could choose to take no further action, let the moratorium lapse, then as of November 8, 2024, psilocybin manufacturing and service center facilities would be permitted in the City based on the state OARs (no action)
- Opt-Out – Prohibit both types of facilities (voter referral)
- Partial Opt-Out – Prohibit one type of facility, adopt Time, Place and Manner (TPM) for other (voter referral)
- TPM for both facilities (council action)
- Refer Opt-Out to the voters for consideration, but direct staff to prepare a TPM ordinance in preparation for possible vote to allow facilities in city

Election Calendar for voter referral – must be general election November 5, 2024

- July 10, 2024 City Council Meeting – Council Direct City Attorney to draft an ordinance and ballot title. City Attorney would draft ordinance and ballot title and provide to City Recorder so a Notice of Ballot Title could be prepared and published for the ballot title challenge period.
- August 14, 2024 City Council Meeting – The Council would consider a vote on the ordinance and refer the issue to the voters by resolution.
- August 16, 2024 – City Recorder will file referral text or prepared ballot title with Linn County.
- September 5, 2024 – Last day for Secretary of State and city election official to file ballot statement.
- November 5, 2024 – General Election

Time, Place, and Manner Ordinance Calendar – must be effective prior to November 8, 2024

- Council provides guidance on any specific issues to address with TPM ordinance

- Staff to work with Planning Commission on ordinance language
- Planning Commission public hearing on ordinance – August 21, 2024
- City Council public hearing on ordinance – September 11, 2024
- Ordinance effective 30-days after date of adoption – October 11, 2024

III. RECOMMENDED ACTION

There are five options before council for consideration. It is recommended that Council consider each option and provide staff direction on which to move forward with, identify an alternative, or have staff come back with additional alternatives.

**A BILL FOR AN ORDINANCE AMENDING
TITLE 5, ADDING CHAPTER 5.50
PSILOCYBIN FACILITIES
TO THE LEBANON MUNICIPAL CODE**

) **ORDINANCE BILL NO. 2024- 6**
)
)
) **ORDINANCE NO. 3022**

WHEREAS, the City of Lebanon placed a ballot measure on the November 5, 2024, general election to ask voters whether to permit psilocybin facilities in the city; and

WHEREAS, if the voters authorize psilocybin facilities, the City Council has determined that local time, place, and manner regulations are appropriate to mitigate the potential impacts of the uses.

NOW, THEREFORE, THE CITY OF LEBANON ORDAINS AS FOLLOWS:

Section 1. Title 5 is amended to include Chapter 5.50 (Psilocybin Facilities) as set forth in Exhibit A.

Section 2. This Ordinance shall only become effective upon official certification of the November 5, 2024, general election results and only in the circumstances under which the local ballot measure results on the question of psilocybin passes with the majority of voters favoring permitting psilocybin facilities within the city.

Passed by the Lebanon City Council by a vote of _____ for and _____ against and approved by the Mayor this 10th day of July 2024.

Kenneth E Jackola, Mayor ☐
Michelle Steinhebel, Council President ☐

Attested:

Julie Fisher, City Recorder

EXHIBIT A

Chapter 5.50 PSILOCYBIN FACILITIES**Section 5.50.010 Definitions.**

- 1) "License" means a license, and the licensure process is controlled by the Oregon Health Authority as set out in ORS Chapter 475A.
- 2) "Licensee" means a holder of any type of license issued by the Oregon Health Authority under ORS Chapter 475A.
- 3) "Psilocybin Production" means the manufacture, planting, cultivation, growing, harvesting, production, preparation, propagation, any packaging or repackaging of psilocybin-producing fungi or labeling or relabeling of its container, provided that the psilocybin manufacturer is licensed by the Oregon Health Authority with a psilocybin manufacturing endorsement for fungi cultivation. It does not include psilocybin processing.
- 4) "Psilocybin Processing" means the compounding, conversion, or processing of a psilocybin product, either directly or indirectly by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, provided that the psilocybin manufacturer is licensed by the Oregon Health Authority with a psilocybin manufacturing endorsement for psilocybin extraction and/or edible psilocybin production.
- 5) "Psilocybin service center" means an establishment licensed by the Oregon Health Authority:
 - a) At which administration sessions are held; and
 - b) At which other psilocybin services may be provided.
- 6) "Sober adult" means an individual over 21 years of age who has not undergone any psilocybin treatment for at least 24 hours and who does not appear to be under the influence of any other intoxicant.

Section 5.50.020 Prohibition against employing persons under 21 years of age.

It shall be a violation of this chapter for a license holder to employ individuals under the age of twenty-one (21) to engage in the manufacturing, delivery, or provision of psilocybin products, services, or sales.

Section 5.50.030 Siting of service centers.

- 1) A psilocybin treatment service center shall not be located:
 - a) Within 300 feet of the property line of a City park;
 - b) Within 1,000 feet of the property line of another psilocybin treatment service center.
- 2) If any of the uses described in Subsection 1(a) of this Section is established subsequent to the legal establishment of a psilocybin treatment service center, the service center may remain at that location unless the Oregon Health Authority revokes the license of the service center operator or the service center use is otherwise abandoned for a period of more than one year.

- 3) A psilocybin service center use is allowed in the following zones as defined in the Land Development Code:
 - a) Highway Commercial (Z-HCM);
 - b) Mixed Use (Z-MU);
 - c) A psilocybin service center is considered a "Medical Service" use for purposes of enforcing the Land Development Code. A service center may not be located within an accessory dwelling unit (ADU) on a lot whose primary use is a residence.
- 4) A service center may be located within a mixed-use building so long as the service center is located in a space designated for commercial uses and is not a space designated solely for residential use(s).
- 5) Psilocybin-related business may not be located within any dwelling unit, nor within the same tenant space as any marijuana-related business or any business licensed for the retail sale of alcohol.
- 6) Nothing in this Section should be construed as exempting Psilocybin Service Centers from applicable requirements set forth in the Lebanon Land Development Code.

Section 5.50.040 Operation of service centers.

- 1) A Service Center can operate only with proper licensing from the State of Oregon.
- 2) A Psilocybin Service Center may operate between the hours of 6 a.m. through 11:59 p.m. daily, with the last appointment scheduled at 8:00 p.m.

Section 5.50.050 Release of clients from service center.

- 1) Except as provided in subsection (2) of this Section, service centers may not release individuals after a psilocybin treatment session unless they are released into the care of a sober adult.
- 2) An individual may be released from a psilocybin service center without an accompanying sober adult only if they are not exhibiting signs of intoxication of psilocybin.

Section 5.50.060 Siting of production and processing facilities.

- 1) A facility that produces or processes psilocybin shall not be located within 300 feet of the property line of a City park.
- 2) If any of the uses described in Subsection 1 of this Section is established subsequent to the legal establishment of a psilocybin processing facility, the processing facility may remain at that location unless the Oregon Health Authority revokes the license of the processing facility operator, or the processing facilitator use is otherwise abandoned for a period of more than one year.
- 3) The production and processing of psilocybin are considered a "horticulture" sub-use of an "Agriculture" use for purposes of enforcing the Land Development Code
 - a) Production and Processing facilities are allowed into the following zones as defined by the Land Development Code:
 - i) Industrial (Z-IND)
 - b) Production and processing of psilocybin are excluded from zones that permit horticulture for personal use as an accessory use.

Section 5.50.070 Enforcement authority.

The City is authorized to administer and enforce the provisions of this Chapter. The City may exercise any enforcement powers as provided in this code.

Section 5.50.080 Enforcement remedies.

- 1) Any persons violating any provision herein shall, upon conviction thereof, be punished by imprisonment for a period not to exceed 90 days, or by fine not to exceed \$1000.00, or both.
- 2) The City Attorney may also seek injunctive relief and civil penalties in the Lebanon Municipal Court or pursue any administrative remedies provided in this code.
- 3) Each day a violation exists or continues to exist, it is deemed a separate violation subject to penalty.

Section 5.50.090 Severability.

This chapter's sections, subsections, paragraphs, and clauses are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs, and clauses.

Section 5.50.100 Savings clause.

Notwithstanding any amendment/repeal, the City ordinances in existence at the time any criminal or civil enforcement actions were commenced shall remain valid and in full force and effect for purposes of all cases filed or commenced during the times said ordinance(s) or portions thereof were operative. This section clarifies the existing situation, stating that nothing in this chapter affects the validity of prosecutions commenced and continued under the laws in effect at the time the matters were originally filed.



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MEMORANDUM

Community Development

To: Mayor Jackola and City Council
From: Kelly Hart, Community Development Director
Subject: Transient Lodging Tax Policy Discussion

Date: June 28, 2024

I. INTRODUCTION

During the course of this year, two organizations have petitioned the City Council for funding for capital projects geared towards promoting tourism. These requests were approved based on the surplus reserves available in the Transient Lodging Tax (TLT) fund after the fund's annual budgeting was completed.

The TLT revenue consistently funds:

- Lebanon Chamber of Commerce's operation of the Visitors' Center (\$42,000 for 2024)
- Lebanon Downtown Association funding to support the arts commission, tourism events, and the Main Street Manager position (\$30,000 for 2024)
- Tourism Grant Program administered by the Lebanon Chamber of Commerce (\$43,000 for 2024)
- Downtown Building Restoration Grant Program (\$50,000 for 2024)
- Partial funding of City staff salary to work on tourism and economic development
- City capital improvement projects to promote tourism (e.g., parks projects, etc.) as budgeted

The remaining funds are unallocated and have traditionally been budgeted for special projects or accrued over time to help fund a capital park project. With outside interests now requesting access to the funds, the Council directed staff to propose a policy and procedure for outside organization requests and establish evaluation criteria.

II. CURRENT REPORT

City staff has evaluated our existing grant programs, the Oregon Revised Statutes (ORS) regarding the appropriate use of TLT funds and propose the following framework for a policy and decision criteria:

1. Scope of Request:

- Staff recommends that all event-based funding requests be submitted to the Chamber of Commerce through the existing tourism grant program.

- Staff recommends that all funding requests that fall within the scope of the Downtown Building Restoration Program shall be submitted and evaluated for funding through the existing competitive grant program.
 - Currently, the program offers one large \$25,000 grant and up to five \$5,000 grants; depending on the number of applications submitted per cycle, larger grants may be awarded up to the maximum \$50,000 annual budget.
 - Additional State grants, such as the Diamonds in the Rough grant program, are available to further assist with historic preservation projects.
- All other tourism-related capital improvement projects that do not fall within existing City grant programs may request TLT funds, subject to City Council approval.

2. TLT Budgeting and Allocation:

- TLT funds are budgeted annually and approved by the City Council. In the introduction, a summary of the annual budget items in the TLT was provided. Based on anticipated projects, staff may also propose additional budget items in the fund, varying the amount of available unallocated funds each fiscal year.
- Staff recommends that tourism-related capital improvement projects may be requested to the City Council, outside a formal grant program, based on the annual availability of unallocated funds in the TLT each fiscal year.

3. Application Process:

- Organizations requesting tourism-related capital improvement projects may submit their requests to the City Recorder on a form to be created.
- Information to be provided includes a project description, site map/aerial map of the site, any architectural/engineering plans available that demonstrate the scope of proposed improvements, a statement of community benefit, identification of matching funds/private investment, timeline for improvements, and findings for decision criteria.
- The application form and packet submittal will be compiled and submitted to the Council in the agenda packet for review.
- The Council would review the materials and decide on the funding request based on the decision criteria included in the policy and ORS.

4. Decision Criteria:

- Does the project provide a community benefit?
- Does the project meet the definition of a tourism-related facility per ORS 320.300(9)
 - Means a conference center, convention center, or visitor information center; and
 - Means other improved real property with a useful life of 10 or more years and a substantial purpose of supporting tourism or accommodating tourist activities.

III. RECOMMENDED ACTION

Receive and file the report and provide staff with direction.



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MEMORANDUM

Community Development

To: Mayor Jackola and City Council
From: Kelly Hart, Community Development Director
Subject: League of Oregon Cities 2025-2026 Legislative Priorities – City Vote

Date: July 1, 2024

I. INTRODUCTION

Before the start of each legislative long session, the League of Oregon Cities (LOC) asks member cities to help set the legislative priorities for the next two years. The LOC appoints members to serve on seven policy committees, which are the foundation of the League's policy development process. These committees, composed of city officials, analyze policy and technical issues, and recommend positions and strategies for the upcoming two-year legislative cycle. This year, seven committees identified 23 legislative policy priorities to advance to the full membership and LOC Board of Directors.

Each city is asked to review the recommendations from the seven policy committees and provide input to the LOC Board of Directors, which will formally adopt the LOC's 2025-26 legislative agenda. A ballot system is developed in which the city has five votes, ranking its top five legislative priorities.

II. CURRENT REPORT

The LOC Member Voter Guide, which describes the 23 legislative priorities, is attached for the Council's review. The July City Council meeting is intended to distribute the Voter Guide to councilors and ask any questions of staff. The City Council vote on the five priorities and the ranking will be scheduled for the August City Council meeting to afford Council time to review the legislative policies, confer with our legislative consultant if desired, and participate in the strategic planning work session. Once the Council votes on the five legislative priorities and ranking, staff will submit the City's ballot to LOC by the deadline of September 27, 2024.

III. RECOMMENDED ACTION

Receive and file the report.



League of Oregon Cities

2024 LOC Member Voter Guide

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2024 Member Voter Guide

Background: Each even-numbered year, the LOC appoints members to serve on seven policy committees, which are the foundation of the League's policy development process. Composed of city officials, these committees analyze policy and technical issues and recommend positions and strategies for the upcoming two-year legislative cycle. This year, seven committees identified 23 legislative policy priorities to advance to the full membership and LOC Board of Directors. It's important to understand that the issues that ultimately do not rise to the top based on member ranking are not diminished with respect to their value to the policy committee or the LOC's advocacy. These issues will still be key component of the LOC's overall legislative portfolio for the next two years.

Ballot/Voting Process: Each city is asked to review the recommendations from the seven policy committees and provide input to the LOC Board of Directors, which will formally adopt the LOC's 2025-26 legislative agenda. While each city may have a different process when evaluating the issues, it's important for cities to engage with your mayor and entire council to ensure the issues are evaluated and become a shared set of priorities from your city. During its October meeting, the LOC Board will formally adopt a set of priorities based on the ranking process and their evaluation.

Each city is permitted one ballot submission. **Once your city has reviewed the proposed legislative priorities, please complete the electronic ballot to indicate the top 5 issues that your city would like the LOC to focus on during the 2025-26 legislative cycle.** The lead administrative staff member (city manager, city recorder, etc.) will be provided with a link to the electronic ballot. If your city did not receive a ballot or needs a paper option, please reach out to Meghyn Fahndrich at mfahndrich@orcities.org or Jim McCauley at jmccauley@orcities.org.

Important Deadline: The deadline for submitting your city's vote is **5 p.m. on September 27, 2024.**

Community and Economic Development Committee

Contact: Jim McCauley, jmccauley@orcities.org

INFRASTRUCTURE FUNDING (CO-SPONSORED BY WATER AND WASTEWATER COMMITTEE)

RECOMMENDATION: *The LOC will advocate for a comprehensive infrastructure package to support increased investments in water, sewer, stormwater and roads. This includes: funding for system upgrades to meet increasingly complex regulatory compliance requirements; capacity to serve needed housing and economic development; deferred maintenance costs; seismic and wildfire resiliency improvements; and clarity and funding to address moratoriums. The LOC will also champion both direct and programmatic infrastructure investments to support a range of needed housing development types and affordability.*

Background: Cities continue to face the challenge of how to fund infrastructure improvements – to maintain current, build new, and improve resiliency. Increasing state resources in programs that provide access to lower rate loans and grants will assist cities in investing in vital infrastructure. Infrastructure development impacts economic development, housing, and livability. The level of funding for these programs has been inadequate compared to the needs over the last few biennia, and the funds are depleting and unsustainable without significant program modifications and reinvestments. This priority will focus on maximizing both the amount of funding and the flexibility of the funds to meet the needs of more cities across the state to ensure long-term infrastructure investment. The 2024 LOC Infrastructure Survey revealed the increasing need for water and road infrastructure funding. The results show \$11.9 billion of infrastructure funds needed (\$6.4 billion for water and \$5.5 billion for roads).

Combined with the federal-cost share decline on water infrastructure projects – despite the recent bi-partisan infrastructure law investment – cities face enormous pressure to upgrade and maintain water infrastructure. At the same time, cities across the state are working urgently to address Oregon’s housing crisis. To unlock needed housing development and increase affordability, the most powerful tool the Legislature can deploy is targeted investments in infrastructure to support needed housing development.

SHELTER AND HOMELESS RESPONSE

RECOMMENDATION: *The LOC will support a comprehensive homeless response package to fund the needs of homeless shelter and homeless response efforts statewide. Funding should include baseline operational support to continue and strengthen coordinated regional homeless response and include a range of shelter types and services, including alternative shelter models, safe parking programs, rapid rehousing, outreach, case management, staffing and administrative support, and other related services. The LOC will also support capital funding for additional shelter infrastructure and site preparation. Oregon's homeless response system must recognize the critical role of cities in homeless response and meaningfully include cities in regional funding and decision-making, in partnership with counties, community action agencies, continuums of care, housing authorities, and other service provider partners.*

Background: The LOC recognizes that to end homelessness, a cross-sector coordinated approach to delivering services, housing, and programs is needed. Despite historic legislative investments in recent years, Oregon still lacks a coordinated, statewide shelter and homeless response system with stable funding. Communities across the state have developed regional homeless response collaboratives, beginning with the HB 4123 pilot communities funded by the Legislature in 2022 and the more recently established Multi-Agency Collaboratives and Local Planning Groups created by Governor Kotek's [Executive Order on Affordable Housing and Homelessness](#). As Oregon continues to face increasing rates of unsheltered homelessness, the LOC is committed to strengthening a regionally based, intersectional state homeless response system to ensure all Oregonians can equitably access stable housing and maintain secure, thriving communities.

EMPLOYMENT LANDS READINESS AND AVAILABILITY

Legislative Recommendation: *The LOC will support incentives, programs and increased investment to help cities with the costs of making employment lands market-ready, including continued investment in the state brownfields programs. The LOC also recognizes the deficit of industrial land capacity in strategic locations and will support efforts to build a more comprehensive industrial lands program by strengthening the connection between the DLCD Goal 9 Program and Business Oregon IL programs and resources.*

Background: Infrastructure cost is a significant barrier for cities that are looking to increase the supply of market-ready industrial land. Cities require a supply of industrial land that is ready for development to recruit and retain business operations. For sites to be attractive to site selectors, the basic infrastructure must be built out first. For example, the Regionally Significant Industrial Site (RSIS) program within Business Oregon is designed to help cities with the cost of readiness activities

through a reimbursement program, but many cities are not able to take advantage of this program due to a lack of staff capacity and up-front capital for investments.

FULL FUNDING AND ALIGNMENT FOR HOUSING PRODUCTION

RECOMMENDATION: *The LOC will advocate to maintain and increase state investments to support the development and preservation of a range of needed housing types and affordability, including: publicly supported affordable housing and related services; affordable homeownership; permanent supportive housing; affordable modular and manufactured housing; middle housing types; and moderate-income workforce housing development. In addition, the LOC will seek opportunities to address structural barriers to production of different housing options at the regional and state level. This includes: streamlining state agency programs, directives, funding metrics, and grant timelines that impact development; aligning state programs with local capital improvement and budget timelines; and increasing connections between affordable housing resources at Oregon Housing and Community Services (OHCS) with the land use directives in the Oregon Housing Needs Analysis (OHNA) and Climate Friendly and Equitable Communities (CFEC) programs at the Department of Land Conservation and Development (DLCD).*

Background: Recent legislation and executive orders have made significant changes to the state's land use planning process, including new housing production directives for cities and counties. These updates have resulted in extensive, continuous, and sometimes conflicting efforts that are not supported by adequate state funding. Cities do not have the staff capacity or resources needed to implement existing requirements. Additional state support is needed to assist local implementation, including technical assistance and education for local staff and decision makers, and workforce development. The state should prioritize implementation and coordination of existing programs in the 2025-2026 legislative sessions before considering any new policies.

General Government Committee

Contact: Scott Winkels, swinkels@orcities.org

RESTORATION OF RECREATIONAL IMMUNITY

RECOMMENDATION: *The LOC will introduce legislation to protect cities and other landowners who open their property for recreational purposes from tort liability claims.*

Background: An adverse court ruling stemming from a recreational injury sustained on a city owned trail opened cities and other public and private landowners to tort claims for injuries sustained by people who are recreating. The Legislature enacted a temporary restoration of the immunity in 2024 that will expire

on July 1, 2025. Legislation to make the immunity permanent will be needed for cities to offer recreational amenities without fear of tort liability lawsuits or excessive risk premiums.

BEHAVIORAL HEALTH ENHANCEMENTS

RECOMMENDATION: *The LOC will introduce and support legislation to expand access to behavioral health treatment beds and allow courts greater ability to direct persons unable to care for themselves into treatment through the civil commitment process.*

Background: While Oregon has historically ranked at or near the bottom nationally for access to behavioral healthcare, the state has made significant investments over the past four years. It will take time for investments in workforce development and substance abuse treatment to be realized, and areas for improvement remain. The standard for civilly committing a person into treatment remains very high in Oregon, and as a result, individuals who present a danger to themselves or others remain untreated, often producing tragic results. Additionally, the number of treatment beds for residential care does not meet demand, with services unavailable in multiple areas of the state.

CONTINUED ADDICTION POLICY REFORM

RECOMMENDATION: *The LOC will Introduce and support legislation to allow drug related misdemeanors to be cited into municipal court; provide stable funding for services created in HB 4002 in 2024; allow more service providers to transport impaired persons to treatment; establish the flow of resources to cities to support addiction response; and monitor and adjust the implementation of HB 4002.*

Background: The Legislature passed significant changes to Oregon's approach to the current addiction crisis with the creation of a new misdemeanor charge designed to vector defendants away from the criminal justice system and into treatment. Changes also included: sentencing enhancements for drug dealers; investments in treatment capacity; and expanded access to medical assisted addiction treatment. HB 4002 did not include stable funding for the services created or provide cities with direct access to resources, or the ability to cite the new offense into municipal courts. Additionally, the new law will likely require adjustments as the more complicated elements get implemented.

Energy and Environment Committee

Contact: Nolan Pleše, nplese@orcities.org

BUILDING DECARBONIZATION, EFFICIENCY, AND MODERNIZATION

RECOMMENDATION: *The LOC will support legislation to protect against any rollback and preemptions to allow local governments to reduce greenhouse gas emissions from new and existing buildings while ensuring reliability and affordability. In addition, the LOC will lead and back efforts that support local governments, including statewide capacity, expertise, and resources to allow local governments to pursue state and federal funding and continue to support off-ramps for local governments unable to meet the state's new building performance standards.*

Background: Homes and commercial buildings consume nearly one-half of all the energy used in Oregon, according to the Oregon Department of Energy. Existing buildings can be retrofitted and modernized to become more resilient and efficient, while new buildings can be built with energy efficiency and energy capacity in mind.

Oregon cities, especially small to mid-sized and rural communities, require technical assistance and financial support to meet the state's goals. Without additional support, some communities will be unable to meet the state's building performance standards. Off-ramps are necessary to protect cities unable to meet the state's goals to ensure they are not burdened by mandates they can't meet.

Some initiatives may include local exceptions for building energy codes and performance standards, statewide home energy scoring, or financial incentives from the Infrastructure Investment and Jobs Act (IIJA), the Inflation Reduction Act (IRA), state incentives, and other financial incentives like CPACE (Commercial property-assessed clean energy).

For cities to meet their climate resilience and carbon reduction goals while maintaining home rule authority, their flexibility must be preserved to allow for a successful transition from fossil fuels. State pre-emptions should not prohibit cities from exceeding state goals and achieving standards that align with their values.

INVESTMENT IN COMMUNITY RESILIENCY AND CLIMATE PLANNING RESOURCES

RECOMMENDATION: *The LOC will support investments that bring resiliency and climate services (for mitigation and adaptation) together in coordination with public and private entities, and work to fill the existing gaps to help communities get high-quality assistance. These resources are needed for local governments to effectively capture the myriad of available state and federal funding opportunities that cannot be accessed due to capacity and resource challenges. The LOC will work with partners to identify barriers and potential*

solutions towards resiliency opportunities, such as local energy generation and battery storage, and to support actions that recognize local control.

Background: Oregon communities have unique resources and challenges, and increasingly need help to plan for climate and human-caused impacts and implement programs to reduce greenhouse gases. Oregon should focus on maintaining the reliability of the grid while supporting safe, healthy, cost-effective energy production that includes external costs.

Although many opportunities for building resiliency exist, not all will not be built or managed by cities. Cities support efforts to build resiliency hubs in coordination with public, private, and non-profit interests and will seek more investments in programs that support resiliency hubs.

Cities also have a broad range of perspectives on how to address the impacts of the climate crisis. Concerns about costs and reliability during this energy transition have surfaced in many cities. At the same time, others who share those concerns also aim to have stronger requirements that meet their cities' climate goals. To meet these challenges, cities oppose additional mandates but support exceptions and additional support that recognize each city's unique perspectives, resources, and experience while preserving local authority.

Oregon's small to mid-sized communities and rural communities are particularly in need of technical assistance, matching funds, and additional capacity to address climate impacts. Without assistance, these communities face unfunded mandates due to low resources and capacity challenges to go after many available opportunities.

ADDRESS ENERGY AFFORDABILITY CHALLENGES FROM RISING UTILITY COSTS

RECOMMENDATION: *The LOC will: support actions to maintain affordable and reliable energy resources; invest in programs and new technology that support energy efficiency, renewable energy, and battery storage to help reduce overall energy costs and demands; and address grid challenges during peak energy demand and the associated rising costs, while balancing the pace of energy production and power supply that impact rates.*

Background: In recent years, rising utility costs have increased the energy burden on Oregonians, particularly low-income Oregonians, those with fixed incomes, and those who are unable to work. Costs contributing to these increases include, infrastructure upgrades, maintenance, and modernization, climate impacts from increased extreme weather events (wildfires, ice storms, snowstorms, flooding, etc.) and mitigation costs associated with them, fuel costs, inflation, legislative and gubernatorial actions, and investments in new energy-producing technology, and battery storage, are some of many reasons that are impacting utility rates.

While many investment opportunities exist, more cooperation and collaboration

needed to find a path forward that reduces the need for large rate increases that impact Oregonians. Rate increases should balance and prioritize vital labor, infrastructure, and mitigations necessary to sustain present and future energy demands with compensation.

In addition, the LOC would advocate for new tools and utilizing existing tools to modernize rate structures to provide flexibility and account for the time of year of rate increases (phasing in of rate increases) and recognize the higher burden for low and moderate-income and fixed-income Oregonians.

Finance and Taxation Committee

Contact: Lindsay Tenes, ltenes@orcities.org

LODGING TAX FLEXIBILITY

RECOMMENDATION: *The LOC will advocate for legislation to increase flexibility to use locally administered and collected lodging tax revenue to support tourism-impacted services.*

Background: In 2003, the Legislature passed the state lodging tax and restricted local transient lodging tax (TLT) by requiring that revenue from any new or increased local lodging tax be spent according to a 70/30 split: 70% of local TLT must be spent on “tourism promotion” or “tourism related facilities” and up to 30% is discretionary funds.

Tourism has created an increased demand on municipal service provision. Some of the clearest impacts are on roads, infrastructure, public safety, parks, and public restrooms. Short term rentals and vacation homes also reduce the housing supply and exacerbate housing affordability issues.

Cities often play an active role in tourism promotion and economic development efforts, but requiring that 70% of lodging tax revenue be used to further promote tourism is a one-size fits all approach that does not meet the needs of every tourism community. Cities must be allowed to strike the balance between tourism promotion and meeting the needs for increased service delivery for tourists and residents.

MARIJUANA TAX

Legislative Recommendation: *The LOC will advocate for legislation that increases revenue from marijuana sales in cities. This may include proposals to restore state marijuana tax losses related to Measure 110 (2020), and to increase the 3% cap on local marijuana taxes.*

Background: The state imposes a 17% tax on recreational marijuana products. Until

the end of 2020, cities received 10% of the state's total tax revenues (minus expenses) on recreational marijuana products. Measure 110 largely shifted the allocation of state marijuana revenue by capping the amount that is distributed to the recipients that previously shared the total amount (the State School Fund, the Oregon Health Authority, the Oregon State Police, cities and counties) and diverted the rest to drug treatment and recovery services. Starting in March of 2021, quarterly revenue to cities from state marijuana taxes saw a decrease of roughly 74%. Marijuana revenue has also been on a downward trend because the market is oversaturated, which has continually reduced sale prices (high supply, steady demand). Marijuana is taxed on the price of the sale and not on volume.

ALCOHOL TAX

RECOMMENDATION: *The LOC will advocate for increased revenue from alcohol taxes. This includes support for any recommendation by the HB 3610 Task Force on Alcohol Pricing to increase the beer and wine tax that maintains 34% shared distribution to cities. This may also include legislation to lift the pre-emption on local alcohol taxes.*

Background: Cities have significant public safety costs related to alcohol consumption and must receive revenue commensurate to the cost of providing services related to alcohol.

Oregon is a control state and the Oregon Liquor and Cannabis Commission (OLCC, formerly known as the Oregon Liquor Control Commission) acts as the sole importer and distributor of liquor. Cities and other local governments are preempted from imposing alcohol taxes. In exchange, cities receive approximately 34% share of net state alcohol revenues. The OLCC has also imposed a 50-cent surcharge per bottle of liquor since the 2009-2011 biennium, which is directed towards the state's general fund. Oregon's beer tax has not been increased since 1978 and is \$2.60 per barrel, which equates to about 8.4 cents per gallon, or less than 5 cents on a six-pack. Oregon's wine tax is 67 cents per gallon and 77 cents per gallon on dessert wines. Oregon has the lowest beer tax in the country and the second lowest wine tax.

Broadband, Cybersecurity, Artificial Intelligence (AI), and Telecommunications Committee

Contact: Nolan Plese, nplese@orcities.org

DIGITAL EQUITY AND INCLUSION

RECOMMENDATION: *The LOC will support legislation and policies that help all individuals and communities have the information technology capacity needed for full participation in our society, democracy, and economy through programs such as digital*

navigators, devices, digital skills, and affordability programs like the Affordable Connectivity Program (ACP) and the Oregon Telephone Assistance Program (OTAP – also known as Lifeline) that meet and support community members where they are.

Background: Connectivity is increasingly relied on for conducting business, learning, and receiving important services like healthcare. As technology has evolved, the digital divide has become more complex and nuanced. Now, the discussion of the digital divide is framed in terms of whether a population has access to hardware, to the Internet, to viable connection speeds, and to the skills they need to effectively use it. Recognizing individual knowledge and capacity, abilities, and lived experience is now vital, and programs that offer devices, digital literacy skills, cybersecurity, and support for internet affordability, are critical to closing the digital divide.

CYBERSECURITY & PRIVACY

RECOMMENDATION: *The LOC will support legislation that addresses privacy, data protection, information security, and cybersecurity resources for all that use existing and emerging technology like artificial intelligence (AI) and synthetic intelligence (SI), including, but not limited to: funding for local and state government cyber and information security initiatives; interagency and government coordination and cooperative arrangements for communities that lack capacity; statewide resources for cyber and AI professionals and workforce development; vendor and third-party vendor accountability; regulations of data privacy; or standards for software/hardware developers to meet that will make their products more secure while ensuring continued economic growth. The LOC will oppose any unfunded cybersecurity and/or AI mandates and support funding opportunities to meet any unfunded insurance requirements.*

Background: Society's continued reliance on technology will only increase with the emergence of artificial intelligence (AI) and synthetic intelligence (SI). This will mean an increased risk for cybercrimes. Cybersecurity encompasses everything that pertains to protecting our sensitive and privileged data, protected health information, personal information, intellectual property, data, and governmental and industry information systems from theft and damage attempted by criminals and adversaries.

Cybersecurity risk is increasing, not only because of global connectivity but also because of the reliance on cloud services to store sensitive data and personal information. As AI and SI technology and adoption accelerate, the ability to guard against cyber threats and threats created through AI will increase. Strengthening coordination between the public and private sectors at all levels is essential for decreasing risks and quickly responding to emerging threats. This ensures resilience is considered to reduce the damage caused by cyber threats.

RESILIENT, FUTUREPROOF BROADBAND INFRASTRUCTURE AND PLANNING INVESTMENT

RECOMMENDATION: *The LOC will support legislation to ensure broadband systems are built resiliently and futureproofed, while also advocating for resources to help cities with broadband planning and technical assistance through direct grants and staff resources at the state level. The LOC will oppose any preemptions that impede local government's ability to maintain infrastructure standards in the local rights-of-way. Municipalities' have a right to own and manage access to poles and conduit and to become broadband service providers.*

Background:

Broadband Planning and Technical Assistance

Most state and federal broadband infrastructure funding requires communities to have a broadband strategic plan in place in order to qualify. Many cities do not have the resources or staff capacity to meet this requirement. Cities will need to rely on outside sources or work with the state for assistance and support the state setting up an office to aid local governments.

Resilient and Long-Term Systems

As broadband continues to be prioritized, building resilient long-term networks will help Oregonians avoid a new digital divide as greater speeds are needed with emerging technologies like artificial intelligence (AI). Important actions that will ensure resilient broadband include: dig once policies; investing in robust middle-mile connections; ensuring redundancy and multiple providers in all areas' sharing current and future infrastructure to manage overcrowding in the right-of-way (ROW); and undergrounding fiber instead of hanging it on poles. Additionally, infrastructure should be built for increased future capacity to avoid a new digital divide by allowing Oregon to determine speeds that reflect current and future technology.

Optional Local Incentives to Increase Broadband Deployment

Cities need flexibility to adequately manage public rights-of-ways (ROW). Instead of mandates, the state should allow cities the option to adopt incentives that could help streamline broadband deployment. Flexibility for cities to fund conduit as an eligible expense for other state infrastructure (most likely water or transportation projects) would reduce ROW activity. Additionally, local governments can work with state and federal partners to streamline federal and state permitting to reduce delays in broadband deployment.

Regulatory Consistency Amidst Convergence

With rapid changes in communication, standards and policy should keep pace. When a converged technology utilizes differing communications technologies, it may be

required to adhere to multiple standards and regulations, or providers may argue that some parts of their service is not subject to regulations. The LOC will support legislation that addresses the inconsistency of regulations applied to traditional and nontraditional telecommunications services as more entities move to a network-based approach.

ARTIFICIAL INTELLIGENCE (AI)

RECOMMENDATION: *The LOC will support legislation that promotes secure, responsible and purposeful use of artificial intelligence (AI) and synthetic intelligence (SI) in the public and private sectors while ensuring local control and opposing any unfunded mandates. Cities support using AI for social good, ensuring secure, ethical, non-discriminatory, and responsible AI governance through transparent and accountable measures that promotes vendor and third-party vendor accountability, improving government services while protecting sensitive data from use for AI model learning, and fostering cross-agency, business, academic, and community collaboration and knowledge sharing.*

Background: While artificial intelligence (AI) and synthetic intelligence (SI) are not new, the recent advancements in machine learning and the exponential growth of artificial and synthetic intelligence require governments and providers to be responsible and purposeful in the use of this technology. The opportunities and risks that AI and SI present demand responsible values and governance regarding how AI systems are purchased, configured, developed, operated, or maintained in addition to ethical policies that are transparent and accountable. Policies should also consider the implication of AI on public records and retention of information on how AI is being used. Additionally, governments need to consider how procurements are using AI, how they are securing their systems, and any additional parties being used in the process.

AI systems and policies should:

- Be Human-Centered Design - AI systems are developed and deployed with a human-centered approach that evaluates AI-powered services for their impact on the public.
- Be Secure & Safe - AI systems should maintain safety and reliability, confidentiality, integrity, and availability through safeguards that prevent unauthorized access and use to minimize risk.
- Protect Privacy - Privacy is preserved in all AI systems by safeguarding personally identifiable information (PII) and sensitive data from unauthorized access, disclosure, and manipulation.
- Be Transparent - The purpose and use of AI systems should be proactively communicated and disclosed to the public. An AI system, its data sources,

operational model, and policies that govern its use should be understandable, documented, and properly disclosed publicly.

- **Be Equitable** - AI systems support equitable outcomes for everyone; urban, rural, suburban, frontier, and historically underrepresented communities. Bias in AI systems should be effectively managed to reduce harm to anyone impacted by its use.
- **Provide Accountability** - Roles and responsibilities govern the deployment and maintenance of AI systems. Human oversight ensures adherence to relevant laws and regulations and ensures the product's creator is ultimately responsible for reviewing the product prior to release and held accountable.
- **Be Effective** - AI systems should be reliable, meet their objectives, and deliver precise and dependable outcomes for the utility and contexts in which they are deployed.
- **Provide Workforce Empowerment** - Staff are empowered to use AI in their roles through education, training, and collaborations that promote participation and opportunity.

Transportation Committee

Contact: Jim McCauley, jmccauley@orcities.org

2025 TRANSPORTATION PACKAGE

RECOMMENDATION: *The LOC supports a robust, long-term, multimodal transportation package focused on: stabilizing funding for operations and maintenance for local governments and ODOT; continued investment in transit and bike/ped programs, safety, congestion management, and completion of projects from HB 2017. As part of a 2025 package, the funding level must maintain the current State Highway Fund (SHF) distribution formula and increase investments in local programs such as Great Streets, Safe Routes to Schools, and the Small City Allotment Program. In addition, the package should find a long-term solution for the weight-mile tax that stabilizes the program with fees that match heavier vehicles' impact on the transportation system. The funding sources for this package should be diverse and innovative. Additionally, the package should maintain existing choices and reduce barriers for local governments to use available funding tools for transportation investments.*

Background: Oregon has one of the country's most transportation-dependent economies, with 400,000 jobs (1 in 5) related directly to transportation via rail, road, and ports. The State Highway Fund (SHF) is the primary revenue source for the state's transportation infrastructure, and comes from various sources, including gas

and diesel tax, weight mile tax, vehicle registration fees, vehicle title fees, and driver's license fees. These funds are distributed using a 50-30-20 formula, with 50% to the state, 30% to counties, and 20% to cities. Continued investment in transportation infrastructure is critical for public safety objectives such as "[Safe Routes to Schools](#)" and the "[Great Streets](#)" program. The Legislature must develop a plan to match inflationary costs and a plan to transition from a gas tax to an impact fee based on miles traveled to stabilize transportation investment.

FUNDING AND EXPANDING PUBLIC AND INTER-COMMUNITY TRANSIT

RECOMMENDATION: *The LOC supports expanding funding for public transit operations statewide, focusing on inter-community service, service expansion, and a change in policy to allow for the use of funds for local operations and maintenance.*

Background: During the 2017 session, HB 2017 established Oregon's first statewide comprehensive transit funding by implementing a "transit tax," a state payroll tax equal to one-tenth of 1%. This revenue source has provided stable funding of more than \$100 million annually.

These funds are distributed utilizing a formula. Investments made since the 2017 session helped many communities expand and start transit and shuttle services to connect communities and provide transportation options. Many communities, however, still lack a viable public transit or shuttle program and would benefit greatly from expanded services.

SHIFT FROM A GAS TAX TO A ROAD USER FEE

RECOMMENDATION: *The LOC supports replacing Oregon's gas tax with a Road User Fee (RUF) while protecting local government's authority to collect local gas tax fees. An RUF will better measure a vehicle's impact on roads and provide a more stable revenue stream.*

Background: Oregon's current gas tax is 40 cents per gallon. Depending on the pump price, the gas tax represents a small portion of the overall cost of gas. Due to the improved mileage of new vehicles and the emergence and expected growth of electric vehicles, Oregon will continue to face a declining revenue source without a change in the fee structure. Capturing the true impact of vehicles on the transportation system requires a fee structure that aligns with use of roads. The federal tax has remained at 18 cents per gallon since 1993, effectively losing buying power or the ability to keep up with inflation.

COMMUNITY SAFETY AND NEIGHBORHOOD LIVABILITY

RECOMMENDATION: *The LOC supports a strong focus on funding safety improvements on large roads, such as highways and arterials, that run through all communities. This includes directing federal and state dollars toward safety improvements on streets that meet the Great Streets criteria but are not owned by ODOT, and increasing funding for the*

Great Streets program. For those cities that don't qualify for existing programs, ODOT should explore funding opportunities for cities with similar safety needs. Additionally, more funding should be directed to the Highway Safety Improvement Program (HSIP) and All Roads Transportation Safety (ARTS) programs.

Background: Community safety investment remains a critical challenge for local governments, reducing their ability to maintain a transportation system that supports the safe and efficient movement of people and goods. Traffic fatalities and serious injuries continue to grow to record levels in many communities. The lack of stable funding for these basic operations and maintenance functions prevents local governments from meeting core community expectations. Without increases in funding for transportation, this problem is expected to get even worse, as costs for labor and materials continue to increase.

Water and Wastewater Committee

Contact: Michael Martin, mmartin@orcities.org

INFRASTRUCTURE FUNDING (CO-SPONSORED BY COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE)

RECOMMENDATION: *The LOC will advocate for a comprehensive infrastructure package to support increased investments in water, sewer, stormwater and roads. This includes: funding for system upgrades to meet increasingly complex regulatory compliance requirements; capacity to serve needed housing and economic development; deferred maintenance costs; seismic and wildfire resiliency improvements; and clarity and funding to address moratoriums. The LOC will also champion both direct and programmatic infrastructure investments to support a range of needed housing development types and affordability.*

Background: Cities continue to face the challenge of how to fund infrastructure improvements – to maintain current, build new, and improve resiliency. Increasing state resources in programs that provide access to lower rate loans and grants will assist cities in investing in vital infrastructure. Infrastructure development impacts economic development, housing, and livability. The level of funding for these programs has been inadequate compared to the needs over the last few biennia, and the funds are depleting and unsustainable without significant program modifications and reinvestments. This priority will focus on maximizing both the amount of funding and the flexibility of the funds to meet the needs of more cities across the state to ensure long-term infrastructure investment. The 2024 LOC Infrastructure Survey revealed the increasing need for water and road infrastructure funding. The results show \$11.9 Billion of infrastructure funds needed (\$6.4 billion for water and \$5.5

billion for roads).

Combined with federal-cost share decline on water infrastructure projects – despite the recent bi-partisan infrastructure law investment – cities face enormous pressure to upgrade and maintain water infrastructure. At the same time, cities across the state are working urgently to address Oregon's housing crisis. To unlock needed housing development and increase affordability, the most powerful tool the Legislature can deploy is targeted investments in infrastructure to support needed housing development.

PLACE-BASED PLANNING

RECOMMENDATION: *The LOC will advocate for funding needed to complete existing place-based planning efforts across the state and identify funding to continue the program for communities that face unique water supply challenges.*

Background: Oregon's water supply management issues are complex. In 2015, the Legislature created a place-based planning pilot program in Oregon administered through the Oregon Water Resources Department that provides a framework and funding for local stakeholders to collaborate and develop solutions to address water needs within a watershed, basin, surface water, or groundwater. In 2023, the Legislature passed a significant bipartisan Drought Resilience and Water Security package (BiDRAWS), which included \$2 million into a place-based planning water fund to continue efforts to address a basin-by-basin approach.

OPERATOR-IN-TRAINING APPRENTICESHIPS

RECOMMENDATION: *The LOC will advocate for funding for apprenticeship training programs and the expansion of bilingual training opportunities to promote workforce development of qualified wastewater and drinking water operators due to the significant lack of qualified operators.*

Background: Water utilities must resolve a human-infrastructure issue in order to keep our water and wastewater systems running. Currently, water utilities face challenges in recruiting, training, and retaining certified operations employees. In addition, retirements of qualified staff over the next decade will exacerbate the problem.

In 2023, the Legislature approved one-time funding for the development of a training facility for certified operators and technical assistance staff in partnership with the Oregon Association of Water Utilities. Sustained funding for regional training facilities and direct funding for utilities hosting training programs is needed to train the next generation of water and wastewater operators.



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MEMORANDUM

Administration

To: Mayor Jackola and City Council
From: Ron Whitlatch, Interim City Manager
Subject: **Administration Update – June 2024**

Date: June 27, 2024

- Brandon Neish and I attended the City of Sodaville Budget Committee Hearing where Brandon presented the budget that he had prepared for them. The budget was approved by their committee and will go for adoption at the June 27th Sodaville City Council Meeting. As a reminder, this was done through an IGA which provided Sodaville with Staff resources to prepare and present their budget. Per the IGA, the City of Sodaville will reimburse Lebanon for Staff time (not to exceed \$2,500) and advertising costs.
- Continuing to move forward with the possible relocation of the City Council Chambers to the Library Community Room. We are getting pricing for a new dais and the needed IT improvements for the proposed meeting room, and hope to provide an update to City Council in July or August.
- SSW Consulting is under contract to moderate and develop the City Council 5-year Strategic Plan. Staff has met with the consulting team several times in order to get prepared for the Strategic Planning retreat in July. The retreat will be held on July 22nd at Boulder Falls, 9:00 am to 4:00 pm. Continental Breakfast and lunch will be provided.
- Staff is continuing to refine options for a City Services Fee. This includes developing informational material, a list of frequently asked questions, dollar options, and example ordinances. A City Council Work Sessions will be held in August to provide information and get input from the City Council.
- Kelly Hart and I provided a tour of the Wastewater plant to members of the Oregon Cascades West Council of Governments (OCWCOG) who actively searching for grant opportunities to fund wastewater projects. OCWCOG is also researching grant opportunities related to streets, public safety, and solar project.
- Staff is continuing to work with Sean Tate (Tate Public Affairs) who is helping the City navigate legislative affairs and advocate for the City. We currently meet with Sean every other Wednesday.
- Holding regular Department Director Meeting (every two weeks) to keep moving priorities forward.

- Continuing to participate in Linn County's Natural Hazards Mitigation Plan update being completed by Department of Land Conservation and Development. This plan includes updates to all cities located in Linn County and will be presented to City Council for approval in 2025.
- Continuing discussions with Lebanon Farmers Market to see about moving them to a different location for next year.



MEMORANDUM

City Recorder's Office

TO: Mayor Jackola and City Council
FROM: Julie Fisher, City Recorder
ITEM TITLE: Department Report

CURRENT REPORT: June 2024

- Compiled and Prepared the City Council Agenda, Packet, and Minutes for June 12th City Council and Executive Session meetings.
- Maintained and sent out the Preliminary Agenda Table
- Resolutions: (9) 2024-12 State Revenue Sharing, 2024-13 Marijuana Compliance, 2024-14 City Budget Adoption, 2024-15 City Budget Levying Taxes, 2024-16 URD Budget Adoption, 2024-17 URD Budget Levying Taxes, 2024-18 CDBG, 2024-19 Fee Schedule Update, 2024-20 URD Budget Adjustments, 2024-21 Appropriation Transfer
- Ordinances: (2) #3019 Psilocybin #3021 Annexation
- Press Releases: (6) Cheadle Lake Trail Closure, Summer Reading Program, Library Decrease in Hours, Ballot Title Receipt, Candidate Filing Period, Construction Notice
- Public Meeting Notices: (3) City Council and Planning Commission
- Documents added to ORMS: 87 documents in the last 30 days.
- Public Records Request: (1) ERI Economic Research Institute
- Records Destruction Certification: (2) Police Department, Court
- Liquor Licenses Processed: (0)
- Contact Us Submissions: (9) The City Recorder's office responded to multiple requests from questions regarding liens, illegal parking, parades, and court fines.
- Social Media: City Facebook from May 15-June 14
 Facebook Followers = 4,388
 Facebook New Followers = 12
 Facebook Post Reach = 2,950
- City Website: 13,820 Total Users (visited the website) with 31,066 Views from May 15-June 14
 Top Four Webpages Visited: News, Home Page, Library, Utility Payments
- Maintained the City boards/committee database, tracked terms, and archived minutes.
- Tracked all City agreements/contracts and sent out reminders about ones that are expiring.
- Tracked and archived deeds, easements, and rights of way
- Elections: Filing Period for November 5, 2024 Election is now open! (July 8 – July 31).



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MEMORANDUM

Community Development

To: Mayor Jackola and City Council
From: Kelly Hart, Community Development Director
Subject: Community Development Department City Manager Report Updates

Date: June 28, 2024

Planning:

- The June Planning Commission meeting included the following actions:
 - Approval of S-24-03 for a 5-lot subdivision at 810 Kees Street
 - Approval of AR-24-04 for the modification of an approved project to allow for the expansion of the convenience store building for the property located at 911 Airport Road
- In June, no projects were approved administratively.
- There are currently no active land use applications. However, staff is aware of several projects in the pipeline, and several Development Review Team meetings have been held as pre-application meetings.
- Bottle Drop: At the June City Council meeting, a resident spoke during the public comment period regarding the desire to bring a Bottle Drop service to Lebanon. Director Hart contacted the Oregon Beverage Recycling Cooperative to promote Lebanon as an opportunity to expand Bottle Drop to serve east Linn County. A response was received from the Director of Business Development and Retail Relations. The conversation concluded with an understanding that there is a service gap in east Linn County, and Lebanon would be a potential opportunity to help fill the service gap. A local retailer (e.g., a grocery store) would need to be willing to partner to support reverse vending machines or Bottle Drop Express locations. Bottle Drop would need six businesses participating in the collection process within a three-mile radius for stand-alone full-service redemption facilities. Lebanon currently has five potential locations to meet that qualification. Director Hart will be contacting our local business community to identify interest in partnering with Bottle Drop to provide this service to the Lebanon community.
- Supreme Court Rulings: The 2023 Supreme Court Term included several cases that affect public officials and cities, including:
 - Lindke v. Freed and O'Connor-Ratcliff v. Garnier: Cases regarding First Amendment rights of public officials' social media accounts and actions on social media accounts.
 - NRA v. Vulio: This is another First Amendment case that identified that Government officials cannot attempt to coerce private parties to punish or suppress views that the government disfavors.
 - Snyder v. United States: The Court held that 18 U.S.C § 666 prohibits bribes to state and local officials but does not make it a crime for those officials to accept gratuities for their past acts.

- *Sheetz v. County of El Dorado*: expanded the Fifth Amendment takings clause to include all levels of land use permitting in the city and encourages a more stringent nexus/rough proportionality test. Essentially, this will impact the City's ability to condition for public/private improvements to a property.
- *Grants Pass v. Johnson*: Held local government ordinances with civil and criminal penalties for camping on public land do not violate the Eighth Amendment. However, Oregon passed several state laws that codified the *Boise* and *Grants Pass* case into state law. We are still evaluating whether any measures can be taken in light of this ruling.

The *Sheetz* and *Grants Pass* cases have the most significant impact on city operations, while *Lindke*, *O'Connor*, and *Snyder* affect government officials. The City Attorney's office will provide a more thorough analysis of each case at a future council meeting or city manager update.

- **City Legislative Efforts:** Bi-weekly meetings continue to be held with Sean Tate to discuss strategy. The following are the major initiatives:
 - On July 16, the Legislature's Joint Committee on Transportation will be in Albany, and the City intends to participate in the public hearing to advocate for transportation improvement projects in the City.
 - Continue to advocate for direct funding for the wastewater treatment plant capacity improvement project. A follow-up meeting with Congresswoman Chavez-DeRemer's office is scheduled for July.
 - Evaluation of the League of Oregon Cities Legislative Platform to align priorities.
- **Strategic Planning Update:** All councilor and director interviews were completed on time! The consultants will evaluate the results of the interviews to establish common themes, challenges, and paths to success for the organization in preparation for the July 22nd workshop.
- **Housing Production Strategy Implementation:** The first project management team meeting was held in June to review the initial code audit and proposed project priority list. The first project advisory committee meeting is scheduled for July 16. A joint City Council/Planning Commission meeting is scheduled for August 14 to review the code audit and the initial suggestions provided by the project advisory committee to ensure the work and committee are moving in the right direction.
- **Solar Project:** Staff continues to work with Pacific Power, consultants, and the Energy Trust of Oregon to evaluate solar projects to offset electrical costs for city facilities. Community Development Assistant Bacher, Director Hart, and Interim City Manager Whitlatch toured a solar farm research facility in Aurora, OR, to identify whether additional revenue alternatives are available.
- **Grant Administration:** Our contract with Cascade West Council of Governments for grant writing is underway. The grant writer has submitted one grant, the Safe Roads 4 All, a regional grant focused on roadway improvements to increase safety. The grant writer has also been asked to search for grants to help fund staffing at the senior center, solar grants, and wastewater treatment plant grants and will work with the Police Department to apply for a grant due in August. In addition, the grant

writer joined Director Hart on a tour of the Champion Mill site with representatives of DEQ and EPA to help identify future funding sources for site cleanup grants.

- Community Development Block Grant (CDBG) Program: Staff is working on finalizing the ADA analysis of each of our facilities open to the public. This is the final grant administration item needed to begin fund distribution.
- Continuum of Care (CoC) and Multi-Agency Coordination (MAC) to address homelessness: All agencies with funding allocation are implementing their projects and expending funds. CSC continues the process of developing the regionwide CoC with no new updates.
- Rules Advisory Committee on Housing: The Community Development Director continues to participate in the State's Rules Advisory Committee for Housing to develop the Oregon Administrative Rules associated with House Bill 2001 (2023) and House Bill 2889 (2023). This multiple-year appointment will give Lebanon a voice in developing reasonable housing standards for implementation at the rural level.
- Lebanon Community School District Facilities Advisory Committee: The Community Development Director continues participating in the LCSD Facilities Advisory Committee.

Building:

- The city processed 64 permits in May. The total fees received were \$39,839.62, and the construction valuation was \$3,426,544.55.
- By comparison, in May 2023, 87 permits were processed. The total fees received were \$47,424.56, and the construction valuation was \$3,717,733.61.
 - A current list of the larger construction sites include:
 - Riverside Banks Subdivision and Duplexes (Williams Street)
 - 8-lot subdivision – Cascade Estates (Seven Oaks Lane/Cascade Drive)
 - 19-lot subdivision (Walker & Wassom)
 - 26-lot subdivision – Franklin Grove Estates (Franklin and Russell Drive)
 - 450 Weldwood Drive – Self Storage (Weldwood and Cascade Drive)
 - Blackrock Apartments – 12 units (2nd Street and Airport Road)
 - Airport Road Apartments – 60 units (Airport Road and Russell Drive)
 - Harbor Freight Tenant Improvements (Lebanon Plaza Shopping Center)

Economic Development:

- Business visitation program: In June, Councilor Dykstra and Director Hart visited Ward 1 businesses were visited. Below is a summary of the visits:
 - Peak Internet: Met with President/CEO Rick Petersen to discuss Peak Internet's expansion and goals for service development in the Lebanon community. A follow-up meeting was offered to discuss how Peak and the City could better align with facility planning and future development project planning.

- Willamette Vocational Resource Community (WVRC): Met with Executive Director Erica Andrews to discuss the services provided by WVRC and how the City may be a more integrated partner and toured the facility. Based on the discussion, Director Hart followed up with information regarding Bottle Drop's Blue Bag donation program and LBCC's childcare program and is working on connecting WVRC with the Lebanon Community School District to help solidify the program pipeline from the school.
- Business recruitment: Based on community feedback, staff is currently working to recruit a sandwich restaurant to town. Big Town Hero and Firehouse Subs have identified an interest but require a franchisee. Staff is working with commercial brokers to package open retail tenant spaces with potential franchise purchase options to promote the use.
- Downtown Building Restoration Program: Three projects were awarded grants this cycle for the total grant allocation of \$50,000: Papa's Building Façade Restoration (804 Main Street - \$25,000), Wells Fargo Building Façade Restoration (809 Main Street - \$20,000), Kuhn Signage Additions and Painting (668 Main Street - \$5,000). Projects are underway.
- Rural Economic Alliance (REAL): The REAL group met in May to continue discussing regional business survey development to identify business resource needs for each city and region. Partners from the Corvallis-Benton County Economic Development Office participated in the meeting. Work continues on grant implementation for the new Rural Opportunity Initiative grant round, which will bring entrepreneurial support to the Lebanon community and funding to the REAL group to implement the strategic plan.



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Item # 9.

MEMORANDUM

Engineering Services

To: Mayor Jackola and City Council
From: Ron Whitlatch, Engineering Services Director
Subject: **Engineering Update – June 2024**

Date: June 25, 2024

CAPITAL IMPROVEMENTS

- As time allows, Engineering Staff continues to work on designs for additional small sewer replacement/rehab projects. These include:
 - East Ash (between Carlson and Creswell)
 - Fourth Street (between Maple and Grant)
 - Main extension along Division Way (this project will serve US Bank who is currently on a septic system). Armstrong & Associates Construction is expected to be complete by July 1.
 - Udell Engineering is currently working on a survey to extend sanitary sewer on Grove Street (between Carolina and Dodge). They will also be collecting survey data for an additional sewer replacement on Grove Street from Milton to Elmore. Once we have the surveys, Staff will begin design in preparation for fall bidding.
 - Grove Street and Ash Street Sanitary Sewer Extension
 - Staff is continuing to receive applications for replacement of sanitary sewer laterals (through the Small Sewer Lateral Replacement Program).
- Kennedy Jenks Engineering (KJE) and City Staff are continuing to move forward on the development of the Wastewater Treatment Plant Master Plan. KJE is working with DEQ to determine permit constraints for our new NPDES Permit that is scheduled to be issued in 2025. The Master Plan process has slowed some over the last couple of months as we are waiting to see what the proposed NPDES Permit requirements will look like prior to finalizing the master plan. It is likely this process will take us through the summer months.
- Trails Update:
 - Design of the multi-use path along Airport Road (in conjunction with the Airport Road/Stoltz Hill Signal Project) from Seventh Street to Burkhart Creek will be completed with the signal drawings and incorporated into the overall project. This includes taking the existing overhead powerlines and converting them to underground.
 - The trail to connect the Old Mill Trail and the River Park Trail in the Gills Landing Parking lot was awarded to Santiam Canyon Excavating at the June City council

Meeting. Construction will likely begin around July 1. Build Lebanon Trails is funding construction of the project.

- The City has received a Recreational Trails Grant to complete a segment of trail adjacent to River Park. Design is currently underway, but due to current workload, the construction will likely happen in spring of 2025.
- Emery & Sons Construction has completed the Westside Interceptor Project. We are currently working on final payment and close out.

Approved GMP Values		Contingencies Used to Date	
Construction Cost	\$18,029,671.95	Contractor Contingency	\$254,900.97
Contractor Contingency	\$398,026.75	City Contingency	\$692,179.00
City Contingency	\$995,066.86	Allowances Spent to Date	
Contractor Allowances	\$1,902,065.32	Trench Foundation	\$107,733.78
Total GMP Approved	\$21,324,830.88	Dewatering	\$429,579.64

- Willamette Valley Excavating continues to make good progress on the Seventh Street Reconstruction Project (Oak to 'F'). A majority of the new storm line and sanitary sewer line has been installed and they are currently working on the water line replacement. currently underway. Due to the amount of non-local traffic continuing to ignore road closed signs and barricades, we will likely jersey barrier several of the cross-streets to mitigate conflicts (close calls) with motorists and construction workers/equipment. The project is scheduled to be complete by the end of the year.
- Staff has received comments back from ODOT for a design approval of several sidewalk access ramps on Grant Street between Park and Second Street. We will be making several revisions in order to satisfy ODOT. Staff is actively designing the waterline replacement and street upgrades on Grant Street between Main Street and Fifth Street. A meeting with Union Pacific Railroad (UPRR) and Albany and Eastern Railroad was held on-site in December. Based on UPRR comments, it appears that the Rail Crossing on W. Grant will need improvements. Staff will be navigating what improvements and the costs associated with them in the coming months to determine overall financial impacts to the project. This new information will likely delay the project.
- As Staff is available, we are continuing the process to update the City's five year Capital Improvement Projects Plan. This effort will likely take several months (being done as Staff time allows) to complete. Staff will bring the completed document to the City Council for approval sometime in 2024.
- Design for the new Traffic Signal at the intersection of Airport Road and Stoltz Hill Road is in final review. Staff will advertise the project for bids later this summer which will allow for the successful bidder to begin work going into the fall and also begin ordering traffic signal components (which have a 6 to 9 month lead time). The timing will also set the contractor up to finish the project (which will require Airport Road to be closed for a period of time) immediately after school is out in early summer of 2025. The project also includes waterline extension on Stoltz Hill Road, sanitary sewer extension on Airport Road, storm drainage improvements, sidewalk and driveway installation, and a multi-use path along Airport Road. The needed right-of-way acquisition for the project is complete.

- The Beaton Lane/Tennessee Road Rapid Flashing Beacon Project is 90% complete. One of the controllers for the RRFB was defective, and we are waiting on a new one for final completion.
- Udell Engineering is working on a conceptual master plan for the Cheadle Lake Park which has been reviewed by the Parks, Trees, Trials Committee. The cost estimate for the initial conceptual design was substantially more than we have available in funding. Staff and Udell Engineering will come up with an alternate design with a much more paired down scope, with the focus being on accessibility improvements, backbone utilities, and hopefully a stage/event area. It is likely construction will take place in 2025.
- Staff began advertising the Third Street Alley Sewer Re-habilitation Project in June. A recommendation to award will be requested at the July City Council Meeting. This will be a Cured In Place Pipe installation which will eliminate the need for excavation due to its location in the alley and having very little maneuvering room. The existing line has multiple failures and a substantial amount of infiltration.
- Udell Engineering is currently under contract to provide the Topographic Survey for design of Fifth Street (Tangent to Mary). Kittelson Engineering is also under contract to begin warrant analysis for a traffic signal at the intersection. This project will re-construct this portion of Fifth Street and likely add a traffic signal at the intersection of Fifth and Tangent (assuming it meets warrants and has ODOT approval). We had anticipated starting design early in 2024, but due to current workload (consultants and City Staff) that has been pushed back to fall 2024.
- Staff is currently wrapping up design of the Willow Storm Drainage Extension Project. We intend to advertise this project for bids within the next month with construction this fall.

ENVIRONMENTAL

- Staff has been actively working on our required TMDL update to DEQ. The update was submitted and has been approved by Oregon DEQ. As time allows, we will begin updating the City's Five-Year Matrix and submit it to DEQ for approval. In the coming months, there will also be a big push by DEQ to begin the water temperature requirements for each jurisdiction. The City will not know the impacts of this, if any until the new regulations have been issued. It is possible that the new regulations (which tie into the City's NPDES Permit Update) could require action at the Wastewater Plant in order to mitigate temperature. The TMDL will require more extensive water quality efforts for storm drainage included in future projects and require testing of storm drainage outfalls as well as temperature controls in the near future. In conjunction with the TMDL requirements, Staff will be sending letters to commercial/industrial properties reminding them to have their private catch basins cleaned yearly to help eliminate pollutants from entering drainage ways.
 - Annual Status report complete and submitted to DEQ for approval.
- Staff is working with Republic Service to complete the Oregon Recycling System Optimization Plan Survey (ORSOP) with Circular Action Alliance (CAA). The data

collected in the questionnaire will be used to prioritize investments and to estimate the full cost of service expansions.

DEVELOPMENT ENGINEERING

- Hickory Lake Apartments water main extension complete with new hydrants online. Contractor working on site utilities and building construction.
- Franklin Grove Subdivision public improvements accepted. Site plans received for single family construction, home construction in process. A few homes have been completed and final.
- Fire Department received final occupancy and public improvements accepted.
- Plans approved for Buckmaster Plumbing new storage building. Contractor working on final punch list items.
- Kees Street extension improvements contractor working on final punch list items.
- Weldwood Dr storage fire hydrant extension and passed testing. Final street patch complete, contractor working onsite.
- Oak St sewer extension plans revised, and project has been scheduled.
- Panda Express corner of Airport and Hwy 20 project pending acceptance once asbuilts received.
- Plans on hold for new subdivision Madelyn Meadows between Walker & Wassom Street.
- Blackrock Apartments corner of Airport & S 2nd final street patch complete, contractor working on site improvements and building construction.
- Mill Race Station RV storage plans stamped approved for construction; public improvement permit issued contractor working onsite improvements.
- Sewer main extension along 12th Street north of Airport approved.
- Plans approved for Wagon Wheel ½ street and water main extension.
- Harbor Freight water main extension complete and contractor working on new driveway approach. On site and building construction in progress.
- Plans received and under review for Cedar Springs subdivision off of Mazama and Fuji.
- Plans received and under review for gas station and convenience store on the corner of Airport & Stoltz Hill Roads.
- Plans receive and under review for N Fifth extension with Hwy 20 access.



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Item # 9.

MEMORANDUM

Human Resources Department

To: *Ron Whitlatch, Interim City Manager* Date: *July 1, 2024*
From: *Angela Solesbee, HR Director*
Subject: *Department Update for City Manager Report*

- Recruitment:
 - Communications Specialist – See PD City Manager Report for detail.
 - Police Officer – See PD City Manager Report for detail.
- Benefits:
 - Business as usual
- Classification and Compensation:
 - Business as usual
- Training and Development:
 - June Safety training – Accident – Incident Analysis
 - July Safety training – Wildfire Smoke
 - June All Employee training – Drugs & Alcohol in the Workplace
 - July All Employee training – None
- Performance Management:
 - 38 evaluations are past due as of 6/30/2024
 - 3 in Finance (oldest is nearly 3 years past due)
 - 1 in IT (less than 30 days past due)
 - 8 in City Manager's Office (Director Evals)
 - 7 in Public Works (oldest is over 3 years past due)
 - 17 in Police Department (oldest is over 7 years past due – 7 employees)
 - 2 in SC/LINX (10 months past due)
- Other
 - Official transition to Personal Action (PA) forms. No major concerns or issues.
 - Teamster union negotiations complete. LPA ratified contract on 7/2/2024
 - ADP Learning module on hold.
 - Document storage system on hold.



MEMORANDUM

Finance Department

TO: Mayor Jackola and City Council
Ron Whitlatch, Interim City Manager

FROM: Brandon Neish, Finance Director

RE: Department Report – June 2024

- Accounts Payable
 - Payments made in June 2024; 171 checks were processed for payments of \$836,929.30.
- Payroll
 - Payroll was processed on June 7th and June 21st for all employees. In total, 130 employees were paid during the month of June.
 - The following adjustments have processed since January 1, 2024 for payroll errors:
 - January 2024:
 - W-2s were initially issued by ADP on January 10, 2024. Wages and taxes were correct, information in box 12 was not. Staff immediately engaged with the vendor and the issue stemmed from coding that was incorrectly applied within the vendor's system at implementation. Corrected W-2s were issued and staff was notified throughout the process. Adjustments which would normally be paid by the City will be covered by the vendor due to their mistakes.
 - A reprinted check was done for an employee with incorrect banking information entered.
 - 14 employees had the wrong FSA amounts withheld in January. The withholding amount was for the prior year. Employees were contacted and the corrections were made either on the next payroll or over the next three pay dates.
 - February 2024:
 - An employee identified that the 2-hour minimum for callback time did not calculate correctly (missed 1.4 hours of additional time at OT rate).
 - March 2024:
 - Time recorded for training days was miscoded during review as "no pay" days. For police employees, if there is a training day on a normally scheduled day off, they attend and take no pay for the day then are awarded an alternately scheduled day to take off as a "training day." The issue was identified by a shift supervisor and reported to Payroll. Checks were cut on the same day as pay day.
 - April 2024:
 - No adjustments recorded in April.

- May 2024:
 - Employee notified Payroll of potential overpayment. Employee works overnight shifts beginning at 6pm. Hours for second half of shift should have been recorded on timesheet on next day but were recorded on same day, resulting in OT instead of regular time.
- June 2024:
 - A new allowance for the 2024 benefits calendar allows domestic partners to be covered under an employee's insurance. There is no impact to state taxes but for the federal level, domestic partner insurance benefits are considered taxable. When the necessary codes were originally set up using ADPs wizard, the tax calculations for the state income taxes did not calculate correctly. Staff fixed the codes with ADP assistance and reversed/reissued the checks and related taxes. A few employees received small checks for the state tax difference.
 - A Police Officer was due to receive Team Leader pay beginning May 19th. The pay adjust was not completed until 6/4, resulting in retro payments.
 - Staff was notified that premium pay for a Police Officer was missed on paychecks since their start in February 2024. A separate check was produced for the employee to distribute the necessary premium earnings.
- Budget
 - The City Council adopted the FY25 budget during the Council meeting on June 12, 2024.
- Audit
 - Staff completed the final field audit in November 2023 with a few items outstanding at time of auditors' departure.
 - Requested additional documentation was submitted by mid-December 2023.
 - Staff inquired with audit team in March regarding the status and availability to complete review.
 - Final drafts of financial statements were sent last full week of April for sign off.
 - Auditors completed review of financial statements on May 23, 2024. Staff is reviewing recommendations and making necessary changes.
 - A full financial report was completed June 24th for the first draft. Initial review has yielded a few adjustments needed. Final report will be complete in time for Council presentation at the August City Council meeting.
- **Utility Billing:**
 - 6,574 billing statements (including electronics) were mailed June 28th for a total of \$1,220,788 in utility revenue.
 - 47 Owner Lien (past due) notification letters were mailed.
 - On June 21st, 176 phone calls went out to notify customers they have a past due balance.
 - There were a total of 77 lockouts in May.
 - There was a total of 316 service requests in May: 62 move ins, 77 lock-offs, 15 re-read meters, 53 reconnects, 40 move outs, 17 leak checks, 6 changed meters, 25 turn ons, 5 turn offs, 8 meter installations, 1 meter removal, no dead meters, no water quality checks, 1 pressure test, no emergency requests, 1 meter test, no meter locates and 5 miscellaneous requests.

Utility Billing Data

	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24
Active Accounts	6,459	6,459	6,516	6,516	6,555	6,582	6,581	6,581	6,581	6,581	6,598	6,614	6,619
Penalty Applied	296	236	265	280	365	234	426	426	426	426	273	159	309
Lock Offs	71	74	0	100	73	114	N/A	107	77	135	71	118	77

Municipal Court Data

Data for May & June 2024 not available due to software issues. Will update table when available.

	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24
Charges Filed	129	102	137	166	109	180	102	241	95	132	158	235	148
Show Cause Issued	42	54	48	56	61	55	45	50	55	53	58	58	46
Licenses Suspensions Issued	23	20	38	32	30	20	47	39	51	38	38	52	33
Warrants Issued	144	160	231	203	150	169	141	174	202	164	108	205	166
Charges Disposed	80	137	141	123	121	92	170	163	196	117	122		



Information Technology Services
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INFORMATION TECHNOLOGY SERVICES – Brent Hurst, Director

IT

- The web site upgrade project has been completed. New website went live on June 18th.
 - Coordination continues with the Public Works departments to complete additional module installations.
- Continued assistance with the Lebanon Fire District on their website upgrade
- Coordinated with Lebanon's Chamber of Commerce for aerial map installation
- The budgeted SCADA upgrade project continues.
- Successfully completed annual software updates for LPD.
- Staff assisted with Zoom & YouTube Santiam Travel Station (STS) meetings for City Council, Parks, Trees, and Trails, and other staff meetings as requested.
- Assist Public Works and Finance with monthly lock-off process.
- Continuing to work on audio/video options for City Council chambers move to the library.
- Weekly and monthly security and vulnerability patches were completed.
- Staff addressed multiple other routine break-fix issues, equipment replacements, and maintenance renewals for IT.

GIS

- Coordinated with multiple departments to complete routine updates on mapping servers.
- Continued GIS/Utility Billing meter reconciliation both virtually and on site.
- Completed updates for LINX Transit route maps.
- Completed water system install date attribution project.
- Installed new large aerial maps throughout City office locations.
-
- Continued web map updates with coordination of GIS and Community Development departments.
- Continued work on the Water Quality Dashboard to be incorporated into the new City web site project in 2024.
- Coordinated new address updates with Community Development and Linn County GIS.
- The monthly tax lot updates from Linn County were completed.

Summary

During the past month, IT and GIS closed over 250 tickets or work orders. This includes system generated tickets that needed analysis and resolution in addition to end user requests for help.



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MEMORANDUM

Lebanon Public Library

To: Mayor, City Council & Ron Whitlatch, Interim City Manager

Date: June 28, 2024

From: Kendra Antila, Library Director

Subject: Manager's Report

- This year's Summer Reading Program kick off performer was the Oregon Bird Man. The event brought in a crowd of close to 400 people (225 children, 171 adults). Huge thanks to the Senior Center for allowing us to use their auditorium!
- Our second event, Bubble Day, also had a huge turnout – 251 children and 121 adults.
- Rain or Shine Outdoor Storytimes have averaged 130 attendees at each event so far.
- We were recently awarded a \$10,055 Trust Management grant. A portion of the grant will be used to create a Spanish language collection.
- Our new schedule with decreased hours will go into effect July 1st.

THE CITY THAT FRIENDLINESS BUILT



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Item # 9.

MEMORANDUM

Police Department

To: City Council
From: Chief Frank Stevenson
Subject: June Monthly Report

Date: June 28th, 2024

- For June 2024, the Patrol Division had approximately 1,596 calls for service, made 127 arrests, issued 53 traffic citations, conducted 239 traffic stops, and wrote 179 case reports.
- We had previously extended a conditional job offer to a certified Communications Specialist. Unfortunately, the individual failed the background portion. We will now be administering the written portion of the testing process to approximately five (5) more individuals on Friday, June 28th.
- Officer Travis Boshart has almost passed the field training portion and is set to be a solo officer beginning the first week of July.
- Community Services staff members Albanese and Johnson, along with members of the Police Department, continue to conduct extra patrol within our parks system to assist in reduction of unwanted activities (ordinance violations and trespassing), and provide guidance related to overnight camping. Staff continues to work diligently to provide resources to members of the houseless community. Community Services staff made over 30 contacts this past month and assisted with giving out resources. They also assisted in trespassing individuals who were in violation of city code.
- Community Services staff also spent time last month involved with a walk-to-school event for Riverview Elementary School, engaged with the Peer Court and Neighborhood Watch programs, and conducted several presentations within the community.
- Our annual Cast-With-A-Cop event was held at Camp Tadmor on June 21st. This year, 26 kids from the community participated and were provided an opportunity to go fishing, play games and enjoy a BBQ with police officers.
- The Detectives Division remains busy. This month, they were assigned four (4) new cases, reviewed forty (40) DHS referrals, made one (1) arrest, assisted in conducting a federal search warrant with ATF, sent four (4) cases to the DA's office for review, and were able to close out twelve (12) cases.

INTEGRITY, PROFESSIONALISM & TEAMWORK

- There was one (1) use-of-force incident to report for the month: Lebanon officers responded to a residence in Lebanon, along with Albany Police officers, to take custody of a male subject who had been involved in a domestic assault in Albany. Upon arrival, it was discovered that the wanted male subject was hiding in a crawl space and refused to obey commands. Verbal commands were given to the male subject to come out and that he was under arrest; however, he continued to refuse to comply. K9 Oak was then deployed into the crawl space and located the male subject, who sustained a K9 bite to the left thigh, and a laceration to his left forearm. Albany Police took custody of the male subject. Every use-of-force incident is reviewed extensively by a Sergeant, Lieutenant, the Captain, and finally the Chief. The incident was found to be a justified use-of-force case and fell within police policy.
- There were three pursuits this past month: (1) An officer found a vehicle that a known wanted subject was driving. Upon activating the overhead emergency lights to conduct a traffic stop, the male subject operating the vehicle sped off; officers pursued the suspect for approximately 11 miles, but terminated the pursuit when they lost sight of the suspect vehicle. (2) An officer tried to stop a vehicle for a minor traffic offense - however, the operator of the vehicle attempted to drive away at a high rate of speed. Officers pursued the suspect vehicle for approximately 10 miles until the vehicle stopped. The male suspect was taken into custody without further incident. (3) An officer attempted to stop a motorcycle for a minor traffic offense, and the driver failed to stop. Officers pursued the motorcycle for approximately 50 miles until it was forced to stop at a dead-end street in Sweet Home. The subject was taken into custody for multiple traffic crimes, outstanding warrants for his arrest, and possession of a firearm. Each pursuit was reviewed separately by a review board that included the Chief, Captain, Sergeant and Lieutenants, and each were found to be within policy.

Please do not hesitate to ask if you have any questions with regard to this summarization.



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MEMORANDUM

Public Works

Date: June 28, 2024

To: Mayor Jackola and City Council
From: Jason Williams, Public Works Director
Subject: City Manager's Report – July 2024

A. Collections (Sanitary-Storm):

- Mowing
 - Started mowing in collections system R.O.W.'s as ground conditions allowed.
 - Flattops have been completed. We are a third of the way through mowing waterways and detention ponds.
- Manholes:
 - Working on list for manhole rehabilitation to be completed.
- Sewer Mains:
 - Checked Sewer main for blockage reported by rooter service
 - Found Sanitary main to be clear with no sign of blockage. Working with resident on lateral.
 - Cleaned 250 Feet and Video Inspected 385 Feet of sanitary sewer main line.
 - Flushed low flow, dead end sewer mains.
- Sewer Laterals:
 - Video inspected and located several Sanitary laterals in the areas of current construction jobs.
 - Assisted 2 customers with sewer lateral issues.
 - Video inspected 900-feet of sanitary sewer laterals.
 - Installed 0 cleanouts.
 - Conducted 6 sewer lateral replacement investigations.
 - 7 - entered program
 - 0 - not eligible or did not require replacement
 - 1 - working with customer to gather more information
 - Note: We were able to get all private laterals to at least a temporary working condition
- Storm:
 - Responded to Diesel spill in the 1100 block of W. Oak St.
 - An unknown quantity of diesel spilled as result of a traffic accident.
 - Determined fuel had got to Burkhart Creek, booms and absorbents were placed in three spots.
 - NWFF Environmental was called for cleanup.
 - Investigated one Storm main to determine location prior to private construction project
 - Found mapping of line inaccurate, verified location and provided correct mapping info to GIS department.
 - Cleaned 0 Feet and Video Inspected 275 Feet of storm line.

- Assisted Water Department with several water leaks.
- Strawberry Festival events completed.
- Post construction walk-through at Kees St. and Stoltz Hill Rd.
- Worked with Engineering Department.
 - Plans/Design for several upcoming Sanitary and Storm sewer jobs.
 - Assist contractor on current Sanitary project
- Monthly equipment checks and maintenance completed.
- Cleaned out River Park RV Dump Station holding tank and checked operation of the pump.
 - The card reader system has been replaced and is fully functional.
- Pump at Gills Landing RV Park is functioning as it should.

B. Parks:

- Opened, closed, and cleaned parks restroom buildings daily.
- Mowing full time.
- Crews continued vegetation management.
- All parks and trails system garbage's checked daily and emptied.
- Trimmed shrubs at Justice Center
- The trail system is cleaned weekly of leaves and other debris.
- There has also been an increase in daily vandalism and trash pick-up which has increased the amount of time it takes crews to clean restrooms and complete trash pick-up.
- Poured concrete patches throughout town replacing sidewalk panels for water line repairs.
- Completed framing of water fill station.
- Gills Landing
 - There were 122 RV park reservations for the month of May.
 - There were 36 shelter rentals for the month of June.

C. Streets:

- 6 – days were spent sweeping.
- Responded to Diesel spill in the 1100 block of W. Oak St.
- Installed and removed street banners for public events.
- Sprayed trails, parks, and ROWs for vegetation management.
- Hung downtown flower baskets and installed tree water bags
- Daily watering of hanging baskets and filling of tree bags
- Formed and replaced concrete curb and gutter on 12th Street from tree damage
- Cleaned up two fallen tree/limb complaints
- Crews replaced street signs / posts that had been damaged, graffitied, or were faded.
- Installed (4) new signs on Berlin Road “No Overnight Camping or Parking”
- Responded to garbage clean-ups on roadway.
- Graded gravel roadways, alleys, and shoulders of roads and filled potholes throughout town.
- Mowed alleys and ROW's.
- Assisted additional departments:
 - Responded to sewer plug on W. B Street.

- Responded to RV Dump issue.
- Responded to water leak on Kari Place.

D. Wastewater Treatment Plant:

- The Lebanon WWTP was in full compliance with our NPDES permit for May 2024.
- Influent flow for the month of May averaged 4.92 MGD with a peak of 10.88 MGD and a total of 152.61 MG
- Stopped biosolids hauling to Sommers field and waiting for summer field to be ready for application.
- Installed repaired screw conveyor at headworks.
- DEQ plant inspection, still waiting on official report but verbally we did very good per Brad Eagleson.

E. Water:

- Meter reading was completed.
- Daily water service orders including leak checks, locates, taste and quality issues, water samples and other customer concerns continue.
 - Followed up on water concerns and completed sample testing requested by citizens.
 - Repaired 2 water main leaks and 3 water services on 7th Street construction project
 - Installed 28 water meters and new radio readers
 - Located 87 locates throughout the city.
 - Repaired fire hydrant on 12th Street.
 - Installed new water service on E. Oak Street.
 - Completed state water samples.

F. Water Treatment Plant:

Production	
Monthly Water Use (Intake Flow Meter)	105.15 MG
Finish Water Produced	71.88 MG
Water Sent to Cheadle Lake	25.25 MG

Water Quality					
Finish Chlorine			CT Basin Turbidity		
Min > 0.20 mg/L	Max < 4.00 mg/L	Average ~ 1.00 mg/L	Min	Max < 1.000 NTU	Average
0.56	1.51	1.02	0.013	0.030	0.018
Finish pH			Filtrate Fluoride (Average of Each Day)		
Min > 7.00 pH	Max < 9.00 pH	Average	Min	Max < 4.00 mg/L	Average ~ 0.70 mg/L
7.39	8.32	7.71	0.00	0.00	0.00

- New Filters onsite.
- New backwash actuators onsite.
- Replaced backwash NTU valves.



MEMORANDUM

Senior Services & LINX Transit

Date: July 1, 2024

To: Mayor Jackola and City Council

From: Kindra Oliver, Senior Center & LINX Transit Director

Subject: Monthly LINX & Senior Center Report

LINX Transit:

At close of the fiscal year, LINX had provided 63,948 rides, which is 33.6% higher than last FY.

Senior Center:

June is wrapping up our 2023-24 fiscal year. The Senior Center has seen a lot of growth in numbers since the prior year and a lot of new activities on the calendar.

In June, our Walk with Ease (WWE) evidence-based exercise program took several trail walks in Lebanon as well as trails in surrounding communities. As the weather warmed up it was a great way to get seniors outdoors and market the WWE program as providing more than just walking on their own. It is also a great way to market the amazing trail system that Lebanon has (better, in the opinion of many seniors, than our neighboring larger communities).

In June, we changed up our Wednesday Ice Cream Social. It has been on Wednesday afternoons for many years, but now runs into Bingo getting set up in the Auditorium. We felt this didn't help create the relaxed social atmosphere that we were hoping for. It has been moved to the second Friday before the movie. We are also shifting the emphasis from a social to a meet and greet. The intention is to create an opportunity for folks new to the community or the Center to find a place to meet other people. We will be doing ice breaker games to assist in seniors finding other folks with similar interests. Common interests are a great starting point to new friendships, and the basis for several group activities at the Senior Center.

Our mosaic craft series wrapped up in June. These craft opportunities have brought many new folks into the Center or folks we know into trying something new. The groups have all been full! In prior months the projects were smaller and utilized grout and small tile. In June, we made concrete steppingstones and participants got to bring their own objects to decorate their stone. Creativity abounded as seniors brought in all kinds of materials from broken China to plastic bottle tops. It was inspiring to see all the clever designs.