



LEBANON CITY COUNCIL EXECUTIVE SESSION AND REGULAR MEETING AGENDA

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.

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 – 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

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 June 11, 2024**. The City Recorder will distribute comments to the Mayor and Council prior to the meeting.*

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

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.***
- 17.** Resolution No. 2024-21 - A Resolution Authorizing a Transfer of Appropriations for the City of Lebanon 2023-2024 Budget.
- 18.** Build Lebanon Trails Request for Transient Lodge Tax Funds
- 19.** Gill's Landing Trail Award

20. Department Reports:

Administration
City Recorder
Community Development
Engineering
Finance Department
Human Resources
Information Technology
Library
Police

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): July 10, 2024 Regular Meeting
July 22, 2024 Strategic Planning Session**

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.



EXECUTIVE SESSION ANNOUNCEMENT

June 12, 2024

Meeting Information

Executive Sessions are closed to the public. There will be no live-stream of this meeting.

Executive Session Announcement

The Lebanon City Council will now meet in Executive Session.

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

Official representation of the news media and designated staff shall be allowed to attend the Executive Session. All other members of the audience are asked to remain outside the room during the Executive Session. Representatives of the news media are specifically directed not to report on any of the discussions during Executive Session, except to state the general subject of the session as previously announced.

No formal actions may be taken in Executive Session. Formal actions to be taken, if any, as a result of the Executive Session will be conducted during the Council's regular session.



925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4906
cdc@ci.lebanon.or.us
www.ci.lebanon.or.us

MEMORANDUM

Community Development

To: Mayor Jackola and City Council
From: Kelly Hart, Community Development Director
Subject: Northwest Code Professionals Contract Renewal

Date: June 3, 2024

I. INTRODUCTION

The City of Lebanon contracts with Northwest Code Professionals, LLC (NWCP) to administer its building inspection program as provided in ORS Chapter 455. The City has contracted with NWCP since 2006 and has been operating under the latest contract since 2017, with no amendments.

II. CURRENT REPORT

The City and NWCP entered into contract negotiations to update general contract terms. Below is a general overview of the contract adjustments:

- Term: the previous contract was evergreen with no term period. This contract has a five-year term.
- Compensation: The previous compensation was based solely on an hourly rate and did not appropriately reflect the work allocation based on permit funds collected. The new contract compensation identifies up to 85% of the permit plan check fees, which will be distributed to NWCP as the building official conducts the majority of the work associated with building plan checks. The inspections would be based on an hourly rate. This new compensation structure will be phased in over three years, with an increasing percentage of plan check fees distributed to NWCP each year. The City's permit fee structure has been adopted to maintain staffing levels and the contract terms.

The NWCP contract is funded exclusively with building permit fees. These fees are restricted funds that can only be used to pay for the building program in accordance with State Law and are not part of the City's General Fund.

III. RECOMMENDATION

Approve the contract for NWCP with the initiation date of July 1, 2024, and allow the Community Development Director to sign all appropriate documentation.

CONTRACT FOR PROFESSIONAL SERVICES

BETWEEN

THE CITY OF LEBANON, OREGON

AND

NORTHWEST CODE PROFESSIONALS

This Contract is made and entered into this _____, 2024, by and between the CITY of LEBANON, OR a municipal corporation of the State of Oregon, hereinafter called the "CITY" and Northwest Code Professionals, LLC an Oregon limited liability company, hereinafter call "CONTRACTOR".

WITNESSETH:

WHEREAS, CITY wishes to administer its own building inspection program as provided in ORS Chapter 455 and for that purpose is in need of the services of building officials and inspectors duly certified by the State of Oregon; and

WHEREAS, CONTRACTOR is in the business of providing the services of building officials duly certified by the State of Oregon to governmental agencies and other parties.

WHEREAS, CITY wishes to obtain from CONTRACTOR and CONTRACTOR wishes to provide to CITY certain services of building officials and inspectors duly certified by the State of Oregon on the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the mutual promises and the terms and conditions set forth hereafter, the parties agree as follows:

1. TERM. This Contract shall commence on the 1st day of July 2024 and shall continue in full force and effect for a five year term until June 30, 2029, unless terminated sooner under the provisions as provided in Section 12.
2. SERVICES. The services to be provided by CONTRACTOR to CITY under the terms of this Contract shall consist of the following:
 - A. The examination of building plans submitted to CONTRACTOR by CITY to ensure their compliance with the Structural, Mechanical, Plumbing, and One and Two Family Dwelling Specialty codes of the Oregon State Building Code as adopted by CITY (State Building Code); and the Manufactured Home and Recreational Vehicle Regulations adopted by the State of Oregon (State MHRV Regs). CONTRACTOR shall review all permit applications submitted to it by CITY and complete a plans review report in a timely fashion, ordinarily within ten (10) working days after receipt

of all proper plans and applications. Promptly upon completion of its plans review report, CONTRACTOR shall approve or not approve such plans and notify CITY of such decision so CITY may issue appropriate permits or notify the applicant of any deficiencies identified in the plan review report.

- B. Upon request and instruction by CITY and subject to review and final approval by CITY, provide complete building official services at all levels and oversee enforcement of the State Building Code, and the State MHRV Regs, by performing field inspections of building sites within the CITY.
- C. Upon request and instruction by CITY and subject to review and final approval by CITY, conduct inspections during construction to ascertain if the construction complies with the applicable State Building Code, State MHRV Regs, and CITY Code & Ordinances as per the approved plans. CONTRACTOR agrees to make a good faith effort to coordinate its inspections with the CITY Fire Department (Fire Marshal) and CITY Public Works Department.
- D. Make a good faith effort to provide inspections within one (1) working day following its receipt of an inspection request from CITY; however, CITY acknowledges and agrees CONTRACTOR shall have up to two (2) working days to provide inspections required under the terms of this Contract.
- E. Meet with permit applicants/holders and/or CITY staff at CITY Hall to address and attempt to resolve any issues arising under the applicable State Building Codes, State MHRV Regs or CITY Code & Ordinances and related issues and set specific office hours at the CITY Hall on at least two (2) days per week to perform these functions.
- F. Maintain a permit application, plans review, and filing system in conjunction with CITY staff to ensure that records of all permits and applications are properly maintained.
- G. Upon receipt of written request and instructions from CITY, conduct other inspections for compliance with the codes indicated in Section 2A and with CITY'S applicable land use requirements, housing code or building maintenance code, and other ordinances and regulations and notify CITY of any existing or potential violations.
- H. Coordinate with other CITY functions and departments for plans and permit application review, permit and Certificate of Occupancy issuance, field enforcement, and compliance with CITY'S ordinances and regulations for utilities and land use requirements.
- I. Assist the CITY in ensuring the Building & Inspection Services Operating Plan complies with all State regulations associated with the delegation of building inspection programs.

3. SERVICE PROVIDERS CONTRACTOR may use employees, agents, or independent contractors to perform the services required by it under the terms of this Contract so long as such employee, agent or independent contractor is properly certified. If any incompatibilities or conflicts arise involving CONTRACTOR's employees, agents or independent contractors, CONTRACTOR and CITY agree to meet and make a good faith attempt to resolve any such incompatibility or conflict.

4. COMPENSATION. As compensation for the services to be provided by CONTRACTOR to CITY under the terms of this Contract, except for activities or services provided by CONTRACTOR to CITY under the terms of Paragraph 2.H above, City shall pay to CONTRACTOR for building, mechanical, plumbing, electrical, manufactured home setup, manufactured home and recreational vehicle park permits for which services were performed or to be performed by CONTRACTOR. Payment to CONTRACTOR shall be based on the fees noted in Paragraph 4 (A), (B), (C), and (D) and shall not include or be based on any additional CITY fees the CITY may collect. For activities or services provided by CONTRACTOR to CITY under the terms of Paragraph 2.H above, CITY shall pay CONTRACTOR in accordance with the rates set forth below.
 - A. Mileage will be reimbursed at the current Federal mileage rate for inspection services performed within Lebanon city limits.

 - B. Mileage for on call or vacation coverage inspector or meetings requested by CITY in the absence of the daily inspector will be reimbursed by City to CONTRACTOR at a flat fee of \$50.00 per workday.

 - C. City agrees to pay CONTRACTOR a percentage of the plan check review fees collected based on the schedule below:
 - a. Contract year one (7/1/24 – 6/30/25): 75% plan review fees
 - b. Contract year two (7/1/25 – 6/30/26): 80% plan review fees
 - c. Contract year three and through the remaining term of the contract: 85% plan review fees.

Plan check fees include all plan reviews and Fire and Life Safety Review fees collected by the City. No additional charge will be assessed for the second plan review. Each subsequent review may be charged a review fee at an hourly rate of \$130/hour at the discretion of the Building Official.

 - D. City agrees to pay Contractor hourly based on the Contractor's current rate of \$130/hour for inspection services; reinspection services after the third failed inspection; ordinance investigation/enforcement and all work where no Specialty Code permit has been issued or is applicable only with CITY pre-authorization; and licensed structural engineer review/consult where required for essential facilities as authorized by the CITY. This hourly rate subject to review annually by CONTRACTOR and City.

5. PAYMENT. Compensation due CONTRACTOR by CITY shall be paid as follows:

- A. CONTRACTOR shall submit a billing statement(s) for payment of CONTRATOR'S share of fees collected during the previous month by the 5th day of the immediately following month and CITY shall pay such billing statement(s) on or before the 25th day of the month in which it is received. In addition, CITY agrees to pay CONTRACTOR a late payment charge of 1.5% per month for any billing statement(s) received by CITY on or before the 5th day of the month which is not paid by the 25th day of that month.
 - B. Payment by CITY of any such billing statement shall release CITY from any further payment obligation to CONTRACTOR for services performed or expenses incurred as of the date of the billing statement.
6. CITY'S OBLIGATIONS In order to facilitate the services to be provided by CONTRACTOR to CITY under the terms of this Contract, CITY to do the following:
- A. Receive all permit applications and messages and promptly advise CONTRACTOR of such receipt.
 - B. Make sufficient meeting and office space available to CONTRACTOR at CITY Hall to allow CONTRACTOR to perform all of its obligations under the terms of this Contract.
 - C. Issue permits, collect fees, and provide related administrative services.
 - D. Require all applicants to pay building, mechanical, plumbing, and manufactured home permit fees, plan check fees, and manufactured home park and recreational vehicle park fees prior to the issuance of any permit. CITY shall charge fees in accordance with its: (i) building, mechanical, electrical, plumbing, and manufactured home set up and recreational vehicle park permit fee schedules; (ii) valuation schedules, and (iii) any additional fees assessed or required by CITY related to the building inspection program. ORS 455.210 shall govern maximum structural, plumbing, electrical, mechanical, manufactured home set up and recreational vehicle park permit fees.
 - E. Review plans for compliance with CITY'S Development Code and other applicable CITY ordinances and requirements and notify CONTRACTOR in writing of any concerns or issues by notation on the building plans.
 - F. Maintain all permit records in accordance with records retention laws.
7. CONTRACTOR IDENTIFICATION NUMBER CONTRACTOR shall furnish CITY with CONTRACTOR's employer identification number, as designated by the Internal Revenue Service upon request.
8. CITY'S REPRESENTATIVE. CITY'S authorized representative for the purposes of this Contract shall be The COMMUNITY DEVELOPMENT DIRECTOR.

9. CONTRACTOR'S REPRESENTATIVE CONTRACTOR's authorized representative for the purposes of this Contract shall be Jack Applegate, CBO, CHI , 144 East 14th Ave., Eugene, Oregon 97401, phone 541-484-9043, fax 541-484-6859.

10. CONTRACTOR AS INDEPENDENT CONTRACTOR

- A. Contractor's services shall be provided under the general supervision of CITY or its employees or designees; however, CONTRACTOR shall be an independent contractor and shall be entitled to no compensation other than the compensation provided for under Section 4 of this Contract.
- B. CONTRACTOR acknowledges that it shall not be entitled to any employee benefits to which an employee of CITY would be entitled and shall be solely responsible for all payments of taxes required by law. If CONTRACTOR is found by a court of law or an administrative agency to be an employee of CITY for purposes of taxes or benefits CITY is required to pay for or to employees, CITY shall be entitled to repayment by CONTRACTOR to the full extent of any benefits or other remuneration CONTRACTOR may receive from CITY as result of said finding and to the full extent of any payments CITY is required to make to CONTRACTOR or to a government entity) as a result of said finding. CONTRACTOR shall obtain workers' compensation coverage for its employees and agents as required by Oregon law.
- C. CONTRACTOR hereby represents that to its knowledge no employee of CITY or any partnership or corporation in which a CITY employee has an interest, has, or will receive any remuneration of any description from CONTRACTOR, directly or indirectly, in connection with the letting or performance of this Contract, except as otherwise specifically declared in writing.
- D. Notwithstanding paragraphs 10A, 10B, 10C, or any other paragraph of this Contract, CONTRACTOR and its officers, employees, agents, and subcontractors are and shall operate and be considered as agents of CITY for all purposes relating to the Oregon Tort Claims Act, ORS 30.260 to 30.300.

11. SUBCONTRACT - ASSIGNMENTS AND DELEGATION

- A. Subject to paragraph 10D above, CONTRACTOR shall be fully responsible for the acts or omissions of its employees, agents, and subcontractors and neither the approval by CITY of any employee, agent or subcontractor of CONTRACTOR nor anything contained herein shall be deemed to create any contractual relation between such employee, agent, or subcontractor and CITY.
- B. This Contract, and all of the covenants and conditions hereof, shall inure to the benefit of and be binding upon CITY and CONTRACTOR respectively and their legal representatives and successors. Except as otherwise provided herein, CONTRACTOR shall not assign any rights nor delegate any duties incurred by this

Contract, or any part hereof without the written consent of CITY, and any assignment or delegation in violation hereof shall be void.

12. **TERMINATION OF CONTRACT.** CONTRACTOR or CITY may terminate this Contract at any time upon not less than ninety (90) days prior written notice to the other party. In addition, CITY may terminate this contract upon not less than ten (10) days written notice to CONTRACTOR if CONTRACTOR breaches any of the terms herein or in the event of any of the following: Insolvency of CONTRACTOR; voluntary or involuntary petition in bankruptcy by or against CONTRACTOR; appointment of a receiver or trustee for CONTRACTOR; or an assignment for benefit of creditors of CONTRACTOR.
13. **ACCESS TO RECORDS** CITY shall have access to such books, documents, papers, and records of CONTRACTOR as are directly pertinent to the services performed under the terms of this Contract for the purpose of conducting an audit or examination or obtaining excerpts and transcripts.
 - A. CONTRACTOR shall have access to CITY building department budget for review upon request. CITY shall be responsible for ensuring building department dedicated funds are not used for other purposes as required under ORS 455.210 (3)(c).
14. **FORCE MAJEURE** Neither CITY nor CONTRACTOR shall be considered in default because of any delays in completion of responsibilities hereunder due to causes beyond its control and without fault or negligence on the part of the party so disenabled, including, but not limited to: an act of nature or of a public enemy, volcano, earthquake, fire, flood, epidemic, quarantine, restriction, area-wide strike, freight embargo, unusually severe weather or delay of subcontractor or suppliers due to such cause; provided that the party so disenabled shall within ten (10) days from the beginning of such delay to notify the other party in writing of the causes of such delay and its probable extent. Such notification shall not be the basis for a claim for additional compensation.
15. **NONWAIVER.** The failure of either party to insist upon or enforce strict performance by the other party of any of the terms of this contract or to exercise any rights hereunder shall not be construed as a waiver or relinquishment to any extent of a party's right to assert or rely upon such terms or rights on any future occasion.
16. **ATTORNEY'S FEES.** In the event suit, action or arbitration is instituted to enforce any of the terms of this Contract, the prevailing party shall be entitled to recover from the other party such sum as the court or arbitrator may adjudge reasonable as attorney's fees at trial or on appeal of such suit or action, in addition to all other sums provided by law.
17. **APPLICABLE LAW.** This Contract will be governed by the laws of the State of Oregon.
18. **CONFLICT BETWEEN TERMS.** It is further expressly agreed by and between the parties hereto that should there be any conflict between the terms of this Contract and the proposal of CONTRACTOR, this Contract shall control, and nothing herein shall be considered as an acceptance of the terms of said proposal conflicting herewith.

19. INDEMNIFICATION CONTRACTOR agrees to indemnify and to hold harmless the CITY, its Officers, Employees, and Agents against and from any and all loss, claims, actions, suits, including costs, and attorney's fees, for or on account of injury, bodily or otherwise, to, or death of persons, damage to or destruction of property belonging to CITY, CONTRACTOR or others, resulting from, arising out of, or in any way connected with CONTRACTOR'S acts which are outside the scope of CONTRACTOR'S duties to CITY under this Contract or for which CONTRACTOR is not eligible for representation and indemnification by CITY under the terms of the Oregon Tort Claims Act. CONTRACTOR agrees to defend all such claims on behalf of the CITY, whether frivolous or not.

CITY acknowledges and agrees that CONTRACTOR, and its officers, employees, agents, and subcontractors, for purposes of ORS 30.260-.300 (the Oregon Tort Claims Act), are agents of CITY while acting in the course and scope of carrying out CONTRACTOR'S duties and responsibilities under the terms of this Contract and while so acting they are covered by CITY'S insurance and entitled to representation and indemnification as provided under the Oregon Tort Claims Act.

20. INSURANCE. Prior to providing any of the services required under the terms of this Contract, CONTRACTOR, at CONTRACTOR's sole cost and expense, shall secure and continue in force during the term of this Contract the following insurance with an insurance company acceptable to CITY:
- A. General Liability and Property Damage Insurance with limits of not less than \$1,000,000 for personal injury, \$1,000,000 for comprehensive automobile liability and \$1,000,000 for broad form property damage coverage. Satisfactory evidence of such insurance shall be provided to CITY.
 - B. Workers' Compensation from the State Accident Insurance Fund or from a responsible private carrier. Private insurance shall provide the schedule of employee benefits required by law.
21. ARBITRATION any controversy or claim arising out of or relating to this Contract, including without limitation, the making, performance, interpretation, or enforcement of the Contract and any provisions contained herein, shall be settled by binding arbitration in Linn, County, Oregon, in accordance with ORS 36.600-36.740, and judgment on the arbitration award may be entered in any court having jurisdiction over the subject matter of the controversy.
22. COMPLETE CONTRACT. This Contract and any referenced attachments constitute the complete Contract between CITY and CONTRACTOR and supersede all prior written or oral discussions or agreements.

THE CITY OF Lebanon

NORTHWEST CODE PROFESSIONALS,

an Oregon limited liability company

By: _____

Date: _____

KELLY HART
COMMUNITY DEVELOPMENT
DIRECTOR

By: _____

Date: _____

JACK APPLEGATE, CBO, MANAGER

INTERGOVERNMENTAL AGREEMENT

This Intergovernmental Agreement is made and entered into under the authority of ORS 190.010, by and between **THE CITY OF LEBANON, OREGON**, hereinafter "City" and **LEBANON FIRE DISTRICT**, hereinafter "District" and shall become effective July 1, 2024 when signed by all parties.

- A. WHEREAS, ORS section 190.010 provides that a unit of local government may enter into a written agreement with any other unit of local government for the performance of any or all functions and activities that a party to the agreement has authority to perform; and,
- B. WHEREAS, the City retains the services of employees who have training and experience in computer sciences in a division of the City known as "Information Technology" or "IT"; and,
- C. WHEREAS, the District desires to retain the services of the IT Department of the City for assistance in upgrading, installing, and maintaining the District's network, computer, and printer systems; and,
- D. WHEREAS, the parties desire to enter into an agreement for the purpose of the City providing such services to the District.

NOW, THEREFORE, in consideration of the promises and covenants contained herein, the parties agree as follows:

- 1. **DEFINITIONS.** The following definitions are herein included to supplement terms of this agreement.
 - a. Technology Director is the administrative head of the IT Department. The Director's duties include supporting staff as needed, planning for current and future projects, and coordinating budget and hardware purchasing and software contract evaluations and requests with both City and Fire staff.
 - b. Network Support includes system configuration and any calls requiring System Engineer or Network Engineer time beyond an initial engagement or computer replacement. This includes time to configure and monitor backups and restores. Please note that while a System Engineer, Network Engineer, Administrative Assistant, or Director may make an initial help desk response, the entirety of the ticket may be charged at a higher rate dependent on the complexity of the request.
 - c. Information Support or "helpdesk" includes basic responding of email and phone requests to the Help Desk or 4240 number and basic on-site support of basic computer repair or replacement. This would include, but is not limited to, a basic password, but not employee offboarding. It may include VPN assistance to assist a user to connect remotely. It may include a single file for a user if such restoration can be completed with a single email response or during the initial phone call or site visit in a reasonably short time period (defined as "within 15 minutes").
- 2. **TERM OF AGREEMENT.** The term of this agreement runs from the date of execution and will remain in effect until terminated by either party, with annual review.
- 3. **SERVICES PROVIDED.** The City shall provide the District with IT services.
 - a. District shall decide which computers will be upgraded and warrants that District has the appropriate licensing for such operating systems or software or will obtain appropriate licensing as will be needed for the installation of the system or software by the City. District further agrees to defend and indemnify the City for any claims made by vendors for licensing issues.
 - b. District shall retain the ability to finally approve and/or implement policies and procedures and shall assume all responsibility for the implementation of such policies.
 - c. District agrees to mirror the cyber security policies, training, and procedures of the City.
 - d. In the event the City deems it appropriate, and with the agreement of the District, the City may purchase equipment or software on behalf of the District. All expenses so incurred shall be paid

by the District, as invoiced by the City or directly from a vendor, and upon the same terms as contained in Section 3 herein.

- e. The City maintains that it follows the legal guidelines for public purchasing regarding the services stated and provided by the agreement.
- f. District will purchase switches, access points, computers, copiers, printers, and other necessary computer related items, to ensure functionality, successful interface, and competitive maintenance with lower costs, through the City and/or its awarded vendors.
- g. In the event of an equipment failure that interrupts normal operations of the system or would jeopardize the information security of the system for either party, the City may provide further assistance as agreed upon by the District to rectify the situation.
- h. The City, through its IT Department, agrees to perform the IT services in a workmanlike manner.

4. **PAYMENT TERMS.** The District will pay for IT services in the following ways:

- a. The District pays the City for costs incurred for materials and services acquired from a third-party used solely for District staff and computer systems. Examples of these costs include software contracts, hardware purchases, and licenses for common productivity tools such as Microsoft Office. These costs are billed to the District as they are incurred.
- b. The District will pay for shared staff time and licenses used by both City and District IT system users. This includes planning time and billing support for the IT Director and Administrative Assistant equal to 10% of the associated salary and benefits and planning time for the remaining employees employed by the City in the IT Department equal to 5% of the associated salary and benefits. This portion of the billing shall be considered "base charges" and shall be billed annually at the beginning of each contract year. For FY2025, these charges shall be \$53,480.
- c. The District shall pay an hourly rate for services rendered equal to the following:
 - i. Technology Director: \$165.00 per hour
 - ii. Network Support: \$137.42 per hour
 - iii. Information Support (helpdesk): \$110.86 per hour

Services rendered outside normal business hours of Monday – Friday, 8am to 5pm, excluding public holidays, shall be subject to additional charges equal to 1.5 times the standard hourly rate and at a minimum of two (2) hours of time.

Charges for services rendered shall be billed quarterly starting October 2024 and within 30 days of the end of the serviceable period.

- d. The District shall have 30 days from the date of invoice to pay outstanding charges. Outstanding balances may incur a service charge of 1.5% monthly, until paid.

5. **GENERAL PROVISIONS**

- a. Termination. This Agreement may be terminated at any time by mutual written consent of the parties. Either party may, at its sole discretion, terminate this agreement, in whole or in part, upon 90-day notice to the other party.
- b. Indemnity. City and District shall be responsible individually with respect to their respective employees, for providing for employment-related benefits and deductions that are required by law.
- c. Hold Harmless. Subject to the limitations and conditions of the Oregon Tort Claims Act ORS 30-260-30.300, the parties agree to hold the other harmless, to indemnify and defend the other, its officers, agents and employees from any and all liability, actions, claims, losses, damages, or other costs including attorney's fees and witness costs that may be asserted by any person or entity arising from, during, or in connection with the performance of the work described in this

agreement. Nothing in this hold harmless shall be deemed to create a liability in excess of the Oregon Tort Claims limits for either party.

- d. Dispute Resolution. Any dispute between the parties will be decided in Linn County Circuit Court. As a condition precedent to the filing of any claim in Linn County, the parties agree to first mediate any claims between them. Mediation under this Agreement shall consist of: (1) informal mediation consisting of a meeting between the parties in person; (2) if informal mediation is not successful, formal mediation with a mediator mutually agreed to by the parties. If a mediator cannot be agreed on, the parties agree to submit one name each to the Lebanon Municipal Court Judge who will choose a mediator from that list. The Judge will not be informed which party submitted which name.
- e. Amendment. The terms of this agreement may not be waived, altered, modified, supplemented, or amended, in any manner whatsoever, except by written agreement signed by both parties.
- f. Non-Discrimination. The parties agree not to discriminate on the basis of race, religion, sex, sexual orientation, color, age, family status, marital status, source of income, national origin, or mental or physical disability in the performance of this Agreement.
- g. Public Contracting. The provision of ORS 279 shall apply to this Agreement.
- h. Attorney's Fees. If any action is instituted by either party in connection with any claim or controversy arising out of this Agreement, attorney's fees may not be awarded by a court of competent jurisdiction and each party shall bear its own expense of such action.
- i. Severability. If any part of paragraph, section, or provisions of the Agreement is adjudged to be invalid by any court of competent jurisdiction, such adjudication shall not affect the validity of any remaining section, part or provision of this Agreement.
- j. Governing Law. This agreement and the parties' rights under it shall be construed and regulated by the laws of the State of Oregon and venue for any dispute hereunder shall lie in Albany, Linn County, Oregon.
- k. Written Notice. All notices regarding this agreement would be sent to:

City of Lebanon	Lebanon Fire District
c/o IT Director	c/o Fire Chief
40 N 2 nd Street	1050 W Oak Street
Lebanon, OR 97355	Lebanon, OR 97355

This agreement including any Attachments, incorporates the complete understanding of the parties and shall not be modified except in writing executed with the same formalities and authority by all parties as this Agreement itself.

AGREED:

City of Lebanon

Lebanon Fire & Ambulance District

By: _____
City Manager

By: _____
Fire Chief

Date: _____

Date: _____

REVIEWED AS TO FORM:

By: _____
Lebanon City Attorney

Date: _____



925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4905
www.lebanonoregon.gov

Item # 3.

MEMORANDUM

City Recorder's Office

To: Mayor Jackola and City Council
From: Donna Trippett, Deputy City Recorder
Subject: Council Advisory Committee Appointments

Date: May 22, 2024

I. BRIEF HISTORY

As terms of several City advisory committee members end on June 30, staff advertised for volunteers to serve on the Budget Committee, Library Advisory Committee, Parks, Trees and Trails Committee and Planning Commission.

II. CURRENT REPORT

Mayor Jackola is pleased to nominate the following at the June 12, 2024 City Council Meeting:

Budget Committee:

- Shantel Schroeder (*appointment*)
- Tom Wells (*reappointment*)

Library Advisory Committee:

- Dr. Dustin Herb (*reappointment*)
- Denice Lee (*reappointment*)

Parks, Trees and Trails Advisory Committee:

- Rick Barnett – trees enthusiast (*reappointment*)
- Rod Sell – trails enthusiast (*reappointment*)

Planning Commission:

- Dave McClain (*reappointment*)
- Michael Miller – alternate (*reappointment*)

III. RECOMMENDATION

Appointment of the recommended nominees through the Consent Calendar

**City Recorder's Office**

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**COMMITTEES / COMMISSION
APPLICATION**

Item # 3.

Applicant Information (Please type/print clearly):

Name: Shantel Schroeder		Date: 4-30-2024
Home Address: [REDACTED]		
Mailing Address: [REDACTED]		
Home Phone: [REDACTED]	Email Address: [REDACTED]	Business Phone:
Occupation: SAHM	Employer: Self	Emergency Contact Phone: [REDACTED]
Preferred method of contact: <input type="checkbox"/> Mail <input checked="" type="checkbox"/> Phone <input checked="" type="checkbox"/> Email		
<p>Please mark which one you are interested in serving on:</p> <p><input type="checkbox"/> <i>Ad Hoc Committee</i> _____ (Print the Ad Hoc Committee Name)</p> <p><input checked="" type="checkbox"/> <i>Budget Committee</i> <input type="checkbox"/> <i>Library Advisory Committee</i> <input type="checkbox"/> <i>Non-Election Council Vacancy</i> (Must be Registered Voter)</p> <p><input type="checkbox"/> <i>Planning Commission</i> <input type="checkbox"/> <i>Senior & Disabled Services Advisory Committee</i> <input type="checkbox"/> <i>Parks, Trees & Trails Advisory Committee</i></p> <p>Are you applying for reappointment: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If so, how long did you serve in this capacity: ____ Year(s) ____ Month(s)</p>		
<p>Describe experience related to position applying for:</p> <p>4 years of budgeting for events, fundraisers and a non profit organization.</p>		
<p>List current and/or previous involvement on any government boards/committees/commissions/councils:</p> <p>Chair of an events and fundraising committee for a political party.</p>		
<p>Explain why you are interested in serving in this capacity (attach additional sheet if needed):</p> <p>There is a growing frustration among the community in regard to the city financials. I, too, have concern. I have 3 young girls and as a family of 5, the current economy and rate increases are becoming more and more difficult. I would like to become more involved to gain more of an understanding and also hopefully provide other and/or new ideas</p>		

Applicant's Signature: [REDACTED]

Date: 4-30-2024

FOR OFFICE USE ONLY

DATE RECEIVED: ____/____/____	City Council Appointment Date: ____/____/____
DATE SENT TO:	Applicant Notification Date: ____/____/____
Director: ____/____/____ Mayor: ____/____/____	Term Start Date: ____/____/____
Applicant Appointed: <input type="checkbox"/> Yes <input type="checkbox"/> No	Term End Date: ____/____/____



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APPLICATION FOR BOARD / COMMITTEE / COMMISSION

Item # 3.

Applicant Information (Please type/print clearly):

Name: Tom Wells		Date: 05/01/2024
Home Address: [REDACTED]		
Mailing Address: Same		
Home Phone: [REDACTED]	Email Address: [REDACTED]	Business Phone:
Occupation: Retired	Employer:	Emergency Contact Phone:
Preferred method of contact: <input type="checkbox"/> Mail <input checked="" type="checkbox"/> Phone <input checked="" type="checkbox"/> Email		
Please mark which one you are interested in serving on: <input type="checkbox"/> Ad Hoc Committee _____ (Print the Ad Hoc Committee Name) <input checked="" type="checkbox"/> Budget Committee (Must be Registered Voter) <input type="checkbox"/> Library Advisory Committee <input type="checkbox"/> Non-Election Council Vacancy <input type="checkbox"/> Planning Commission <input type="checkbox"/> Parks, Trees & Trails Advisory Committee <input type="checkbox"/> Senior & Disabled Services Advisory Committee		
Are you applying for reappointment: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If so, how long did you serve in this capacity: <u>4</u> Year(s) <u> </u> Month(s)		
Describe experience related to position applying for: Currently a member of this committee		
List current and/or previous involvement on any government boards/committees/commissions/councils: Linn County Expo Advisory Committee		
Explain why you are interested in serving in this capacity (attach additional sheet if needed): I am especially interested in how the current and upcoming deficits are going to be dealt with. [REDACTED]		

Applicant's Signature: [REDACTED]

Date: 5/1/2024

FOR OFFICE USE ONLY

DATE RECEIVED: ____/____/____	City Council Appointment Date: ____/____/____
DATE SENT TO: ____/____/____	Applicant Notification Date: ____/____/____
Director: ____/____/____ Mayor: ____/____/____	Term Start Date: ____/____/____
Applicant Appointed: <input type="checkbox"/> Yes <input type="checkbox"/> No	Term End Date: ____/____/____

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BOARD / COMMITTEE / COMMISSION**

Item # 3.

Applicant Information (Please type/print clearly):

Name: Dr. Dustin Herb		Date: June 8, 2023
Home Address: [REDACTED]		
Mailing Address: [REDACTED]		
Home Phone: [REDACTED]	Email Address: [REDACTED]	Business Phone: NA
Occupation: Research Geneticist	Employer: USDA-ARS	Emergency Contact Phone: [REDACTED]
Preferred method of contact: <input type="checkbox"/> Mail <input checked="" type="checkbox"/> Phone <input checked="" type="checkbox"/> Email		
Please mark which one you are interested in serving on: <input type="checkbox"/> Ad Hoc Committee _____ (Print the Ad Hoc Committee Name) <input type="checkbox"/> Non-Election Council Vacancy <input type="checkbox"/> Budget Committee (Must be Registered Voter) <input checked="" type="checkbox"/> Library Advisory Committee <input type="checkbox"/> Parks, Trees & Trails Advisory Committee <input type="checkbox"/> Planning Commission <input type="checkbox"/> Senior & Disabled Services Advisory Committee		
Are you applying for reappointment: <input type="checkbox"/> Yes <input type="checkbox"/> No If so, how long did you serve in this capacity: ____ Year(s) ____ Month(s)		
Describe experience related to position applying for: As a senior researcher and faculty at the USDA-ARS and Oregon State University working in plant genetics and botany, I routinely advise undergraduate/graduate students and teach biological science courses at the university level, in which I frequently utilize library resources to prepare lessons and assign related research.		
List current and/or previous involvement on any government boards/committees/commissions/councils: North Lebanon Water Control Board (current) Association of Official Seed Certifying Agencies - national small grain variety review board (2014-2016)		
Explain why you are interested in serving in this capacity (attach additional sheet if needed): I was born and raised in Lebanon, and care about this community and the resources the library provides to its citizens. I wish to bring my knowledge and experience in education, research, and agriculture to the Library Advisory Committee to assist in furthering the Lebanon Public Library's outreach all members of the community.		

Applicant's Signature: [REDACTED]

Date: June 8, 2023**FOR OFFICE USE ONLY**DATE RECEIVED: 6 / 8 / 2023

DATE SENT TO:

Director: 6 / 08 / 2023 Mayor: ____ / ____ / ____Applicant Appointed: ☐ Yes ☐ No

City Council Appointment Date: ____ / ____ / ____

Applicant Notification Date: ____ / ____ / ____

Term Start Date: ____ / ____ / ____

Term End Date: ____ / ____ / ____



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APPLICATION FOR BOARD / COMMITTEE / COMMISSION

Item # 3.

Applicant Information (Please type/print clearly):

Name: Denice Lee		Date: April 26, 2024
Home Address: [REDACTED]		
Mailing Address: Same		
Home Phone: [REDACTED]	Email Address: [REDACTED]	Business Phone: [REDACTED]
Occupation: Retired librarian	Employer: n.a.	Emergency Contact Phone: [REDACTED]
Preferred method of contact: <input type="checkbox"/> Mail <input checked="" type="checkbox"/> Phone <input type="checkbox"/> Email		
Please mark which one you are interested in serving on: <input type="checkbox"/> Ad Hoc Committee _____ (Print the Ad Hoc Committee Name) <input type="checkbox"/> Budget Committee (Must be Registered Voter) <input checked="" type="checkbox"/> Library Advisory Committee <input type="checkbox"/> Non-Election Council Vacancy <input type="checkbox"/> Planning Commission <input type="checkbox"/> Senior & Disabled Services Advisory Committee <input type="checkbox"/> Parks, Trees & Trails Advisory Committee		
Are you applying for reappointment: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If so, how long did you serve in this capacity: <u>6</u> Year(s) <u> </u> Month(s)		
Describe experience related to position applying for: I have served on the Library Advisory Committee for several years and wish to renew my appointment.		
List current and/or previous involvement on any government boards/committees/commissions/councils: Director, Lebanon Public Library Library/Senior Center Advisory Committee Library Advisory Committee		
Explain why you are interested in serving in this capacity (attach additional sheet if needed): I believe in education, reading and creating an environment in which people of all ages can be life long learners. I'm willing to work toward that end and I believe the library makes a significant contribution towards that goal.		

Applicant's Signature: [REDACTED]

Date: 4/26/2024

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DATE RECEIVED: ____/____/____	City Council Appointment Date: ____/____/____
DATE SENT TO:	Applicant Notification Date: ____/____/____
Director: ____/____/____ Mayor: ____/____/____	Term Start Date: ____/____/____
Applicant Appointed: <input type="checkbox"/> Yes <input type="checkbox"/> No	Term End Date: ____/____/____

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**APPLICATION FOR
BOARD / COMMITTEE / COMMISSION**

Item # 3.

Applicant Information (Please type/print clearly):

Name: <u>Rick Barnett</u>		Date: <u>4/22/27</u>
Home Address: [REDACTED]		
Mailing Address: <u>Same</u>		
Home Phone: [REDACTED]	Email Address: [REDACTED]	Business Phone: [REDACTED]
Occupation: <u>Manager → Maintenance</u>	Employer: <u>City of Albany</u>	Emergency Contact Phone: [REDACTED]
Preferred method of contact: <input type="checkbox"/> Mail <input type="checkbox"/> Phone <input checked="" type="checkbox"/> Email		
Please mark which one you are interested in serving on: <input checked="" type="checkbox"/> Ad Hoc Committee _____ (Print the Ad Hoc Committee Name) <input type="checkbox"/> Budget Committee (Must be Registered Voter) <input type="checkbox"/> Library Advisory Committee <input checked="" type="checkbox"/> Parks, Trees & Trails Advisory Committee <input type="checkbox"/> Planning Commission <input type="checkbox"/> Senior & Disabled Services Advisory Committee		
Are you applying for reappointment: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If so, how long did you serve in this capacity: <u>3</u> Year(s) _____ Month(s)		
Describe experience related to position applying for: <u>- Many Years Park Maintenance Management Experience</u> <u>- 10 yrs City Forester / City of Albany (Now overseer position)</u>		
List current and/or previous involvement on any government boards/committees/commissions/councils: <u>- Parks, Trees & Trails Advisory Committee</u> <u>- On City side (Albany) of lots of boards, commissions etc</u>		
Explain why you are interested in serving in this capacity (attach additional sheet if needed): <u>I believe I can be useful because of my Park & Forestry Experience + work on Parks, Trees & Trails committee</u>		

Applicant's Signature: _____

Date: 4/22/27**FOR OFFICE USE ONLY**

DATE RECEIVED: ____/____/____	City Council Appointment Date: ____/____/____
DATE SENT TO: _____	Applicant Notification Date: ____/____/____
Director: ____/____/____ Mayor: ____/____/____	Term Start Date: ____/____/____
Applicant Appointed: <input type="checkbox"/> Yes <input type="checkbox"/> No	Term End Date: ____/____/____

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APPLICATION FOR BOARD / COMMITTEE / COMMISSION

Applicant Information (Please type/print clearly):

Name: Rodney Sell		4/30/24
Home Address: [REDACTED]		
Mailing Address: Same as above		
Home Phone: [REDACTED]	Email Address: [REDACTED]	Business Phone:
Occupation: Retired	Employer:	Emergency Contact Phone: [REDACTED]
Preferred method of contact: <input type="checkbox"/> Mail <input type="checkbox"/> Phone <input type="checkbox"/> Email Prefer Email or Text or Phone		
Please mark which one you are interested in serving on: <input checked="" type="checkbox"/> Ad Hoc Committee <u>Parks Trees and Trails Committee</u> <input type="checkbox"/> Non- Election Council Vacancy (Print the Ad Hoc Committee Name) Budget Committee <input type="checkbox"/> Library Advisory Committee <input checked="" type="checkbox"/> XXXX Parks, Trees & Trails Advisory Committee (Must be Registered Voter) <input type="checkbox"/> Planning Commission <input type="checkbox"/> Senior & Disabled Services Advisory Committee Are you applying for reappointment: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If so, how long did you serve in this capacity: Year(s) Month(s)		

Describe experience **related** to position applying for:

I have served on the Parks Trees and Trail Committee for several years and through several transitions. I served on the Parks Committee as the Committee Chair (Staff) for several additional years. I have been the Build Lebanon Trails, Committee Chairperson since its inception in 2005. I serve as BLT's Board President also.

List current and/or previous involvement on any government boards/committees/commissions/councils: I have served on several Oregon State Parks Committee's including the Recreational Trails Program Committee and the Oregon Scenic Bikeway Committee. And other committees as listed above.

Explain why you are interested in serving in this capacity (attach additional sheet if needed): I believe I understand the City's Parks Master Plan and the City's Strategic Trails Plan more than most people. The reason for this is I was the lead City Staff person on the latest Parks Master Plan revision and during the creation of the Lebanon Strategic Trails Plan. I have a passion for assisting the City in providing the best Parks in Oregon, within our City boundaries. I love the outdoors and understand the value for everyone and the importance of spending time outside. As our community grows and high density housing becomes the norm, the importance of providing free, close to home, access to green open spaces becomes even more important for the mental and physical wellness of our residents and visitors to our community.

Applicant's Signature: Date:

FOR OFFICE USE ONLY

DATE RECEIVED: ____/____/____

DATE SENT TO:

Director: ____/____/____ Mayor: ____

/____/____ Applicant Appointed: ☐ Yes

☐ No

City Council Appointment Date: // Applicant

Notification Date: // Term Start Date: ____/____/____

Term End Date: ____/____/____

4/30/24



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APPLICATION FOR BOARD / COMMITTEE / COMMISSION

Item # 3.

Applicant Information (Please type/print clearly):

Name: Tom Wells		Date: 05/01/2024
Home Address: [REDACTED]		
Mailing Address: Same		
Home Phone: [REDACTED]	Email Address: [REDACTED]	Business Phone:
Occupation: Retired	Employer:	Emergency Contact Phone:
Preferred method of contact: <input type="checkbox"/> Mail <input checked="" type="checkbox"/> Phone <input checked="" type="checkbox"/> Email		
Please mark which one you are interested in serving on: <input type="checkbox"/> Ad Hoc Committee _____ (Print the Ad Hoc Committee Name) <input checked="" type="checkbox"/> Budget Committee (Must be Registered Voter) <input type="checkbox"/> Library Advisory Committee <input type="checkbox"/> Non-Election Council Vacancy <input type="checkbox"/> Planning Commission <input type="checkbox"/> Parks, Trees & Trails Advisory Committee <input type="checkbox"/> Senior & Disabled Services Advisory Committee		
Are you applying for reappointment: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If so, how long did you serve in this capacity: <u>4</u> Year(s) <u> </u> Month(s)		
Describe experience related to position applying for: Currently a member of this committee		
List current and/or previous involvement on any government boards/committees/commissions/councils: Linn County Expo Advisory Committee		
Explain why you are interested in serving in this capacity (attach additional sheet if needed): I am especially interested in how the current and upcoming deficits are going to be dealt with.		

Applicant's Signature: [REDACTED]

Date: 5/1/2024

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Director: ____/____/____ Mayor: ____/____/____	Term Start Date: ____/____/____
Applicant Appointed: <input type="checkbox"/> Yes <input type="checkbox"/> No	Term End Date: ____/____/____

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Item # 3.

**APPLICATION FOR
BOARD / COMMITTEE / COMMISSION****Applicant Information (Please type/print clearly):**

Name: Michael Miller		Date: 04/17/2024
Home Address: [REDACTED]		
Mailing Address:		
Home Phone: [REDACTED]	Email Address: [REDACTED]	Business Phone: [REDACTED]
Occupation: Constuction Project Manager	Employer: Lebanon Habitat for Humanity	Emergency Contact Phone: [REDACTED]
Preferred method of contact: <input type="checkbox"/> Mail <input type="checkbox"/> Phone <input checked="" type="checkbox"/> Email		
Please mark which one you are interested in serving on: <input type="checkbox"/> Ad Hoc Committee _____ (Print the Ad Hoc Committee Name) <input type="checkbox"/> Budget Committee (Must be Registered Voter) <input type="checkbox"/> Library Advisory Committee <input type="checkbox"/> Parks, Trees & Trails Advisory Committee <input checked="" type="checkbox"/> Planning Commission <input type="checkbox"/> Senior & Disabled Services Advisory Committee		
Are you applying for reappointment: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If so, how long did you serve in this capacity: <u>1</u> Year(s) <u> </u> Month(s)		
Describe experience related to position applying for: One year experrience, currently on the planning commission. 12 Years School/Government work as Facilities/Maintenance/Grounds Director for a school district.		
List current and/or previous involvement on any government boards/committees/commissions/councils: Experience with the Lion's Club and President, Community Engagement Committee for School Board.		
Explain why you are interested in serving in this capacity (attach additional sheet if needed): I have a vested interest in the growth of the Lebanon Area and feel I can contribute as a positive support for the Commission.		

Applicant's Signature: [REDACTED]

Date: 04/17/2024

FOR OFFICE USE ONLY

DATE RECEIVED: ____/____/____	City Council Appointment Date: ____/____/____
DATE SENT TO:	Applicant Notification Date: ____/____/____
Director: ____/____/____ Mayor: ____/____/____	Term Start Date: ____/____/____
Applicant Appointed: <input type="checkbox"/> Yes <input type="checkbox"/> No	Term End Date: ____/____/____



LEBANON PLANNING COMMISSION APPROVED MEETING MINUTES

April 17, 2024 at 6:00 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.

6:00 PM – REGULAR SESSION

CALL TO ORDER / FLAG SALUTE

The meeting was called to order at 6:00 PM.

ROLL CALL

PRESENT

Chair Don Robertson
Vice-Chair Lory Gerig-Knurowski
Kristina Breshears
Dave McClain
Karisten Baxter
Alternate W. Marcellus Angellford
Alternate Don Fountain
Alternate Shyla Malloy
Alternate Michael Miller

ABSENT

None

STAFF

Interim City Manager/Engineering Services Director Ron Whitlatch
Community and Economic Development Director Kelly Hart
City Attorney Tre Kennedy

MINUTES

1. 2024-02-21 Planning Commission Minutes

The minutes were approved as submitted.

CITIZEN COMMENTS - *restricted to items not on the agenda*

None

COMMISSION REVIEW

2. Public Hearing – Planning File PD-24-01 & S-24-02 – A proposal for a Planned Development and a 122-lot 9-tract subdivision for a 26.62-acre parcel on the south side of Crowfoot Road, east of Hillview Drive in the Residential Mixed Density zone (Z-RM). (12S-02W-23C, tax lot 04101)

City Attorney Kennedy explained the public hearing process. There was no ex parte, conflict of interest, or bias declared by the Commissioners.

CEDD Hart presented the staff report and provided answers to general points of opposition and questions posed by submitted written comments. Regarding a question as to whether the speed limit will change, ESD Whitlatch explained that speed studies determine whether a change is needed.

Commissioner Malloy asked about the likelihood of implementing the recommended traffic changes to the Central Drive/Crowfoot Road intersection. ESD Whitlatch said that the recommendations were sent to Linn County, so the hope is that the improvements are made. The City is also working with the County to make intersection improvements.

Regarding a question about a roundabout, ESD Whitlatch said that there are conceptual drawings and property has been purchased for a roundabout, which is the preferred solution for that location.

ESD Whitlatch confirmed for Chair Robertson that the infrastructure extension will be to the same standard as the Westside Interceptor.

Commissioner Angellford asked about potential consequences if the deviations were not allowed. CEDD Hart deferred to the applicant but explained that deviations are typically intended to allow for lots to be designed to preserve wetlands as much as possible.

Chair Robertson asked whether there will be emergency access as part of Phase I. CEDD Hart said that the Fire District will determine whether an emergency access is needed when the applicant provides the Phase I plan. She confirmed that there is flexibility in how each phase is platted.

Testimony by Applicant: Brian Vandetta and Laura LaRoque from Udell Engineering, representing the applicant, summarized the application and responded to commissioner questions.

Ms. LaRoque explained that minor deviations used in a standard subdivision allows for lot size variances as long as the average minimum lot size is maintained. It allows for uniqueness, an array of housing types, and it decreases the impact to wetlands. Since it is hard to predict what housing types will be needed, the developer does not currently have a specific dwelling type scheduled until going through the planning process. Standard single-family homes are being anticipated for development.

Mr. Vandetta said that the traffic impact analysis showed no net negative impact on the infrastructure that would require mitigations. He spoke about the property's drainage patterns and their plan to address storm drainage concerns. All drainage will be captured, routed through their system and piped down Crowfoot Road.

Responding to Commissioner Angellford's question about the possibility of making the entire property developable, Mr. Vandetta said that it is possible, but not likely, because they must demonstrate, during the permitting process, that they have efficiently developed the site and minimized the wetlands impact. He confirmed for Commissioner Angellford that leaving the wetlands undisturbed is a mitigation credit cost savings, but there would be more return on land value and development. Ms. LaRoque spoke about this being looked at from both financial and natural preservation standpoints. Mr. Vandetta noted that the developer is preserving almost 24% of the property by leaving the wetlands undeveloped. Regarding Commissioner Angellford's comment that homeowners could choose to leave the wetland areas natural if the lot sizes were larger, Mr. Vandetta said that the agency will not allow platting wetlands without mitigating for it.

In response to Commissioner Miller's question about drainage under the roadway, Mr. Vandetta said that they would likely use a shallow box culvert.

Commissioner Angellford asked about the consequences of not finishing the project within the ten-year timeframe. Ms. LaRoque said that the applicant would go back through the plan review process. Creation of lots is not complete until the infrastructure is in place. ESD Whitlatch explained that the City requires a performance bond from all developers. Unpaid property taxes would go through foreclosure by Linn County.

Ms. LaRoque confirmed for Commissioner Fountain that the requested variances are consistent with other subdivision variances.

City Attorney Kennedy reviewed the quasi-judicial process and the Planning Commission's role. Public comments are welcome, but Commissioners can only consider state statutes and comprehensive plan criteria in their decision.

The public hearing was opened.

Testimony in Favor: None

Testimony in Opposition: Steve Braught raised concerns regarding the impact of this development on wildlife and the landscape. He also addressed issues such as reduced lot sizes and increased school enrollment. The developer informed him of the intention to construct a total of 342 homes. He also mentioned that many neighbors did not receive the hearing notice.

CEDD Hart explained that state law sets requirements for how quasi-judicial hearings are noticed. Property owners within a 250-foot radius were sent the notice. It was also posted on the City's website, social media page, and at the Library and Senior Center.

Diana Braught spoke about concerns regarding the development's impact on wildlife habitats and her scenic surroundings. She addressed current flooding and drainage problems on their property, fearing exacerbation due to the development. She also voiced concerns about the City's inability to manage its growth, citing issues like traffic congestion, school overcrowding and the limited number of grocery stores in town.

Amanda Pinner raised concerns regarding Crowfoot Road and the school bus stop. She believes that the lot size variance hardship request is self-imposed. She also has concerns about the impact of the development on wildlife and suggested that the focus should be on enhancing existing schools rather than accommodating more students. There is a lot of standing water on her property during the wet season. The development would create significant challenges for the surrounding neighborhood and wetlands. She also feels that public works staff should not have to take on this additional burden.

She inquired about the developments accounted for since the 2019 Housing Needs Analysis.

Referring to her submitted statement, she spoke about large lots and the neighborhood's rural character, in addition to the Council's role in presenting local needs to higher government levels.

Robert Shaw spoke about his concerns with the proposed zero lot lines as it makes for bad neighbors.

Chester Hutchinson voiced concerns about Crowfoot Road and believes they should be resolved before considering a subdivision. In response to his question about how much the system development charges (SDCs) will be, ESD Whitlatch said that SDC fees for a typical single-family lot would be between \$16,000 and \$19,000.

Rebuttal: Laura LaRoque addressed concerns about Crowfoot Road, school capacity and the residents' change of lifestyle [disruption in audio].

Commissioner Angellford's asked whether a bus shelter could be included in the plan. Ms. LaRoque said [disruption in audio].

Neutral Testimony: None

The public hearing was closed.

Commissioners acknowledged the concerns raised by neighbors. Commissioner Angellford expressed opposition to granting the deviations because the applicant was aware of the regulations and wetlands when purchasing the property. Granting the deviations would not benefit the City and would set a precedent. Vice-Chair Gerig-Knurowski recalled Ms. LaRoque saying that the applicant sought deviations to preserve the wetlands. Standard approval is the average lot size, with some being smaller and some larger.

Commissioner McClain expressed appreciation that these will be single-family homes and does not feel the developer's requests are unreasonable. He asked about potential consequences if the deviations were denied. CEDD Hart reminded the Commissioners that this is not a variance request. As part of a planned development, the Planning Commission may approve reductions in minimum area, width, depth and frontage requirements for subdivision lots if the project's overall design and amenities outweigh any adverse impacts. The applicant provided their justifications, and the staff report contains the proposed findings, which outline that these amendments offer flexibility in lot design to accommodate preservation of the wetlands. In return, the development will include onsite amenities.

CEDD Hart said that, as part of the Housing Production Strategy, the City and Planning Commission identified a concept for small lot single-family home subdivisions. This tool would preemptively authorize construction of detached single-family homes on lots smaller than 5,000 square feet, offering flexibility without requiring attached homes, townhomes or having zero lot-line designs.

CEDD Hart assured Chair Robertson that clear vision concerns for corner lots were addressed. During review, each lot was looked at to ensure that either a condition was imposed to ensure preemptive design addressing any concerns, or it was confirmed that the lot was adequately sized for designing to meet clear vision and site distance requirements.

ESD Whitlatch confirmed for Commissioner Baxter that additional development would require another traffic study. She also asked about the transition from a county road to a city road. ESD Whitlatch said that the City will take jurisdiction of a portion of Crowfoot Road if the subdivision is approved.

Commissioner Malloy asked whether Crowfoot Road safety issues would be addressed if taken over by the City. ESD Whitlatch said that every development requires pedestrian access. On the north side of Crowfoot Road, the pedestrian path from Hillview Lane to South Main Road will be extended to the Crowfoot-Cascade-Central intersection at some point. Sidewalks will be developed as the area continues to grow.

Motion to approve was made by Commissioner McClain, Seconded by Commissioner Malloy. Voting Yea: Chair Robertson, Vice-Chair Gerig-Knurowski, Commissioner Breshears, Commissioner McClain, Commissioner Baxter, Commissioner Fountain, Commissioner Malloy, Commissioner Miller. Voting Nay: Commissioner Angellford

3. Public Hearing – Planning File CPTA-24-01 – Comprehensive Plan Text Amendment to incorporate a minor amendment to the City's adopted 2018 Transportation System Plan to incorporate a road project at the intersection of Weldwood Drive and Cascade Drive.

ESD Whitlatch presented the staff report.

Motion to recommend Council approval was made by Commissioner McClain, Seconded by Commissioner Fountain.

The public hearing was opened.

Testimony in Favor: None

Testimony in Opposition: None

The public hearing was closed.

Voting Yea: Chair Robertson, Vice-Chair Gerig-Knurowski, Commissioner Breshears, Commissioner McClain, Commissioner Baxter, Commissioner Angellford, Commissioner Fountain, Commissioner Malloy, Commissioner Miller

COMMISSION BUSINESS AND COMMENTS

4. Planning Commission Reorganization – Per Chapter 2.24.070, the planning commission shall annually at its regular meeting in April choose a chairperson and vice-chairperson to preside over the meetings of the planning commission.

Commissioner McClain nominated the Chair and Vice-Chair to remain in the same positions. No additional nominations were made.

Motion for approval was made by Commissioner Malloy, Seconded by Commissioner Baxter. Voting Yea: Chair Robertson, Vice-Chair Gerig-Knurowski, Commissioner Breshears, Commissioner McClain, Commissioner Baxter, Commissioner Angellford, Commissioner Fountain, Commissioner Malloy, Commissioner Miller.

5. Planning Commission to appoint up to a maximum of two members to serve on the project advisory committee for the development code updates associated with the implementation of the Housing Production Strategy.

Commissioner Malloy and Vice-Chair Gerig-Knurowski volunteered to serve on the committee.

COMMENTS

There will be a Planning Commission meeting in May.

Commissioner Angellford suggested that school bus shelters be considered during development reviews. ESD Whitlatch said that the City stopped requiring this because they do not dictate bus stop locations. Commissioner Malloy added that bus stops change often based on need and the number of kids in the area.

ADJOURNMENT

The meeting adjourned at 8:33 PM.



LEBANON CITY COUNCIL REGULAR & EXECUTIVE SESSION MEETING MINUTES

May 08, 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.

EXECUTIVE SESSION

Executive Sessions are closed to the public due to the highly confidential nature of the subject. It is unlawful to discuss anything outside of the Executive Session. Final action/decisions are to be made in open session.

The Executive Session was opened at 5:32 PM.

1. Per ORS 192.660(2)(i) To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.

City Attorney Tre Kennedy read the Executive Session Announcement. The Council presented the annual evaluation for Judge Waite.

The Executive Session was closed at 5:39 PM.

Mayor: Kenneth Jackola

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

Councilor Jeremy Salvage | Councilor Kim Ullfers | Councilor Dave Workman

6:00 PM – CITY COUNCIL REGULAR SESSION

CALL TO ORDER / FLAG SALUTE

The meeting was Called to Order at 6 PM.

ROLL CALL

PRESENT

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

ABSENT

Councilor - Ward 2 Dave Workman

STAFF

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

MEDIA

Alex Powers, Albany Democrat Herald

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 made to approve the Consent Calendar by Council President - Ward 3 Steinhebel, Seconded by Councilor - Ward 3 Salvage.

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

1. **AGENDA:** Lebanon City Council Agenda – May 8, 2024
2. **BOARD MINUTES:** *Library Advisory Committee
Park, Trees, and Trails Advisory Committee
Planning Commission*
3. **COUNCIL MINUTES:**
April 10, 2024 Work Session & Regular Session
April 24, 2024 Work Session
April 24, 2024 Executive Session
4. **LIQUOR LICENSE:**
Darkbloom Coffee Company - Limited On-Premises New Outlet

PRESENTATION / RECOGNITION:

None

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 May 7**. The City Recorder will distribute comments to the Mayor and Council prior to the meeting.*

Jereme Guenthur let the Council know of a new device called the EMP Shield Resistor. The resistor is a protection device from dirty power that Mr. Guenthur highly recommended for City.

Jason Christen with Sleep Trailer LLC, explained to the Council his emergency and mobile shelter which can sleep up to 8 individuals. The Sleep Trailer LLC is looking for property they would be able to park the unit for up to three months as part of a grant for a pilot program. Last year the emergency shelter was available for use due to volunteers who handled the intake and checkout of those who used the emergency shelter. The City provided hand wash stations and porta-potties.

Shellie Jackola, Executive Director of the Lebanon Downtown Association gave an update on the banners for graduating seniors that are hung along Main Street. The Downtown Clean Up event was

discussed. Upcoming events include movies and concerts in the park, a car show in August, and wine walk in July. A new downtown mural has been started.

PUBLIC HEARING(S)

5. Resolution No. 9 for 2024 - A Resolution of the City of Lebanon Calling an Election to Submit to the City Electors the Question of Providing Fluoridation of the Public Water Supply and Adopting a Ballot Title and Explanatory Statement

The Public Hearing was opened at 6:14 PM.

The City Attorney presented the staff report and gave the background on the Council's decision to refer to the voters the question of whether or not the City should continue to fluoridate the City's public water supply. If the Council approves the Resolution, the City Recorder will publish the notice of the receipt of the ballot title and the seven-day challenge period will begin. Any member of the public could challenge the title.

The floor was opened for public comment. There was none.

The Public Hearing was closed at 6:19 PM.

There was Council discussion on the amount of information in the Explanator Statement regarding the history of fluoridation. It was asked if the current petition that is in the signature gathering process should be included in the Explanatory Statement. It was determined that it was not relevant.

The City Attorney read the title of the resolution.

Motion made to approve Resolution 9 for 2024 - A Resolution of the City of Lebanon Calling an Election to Submit to the City Electors the Question of Providing Fluoridation of the Public Water Supply and Adopting a Ballot Title and Explanatory Statement 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 3 Salvage, Council President - Ward 3 Steinhebel

Councilor Steinhebel stated that although she voted in favor, she disagrees on moving forward however supports the decision of the Council.

6. Resolution No. 10 for 2024 - 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 opened at 6:23 PM.

City Attorney Tre' Kennedy presented the staff report giving a brief history of the current moratorium on Psilocybin related businesses and the steps taken to prepare the item for the upcoming election.

There was no public comment.

The Public Hearing was closed at 6:29 PM.

During the Council discussion there was a question on why the history of the moratorium was not included in the Explanatory Statement. It was also noted the outcomes of a yes or no vote was not as clear as the Explanatory Statement for Fluoride. Council would like to see more background information in the Explanatory Statement.

Motion made to table Resolution No. 10 for 2024 - 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 until Juen 12, 2024 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 3 Salvage, Council President - Ward 3 Steinhebel

7. Ordinance Bill No. 2024-04, Ordinance No. 3020 - A Bill for an Ordinance Amending Chapter Eight: Transportation of the Lebanon Comprehensive Plan and Adopt the Amendment to the Transportation System Plan File CPTA-24-01; City of Lebanon.

The Public Hearing was opened at 6:30 PM.

The City Attorney reviewed the Public Hearing process. The Council was asked if there was any Ex Parte', Conflict of Interest, or Bias; there was none. The public was asked if there was any objection to the notice that was sent in this case of to the jurisdiction of this body to hear and consider the case, there was none.

Community and Economic Development Director Kelly Hart presented the staff report stating the proposed ordinance amends the Lebanon Municipal Code Chapter 8 and to also amend the updates to the Transportation Systems Plan or TSP.

There was no Public Comment.

The Public Hearing was closed at 6:35 PM.

Motion made to approve Ordinance Bill No. 2024-04 - Ordinance No. 3020 - An Ordinance Amending Chapter Eight: Transportation of the Lebanon Comprehensive Plan and Adopt the Amendments to the Transportation System Plan File CPTA-24-01, City of Lebanon 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 3 Salvage, Council President - Ward 3 Steinhebel

8. Resolution No.11 for 2024 - Resolution to Amend Fees and Charges for Administration and Enforcement of the Building Code Program.

The Public Hearing was opened at 6:36 PM.

Community and Economic Development Director Kelly Hart presented the staff report and explained the fees for the Building Department have not been updated since 2015. The fees only cover expenses and staff time, and the city does not profit from any fees. The fee schedule is set to automatically update yearly based on CPI. It was noted the Building Inspector is a contractor and not an employee. The increase in the contract fees helped initiate the overall fee schedule update.

There was no Public Comment.

The Public Hearing was closed at 6:41 PM.

Motion made to approve Resolution No. 11 for 2024 - Resolution to Amend Fees and Charges for Administration and Enforcement of the Building Code Program by Council President - Ward 3 Steinhebel, Seconded by Councilor - Ward 2 Ullfers.

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

REGULAR SESSION

9. Enterprise Fleet Purchasing Agreement

Finance Director Brandon Neish introduced Andrea Biddle and Klye Odle with Enterprise and presented an overview of the benefits of Enterprise managing the City's fleet. The City could utilize Enterprise for 27 vehicles in Public Works, Engineering and IT. The program is not

intended for vehicles in the Police Department due to the amount of equipment needed to suit the vehicle for the department needs. Enterprise is able to secure vehicles using government buying power and determine when the vehicles should be sold to make the best return. Vehicles are usually in service for 2 years and are purchased through Enterprise with a lease agreement. The benefits are cost savings in fuel, maintenance, and the many safety features that new vehicles are equipped with. There was discussion on how to end the contract if the Council decided the program was not a good fit. The City Attorney requested a few legal changes to the contract.

Motion made to approve the contract as amended with Enterprise and authorize the Interim City Manager to sign the contract by Councilor - Ward 3 Salvage, Seconded by Council President - Ward 3 Steinhebel.

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

10. Transparency Portal Demonstration

Finance Director gave a demonstration of the Clear Gov. transparency portal that will be added to the City's website. Through the portal, citizens will be able to view the budget, where their tax dollars are being spent, and view the City's expenditures. The Council liked the transparency and looked forward to it being available to the public.

11. Authorization to Purchase

Public Works Director presented the request to purchase 390 W. Maple which is next to the Public Works yard. The City has been setting aside funds for the eventual purchase of this property. The property will be used for additional staff parking which is needed. The request was for \$110,000.

Motion made to authorize the purchase and for the Interim City Manager to sign all documents 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 3 Salvage, Council President - Ward 3 Steinhebel

12. Department Report: Administration

City Recorder

Community and Economic Development

Engineering

Finance

Human Resources

IT

Library

Police Department

Public Works

Senior Center/LINX

Interim City Manager Ron Whitlatch presented the City Manager's report. Items that were discussed included the City's lobbying efforts in partnership with Consultant Sean Tate. The City has also entered into an IGA with Oregon Cascade West Council of Governments to explore grant opportunities. There will be a Work Session in June to continue the 5 Year Budget Projection discussion.

ITEMS FROM COUNCIL

Mayor Jackola reported that there was an Executive Session to evaluate Municipal Court Judge Waite. Mayor Jackola stated that the Council wishes to recognize Judge Waite's hard work and acknowledge the good work of the Municipal Court staff. The Council expressed their thanks.

Mayor Jackola stated he appreciated the new sign at Rawlston Park which was put up by volunteers who tend to the rose garden. Mayor Jackola encouraged everyone to go by and view the garden and the new sign.

PUBLIC/PRESS COMMENTS

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

None

NEXT SCHEDULED COUNCIL MEETING(S): June 12, 2024 @ 6PM.

ADJOURNMENT

With no further business, the meeting was adjourned at 7:21 PM.

CITY OF LEBANON, LINN COUNTY, OREGON

Kenneth Jackola, Mayor

☐

Michelle Steinhebel, Council President

☐

ATTESTED BY:

Julie Fisher, City Clerk / Recorder



925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4923
www.ci.lebanon.or.us

MEMORANDUM

Engineering Services

To: Ron Whitlatch, PE
Engineering Services Director

Date: May 31, 2024

From: Shana Olson
Project Manager – Development, Engineering, Environmental

Subject: Irrevocable Petition for Public Improvements – 985 W Rose St

The attached irrevocable petition is to be presented for approval at the next City Council meeting. The petition is for the future public street, curb, gutter, and storm drainage improvements for 985 W Rose St, Map #12S-2W-10BD tax lot 2903.

Staff recommendation is to approve the irrevocable petition and authorize the Interim City Manager to sign it.

IRREVOCABLE PETITION FOR PUBLIC IMPROVEMENTSDate April 8, 2024PETITIONER(S): Colin & Carrie McHillADDRESS: 985 W Rose St Lebanon, OR 97355

Petitioners are the owner of the following described real property:

See Exhibit "A"

Said property is currently Tax Lot 2903 of Linn County Assessor's map 12 S – 2 W – 10 BD.

Said property is currently assigned the mail address as: 985 W Rose St.

Petitioner hereby irrevocably petitions the City of Lebanon (925 Main St., Lebanon, Oregon) to initiate the following local improvements in accordance with the standard specifications of the City:

City standard public street, curb, gutter, sidewalk, driveway, and water system improvements.

This petition is presented to the City of Lebanon so that Petitioner's property may be developed and receive municipal services from the City which will directly benefit Petitioner's property and shall remain in force and effect for 20 years from the date hereof.

It is understood by Petitioner that:

1. The cost of the improvements shall be borne by the benefited property in accordance with state law, the Charter of the City of Lebanon and its ordinances and policies.
2. The City in its sole discretion may initiate the construction of all or part of the local improvements requested or may join all or part of Petitioner's property with other property when creating a local improvement assessment district.
3. Petitioner and Petitioner's heirs, assigns and successors in interest in the property shall be bound by this irrevocable petition which will run with the property and will be recorded by the City in the deed records of Linn County.
4. Petitioner declares that the public improvements herein sought will directly benefit the described property and will directly benefit the City through improvements to the public way and public utilities serving the property and other properties in the vicinity.
5. Petitioner shall not challenge the formation of a local improvement assessment district by the City and in any proceedings therein will acknowledge this petition of requested to do so by the City.
6. If the City is required to file an action in any court of competent jurisdiction to enforce the language in this petition or to prohibit the violation of any of the covenants contained herein, the prevailing party shall be entitled to recover reasonable attorney fees and costs and disbursements if litigation at trial or on appeal.
7. In construing this petition singular words include the plural.

AREA RESERVED
FOR USE BY
LINN COUNTY RECORDER

AFTER RECORDING RETURN TO: CITY OF LEBANON, 925 MAIN STREET, LEBANON, OREGON 97355

PETITIONER(S): X Colin James McHill
X Carrie Elizabeth McHill

STATE OF OREGON)
COUNTY OF LINN) ss.

On the 8TH day of APRIL, 20 24, personally appeared the above
named Colin James McHill / Carrie Elizabeth McHill who acknowledged the foregoing
instrument to be his/her voluntary act and deed.



BEFORE ME: Paul B. Bacher
Notary Public for Oregon
My Commission Expires: November 5, 2027

CITY OF LEBANON

By: _____
Ron Whitlatch, Interim City Manager

STATE OF OREGON)
COUNTY OF LINN) ss.

On the _____ day of _____, 20 _____, personally appeared, who each being
duly sworn, did say that the above is the City of Lebanon, a Municipal Corporation, and that the seal
affixed to the foregoing instrument was signed and sealed in behalf of said corporation by authority of its
City Council, which accepted this irrevocable petition on the _____ day of _____, 2023, and
who acknowledge said instrument to be a voluntary act and deed.

BEFORE ME: _____
Notary Public for Oregon
My Commission Expires: _____





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cdc@ci.lebanon.or.us
www.ci.lebanon.or.us

MEMORANDUM

Community Development

To: Mayor Jackola and City Council
From: Kelly Hart, Community Development Director
Subject: Community Development Block Grant – Fair Housing Resolution

Date: June 3, 2024

I. INTRODUCTION

The City currently administers the Community Development Block Grant (CDBG) for the Linn County Housing Rehabilitation Program (LCHRP).

II. CURRENT REPORT

As part of the requirements for CDBG contract administration, the City needs to republish the fair housing resolution. The resolution is attached for approval.

III. RECOMMENDATION

1. Approve the resolution notifying all citizens that discrimination is prohibited by Title VIII of the Federal Fair Housing Amendments Act of 1988.

**A RESOLUTION TO NOTIFY ALL CITIZENS
THAT DISCRIMINATION IS PROHIBITED BY
TITLE VIII OF THE FEDERAL FAIR HOUSING
AMENDMENTS ACT OF 1988**

RESOLUTION NO. 2024-18

LET IT BE KNOWN TO ALL PERSONS, of the City of Lebanon that discrimination in the sale, rental, lease, advertising of sale, rental or lease, financing of housing or land to be used for construction of housing, or in the provision of brokerage, rental services because of race, color, sex, disability (physical or mental), familial status (children) or national origin is prohibited by Title VIII of the federal Fair Housing Amendments Act of 1988. It is the policy of the City of Lebanon to support the Fair Housing Amendments Act of 1988 and to implement a Fair Housing Program to ensure equal opportunity in housing for all persons regardless of race, color, religion, sex, disability (physical and mental), familial status (1. children, and 2. actual or perceived sexual orientation, gender identity or marital status or its members), or national origin.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lebanon as follows:

SECTION 1. The Council of the City of Lebanon herein authorizes that within the resources available to the City through city, county, state, federal and community volunteer sources, the City will assist all persons who feel they have been discriminated against because of race, color, religion, disability (physical and mental), familial status (children) or national origin in the process of filing a complaint with the Oregon Civil Rights Division or the U. S. Department of Housing and Urban Development, Seattle Regional Office Compliance Division, that they may seek equity under federal and state laws.

SECTION 2. The City shall publicize this Resolution and through this publicity shall cause real estate brokers and sellers, private home sellers, rental owners, rental property managers, real estate and rental advertisers, lenders, builders, developers, home buyers and home or apartment renters to become aware of their respective responsibilities and rights under the Fair Housing Amendments Act of 1988 and any applicable state or local laws or ordinances. This Resolution is effective immediately upon its passage.

SECTION 3. THE FAIR HOUSING PROGRAM, for the purpose of informing those affected of their respective responsibilities and rights concerning Fair Housing law and complaint procedures, will at a minimum include, but not be limited to: 1) the printing, publicizing and distribution of this Resolution; 2) the distribution of posters, flyers, pamphlets and other applicable Fair Housing information provided by local, state and federal sources, through local media and community contacts; and 3) the publicizing of locations where assistance will be provided to those seeking to file a discrimination complaint.

SECTION 4. This Resolution is effective immediately upon its passage.

Passed by the Lebanon City Council and executed by the Mayor on this 12th day of June 2024 by a vote of ____ yeas and ____ nays.

CITY OF LEBANON, OREGON

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

ATTESTED BY:

Julie Fisher, City Recorder

Connecting



our Community

Build Lebanon Trails
P.O. Box 2604
Lebanon, OR 97355

May 14, 2024

Lebanon City Council

RE: Funding Request from the Transient Lodging Tax Fund

Build Lebanon Trails (BLT) is currently raising funds to build the Georgia Pacific (GP) Mill Race Trail. BLT has been partnering with the City for 19 years to “*Connect our Community*” by building a fully accessible, continuous, free to use, public trail system. The GP Mill Race Trail is the trail section needed to “*Connect our Community*” from north to south.

BLT first presented the funding request to City Council at the April council meeting. After Staff review of the request the City requested a presentation to council at their June 12, 2024 meeting.

The focus of this letter is to demonstrate how the GP Mill Race Trail project complies with ORS 320.300.9. ORS320.300.9 defines “Tourism-related Facilities” as; ***(b) Means other improved real property that has a useful life of 10 or more years and has a substantial purpose of supporting tourism or accommodating tourist activities.***

Focus points are:

- The location where the requested funds will be used.
The location is the GP Mill Race Trail located between River Park’s Northwest property boundary and Santiam Street.
- The fund amount requested.
The initial request was for \$25,000. The Lebanon Tourism Committee provided \$1,500. The current request is the remaining unfunded balance of \$23,500.
- When received funds will be expended.
Funds will be expended on or before December 31, 2025. BLT would like to complete construction of the trail in 2024. The 2024 timeline is dependent on when the funding goal for the project is met.
- The useful life of the trail.
All public trails built in Lebanon are constructed to City specifications. This requirement ensures the useful life of public trails in Lebanon are far beyond 10 or more years.
- How trails relate to tourism as defined by the ORS320.300(9).

Lebanon's growing trail system is becoming the local catalysts for capturing Lebanon's share of the growing tourism paycheck. Numerous documented studies highlight how trails support community tourism efforts.

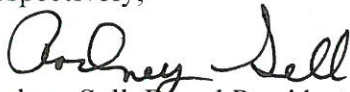
- *Nearly 50% of visitors to Oregon are attracted by our Outdoor Recreation Opportunities (Oregon Visitor Profile, Statewide Report 2021-2022, Destination Analysts).*
- *Bicycling tourism in Oregon provides over \$400 million dollars per year to the state economy, that's just for the tourism part. The Industry study also demonstrated \$400 million coming into the State economy from bicycle tourism (Jerry Norquist – Past Executive Director – Cycle Oregon).*

To demonstrate how important our local trails are to Lebanon tourism I have included the following quote from Chris Breshears – General Manager, Best Western Premier Boulder Falls Inn, Home of the 1847 Bar & Grill and Boulder Falls Center.

"The Lebanon Trail system has become a cherished amenity for many of our hotel guests, whether they're here for leisure, business, or conferences. Repeatedly, our guest services team receives requests for recommendations on safe places to run, walk, or bike, and without hesitation, we point them towards the Lebanon Trails, often providing them with maps upon request. It's truly gratifying to witness the amazement of our guests when they discover this offering in Lebanon, Oregon. Upon their return, we're consistently delighted to receive glowing feedback about the trail system. At Boulder Falls Inn, we firmly believe that these trails enhance the experience of our guests, and we take pride in supporting Build Lebanon Trails."

Please consider BLT's request for funding assistance to help build the trail to "Connect our Community" from the south of town to the north.

Respectively,



Rodney Sell, Board President
Build Lebanon Trails

(A non-profit 501(c)(3) organization dedicated to the development and maintenance of the Lebanon Trail System.) EIN # 90-0845394.

For more information visit us at www.buildlebanontrails.com and
www.facebook.com/buildlebanontrails



925 S. Main Street
Lebanon, Oregon 97355

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cdc@ci.lebanon.or.us
www.ci.lebanon.or.us

MEMORANDUM

Community Development

To: Mayor Jackola and City Council
From: Kelly Hart, Community Development Director
Subject: Annexation and Zoning of Property
Planning File No.: A-24-01
Applicant: Josh Mitchell

Date: May 16, 2024

This is a request to annex a parcel totaling 0.92 acres on the south side of Kees Street, east of Stoltz Hill Road. The subject site address is 810 Kees Street. The County Assessor Map places the parcel within Township 12 South; Range 2 West; Section 15CD; Tax Lot 500.

The property is located within the Lebanon Urban Growth Boundary, contiguous to the city boundary on the southern, and eastern property lines, and is designated Residential Mixed Density in the Lebanon Comprehensive Plan Map. Consistent with the requirements of the Lebanon Development Code, the land is assigned the corresponding Residential Mixed Density (Z-RM) zone upon annexation.

The Planning Commission conducted a public hearing on May 15, 2024, and found the application complied with the decision criteria contained in the Lebanon Development Code, voting unanimously to recommend City Council approval of the application. Exhibit "B" of the attached Ordinance contains the findings in support of the required decision criteria to annex the property. The entire Planning Commission record is included as an attachment to this agenda report.

The Planning Commission recommends that the City Council approve the application to Annex the subject property and to establish the corresponding Residential Mixed Density (Z-RM) zone on the newly annexed property.

Planning Commission Record



925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4906
cdc@ci.lebanon.or.us
www.ci.lebanon.or.us

MEMORANDUM

Community Development

To: Lebanon Planning Commission
From: Kelly Hart, Community Development Director
Subject: Planning File No. A-24-01

Date: May 1, 2024

I. BACKGROUND

Under consideration is the proposed annexation of the property on the south side of Kees Street, east of Stoltz Hill Road (180 Kees Street, 12S 02W 15CD, tax lot 500). The subject property is approximately 0.92 acres, with 140 feet of street frontage along Kees Street. The properties to the south and east are located within city limits; therefore, the site is contiguous to city boundary limits and is eligible for annexation.

The property is in a developed residential neighborhood. To the north, east, south, and west are residential properties improved with single-family homes and duplexes within the County and city with a comprehensive plan designation and/or zoning designation of Residential Mixed Density (C/Z-RM).

The subject property is currently improved with a single-family dwelling and accessory structures. City utility services are available in Kees Street, directly to the east of the subject property. Upon annexation, the Applicant may extend utilities to and through the site for utility services.

II. CURRENT REPORT

The Comprehensive Plan Designation for the site is Residential Mixed Density (C-RM). Per Table 16.26-1 in Section 16.24.040 of the Lebanon Development Code (LDC), the designated zoning classification for the site would be Residential Mixed Density (Z-RM). The Applicant has indicated acceptance of the zoning designation of Z-RM and is not proposing a Comprehensive Plan Map Amendment.

Per Section 16.24.040 of the LDC, anticipated urban densities (according to the automatic City Zoning assignment upon annexation) within the Urban Growth Area are already accounted for in the City's Facilities Plans, including the Transportation System Plan. Annexation of the land in the Urban Growth Area is already factored into the City's Facility Plans, and no revisions of those plans are necessitated when, following annexation, an area is assigned the zoning classification that follows the adopted Comprehensive Plan Map designation. As the Applicant proposes accepting the automatic zoning designation of Residential Mixed Density, no further analysis of modification to the Facility or Transportation Plan is necessary.

III. REVIEW CRITERIA AND RECOMMENDED FINDINGS

The subject property is located within the City's Urban Growth Boundary (UGB) and is eligible for annexation into the City limits. Annexation application and review requirements are contained in Chapter 16.26 of the Lebanon Development Code. Annexations require a hearing before the Planning Commission and City Council. The purpose of the Commission hearing is to review the request and recommend whether the Council should approve or deny the Annexation.

Section 16.26.060 contains the decision criteria for an annexation with specific requirements in Section 16.26.060.A. This Section requires compliance with provisions in the City Annexation Ordinance and Lebanon Comprehensive Plan, Chapter 3 – Urbanization. Essentially, the Annexation Ordinance and Comprehensive Plan decision criteria are the same. The findings are combined to avoid duplication:

1. Annexation Ordinance Section 2. - All Annexations shall conform to the requirements of the Lebanon Municipal Code, Annexation Ordinance, Lebanon Land Development Ordinance (i.e., Development Code), City of Lebanon/Linn County Urban Growth Management Agreement and shall be consistent with applicable State law.

Comprehensive Plan Annexation Policy #P-19: [The City shall] recognize and act on the basis that all annexations shall conform to the requirements of the Lebanon Municipal Code, Annexation Ordinance, Lebanon Land Development Ordinance, City of Lebanon/Linn County Urban Growth Management Agreement (UGMA) and shall be consistent with applicable State law.

RECOMMENDED FINDING: The application site is located within the City of Lebanon Urban Growth Boundary and is contiguous with city limits, therefore eligible for annexation per the Annexation Ordinance, and the Municipal and Development Codes. The annexation is not inclusive of a Comprehensive Plan Map Amendment. It is accepting of the initial zoning designation of Residential Mixed Density, consistent with the Comprehensive Plan Designation and the pre-designation identified in the Lebanon Development Code. With the assignment accepted as identified in the Comprehensive Map, it is determined that the annexation has already been accounted for in the City's Facilities Plan, including the Transportation System Plan. The site complies with the Annexation requirements.

2. Annexation Ordinance Section 3. - All Annexations shall be consistent with the goals and policies of the Lebanon Comprehensive Plan.

Comprehensive Plan Annexation Policy #P-20: [The City shall] recognize and act on the basis that all annexations shall be consistent with the goals and policies of the Lebanon Comprehensive Plan.

RECOMMENDED FINDING: The Annexation Ordinance policies are consistent with, and often mirror the Comprehensive Plan Annexation Policies. The State acknowledges that the City's Comprehensive Plan complies with all applicable Statewide Planning Goals and

statutes, recognizing the consistency of the Plan goals and policies. Therefore, compliance with the applicable Comprehensive Plan policies ensures compliance with the Annexation Ordinance. Findings in the following Sections detail this proposal's compliance with all applicable policies.

More Specifically, this annexation supports the goals and policies under Chapter 4: Land Use, and Chapter 6: Housing. In Section 2.3 of Chapter 4 of the Comprehensive Plan, all areas annexed into the City are automatically placed in a zoning classification per the Adopted Comprehensive Plan and Map. The adopted comprehensive plan map identifies the subject property as Residential Mixed Density, with the zoning designation of Residential Mixed Density. As the annexation does not include a proposal to modify the zoning designation, the annexation is consistent with the land use goals established by the Comprehensive Plan. In addition, Table 6-5 in Chapter 6 of the Comprehensive Plan identifies the total number of estimated housing needs by type through 2025. The subject property is currently vacant; being zoned Residential Mixed Density and over 9,000 square feet in size, the site can accommodate all different housing types from single-family detached to multi-family development. Based on the 2019 Housing Needs Assessment completed by the City, there is a need for 291 acres of low-density development acreage, 92 acres of medium-density, and 39 acres of high-density. In the City and the Urban Growth Boundary, there is an identified surplus of 735 acres of residential land in the City, and 298 acres of residential land in the UGB to accommodate the residential development anticipated to accommodate the population growth. The annexation of this property and the classification for Residential Mixed Density would accommodate the identified need for any of the residential classifications, and upon development, could be built to provide affordable units, as such, would be consistent with the goals and policies of the Comprehensive Plan.

3. Annexation Ordinance Section 4. - All lands included within the Urban Growth Boundary are eligible for annexation and urban development. Areas within the Urban Growth Boundary with designated environmental constraints may be annexed and utilized as functional wetlands, parks, open space, and related uses.

Comprehensive Plan Annexation Policy #P-21: [The City shall] recognize and act on the basis that all lands included within the Urban Growth Boundary are eligible for annexation and urban development. (Areas within the Urban Growth Boundary with designated environmental constraints may be annexed and utilized as functional wetlands, parks, open space, and related uses.)

RECOMMENDED FINDING: The subject site is located within the Urban Growth Boundary and contiguous to city limits, therefore is eligible for annexation. The subject site is generally flat, with no steep slopes or environmental constraints, and within a developed neighborhood. The site is currently improved with a single-family dwelling and accessory structures. As the site is located within a developed neighborhood and does not contain any known environmental constraints, the property is eligible for annexation.

4. Annexation Ordinance Section 5. - The City shall only annex land that is contiguous to the existing City limits and is within the City's UGB.

Comprehensive Plan Annexation Policy #P-22: [The City shall] only annex land that is contiguous to the existing City limits and is within the City's UGB.

RECOMMENDED FINDING: The subject site is contiguous with the city boundary on the south and east side of the property and is therefore contiguous with existing City limits and eligible for annexation.

5. Annexation Ordinance Section 6. - An annexation shall be deemed orderly if the annexation territory is contiguous to the existing City limits. An annexation is efficient if the annexation territory can be developed or redeveloped for urban use. Urban uses may include wetlands, parks, open space, and related uses.

Comprehensive Plan Annexation Policy #P-23: [The City shall] deem an annexation orderly if the annexation territory is contiguous to the existing City Limits and deem an annexation efficient if the annexation territory can be developed or redeveloped to an urban use (urban uses may include functional wetlands, parks, open space, and related uses).

RECOMMENDED FINDINGS: The proposed annexation complies with the above-noted criteria as follows:

- (a) The site is contiguous with city limits along the southern, and eastern property lines.
- (b) The property is located within an already developed and urbanized portion of the Urban Growth Boundary and City. Surrounding the property include residential development with single-family dwellings and duplexes. The site can be serviced by existing city water, sewer, and storm drainage facilities in Kees Street directly to the east of the subject property. As the property can be serviced by city facilities and transportation system, and the neighborhood is already improved with urban development, the property would be eligible for annexation.

6. Annexation Ordinance Section 7. - Development proposals are not required for annexation requests.

Comprehensive Plan Annexation Policy #P-24: [The City shall] recognize and act on the basis that development proposals are not required for annexation requests.

RECOMMENDED FINDING: The application does not include a concurrent development proposal. Any future development proposal would be required to comply with the provisions for the development code for the Z-RM zone, as applicable.

7. Annexation Ordinance Section 8. - As part of the annexation process of developed property or properties, the City shall consider the anticipated demands to access key City-

provided urban utility services, which are water, storm drainage, sanitary sewer, and streets, of existing development within the annexation territory.

Comprehensive Plan Annexation Policy #P-25: [The City shall] consider as part of the annexation process of developed property or properties, the anticipated demands to access key City-provided urban utility services, which are water, storm drainage, sanitary sewer, and streets, of existing development within the annexation territory.

RECOMMENDED FINDING: Section 16.26.040 of the Lebanon Development Code states “anticipated urban densities (according to the automatic City Zoning assignment upon annexation) within the UGB are already accounted for in the City’s Facilities Plans, including the Transportation System Plan.” No revisions to the plans are necessitated, when following annexation, an area is assigned the zoning classification that is per the adopted Comprehensive Plan Map designation. The subject site is assigned the zoning classification of Z-RM per the Comprehensive Map designation and therefore, the anticipated demands to access key City-provided urban utilities have already been considered. There is capacity in the utility systems and utility master plans to extend utilities to the site, and the existing transportation system can accommodate the inclusion of the property and the anticipated residential uses.

8. Annexation Ordinance Section 9. - As part of the annexation process of developed property or properties, the City shall consider the impacts on key City-provided urban utility services needed to serve these properties, which are water, storm drainage, sanitary sewer, and streets.

Comprehensive Plan Annexation Policy # P-26: [The City shall] Consider as part of the annexation process of developed property or properties, the impacts on the capacities of key City-provided urban utility services needed to satisfy the anticipated demands of the properties discussed in P-25 above.

RECOMMENDED FINDING: Section 16.26.040 of the Lebanon Development Code states “anticipated urban densities (according to the automatic City Zoning assignment upon annexation) within the UGB are already accounted for in the City’s Facilities Plans, including the Transportation System Plan.” No revisions to the plans are necessitated, when following annexation, an area is assigned the zoning classification that is per the adopted Comprehensive Plan Map designation. The subject site is assigned the zoning classification of Z-RM per the Comprehensive Map designation and therefore, the anticipated impacts to access key City-provided urban utilities have already been considered.

9. Annexation Ordinance Section 10. - Needed Public rights-of-way, as identified in adopted transportation plans as necessary for the safe and efficient movement of traffic, bicycles, and pedestrians, shall be dedicated to the City either with annexation or when the property develops and/or redevelops and creates an increased demand for the benefits provided by additional rights-of-way dedication.

RECOMMENDED FINDING: Kees Street maintains a right-of-way width of 50 feet. The adopted 2018 Transportation System Plan identifies Kees Street as a local roadway, which requires a minimum 58-foot right-of-way with on-street parking provided. The Engineering Department reviewed the annexation and determined that no additional right-of-way dedication from the subject property is necessary for the annexation. Upon redevelopment of the site, additional right-of-way will be required.

10. Annexation Ordinance Section 11. - Upon annexation, the annexation territory shall be assigned zoning classifications per the adopted Comprehensive Plan Map, as shown in the City's Annexation Zoning Matrix. Such zoning assignments in and of themselves are not a zoning map change and shall not require approval of a zoning map amendment, or a separate proceeding.

RECOMMENDED FINDING: This subject property is designated Residential Mixed Density by the Comprehensive Plan. Consistent with the adopted Zoning Matrix, the only possible applicable zone is Residential Mixed Density (Z-RM). The Applicant accepts the applicable zoning designation and is not proposing a Comprehensive Plan Map Amendment.

11. Annexation Ordinance Section 12. - If a zoning designation other than one per the Comprehensive Plan Map (shown in the Annexation Zoning Matrix) is requested by an applicant, the zoning requested shall not be granted until the Comprehensive Plan Map is appropriately amended to reflect concurrence. Such an amendment shall require a separate application, hearing, and decision, which may be held concurrently with an annexation hearing and will not become effective until the annexation is complete.

RECOMMENDED FINDING: This application does not include a change in the Plan designation or corresponding zone. Therefore, this Section does not apply.

12. Annexation Ordinance Section 13. - The areas within the Urban Growth Boundary with designated environmental constraints may be annexed and developed as functional wetlands, parks, open space, and related uses.

RECOMMENDED FINDING: The subject site is generally flat, with no steep slopes or environmental constraints, and within a developed neighborhood. The site is currently improved with a single-family dwelling and accessory structures. As the neighborhood has already been previously developed with urban development, and the site does not contain any known environmental constraints, the property is eligible for annexation.

13. Annexation Ordinance Section 14. - An "urban use" is hereby defined as any land use that is authorized under the terms and provisions of the land use regulations, Zoning Ordinance (i.e., Development Code), Subdivision Ordinance, Comprehensive Plan, and other related documents of the City of Lebanon.

RECOMMENDED FINDING: This Section does not apply as the provisions in this Section provide a definition and not a decision criterion.

14. Annexation Ordinance Section 15. - At the applicant's discretion and with the City's concurrence, a development or redevelopment proposal for an annexation territory may be acted upon by the Planning Commission immediately following the Commission's hearing on the annexation proposal and a decision of recommendation of approval to the City Council. However, any approval of the Planning Commission of such a development or redevelopment proposal must be contingent upon subsequent approval of the annexation by the City Council.

RECOMMENDED FINDING: The request does not contain a concurrent development request.

15. Comprehensive Plan Annexation Policy # P-27: Expand the City Limits as necessary to accommodate development, including housing, commercial, industrial, and services (that will in turn accommodate population growth).

RECOMMENDED FINDING: This Policy does not directly apply as the proposal simply incorporates an existing urbanized parcel into the City limits.

IV. CONCLUSION AND RECOMMENDATION

Staff finds the proposal complies with the decision criteria for an Annexation and the establishment of the applicable zone. Therefore, staff recommends the Planning Commission recommend the City Council approve the Annexation of the subject area and establishment of the respective Residential Mixed Density (Z-RM) zone on the newly annexed property.

V. PLANNING COMMISSION ACTION - ANNEXATION

A. The Planning Commission may either:

1. Recommend City Council approval of the proposed property annexation and establishment of the applicable Residential Mixed Density zone, adopting the written findings for the decision criteria contained in the staff report; or
2. Recommend City Council approval of the proposed property annexation and establishment of the applicable Residential Mixed Density zone, adopting modified findings for the decision criteria; or
3. Recommend City Council denial of the proposed property annexation and establishment of the applicable Residential Mixed Density zone, specifying reasons why the proposal fails to comply with the decision criteria; and
4. Direct staff to prepare an Order of Recommendation for the Chair or Vice Chair's signature incorporating the adopted findings as approved by the Planning Commission.



NOTICE OF PUBLIC HEARING

LEBANON PLANNING COMMISSION

Item # 9.

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Lebanon Planning Commission on **May 15, 2024, at 6:00 p.m.** in the Santiam Travel Station located at 750 S 3rd Street, to afford interested persons and the general public an opportunity to be heard and give testimony concerning the following matter:

Planning Case No.:	A-24-01
Applicant:	Josh Mitchell
Location:	810 Kees Street
Map & Tax Lot No.:	12S2W15CD00500
Request:	Annexation
Decision Criteria:	Lebanon Development Code Chapters: 16.20 & 16.26

Request: The applicant is requesting Annexation of approximately 0.92-acres comprised of one tax lot. The property is designated Residential Mixed Density (C-RM) on the Comprehensive Plan Map and will be assigned a Residential Mixed Density (Z-RM) zoning designation upon Annexation.



Providing Comments: The City will be accepting public comment on this item in a number of ways to afford interested persons and the general public an opportunity to give testimony on the subject matter. Written and verbal testimony will be accepted upon issuance of this notice, **until 5:00pm on Tuesday, May 14, 2024**. Written testimony may be emailed to kelly.hart@lebanonoregon.gov or mailed to the City of Lebanon at 925 S. Main Street, Lebanon, OR 97355, or delivered and dropped in the white mailbox in front of City Hall.

The public is invited to either participate in person at the Santiam Travel Station or watch the meeting virtually on **May 15, 2024**.

If you wish to address the Commission under Public Comments or for a Public Hearing, click: <https://zoom.us/join/zoom/register/tJYtceqrrDooEtNGW8FSJ7HTtKC6QZ2vPCUg> to register in advance for the meeting. You will receive a confirmation email containing information about joining the meeting. Attendees will need to register to receive the link to the meeting.

Please register **ONLY** if you wish to address the Commission. If you want to watch or listen to the meeting, please click this link to do so on YouTube: <https://youtube.com/live/hqYVH7gR2fQ>

The agenda and application materials will be available for review on the City's website at <https://www.lebanonoregon.gov/meetings> seven days prior to the hearing.

CITIZENS ARE INVITED TO PARTICIPATE in the public hearing and give written or oral testimony as described above that address applicable decision criteria during that part of the hearing process designated for testimony in favor of, or opposition to, the proposal. If additional documents or evidence are provided in support of the application subsequent to notice being sent, a party may, prior to the close of the hearing, request that the record remain open for at least seven days so such material may be reviewed.

Action of the Planning Commission and Appeals: The role of the Commission is to review the proposal and make a recommendation to the Lebanon City Council. A public hearing before the Council will be subsequently scheduled and notice provided. The Council decision is the final decision unless appealed to the Land Use Board of Appeals (LUBA). Failure to raise an issue in the hearing, orally or in writing, or failure to provide sufficient specificity to afford the decision makers an opportunity to respond to the issue precludes appeal to LUBA based on that issue.

Obtain Information: A copy of the application, all documents and evidence relied upon by the applicant, and applicable criteria are available for inspection at no cost and will be provided at the cost of 25 cents per single-sided page. If you have questions or would like additional information, please contact City of Lebanon Community Development Department, 925 Main Street; phone 541-258-4906; email cdc@lebanonoregon.gov.

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 541-258-4906.

ANNEXATION APPLICATION

Submitted to: City of Lebanon
Planning Department
925 S Main St
Lebanon, OR 97355

Applicants/Property Owners: Mitchell 810 LLC
Josh Mitchell
3125 Crocker Ln NW
Albany, OR 97321
541-231-3118 / JoshMitchell.srr@gmail.com

Applicant's Representative: Green Cascades LLC
717 SW Calapooia St
Albany, OR 97321

Contact: Kim Riccitelli
541-357-2116
Kim@GreenCascadesOR.com

Site Location: 810 Kees St, Lebanon, OR 97355
Lot 5, Block 3, Harmony Subdivision (C.S. 2372)

Linn County Assessor's Map No.: 12S-02W-15CD Tax Lot 500

Site Size: ±0.92 acres

Existing Land Use: Single-Family Residential

Zone Designation: UGA-UGM-10

Comprehensive Plan Designation: Residential Mixed Density (C-RM)

Surrounding Zoning: North: UGA-UGM-10 (across Kees Street)
South: RM
East: RM
West: UGA-UGM-10

Surrounding Uses: North: Single-Family Residential (across Kees Street)
South: Single-Family Attached Residential / Condos
East: Single-Family Residential
West: Single-Family Residential

ANNEXATION APPLICATION SUMMARY

The applicant requests annexation of a ±0.92-acre parcel known as, 810 Kees Street (Linn County Tax Assessor's Map No. 12S-02W-15CD Tax Lot 500) with a concurrent Zone Map Amendment to assign the Residential Mixed Use zone designation upon annexation.

The subject property is located south of Kees Street between Stoltz Hill Road and S. 7th Street. The subject parcel's east and south property boundaries are contiguous with the Lebanon city limits.

To the south of the subject property is the Autumn Place Condominiums and Lots 1-3, Block 3, of the Harmony Subdivision, which are within the Lebanon city limits. To the north of the subject property (across Kees Street) and to the west are properties within the Lebanon Urban Growth Boundary (UGB) and portions of unincorporated Linn County. The abutting property to the east of the subject property is the Phillips Estates Subdivision, Lots 300 & 400, Block 3, which are within the Lebanon city limits.

All adjacent properties in unincorporated Linn County are zoned Linn County UGA-UGM with a Lebanon Comprehensive Plan designation of Residential Mixed Density (C-RM). All adjacent properties within the Lebanon city limits are zoned Residential Mixed Use with the Residential Mixed Use Comprehensive Plan designation.

The Comprehensive Plan designation for the site is Residential Mixed Density (C-RM). In accordance with the Annexation Zoning Matrix of Table 16.26-1 in LDC 16.24.040 of the Lebanon Development Code (LDC), the proposed zoning classification for the site upon annexation is Residential Mixed Density (Z-RM).

The subject property is improved with an existing single-family residence. City water, sewer, and storm drainage are available at Kees Street at the intersections of Stoltz Hill Road and 7th Avenue approximately 592 feet and 568 feet from the subject property, respectively. ***City water, sewer, and storm drainage are available on Kees St, on the east property line of the subject property and approximately 460' to the west at the property line of Lots 3500 & 3600.*** No development is proposed with the application.

LEGISLATIVE REVIEW OF ANNEXATION

- A. The subject property is located within Lebanon's Urban Growth Boundary (UGB) and is eligible for annexation into the City limits. Annexation application and review requirements are contained in LDC Chapter 16.26 of the Lebanon Development Code. Annexations require a hearing before the Planning Commission and City Council. The purpose of the Commission hearing is to review the request and recommend whether the Council should approve or deny the Annexation.
- B. LDC Chapter 16.26 establishes the Annexation review criteria. LDC 16.26.010 and LDC 16.26.020 establish the purpose of an annexation and the first assignment of zoning. The annexation transfers jurisdiction from Linn County to the City and establishes the appropriate zoning on the property consistent with the Plan Map designation. In this case, the applicable zone is Residential Mixed Use.
- C. LDC 16.26.030 notes an annexation is necessary to establish the appropriate zone, consistent with the Annexation Zoning Matrix (Table 16.26-1). Plan map amendments are only required if there is a corresponding change in the Plan map. Further, proposed amendments to the Plan map (and corresponding zone map) must conform to provisions in Chapter 16.27. For the record, the application does not include a request to change the Plan designation and corresponding zone.
- D. LDC 16.26.040 identifies the relationship between annexation and City facility plans. It notes anticipated densities and levels of development are factored into the City's facility plans, including the Transportation System Plan. Therefore, additional inquiries into the sufficiency of these services are not required.

E. LDC 16.26.050 stipulates all annexations be processed as legislative actions requiring hearings before both the Planning and City Council. This Section also lists application requirements. For the record, the application and process are consistent with the provisions in this Section.

F. LDC 16.26.060 contains the decision criteria for an annexation with specific requirements in LDC16.26.060(A). This Section requires compliance with provisions in the City Annexation Ordinance and Lebanon Comprehensive Plan, Chapter 3 – Urbanization. The Annexation Ordinance and Comprehensive Plan decision criteria are essentially the same. To avoid duplication, and where applicable, the findings are combined. The decision criteria are written in **bold** followed by findings and conclusions.

1. Annexation Ordinance Section 1. This ordinance shall be known as the Annexation Ordinance for the City of Lebanon.

FINDING: This Section identifies the document as the Annexation Ordinance for the City of Lebanon and does not contain decision criteria.

2. Annexation Ordinance Section 2. All Annexations shall conform to the requirements of the Lebanon Municipal Code, Annexation Ordinance, Lebanon Land Development Ordinance (i.e., Development Code), City of Lebanon/Linn County Urban Growth Management Agreement and shall be consistent with applicable State law.

Comprehensive Plan Annexation Policy #P-19: [The City shall] recognize and act on the basis that all annexations shall conform to the requirements of the Lebanon Municipal Code, Annexation Ordinance, Lebanon Land Development Ordinance, City of Lebanon/Linn County Urban Growth Management Agreement (UGMA) and shall be consistent with applicable State law.

FINDING: In accordance with Oregon Revised Statutes (ORS) 222.111, the applicant proposes annexation of 810 Kees Street into the Lebanon City Limits by petition to the legislative body.

The subject property is contiguous to the city limits along the east and south property boundaries. It is, therefore, eligible for annexation per ORS 222.111(1) and the Lebanon Annexation Ordinance. Findings in response to LDC 16.26.060(A) of the Lebanon

Development Code, Lebanon Annexation Ordinance, and applicable Comprehensive Plan policies are provided below and incorporated here by reference.

3. Annexation Ordinance Section 3. All Annexations shall be consistent with the goals and policies of the Lebanon Comprehensive Plan.

Comprehensive Plan Annexation Policy #P-20: [The City shall] recognize and act on the basis that all annexations shall be consistent with the goals and policies of the Lebanon Comprehensive Plan.

FINDING: The Annexation Ordinance policies are consistent with, and often reflect the Comprehensive Plan Annexation Policies. The Oregon Department of Land Conservation Development acknowledges that the City's Comprehensive Plan complies with all applicable Statewide Planning Goals and statutes, recognizing the consistency of the Plan goals and policies. Therefore, compliance with the applicable Comprehensive Plan policies ensures compliance with the Annexation Ordinance. Findings in the following Sections detail this proposal's compliance with all applicable policies.

4. Annexation Ordinance Section 4. All lands included within the Urban Growth Boundary are eligible for annexation and urban development. Areas within the Urban Growth Boundary with designated environmental constraints may be annexed and utilized as functional wetlands, parks, open space and related uses.

Comprehensive Plan Annexation Policy #P-21: [The City shall] recognize and act on the basis that all lands included within the Urban Growth Boundary are eligible for annexation and urban development. (Areas within the Urban Growth Boundary with designated environmental constraints may be annexed and utilized as functional wetlands, parks, open space and related uses.)

FINDING: The subject site is located within the Urban Growth Boundary and contiguous to city limits along the east and south property boundaries and, is therefore, eligible for annexation.

5. Annexation Ordinance Section 5. The City shall only annex land that is contiguous to the existing City limits and is within the City's UGB.

Comprehensive Plan Annexation Policy #P-22: [The City shall] only annex land that is contiguous to the existing City limits and is within the City's UGB.

FINDING: The subject site is located within the Urban Growth Boundary and contiguous to city limits along the east and south property boundaries and, is therefore, eligible for annexation.

6. Annexation Ordinance Section 6. An annexation shall be deemed orderly if the annexation territory is contiguous to the existing City limits. An annexation is efficient if the annexation territory can be developed or redeveloped to an urban use. Urban uses may include wetlands, parks, open space and related uses.

Comprehensive Plan Annexation Policy #P-23: [The City shall] deem an annexation orderly if the annexation territory is contiguous to the existing City Limits and deem an annexation efficient if the annexation territory can be developed or redeveloped to an urban use (urban uses may include functional wetlands, parks, open space, and related uses).

FINDINGS: The subject site is located within the Urban Growth Boundary and contiguous to city limits along the east and south property boundaries and, is therefore, deemed orderly based on this Section.

The ±0.92-acre site is currently developed with a single-family dwelling and associated residential accessory structures. At urban densities, the site is large enough to be further developed or redeveloped. ***City water, sewer, and storm drainage are available on Kees St, on the east property line of the subject property and approximately 460' to the west at the property line of Lots 3500 & 3600 and may be extended to serve future development. Therefore, the proposed annexation is also efficient.***

Based on information contained in the Comprehensive Plan, there are no designated environmental constraints associated with the subject area.

7. Annexation Ordinance Section 7. Development proposals are not required for annexation requests.

Comprehensive Plan Annexation Policy #P-24: [The City shall] recognize and act on the basis that development proposals are not required for annexation requests.

FINDING: The application does not include a concurrent development proposal, nor is one required per this Section or Policy.

8. Annexation Ordinance Section 8. As part of the annexation process of developed property or properties, the City shall consider the anticipated demands to access key City provided urban utility services, which are water, storm drainage, sanitary sewer, and streets, of existing development within the annexation territory.

Comprehensive Plan Annexation Policy #P-25: [The City shall] consider as part of the annexation process of developed property or properties, the anticipated demands to access key City-provided

urban utility services, which are water, storm drainage, sanitary sewer, and streets, of existing development within the annexation territory.

FINDING: The subject property is developed with a single-family dwelling and associated residential accessory structures. ***City water, sewer, and storm drainage are available on Kees St, on the east property line of the subject property and approximately 460' to the west at the property line of Lots 3500 & 3600*** and may be extended to serve future development. The site also has adequate frontage on and access to Kees Street. Private water and septic services are available and adequate to service the demands of the existing single-family dwelling, however, the existing home would be removed for full development.

9. Annexation Ordinance Section 9. As part of the annexation process of developed property or properties, the City shall consider the impacts on key City-provided urban utility services

needed to serve these properties, which are water, storm drainage, sanitary sewer, and streets.

Comprehensive Plan Annexation Policy # P-26: [The City shall] Consider as part of the annexation process of developed property or properties, the impacts on the capacities of key City-provided urban utility services needed to satisfy the anticipated demands of the properties discussed in P-25 above.

FINDING: The subject property is developed with a single-family dwelling and associated residential accessory structures. ***City water, sewer, and storm drainage are available on Kees St, on the east property line of the subject property and at the property line of Lots 3500 & 3600 to the west approximately 460'*** from the subject property and could be improved to serve future development. The site also has adequate frontage on and access to Kees Street. The existing single-family dwelling on the subject site would be removed.

10. Annexation Ordinance Section 10. Needed Public rights-of-way, as identified in adopted transportation plans as necessary for the safe and efficient movement of traffic, bicycles and pedestrians, shall be dedicated to the City either with annexation or when the property develops and/or redevelops and creates an increased demand for the benefits provided by additional rights-of-way dedication.

FINDING: Kees Street maintains a right-of-way width of 50-feet. The adopted 2018 Transportation System Plan identifies Kees Street as a Local Street, which requires a 50- to 60-foot right-of-way. Therefore, the existing right-of-way meets the minimum street right-of-way width standard.

11. Annexation Ordinance Section 11. Upon annexation, the annexation territory shall be assigned zoning classifications in accordance with the adopted Comprehensive Plan Map, as shown in the City's Annexation Zoning Matrix. Such zoning assignments in and of themselves are not a zoning map change and shall not require approval of a zoning map amendment, or a separate proceeding.

FINDING: This subject property is designated Residential Mixed Density (C-RM) by the Comprehensive Plan. The applicant proposes the establishment of the Residential Mixed Use zone designation upon annexation in accordance with the Annexation Zoning Matrix, Table 16.26-1 of the LDC.

12. Annexation Ordinance Section 12. If a zoning designation other than one in accordance with the Comprehensive Plan Map (shown in the Annexation Zoning Matrix) is requested by an applicant, the zoning requested shall not be granted until the Comprehensive Plan Map is appropriately amended to reflect concurrence. Such an amendment shall require a separate application, hearing and decision, which may be held concurrently with an annexation hearing and will not become effective until the annexation is complete.

FINDING: This application is limited to the proposed annexation and establishment of the Residential Mixed Use zone designation and does not include a Comprehensive Plan amendment or corresponding zone amendment.

13. Annexation Ordinance Section 13. The areas within the Urban Growth Boundary with designated environmental constraints may be annexed and developed as functional wetlands, parks, open space and related uses.

FINDING: This Section does not apply, as the subject property does not include environmentally constrained property.

14. Annexation Ordinance Section 14. An “urban use” is hereby defined as any land use that is authorized under the terms and provisions of the land use regulations, Zoning Ordinance (i.e., Development Code), Subdivision Ordinance, Comprehensive Plan, and other related documents of the City of Lebanon.

FINDING: This Section is not applicable, as it provides a definition and not a decision criterion.

15. Annexation Ordinance Section 15. At the applicant's discretion and with the City's concurrence, a development or redevelopment proposal for an annexation territory may be acted upon by the Planning Commission immediately following the Commission's hearing on the annexation proposal and a decision of recommendation of approval to the City Council. However, any approval of the Planning Commission of such a development or redevelopment proposal must be contingent upon subsequent approval of the annexation by City Council.

FINDING: The request is limited to the proposed annexation and does not contain a development or redevelopment proposal.

16. Comprehensive Plan Annexation Policy # P-27: Expand the City Limits as necessary to accommodate development, including housing, commercial, industrial, and services (that will in turn accommodate population growth).

FINDING: This Policy does not directly apply as the proposal simply incorporates an existing urbanized parcel into the City limits.

17. Section 16.26.060 allows the City to require the abatement of non-conforming uses and/or structures prior to hearing an annexation request. Other provisions of this Code and the Lebanon Municipal Code may require abatement of certain kinds of situations before an annexation request can be approved.

FINDING: The applicant is not aware of any abatement issues related to the site.

18. Section 16.26.060(C) allows the City to identify additional site-specific evaluation criteria based on the Lebanon Comprehensive Plan, the provisions of this Code, and the Lebanon Municipal Code. Site-specific criteria could include, but not be limited to, the following: steep slopes, natural hazards, riparian zones, wetlands water bodies, overlay zones,

infrastructure development, existing conditions and failing on-site services. Such site-specific criteria do not affect the eligibility of properties for annexation but serve as an advisory to applicants of factors that may affect future development.

FINDING: There are no site-specific evaluation criteria that apply to the subject property.

19. Upon annexation, Section 16.26.020 requires the subject property to be placed in the appropriate zone. Upon annexation, the territory will automatically be assigned a City zone in accordance with the adopted Comprehensive Plan Map, and Annexation Zoning Matrix (Development Code Table 16.26-1). The only decision criterion in this process is that the Zone Classification shall be consistent with the adopted Comprehensive Plan Map (Section 16.26.020(D)).

FINDINGS: This subject property is designated Residential Mixed Density (C-RM) by the Comprehensive Plan. The applicant proposes to have the Residential Mixed Use zone designation assigned to the subject property upon annexation in accordance with the Annexation Zoning Matrix, Table 16.26-1 of the LDC.

OVERALL CONCLUSION

As proposed, the application for Annexation with concurrent zone map amendment to assign the Residential Mixed Density zone designation complies with the applicable review criteria as outlined above. Therefore, the applicant requests that the Planning Commission recommend the City Council approve the subject application.

Exhibits

- A. Annexation Map
- B. Legal Description

Acronyms

C-RM	Residential Mixed-Density Comprehensive Plan Designation LDC	Lebanon
Development Code		

Z-RM	Residential Mixed-Density Zoning District
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LAND USE APPLICATION

PROPERTY INFORMATION

Site Address(es): 810 Kees St

Assessor's Map & Tax Lot No.(s): 12S02W15CD00500

Comprehensive Plan Designation / Zoning Designation: Z-RM Residential Mixed Density

Current Property Use: UGA-UGM-10 Single Family Residence

Project Description:

Annexation into the city of Lebanon and to extend utilities to and through the lot and to subdivide the lot into 5 lots, 2 lots facing Kees and 3 lots on a private shared driveway

APPLICANT / PRIMARY CONTACT INFORMATION

Applicant: Josh Mitchell

Phone: 541-231-3118

Address: 3125 Crocker Ln NW

Email: Joshmitchell.srr@gmail.com

City/State/Zip: Albany, OR 97321

I hereby certify that the statements, attachments, exhibits, plot plan and other information submitted as a part of this application are true; that the proposed land use activity does not violate State and/or Federal Law, or any covenants, conditions and restrictions associated with the subject property; and, any approval granted based on this information may be revoked if it is found that such statements are false.

APPLICANT SIGNATURE

Date:

PROPERTY OWNER INFORMATION (IF DIFFERENT THAN ABOVE)

Owner: Mitchell 810 LLC

Phone: 541-231-3118

Address: 3125 Crocker Ln NW

Email: Joshmitchell.srr@gmail.com

City/State/Zip: Albany, OR 97321

OWNER SIGNATURE

Date:

ADDITIONAL CONTACT INFORMATION

Engineer / Surveyor: Green Cascades LLC

Phone: 541-357-2116

Address: 717 SW Calapooia St

Email: Kim@greencascadesOR.com

City/State/Zip: Albany, OR 97321

Architect:

Phone:

Address:

Email:

City/State/Zip:

Other:

Phone:

Address:

Email:

City/State/Zip

THE CITY THAT FRIENDLINESS BUILT

REQUIRED SUBMITTALS

- ☐ Application and Filing Fee
- ☐ Narrative Describing the Proposed Development and addressing the Decision Criteria
 - LDC Article Two Land Uses and Land Use Zones
 - LDC Article Three Development Standards
 - LDC Article Four Review & Decision Requirements
 - LDC Article Five Exceptions to Standards (eg Variance, Non-Conforming Uses)
- ☐ Site Plan(s) drawn to scale with dimensions, Include other drawings if applicable
- ☐ Copy of current Property Deed showing Ownership, Easements, Property Restrictions

FOR OFFICE USE

*If more than one review process is required, applicant pays highest priced fee, then subsequent applications charged at half-price.

Land Use Review Process	Fee	Land Use Review Process	Fee
Administrative Review	\$750	Planned Development – Preliminary	\$2,500
Administrative Review (Planning Commission)	\$1,500	Planned Development – Final (Ministerial)	\$250
Annexation	\$2,500	Planned Development – Final (Administrative)	\$750
Code Interpretation	\$250	Planned Development – Final (Quasi-Judicial)	\$1,500
Comprehensive Plan Map/Text Amendment	\$2,500	Subdivision Tentative	\$1,500
Conditional Use	\$1,500	Subdivision Final	\$750
Fire District Plan Review	\$100	Tree Felling Permit (Steep Slopes only)	\$150 + \$5/tree
Historic Preservation Review or Register	Varies	UGB Amendment	Actual Cost
Land Partition	\$750	Variance (Class 1 – Minor Adjustment)	\$250
Ministerial Review	\$250	Variance (Class 2 – Adjustment)	\$750
Non-Conforming Use/Development	\$750	Variance (Class 3)	\$1,500
Property (Lot) Line Adjustment	\$250	Zoning Map Amendment	\$2,500

APPLICATION RECEIPT & PAYMENT

Date Received:	Date Complete:	Receipt No.:
Received By:	Total Fee:	File No.:

THE CITY THAT FRIENDLINESS BUILT

ANNEXATION AREA DESCRIPTION
MITCHELL 810 LLC

AN AREA OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 12 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, IN LINN COUNTY, OREGON AND BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 5, BLOCK 3, HARMONY SUBDIVISION; THENCE NORTH 0°10'00" EAST 50.00 FEET TO THE NORTH LINE OF KEES STREET RIGHT-OF-WAY; THENCE ALONG SAID RIGHT-OF-WAY SOUTH 89°50'00" EAST 142.00 FEET; THENCE SOUTH 0°10'00" WEST 50.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 5; THENCE SOUTH 0°10'23" WEST 281.84 FEET TO THE SOUTHEAST CORNER OF SAID LOT 5; THENCE NORTH 89°59'47" WEST 141.58 FEET TO THE SOUTHWEST CORNER OF SAID LOT 5; THENCE NORTH 0°05'16" EAST 282.24 FEET TO THE POINT OF BEGINNING.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

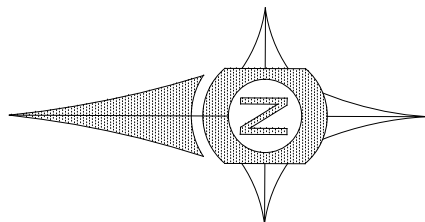
OREGON
JUNE 12, 2013
KYLE W. LATIMER
80442

RENEWS: 12/31/24

Udell Engineering & Land Surveying, LLC
63 East Ash Street, Lebanon, OR 97355
Ph: 541-451-5125 • Fax: 541-451-1366

ANNEXATION MAP
FOR MITCHELL 810 LLC
IN THE RUSSELL T. HILL DLC NO. 77,
LOCATED IN THE SW 1/4 SEC. 15, T. 12 S., R. 2 W., W.M.,
CITY OF LEBANON, LINN COUNTY, OREGON

MAY 6, 2024



509-5000 E 142.00

50°10'00"W 50.00'

NO. 10,000" E 50.00'

KEES STREET

SCALE: 1" = 30'

0' 30' 60'

POINT OF BEGINNING
NORTHWEST CORNER LOT 5, BLOCK 3, HARMONY SUBDIVISION

ANNEXATION AREA

LOT 7

LOT 6

LOT 5
BLOCK 3
HARMONY SUBDIVISION
LINN COUNTY TAX LOT 500
ASSESSOR MAP 12.2W.15C
DEED: 2024-03489
MITCHELL 810 LLC

LOT 5

LOT 5

LOT 5

PHILLIPS ESTATES

LOT 5

LOT 5

UNINCORPORATED LINN COUNTY

N89°59'47"W 141.58'

CITY OF LEBANON

AUTUMN PLACE
CONDOMINIUMS

REGISTERED
PROFESSIONAL
AND SURVEYOR

OREGON
JUNE 12, 2013
KYLE W. LATIMER
#80442
EXPIRES 12-31-2024

U de ll
ENGINEERING &
LAND SURVEYING, LLC
63 EAST ASH ST.
LEBANON, OREGON
97355
PH. (541) 451-5125
FAX (541) 451-1366
24-018 MITCHELL

SHEET 1 OF 1

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 A24-01; JOSH MITCHELL

) ORDINANCE BILL NO. 2024-05
)
)
) ORDINANCE NO. 3021
)
)

WHEREAS, the City of Lebanon has received a submission by written request for annexation of real property to the City of Lebanon, herein described in Exhibit “A”; and,

WHEREAS, on May 15, 2024, the Planning Commission for the City of Lebanon conducted a hearing on Planning File No. A-24-01, making findings recommending annexation of the subject properties and establishment of the Residential Mixed Density (Z-RM) zone; and,

WHEREAS, after conducting the hearing and considering all objections or remonstrance regarding the proposed annexation, and further considering the recommendation of the Lebanon Planning Commission, the City Council finds that this annexation is in the best interest of the City and of the contiguous territory.

NOW, THEREFORE, the City of Lebanon ordains as follows:

Section 1. Findings. In addition to the findings referred to above and the Planning Commission record, the City Council further adopts and finds those matters contained in Exhibit “B” which is incorporated herein by this reference as if fully set forth at this point.

Section 2. Annexation Area. Based upon the findings contained above and in Exhibit “B”, the contiguous territory described in Exhibit “A” and incorporated herein by this reference as if fully set forth is hereby proclaimed to be annexed to the City of Lebanon and zoned as indicated per the Lebanon Development Code and assigned the corresponding Residential Mixed Density (Z-RM).

After Recording Return to:
City Recorder’s Office
City of Lebanon
925 S. Main Street
Lebanon, OR 97355

Reserved for Recording

Section 3. Record. The City Recorder shall submit to the Oregon Secretary of State a copy of this Ordinance. The City Recorder is further ordered to send a description by metes and bounds, or legal subdivision, and a map (Exhibit "A") depicting the new boundaries of the City of Lebanon within ten (10) days of the effective date of this annexation ordinance to the Linn County Assessor, Linn County Clerk, and the Oregon State Department of Revenue.

Passed by the Lebanon City Council by a vote of _____ for and _____ against and approved by the Mayor this 12th day of June 2024.

Kenneth E. Jackola, Mayor



Michelle Steinhebel, Council President ☐

Attested:

Julie Fisher, City Recorder

EXHIBIT "A"
ANNEXATION LEGAL DESCRIPTION & MAP

AN AREA OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15,
TOWNSHIP 12 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, IN LINN
COUNTY, OREGON, AND BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 5, BLOCK 3, HARMONY
SUBDIVISION; THENCE NORTH $0^{\circ}10'00''$ EAST 50.00 FEET TO THE NORTH LINE OF
KEES STREET RIGHT-OF-WAY; THENCE ALONG SAID RIGHT-OF-WAY SOUTH
 $89^{\circ}50'00''$ EAST 142.00 FEET; THENCE SOUTH $0^{\circ}10'00''$ WEST 50.00 FEET TO THE
NORTHEAST CORNER OF SAID LOT 5; THENCE SOUTH $0^{\circ}10'23''$ WEST 281.84 FEET
TO THE SOUTHEAST CORNER OF SAID LOT 5; THENCE NORTH $89^{\circ}59'47''$ WEST
141.58 FEET TO THE SOUTHWEST CORNER OF SAID LOT 5; THENCE NORTH
 $0^{\circ}05'16''$ EAST 282.24 FEET TO THE POINT OF BEGINNING.

ANNEXATION MAP

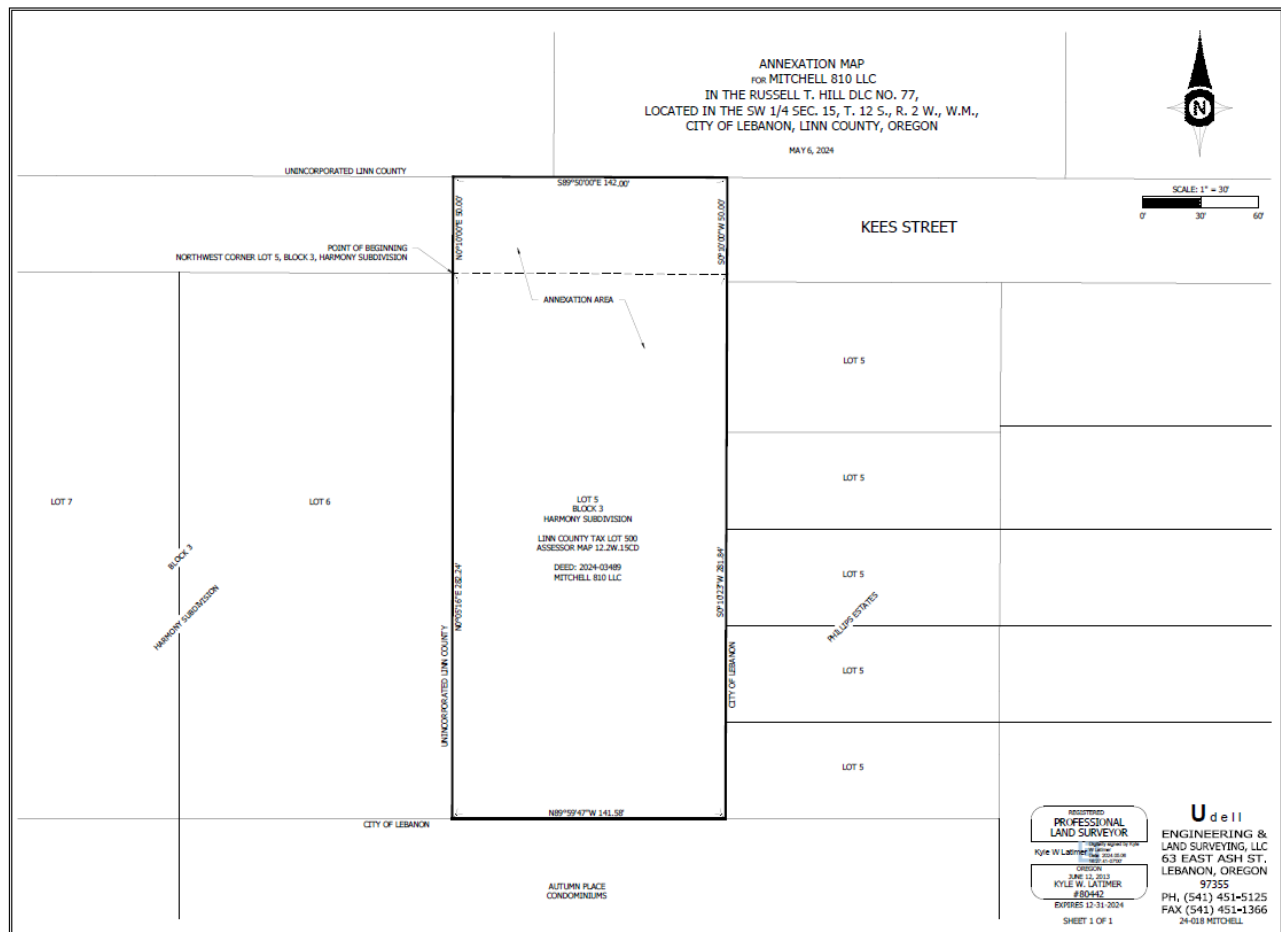


EXHIBIT B LEBANON CITY COUNCIL FINDINGS

I. NATURE OF THE APPLICATION

This matter comes before the Lebanon City Council on the application of Josh Mitchell to Annex property on the south side of Kees Street, east of Stoltz Hill Road (810 Kees Street, 12S 02W 15CD, tax lot 500) and establish the applicable Residential Mixed Density (Z-RM) zone.

II. GENERAL INFORMATION

A. Site Location

The subject property is located on the south side of Kees Street, east of Stoltz Hill Road. The subject site address is 810 Kees Street. The County Assessor Map places the parcel within Township 12 South; Range 2 West; Section 15BC; Tax Lot 2400.

B. Site Development and Zoning

The subject property is approximately 0.92 acres, with 140 feet of street frontage along Kees Street. The properties to the south, and east are located within city limits; therefore, the site is contiguous to city boundary limits and is eligible for annexation. The subject property is currently improved with a single-family dwelling and accessory structures. City utility services exist in Kees Street directly east of the subject site. Upon annexation, the Applicant may extend utilities to and through the site for utility services.

C. Adjacent Zoning and Land Uses

The property is in a developed residential neighborhood. To the north, east, south, and west are residential properties improved with single-family homes and duplexes within the County and city with a comprehensive plan designation and/or zoning designation of Residential Mixed Density (C/Z-RM).

D. Proposal

The applicant is requesting approval to Annex the subject property, establishing the Residential Mixed Density (Z-RM) zone.

III. PUBLIC HEARING

A. Planning Commission Action

On May 15, 2024, the Lebanon Planning Commission held a public hearing on this application. At the hearing, Planning File A-24-01 was made a part of the record. The City noticed the hearing according to Chapter 16.20 of the Lebanon Development Code. No objection was raised as to jurisdiction, evidence, or testimony presented at the hearing. At the end of the

hearing, the Planning Commission deliberated on the issue and voted to recommend the City Council approve the proposed Annexation and corresponding zoning designation. The Commission found the proposal consistent with the applicable decision criteria.

B. City Council Action

A public hearing will be held before the City Council at a date, time, and place to be announced. At the hearing, the City Council has the following options:

- (1) Adopt the Commission's findings and recommendations;
- (2) Adopt the recommendation with modified findings;
- (3) Reject the Planning Commission's findings and recommendations; or,
- (4) Remand the matter to the Commission for additional review and comment.

IV. FINDINGS OF FACT-GENERAL

The Lebanon City Council, after careful consideration of the testimony and evidence in the record, adopts the following General Findings of Fact:

- A. The applicant is Josh Mitchell.
- B. The subject property is located on the south side of Kees Street, east of Stoltz Hill Road. The subject site address is 810 Kees Street. The County Assessor Map places the parcel within Township 12 South; Range 2 West; Section 15BC; Tax Lot 2400.
- C. The total area contains approximately 0.92 acres.
- D. The subject parcel is accessed from Kees Street. The lot is currently improved with a single-family dwelling and accessory structures. City utility services exist in Kees Street directly east of the subject property. Upon annexation, the Applicant may extend utilities to and through the site for utility services.
- E. The land is currently located within the Lebanon UGB and designated Residential Mixed Density (C-RM).
- F. The property is in a developed residential neighborhood. To the north, east, south, and west are residential properties improved with single-family homes and duplexes within the County and city with a comprehensive plan designation and/or zoning designation of Residential Mixed Density (C/Z-RM).
- G. The applicant is requesting approval to Annex the subject property and establish the Residential Mixed Density (Z-RM) zone.
- H. The decision to approve or deny shall be based on criteria contained in the Lebanon Development Code, Chapter 16.26 – Annexations.

V. APPLICATION SUMMARY

- A. The request annexes a 0.92-acre property on the south side of Kees Street, east of Stoltz Hill Road. The subject property is located within the urban growth boundary of

the City, and contiguous with City limits along the southern and eastern property lines including the public right-of-way. The property is currently designated C-RM (Residential Mixed Density) on the Lebanon Comprehensive Plan Map. Upon annexation, the land will be zoned Residential Mixed Density (Z-RM). There is no concurrent development proposal.

- B. The Department contacted the Department of Land Conservation and Development, affected agencies, and area property owners regarding the application. No comments were submitted.

VI. CRITERIA AND FINDINGS

The subject property is located within the City's Urban Growth Boundary (UGB) and is eligible for annexation into the City limits. Annexation application and review requirements are contained in Chapter 16.26 of the Lebanon Development Code. Annexations require a hearing before the Planning Commission and City Council. The purpose of the Commission hearing is to review the request and recommend whether the Council should approve or deny the Annexation.

Section 16.26.060 contains the decision criteria for an annexation with specific requirements in Section 16.26.060.A. This Section requires compliance with provisions in the City Annexation Ordinance and Lebanon Comprehensive Plan, Chapter 3 – Urbanization. Essentially, the Annexation Ordinance and Comprehensive Plan decision criteria are the same. The findings are combined to avoid duplication:

1. Annexation Ordinance Section 2. - All Annexations shall conform to the requirements of the Lebanon Municipal Code, Annexation Ordinance, Lebanon Land Development Ordinance (i.e., Development Code), City of Lebanon/Linn County Urban Growth Management Agreement and shall be consistent with applicable State law.

Comprehensive Plan Annexation Policy #P-19: [The City shall] recognize and act on the basis that all annexations shall conform to the requirements of the Lebanon Municipal Code, Annexation Ordinance, Lebanon Land Development Ordinance, City of Lebanon/Linn County Urban Growth Management Agreement (UGMA) and shall be consistent with applicable State law.

FINDING: The application site is located within the City of Lebanon Urban Growth Boundary and is contiguous with city limits, therefore eligible for annexation per the Annexation Ordinance, and the Municipal and Development Codes. The annexation is not inclusive of a Comprehensive Plan Map Amendment. It is accepting of the initial zoning designation of Residential Mixed Density, consistent with the Comprehensive Plan Designation and the pre-designation identified in the Lebanon Development Code. With the assignment accepted as identified in the Comprehensive Map, it is determined that the annexation has already been accounted for in the City's Facilities Plan, including the Transportation System Plan. The site complies with the Annexation requirements.

2. Annexation Ordinance Section 3. - All Annexations shall be consistent with the goals and policies of the Lebanon Comprehensive Plan.

Comprehensive Plan Annexation Policy #P-20: [The City shall] recognize and act on the basis that all annexations shall be consistent with the goals and policies of the Lebanon Comprehensive Plan.

FINDING: The Annexation Ordinance policies are consistent with, and often mirror the Comprehensive Plan Annexation Policies. The State acknowledges that the City's Comprehensive Plan complies with all applicable Statewide Planning Goals and statutes, recognizing the consistency of the Plan goals and policies. Therefore, compliance with the applicable Comprehensive Plan policies ensures compliance with the Annexation Ordinance. Findings in the following Sections detail this proposal's compliance with all applicable policies.

More Specifically, this annexation supports the goals and policies under Chapter 4: Land Use, and Chapter 6: Housing. In Section 2.3 of Chapter 4 of the Comprehensive Plan, all areas annexed into the City are automatically placed in a zoning classification per the Adopted Comprehensive Plan and Map. The adopted comprehensive plan map identifies the subject property as Residential Mixed Density, with the zoning designation of Residential Mixed Density. As the annexation does not include a proposal to modify the zoning designation, the annexation is consistent with the land use goals established by the Comprehensive Plan. In addition, Table 6-5 in Chapter 6 of the Comprehensive Plan identifies the total number of estimated housing needs by type through 2025. The subject property is currently vacant; being zoned Residential Mixed Density and over 9,000 square feet in size, the site can accommodate all different housing types from single-family detached to multi-family development. Based on the 2019 Housing Needs Assessment completed by the City, there is a need for 291 acres of low-density development acreage, 92 acres of medium-density, and 39 acres of high-density. In the City and the Urban Growth Boundary, there is an identified surplus of 735 acres of residential land in the City, and 298 acres of residential land in the UGB to accommodate the residential development anticipated to accommodate the population growth. The annexation of this property and the classification for Residential Mixed Density would accommodate the identified need for any of the residential classifications, and upon development, could be built to provide affordable units, as such, would be consistent with the goals and policies of the Comprehensive Plan.

3. Annexation Ordinance Section 4. - All lands included within the Urban Growth Boundary are eligible for annexation and urban development. Areas within the Urban Growth Boundary with designated environmental constraints may be annexed and utilized as functional wetlands, parks, open space, and related uses.

Comprehensive Plan Annexation Policy #P-21: [The City shall] recognize and act on the basis that all lands included within the Urban Growth Boundary are eligible for annexation and urban development. (Areas within the Urban Growth Boundary with designated environmental constraints may be annexed and utilized as functional wetlands, parks, open space, and related uses.)

FINDING: The subject site is located within the Urban Growth Boundary and contiguous to city limits, therefore is eligible for annexation. The subject site is generally flat, with no steep slopes or environmental constraints, and within a developed neighborhood. The site is currently improved with a single-family dwelling

and accessory structures. As the site is located within a developed neighborhood and does not contain any known environmental constraints, the property is eligible for annexation.

4. Annexation Ordinance Section 5. - The City shall only annex land that is contiguous to the existing City limits and is within the City's UGB.

Comprehensive Plan Annexation Policy #P-22: [The City shall] only annex land that is contiguous to the existing City limits and is within the City's UGB.

FINDING: The subject site is contiguous with the city boundary on the south and east sides of the property and is therefore contiguous with existing City limits and eligible for annexation.

5. Annexation Ordinance Section 6. - An annexation shall be deemed orderly if the annexation territory is contiguous to the existing City limits. An annexation is efficient if the annexation territory can be developed or redeveloped for urban use. Urban uses may include wetlands, parks, open space, and related uses.

Comprehensive Plan Annexation Policy #P-23: [The City shall] deem an annexation orderly if the annexation territory is contiguous to the existing City Limits and deem an annexation efficient if the annexation territory can be developed or redeveloped to an urban use (urban uses may include functional wetlands, parks, open space, and related uses).

FINDINGS: The proposed annexation complies with the above-noted criteria as follows:

- (a) The site is contiguous with city limits along the southern, and eastern property lines.
 - (b) The property is located within an already developed and urbanized portion of the Urban Growth Boundary and City. Surrounding the property include residential development with single-family dwellings and duplexes. The site can be serviced by existing city water, sewer, and storm drainage facilities in Kees Street directly to the east of the subject property. As the property can be serviced by city facilities and transportation system, and the neighborhood is already improved with urban development, the property would be eligible for annexation.
6. Annexation Ordinance Section 7. - Development proposals are not required for annexation requests.

Comprehensive Plan Annexation Policy #P-24: [The City shall] recognize and act on the basis that development proposals are not required for annexation requests.

FINDING: The application does not include a concurrent development proposal. Any future development proposal would be required to comply with the provisions for the development code for the Z-RM zone, as applicable.

7. Annexation Ordinance Section 8. - As part of the annexation process of developed property or properties, the City shall consider the anticipated demands to access key

City-provided urban utility services, which are water, storm drainage, sanitary sewer, and streets, of existing development within the annexation territory.

Comprehensive Plan Annexation Policy #P-25: [The City shall] consider as part of the annexation process of developed property or properties, the anticipated demands to access key City-provided urban utility services, which are water, storm drainage, sanitary sewer, and streets, of existing development within the annexation territory.

FINDING: Section 16.26.040 of the Lebanon Development Code states “anticipated urban densities (according to the automatic City Zoning assignment upon annexation) within the UGB are already accounted for in the City’s Facilities Plans, including the Transportation System Plan.” No revisions to the plans are necessitated, when following annexation, an area is assigned the zoning classification that is per the adopted Comprehensive Plan Map designation. The subject site is assigned the zoning classification of Z-RM per the Comprehensive Map designation and therefore, the anticipated demands to access key City-provided urban utilities have already been considered. There is capacity in the utility systems and utility master plans to extend utilities to the site, and the existing transportation system can accommodate the inclusion of the property and the anticipated residential uses.

8. Annexation Ordinance Section 9. - As part of the annexation process of developed property or properties, the City shall consider the impacts on key City-provided urban utility services needed to serve these properties, which are water, storm drainage, sanitary sewer, and streets.

Comprehensive Plan Annexation Policy # P-26: [The City shall] Consider as part of the annexation process of developed property or properties, the impacts on the capacities of key City-provided urban utility services needed to satisfy the anticipated demands of the properties discussed in P-25 above.

FINDING: Section 16.26.040 of the Lebanon Development Code states “anticipated urban densities (according to the automatic City Zoning assignment upon annexation) within the UGB are already accounted for in the City’s Facilities Plans, including the Transportation System Plan.” No revisions to the plans are necessitated, when following annexation, an area is assigned the zoning classification that is per the adopted Comprehensive Plan Map designation. The subject site is assigned the zoning classification of Z-RM per the Comprehensive Map designation and therefore, the anticipated impacts to access key City-provided urban utilities have already been considered.

9. Annexation Ordinance Section 10. - Needed Public rights-of-way, as identified in adopted transportation plans as necessary for the safe and efficient movement of traffic, bicycles, and pedestrians, shall be dedicated to the City either with annexation or when the property develops and/or redevelops and creates an increased demand for the benefits provided by additional rights-of-way dedication.

FINDING: Kees Street maintains a right-of-way width of 50 feet. The adopted 2018 Transportation System Plan identifies Kees Street as a local roadway, which requires a minimum 58-foot right-of-way with on-street parking provided. The Engineering Department reviewed the annexation and determined that no additional right-of-way

dedication from the subject property is necessary for the annexation. Upon redevelopment of the site, additional right-of-way will be required.

10. Annexation Ordinance Section 11. - Upon annexation, the annexation territory shall be assigned zoning classifications per the adopted Comprehensive Plan Map, as shown in the City's Annexation Zoning Matrix. Such zoning assignments in and of themselves are not a zoning map change and shall not require approval of a zoning map amendment, or a separate proceeding.

FINDING: This subject property is designated Residential Mixed Density by the Comprehensive Plan. Consistent with the adopted Zoning Matrix, the only possible applicable zone is Residential Mixed Density (Z-RM). The Applicant accepts the applicable zoning designation and is not proposing a Comprehensive Plan Map Amendment.

11. Annexation Ordinance Section 12. - If a zoning designation other than one per the Comprehensive Plan Map (shown in the Annexation Zoning Matrix) is requested by an applicant, the zoning requested shall not be granted until the Comprehensive Plan Map is appropriately amended to reflect concurrence. Such an amendment shall require a separate application, hearing, and decision, which may be held concurrently with an annexation hearing and will not become effective until the annexation is complete.

FINDING: This application does not include a change in the Plan designation or corresponding zone. Therefore, this Section does not apply.

12. Annexation Ordinance Section 13. - The areas within the Urban Growth Boundary with designated environmental constraints may be annexed and developed as functional wetlands, parks, open space, and related uses.

FINDING: The subject site is generally flat, with no steep slopes or environmental constraints, and within a developed neighborhood. The site is currently improved with a single-family dwelling and accessory structures. As the neighborhood has already been previously developed with urban development, and the site does not contain any known environmental constraints, the property is eligible for annexation.

13. Annexation Ordinance Section 14. - An "urban use" is hereby defined as any land use that is authorized under the terms and provisions of the land use regulations, Zoning Ordinance (i.e., Development Code), Subdivision Ordinance, Comprehensive Plan, and other related documents of the City of Lebanon.

FINDING: This Section does not apply as the provisions in this Section provide a definition and not a decision criterion.

14. Annexation Ordinance Section 15. - At the applicant's discretion and with the City's concurrence, a development or redevelopment proposal for an annexation territory may be acted upon by the Planning Commission immediately following the Commission's hearing on the annexation proposal and a decision of recommendation of approval to the City Council. However, any approval of the Planning Commission of

such a development or redevelopment proposal must be contingent upon subsequent approval of the annexation by the City Council.

FINDING: The request does not contain a concurrent development request.

15. Comprehensive Plan Annexation Policy # P-27: Expand the City Limits as necessary to accommodate development, including housing, commercial, industrial, and services (that will in turn accommodate population growth).

FINDING: This Policy does not directly apply as the proposal simply incorporates an existing urbanized parcel into the City limits.

VII. CONCLUSION

The City Council concludes the proposed Annexation, including the establishment of the corresponding Residential Mixed Density zone, complies with the applicable decision criteria.



925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4905
www.ci.lebanon.or.us

MEMORANDUM

City Recorder's Office

To: Mayor Jackola and Council
From: Julie Fisher, City Recorder
Subject: Psilocybin Service Centers

Date: 06/12/2024

Previously presented 05/08/2024

I. INTRODUCTION

State law allows for the manufacturing, transportation, delivery, sale and possession of psilocybin, the psychedelic drug found in certain mushrooms. State law provides that a local government may adopt an ordinance to be referred to the voters to prohibit the establishment of licensed psilocybin product manufacturers and/or psilocybin services centers within the City of Lebanon.

II. CURRENT REPORT

The City Attorney and City Recorder prepared the Ballot Title and Explanatory Statement for the November 2024 election and presented it to Council during the May 8, 2024 City Council Public Hearing. Council requested more background information in the Explanatory Statement and clarification of the results of a "yes" or "no" vote. Attached is the updated Explanatory Statement, Resolution and Ordinance for Council consideration.

III. RECOMMENDATION

Motion to approve Resolution No. 2024-10, A Resolution Referring to the Voters a Measure Proposing a Prohibition on Psilocybin-Related Businesses and Adoption a Ballot Title and Explanatory Statement.

A RESOLUTION OF THE CITY OF LEBANON) RESOLUTION NO. 2024-10
REFERRING TO THE VOTERS A MEASURE)
PROPOSING A PROHIBITION ON)
PHILOCYBIN RELATED BUSINESSES AND)
ADOPTING A BALLOT TITLE AND)
EXPLANATORY STATEMENT)

WHEREAS, Ballot Measure 109, known as the Oregon Psilocybin Services Act, which passed in November 2020, requires the Oregon Health Authority (OHA) to begin accepting applications for licenses to manufacture, deliver, and administer psilocybin on January 2, 2023; and

WHEREAS, Ballot Measure 109 also allows local governments to prohibit psilocybin related businesses by referring an ordinance to the voters at a statewide general election; and

WHEREAS, on August 10, 2022 the Lebanon City Council passed Ordinance No. 2985 declaring a temporary ban on Psilocybin Service Centers and the manufacture of psilocybin products in Lebanon and allow the City to consider reasonable time, place, and manner regulations; and

WHEREAS, The City Council referred to the November 8, 2022 election, a ballot measure proposing a two-year delay on psilocybin-related businesses in Lebanon which voters approved,

NOW, THEREFORE, the City Council resolves as follows:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LEBANON:

Section 1. The City Council refers to the November 5, 2024 election, a ballot measure proposing the prohibition of psilocybin related businesses within the City of Lebanon.

Section 2. The City Council adopts the following ballot title for referral:

CAPTION:

Prohibition of psilocybin related businesses within the city of Lebanon.

QUESTION:

Shall psilocybin related businesses be prohibited within the city of Lebanon?

SUMMARY:

The Lebanon City council adopted an ordinance to refer to the voters that prohibits psilocybin related businesses in Lebanon. State law allows for the manufacturing, transportation, delivery, sale and possession of psilocybin, the psychedelic drug found in certain mushrooms. Psilocybin remains a Schedule I drug under the Federal Controlled Substances Act. State law provides that a local government may adopt an ordinance to be referred to the voters to prohibit the establishment of licensed psilocybin product manufacturers and/or psilocybin services centers within the City of Lebanon.

Approval of the measure would prohibit the establishment of psilocybin product manufacturers and psilocybin service centers within the area subject to the jurisdiction of the city of Lebanon.

Section 3. The City Council adopts the following explanatory statement for the ballot:

EXPLANATORY STATEMENT:

Psilocybin is a naturally occurring psychedelic compound found in over 200 species of mushrooms. Psilocybin is a Schedule I substance under the Federal Controlled Substance Act

In 2020 Oregon voters approved Ballot Measure 109, which allows for the manufacture, delivery, and administration of psilocybin at licensed facilities.

In 2022, after receiving Measure 109 information and holding a discussion, the Lebanon City Council unanimously passed an ordinance declaring a temporary ban on psilocybin service centers and the manufacture of psilocybin products and approved a resolution referring to the voters a measure proposing ban on psilocybin service centers and the manufacture of psilocybin products and adopting a ballot title for the November 2022 ballot.

During the 2022 Election, Measure 22-194 passed to ban the establishment of psilocybin product manufacturers and psilocybin services within Lebanon city limits until December 31, 2024.

During the October 2023 work session discussion about Measure 109 and State psilocybin facility regulations, Council consensus was to refer the issue to voters, but have a time, place, and manner ordinance prepared in case the vote is to allow these facilities in the City.

A “yes” vote would prohibit of the establishment and operation of psilocybin product manufacturers and psilocybin service centers within the city of Lebanon.

A “no” vote would allow the establishment and operation of psilocybin product manufacturers and psilocybin service centers within the city of Lebanon.

Measure 109 prohibits a city from adopting or enacting an ordinance imposing a tax or fee on psilocybin manufacturing or the provision of psilocybin services.

Consequently, approval of this measure should not have any revenue impacts on the city.

Section 4. The ballot title and explanatory statement adopted by this resolution shall be filed with the city elections officer. The city attorney and city elections officer are directed to take all necessary steps to effectuate this resolution, in compliance with the applicable provisions of law to ensure the measure to appear on the ballot for the November 5, 2024, election and to otherwise carry out the intent and purpose of this resolution.

Section 5. The city ordinance that is subject of this referral is attached hereto and incorporated herein as Exhibit A.

Section 6. This resolution shall be effective immediately upon passage by the Lebanon City Council.

Passed by the Lebanon City Council on this 12th day of June 2024 by a vote of ____yeas and ____nays.

CITY OF LEBANON, LINN COUNTY, OREGON

Kenneth Jackola, Mayor ☐
Michelle Steinhebel, Council President ☐

ATTESTED BY:

Julie Fisher, City Clerk / Recorder

**A BILL FOR AN ORDINANCE DECLARING A
BAN ON PSILOCYBIN SERVICE CENTERS
AND THE MANUFACTURE OF PSILOCYBIN
PRODUCTS IN THE CITY OF LEBANON**

) **ORDINANCE BILL NO. 2024-03**
)
) **ORDINANCE NO. 3019**
)

WHEREAS, in November 2020, Oregon voters approved Ballot Measure 109, known as the Oregon Psilocybin Service Act (codified at ORS 475A), which allows for the manufacture, delivery and administration of psilocybin at licensed facilities; and

WHEREAS, ORS 475A.235 provides that the Oregon Health Authority will regulate the manufacturing, transportation, delivery, sale and purchase of psilocybin products and the provision of psilocybin services in the state; and

WHEREAS, the Oregon Health Authority has initiated a rulemaking process to implement the state's psilocybin regulatory program and intends to begin accepting applications for psilocybin-related licenses on January 2, 2023; and

WHEREAS, ORS 475A.718 provides that a city council may adopt an ordinance to be referred to the electors of the city prohibiting the establishment of state licensed psilocybin product manufacturers and/or psilocybin service centers in the area subject to the jurisdiction of the city; and

WHEREAS, the City Council seeks to refer to the voters of Lebanon the question of whether to establish a ban on state-licensed psilocybin product manufacturers and psilocybin service centers within the city's jurisdictional boundaries.

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

Section 1. Prohibition.

The establishment of psilocybin product manufacturers licensed under ORS 275A.290 and psilocybin service centers licensed under ORS 475A.305 is prohibited in the City of Lebanon.

Section 2. Referral.

This ordinance is referred to the electors of the City of Lebanon for approval at the next statewide general election on November 5, 2024.

Section 3. Effective Date.

This ordinance takes effect and becomes operative 30 days after the day on which it is approved by a majority of voters.

Passed by the Lebanon City Council by a vote of _____ for and _____ against and approved by the Mayor this 12th day of June 2024.

CITY OF LEBANON, OREGON

Kenneth Jackola, Mayor ☐
Michelle Steinhebel, Council President ☐

Attested:

Julie Fisher, CMC, City Recorder



MEMORANDUM

Finance Department

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

From: Brandon Neish, Finance Director

Subject: State Revenue Sharing FY 2024-2025

Date: June 12, 2024

I. INTRODUCTION

Each year, the State of Oregon requires that a public hearing be held before the Budget Committee and the City Council regarding the uses of State Revenue Sharing. The hearing before the Budget Committee on the proposed uses was held on April 30, 2024. The hearing before the City Council is slated to take place during the City Council meeting on June 12, 2024 on the approved uses as recommended by the Budget Committee. The funds come from a variety of sources including, but not limited to, liquor taxes, marijuana taxes, and cigarette taxes. The Approved Budget for fiscal year 2024-2025 has budgeted revenue totaling \$770,150 as a non-dedicated revenue in the General Fund. The amount included in the budget is derived from an estimate provided by the League of Oregon Cities (included).

II. RECOMMENDATION

- Conduct a public hearing on the use of State Revenue Sharing in the Approved Budget.
- Adopt Resolution No. 2024-12 to certify that the City provides services eligible to receive State Shared Revenue in accordance with ORS 221.760 and that the City elects to receive State Shared Revenues in accordance with ORS 221.770.



2024 **STATE SHARED REVENUE REPORT** with Estimates

**Contact: Lindsay Tenes, LOC Tax and Finance Lobbyist:
ltenes@orcities.org or (971) 416-6818**

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2024 State Shared Revenues

Item # 11.

Information and forecast estimates in this report are based on the best information available as of late January. The material is subject to forecast and law changes made throughout the year.

Per Capita State Shared Revenues for Cities

Per capita distributions for revenue sources are calculated based on certified population statistics from Portland State University's Center for Population Research (PSUCPR). Population estimates compiled each July are typically certified on December 15, and thereafter begin to govern the distributions. A copy of the certified estimate applicable to 2024 distributions is available near the end of this report.

	Highway Trust Fund Revenues (Gas Tax)	Liquor Revenues (20% of Total Share)	Marijuana Tax Revenues (75% of City's Share)	Cigarette Tax Revenues	9-1-1 Tax Revenues
2021-22 Actuals	\$77.32	\$18.57	\$1.26	\$0.82	\$11.08
2022-23 Actuals	\$75.80	\$18.69	\$1.42	\$0.74	\$11.37
2023-24 Estimates	\$77.51	\$20.23	\$1.41	\$0.73	\$12.36
2024-25 Estimates	\$79.35	\$21.24	\$1.38	\$0.71	\$13.44
2025-26 Estimates	\$78.50	\$20.67	\$1.37	\$0.68	\$14.62

(Note that most cities do not receive 9-1-1 distributions, see the full write-up for a detailed explanation.)

Non-Per Capita Based State Shared Revenues for Cities

State marijuana taxes and liquor revenues are not exclusively based on population. The 14% liquor revenue share to cities uses an adjusted population formula that factors in the per capita property taxes and per capita income of each city (see ORS 221 .770). The 25% state marijuana tax share to cities is distributed based on the number of licensed marijuana premises in each certified city compared to the total number of licensed marijuana premises in certified cities. This count includes grower, processor, wholesaler, and retailer premises. The estimates for the total share for all cities are provided in the following table to allow cities to see trends that will assist cities in their individual computations.

	Liquor Revenues (Based on Formula, 14% of Total Share)	Marijuana Tax Revenues (Based on Licenses, 25% of City's Share)
2021-2022 Actuals	\$39,313,778	\$1,125,000
2022-2023 Actuals	\$39,719,158	\$1,273,500
2023-2024 Estimates	\$43,494,000	\$1,273,500
2024-2025 Estimates	\$46,369,000	\$1,273,500
2025-2026 Estimates	\$45,706,000	\$1,273,500

HIGHWAY TRUST FUND REVENUES

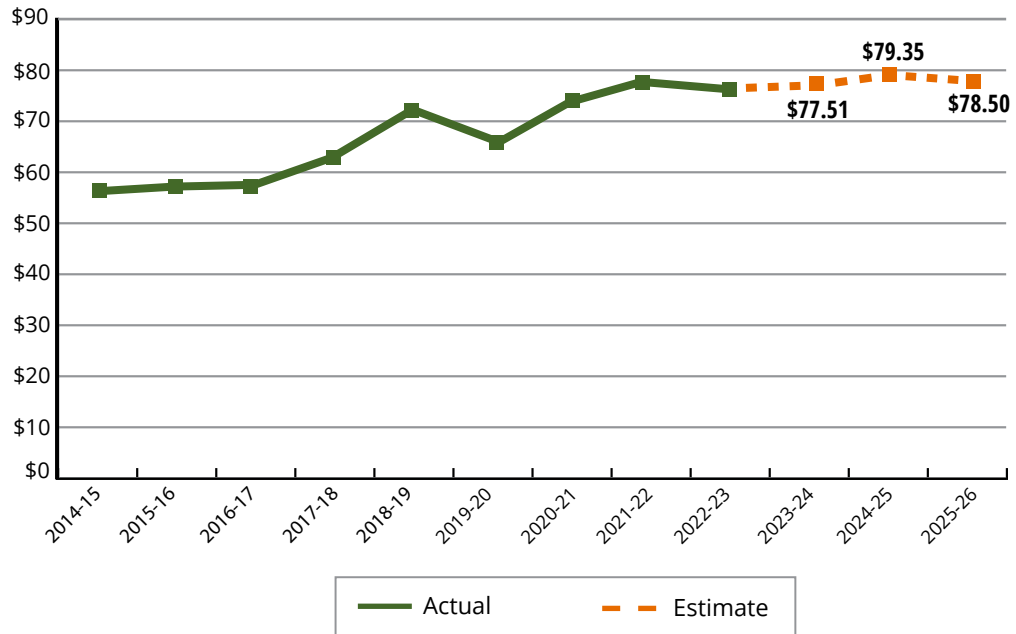


2023-2024 Per Capita Estimated Disbursement: **\$77.51**

2024-2025 Per Capita Estimated Disbursement: **\$79.35**

Actual and Projected Highway Trust Fund Total Revenue Disbursements to Cities Per Capita Disbursements

Actuals	
2013-14	\$152,000,000
2014-15	\$157,600,000
2015-16	\$162,100,000
2016-17	\$165,400,000
2017-18	\$181,800,000
2018-19	\$204,900,000
2019-20	\$195,000,000
2020-21	\$217,300,000
2021-22	\$233,800,000
2022-23	\$230,114,384
Estimates	
2023-24	\$238,113,594
2024-25	\$247,507,826
2025-26	\$247,971,317



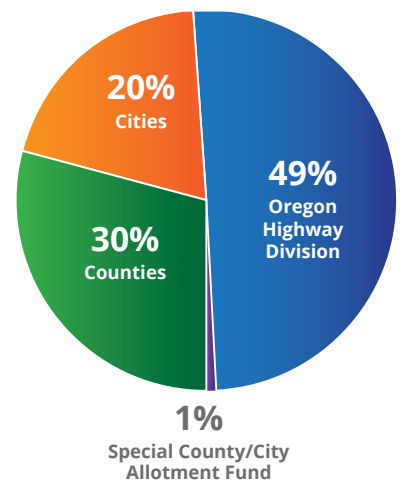
The state's Highway Trust Fund supports the construction, reconstruction, preservation, maintenance, repair and improvement of streets and roads. Using a melded computation of the various tax and fee increases over time, cities receive approximately 20% of the Highway Trust Fund.

In 2017, the Legislature approved a comprehensive transportation funding package (HB 2017) that significantly increased cities' per capita funding. The package included a 10-cent gas and use fuel tax increase, and a 53% increase in the weight-mile tax (both phased in over a seven-year period), along with graduated registration and title fee increases. Full implementation of annual gas tax increases has been met.

From the cities' total allocation, \$2.5 million is directed annually off the top to the special city allotment fund. The allocation is matched and administered by the Oregon Department of Transportation (ODOT) to provide competitive grants to small cities with a population less than 5,000. This is in addition to their per capita allocation (see ORS 366.805).

The 2017 transportation package also included a new 1% statewide payroll tax, a 0.5% privilege tax/use tax on certain "new" vehicles, and a \$15 bicycle tax. Those additional taxes are not included in the per capita disbursements, but cities may be eligible for additional funds from programs funded by these taxes.

Distribution of Highway Trust Fund Revenues



HIGHWAY TRUST FUND REVENUE *AT A GLANCE*

Item # 11.

Revenue Sources	<ul style="list-style-type: none"> • Vehicle registration and title fees and surcharges (tiered based on fuel efficiency) • Driver license fees • Fuel taxes • Weight-mile tax (vehicle heavier than 26,000 pounds)
Tax Rates	<p>Fuel Tax Rates: Gasoline and use fuel (fuel other than gas used in a motor vehicle including propane, etc.):</p> <ul style="list-style-type: none"> ▫ Jan. 1, 2010- Dec. 31, 2017: \$0.30/gallon ▫ Jan. 1, 2018 – Dec. 31, 2019: \$0.34/gallon ▫ Jan. 1, 2020 – Dec. 31, 2021: \$0.36/gallon ▫ Jan. 1, 2022 – Dec. 31, 2023: \$0.38/gallon ▫ Jan. 1, 2024 – present: \$0.40/gallon <p>Full implementation of the incremental 10-cent fuels tax increase passed in HB 2017 (2017) has been completed as of January 1, 2024. ORS 319.020</p> <p>Weight-Mile Tax Rate: See ODOT mileage tax rate tables (53% graduated increase from 2017-2024).</p>
Agency Administration of Revenues	ODOT
Distribution Calculation	Per capita disbursement to cities
Payment Schedule	Monthly
Requirements	<p>Certification Requirement: Cities in counties with populations greater than 100,000 must certify¹ that the city provides at least four of the following municipal services:</p> <ul style="list-style-type: none"> • Fire protection; • Police protection; • Street construction, maintenance and lighting; • Sanitary sewers; • Storm sewers; • Planning, zoning and subdivision control; or • One or more utility services <p>Cities must file an online bridge and payment conditions report with ODOT that is due on February 1. See ORS 184.657</p>
Use of Revenue Restrictions	Permitted use includes construction, reconstruction, maintenance, etc. of highways, roads, streets, bike paths, foot paths and rest areas. See ORS 366.790; Art. IX, section 3a of the Oregon Constitution; and statutes pursuant to that section.
Local Tax Preemption	Partially. Although a city council cannot impose a tax, state law allows a city to refer for voter approval a new or increased local fuel tax. Several cities have a tax and the rate varies—generally 1 to 3 cents per gallon. See ORS 319.950. Approximately 30 cities have a gas tax .
Relevant Statutes	ORS 184.657; ORS Ch. 319; ORS 366.739-366.752; ORS 366.785-366.820; ORS 803.420; ORS 803.090; HB 2017 (2017); HB 4059 (2018)

¹ See ORS 221.760 (imposing certification requirement for cities in counties with a population greater than 100,000 to receive revenues from cigarette, gas and liquor taxes). Counties with a population greater than 100,000 are: Clackamas, Deschutes, Douglas, Jackson, Lane, Linn, Marion, Multnomah, Washington and Yamhill.

LIQUOR REVENUES

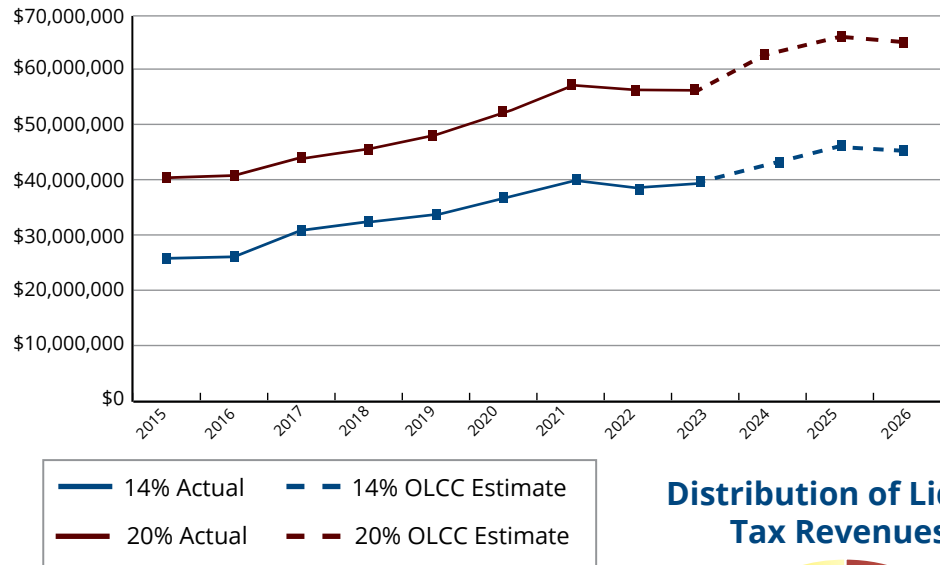


2023-2024 Per Capita Estimated Disbursement (OLCC): **\$20.23**

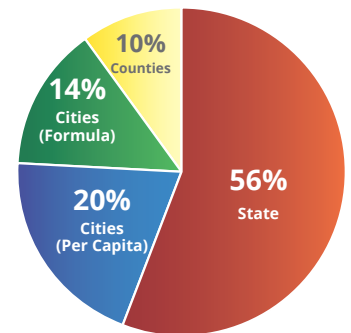
2024-2025 Per Capita Estimated Disbursement (OLCC): **\$21.24**

	14% Share	20% Share
Actuals¹		
2013-14	\$26,556,890	\$37,938,414
2014-15	\$27,588,752	\$39,412,503
2015-16	\$27,814,601	\$39,735,144
2016-17	\$30,073,374	\$42,961,962
2017-18	\$31,632,000	\$45,188,168
2018-19	\$33,424,766	\$47,749,666
2019-20	\$36,054,301	\$51,506,144
2020-21	\$40,085,560	\$57,265,086
2021-22	\$39,313,778	\$56,162,540
2022-23	\$39,719,158	\$56,741,655
Estimates		
2023-24	\$43,494,000	\$62,134,000
2024-25	\$46,369,000	\$66,242,000
2025-26	\$45,706,000	\$65,295,000

Actual and Projected Liquor Tax Disbursements to Cities with Per Capita Distributions



Distribution of Liquor Tax Revenues



Cities' share of this state shared revenue source is 34%, of which 20% is distributed per capita, with 14% distributed using a formula that factors in property taxes, population, and income. The three major contributors to this revenue source are: the sale of distilled spirits; liquor licensing fees; and taxes on beer, wine, and cider.

Distilled spirit sales make up more than 95% of this revenue source. The state maintains the exclusive right to sell packaged distilled spirits and sets the mark-up on products using a wholesale price formula. This means that the bulk of this state shared revenue source technically is based on profits, and not taxes. The mark-up formula on distilled spirits has not been changed since 1993. The Oregon Liquor Control Commission (OLCC) also continues to impose a temporary 50 cents per bottle surcharge on distilled spirits, but those revenues have been directed by the Legislature to the state's general fund, not to the shared revenue fund.

At approximately 8 cents per gallon, or about 4 cents on a six-pack, Oregon's beer and cider tax is one of the lowest in the country. Oregon's beer tax rate has remained unchanged since 1978. The state wine tax is in the middle compared to other states at 67 cents per gallon. The wine tax has not been increased since 1983. When Oregon's lack of a sales tax is factored in, Oregon has the lowest tax in the country on beer and the second lowest tax on wine. In 2023, the Legislature established the Task Force on Alcohol Pricing and Addiction Services (HB 3610), which will study the potential of increasing beer and wine taxes and make a recommendation to the Legislature in 2024. The LOC has a representative on the task force.

Changes made during the 2021 legislative session to increase compensation to liquor store agents and distillery tasting room owners have reduced net distributions from this revenue source. The Oregon Liquor and Cannabis Commission's (OLCC) warehouse is reaching capacity, and the Legislature approved construction of a new facility in 2021. Any expenses used for the new warehouse reduce shared revenue for cities, since the bonds are paid for out of the gross liquor revenue. The cost of the project, including land acquisition and construction, has increased from the first estimate of \$62.5 million to \$145.8 million, making the 34% city share of the project cost \$50 million. Cities' share of this revenue source is projected to continue trending upward over the long term, but these added costs mean cities will receive less revenue than they would have otherwise.

LIQUOR STATE SHARED REVENUE AT A GLANCE

Item # 11.

Revenue Sources	<ul style="list-style-type: none"> • Privilege taxes on beer, wine and cider (ORS Ch. 473) • License fees • Profit from distilled spirits sales • Miscellaneous revenue in the OLCC account <p><i>Note:</i> 50 cents distilled spirits per bottle surcharge is NOT included in state shared revenues (it goes to state General Fund)</p>	
Tax Rates	<ul style="list-style-type: none"> • \$2.60/ barrel (31 gallons) for malt beverages and cider • \$0.65/gallon for wine + \$0.10/gallon for wine with greater than 14% alcohol + \$.02/gallon (directed to Oregon Wine Board) <p>Profit Markup Formula for Distilled Spirits:</p> <ul style="list-style-type: none"> • Up to \$78.06/case cost: <ul style="list-style-type: none"> ○ (Landed cost x 2.131) plus \$1.40 freight/bottles per case ○ Round to the next \$.05 and add \$.50 surcharge/bottle (surcharge goes to General Fund and is not shared with cities) • Over \$78.06/case cost: <ul style="list-style-type: none"> ○ [(Landed cost plus \$14.45) x 1.798] plus \$1.40 freight/bottles per case ○ Rounded to the next \$.05 + \$.50 surcharge/bottle (surcharge goes to General Fund and is not shared with cities) <p>In 2021, the OLCC approved a new minimum pricing structure which ensures that a standard 750ml bottle of liquor that is 40% alcohol by volume (ABV) cannot be sold for less than \$8.95. The pricing will increase based on a product's ABV, with higher potency beverages increasing more sharply.</p>	
Agency Administration of Revenues	OLCC certifies revenue; Department of Administrative Services (DAS) makes payment to cities.	
	14% Share of Liquor Revenues	20% Share of Liquor Revenues
Distribution Calculation	Complex formula including city property taxes, population and income (ORS 221.770(4))	Per capita disbursement to cities (ORS 471.810(1)(b))
Payment Schedule	Quarterly	Monthly
Requirements	<p>Ordinance Requirement: Before July 31:</p> <ul style="list-style-type: none"> • Pass an ordinance or resolution requesting state shared revenue money; • Hold public hearings before the budget committee and city council regarding the city's use of state shared revenues; • Submit documentation, such as the short form distributed by DAS, certifying compliance; and • Levy property taxes for the preceding year. <p>AND Certification requirement (Same as required by 20% share)</p>	<p>Certification Requirement: Cities in counties with a population greater than 100,000 must certify¹ that the city provides at least four of the following municipal services:</p> <ul style="list-style-type: none"> • Fire protection; • Police protection; • Street construction, maintenance & lighting; • Sanitary sewers; • Storm sewers; • Planning, zoning and subdivision control; or • One or more utility services.
Use of Revenue Restrictions	Unrestricted	
Local Tax Preemption	Yes. Cities may not impose a tax or fee on malt beverages or any alcoholic liquors (See ORS 471.045 and ORS 473.190). Cities also are restricted on the amount they may impose for licensing fees. (See ORS 471.166)	
Key Statutes	ORS 221.760-.770 (requirements to receive revenues); 471.810 (distribution of moneys in OLCC account); 473.005-.060 (tax provisions)	

¹ See ORS 221.760 (imposing certification requirement for cities in counties with a population greater than 100,000 to receive revenues from cigarette, gas and liquor taxes). Counties with a population greater than 100,000 are: Clackamas, Deschutes, Douglas, Jackson, Lane, Linn, Marion, Multnomah, Washington and Yamhill.

MARIJUANA TAX REVENUES

Item # 11.



2023-2024 Per Capita Disbursement: **\$1.41**

2024-2025 Per Capita Disbursement: **\$1.38**

Actual and Projected State Marijuana Tax Disbursements to Cities

Estimates	Total City Revenues	City Distribution 75% (Opt-In for Per Capita Distribution)	City Distribution: Per Capita Opt-Ins	Licensees 25% (Opt-In Cities)
2021-22	\$4,500,000	\$3,375,000	\$1 .26	\$1,125,000
2022-23	\$5,094,000	\$3,820,500	\$1.42	\$1,273,500
2023-24	\$5,094,000	\$3,820,500	\$1.41	\$1,273,500
2024-25	\$5,094,000	\$3,820,500	\$1.38	\$1,273,500
2025-26	\$5,094,000	\$3,820,500	\$1.37	\$1,273,500

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. The passage of Measure 110 in November of 2020, which decriminalized possession of small amounts of street drugs, has resulted in a massive shift in the allocation of state marijuana revenue distributions. Starting in March of 2021, quarterly revenue to cities from state marijuana taxes saw roughly a 74% decrease from the fourth quarter 2020 distribution (the final distribution under the old formula, not accounting for any changes in 25% share based on licensees). Under Measure 110, cities have shared \$1,125,000 quarterly, or \$4,500,000 annually, which has been indexed to inflation since July 2023.

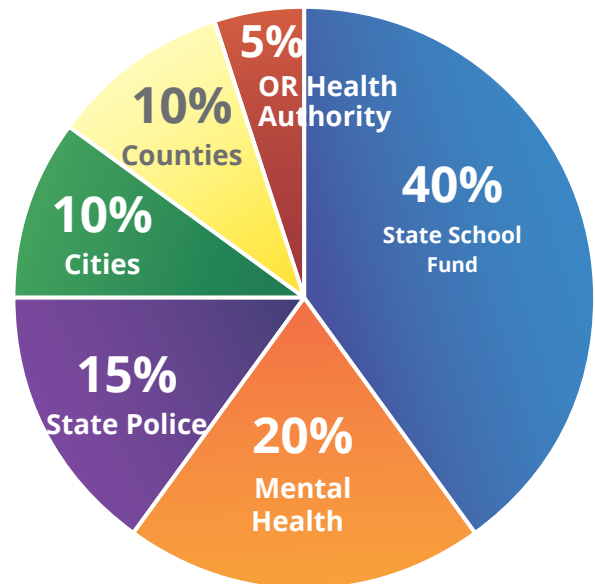
Compounding on the sharp reduction in revenue after the passage of Measure 110, marijuana revenue has seen a downward trend since the market is saturated with an oversupply of product, which has driven prices down. Since marijuana is taxed on the price of the product and not volume of sales, revenue is projected to go down in the near future until the market sees adjustments in supply.

Distributions are made quarterly to cities that certify that they do not ban any marijuana license type within city limits.

The formula for distributing the city share has changed over time. For state revenues collected since July 1, 2017, 75% of the shared revenue is distributed to eligible cities on a per capita basis, and 25% is distributed based on the number of licensed premises in the city (grower, processor, retailer, and wholesaler). Note that the license-portion (25%) of the distribution is particularly hard to forecast as shops open and close.

Note: Cities may impose up to an additional 3% local tax on recreational marijuana products. Most cities have an agreement with the Oregon Department of Revenue (DOR) to have the state collect their local tax at the same time the state tax is collected. However, that local tax revenue is not considered a state shared revenue.

Distribution of Quarterly \$11.25 Million



MARIJUANA STATE SHARED REVENUE AT A GLANCE

Item # 11.

Revenue Sources	State retail sales tax on all recreational marijuana products Note: There is no tax on medical marijuana products.
Tax Rates	Regular Sales Tax Rate: 17% for state retail tax on recreational marijuana (October 1, 2016 - present)
Agency Administration of Revenues	Department of Revenue (DOR) handles collection of taxes each month; Department of Administrative Services (DAS) handles payments to cities
Distribution Calculation	<p>Before 2021, cities received 10% of the state tax revenues after administrative and enforcement expenses are deducted. Beginning in 2021, cities will receive a flat \$1,125,000 each quarter under the terms of Measure 110.</p> <p>Eligible cities (cities that do not ban) receive their share using the following formula:</p> <ul style="list-style-type: none"> ▫ 75% of the share is distributed per capita (based on population of eligible cities), ▫ 25% of the share is distributed based on licensure numbers in the city compared to the total licenses in all eligible cities for the quarter.
Payment Schedule	Quarterly
Requirements	<p>In 2020, this moved from a quarterly certification with the OLCC to an annual certification with DAS, see HB 3067 (2019).</p> <p>Only cities that have not banned marijuana premises are eligible to receive a revenue payment. That is, a city may not adopt an ordinance that prohibits the establishment of a premises for which a license is required under state law for a recreational marijuana producer, processor, wholesaler, or retailer. A city may also not adopt an ordinance prohibiting a medical marijuana grow site nor a medical marijuana facility. If a city has certified that it qualifies and then creates a new restriction, that city should notify DAS immediately. If a city that has previously qualified for marijuana money is later determined to not qualify, DAS may require the return of the revenues with interest.</p>
Use of Revenue Restrictions	Unrestricted. (The "to assist local law enforcement" language was deleted in 2017.)
Local Tax Preemption	Partially. A city may adopt an ordinance imposing a tax on retail sale of recreational marijuana (not medical marijuana), but state law requires the city refer the ordinance to the electors of the city for approval. In addition, a city may not impose more than a 3% tax. (ORS 475B.345)
Key Statutes	Measure 91 (2014) (legalizing recreational marijuana sales); ORS 475B.015 (definitions); ORS 475B.700-.755 (taxation of cannabis and cannabis products); ORS 475B.759-.760 (state marijuana account and distribution of state marijuana tax); Measure 110 (2020) (changing distribution of state revenues); HB 4056 (2022) indexing Measure 110 distribution amounts.

CIGARETTE TAX REVENUES

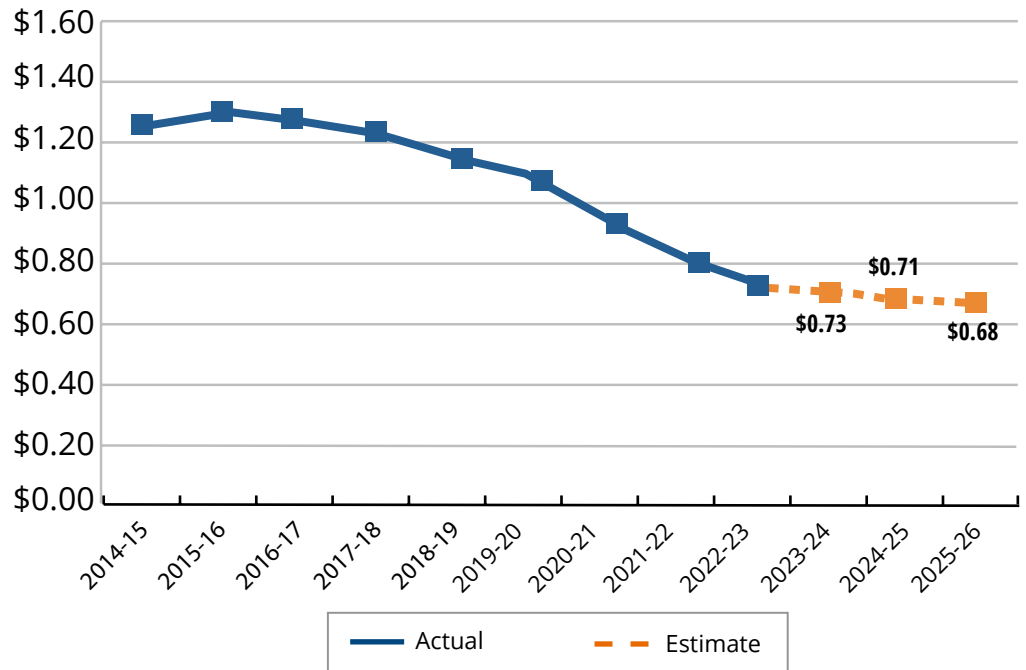


2023-2024 Per Capita Estimated Disbursement: **\$0.73**

2024-2025 Per Capita Estimated Disbursement: **\$0.71**

Actual and Projected Cigarette Tax Disbursements to Cities with Per Capita Distributions

Actuals	
2014-15	\$3,469,667
2015-16	\$3,642,000
2016-17	\$3,634,667
2017-18	\$3,493,333
2018-19	\$3,311,756
2019-20	\$3,233,333
2020-21	\$2,833,333
2021-22	\$2,466,667
2022-23	\$2,233,333
Estimates	
2023-24	\$2,233,333
2024-25	\$2,200,000
2025-26	\$2,133,333



This revenue source is projected to continue trending downward—as it has for more than 10 years—as smoking decreases. In November of 2020, voters passed Measure 108, which: increased cigarette taxes by \$2 .00 per pack effective January 1, 2021; increased the cap on the cigar tax from 50 cents to \$1 .00; created a tax on vape products at 65% of the retail price; and preempted cities from taxing vape products. After the increase, cigarette taxes are at \$3 .33 per pack, and cities' share of that revenue is a meager 0 .6% of the tax, or about 2 cents per pack. It's important to note that while cities receive a share of tax revenues for cigarettes, no shared revenue is distributed for taxes on other tobacco products, including cigars, moist snuff, chewing tobacco, pipe tobacco, and now vape.

Measure 108 was expected to have the effect of decreasing revenues to cities; cities did not get a share of the \$2 .00 increase, and as prices increased by 33% on average, demand was anticipated to decrease. During discussions at the Legislature, reductions in sales as high as 25% to 35% were discussed due to reduced smoking rates in Oregon and a reduction of cross border sales into Washington and California. When the actual distributions for the 2021-22 biennium are compared to the 2019-20 biennium (the last full biennium before the tax increase), there is a more than 26% decrease in this revenue source. Some of this decrease is likely due to longstanding trends, but it seems clear that Measure 108 has achieved the intended result of reducing smoking.

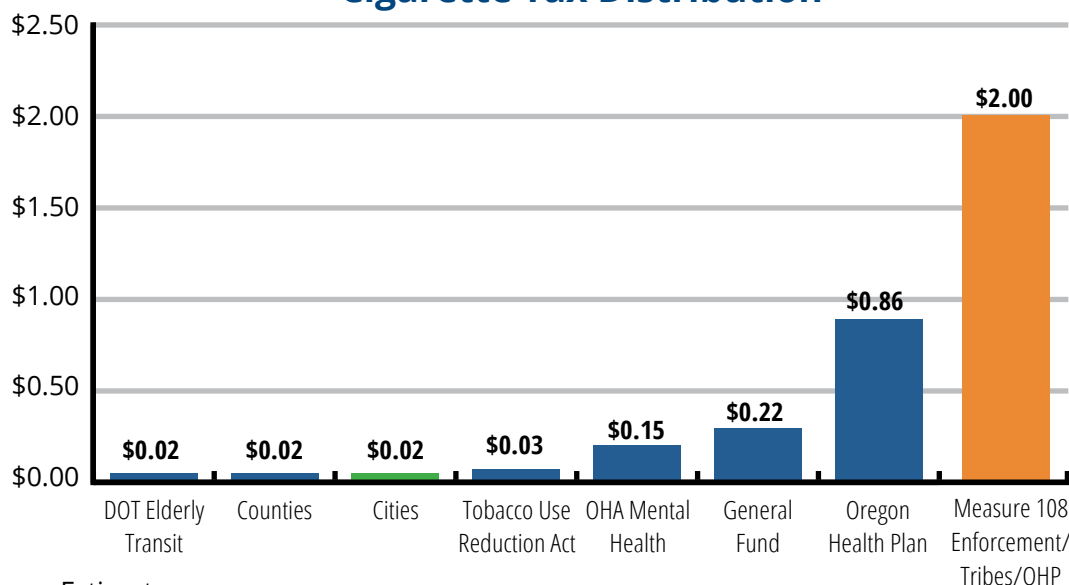
CIGARETTE STATE SHARED REVENUE AT A GLANCE

Item # 11.

Revenue Sources	State cigarette tax per pack <i>Note: Tax revenues from other tobacco product is NOT included in state shared revenues.</i>
Tax Rate	<ul style="list-style-type: none"> • Pre-2004 to 2014: \$1.18/pack • Jan. 1, 2014 to Dec. 31, 2015: \$1.31/pack • Jan. 1, 2016 to Dec. 31, 2017: \$1.32/pack • Jan. 1, 2018 to Dec. 31, 2020: \$1.33/pack • Jan. 1, 2021 to present: \$3.33/pack
Agency Administration of Revenues	Department of Revenue (DOR) collects revenue; Department of Administrative Services (DAS) makes payments to cities
Distribution Calculation	Per capita disbursement to cities
Payment Schedule	Monthly
Requirements	<p>Certification Requirement: Cities in counties with a population greater than 100,000 must certify¹ that the city provides at least four of the following municipal services:</p> <ul style="list-style-type: none"> • Fire protection; • Police protection; • Street construction, maintenance and lighting; • Sanitary sewers; • Storm sewers; • Planning, zoning and subdivision control; or • One or more utility services.
Use Restrictions	Unrestricted
Local Tax Preemption	Yes. Cities may not impose a tax on the sale or the use of tobacco products (ORS 323.640). Cities may not impose a tax on the sale of vape (Measure 108).
Key Statutes	ORS 323.030 to ORS 323.091; ORS 323.455 to 323.457; Measure 108 (2020).

1 See ORS 221.760 (imposing certification requirement for cities in counties with a population greater than 100,000 to receive revenues from cigarette, gas and liquor taxes). Counties with population greater than 100,000 are: Clackamas, Deschutes, Douglas, Jackson, Lane, Linn, Marion, Multnomah, Washington and Yamhill.

Cigarette Tax Distribution



9-1-1 EMERGENCY COMMUNICATION TAX REVENUES

Item # 11.

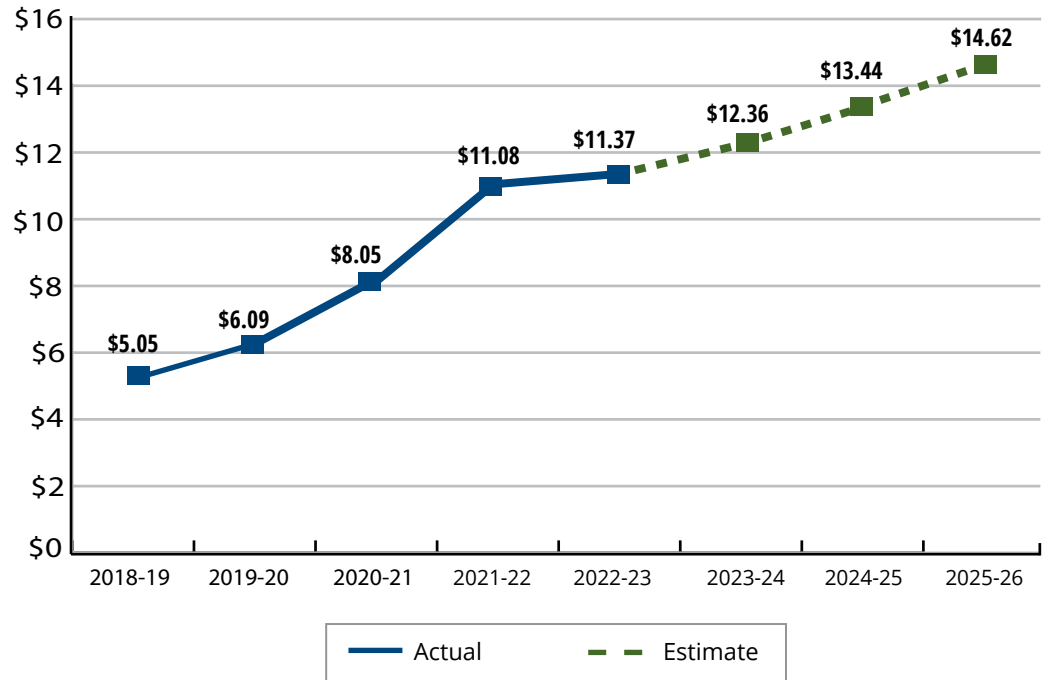


2023-2024 Per Capita Estimated Disbursement: **\$11.37**

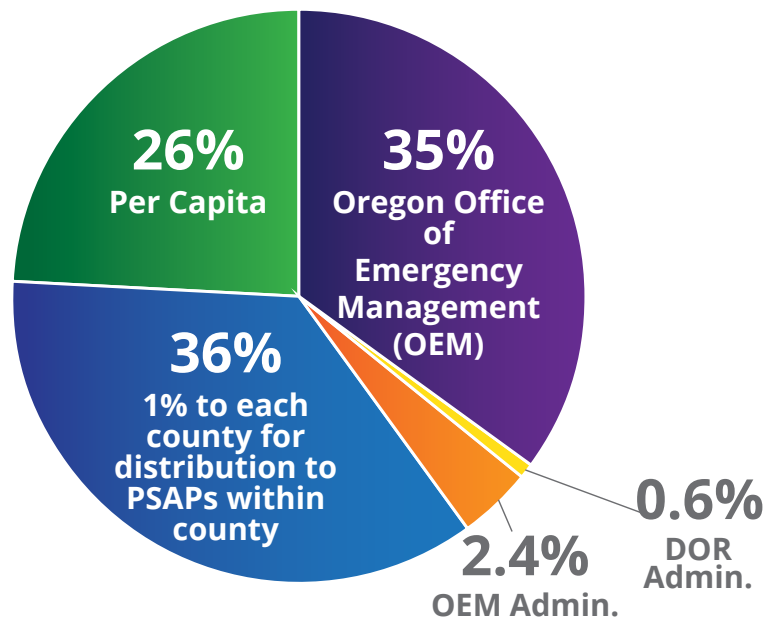
2024-2025 Per Capita Estimated Disbursement: **\$12.36**

Actual and Projected 9-1-1 Tax Disbursements to Cities with Per Capita Distributions

Actuals	
2018-19	\$14,523,097
2019-20	\$17,696,956
2020-21	\$23,351,536
2021-22	\$27,118,076
2022-23	\$28,396,882
Estimates	
2023-24	\$31,654,210
2024-25	\$35,409,481
2025-26	\$39,610,256



FY 2023 Distribution of 9-1-1 Tax Revenues



Oregon's 9-1-1 tax was increased to \$1.00 per line or prepaid transaction effective January 1, 2020, and further increased to \$1.25 effective January 1, 2021. Before this change in 2019's HB 2449, the rate had been 75 cents since 1995. Most cities do not directly receive this state shared revenue, as the city share is directed to the public safety answering point (PSAP) provider connected to the statewide network. Less than 20 of the 45 PSAPs in Oregon are operated by cities; most are managed by counties or a regional entity. The PSAPs are only partially funded through the state's Emergency Communications Tax, with the balance of operating costs coming

primarily from property taxes. Local governments receive approximately 60% of 9-1-1 taxes, but the taxes generally covered less than 25% of the costs of total PSAP operations before the recent rate increases.

The local government share is distributed by providing 1% per county, with the remainder distributed per capita to the governing authorities of the 9-1-1 centers, which may be cities, counties, council of governments or special districts. Quarterly tax distribution charts of the PSAPs can be found on the Oregon Office of Emergency Management's (OEM) website.

Item # 11.

9-1-1 TAX STATE SHARED REVENUE AT A GLANCE

Revenue Sources	9-1-1 Emergency Communication Tax
Tax Rates	<ul style="list-style-type: none"> \$1.25 per month per telephone access line capable of accessing 9-1-1 emergency reporting services \$1.25 per each retail transaction related to prepaid wireless products, including minutes purchased Tax expires January 1, 2030. See HB 2449 from 2019.
Agency Administration of Revenues	Office of Emergency Management
Distribution Calculation	<p>After administrative costs of up to 0.6% for Oregon Department of Revenue (DOR) and 2.4% for OEM 4, a 35% portion is transferred to the OEM, the remainder goes to local governments to pay for the PSAPs.</p> <p>A minimum 1% base is distributed per county (about 36%) and the remaining tax revenues are distributed on a per capita basis (about 26%) for distribution directly to 9-1-1 jurisdictions connected to the statewide network.</p>
Payment Schedule	Quarterly
Requirements	Annual accounting report to OEM (ORS 403.240(9)). Usually, the report is due in January.
Use of Revenues Restrictions	See ORS 403.240(9) and OAR 104-080-0195 for permitted expenditures associated with 9-1-1 costs. Intergovernmental agreements might also restrict use of revenues.
Key Statutes	ORS 403.200-.250; OAR 104-080-0195 to 104-080-0210

Certified Population Estimates* – Alphabetical

Item # 11.

Adair Village	1,496	Depoe Bay	1,569	Imbler	247	Mt. Angel	3,538	Sisters	5,625
Adams	404	Detroit	134	Independence	10,274	Mt. Vernon	563	Sodaville	357
Adrian	159	Donald	1,003	Lone	337	Myrtle Creek	3,626	Spray	201
Albany	57,997	Drain	1,195	Irrigon	2,133	Myrtle Point	2,508	Springfield	63,078
Amity	1,826	Dufur	635	Island City	1,166	Nehalem	290	St. Helens	15,009
Antelope	35	Dundee	3,265	Jacksonville	3,197	Newberg	26,728	St. Paul	435
Arlington	670	Dunes City	1,454	Jefferson	3,425	Newport	11,083	Stanfield	2,313
Ashland	21,457	Durham	1,938	John Day	1,704	North Bend	10,769	Stayton	8,295
Astoria	10,167	Eagle Point	9,955	Johnson City	510	North Plains	3,663	Sublimity	3,233
Athena	1,200	Echo	638	Jordan Valley	133	North Powder	498	Summerville	114
Aumsville	4,227	Elgin	1,911	Joseph	1,179	Nyssa	3,363	Sumpter	207
Aurora	1,119	Elkton	193	Junction City	7,427	Oakland	968	Sutherlin	9,001
Baker City	10,102	Enterprise	2,147	Keizer	39,169	Oakridge	3,235	Sweet Home	10,028
Bandon	3,866	Estacada	5,750	King City	5,177	Ontario	12,206	Talent	5,228
Banks	1,910	Eugene	177,339	Klamath Falls	22,966	Oregon City	38,049	Tangent	1,218
Barlow	140	Fairview	10,671	La Grande	13,558	Paisley	248	The Dalles	16,417
Bay City	1,646	Falls City	1,066	La Pine	3,126	Pendleton	17,006	Tigard	55,868
Beaverton	101,165	Florence	9,832	Lafayette	4,714	Philomath	5,823	Tillamook	5,277
Bend	106,275	Forest Grove	27,551	Lake Oswego	41,396	Phoenix	3,773	Toledo	3,622
Boardman	4,437	Fossil	455	Lakeside	1,952	Pilot Rock	1,332	Troutdale	17,005
Bonanza	401	Garibaldi	837	Lakeview	2,476	Port Orford	1,181	Tualatin	27,910
Brookings	7,161	Gaston	674	Lebanon	20,329	Portland	648,097	Turner	2,882
Brownsville	1,846	Gates	552	Lexington	243	Powers	759	Ukiah	219
Burns	2,730	Gearhart	1,933	Lincoln City	10,372	Prairie City	861	Umatilla	7,810
Butte Falls	440	Gervais	2,789	Lonerock	25	Prescott	82	Union	2,182
Canby	19,045	Gladstone	12,140	Long Creek	179	Prineville	11,598	Unity	40
Cannon Beach	1,555	Glendale	871	Lostine	246	Rainier	1,933	Vale	1,947
Canyon City	687	Gold Beach	2,450	Lowell	1,261	Redmond	38,208	Veneta	5,261
Canyonville	1,703	Gold Hill	1,338	Lyons	1,203	Reedsport	4,395	Vernonia	2,426
Carlton	2,425	Granite	33	Madras	8,099	Richland	166	Waldport	2,350
Cascade Locks	1,400	Grants Pass	40,102	Malin	745	Riddle	1,248	Walla Walla	812
Cave Junction	2,163	Grass Valley	155	Manzanita	646	Rivergrove	559	Warrenton	6,462
Central Point	19,666	Greenhorn	3	Maupin	435	Rockaway Beach	1,538	Wasco	417
Chiloquin	775	Gresham	117,107	Maywood Park	793	Rogue River	2,472	Waterloo	216
Clatskanie	1,767	Haines	382	McMinnville	34,612	Roseburg	24,258	West Linn	27,360
Coburg	1,475	Halfway	358	Medford	90,887	Rufus	272	Westfir	261
Columbia City	1,935	Halsey	952	Merrill	867	Salem	182,726	Weston	696
Condon	726	Happy Valley	26,799	Metolius	1,005	Sandy	13,159	Wheeler	428
Coos Bay	16,533	Harrisburg	3,660	Mill City	2,066	Scappoose	8,254	Willamina	2,301
Coquille	4,052	Helix	193	Millersburg	3,206	Scio	949	Wilsonville	27,634
Cornelius	14,387	Heppner	1,211	Milton-Freewater	7,490	Scotts Mills	442	Winston	5,771
Corvallis	61,669	Hermiston	20,322	Milwaukie	21,341	Seaside	7,393	Wood Village	5,038
Cottage Grove	11,095	Hillsboro	110,874	Mitchell	137	Seneca	175	Woodburn	27,044
Cove	662	Hines	1,705	Molalla	10,335	Shady Cove	3,097	Yachats	1,006
Creswell	5,823	Hood River	8,577	Monmouth	11,019	Shaniko	30	Yamhill	1,165
Culver	1,666	Hubbard	3,491	Monroe	763	Sheridan	5,987	Yoncalla	1,078
Dallas	17,989	Huntington	508	Monument	118	Sherwood	20,868		
Dayton	2,704	Idanha	154	Moro	369	Siletz	1,242		
Dayville	142			Mosier	481	Silverton	10,660		

* These numbers reflect the December 15, 2023 certified numbers from the Portland State University Population Research Center. State shared revenues for the Highway Trust Fund, Liquor Revenues, Cigarette Tax Revenues, and 9-1-1 Emergency Communication Tax Revenues will use these populations. Portland State also provides quarterly supplemental population reports which will provide the basis for quarterly marijuana revenue distributions. The supplemental reports are available at www.pdx.edu/population-research/population-estimate-report

Certified Population Estimates* – Numerical

Portland	648,097	North Bend	10,769	Oakridge	3,235	Lowell	1,261	Butte Falls	435
Salem	182,726	Fairview	10,671	Sublimity	3,233	Riddle	1,248	Maupin	435
Eugene	177,339	Silverton	10,660	Millersburg	3,206	Siletz	1,242	St. Paul	435
Gresham	117,107	Lincoln City	10,372	Jacksonville	3,197	Tangent	1,218	Wheeler	428
Hillsboro	110,874	Molalla	10,335	La Pine	3,126	Heppner	1,211	Wasco	417
Bend	106,275	Independence	10,274	Shady Cove	3,097	Lyons	1,203	Adams	404
Beaverton	101,165	Astoria	10,167	Turner	2,882	Athena	1,200	Bonanza	401
Medford	90,887	Baker City	10,102	Gervais	2,789	Drain	1,195	Haines	382
Springfield	63,078	Sweet Home	10,028	Burns	2,730	Port Orford	1,181	Moro	369
Corvallis	61,669	Eagle Point	9,955	Dayton	2,704	Joseph	1,179	Halfway	358
Albany	57,997	Florence	9,832	Myrtle Point	2,508	Island City	1,166	Sodaville	357
Tigard	55,868	Sutherlin	9,001	Lakeview	2,476	Yamhill	1,165	Ione	337
Lake Oswego	41,396	Hood River	8,577	Rogue River	2,472	Aurora	1,119	Nehalem	290
Grants Pass	40,102	Stayton	8,295	Gold Beach	2,450	Yoncalla	1,078	Rufus	272
Keizer	39,169	Scappoose	8,254	Vernonia	2,426	Falls City	1,066	Westfir	261
Redmond	38,208	Madras	8,099	Carlton	2,425	Yachats	1,006	Paisley	248
Oregon City	38,049	Umatilla	7,810	Waldport	2,350	Metolius	1,005	Imbler	247
McMinnville	34,612	Milton-Freewater	7,490	Stanfield	2,313	Donald	1,003	Lostine	246
Tualatin	27,910	Junction City	7,427	Willamina	2,301	Oakland	968	Lexington	243
Wilsonville	27,634	Seaside	7,393	Union	2,182	Halsey	952	Ukiah	219
Forest Grove	27,551	Brookings	7,161	Cave Junction	2,163	Scio	949	Waterloo	216
West Linn	27,360	Warrenton	6,462	Enterprise	2,147	Glendale	871	Sumpter	207
Woodburn	27,044	Sheridan	5,987	Irrigon	2,133	Merrill	867	Spray	201
Happy Valley	26,799	Creswell	5,823	Mill City	2,066	Prairie City	861	Elkton	193
Newberg	26,728	Philomath	5,823	Lakeside	1,952	Garibaldi	837	Helix	193
Roseburg	24,258	Winston	5,771	Vale	1,947	Wallowa	812	Long Creek	179
Klamath Falls	22,966	Estacada	5,750	Durham	1,938	Maywood Park	793	Seneca	175
Ashland	21,457	Tillamook	5,277	Columbia City	1,935	Chiloquin	775	Richland	166
Milwaukie	21,341	Veneta	5,261	Gearhart	1,933	Monroe	763	Adrian	159
Sherwood	20,868	Talent	5,228	Rainier	1,933	Powers	759	Grass Valley	155
Lebanon	20,329	King City	5,177	Elgin	1,911	Malin	745	Idanha	154
Hermiston	20,322	Wood Village	5,038	Banks	1,910	Condon	726	Dayville	142
Central Point	19,666	Lafayette	4,714	Brownsville	1,846	Weston	696	Barlow	140
Canby	19,045	Boardman	4,437	Amity	1,826	Canyon City	687	Mitchell	137
Dallas	17,989	Reedsport	4,395	Clatskanie	1,767	Gaston	674	Detroit	134
Pendleton	17,006	Aumsville	4,227	Hines	1,705	Arlington	670	Jordan Valley	133
Troutdale	17,005	Coquille	4,052	John Day	1,704	Cove	662	Monument	118
Coos Bay	16,533	Bandon	3,866	Canyonville	1,703	Manzanita	646	Summerville	114
The Dalles	16,417	Sisters	3,823	Culver	1,666	Echo	638	Prescott	82
St. Helens	15,009	Phoenix	3,773	Bay City	1,646	Dufur	635	Unity	40
Cornelius	14,387	North Plains	3,663	Depoe Bay	1,569	Mt. Vernon	563	Antelope	35
Sandy	13,159	Harrisburg	3,660	Cannon Beach	1,555	Rivergrove	559	Granite	33
La Grande	12,823	Myrtle Creek	3,626	Rockaway Beach	1,538	Gates	552	Shaniko	30
Ontario	12,206	Toledo	3,622	Adair Village	1,496	Johnson City	510	Lonerock	25
Gladstone	12,140	Mt. Angel	3,538	Coburg	1,475	Huntington	508	Greenhorn	3
Prineville	11,598	Hubbard	3,491	Dunes City	1,454	North Powder	498		
Cottage Grove	11,095	Jefferson	3,425	Cascade Locks	1,400	Mosier	481		
Newport	11,083	Nyssa	3,363	Gold Hill	1,338	Fossil	455		
Monmouth	11,019	Dundee	3,265	Pilot Rock	1,332	Scotts Mills	442		

Item # 11.

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City Apportionment Forecast of Highway Funds

City	FY 23	FY 24	FY 25	City	FY 23	FY 24	FY 25	Item # 11.
Adair Village	\$103,840	\$115,959	\$120,154	Elkton	\$14,098	\$14,960	\$15,501	
Adams	\$29,788	\$31,315	\$32,448	Enterprise	\$161,142	\$166,420	\$172,440	
Adrian	\$12,506	\$12,325	\$12,770	Estacada	\$407,250	\$445,700	\$461,821	
Albany	\$4,344,760	\$4,495,523	\$4,658,132	Eugene	\$13,511,261	\$13,746,083	\$14,243,296	
Amity	\$137,190	\$141,539	\$146,658	Fairview	\$792,141	\$827,142	\$857,060	
Antelope	\$2,804	\$2,713	\$2,811	Falls City	\$76,857	\$82,629	\$85,618	
Arlington	\$50,404	\$51,934	\$53,812	Florence	\$729,609	\$762,108	\$789,675	
Ashland	\$1,638,703	\$1,663,197	\$1,723,357	Forest Grove	\$2,034,204	\$2,135,561	\$2,212,807	
Astoria	\$776,072	\$788,075	\$816,581	Fossil	\$33,350	\$35,268	\$36,544	
Athena	\$91,789	\$93,016	\$96,380	Garibaldi	\$63,214	\$64,878	\$67,225	
Aumsville	\$319,251	\$327,648	\$339,499	Gaston	\$50,935	\$52,244	\$54,134	
Aurora	\$85,119	\$86,737	\$89,874	Gates	\$42,294	\$42,787	\$44,335	
Baker City	\$777,891	\$783,037	\$811,360	Gearhart	\$145,603	\$149,833	\$155,252	
Bandon	\$268,392	\$299,665	\$310,505	Gervais	\$204,042	\$216,184	\$224,003	
Banks	\$138,024	\$148,050	\$153,405	Gladstone	\$922,433	\$941,008	\$975,046	
Barlow	\$10,384	\$10,852	\$11,244	Glendale	\$64,957	\$67,514	\$69,956	
Bay City	\$119,757	\$127,586	\$132,201	Gold Beach	\$181,455	\$189,907	\$196,776	
Beaverton	\$7,536,288	\$7,841,606	\$8,125,246	Gold Hill	\$103,385	\$103,712	\$107,464	
Bend	\$7,794,373	\$8,237,697	\$8,535,665	Granite	\$2,425	\$2,558	\$2,650	
Boardman	\$311,975	\$343,925	\$356,366	Grants Pass	\$3,031,296	\$3,108,428	\$3,220,863	
Bonanza	\$30,621	\$31,083	\$32,207	Grass Valley	\$11,900	\$12,015	\$12,449	
Brookings	\$523,445	\$555,071	\$575,148	Greenhorn	\$227	\$233	\$241	
Brownsville	\$137,190	\$143,089	\$148,265	Gresham	\$8,703,845	\$9,077,318	\$9,405,656	
Burns	\$210,030	\$211,611	\$219,265	Haines	\$29,030	\$29,610	\$30,681	
Butte Falls	\$33,729	\$34,106	\$35,339	Halfway	\$27,059	\$27,750	\$28,753	
Canby	\$1,438,526	\$1,476,236	\$1,529,633	Halsey	\$72,157	\$73,792	\$76,462	
Cannon Beach	\$115,134	\$120,533	\$124,893	Happy Valley	\$2,022,911	\$2,077,272	\$2,152,409	
Canyon City	\$51,238	\$53,251	\$55,178	Harrisburg	\$276,730	\$283,698	\$293,959	
Canyonville	\$125,972	\$132,005	\$136,779	Helix	\$14,553	\$14,960	\$15,501	
Carlton	\$176,149	\$187,969	\$194,768	Heppner	\$89,363	\$93,868	\$97,264	
Cascade Locks	\$106,114	\$108,518	\$112,443	Hermiston	\$1,496,889	\$1,575,220	\$1,632,197	
Cave Junction	\$164,401	\$167,661	\$173,725	Hillsboro	\$8,156,979	\$8,594,180	\$8,905,042	
Central Point	\$1,499,693	\$1,524,371	\$1,579,510	Hines	\$127,716	\$132,160	\$136,940	
Chiloquin	\$58,135	\$60,073	\$62,245	Hood River	\$635,016	\$664,829	\$688,877	
Clatskanie	\$134,462	\$136,966	\$141,920	Hubbard	\$262,253	\$270,598	\$280,386	
Coburg	\$99,747	\$114,332	\$118,467	Huntington	\$38,656	\$39,377	\$40,801	
Columbia City	\$147,802	\$149,988	\$155,413	Idanha	\$11,673	\$11,937	\$12,369	
Condon	\$58,135	\$56,274	\$58,310	Imbler	\$18,797	\$19,146	\$19,838	
Coos Bay	\$1,186,278	\$1,281,523	\$1,327,877	Independence	\$770,842	\$796,369	\$825,175	
Coquille	\$304,926	\$314,083	\$325,444	Ione	\$25,998	\$26,122	\$27,067	
Cornelius	\$1,090,624	\$1,115,180	\$1,155,517	Irrigon	\$155,533	\$165,335	\$171,316	
Corvallis	\$4,504,840	\$4,780,151	\$4,953,055	Island City	\$86,710	\$90,380	\$93,649	
Cottage Grove	\$813,212	\$860,007	\$891,115	Jacksonville	\$234,815	\$247,809	\$256,773	
Cove	\$47,069	\$51,314	\$53,170	Jefferson	\$252,324	\$265,482	\$275,085	
Creswell	\$429,155	\$451,358	\$467,685	John Day	\$126,351	\$132,082	\$136,860	
Culver	\$126,048	\$129,137	\$133,808	Johnson City	\$39,944	\$39,532	\$40,962	
Dallas	\$1,351,892	\$1,394,382	\$1,444,818	Jordan Valley	\$9,929	\$10,309	\$10,682	
Dayton	\$200,934	\$209,595	\$217,177	Joseph	\$88,908	\$91,388	\$94,693	
Dayville	\$10,384	\$11,007	\$11,405	Junction City	\$531,252	\$575,689	\$596,513	
Depoe Bay	\$118,696	\$121,618	\$126,017	Keizer	\$2,998,553	\$3,036,108	\$3,145,928	
Detroit	\$14,022	\$10,387	\$10,762	King City	\$392,697	\$401,285	\$415,800	
Donald	\$76,175	\$77,746	\$80,558	Klamath Falls	\$1,705,479	\$1,780,164	\$1,844,555	
Drain	\$88,984	\$92,628	\$95,979	La Grande	\$1,015,965	\$993,950	\$1,029,902	
Dufur	\$46,311	\$49,221	\$51,001	La Pine	\$215,108	\$242,306	\$251,070	
Dundee	\$246,260	\$253,080	\$262,234	Lafayette	\$338,579	\$365,396	\$378,613	
Dunes City	\$109,904	\$112,704	\$116,781	Lake Oswego	\$3,118,840	\$3,208,729	\$3,324,793	
Durham	\$147,347	\$150,220	\$155,654	Lakeside	\$145,225	\$151,305	\$156,778	
Eagle Point	\$755,531	\$771,642	\$799,553	Lakeview	\$184,108	\$191,922	\$198,864	
Echo	\$49,419	\$49,453	\$51,242	Lebanon	\$1,489,385	\$1,575,762	\$1,632,760	
Elgin	\$134,765	\$148,127	\$153,485	Lexington	\$18,039	\$18,836	\$19,517	
				Lincoln City	\$768,113	\$803,965	\$833,044	

City Apportionment Forecast of Highway Funds

City	FY 23	FY 24	FY 25	City	FY 23	FY 24	Item # 11.
Lonerock	\$1,895	\$1,938	\$2,008	Rufus	\$20,920	\$21,084	\$21,846
Long Creek	\$13,264	\$13,875	\$14,377	Salem	\$13,613,434	\$14,163,646	\$14,675,962
Lostine	\$18,418	\$19,068	\$19,758	Sandy	\$984,662	\$1,019,994	\$1,056,888
Lowell	\$93,456	\$97,744	\$101,279	Scappoose	\$609,852	\$639,793	\$662,935
Lyons	\$91,561	\$93,248	\$96,621	Scio	\$72,157	\$73,560	\$76,221
Madras	\$611,671	\$627,778	\$650,486	Scotts Mills	\$33,047	\$34,261	\$35,500
Malin	\$55,407	\$57,747	\$59,836	Seaside	\$551,414	\$573,054	\$593,782
Manzanita	\$47,069	\$50,073	\$51,885	Seneca	\$12,658	\$13,565	\$14,055
Maupin	\$32,668	\$33,718	\$34,938	Shady Cove	\$236,104	\$240,058	\$248,741
Maywood Park	\$62,835	\$61,468	\$63,691	Shaniko	\$2,274	\$2,325	\$2,410
McMinnville	\$2,616,088	\$2,682,881	\$2,779,924	Sheridan	\$466,977	\$464,071	\$480,857
Medford	\$6,654,936	\$7,044,927	\$7,299,750	Sherwood	\$1,532,740	\$1,617,542	\$1,676,050
Merrill	\$62,531	\$67,204	\$69,635	Siletz	\$94,517	\$96,271	\$99,753
Metolius	\$74,810	\$77,901	\$80,718	Silverton	\$806,845	\$826,289	\$856,177
Mill City	\$152,198	\$160,142	\$165,934	Sisters	\$263,390	\$296,332	\$307,051
Millersburg	\$238,150	\$248,507	\$257,496	Sodaville	\$27,135	\$27,672	\$28,673
Milton-Freewater	\$545,501	\$580,573	\$601,573	Spray	\$10,460	\$15,580	\$16,144
Milwaukie	\$1,614,978	\$1,654,206	\$1,714,040	Springfield	\$4,713,657	\$4,889,367	\$5,066,221
Mitchell	\$10,308	\$10,619	\$11,003	St. Helens	\$1,088,047	\$1,163,393	\$1,205,474
Molalla	\$780,544	\$801,097	\$830,074	St. Paul	\$33,729	\$33,718	\$34,938
Monmouth	\$877,941	\$854,116	\$885,011	Stanfield	\$169,707	\$179,288	\$185,773
Monroe	\$54,800	\$59,142	\$61,282	Stayton	\$631,075	\$642,971	\$666,228
Monument	\$8,792	\$9,147	\$9,477	Sublimity	\$238,529	\$250,600	\$259,664
Moro	\$28,727	\$28,602	\$29,637	Summerville	\$8,944	\$8,836	\$9,156
Mosier	\$36,155	\$37,284	\$38,632	Sumpter	\$15,841	\$16,045	\$16,626
Mt. Angel	\$260,510	\$274,241	\$284,161	Sutherlin	\$678,826	\$697,695	\$722,931
Mt. Vernon	\$41,612	\$43,640	\$45,218	Sweet Home	\$765,309	\$777,301	\$805,417
Myrtle Creek	\$265,740	\$281,062	\$291,229	Talent	\$443,481	\$405,238	\$419,896
Myrtle Point	\$187,443	\$194,403	\$201,434	Tangent	\$92,698	\$94,411	\$97,826
Nehalem	\$20,995	\$22,479	\$23,292	The Dalles	\$1,228,042	\$1,272,531	\$1,318,560
Newberg	\$1,953,027	\$2,071,768	\$2,146,707	Tigard	\$4,209,616	\$4,330,498	\$4,487,137
Newport	\$815,182	\$859,077	\$890,151	Tillamook	\$403,536	\$409,036	\$423,832
North Bend	\$804,116	\$834,738	\$864,931	Toledo	\$276,730	\$280,752	\$290,907
North Plains	\$261,874	\$283,930	\$294,200	Troutdale	\$1,274,807	\$1,318,109	\$1,365,787
North Powder	\$37,898	\$38,601	\$39,998	Tualatin	\$2,115,761	\$2,163,389	\$2,241,641
Nyssa	\$251,187	\$260,676	\$270,105	Turner	\$223,142	\$223,393	\$231,473
Oakland	\$71,096	\$75,033	\$77,747	Ukiah	\$15,387	\$16,975	\$17,589
Oakridge	\$244,365	\$250,755	\$259,825	Umatilla	\$575,062	\$605,377	\$627,274
Ontario	\$897,800	\$946,124	\$980,347	Union	\$163,264	\$169,133	\$175,251
Oregon City	\$2,864,015	\$2,949,293	\$3,055,973	Unity	\$3,032	\$3,101	\$3,213
Paisley	\$18,722	\$19,223	\$19,919	Vale	\$145,225	\$150,918	\$156,377
Pendleton	\$1,279,658	\$1,318,187	\$1,365,867	Veneta	\$394,668	\$407,796	\$422,547
Philomath	\$428,473	\$451,358	\$467,685	Vernonia	\$182,743	\$188,047	\$194,848
Phoenix	\$304,623	\$292,457	\$303,035	Waldport	\$178,044	\$182,156	\$188,744
Pilot Rock	\$100,505	\$103,247	\$106,982	Wallowa	\$61,319	\$62,941	\$65,217
Port Orford	\$88,302	\$91,543	\$94,854	Warrenton	\$486,684	\$500,889	\$519,007
Portland	\$49,092,632	\$50,235,962	\$52,053,059	Wasco	\$32,441	\$32,323	\$33,492
Powers	\$58,059	\$58,832	\$60,960	Waterloo	\$17,281	\$16,743	\$17,348
Prairie City	\$63,820	\$66,739	\$69,153	West Linn	\$2,078,317	\$2,120,756	\$2,197,467
Prescott	\$6,367	\$6,356	\$6,586	Westfir	\$20,237	\$20,231	\$20,963
Prineville	\$872,636	\$898,996	\$931,514	Weston	\$53,057	\$53,949	\$55,900
Rainier	\$144,921	\$149,833	\$155,252	Wheeler	\$32,137	\$33,176	\$34,376
Redmond	\$2,847,340	\$2,961,618	\$3,068,743	Willamina	\$172,966	\$178,357	\$184,809
Reedsport	\$327,741	\$340,670	\$352,992	Wilsonville	\$2,077,863	\$2,141,995	\$2,219,474
Richland	\$12,582	\$12,867	\$13,333	Winston	\$430,444	\$447,328	\$463,508
Riddle	\$92,925	\$96,736	\$100,235	Wood Village	\$347,068	\$390,511	\$404,636
Rivergrove	\$42,294	\$43,330	\$44,897	Woodburn	\$2,006,160	\$2,096,262	\$2,172,087
Rockaway Beach	\$113,618	\$119,215	\$123,527	Yachats	\$80,495	\$77,978	\$80,799
Rogue River	\$185,396	\$191,612	\$198,543	Yamhill	\$92,774	\$90,303	\$93,569
Roseburg	\$1,804,240	\$1,880,311	\$1,948,324	Yoncalla	\$78,221	\$83,559	\$86,581

Data Sources

Item # 11.

SOURCE		LINK
Highway Trust Fund Revenues		
1	Table 8A. Distribution of Total Net Revenues (Includes All Conditional Fuels Tax Increases), ODOT State Highway Revenue Forecasts.	https://www.oregon.gov/odot/Data/Documents/October%202023%20Forecast%20document_final.pdf
2	October 2022 County/City Apportionment Forecasts (Cash basis)(Includes All Conditional Fuels Tax Increases).	https://www.oregon.gov/odot/Data/Documents/City%20County%20Apportionment%20with%20Triggers_2310.pdf
Marijuana Tax Revenues		
3	Table B.11 Recreational Marijuana Resources and Distributions, Oregon Economic and Revenue Forecast, December 2021.	https://www.oregon.gov/das/oea/Documents/OEA-Forecast-1223.pdf
Liquor Revenues		
4	Table B.7 Liquor Apportionment and Revenue Distribution to Local Governments (Millions of \$). Oregon Economic and Revenue Forecast, December 2020. LOC estimates calculated using simple regression analysis. (On file with LOC)	https://www.oregon.gov/das/oea/Documents/OEA-Forecast-1223.pdf
5	OLCC Allocation of Liquor Revenue, Fiscal Year Summaries.	https://www.oregon.gov/olcc/pages/allocation_of_liquor_revenue.aspx
Cigarette Tax Revenues		
6	Table B.6 Cigarette & Tobacco Tax Distribution (Millions of \$) Oregon Economic and Revenue Forecast, December 2020.	https://www.oregon.gov/das/oea/Documents/OEA-Forecast-1223.pdf
9-1-1 Emergency Communications Tax Revenues		
7	Emergency Communications Quarterly Tax Distribution 02 Reports. LOC estimates calculated using simple regression analysis (On file with LOC).	https://www.oregon.gov/OEM/911/Pages/911-Tax-Distribution.aspx



League of Oregon Cities

1201 Court St. NE #200, Salem, OR 97301

Phone: (503) 588-6550

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**A RESOLUTION CERTIFYING ITS ELIGIBILITY)
AND DECLARING THE CITY OF LEBANON'S)
ELECTION TO RECEIVE STATE REVENUES)**

RESOLUTION NO. 2024-12

WHEREAS, public hearings giving citizens an opportunity to comment on the use of state revenue sharing funds were held before the Budget Committee on April 30, 2024 and before the City Council on June 12, 2024; and

WHEREAS, ORS 221.760 requires as follows:

The Officer responsible for disbursing funds to cities under ORS 323.455, 366.785 to 366.820 and 471.805 shall, in the case of a city located within a county having more than 100,000 inhabitants according to the most recent federal decennial census, disburse such funds only if the city provides four or more of the following services:

- | | |
|--------------------|--|
| 1) Police Services | 5) Street Construction, Maintenance & Lighting |
| 2) Fire Protection | 6) Planning, Zoning & Subdivision Control |
| 3) Sanitary Sewers | 7) One or more utility services; and |
| 4) Storm Sewers | |

WHEREAS, City officials recognize the desirability of assisting the state officer responsible for determining the eligibility of cities to receive such funds in accordance with ORS 221.760.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LEBANON that the City of Lebanon hereby certifies that it provides the following six municipal services enumerated in Section 1, ORS 221.760:

- | | |
|--------------------------|--|
| 1) Police Services | 5) Street Construction, Maintenance & Lighting |
| 2) Water Utility Service | 6) Planning, Zoning & Subdivision Control |
| 3) Sanitary Sewers | |
| 4) Storm Sewers | |

BE IT FURTHER RESOLVED THAT:

Pursuant to ORS 221.770, the City of Lebanon hereby elects to receive state revenues for fiscal year 2024-25.

Passed by the Lebanon City Council and executed by the Mayor on this 12th day of June 2024 by a vote of _____ yeas and _____ nays.

CITY OF LEBANON, OREGON

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

ATTESTED BY:

Julie Fisher, CMC, City Recorder



MEMORANDUM

Finance Department

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

From: Brandon Neish, Finance Director

Subject: Marijuana Revenue FY 2024-2025

Date: June 12, 2024

I. INTRODUCTION

Each year, the State of Oregon requires the City to certify that it complies with ORS 475C related to marijuana sales inside city-limits. This allows state revenue to flow through and allows the City to continue taxing sales within its own boundaries. Marijuana revenue flows into the General Fund and is used for general purposes which can include funding police programs and other recreational programs such as the Library and Senior Center.

Specifically, the City Council must certify that it allows the establishment of marijuana businesses under ORS 475C and that it is eligible to receive revenue collected by the State for the purpose of revenue sharing and the City's tax for the coming fiscal year.

II. RECOMMENDATION

- Adopt Resolution No. 2024-13 to certify that the City provides services eligible to receive Marijuana Shared Revenue and that the City elects to receive distributions from the State of Oregon for shared revenues and the City's 3% tax on marijuana sales.

**A RESOLUTION CERTIFYING THE CITY
COMPLIES WITH SECTIONS OF ORS 475C
RELATED TO MARIJUANA SALES INSIDE
CITY LIMITS**

)
)
)
)

RESOLUTION NO. 2024-

Item # 12.

WHEREAS, ORS 475C.005, the Adult and Medical Use of Cannabis Act contains the rules and regulations regarding the sale of recreational and medical marijuana in the State of Oregon, and;

WHEREAS, ORS 475C.065 establishes a license to produce marijuana, and;

WHEREAS, ORS 475C.085 establishes a license to process marijuana, and;

WHEREAS, ORS 475C.093 establishes a license for the wholesale sale of marijuana, and;

WHEREAS, ORS 475C.097 establishes a license for the retail sale of marijuana, and;

WHEREAS, Lebanon Municipal Code Chapter 3.20 authorizes the sale of marijuana in the City of Lebanon and establishes a tax of 3% on all retail sales.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Lebanon hereby certifies that it allows the establishment of marijuana business under the aforementioned ORS' and further certifies the City is eligible and elects to receive revenue collected by the State for the purpose of state revenue sharing and the City's tax for fiscal year 2024-2025.

Passed by the Lebanon City Council and executed by the Mayor on this 12th day of June, 2024 by a vote of _____ yeas and _____ nays.

CITY OF LEBANON, OREGON

Kenneth E. Jackola, Mayor

☐

Michelle Steinhebel, Council President

☐

ATTESTED BY:

Julie Fisher, CMC, City Recorder



MEMORANDUM

Finance Department

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

From: Brandon Neish, Finance Director

Subject: Fiscal Year 2024-2025 Budget Adoption

Date: June 12, 2024

I. INTRODUCTION

Oregon Local Budget Law, ORS 294, outlines a very specific process for budget development and citizen involvement. The City is required to follow this process which consists of a citizen Budget Committee containing the Mayor, six City Councilors, and seven citizen members, a Budget Message and Proposed Budget from a designated Budget Officer, an approved budget, multiple hearings, levied taxes, and an adopted budget. The Budget Committee reviews the Budget Officer's Proposed Budget and Budget Message before approving a budget (with any changes they deem necessary), recommends tax levies, and forwards that to the City Council. During the approval process, a public hearing is required, and a second public hearing is required before the City Council can adopt the budget. All of this must be completed before July 1 annually or the City cannot legally operate.

II. CURRENT REPORT

The Budget Committee received the Budget Officer's (City Manager's) Proposed Budget and Budget Message during a public meeting on April 3, 2024. The meeting was noticed in the Albany-Democrat Herald to comply with ORS 294.426(3)(a). During a second meeting held on April 29, 2024, committee members heard from the City's Department Directors who supervise the functions of the Senior Center, LINX transit, Public Works, the Police Department, Library Services, Information Technology (IT), Human Resources, Engineering, Community Development, City Recorder, and Finance, as well as the City Manager's Office. A subsequent meeting was held on April 30, 2024 to discuss the Motel Tax fund, internal services, and the General Fund. After multiple opportunities to hear from the public, the committee approved a budget of \$66,892,541, recommended taxes of \$5.1364 per \$1,000 of assessed value and bond revenue of \$1,856,562, and recommended the Council adopt the budget. This included operating and non-operating costs.

THE CITY THAT FRIENDLINESS BUILT

Before the City Council is a resolution to adopt a total expenditure budget of \$66,722,992 and a resolution to levy taxes for the coming fiscal year. Reserves for future expenditures and ending fund balance are unappropriated by definition and therefore not included in the adoption resolution. Some revisions to the budget are being requested due to changes in conditions and minor errors in the proposed budget.

- Streets: The budget originally presented to the Budget Committee was the requested budget. Additional changes were made for the proposed budget but were not included in the presentation to the Budget Committee. Staff is requesting that the streets budget in fund 558 increase as follows:
 - Streets: \$1,417 in personnel expenses
 - Engineering: \$48 in personnel expenses
 - Capital Projects: \$75,000
 - Transfers Out: \$3,033
- Equipment Reserve & Acquisition: In fund 820, staff had initially requested that the Budget Committee add \$110,000 to the transfers out to repay an interfund loan that was planned for the 2024 fiscal year. Based on timing, staff now believes that it can push the land acquisition to occur on or after July 1, 2024, negating the need for an interfund loan. Staff is requesting permission to move the approved transfer out to the Public Works line in the Equipment Reserve & Acquisition Fund.
- Of no impact to the Fiscal Year 2025 budget, but for informational purposes, minor errors in the FY2022 expenditures were found in the utility funds. Staff has corrected the FY2022 actuals to reflect audited figures and will include the correct figures in the adopted budget document. All the revisions increased the FY2022 actuals from the presentation.

III. RECOMMENDATION

- Conduct a public hearing on the Approved Budget.
- Adopt Resolution No. 2024-14 adopting a budget for the 2024-2025 fiscal year beginning July 1, 2024.
- Adopt Resolution No. 2024-15 levying taxes for the City of Lebanon's budget for fiscal year 2024-2025

Summary of the Budget

Description	2021-22 Actual	2022-23 Actual	2023-24 Budget	2024-25 Proposed	2024-25 Approved	% variance 2025 appr. vs. 2024 budget
Resources						
<i>Beginning Balance</i>	\$ 24,932,984	\$ 41,460,249	\$ 46,348,556	\$ 43,798,020	\$ 43,798,020	-5.5%
Property & other taxes	8,215,713	8,550,426	8,975,017	8,975,469	8,975,469	0.0%
Franchise fees	2,554,314	2,747,904	2,543,734	3,034,748	3,034,748	19.3%
Assessments	2,494,479	819,509	1,132,800	935,800	935,800	-17.4%
Fees	1,247,443	978,573	801,217	904,069	904,069	12.8%
Fines, forfeitures, and penalties	390,748	264,951	286,990	217,490	217,490	-24.2%
Intergovernmental	4,567,191	7,223,094	5,306,938	7,928,069	7,928,069	49.4%
Charges for service	12,579,163	13,363,171	13,270,400	13,787,550	13,787,550	3.9%
Contributions	69,959	85,126	115,664	299,969	299,969	159.3%
Interest	280,839	1,440,983	526,807	1,206,440	1,206,440	129.0%
Miscellaneous	13,647,551	1,490,568	1,430,962	1,423,594	1,423,594	-0.5%
<i>Operating Revenue</i>	<i>\$ 46,047,400</i>	<i>\$ 36,964,305</i>	<i>\$ 34,390,529</i>	<i>\$ 38,713,198</i>	<i>\$ 38,713,198</i>	<i>12.6%</i>
Transfers In	\$ 5,177,074	\$ 4,836,805	\$ 5,311,223	\$ 4,466,834	\$ 4,576,834	-13.8%
Bonds, loans, notes and other proceeds	8,100,350	1,196,787	3,100,000	-	-	-100.0%
Pass-Throughs	490,651	150,586	370,000	310,000	310,000	-16.2%
<i>Non-Operating Revenues</i>	<i>\$ 13,768,075</i>	<i>\$ 6,184,178</i>	<i>\$ 8,781,223</i>	<i>\$ 4,776,834</i>	<i>\$ 4,886,834</i>	<i>-44.3%</i>
Total Resources	\$ 84,748,459	\$ 84,608,732	\$ 89,520,308	\$ 87,288,052	\$ 87,398,052	-2.4%
Expenditures						
Operating Expenditures						
Admin/City Manager	\$ 210,256	\$ 208,933	\$ 221,271	\$ 159,945	\$ 159,945	-27.7%
City Attorney	209,400	207,230	230,000	235,000	235,000	2.2%
City Council & Recorder	461,398	356,008	377,211	312,352	312,352	-17.2%
Community Development	938,352	983,726	1,018,847	1,284,089	1,284,089	26.0%
Engineering	2,832,802	2,079,558	3,258,255	2,558,752	2,558,752	-21.5%
Finance	1,109,727	1,133,028	1,241,216	1,215,547	1,215,547	-2.1%
Human Resources	253,637	277,443	436,747	219,325	219,325	-49.8%
Information Technology	1,279,030	1,520,117	1,706,859	1,828,615	1,828,615	7.1%
Library	617,062	679,891	735,321	662,869	662,869	-9.9%
Police	5,605,199	5,932,705	6,966,263	7,217,920	7,217,920	3.6%
Public Works	7,916,054	7,582,266	8,853,990	9,511,315	9,511,315	7.4%
Senior Center/ LINX	1,131,901	1,395,831	2,138,496	1,602,753	1,602,753	-25.1%
Not allocated to cost center	617,757	526,724	1,311,262	1,030,167	1,030,167	-21.4%
<i>Operating Expenditures</i>	<i>\$ 23,182,575</i>	<i>\$ 22,883,460</i>	<i>\$ 28,495,738</i>	<i>\$ 27,838,649</i>	<i>\$ 27,838,649</i>	<i>-2.3%</i>
Non-Operating Expenditures						
Capital Outlay	\$ 9,009,466	\$ 7,915,916	\$ 26,458,888	\$ 24,722,777	\$ 24,722,777	-6.6%
Debt Service	5,510,720	4,937,913	5,531,855	5,910,970	5,910,970	6.9%
Transfers Out	5,138,390	5,316,805	5,311,223	4,466,834	4,576,834	-13.8%
Pass-Throughs	467,232	152,106	363,000	363,000	363,000	0.0%
<i>Non-Operating Expenditures</i>	<i>\$ 20,125,808</i>	<i>\$ 18,322,740</i>	<i>\$ 37,664,966</i>	<i>\$ 35,463,581</i>	<i>\$ 35,573,581</i>	<i>-5.6%</i>
Contingency	-	-	2,630,599	3,707,393	3,707,393	40.9%
Ending Balance	41,440,076	43,402,532	20,729,005	20,278,429	20,278,429	-2.2%
Total Requirements	\$ 84,748,459	\$ 84,608,732	\$ 89,520,308	\$ 87,288,052	\$ 87,398,052	-2.4%

A RESOLUTION ADOPTING THE CITY OF) RESOLUTION NO. 2024-14
LEBANON'S BUDGET AND MAKING)
APPROPRIATIONS FOR FISCAL)
YEAR 2024-2025)

RESOLUTION ADOPTING A BUDGET

BE IT RESOLVED that the Council of the City of Lebanon hereby adopts the budget for 2024-25, in the sum of \$66,722,992 now on file at City Hall.

RESOLUTION MAKING APPROPRIATIONS

BE IT RESOLVED by the Council of the City of Lebanon:

Section 1. That the amounts for the fiscal year beginning July 1, 2024, and for the purposes shown below, are hereby appropriated as follows:

<u>General Fund</u>		
Finance	434,106	
Library	632,869	
Community Development	527,960	
Parks	717,498	
Police	7,143,451	
Senior Services	345,120	
Non-Departmental		
Materials & Services	625,634	
Capital Outlay	7,000	
Non-Operating		
Pass-Through	363,000	
Debt Service	579,637	
Interfund Transfers	2,189,279	
Contingency	2,271,526	\$ 15,837,080
<u>Special Revenue Funds</u>		
Motel Tax:		
Non-Departmental		
Materials & Services	170,000	
Capital Outlay	227,533	\$ 397,533
Building Inspection:		
Community Development	654,941	
Interfund Transfers	70,217	
Contingency	17,180	\$ 742,338

Parks:

Non-Operating		
Capital Outlay	3,483,943	
Contingency	100,000	\$ 3,583,943
State Foot & Bike Service:		
Non-Operating Capital Outlay		\$ 15,000
Engineering Development Review:		
Engineering	152,843	
Interfund Transfers	20,520	
Contingency	7,600	\$ 180,963
Street Maintenance:		
Public Works	1,065,136	
Engineering	27,210	
Non-Operating		
Capital Outlay	1,875,000	
Interfund Transfers	260,630	
Contingency	105,100	\$ 3,333,076
LINX Transit:		
LINX	1,244,633	
Non-Operating		
Interfund Transfers	158,498	
Contingency	90,000	\$ 1,493,131
Boat Ramp:		
Public Works		\$ 5,000
Police Donations:		
Police		\$ 5,000
Library Donations:		
Library		\$ 30,000
Senior Services Donations:		
Senior Services		\$ 13,000
<u>Debt Service Funds</u>		
G.O. Bond:		
Debt Service		\$ 1,791,500
2013 Full Faith & Credit:		
Debt Service		\$ 1,300,800
Pension Bond:		
Debt Service		\$ 48,293

Capital Projects Funds

Equipment Acquisition & Replacement:

Information Technology	36,821	
Police	69,469	
Public Works	117,000	
Non-Operating Transfers Out	1,923	\$ 225,213

Pioneer Cemetery:

Public Works		\$ 11,370
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SDC – Streets Improvement:

Non-Operating Capital Outlay		\$ 4,863,000
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SDC – Streets Reimbursement:

Non-Operating Capital Outlay		\$ 279,000
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Streets Capital Project:

Non-Operating Capital Outlay		\$ 1,135,723
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SDC – Parks Improvement:

Non-Operating Capital Outlay		\$ 3,878,835
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SDC – Parks Reimbursement:

Non-Operating Capital Outlay		\$ 470
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Enterprise Funds**Water Utility:**

Community Development	50,594	
Public Works	3,489,136	
Engineering	1,135,303	
Non-Operating Capital Outlay	2,150,000	
Interfund Transfers	629,061	
Debt Service	1,153,769	
Contingency	282,120	\$ 8,889,983

SDC – Water Improvement:

Non-Operating Capital Outlay		\$ 550,000
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SDC – Water Reimbursement:

Non-Operating Capital Outlay		\$ 22,000
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Wastewater Utility:

Community Development	50,594	
Public Works	3,387,377	
Engineering	1,159,283	
Non-Operating		
Capital Outlay	1,650,000	
Interfund Transfers	787,872	
Debt Service	990,971	
Contingency	172,200	\$ 8,198,297

SDC – Wastewater**Improvement:**

Non-Operating Capital Outlay		\$ 3,479,100
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SDC – Wastewater**Reimbursement:**

Non-Operating Capital Outlay		\$ 776,913
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Storm Drainage:

Public Works	227,764	
Engineering	84,161	
Non-Operating		
Capital Outlay	325,000	
Interfund Transfers	78,538	
Debt Service	46,000	
Contingency	11,700	\$ 773,163

SDC – Storm Improvement:

Non-Operating Capital Outlay		\$ 283,793
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SDC – Storm Reimbursement:

Non-Operating Capital Outlay		\$ 30,000
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Internal Service Funds**Administrative Services:**

City Manager	159,945	
Human Resources	219,325	
City Attorney	235,000	
City Recorder	213,109	
Finance	781,441	
Mayor & City Council	99,243	
Non-Operating		
Interfund Transfers	253,458	
Contingency	82,100	\$ 2,043,621

Information Technology:

Information Technology	1,791,794	
Non-Operating		
Interfund Transfers	17,515	
Contingency	66,600	\$ 1,875,909

**Custodial & Building
Maintenance:**

Public Works	602,451	
Non-Operating		
Interfund Transfers	1,246	
Contingency	26,248	\$ 629,945

Total Appropriations	\$ 66,722,992
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Passed by the Lebanon City Council and executed by the Mayor on this 12th day of June, 2024 by a vote of ____ yeas and ____ nays.

CITY OF LEBANON, OREGON

Kenneth E. Jackola, Mayor	<input type="checkbox"/>
Michelle Steinhebel, Council President	<input type="checkbox"/>

ATTESTED BY:

Julie Fisher, CMC, City Recorder

RESOLUTION LEVYING TAXES FOR)
THE CITY OF LEBANON’S BUDGET FOR)
FISCAL YEAR 2024-2025)

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LEBANON AS FOLLOWS:

Section 1. The City of Lebanon hereby levies the taxes provided for in the adopted budget at the rate of \$5.1364 per \$1,000 of assessed valuation for operations, and in the amount of \$1,782,300 for voter approved debt service and Non-Ad Valorem customer sewer usage and storm drainage charges not to exceed \$48,400 and that these taxes are hereby levied upon the assessed value of all taxable property within the City of Lebanon.

The following allocation and categorization subject to the limits of Section 11b, Article XI of the Oregon Constitution make up the above aggregate levy:

	Subject to Measure 5 General Governmental Limitation	Excluded from Limitation
Permanent tax rate	\$ 5.1364 per \$1,000	
General obligation bond debt		\$ 1,782,300
Delinquent sewer charges		\$ 34,825
Delinquent storm drainage charges		\$ 12,878

Section 2. This resolution is effective July 1, 2024.

Passed by the Lebanon City Council and executed by the Mayor on this 12th day of June, 2024 by a vote of _____ yeas and _____ nays.

CITY OF LEBANON, OREGON

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

ATTESTED BY:

Julie Fisher, CMC, City Recorder



925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4212
brandon.neish@lebanonoregon.gov
www.lebanonoregon.gov

MEMORANDUM

Finance Department

To: Mayor Jackola and City Council

June 12, 2024

From: Brandon Neish, Finance Director

Subject: Proposed Amendment to City Fee Schedule

I. INTRODUCTION

ORS 294.160 states “the governing body of a city, county or other unit of local government shall provide an opportunity for interested persons to comment on the enactment of any ordinance or resolution prescribing a new fee or a fee increase or an increase in the rate or other manner in which the amount of a fee is determined or calculated.”

II. CURRENT REPORT

The last fee schedule was adopted August 10, 2022 after a public hearing. The attached fee report includes updates in Engineering, Finance, Municipal Court, and Police fees. All changes are included in the report with red text to highlight.

Engineering - the following fees were updated in engineering:

- New residential site plan review - \$50 to \$75
- Private street inspection – new for fiscal year 2025 at \$85
- Reinspect fee – new for fiscal year 2025 at \$85
- Street moratorium surcharge fee – new for fiscal year 2025 at \$250/sq ft
- Utility boring fee – new for fiscal year 2025 at \$1.00/linear ft

Finance – the following fees were updated for finance:

- Audit & budget reports – revised printed cost of reports to equal the copy charges at the library. These documents are available online and at the Library for review at no cost.
- Non-Sufficient funds (NSF) – increased the fee from \$30 to \$40. This includes the cost of the NSF from the bank and the staff time associated with reconciling and updating accounts.
- Stop payment & reissue check fee – increased from \$15 to \$30. This includes the cost of the stop order with the bank (\$16 per order) and the staff time associated with reissuing a check.

Municipal Court – the only revision for Court was the removal of the expungement filing fee. This was a former state charge that is no longer valid.

Police – the fees updated for the Police Department were updated due to increased staff time and costs. Two fees were eliminated, the dog permit and additional pages for ordinances. Fees related to potentially dangerous dogs are now handled through a Municipal Court process. For ordinances, the former fee schedule had a flat fee of \$5 which included research and copies up to five pages with each additional page costing \$1.00. With the code being available online, research time is significantly reduced and copies no longer come from a book of printed ordinances. The new per page fee for ordinances covers the cost of printing them for a customer in the office.

III. RECOMMENDATION

Move to adopt Resolution No. 2024-19 to amend the City Fee Schedule. If adopted, the new schedule would be effective July 1, 2024 to coincide with the fiscal year.

EXHIBIT "A" CITY OF LEBANON FEES AND CHARGES

Item # 14.

Effective July 1, 2024 - Supercedes All Previous Schedules
All card transactions are subject to a third party transaction fee

TYPES OF FEES	CURRENT FEES	UPDATED FEES
ADMINISTRATIVE FEES (CITY RECORDER'S OFFICE)		
Copies:		
Black/White - Letter 8-1/2" x 11", Legal 8-1/2" x 14" (per side)	\$0.25	\$0.25
Black/White - Executive 11" x 17" (per side)	\$0.50	\$0.50
Color copies (each side)	\$0.50	\$0.50
Records on a Flash Drive	\$6.50 plus staff time	\$6.50 plus staff time
Liquor License (original application)	*\$100.00	*\$100.00
Annual Renewal of a Liquor License	*\$35.00	*\$35.00
Change Application (in ownership, location, or privilege)	*\$75.00	*\$75.00
OLCC Temporary Sales Application per Event	\$15.00	\$15.00
	*not to exceed per ORS 471.166	*not to exceed per ORS 471.166
Notary Services (Municipal Court Personnel):		
An acknowledgement; verification upon an oath or affirmation; certifying a copy of a document; witnessing or attesting a signature; and protesting commercial paper, except a check drawn on insolvent financial institution in which case the fee is \$0.	(not to exceed) \$5.00	(not to exceed) \$5.00
Administering an oath or affirmation without a signature; taking a deposition, each page; and all other notarial acts not specified.	(not to exceed) \$1.00	(not to exceed) \$1.00
Public Records Request: (all requests must be made on a City Public Records Request Form)		
If request exceeds \$25.00, the requester's authorization is required to proceed with request. If request exceeds \$100.00, a deposit may be required before commencing work.	May require 50% deposit	May require 50% deposit
Archived Electronic Information Retrieval (first 30 minutes no charge)	\$100.00/hr	\$100.00/hr
City Candidate Filing Fee	\$25.00	\$25.00
BUSINESS LICENSES & MISC. PERMITS		
Animal Keeping Permit	\$35.00	\$35.00
Banner Permit (\$50 permit + \$100 installation)	\$150.00	\$150.00
Business License Fees* (after July 1 prorated):		
Auctions	\$150.00/year, \$25.00/each	\$150.00/year, \$25.00/each
Drug Paraphernalia Sales Annual Fee	\$75.00	\$75.00
Marijuana Dispensary Licenses - Annual Operator License	\$250.00	\$250.00
Secondhand Buyers and Sellers Annual Fee	\$75.00	\$75.00
Gambling License - Annual License	\$200.00	\$200.00
License for One-day Special Event (City property only)	\$50.00	\$50.00
License for One-day Special Event / Non-profit Organization	\$20.00	\$20.00
Non-Profit Organizations	N/A	N/A

TYPES OF FEES	CURRENT FEES	UPDATED FEES	Item # 14.
BUSINESS LICENSES & MISC. PERMITS (continued)			
Parking Permit (per ORS 10.24.142):			
Daily / Annual Residential	\$15.00 / \$75.00	\$15.00 / \$75.00	
Peddler and Solicitors One-Year Permit	\$50.00	\$50.00	
Public Event Applications:			
1-Day Event	\$100.00	\$100.00	
2-3 Day Event	\$150.00	\$150.00	
Master Permit	\$250.00	\$250.00	
Transfer of Ownership/Change of Location or Name	\$10.00	\$10.00	
Non-Profit Organizations	N/A	N/A	
RV Permit (1 - 15 days)	\$35.00	\$35.00	
Renewal Periods - 15 Days (no more than two renewals)	\$25.00/each	\$25.00/each	
Temporary Occupancy Permit, 30-day permit	\$150.00	\$150.00	
ENGINEERING FEES			
Bid Document	\$60.00	\$60.00	
Contractor Pre-qualification (valid for three years)	\$50.00	\$50.00	
Deferral of Improvements	\$200.00	\$200.00	
Easement/ROW Dedication Process Fee	\$165.00/each	\$165.00/each	
Engineering Fees:			
Developer Assurance Agreement	\$100.00	\$100.00	
Engineered Site Plan Review (Engineering)	\$500.00 + \$350.00/acre	\$500.00 + \$350.00/acre	
Reapplication Fee (for up to "2" resubmittals)	33% of original fee	33% of original fee	
New Residential Site Plan Review (Engineering)	\$50.00	\$75.00	
Street/Alley Vacation (Engineering)	\$1,200.00	\$1,200.00	
Easement Vacation (Engineering)	\$750.00	\$750.00	
Public Improvement Drawing Review (for up to "2" resubmittals)	\$250 + 2% of cost up to \$1 million \$250 + 1% of cost \$1 million-\$4 million \$250 + 0.5% of cost \$4 million+	\$260 + 2% of cost up to \$1 million \$260 + 1% of cost \$1 million-\$4 million \$260 + 0.5% of cost \$4 million+	
Public Improvement Permit:			
First \$50,000 of Construction Cost	\$250 + 4% of cost up to \$50,000	\$260 + 4% of cost up to \$50,000	
Amount above \$50,000	\$250 + 3% of cost above \$50,000	\$260 + 3% of cost above \$50,000	
Water Retest Fee	\$200-\$300/linear foot	\$200-\$300/linear foot	
Right-of-Way Encroachment Surcharges:			
Basic Right-of-Way Encroachment Fee (includes two inspections)	\$85.00	\$85.00	
Private Street Inspection (includes two inspections)		\$85.00	
Reinspect Fee (after two inspections)		\$85.00	
Curb Cut	\$20.00	\$20.00	
Street Pavement Cut	\$30.00	\$30.00	
Street Moratorium Surcharge Fee (First 5 Years)		\$250.00 per sq. ft.	124

TYPES OF FEES	CURRENT FEES	UPDATED FEES
ENGINEERING FEES (continued)		
4" Sanitary or Storm Connection	\$75.00	\$75.00
6" or greater Sanitary or Storm Connection	Public Imp. Fee Schedule min. \$110.00	Public Imp. Fee Schedule min. \$110.00
Utility Boring Fee		\$1.00 per linear foot
Standard Drawings	\$20.00	\$20.00
FINANCE FEES		
Audit Report (available at no charge online or at the Library)	\$25.00	see copies below
Budget Document (available at no charge online or at the Library)	\$50.00	see copies below
Collection Fee (accounts turned over to Linn Co. or collection agency)	\$100.00	\$100.00
Fax Service (for public)	\$2.00 first page / .75 each add'l	\$2.00 first page / .75 each add'l
Foreclosures Notice	\$100.00	\$100.00
Housing Rehab Payoff and Reconveyance	\$50.00	\$50.00
Lien Search (online)	\$32.00	\$32.00
Non Sufficient Funds (NSF) (charge back fees for debit/credit card & returned checks)	\$30.00	\$40.00
Stop Payment & Reissue Check Fee	\$15.00	\$30.00
Tall Weeds & Grass or Nuisance Abatement	Actual cost + \$200 admin. fee	Actual cost + \$200 admin. fee
Tall Weeds & Grass or Nuisance Abatement (abatement over \$1000)	Actual cost varies + 20% admin. fee	Actual cost varies + 20% admin. fee
LIBRARY FEES		
Collection Fee (accounts turned over to collection agency)	\$15.00	\$15.00
Community Meeting Room Rental Fees:		
Rental per Hour - (2-hour minimum) (depending on time and entity)	\$10.00 - \$25.00	\$10.00 - \$25.00
Refundable Deposit (depending on time and entity)	\$100.00 or \$250.00	\$100.00 or \$250.00
Refundable key deposit, after hours use	\$200.00	\$200.00
Non-refundable After Hours Use	\$35.00	\$35.00
Non-Refundable Weekend use	\$50.00	\$50.00
PA System	\$10.00	\$10.00
AV System	\$20.00	\$20.00
Copies (self-serve, per page):		
B/W Letter 8-1/2" x 11", Legal 8-1/2" x 14"	\$0.10	\$0.10
B/W Executive 11x17	\$0.20	\$0.20
Color Letter 8-1/2" x 11", Legal 8-1/2" x 14"	\$0.50	\$0.50
Color Executive 11x17	\$1.00	\$1.00
Interlibrary Loan (per item)	\$5.00	\$5.00
Lost Library Card Replacement Fee	\$1.00	\$1.00
Non-resident Cards:		
Household (12-month)	\$50.00	\$50.00
Household (6-month)	\$30.00	\$30.00
Senior Citizen (60+ years) Household (12-month)	\$40.00	\$40.00
Overdue Items per Day per Item (up to a maximum of \$5.00)	\$0.20	\$0.20

Item # 14.

TYPES OF FEES	CURRENT FEES	UPDATED FEES	Item # 14.
LIBRARY FEES (continued)			
Overdue (cumulative fines up to a maximum of \$25.00)	\$25.00	\$25.00	
Hold Reshelving Fee (per item - if not cancelled or checked out)	\$0.50	\$0.50	
MUNICIPAL COURT FEES			
Appeal to Linn County Circuit Court	\$25.00 plus certified copy cost	\$25.00 plus certified copy cost	
Certified Copy (\$6.00 for certification/\$.25 per sheet)	\$6.25 minimum	\$6.25 minimum	
Court Costs:			
Cite or Arrest Warrant	\$50.00	\$50.00	
Notice of Court Action of Driving Privileges to DMV	\$15.00	\$15.00	
Court Costs (per Trial):			
Criminal (non-jury - if convicted)	\$20.00	\$20.00	
Jury trial (if convicted)	\$50.00	\$50.00	
Traffic (if convicted)	\$15.00	\$15.00	
DUII Diversion Extension Fee	\$25.00	\$25.00	
Expungement Filing Fee (State mandated)(waived for charges not filed or dismissed)	\$281.00	\$281.00	
Expungement Packet Fee	\$5.00	\$5.00	
Fee for Turning to Collection (customer pays directly to collection agency)	40% of the principal balance	40% of the principal balance	
Jury Fee (if canceled after arrival of jurors)	\$10.00/juror	\$10.00/juror	
Late Payments	\$20.00	\$20.00	
Non Sufficient Funds (NSF) (charge back fees for debit/credit card & returned checks)	\$30.00	\$30.00	
Payment Extension Fee	\$30.00	\$30.00	
Payment Extension Interest	(9% per annum)	(9% per annum)	
Suspension Packet Administration Fee (if convicted)	\$12.00	\$12.00	
PARK FEES - SHELTER & CAMPING FEES			
Electrical Fee for Shelter Rental	\$20.00	\$20.00	
Shelters:			
Academy Square Gazebo	\$75.00	\$75.00	
Booth Park Shelter	\$15.00	\$15.00	
Century Park Shelter (Small)	\$30.00	\$30.00	
Century Park Shelter (Large)	\$50.00	\$50.00	
Cheadle Lake Park South			
Daily Fee	\$600.00	\$600.00	
Electrical Daily Fee	\$500.00	\$500.00	
Water Daily Fee	\$50.00	\$50.00	
Christopher Columbus Park Shelter	\$30.00	\$30.00	
Porter Park Community Gardent Plot (per calendar year)	\$25.00	\$25.00	
Ralston Park Gazebo	\$55.00	\$55.00	
River Park Main Shelter	\$50.00	\$50.00	
River Park Horseshoe Area Picnic Table Shelter	\$20.00	\$20.00	

TYPES OF FEES	CURRENT FEES	UPDATED FEES
PARK FEES - SHELTER & CAMPING FEES (continued)		
Strawberry Plaza		
Dawn to 3:00 p.m.	\$30.00	\$30.00
3:00 p.m. to Dusk	\$30.00	\$30.00
All Day	\$60.00	\$60.00
Wynn Mill	\$25.00	\$25.00
City Park Liquor Permit per Event - must provide proof of liability insurance (min. \$1 million)	\$35.00	\$35.00
Camping:		
Daily Rate:	\$40.00	\$40.00
Senior/Military Discount	\$35.00	\$35.00
Group Discount (3 or more sites)	\$35.00	\$35.00
Weekly Rate:	\$230.00	\$230.00
Senior/Military Discount	\$200.00	\$200.00
Monthly Rate:	\$800.00	\$800.00
Construction Workers in the City of Lebanon	\$700.00	\$700.00
Extra Vehicle (per night)	\$5.00	\$5.00
Cancellation Fee	\$15.00	\$15.00
Sewage Dump Station Fee	\$5.00	\$5.00
PLANNING / LAND USE FEES		
Note: For land use applications that require more than one approval, the applicant shall be charged the highest individual application fee with all subsequent applications charged at half-price.		
Administrative Review	\$750.00	\$750.00
Administrative Review (Planning Commission)	\$1,500.00	\$1,500.00
Annexation	\$2,500.00	\$2,500.00
Appeal	Minimum \$250 or 50% of Original fee (whichever is greater)	Minimum \$250 or 50% of Original fee (whichever is greater)
Code Interpretation	\$250.00	\$250.00
Comprehensive Plan Map Amendment	\$2,500.00	\$2,500.00
Conditional Use Permit	\$1,500.00	\$1,500.00
Extension of Time Request	25% of original fee	25% of original fee
Fire District Plan Review Fee	\$100.00	\$100.00
Historic Reviews and Register Updates:	\$750.00 / \$1,500.00 / \$2,500.00	\$750.00 / \$1,500.00 / \$2,500.00
Home Occupation	\$75.00	\$75.00
Lot Line Adjustment	\$250.00	\$250.00
Measure 56 Mailing	Actual Cost	Actual Cost
Ministerial Review	\$250.00	\$250.00
Non-Conforming Uses and Developments	\$750.00	\$750.00
Partition	\$750.00	\$750.00
Planned Development - Preliminary	\$2,500.00	\$2,500.00

Item # 14.

TYPES OF FEES	CURRENT FEES	UPDATED FEES
PLANNING / LAND USE FEES (continued)		
Planned Development Final Plan - Ministerial / Administrative / Quasi-Judicial	\$250.00 / \$750.00 / \$1,500.00	\$250.00 / \$750.00 / \$1,500.00
Residential Plot Plan Review	\$75.00	\$75.00
Sign Review	\$75.00	\$75.00
Subdivision: Tentative Plat / Final Plat	\$1,500.00 / \$750.00	\$1,500.00 / \$750.00
Tree Felling (steep slopes)	\$150.00 + \$5.00/tree	\$150.00 + \$5.00/tree
Zoning Confirmation Letter	\$35.00	\$35.00
Temporary Use	\$75.00	\$75.00
UGB Amendment	Actual Cost	Actual Cost
Variance: Minor Adjustment / Adjustment / Variance	\$250.00 / \$750.00 / \$1,500.00	\$250.00 / \$750.00 / \$1,500.00
Zone Change	\$2,500.00	\$2,500.00
POLICE DEPARTMENT FEES		
Abandoned Vehicle Abatement (if not abated within 10 days)	\$50.00	\$50.00
Crash Report	\$5.00	\$2.00/page
Information Exchange Only	No Charge	No Charge
Dog Permit (for potentially dangerous dogs per ORS)	\$50.00	\$50.00
Deferral Classes, Other (\$35 to \$50 maximum) (seatbelt/cell phone)	\$50.00	\$50.00
False Alarm Billing - 1st Alarm	\$0.00	\$0.00
2nd Alarm and Each Subsequent Alarm	\$25.00	\$25.00
Incident	\$1.00/each	\$2.00/page
Letter of Clearance (includes the required local records check)	\$15.00	\$20.00
Local Records Check (waive fee for Armed Forces, includes address or person checks)	\$10.00	\$15.00
Ordinance Copy	\$5.00	\$2.00/page
Additional Pages	\$1.00/page	\$1.00/page
Photographs (per sheet or email)	\$5.00/sheet or \$10.00/disc	\$5.00
via disc		\$10.00/disc
Public Fingerprinting	\$20.00	\$20.00
Non-Lebanon resident		\$35.00
Additional cards	\$5.00	\$5.00
Redacted Video		at City cost + staff time
Reports:		
Research fee (non-refundable, to be applied to actual report charge below if located)		\$10.00
Archived reports (1956-2012)	\$10.00	\$20.00
Current case reports (2013-current)	\$10.00	\$15.00
Additional pages	\$2.00/page	\$2.00/page
Vehicles:		
Impounded Vehicle Release (Admin. Fee)	\$100.00	\$50.00

Item # 14.

TYPES OF FEES	CURRENT FEES	UPDATED FEES
LINX TRANSIT FEES		
Bus Transportation:		
Seniors (60 and older) and Disabled Persons (one-way)	\$1.00	\$1.00
Public (one-way)	\$2.00	\$2.00
12 years of Age and Under (adult must accompany)	No Charge	No Charge
Students: Grades 9-12 and in College	No Charge	No Charge
SENIOR CENTER FEES		
Copies:		
Letter 8-1/2" x 11" or Legal 8-1/2" x 14"	\$0.25	\$0.25
Color Copies (Letter or Legal)	\$0.50	\$0.50
Facility Rental (dependent on space, time and entity renting)	\$10.00-\$35.00/hr/room	\$10.00-\$35.00/hr/room
Refundable Deposit - Non-Profit, Government or Public Group	\$100.00	\$100.00
Refundable Deposit - Private Groups	\$250.00	\$250.00
Building Usage for Senior Services	20% of fees charged	20% of fees charged
Non-refundable After Hours Use	\$35.00	\$35.00
Non-refundable Fee for Weekend Cleanup (Functions over 100 People)	\$50.00	\$50.00
Open/Close Partitions in Auditorium or Between Classrooms 1 & 2	\$35.00	\$35.00
PA System, Slide Projector or TV/VCR	\$10.00	\$10.00
Audio/Visual System (including Projector)	\$20.00	\$20.00
WATER / WASTEWATER SPECIAL SERVICE FEES		
Backflow Prevention Devices Inspection Fee		
Backflow Prevention - Residential Contract 2022	\$23.50	\$24.50
Backflow Prevention - Residential Contract 2023	\$25.00	\$25.00
Backflow Prevention - City Issued Non-Compliance Testing	\$50.00	\$50.00
Fire Hydrant Charges:		
Deposit	\$500.00	\$500.00
Deposit - Santiam Canal Industrial Park	\$50.00	\$50.00
Meter Installation	\$25.00	\$25.00
Industrial Pretreatment Program Fees	\$500.00	\$500.00
Initial Issue for 1 to 5 Years	\$250.00	\$250.00
Annual Monitoring & Compliance Review	.085/gallon	.085/gallon
IPP Hauled Waste Dump Fee - per gallon	\$250.00	\$250.00
IPP Wastewater Discharge Permit Application	\$250.00	\$250.00
IPP Contaminated Waste Discharge Permit: Issued for < or less	\$25.00	\$25.00
Meter Charges:		
5/8" x 3/4" Water Meter Service Connection Fee	\$1,500.00	\$1,500.00
1", 1 1/2", 2" Water Meters (cost of materials & labor - deposit required)	Actual Cost	Actual Cost
Installing a 5/8" x 3/4" Meter to an Existing Service	\$325.00	\$325.00
Installing a 3/4" Meter to an Existing Service	\$375.00	\$375.00

Item # 14.

TYPES OF FEES	CURRENT FEES	UPDATED FEES
WATER / WASTEWATER SPECIAL SERVICE FEES (continued)		
Meter Charges:		
Installing a 1" Meter to an Existing Service	\$425.00	\$425.00
Installing a 1 1/2 " Meter to an Existing Service	\$1,550.00	\$1,550.00
Installing a 2" Meter to an Existing Service	\$1,775.00	\$1,775.00
WATER / WASTEWATER SPECIAL SERVICE FEES Finance/Utility Billing Department Functions		
Customer Service Charges:		
After Hours Meter Turn On	\$100.00	\$100.00
Deposit (Renter/Non-owner) (non-refundable until account reconciled/closed)	\$200.00	\$200.00
Deposit (Renter/Non-owner with bad payment history) (non-refundable until account reconciled and closed)	\$300.00	\$300.00
Late Payment Fee/Utility Bill (added to late payment notice)	\$5.00 + 2% delinquent amount	\$5.00 + 2% delinquent amount
Non Sufficient Funds (Charge Back Fees for debit/credit card & returned checks)	\$30.00	\$40.00
Meter Equipment/Service Charges:		
Hand Valve - 3/4"	\$35.00	\$35.00
Lock-Off (Meter)	\$50.00	\$50.00
Lower or Raise Water Meter	Actual Cost Varies (\$50 minimum)	Actual Cost Varies (\$50 minimum)
Move Water Meter Location	Actual Cost Varies (\$50 minimum)	Actual Cost Varies (\$50 minimum)
Remove an Existing and Replace a Water Meter Box	Actual Cost Varies	Actual Cost Varies
Remove Meter due to Tampering	\$100.00	\$100.00
Replace a Damaged Meter Box Lid	\$45.00	\$45.00
Replace a Damaged Meter Lock	\$50.00	\$50.00
Replace a Damaged Meter Locking Cap	\$50.00	\$50.00
Replace a Damaged Meter (by customer tampering)	\$500.00	\$500.00
Replace a Damaged Meter Resetter	\$60.00	\$60.00
Repair a Broken Angle Stop	\$200.00	\$200.00
Test Water Meter (refund when test indicates meter runs fast)	\$25.00	\$25.00
Test Water Meter - if an independent agency is requested	\$100.00	\$100.00
Water Meter Box	\$70.00	\$70.00
Tampering with City Property:		
First Violation within a 24-month Period	\$25.00	\$25.00
2nd Violation	\$50.00	\$50.00
3rd Violation and each Subsequent Violation	\$250.00	\$250.00

Item # 14.

A RESOLUTION AMENDING FEES AND CHARGES) RESOLUTION NO. 2024-19
FOR CITY SERVICES AND REPEALING EXHIBIT A)
“FEE SCHEDULE” OF RESOLUTION NO. 2022-18)

WHEREAS, Oregon Revised Statutes (ORS) 192.440(3) authorizes the City to charge fees associated with public records requests; and

WHEREAS, it remains the policy of the City of Lebanon to require that city fees charged reimburse the City for the actual costs associated with the requested city services, products or information; and

WHEREAS, the City Manager has caused a review of city fees and charges in order to fully recover all reasonable fees calculated to reimburse the City for the actual cost of providing city services, products and public information requests and recommends such adjustments to the City Council; and

WHEREAS, said review of all city fees and charges, as well as necessary and appropriate revisions are as provided in EXHIBIT A; and

WHEREAS, the City Council has reviewed the basis for establishing such fees as described in EXHIBIT A; and

WHEREAS, it is the City’s policy to conserve city resources so that city staff time, copying expenses and other related expenses are not exhausted on unspecified or unclear public information requests or with performing information requests that are not retrieved by the requester.

THEREFORE, THE LEBANON CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. The following fees amendment attached hereto as EXHIBIT A and incorporated herein by this reference are adopted by the City and shall become effective immediately.

Section 2. The City Council hereby determines that the fees, rates and charges hereby adopted are not subject to the limits of Section 11 or 11b, Article XI of the Oregon Constitution.

Section 3. The City Council hereby finds that the fees proposed in EXHIBIT A are reasonably calculated and represents the City of Lebanon’s true, reasonable and actual cost of making public records available including costs for summarizing or compiling public records in response to public information requests.

This resolution shall be effective July 1, 2024.

Passed by the Lebanon City Council and executed by the Mayor on this 12th day of June, 2024 by a vote of _____ yeas and _____ nays.

CITY OF LEBANON, OREGON

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

ATTESTED:

Julie Fisher, CMC, City Recorder

EXHIBIT "A" CITY OF LEBANON FEES AND CHARGES

Item # 14.

Effective July 1, 2024 - Supercedes All Previous Schedules

All card transactions are subject to a third party transaction fee

TYPES OF FEES	CURRENT FEE
ADMINISTRATIVE FEES (CITY RECORDER'S OFFICE)	
Copies:	
Black/White - Letter 8-1/2" x 11", Legal 8-1/2" x 14" (per side)	\$0.25
Black/White - Executive 11" x 17" (per side)	\$0.50
Color copies (each side)	\$0.50
Records on a Flash Drive	\$6.50 plus staff time
Liquor License (original application)	*\$100.00
Annual Renewal of a Liquor License	*\$35.00
Change Application (in ownership, location, or privilege)	*\$75.00
OLCC Temporary Sales Application per Event	\$15.00
	*not to exceed per ORS 471.166
Notary Services (Municipal Court Personnel):	
An acknowledgement; verification upon an oath or affirmation; certifying a copy of a document; witnessing or attesting a signature; and protesting commercial paper, except a check drawn on insolvent financial institution in which case the fee is \$0.	(not to exceed) \$5.00
Administering an oath or affirmation without a signature; taking a deposition, each page; and all other notarial acts not specified.	(not to exceed) \$1.00
Public Records Request: (all requests must be made on a City Public Records Request Form)	
<i>If request exceeds \$25.00, the requester's authorization is required to proceed with request. If request exceeds \$100.00, a deposit may be required before commencing work.</i>	May require 50% deposit
Archived Electronic Information Retrieval (first 30 minutes no charge)	\$100.00/hr
City Candidate Filing Fee	\$25.00
BUSINESS LICENSES & MISC. PERMITS	
Animal Keeping Permit	\$35.00
Banner Permit (\$50 permit + \$100 installation)	\$150.00
Business License Fees* (after July 1 prorated):	
Auctions	\$150.00/year, \$25.00/each
Drug Paraphernalia Sales Annual Fee	\$75.00
Marijuana Dispensary Licenses - Annual Operator License	\$250.00

TYPES OF FEES	CURRENT FEE
BUSINESS LICENSES & MISC. PERMITS (continued)	
Business License Fees* (after July 1 prorated):	
Secondhand Buyers and Sellers Annual Fee	\$75.00
Gambling License - Annual License	\$200.00
License for One-day Special Event (City property only)	\$50.00
License for One-day Special Event / Non-profit Organization	\$20.00
Non-Profit Organizations	N/A
Parking Permit (per ORS 10.24.142):	
Daily / Annual Residential	\$15.00 / \$75.00
Peddler and Solicitors One-Year Permit	\$50.00
Public Event Applications:	
1-Day Event	\$100.00
2-3 Day Event	\$150.00
Master Permit	\$250.00
Transfer of Ownership/Change of Location or Name	\$10.00
Non-Profit Organizations	N/A
RV Permit (1 - 15 days)	\$35.00
Renewal Periods - 15 Days (no more than two renewals)	\$25.00/each
Temporary Occupancy Permit, 30-day permit	\$150.00
ENGINEERING FEES	
Bid Document	\$60.00
Contractor Pre-qualification (valid for three years)	\$50.00
Deferral of Improvements	\$200.00
Easement/ROW Dedication Process Fee	\$165.00/each
Engineering Fees:	
Developer Assurance Agreement	\$100.00
Engineered Site Plan Review (Engineering)	\$500.00 + \$350.00/acre
Reapplication Fee (for up to "2" resubmittals)	33% of original fee
New Residential Site Plan Review (Engineering)	\$75.00
Street/Alley Vacation (Engineering)	\$1,200.00
Easement Vacation (Engineering)	\$750.00

Item # 14.

TYPES OF FEES	CURRENT FEE
ENGINEERING FEES (continued)	
Public Improvement Drawing Review (for up to "2" resubmittals)	$\$260 + 2\%$ of cost up to \$1 million $\$260 + 1\%$ of cost \$1 million-\$4 million $\$260 + 0.5\%$ of cost \$4 million+
Public Improvement Permit:	
First \$50,000 of Construction Cost	$\$260 + 4\%$ of cost up to \$50,000
Amount above \$50,000	$\$260 + 3\%$ of cost above \$50,000
Water Retest Fee	\$200-\$300/linear foot
Right-of-Way Encroachment Surcharges:	
Basic Right-of-Way Encroachment Fee (includes two inspections)	\$85.00
Private Street Inspection (includes two inspections)	\$85.00
Reinspect Fee (after two inspections)	\$85.00
Curb Cut	\$20.00
Street Pavement Cut	\$30.00
Street Moratorium Surcharge Fee (First 5 Years)	\$250.00 per sq. ft.
4" Sanitary or Storm Connection	\$75.00
6" or greater Sanitary or Storm Connection	Public Imp. Fee Schedule min. \$110.00
Utility Boring Fee	\$1.00 per linear foot
Standard Drawings	\$20.00
FINANCE FEES	
Audit Report (available at no charge online or at the Library)	see copies below
Budget Document (available at no charge online or at the Library)	see copies below
Collection Fee (accounts turned over to Linn Co. or collection agency)	\$100.00
Fax Service (for public)	\$2.00 first page / .75 each add'l
Foreclosures Notice	\$100.00
Housing Rehab Payoff and Reconveyance	\$50.00
Lien Search (online)	\$32.00
Non Sufficient Funds (NSF) (charge back fees for debit/credit card & returned checks)	\$40.00
Stop Payment & Reissue Check Fee	\$30.00
Tall Weeds & Grass or Nuisance Abatement	Actual cost + \$200 admin. fee
Tall Weeds & Grass or Nuisance Abatement (abatement over \$1000)	Actual cost varies + 20% admin. fee

Item # 14.

TYPES OF FEES	CURRENT FEE
LIBRARY FEES	
Collection Fee (accounts turned over to collection agency)	\$15.00
Community Meeting Room Rental Fees:	
Rental per Hour - (2-hour minimum) (depending on time and entity)	\$10.00 - \$25.00
Refundable Deposit (depending on time and entity)	\$100.00 or \$250.00
Refundable key deposit, after hours use	\$200.00
Non-refundable After Hours Use	\$35.00
Non-Refundable Weekend use	\$50.00
PA System	\$10.00
AV System	\$20.00
Copies (self-serve, per page):	
B/W Letter 8-1/2" x 11", Legal 8-1/2" x 14"	\$0.10
B/W Executive 11x17	\$0.20
Color Letter 8-1/2" x 11", Legal 8-1/2" x 14"	\$0.50
Color Executive 11x17	\$1.00
Interlibrary Loan (per item)	\$5.00
Lost Library Card Replacement Fee	\$1.00
Non-resident Cards:	
Household (12-month)	\$50.00
Household (6-month)	\$30.00
Senior Citizen (60+ years) Household (12-month)	\$40.00
Overdue Items per Day per Item (up to a maximum of \$5.00)	\$0.20
Overdue (cumulative fines up to a maximum of \$25.00)	\$25.00
Hold Reshelving Fee (per item - if not cancelled or checked out)	\$0.50
MUNICIPAL COURT FEES	
Appeal to Linn County Circuit Court	\$25.00 plus certified copy cost
Certified Copy (\$6.00 for certification/\$.25 per sheet)	\$6.25 minimum
Court Costs:	
Cite or Arrest Warrant	\$50.00
Notice of Court Action of Driving Privileges to DMV	\$15.00
Court Costs (per Trial):	
Criminal (non-jury - if convicted)	\$20.00
Jury trial (if convicted)	\$50.00

Item # 14.

TYPES OF FEES	CURRENT FEE
MUNICIPAL COURT FEES	
Court Costs (per Trial):	
Traffic (if convicted)	\$15.00
DUII Diversion Extension Fee	\$25.00
Expungement Packet Fee	\$5.00
Fee for Turning to Collection (customer pays directly to collection agency)	40% of the principal balance
Jury Fee (if canceled after arrival of jurors)	\$10.00/juror
Late Payments	\$20.00
Non Sufficient Funds (NSF) (charge back fees for debit/credit card & returned checks)	\$30.00
Payment Extension Fee	\$30.00
Payment Extension Interest	(9% per annum)
Suspension Packet Administration Fee (if convicted)	\$12.00
PARK FEES - SHELTER & CAMPING FEES	
Electrical Fee for Shelter Rental	\$20.00
Shelters:	
Academy Square Gazebo	\$75.00
Booth Park Shelter	\$15.00
Century Park Shelter (Small)	\$30.00
Century Park Shelter (Large)	\$50.00
Cheadle Lake Park South	
Daily Fee	\$600.00
Electrical Daily Fee	\$500.00
Water Daily Fee	\$50.00
Christopher Columbus Park Shelter	\$30.00
Porter Park Community Gardent Plot (per calendar year)	\$25.00
Ralston Park Gazebo	\$55.00
River Park Main Shelter	\$50.00
River Park Horseshoe Area Picnic Table Shelter	\$20.00
Strawberry Plaza	
Dawn to 3:00 p.m.	\$30.00
3:00 p.m. to Dusk	\$30.00
All Day	\$60.00
Wynn Mill	\$25.00

Item # 14.

TYPES OF FEES	CURRENT FEE
PARK FEES - SHELTER & CAMPING FEES (continued)	
City Park Liquor Permit per Event - must provide proof of liability insurance (min. \$1 million)	\$35.00
Camping:	
Daily Rate:	\$40.00
Senior/Military Discount	\$35.00
Group Discount (3 or more sites)	\$35.00
Weekly Rate:	\$230.00
Senior/Military Discount	\$200.00
Monthly Rate:	\$800.00
Construction Workers in the City of Lebanon	\$700.00
Extra Vehicle (per night)	\$5.00
Cancellation Fee	\$15.00
Sewage Dump Station Fee	\$5.00
PLANNING / LAND USE FEES	
Note: For land use applications that require more than one approval, the applicant shall be charged the highest individual application fee with all subsequent applications charged at half-price.	
Administrative Review	\$750.00
Administrative Review (Planning Commission)	\$1,500.00
Annexation	\$2,500.00
Appeal	Minimum \$250 or 50% of Original fee (whichever is greater)
Code Interpretation	\$250.00
Comprehensive Plan Map Amendment	\$2,500.00
Conditional Use Permit	\$1,500.00
Extension of Time Request	25% of original fee
Fire District Plan Review Fee	\$100.00
Historic Reviews and Register Updates:	\$750.00 / \$1,500.00 / \$2,500.00
Home Occupation	\$75.00
Lot Line Adjustment	\$250.00
Measure 56 Mailing	Actual Cost
Ministerial Review	\$250.00
Non-Conforming Uses and Developments	\$750.00
Partition	\$750.00

Item # 14.

TYPES OF FEES	CURRENT FEE
PLANNING / LAND USE FEES (continued)	
Planned Development - Preliminary	\$2,500.00
Planned Development Final Plan - Ministerial / Administrative / Quasi-Judicial	\$250.00 / \$750.00 / \$1,500.00
Residential Plot Plan Review	\$75.00
Sign Review	\$75.00
Subdivision: Tentative Plat / Final Plat	\$1,500.00 / \$750.00
Tree Felling (steep slopes)	\$150.00 + \$5.00/tree
Zoning Confirmation Letter	\$35.00
Temporary Use	\$75.00
UGB Amendment	Actual Cost
Variance: Minor Adjustment / Adjustment / Variance	\$250.00 / \$750.00 / \$1,500.00
Zone Change	\$2,500.00
POLICE DEPARTMENT FEES	
Abandoned Vehicle Abatement (if not abated within 10 days)	\$50.00
Crash Report	\$2.00/page
Information Exchange Only	No Charge
Deferral Classes, Other (\$35 to \$50 maximum) (seatbelt/cell phone)	\$50.00
False Alarm Billing - 1st Alarm	\$0.00
2nd Alarm and Each Subsequent Alarm	\$25.00
Incident	\$2.00/page
Letter of Clearance (includes the required local records check)	\$20.00
Local Records Check (waive fee for Armed Forces, includes address or person checks)	\$15.00
Ordinance Copy	\$2.00/page
Photographs (per sheet or email)	\$5.00
via disc	\$10.00/disc
Public Fingerprinting	\$20.00
Non-Lebanon resident	\$35.00
Additional cards	\$5.00
Redacted Video	at City cost + staff time
Reports:	
Research fee (non-refundable, to be applied to actual report charge below if located)	\$10.00
Archived reports (1956-2012)	\$20.00

Item # 14.

TYPES OF FEES	CURRENT FEE
POLICE DEPARTMENT FEES (continued)	
Reports:	
Current case reports (2013-current)	\$15.00
Additional pages	\$2.00/page
Vehicles:	
Impounded Vehicle Release (Admin. Fee)	\$50.00
LINX TRANSIT FEES	
Bus Transportation:	
Seniors (60 and older) and Disabled Persons (one-way)	\$1.00
Public (one-way)	\$2.00
12 years of Age and Under (adult must accompany)	No Charge
Students: Grades 9-12 and in College	No Charge
SENIOR CENTER FEES	
Copies:	
Letter 8-1/2" x 11" or Legal 8-1/2" x 14"	\$0.25
Color Copies (Letter or Legal)	\$0.50
Facility Rental (dependent on space, time and entity renting)	\$10.00-\$35.00/hr/room
Refundable Deposit - Non-Profit, Government or Public Group	\$100.00
Refundable Deposit - Private Groups	\$250.00
Building Usage for Senior Services	20% of fees charged
Non-refundable After Hours Use	\$35.00
Non-refundable Fee for Weekend Cleanup (Functions over 100 People)	\$50.00
Open/Close Partitions in Auditorium or Between Classrooms 1 & 2	\$35.00
PA System, Slide Projector or TV/VCR	\$10.00
Audio/Visual System (including Projector)	\$20.00
WATER / WASTEWATER SPECIAL SERVICE FEES	
Backflow Prevention Devices Inspection Fee	
Backflow Prevention - Residential Contract	\$24.50
Backflow Prevention - City Issued Non-Compliance Testing	\$50.00
Fire Hydrant Charges:	
Deposit	\$500.00
Deposit - Santiam Canal Industrial Park	\$50.00

Item # 14.

TYPES OF FEES	CURRENT FEE
WATER / WASTEWATER SPECIAL SERVICE FEES (continued)	
Fire Hydrant Charges:	
Meter Installation	\$25.00
Industrial Pretreatment Program Fees	\$500.00
Initial Issue for 1 to 5 Years	\$250.00
Annual Monitoring & Compliance Review	.085/gallon
IPP Hauled Waste Dump Fee - per gallon	\$250.00
IPP Wastewater Discharge Permit Application	\$250.00
IPP Contaminated Waste Discharge Permit: Issued for < or less	\$25.00
Meter Charges:	
5/8" x 3/4" Water Meter Service Connection Fee	\$1,500.00
1", 1 1/2", 2" Water Meters (cost of materials & labor - deposit required)	Actual Cost
Installing a 5/8" x 3/4" Meter to an Existing Service	\$325.00
Installing a 3/4" Meter to an Existing Service	\$375.00
Meter Charges:	
Installing a 1" Meter to an Existing Service	\$425.00
Installing a 1 1/2" Meter to an Existing Service	\$1,550.00
Installing a 2" Meter to an Existing Service	\$1,775.00
WATER / WASTEWATER SPECIAL SERVICE FEES Finance/Utility Billing Department Functions	
Customer Service Charges:	
After Hours Meter Turn On	\$100.00
Deposit (Renter/Non-owner) (non-refundable until account reconciled/closed)	\$200.00
Deposit (Renter/Non-owner with bad payment history) (non-refundable until account reconciled and closed)	\$300.00
Late Payment Fee/Utility Bill (added to late payment notice)	\$5.00 + 2% delinquent amount
Non Sufficient Funds (Charge Back Fees for debit/credit card & returned checks)	\$40.00
Meter Equipment/Service Charges:	
Hand Valve - 3/4"	\$35.00
Lock-Off (Meter)	\$50.00
Lower or Raise Water Meter	Actual Cost Varies (\$50 minimum)
Move Water Meter Location	Actual Cost Varies (\$50 minimum)
Remove an Existing and Replace a Water Meter Box	Actual Cost Varies

Item # 14.

TYPES OF FEES	CURRENT FEE
WATER / WASTEWATER SPECIAL SERVICE FEES (continued) Finance/Utility Billing Department Functions	
Remove Meter due to Tampering	\$100.00
Replace a Damaged Meter Box Lid	\$45.00
Replace a Damaged Meter Lock	\$50.00
Replace a Damaged Meter Locking Cap	\$50.00
Replace a Damaged Meter (by customer tampering)	\$500.00
Replace a Damaged Meter Resetter	\$60.00
Repair a Broken Angle Stop	\$200.00
Test Water Meter (refund when test indicates meter runs fast)	\$25.00
Test Water Meter - if an independent agency is requested	\$100.00
Water Meter Box	\$70.00
Tampering with City Property:	
First Violation within a 24-month Period	\$25.00
2nd Violation	\$50.00
3rd Violation and each Subsequent Violation	\$250.00

Item # 14.



MEMORANDUM

Finance Department

To: Mayor Jackola, City Council & Ron Whitlatch,
Agency Manager

From: Brandon Neish, Finance Director

Subject: Fiscal Year 2024-2025 Budget Adoption

Date: June 12, 2024

I. INTRODUCTION

Oregon Local Budget Law, ORS 294, outlines a very specific process for budget development and citizen involvement. The Urban Renewal Agency (URA) is required to follow this process which consists of a citizen Budget Committee containing the URA Board and seven citizen members, a Budget Message and Proposed Budget from a designated Budget Officer, an approved budget, multiple hearings, levied taxes, and an adopted budget. The Budget Committee reviews the Budget Officer's Proposed Budget and Budget Message before approving a budget (with any changes they deem necessary), recommends tax levies, and forwards that to the URA Board. During the approval process, a public hearing is required, and a second public hearing is required before the City Council can adopt the budget. All of this must be completed before July 1 annually or the Agency cannot legally operate.

II. CURRENT REPORT

The Budget Committee received the Budget Officer's (Agency Manager's) Proposed Budget and Budget Message during a public meeting on April 3, 2024. The meeting was noticed in the Albany-Democrat Herald to comply with ORS 294.426(3)(a). After an opportunity to hear from the public during a subsequent meeting held April 30, 2024, the committee approved a budget of \$2,839,366, recommended taxes, and recommended the Board adopt the budget. This included operating and non-operating costs.

Before the Board is a resolution to adopt a total expenditure budget of \$2,839,366 and a resolution to levy taxes for the coming fiscal year.

III. RECOMMENDATION

- Conduct a public hearing on the Approved Budget.

THE CITY THAT FRIENDLINESS BUILT

- Adopt Resolution No. 2024-16 adopting a budget for the 2024-2025 fiscal year beginning July 1, 2024.
- Adopt Resolution No. 2024-17 levying taxes for the Lebanon Urban Renewal Agency's budget for fiscal year 2024-2025.

**A RESOLUTION ADOPTING THE LEBANON)
 URBAN RENEWAL AGENCY'S BUDGET)
 AND MAKING APPROPRIATIONS FOR)
 FISCAL YEAR 2024-2025)** **RESOLUTION NO. 2024-16**

RESOLUTION ADOPTING A BUDGET

BE IT RESOLVED that the Board of the Lebanon Urban Renewal Agency hereby adopts the budget for 2024-25, in the sum of \$2,839,366 now on file at City Hall.

RESOLUTION MAKING APPROPRIATIONS

BE IT RESOLVED by the Board of the Lebanon Urban Renewal Agency:

Section 1. That the amounts for the fiscal year beginning July 1, 2024, and for the purposes shown below, are hereby appropriated as follows:

<u>Urban Renewal Districts</u>		
Northwest Urban Renewal District:		
Debt Service		\$ 1,524,444
Cheadle Lake Urban Renewal District:		
Materials & Services	11,500	
Capital Outlay	200,000	
Debt Service	351,846	\$ 563,346
North Gateway Urban Renewal District:		
Materials & Services	77,494	
Capital Outlay	500,000	\$ 577,494
Mill Race Urban Renewal District:		
Materials & Services	174,082	\$174,082
Total Appropriations		\$ 2,839,366

Passed by the Lebanon Urban Renewal Agency Board and executed by the Mayor on this 12th day of June, 2024 by a vote of ____ yeas and ____ nays.

CITY OF LEBANON, OREGON

Kenneth E. Jackola, Mayor	<input type="checkbox"/>
Michelle Steinhebel, Board President	<input type="checkbox"/>

ATTESTED BY:

Julie Fisher, CMC, City Recorder

**RESOLUTION LEVYING TAXES FOR THE
LEBANON URBAN RENEWAL AGENCY'S
BUDGET FOR FISCAL YEAR 2024-2025**

)
)
)

RESOLUTION NO. 2024-17

BE IT RESOLVED by the Board of the Lebanon Urban Renewal Agency:

Section 1. To certify to the county assessor for the Northwest Lebanon Urban Renewal District Plan Area a request for taxes at the increment property value of \$69,853,249, which is less than the maximum division of taxes that may be raised by dividing the taxes under Section 1c, Article IX, of the Oregon Constitution and ORS Chapter 457.

Section 2. To certify to the county assessor a request for the North Gateway Urban Renewal District Plan Area for the maximum amount of revenue that may be raised by dividing the taxes under Section 1c, Article IX, of the Oregon Constitution and ORS Chapter 457.

Section 3. To certify to the county assessor a request for the Cheadle Lake Urban Renewal District Plan Area for the maximum amount of revenue that may be raised by dividing the taxes under Section 1c, Article IX, of the Oregon Constitution and ORS Chapter 457.

Section 4. To certify to the county assessor a request for the Downtown Urban Renewal District Plan Area for the maximum amount of revenue that may be raised by dividing the taxes under Section 1c, Article IX, of the Oregon Constitution and ORS Chapter 457.

Section 5. To certify to the county assessor a request for the Mill Race Urban Renewal District Plan Area for the maximum amount of revenue that may be raised by dividing the taxes under Section 1c, Article IX, of the Oregon Constitution and ORS Chapter 457.

Section 6. This resolution is effective on July 1, 2024.

Passed by the Lebanon Urban Renewal Agency and executed by the Mayor on this
12th day of June 2024 by a vote of _____ yeas and _____ nays.

CITY OF LEBANON, OREGON

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

ATTESTED BY:

Julie Fisher, CMC, City Recorder



MEMORANDUM

Finance Department

To: Mayor Jackola & Lebanon Urban Renewal Agency
Board Members
Ron Whitlatch, Interim Agency Manager & Budget Officer

Date: June 12, 2024

From: Brandon Neish, Finance Director

Subject: FY24 Budget Amendments

I. INTRODUCTION

Oregon Local Budget Law, ORS 294, allows for either the transfer of appropriations or a supplemental budget to increase expenditure authority after a budget has been adopted. The 2024 fiscal year budget was adopted by the Agency Board on June 14, 2023. ORS 294.463(1) allows for the Board to transfer existing expenditure authority from one budget line to another.

II. CURRENT REPORT

There is one adjustment outlined in Resolution No. 2024-20; an adjustment to the Mill Race Urban Renewal District budget due to an increase in assessed value for property within the Urban Renewal District (URD).

The budget for the 2024 fiscal year in the Mill Race URD was established based on an assumed tax revenue of \$145,177. Due to development and assessments, actual tax revenue under an economic development agreement came to \$185,289, increasing the incremental value due to the developer to \$122,260. The agreement states that the Agency will reimburse up to 80% of the developer's incremental tax bill in exchange for necessary infrastructure in the district. Agency staff is requesting an adjustment from the contingency line to comply with ORS 294.456(6) which states that "an expenditure of public money may not be made for any purpose in an amount greater than the amount appropriated."

III. RECOMMENDATION

- Adopt Resolution No. 2024-20 authorizing a transfer in budget appropriations.

A RESOLUTION AUTHORIZING A TRANSFER OF) RESOLUTION NO. 2024-20
APPROPRIATIONS FOR THE LEBANON URBAN)
RENEWAL AGENCY 2023-2024 BUDGET)
)

WHEREAS, ORS 294.463(1) allows for the governing body to adopt a resolution to transfer appropriations for a specific purpose or purposes; and,

WHEREAS, the Lebanon Urban Renewal Agency entered into an economic development agreement in 2017 related to the Mill Race Urban Renewal District, and;

WHEREAS, the agreement states that “the Agency shall reimburse the Developer in an annual amount of eighty percent (80%) of the incremental property tax directly attributable to the Development of Developer’s Property”; and,

WHEREAS, the budgeted amount for reimbursement was \$100,000 for 2024; and,

WHEREAS, the actual amount for reimbursement totaled \$122,261.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE LEBANON URBAN RENEWAL AGENCY AS FOLLOWS:

Section 1. Authorizes the following transfer of appropriations of the 2023-2024 budget:

Fund	Account Number	Description	Adopted Budget	Adjustment	Amended Budget
<u>Mill Race</u>					
	946-195-61130	Contract Services	100,000	27,600	127,600
	946-950-80005	Contingency	27,600	(27,600)	-

Section 2. Section 1 of this resolution are effective immediately upon passage,

Passed by the Lebanon Urban Renewal Agency Board and executed by the Mayor
on this 12th day of June, 2024 by a vote of _____ yeas and _____ nays.

CITY OF LEBANON, OREGON

Kenneth Jackola, Mayor ☐
Michelle Steinhebel, Board President ☐

ATTEST:

Julie Fisher, CMC, Agency Recorder



MEMORANDUM

Finance Department

To: Mayor Jackola & Lebanon City Councilors
Ron Whitlatch, Interim City Manager & Budget Officer

Date: June 12, 2024

From: Brandon Neish, Finance Director

Subject: FY24 Budget Amendments

I. INTRODUCTION

Oregon Local Budget Law, ORS 294, allows for either the transfer of appropriations or a supplemental budget to increase expenditure authority after a budget has been adopted. The 2024 fiscal year budget was adopted by the City Council on June 14, 2023. ORS 294.463(1) allows for the City Council to transfer existing expenditure authority from one budget line to another.

II. CURRENT REPORT

There are three adjustments outlined in Resolution No. 2024-21; an adjustment to the Finance budget in the General Fund and an adjustment for Community Development in the Water and Wastewater funds due to changes in benefit costs during the fiscal year.

The Finance adjustment seeks to add \$6,500 to the Municipal Court budget to cover additional costs associated with appeals and the contract for the defense attorney. While the City's attorney covers appeals that may be filed with the Linn County Court, they are outside the the retainer and are billed at an hourly rate of \$200/hr. Increased appeals during the fiscal year cost the City \$6,000. For the defense attorney contract, the City Council approved a new contract in February 2024 which increased the overall cost \$4,000 per year for the first time since 2020. These two items have put additional stress on the Municipal Court budget above and beyond the anticipated expenditures. The proposal requests a transfer of appropriations to come from the General Fund contingency to cover the unanticipated expenditures for the current fiscal year.

In the Water and Wastewater funds, staff is requesting additional budget resources to cover additional health reimbursement account expenditures incurred during the fiscal year. First, a new employee was hired at the beginning of the fiscal year resulting in two contributions to their HRA in compliance with the AFSCME contract. In a typical fiscal year, only one distribution of HRA funds is seen per employee in January. The second adjustment is due to overall insurance changes that resulted in additional HRA funds being distributed to employees. These changes strained the limited budget for Community Development in these two funds (personnel expenses is all that is budgeted so there is no ability to

THE CITY THAT FRIENDLINESS BUILT

reduce other expenses to offset). The requested adjustment asks for \$1,700 in each fund to come from the Public Works budget (which has available resources) to cover the necessary expenditures.

III. RECOMMENDATION

- Adopt Resolution No. 2024-21 authorizing a transfer in budget appropriations.

**A RESOLUTION AUTHORIZING A TRANSFER OF
APPROPRIATIONS FOR THE CITY OF LEBANON
2023-2024 BUDGET**

RESOLUTION NO. 2024-21

WHEREAS, ORS 294.463(1) allows for the governing body to adopt a resolution to transfer appropriations for a specific purpose or purposes; and,

WHEREAS, the cost of Municipal Court appeals has exceeded the original allocation for the year; and,

WHEREAS, the contract for the City's Public Defender expired in February 2024; and,

WHEREAS, the renewed contract included a \$4,000 annual increase not originally budgeted for the 2024 fiscal year; and,

WHEREAS, the City contributes funds to an employee's health reimbursement arrangement (HRA) account based on insurance enrollments; and,

WHEREAS, additional contributions were made due to employment and enrollment changes.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LEBANON AS FOLLOWS:

Section 1. Authorizes the following transfer of appropriations of the 2023-2024 budget:

Fund	Account Number	Description	Adopted Budget	Adjustment	Amended Budget
<u>Municipal Court</u>					
	100-141-61130	Contract Services	-	5,000	5,000
	100-141-61132	Outside Attorney Fees	22,200	1,500	23,700
	100-950-80001	Operating Capital	30,536	(6,500)	24,036
<u>Development Svcs</u>					
	430-173-51030	Insurance - HRA	1,071	1,700	2,771
	430-430-72602	Other Eqpt (Maint)	25,000	(1,700)	23,300
<u>Development Svcs</u>					
	470-173-51030	Insurance - HRA	1,071	1,700	2,771
	470-470-61130	Contract Services	64,230	(1,700)	62,530

Section 2. Section 1 of this resolution are effective immediately upon passage,

Passed by the Lebanon City Council and executed by the Mayor on this 12th day of June, 2024 by a vote of _____ yeas and _____ nays.

CITY OF LEBANON, OREGON

Kenneth Jackola, Mayor ☐
Michelle Steinhebel, Council President ☐

ATTEST:

Julie Fisher, CMC, City Recorder



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

Lebanon

MEMORANDUM

Engineering Services

To: Mayor Jackola and City Council

Date: June 3, 2024

From: Ron Whitlatch, Engineering Services Director

Subject: **Build Lebanon Trails Request for Transient Lodging Tax Funds**
Georgia Pacific Mill Race Trail Construction

I. INTRODUCTION

On April 10th, during the City Council Meeting Public Comment period, Build Lebanon Trails requested \$25,000 of Transient Lodging Tax Funds (TLT) to go towards the Georgia Pacific Mill Race Trail. At the time of the request, Staff conveyed to the City Council that Oregon Revised Statutes would need to be reviewed to confirm that using TLT Funds for a trail segment would be acceptable. City Council requested that a Staff Report be completed and brought to a future City Council Meeting for discussion and possible action on the request.

II. CURRENT REPORT

City Staff has completed research of the Oregon Revised Statute and an opinion from the Oregon Attorney General that pertains to use of Tourism Dollars (TLT Funds). Below is excerpts from Oregon Revised Statute 320:

- ORS 320.350 generally requires that 70% of transient tax revenue be spent on "tourism-related facilities".
- ORS 320.300(9) provides that "tourism-related facility":
 - (a) Means a conference center, convention center or visitor information center; and
 - (b) Means **other improved real property that has a useful life of 10 or more years and has a substantial purpose of supporting tourism or accommodating tourist activities.**

This research has yielded somewhat vague results in that it is up to the user of the funds to explain how using TLT funds has a substantial purpose of supporting tourism or accommodating tourist activities. Build Lebanon Trails has submitted the attached letter indicating how they believe that the use of TLT Funds for the purposes of recreational trails relates to tourism per ORS 320 and a funding request of \$23,500. The reduction from the original request at the April 10th City Council Meeting is due to BLT receiving \$1,500 grant from the Lebanon Tourism Committee. Ultimately, the City Council (along with guidance from the City Attorney and City Staff) will need to decide if the request qualifies for use of TLT funds.

III. RECOMMENDATION

City Council (along with Staff and City Attorney input) needs to determine the validity of the request based on ORS 320. If the request is found to be compliant with ORS 320, one of the following options could be done by a motion:

1. Award the requested amount of \$23,500 to BLT for the construction costs related to the Georgia Pacific Mill Race Trail.
2. Award a smaller amount (to be determined by the City Council) of TLT funds to BLT for the construction costs associated with the Georgia Pacific Mill Race Trail, or
3. Award no funds to the project.

Connecting



our Community

Build Lebanon Trails
P.O. Box 2604
Lebanon, OR 97355

May 14, 2024

Lebanon City Council

RE: Funding Request from the Transient Lodging Tax Fund

Build Lebanon Trails (BLT) is currently raising funds to build the Georgia Pacific (GP) Mill Race Trail. BLT has been partnering with the City for 19 years to “*Connect our Community*” by building a fully accessible, continuous, free to use, public trail system. The GP Mill Race Trail is the trail section needed to “*Connect our Community*” from north to south.

BLT first presented the funding request to City Council at the April council meeting. After Staff review of the request the City requested a presentation to council at their June 12, 2024 meeting.

The focus of this letter is to demonstrate how the GP Mill Race Trail project complies with ORS 320.300.9. ORS320.300.9 defines “Tourism-related Facilities” as; ***(b) Means other improved real property that has a useful life of 10 or more years and has a substantial purpose of supporting tourism or accommodating tourist activities.***

Focus points are:

- The location where the requested funds will be used.
The location is the GP Mill Race Trail located between River Park’s Northwest property boundary and Santiam Street.
- The fund amount requested.
The initial request was for \$25,000. The Lebanon Tourism Committee provided \$1,500. The current request is the remaining unfunded balance of \$23,500.
- When received funds will be expended.
Funds will be expended on or before December 31, 2025. BLT would like to complete construction of the trail in 2024. The 2024 timeline is dependent on when the funding goal for the project is met.
- The useful life of the trail.
All public trails built in Lebanon are constructed to City specifications. This requirement ensures the useful life of public trails in Lebanon are far beyond 10 or more years.
- How trails relate to tourism as defined by the ORS320.300(9).

Lebanon's growing trail system is becoming the local catalysts for capturing Lebanon's share of the growing tourism paycheck. Numerous documented studies highlight how trails support community tourism efforts.

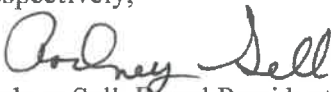
- *Nearly 50% of visitors to Oregon are attracted by our Outdoor Recreation Opportunities* (Oregon Visitor Profile, Statewide Report 2021-2022, Destination Analysts).
- *Bicycling tourism in Oregon provides over \$400 million dollars per year to the state economy, that's just for the tourism part. The Industry study also demonstrated \$400 million coming into the State economy from bicycle tourism* (Jerry Norquist – Past Executive Director – Cycle Oregon).

To demonstrate how important our local trails are to Lebanon tourism I have included the following quote from Chris Breshears – General Manager, Best Western Premier Boulder Falls Inn, Home of the 1847 Bar & Grill and Boulder Falls Center.

"The Lebanon Trail system has become a cherished amenity for many of our hotel guests, whether they're here for leisure, business, or conferences. Repeatedly, our guest services team receives requests for recommendations on safe places to run, walk, or bike, and without hesitation, we point them towards the Lebanon Trails, often providing them with maps upon request. It's truly gratifying to witness the amazement of our guests when they discover this offering in Lebanon, Oregon. Upon their return, we're consistently delighted to receive glowing feedback about the trail system. At Boulder Falls Inn, we firmly believe that these trails enhance the experience of our guests, and we take pride in supporting Build Lebanon Trails."

Please consider BLT's request for funding assistance to help build the trail to "Connect our Community" from the south of town to the north.

Respectively,



Rodney Sell, Board President
Build Lebanon Trails

(A non-profit 501(c)(3) organization dedicated to the development and maintenance of the Lebanon Trail System.) EIN # 90-0845394.

For more information visit us at www.buildlebanontrails.com and
www.facebook.com/buildlebanontrails



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

Replaces Item # 1

Item # 19.

MEMORANDUM

Engineering Services

To: Mayor Jackola and City Council
From: Ron Whitlatch, Engineering Services Director
Subject: **Approval to Award Project**
Gills Landing Trail
Project No. 22714

Date: June 10, 2024

I. INTRODUCTION

The Gills Landing Trail project was advertised on Monday, May 6, 2024 for bids.

II. CURRENT REPORT

Bids for the project were opened Thursday, June 6, 2024. There was a total of six bids received; a comparison of the bids with the Engineer's Estimate is presented below.

Company	Bid Amount	Company	Bid Amount
Brown Contracting	\$268,423.00	RJ Armstrong & Associates	\$233,351.00
Knife River	\$298,692.28	Santiam Canyon Excavating	\$171,175.41
North Santiam Paving Co	\$248,686.00	Turney Excavating	\$278,235.75
		Engineer's Estimate	\$215,507.25

The lowest responsive bid was submitted by Santiam Canyon Excavating, LLC. from Sweet Home, Oregon as indicated above. Their bid is approximately 20.5% higher than the Engineer's Estimate.

III. RECOMMENDATION

This memo requests a City Council motion to award the Gills Landing Trail Project to Santiam Canyon Excavating, LLC. of Sweet Home, Oregon.



925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4900
www.lebanonoregon.gov

MEMORANDUM

Administration

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

Date: May 28, 2024

- The City of Sodaville Mayor, Brian Lewis reached out to me and requested some help with preparing their FY25 Budget. An IGA was drafted by the Lebanon City Attorney to provide Sodaville with Staff resources to prepare and present their budget to their Budget Committee. 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 will be getting pricing for a new dais and the needed IT improvements for the proposed meeting room.
- 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. SSW Consulting will be meeting with all City Department Directors, City Councilor's, and the Mayor over the next couple of months.
- Staff is continuing to refine options for a City Services Fee. Additional City Council Work Sessions will be held during the summer of 2024.
- Staff engaged Sean Tate (Tate Public Affairs) to provide to help the City navigate legislative affairs and advocate for the City.
- Mayor Jackola, Kelly Hart, Sean Tate (Tate Public Affairs), and I met with Representative Jamie Cate on May 29th to discuss several Lebanon topics. More information will be shared at the City Council Meeting in June during the Managers Report.
- Mayor Jackola, Kelly Hart, Jason Williams, Sean Tate (Tate Public Affairs), and I met with staff members from Representative Chavez-DeRemer's office on May 30th. The purpose of the meeting was to provide a tour of the City's Wastewater Plant and the need for capital funding. More information will be shared at the City Council Meeting in June during the Managers Report
- The City has entered into an IGA with Oregon Cascades West Council of Governments (OCWCOG for grant writing services. OCWCOG will be looking for grants related to streets, wastewater, and anything else pertinent to the City. The City

is also participating in a regional (Linn County and multiple cities within the county) grant being authored by OCWCOG for a Safe Streets 4 All Planning Grant. If successful, this is the first step in being eligible for large implementation (construction) grants for street projects.

- 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: May 2024

- Compiled and Prepared the City Council Agenda, Packet, and Minutes for May 8th City Council and Executive Session meetings.
- Maintained and sent out the Preliminary Agenda Table
- Resolutions: (3) 2024-09 Fluoridation of the Public Water Supply, 2024-10 Calling an Election – Psilocybin, 2024-11 Building Fees
- Ordinances: (2) #3019 Psilocybin #3020 Comprehensive Plan Amendment
- Press Releases: (6) 2024 Summer Reading Program, Friends of the Library Donation, Receipt of Ballot Title for Nov. 5th Election (Fluoride), Notice of Limited Land Use Action, South Main and Crowfoot Roads.
- Public Meeting Notices: (3) City Council and Planning Commission
- Documents added to ORMS: 87 documents in the last 30 days.
- Public Records Request: (1) SmartProcure
- Records Destruction Certification: (1) Police Department
- Liquor Licenses Processed: (0)
- Contact Us Submissions: (20) The City Recorder's office responded to multiple requests from questions regarding marriage license, park usage, historical information, lost pets, tall grass and weeds and more.
- Social Media: (April 15-May 14) Facebook followers = 4,383, new followers = 7, post reached = 4,469
- City Website: 11,555 Total Users (visited the website) with 27,918 Views from April 15-May 14
Top Four Webpages Visited: News, Home Page, Utility Payments, Library.
- 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 July 8 – July 31.



925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4906
cdc@ci.lebanon.or.us
www.ci.lebanon.or.us

MEMORANDUM

Community Development

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

Date: May 30, 2024

May Report:

Planning:

- The May Planning Commission meeting included the following actions:
 - Approval of Annexation A-24-01 for 810 Kees Street was recommended to the City Council.
 - Discussed the City's hosting of the State Land Conservation and Development Commission meeting in April and the roundtable discussion with the Commission and City representatives.
- In May, four land use applications were approved administratively:
 - AR-24-02 for a 14-unit apartment complex on Primrose Street
 - AR-24-03 for a triplex on S 7th Street
 - MLP-24-04 for a partition to divide a parcel into two lots on E Grant Street
 - VAR-24-06 for a fence height variance on Turtledove Loop
- Staff is currently processing 3 land use applications for 3 projects:
 - A-24-01 for the annexation of the parcel 810 Kees Street (application is scheduled for public hearings in May and June)
 - S-24-03 for a 5-lot subdivision on 810 Kees Street (application is scheduled for public hearing in June)
 - AR-24-04 for an amendment to an approved project to increase the size of a proposed commercial building and parking area for the property at 911 W Airport Road (application is scheduled for public hearing in June)
- City Legislative Efforts: The City has contracted with Tate Public Affairs to assist with our efforts to have a greater presence in the State legislature and pursue opportunities for direct funding for infrastructure improvements to the Wastewater Treatment Plant. In the last month, Sean Tate met with staff four times to begin training on communication techniques with legislators; participated with the Mayor, Interim City Manager Ron Whitlatch, and Community Development Director Kelly Hart in a meeting at the State Capitol with Representative Jami Cate, and two zoom meetings with Representative Pam Marsh, Chair of the House Committee, and Senator Dick Anderson with the Senate Housing Ways & Means Committee; participated in a tour of the Wastewater Treatment Plant with Representative Chavez-DeRemer's office; and met with Representative David Gomberg, Vice Chair of Ways & Means, Senator Janeen Sollman, Senate Housing, Ways & Means member, and

Representative Ken Helm, Chair House Water. Additional work is underway to develop collateral to leave with legislators to refer back, and additional meetings are continually being scheduled.

- **Strategic Planning Update:** SSW Consulting has invited City Councilors and Directors to participate in a pre-strategic plan workshop interview, which will help develop the workshop themes and exercises. All interviews must be completed by the end of June to prepare for the workshop on July 22. Our community partner, Boulder Falls, has donated the Annex room to the City for the strategic planning workshop day.
- **Housing Production Strategy Implementation:** The City has finalized the Project Advisory Committee to participate in developing the Code Updates. MIG Consulting has completed the code review and data analysis, and the first Project Management Team meeting is scheduled for the middle of June. A joint City Council-Planning Commission work session is planned for July.
- **Solar Project:** Community Development Assistant Josh Bacher has been assisting in researching opportunities to implement solar projects at City facilities to offset utility costs. Inquiries have been submitted to the Energy Trust of Oregon, which will connect the City with an organization that will do a site assessment for each of our facilities to identify the amount of solar that could be installed and the incentives and financial assistance available to help implement the projects.
- **Community Development Block Grant (CDBG) Program:** The grant agreement documents are fully executed, and funding will become available within the month. As part of the grant implementation, the City has to update several documents, including republishing our fair housing resolution, conducting an ADA analysis of each of our facilities open to the public, and posting a fair housing poster at city hall. Staff is in the process of conducting the ADA analysis.
- **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 provide Lebanon with a voice at the table in developing reasonable housing standards for implementation at the rural level.
- **Lebanon Community School District Facilities Advisory Committee:** The Community Development Director continues to participate in the LCSD Facilities Advisory Committee, which is responsible for updating the facilities master plan for the school district to bring expertise in population growth projections and development projections to the group. The committee is anticipated to be an approximate year appointment.

Building:

- **Northwest Code Professionals Contract:** City staff is negotiating a new contract with NWCP. The existing contract has been in place since 2015, with a minor amendment in 2017. Once the parties agree to the terms, staff will present the contract to the Council for adoption.
- The city processed 85 permits in April. The total fees received were \$128,849.98, and the construction valuation was \$12,218,511.46.

- By comparison, in April 2023, 50 permits were processed. The total fees received were \$14,663.35, and the construction valuation was \$800,988.35.
 - A current list of the larger construction sites include:
 - Riverside Banks Subdivision and Duplexes (Williams Street)
 - Panda Express (Airport/Hwy 20)
 - 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 May, the new Harbor Freight management was hosted at City Hall to discuss opportunities to partner with the City as they open and grow, discuss childcare resources available in the region to help their new staff, and discuss resources to assist in the new staffing process.
- Business recruitment: Staff is currently working to recruit a sandwich restaurant to town based on community feedback. Research into numerous franchises has been conducted, and direct communication has been made. One company has identified an interest in locating in Lebanon, and staff is working with commercial brokers to identify any possible operators to take on the opportunity.
- 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 round of the Rural Opportunity Initiative grant, which will bring entrepreneurial support to the Lebanon community and funding to the REAL group to implement the strategic plan.



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

Item # 20.

MEMORANDUM

Engineering Services

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

Date: May 28, 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). This project is currently being constructed by Armstrong & Associates Construction and is expected to be complete by June 3rd.
 - 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 took City Staff on a tour of a wastewater plant that uses some of the technology we will be proposing in the future. KJE is also 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 advertised for bids in May. Staff will present a recommendation to award the project during the June City Council Meeting. BLT 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, and we anticipate construction this summer/fall.
- Emery & Sons Construction has completed the Westside Interceptor Project. There are some minor clean-up items to complete along with the final payment.

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

- The Seventh Street Reconstruction Project (Oak to 'F') is currently underway. Willamette Valley Excavation is currently installing sanitary sewer and replacing storm drainage along Seventh Street. Once this is complete, they will begin installation of the new waterline. So far, during construction we have had five water main breaks and multiple service line breaks. A majority of these are due to the poor condition of the existing water system along Seventh Street. 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.
- The City is preparing for a new Traffic Signal at the intersection of Airport Road and Stoltz Hill Road. This project will also extend waterline and sanitary sewer line on Stoltz Hill Road from Antioch Street to Airport Road, sidewalk and driveway installation, and a multi-use path along Airport Road. The Project Team (Kittelson Engineers, Udell Engineering, and City Staff) are moving forward with the final design for the project in anticipation of a

summer bidding. We have held several constructability reviews in an effort to minimize impacts to traffic on Airport Road. Unfortunately, there will be a period of several weeks that we will have to close Airport Road and route traffic down Oak Street. Staff will utilize press releases, web site, social media, signage, and reader boards well in advance of any closure of Airport Road. The needed right-of-way acquisition for the project is nearly complete, as we are currently going through the Title Company process. It is likely that this project will take well over a year to construct as signal pole lead times are currently 6-9 months out.

- 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 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 of any improvements will be in 2025.
- Udell Engineering is under contract to provide Engineering Design services for a sanitary sewer line replacement on North Third Street. 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. The project is scheduled to begin advertisement in June and construction over the summer months.
- 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 anticipate starting design early in 2024.

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.

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.
- Bate's Storage off Hansard Ave plans have expired and archived.
- Industrial Way storage plans have expired and archived.
- Fire Department received temp occupancy punch list pending asbuilts from private engineer and a few onsite items.
- Plans approved for Buckmaster Plumbing new storage building. Contractor working building addition. Fire hydrant extension complete and operational. Final street patch for water trench complete and sewer connection to be completed weather permitting.
- Kees Street extension improvements completed and final walk through scheduled.
- 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 contractor working on final punch list items. .
- 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 accepted 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.



MEMORANDUM

Finance Department

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

FROM: Brandon Neish, Finance Director

RE: Department Report – May 2024

- Accounts Payable
 - Payments made in May 2024; 160 checks were processed for payments of \$1,620,134.90.
- Payroll
 - Payroll was processed on May 10th and May 24th for all employees. In total, 129 employees were paid during the month of May.
 - 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.
- Budget
 - The FY2025 budget was approved by the Committee with two (2) changes requested by staff for a council dais and funds to repay an interfund loan to be established in FY2024. The budget now moves to the City Council for review, another public hearing, and adoption 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. Full financial report should be complete by end of June with auditor review following.
- **Utility Billing:**
 - 6,277 billing statements (including electronics) were mailed May 28th for a total of \$1,063,353 in utility revenue.
 - 14 Owner Lien (past due) notification letters were mailed.
 - On May 9th, 376 phone calls went out to notify customers they have a past due balance.
 - There were a total of 118 lockouts in May.
 - There was a total of 378 service requests in May: 56 move ins, 118 lock-offs, 8 re-read meters, 110 reconnects, 32 move outs, 11 leak checks, 4 changed meters, 28 turn ons, 5 turn offs, 1 meter installation, 3 meter removals, no dead meters, no water quality checks, no pressure tests, no emergency requests, no meter tests, 1 meter locate and 1 miscellaneous request.

Utility Billing Data

	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24
Active Accounts	6,459	6,459	6,459	6,516	6,516	6,555	6,582	6,581	6,581	6,581	6,581	6,598	6,614
Penalty Applied	N/A	296	236	265	280	365	234	426	426	426	426	273	159
Lock Offs	83	71	74	0	100	73	114	N/A	107	77	135	71	118

Municipal Court Data

Data for May 2025 not available due to software issues. Will update table when available.

	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24
Charges Filed	94	129	102	137	166	109	180	102	241	95	132	158	
Show Cause Issued	43	42	54	48	56	61	55	45	50	55	53	58	
Licenses Suspensions Issued	22	23	20	38	32	30	20	47	39	51	38	38	
Warrants Issued	154	144	160	231	203	150	169	141	174	202	164	108	
Charges Disposed	115	80	137	141	123	121	92	170	163	196	117	122	



925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4261
Angela.Solesbee@LebanonOregon.gov
www.LebanonOregon.gov

Item # 20.

MEMORANDUM

Human Resources Department

To: *Ron Whitlatch, Interim City Manager* Date: *June 3, 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.
 - LINX PT Dispatcher – Employee hired 5/6/24
- Benefits:
 - Business as usual
- Classification and Compensation:
 - Business as usual
- Training and Development:
 - May Safety training – Hazard Communications
 - June Safety training – Accident – Incident Analysis
 - May All Employee training – None
 - June All Employee training – Drugs & Alcohol in the Workplace
- Performance Management:
 - 34 evaluations are past due as of 5/31/2024
 - 3 in Finance (oldest is over 2 years past due)
 - 8 in City Manager's Office (Director Evals)
 - 7 in Public Works (oldest is nearly 3 years past due)
 - 15 in Police Department (oldest is over 6 years past due – 6 employees)
 - 1 in SC/LINX (9 months past due)
- Other
 - Ongoing testing of electronic Personal Action (PA) forms. So far no major concerns or issues.
 - Created Manager resource page on ADP to house frequently used manager forms and reports.
 - Teamster union negotiations ongoing.
 - ADP Learning module on hold.
 - Document storage system on hold.



Information Technology Services
40 N. 2nd Street
Lebanon, Oregon 97355

TEL: 541.258.4242
brenthurst@lebanonoregon.gov
www.lebanonoregon.gov

INFORMATION TECHNOLOGY SERVICES – Brent Hurst, Director

IT

- The web site upgrade project continues in collaboration with the City Recorder and other departments.
 - Scheduled website training to be held on June 4th and 5th for staff.
- 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

- Attended GIS project coordination meeting with IT, Engineering, Finance, Public Works, and Community Development staff; discussed multiple project details app developments and discussed updates to regular business workflows to improve efficiency and accuracy in business and GIS documentation.
- Attended GIS water meeting and training among other local cities in Portland.
- Coordinated with LFD and IT to correct map outages.
- 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.



55 Academy Street
Lebanon, Oregon 97355

TEL: 541.258.4926
Kendra.Antila@LebanonOregon.gov
www.LebanonOregon.gov/library

MEMORANDUM

Lebanon Public Library

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

Date: May 28, 2024

From: Kendra Antila, Library Director

Subject: Manager's Report

- A crowd of 83 children/adults attended a special Preschool Storytime featuring the Strawberry Festival Princesses.
- Summer Reading 2024 kicks off on June 1st. The theme this year is "Read, Renew, Repeat!" and we have several events/performers scheduled.

THE CITY THAT FRIENDLINESS BUILT



40 N. 2nd Street, Suite 100
Lebanon, Oregon 97355

TEL: 541.451.1751
FAX: 541.258.4959
www.ci.lebanon.or.us/police



Item # 20.

MEMORANDUM

Police Department

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

Date: May 31st, 2024

- For the month of May 2024, the Patrol Division had approximately 1,599 calls for service, made 95 arrests, issued 81 traffic citations, conducted 154 traffic stops and wrote 120 case reports.
- Mei Lei Wegner has accepted a full-time police officer position with our agency and will start her career with LPD on June 3rd. Mei Lei comes to us having previous employment through the DA's office, where she worked as a victim advocate.
- Recruit McKinney has progressed past the field training portion and is now solo status.
- Recruit Hobbs is progressing through his field training portion.
- We have extended a conditional job offer to a certified Communications Specialist. Pending her passing an extensive background investigation, a psychological exam and medical evaluation, she will be offered the full-time position.
- Officer Travis Boshart has successfully passed all phases of pre-employment screening and has accepted a full-time Police Officer position. He comes to us a certified officer with several years of experience, and will continue his career here at LPD beginning June 4th, 2024.
- 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 also spent time last month involved with the Peer Court and Neighborhood Watch programs, and conducted several presentations within the community.
- The Detectives Division remains busy. This month, they were assigned five (5) new cases, reviewed seventy-three (73) DHS referrals, made two (2) arrests, assisted in conducting a search warrant with Linn County, and were able to close out six (6) cases.
- There were three (3) use-of-force incidents to report for the month: (1) Officers responded to a subject throwing rocks at the Comcast substation building; upon contact, the male

INTEGRITY, PROFESSIONALISM & TEAMWORK

subject continued the behavior and began walking on the railroad tracks. He refused to obey officers' commands and pushed one officer, then punched another officer as they attempted to take him into custody. K9 Oak deployed and engaged the male subject on the left tricep, causing him to fall forward on his knees and hands. The male subject was then detained by officers and was treated at Lebanon Hospital's emergency room for the K9 bite. One of the officers sustained minor injury to his side from being punched. The male subject was later taken to Linn County Jail. (2) An officer responded to a domestic disturbance and upon arrival, was met in the front yard by a male subject who had a knife in his hand; the male subject advanced on the officer, who was calling for emergency cover. The officer attempted to back away from the subject who continued to yell profanities, and stated that he was going to kill the officer. Two additional officers arrived and were able to deploy a taser. The male subject dropped the knife he had in his hand, but still fought officers, and an additional taser was deployed. The male subject was then able to be taken into custody. Thankfully there were no injuries during this encounter, and the male subject went to Linn County Jail. (3) Officers located a male subject who had a state-wide felony warrant for his arrest. Upon contact, the male subject ran from officers, running into his residence. K9 Oak was deployed and located the male subject, who was hiding in a crawlspace and not following officers' commands to come out. K9 Oak engaged the male subject's left forearm and dragged him out of the crawlspace, where he was then taken into custody. Every use-of-force incident was reviewed extensively by a Sergeant, Lieutenant, the Captain, and finally the Chief. All incidents were found to be justified use-of-force cases and fell within police policy.

- There were two pursuits this past month: (1) An officer attempted to stop a dirt bike, which subsequently fled, and the officer lost sight of it. Unfortunately, the subject was able to get away. (2) An officer attempted to stop a vehicle with a known male driver who had active warrants out for his arrest. The subject vehicle fled, and we lost sight of him outside the city limits of Lebanon. 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.
- There was one incident of successful NARCAN deployment this month involving an adult female who was not breathing and blue in color, who was suspected of overdosing on fentanyl. Officers successfully administered two doses of NARCAN®, and the female subject woke up and began breathing again. The female subject was then treated by Lebanon medics.

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



925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4918
www.ci.lebanon.or.us

MEMORANDUM

Public Works

Date: May 28, 2024

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

A. Collections (Sanitary-Storm):

- Mowing
 - Started mowing in collections system R.O.W.'s as ground conditions allowed.
 - Started mowing waterways and detention ponds.
- Manholes:
 - Working on list for manhole rehabilitation to be completed.
- Sewer Mains:
 - While reviewing lateral video footage, it was noted that there appeared to be a sanitary main issue.
 - Investigated and determined main had been hit during the recent fiber boring. Line was located, but not potholed by contractor.
 - Repaired main
 - Cleaned 1000-feet and video inspected 850-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 fiber boring jobs.
 - Assisted 8 customers with sewer lateral issues.
 - Video inspected 1500-feet of sanitary sewer laterals.
 - Installed 0 cleanouts.
 - Conducted 4 sewer lateral replacement investigations.
 - 0 - entered program
 - 2 - not eligible or did not require replacement
 - 2 - 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 one storm / flooding complaint on Russell Drive.
 - Determined to be caused by non-maintained bio-blocks at construction site.
 - Cleaned 0 feet and video inspected 0 feet of storm line.
 - Assisted Water crew with several water leaks.
 - Turned the fountain on at Strawberry Plaza.
 - Worked with Engineering on plans for several upcoming sanitary sewer jobs.
 - Monthly equipment checks and maintenance completed.
 - Checked River Park RV Dump Station holding tank, and operation of the pump.

- The card reader is currently out of service, new parts are on order and scheduled to arrive the beginning of June.
- Replaced Gill's Landing Pump Station pump.
- Assist with water meter reads, water lock-offs and service orders.
- Continued preparing for Strawberry Festival Parade and grounds.
- Cleaned up large gravel spill from HWY 20 to Williams Street on Milton Street from private dump truck.

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.
- Crews spread bark dust at Gills Landing.
- 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 slab at Wastewater Treatment Plant for bleach tank.
- Poured slab and began framework at Industrial Way and Williams Street for new water fill station
- Began site preparation for Strawberry Festival.
- Gills Landing
 - There were 88 RV park reservations for the month of May.
 - There were 15 shelter rentals for the month of May.

C. Streets:

- 16 – days were spent sweeping.
- Installed and removed street banners for public events.
- Hauled bark dust for Community Park Events.
- Sprayed trails, parks, and ROWs for vegetation management.
- Tree Maintenance:
 - Removed tree, stump, and sidewalk on Tasha Way.
 - Removed curb and asphalt from 12th Street tree removal project.
 - Removed dead tree at 5th and C Street.
- Crews replaced street signs / posts that had been damaged, graffitied, or were faded.
- Installed new curve signs on Berlin Road and repaired three bent signs.
- Prepared cones and signs to be used at public events.
- Responded to garbage clean-ups on roadway.
- Cleaned up shop grounds to prepare for equipment auction.
- Graded gravel roadways, alleys, and shoulders of roads and filled potholes throughout town.
- Mowed alleys and ROW's.
- Assisted additional departments:
 - Helped install water main on Vine Street waterline replacement project

- Repaired water main break on 7th street project
- Set up pad and run electrical for new water fill station on Industrial Way and N. Williams.
- Temporarily repaired dump station at River Park
- Delivered skid steer and hydraulic unit to water treatment plant for their ponds project.

D. Wastewater Treatment Plant:

- The Lebanon WWTP was in full compliance with our NPDES permit for April 2024.
- Influent flow for the month of March averaged 4.04 MGD with a peak of 5.28 MGD and a total of 121.28 MG
- In April we continued hauling to our Sommers field for biosolids application, hauling 70.51 Dry Tons
- We installed 2 - 85hp pumps in our influent station

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 4 water services on 7th Street construction project
 - Repaired 3 water main breaks on 7th Street construction project
 - Installed 20 water meters and 20 new radio readers
 - Located 85 locates throughout the city.
 - Installed two new water services
 - Completed state water samples.
- Completed water main line extension at 15th and W Vine Street.

F. Water Treatment Plant:

Production	
Monthly Water Use (Intake Flow Meter)	62.76 MG
Finish Water Produced	55.55 MG
Water Sent to Cheadle Lake	00.00 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
0.64	1.34	1.05	0.009	0.027	0.016
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
7.36	8.00	7.85	0.00	0.00	0.00

- MFW tank was cleaned and inspected.
- Settling lagoons splitter box cleaned and inspected.
Strainers cleaned and inspected.



MEMORANDUM

Senior Services & LINX Transit

Date: June 1, 2024

To: Mayor Jackola and City Council

From: Kindra Oliver, Senior Center & LINX Transit Director

Subject: Monthly LINX & Senior Center Report

LINX Transit:

As of June 1, we're at just over 59,000 rides provided, already 12,000 rides more than last fiscal year and we still have one more month to go.

Senior Center:

May was Older Americans Month and we enjoyed celebrating our mission of supporting community members through the aging process. We had a live music and dessert social on May 14th. The Fender Benders shared some music and staff created a delightful layered whipped cheesecake with fresh whipped cream and berries. Seniors raved!

On May 29th, we participated in the National Senior Health and Fitness Day by showcasing all of the amazing and free health and wellness programs available to the community at our Senior Center. We invited other entities in town that provide fitness and wellness opportunities with seniors to share flyers and class information, which many did. Other businesses donated some wellness goodies, such as stress reliever gadgets, toothbrushes, etc. to fill our freebie goodie bags that the first 50 seniors received. Staff led demonstrations and shared resources. Several seniors gave testimonials about how participation in physical activity classes at the Senior Center have helped them improve or maintain their abilities and wellness. We had a nutritionist come and so a presentation on the importance of protein and she shared cost-effective ways to include more in our diets.

Our Bingo Bash saw a large number of participants and much laughter. Senior Center volunteers manage our regular weekly Bingo activity, but a couple times each year Senior Center staff takes it on to dole out some larger prizes that have been donated during the year. Various themed games and antics ensue elevating the game from its regular fun to our big bash.

The 6-week Food Gardening workshop came to a close in May. It had been held Saturday mornings by Master Gardener, Sheryl Casteen. Over the course of the six sessions, there were 236 participants.