



**AGENDA**  
**\*\* AMENDED \*\***

**MOLALLA CITY COUNCIL MEETING**  
**July 8, 2020**  
**7:00 PM**  
**Molalla Adult Center**  
**315 Kennel Ave, Molalla, OR 97038**

*Mayor Keith Swigart*

*Council President Leota Childress*  
*Councilor Elizabeth Klein*  
*Councilor DeLise Palumbo*

*Councilor Terry Shankle*  
*Councilor Jody Newland*  
*Councilor Crystal Robles*

*MEETING NOTICE: Due to health concerns of COVID-19, this City Council Meeting will be held in accordance to Governor Brown’s Executive Order 20-25. Council Chambers is limited to 25 people. All meetings are live-streamed via Facebook “Molalla City Council Meetings – LIVE”.*

**1. CALL TO ORDER AND FLAG SALUTE**

**2. ROLL CALL**

**3. PRESENTATIONS, PROCLAMATIONS, CEREMONIES**

**4. PUBLIC COMMENT**

*(Citizens are allowed up to 3 minutes to present information relevant to the City but not listed as an item on the agenda. Prior to speaking, citizens shall complete a comment form and deliver it to the City Recorder. The City Council does not generally engage in dialog with those making comments but may refer the issue to the City Manager. Complaints shall first be addressed at the department level prior to addressing the City Council.)*

**5. APPROVAL OF THE AGENDA**

**6. CONSENT AGENDA**

- A. Meeting Minutes – June 24, 2020.....Pg. 3
- B. Resolution No. 2020: Extending Resolutions No. 2020-06 , 2020-07, and 2020-10 Declaring a State of Emergency Due to Covid-19.....Pg. 34

**7. PUBLIC HEARINGS**

- A. Ordinance No. 2020-08: An Ordinance Adopting and Establishing Section 17-2.3.220 Mobile Food Units in the Molalla Municipal Code (Planning).....Pg. 35

**8. ORDINANCES AND RESOLUTIONS**

- A. Resolution No. 2020-09: A Resolution Repealing Resolution No. 2013-17 and Establishing Appropriate Administrative Planning Department Charges (Planning).....Pg. 39

**9. GENERAL BUSINESS**

- A. CIS Member Cybersecurity Policy (Seifried).....Pg. 44
- B. Discussion re: Possible Charter Amendment Referral to Amend the Process Used for the Removal of the City Manager

**10. REPORTS**

- A. City Manager and Staff

- B. City Councilors
- C. Mayor

**11. ADJOURN**

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*Agenda posted at City Hall, Library, and the City Website at <http://www.cityofmolalla.com/meetings>. This meeting location is wheelchair accessible. Disabled individuals requiring other assistance must make their request known 48 hours preceding the meeting by contacting the City Recorder's Office at 503-829-6855.*



## Minutes of the Molalla City Council Regular Meeting

Molalla Adult Community Center  
315 Kennel Ave., Molalla, OR 97038  
June 24, 2020

### 1. CALL TO ORDER AND FLAG SALUTE

*The Molalla City Council Regular Meeting of June 24, 2020 was called to order by Mayor Keith Swigart at 7:11pm.*

### 2. ROLL CALL

#### COUNCIL ATTENDANCE:

Mayor Keith Swigart – Present  
Councilor Leota Childress – Present  
Councilor Elizabeth Klein – Absent  
Councilor DeLise Palumbo – Absent  
Councilor Terry Shankle – Present  
Councilor Jody Newland - Present  
Councilor Crystal Robles - Absent

#### STAFF IN ATTENDANCE

Dan Huff, City Manager - Present  
Christie DeSantis, City Recorder - Present  
Gerald Fisher, Public Works Director - Present  
Chaunee Seifried, Finance Director - Present  
Cindy Chauran, Senior Accountant - Present

### 3. PRESENTATIONS, PROCLAMATIONS, CEREMONIES

*None.*

### 4. PUBLIC COMMENT

*(Citizens are allowed up to 3 minutes to present information relevant to the City but not listed as an item on the agenda. Prior to speaking, citizens shall complete a comment form and deliver it to the City Recorder. The City Council does not generally engage in dialog with those making comments but may refer the issue to the City Manager. Complaints shall first be addressed at the department level prior to addressing the City Council.)*

*None.*

### 5. APPROVAL OF THE AGENDA

*The agenda was approved as presented.*

### 6. CONSENT AGENDA

- A. Meeting Minutes – June 10, 2020
- B. TMDL Annual Report (Fisher)
- C. Resolution No. 2020-14: Establishing Water Rates and Annual Inflation Adjustments Thereafter as Approved by Molalla Municipal Code Chapter 13.04

***A motion was made by Councilor Childress to approve the Consent Agenda, seconded by Councilor Newland.  
Vote passed 4-0.***

### 7. PUBLIC HEARINGS

- A. Ordinance No. 2020-07: Creating a Temporary Declaration of Candidacy Process for the Election of City Officials Due to the COVID-19 Pandemic and Making This Action Temporary – Second Reading

**Mayor Swigart opened the Public Hearing for Ordinance No. 2020-07 at 7:15pm. As there were no members of the audience present, the hearing was immediately closed.**

**A motion was made by Councilor Shankle to approve Ordinance No. 2020-07, seconded by Councilor Newland. Vote passed 3-1.**

**Voting Aye: Mayor Swigart, Councilor Childress, Councilor Shankle**

**Voting Nay: Councilor Newland**

B. Resolution No. 2020-11: Declaring the City's Election to Receive State Revenue Sharing

**Mayor Swigart opened the Public Hearing for Resolution No. 2020-11 at 7:17pm. As there were no members of the audience present, the hearing was immediately closed.**

**A motion was made by Councilor Newland to approve Resolution No. 2020-11, seconded by Councilor Shankle. Vote passed 4-0.**

C. Resolution No. 2020-13: Adopting City of Molalla Budget FY 2020/21(Seifried)

**Mayor Swigart opened the Public Hearing for Ordinance No. 2020-13 at 7:20pm. As there were no members of the audience present, the hearing was immediately closed.**

**A motion was made by Councilor Newland to approve Resolution No. 2020-13, seconded by Councilor Shankle. Vote passed 4-0.**

## **8. ORDINANCES AND RESOLUTIONS**

A. Resolution No. 2020-12: Certifying All Requirements to Receive State Shared Revenues Have Been Met (Seifried)

**A motion was made by Councilor Childress to approve Resolution No. 2020-12, seconded by Councilor Newland. Vote passed 4-0.**

B. Resolution No. 2020-15: Authorizing the Transfer of Re-Appropriated Funds Within FY 2019-20 Budget (Seifried)

**A motion was made by Councilor Newland to approve Resolution No. 2020-15, seconded by Councilor Shankle. Vote passed 4-0.**

## **9. GENERAL BUSINESS**

## **10. REPORTS**

A. City Manager and Staff

*City Recorder DeSantis shared Elections information. Currently packets have been turned in by Scott Keyser, Jody Newland, and Josh Tompkins.*

*Finance Director Seifried had nothing to report.*

*Public Works Director Fisher shared the Public Works Director report, including a report from Operations Supervisor, Andy Peters. Fisher also shared a current PGE report. (Both reports are included in these minutes.)*

*City Manager Huff praised Public Works Director Fisher for not having to submit a supplemental budget. This has not happened in the past.*



B. Mayor

Mayor Swigart shared that another solar farm is going in nearby. It is located on Hwy. 213 near Liberal Way.

C. City Councilors

Council President Childress congratulated THE BULLETIN on the over 400 copies distributed. She encouraged people to pick one up when they are out and about.

Councilor Newland stressed the importance of being kind to one another. She would like Molalla to be known as the City that cares.

Councilor Shankle gave a report about the upcoming Community Parade that will be held on July 4<sup>th</sup>. She stressed the importance of viewers “Staying Home, Staying Safe” because the parade is being brought to community members. There is no need to leave the comfort of your own front yard.

**11. ADJOURN**

**A motion was made by Councilor Newland to adjourn the meeting, seconded by Councilor Childress. Vote passed 4-0. Meeting adjourned at 7:35pm.**

\_\_\_\_\_  
Keith Swigart, Mayor

\_\_\_\_\_  
Date

ATTEST: \_\_\_\_\_  
Christie DeSantis, City Recorder



**Public Works Department**

117 N Molalla Avenue

PO Box 248

Molalla, Oregon 97038

Phone: (503) 829-6855

Fax: (503) 829-3676

**June 24, 2020**

TO: Dan Huff, City Manager

FROM: Gerald Fisher, Public Works Director

CC: Christie DeSantis, City Recorder

**RE: Project Update for Public Works**

The following is a list of public and private projects currently underway or in process.

**Administrative Projects Underway**

1. Staff is working on several individual home construction permits, pre-application projects for new developments, policy and procedure updates, and other improvements to the department.
2. Municipal Code Update – Staff continuing to work on rewrite of MMC Chapter’s 10, 12, and 13 as time allows.
3. ODOT ADA Ramp Replacements – ODOT anticipates construction to begin in December 2020 and continue through December 2021. Staff has informed ODOT representatives of events within the City during that time frame.
4. ODOT Crosswalk Locations – ODOT is working on an IGA. ODOT has agreed to the City maintaining the crosswalks at designated locations and work will begin once an IGA is in place.

**Public Capital Projects Underway**

5. 16-07 Shops Facility Improvements – Project completed.
6. 17-04 OR 211 Bike & Ped Pathway – Utility relocation underway. Bidding scheduled for July 2020. Anticipate construction of pedestrian path to start sometime in late Summer 2020.
7. 17-15 WTP New Trident 2MGD Filtration Plant, Chemical & Telemetry Upgrades – Plant testing began this week and staff anticipates plant under operation by the end of July. Once plant operation is certified then demo of old treatment unit will begin. Anticipate completion by September 2020.
8. 18-04 WWTP Biosolids Removal – Biosolids removal underway with over 200 dry tons removed. Contractor to continue operations until the end of July.
9. 18-08 Hwy 213 & Hwy 211 Safety Improvements – Waiting on ODOT to deliver project sometime in 2021. The City’s match is \$10,013 or 7.78%.
10. 18-08 Hwy 213-Toliver Roundabout – Staff received the revised loan documents and have executed the agreement. Project currently in design and anticipate construction in Spring of 2023.

11. 18-09 WWTP Permit Extension – Staff still waiting to receive a response back on approved extension application and are continuing to operate under the existing permit as modified by the MAO.
12. 18-11 Trout Creek Water Right Transfer – Staff issued notice to proceed starting 07/01/20.
13. 18-12 Trout Creek Monitoring Station – Flow monitoring underway and will continue thru the Summer of 2020. Anticipate project completion by December 2020.
14. 19-02 Water Master Plan & Water Management & Conservation Plan – Draft Chapters 1 through 7 posted to the website. TAC/PAC meetings may be rescheduled due to ongoing COVID-19 requirements. Planning Commission and City Council hearings tentatively scheduled for the late 2020. Risk Assessment and Emergency Response Plan update beginning in 07/01/2020.
15. 19-03 City Hall Remodel Ph 3 – Staff requested a scope of work. Design of office spaces to begin in FY 20/21.
16. 19-05 Consent Decree Compliance Reporting – The second quarterly meeting was held on 06/03/20 and covered the 1<sup>st</sup> and 2<sup>nd</sup> quarterly reports. The 3<sup>rd</sup> quarter report is scheduled for 09/02/20.
17. 19-07 MFR Ped Bridge (P42) – Project construction underway. Anticipate completion of Phase 1 improvements in July 2020. Design of bridge structure and pathway improvements underway and construction tentatively scheduled to begin in FY 20-21.
18. 19-09 OR 211-Molalla Ave Signal – Design of the signal is underway as part of the conditions for Project 19-04 Cascade Center listed below. Anticipate developer will receive plan approval within the next month. Estimated construction starting sometime in August or September 2020.
19. 19-10 WWTP Upgrade – Application for loan submitted to DEQ and staff is waiting for a response back from DEQ.
20. 19-11 Molalla Ave Intersection Improvements (5<sup>th</sup> & Heintz) – Design completed for improvements to Molalla Ave-5<sup>th</sup> Street and Molalla Avenue-Heintz Street intersections and anticipate construction later this summer.
21. 19-12 Phase 1 Project 2 Patrol Street Sewer and Water Improvements – Contractor scheduled to mobilize to the site on 06/29/20.

#### **Public Capital Projects Not Started**

22. 18-14 Decant Facility – Project design will begin in FY 20-21. This project will provide a dewatering station for street sweeping and vector debris prior to disposal.
23. Shops Waterline Replacement – Project design will begin in FY 20-21 and will replace pre-1950's waterline providing service to the shops facility and elementary school.
24. Creamery Creek Park – Project design will begin in FY 20-21. New City park is on an 11,011 square foot parcel on Mary Drive next to Creamery Creek.

#### **Private Projects Underway**

25. 17-17 Hezzie Lane Subdivision – Developer not responding to City regarding completion of improvements. Issue has now been turned over to Code Enforcement and the City Prosecutor. No further reporting will be done for this project.

26. 17-20 Sawyer's Truck Repair – Contractor working on closing out first phase of project. Second phase will be reconstruction and frontage improvements along Toliver Road.
27. 18-16 Tractor Supply Store – Staff waiting for developer to complete requirements for temporary access and frontage improvement agreements with ODOT in order to issue a release on Certificate of Occupancy.
28. 19-04 Cascade Center – 1<sup>st</sup> plan review completed and returned to developer.
29. 19-13 Dollar General – 2<sup>nd</sup> plan review completed and returned to developer.
30. 20-01 Colima Apartments – Preconstruction meeting scheduled for 07/01/20.

Attached at the end of this memo is an update from Operations. Thank you and let me know if you have any questions.



**Public Works Department**  
117 N Molalla Avenue  
PO Box 248  
Molalla, Oregon 97038  
Phone: (503) 829-6855  
Fax: (503) 829-3676

June 16, 2020

TO: Gerald Fisher, Public Works Director  
FROM: Andy Peters, Operations Supervisor

**RE: Operations Update for City Council**

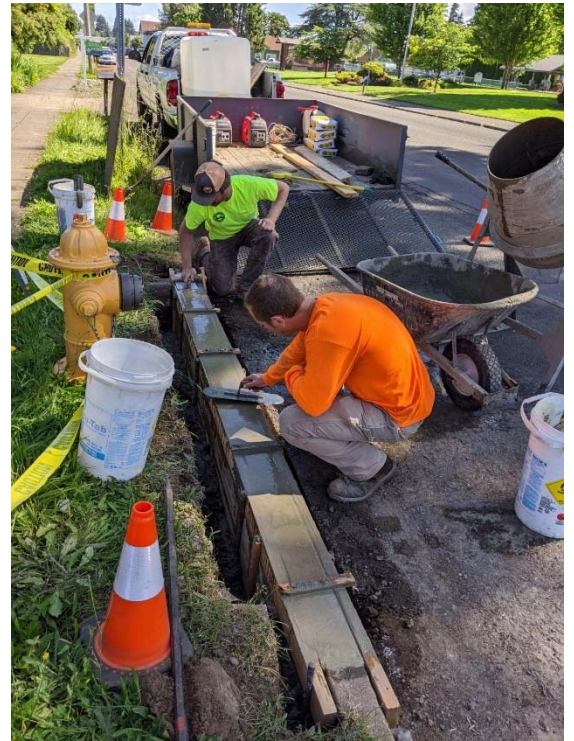
Gerald,

Attached is our Operations update, covering the period of May 15<sup>th</sup>, 2019 – June 15<sup>th</sup>, 2020.

Respectfully,

A handwritten signature in black ink, appearing to be "AP", is written over a light blue horizontal line.

Andy Peters  
Operations Supervisor  
City of Molalla

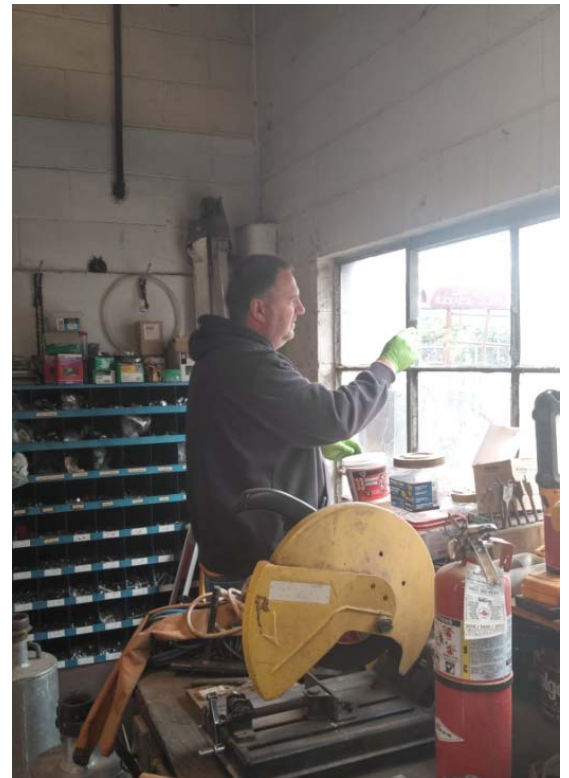


The Utility Crews have become more skilled in laying concrete. Shown Right, Cody and Wyatt pour curb on 5th St.

Above, the belt presses have been removing biosolids at the WWTP. As of 6/16/20 we are near 200 dry tons hauled.



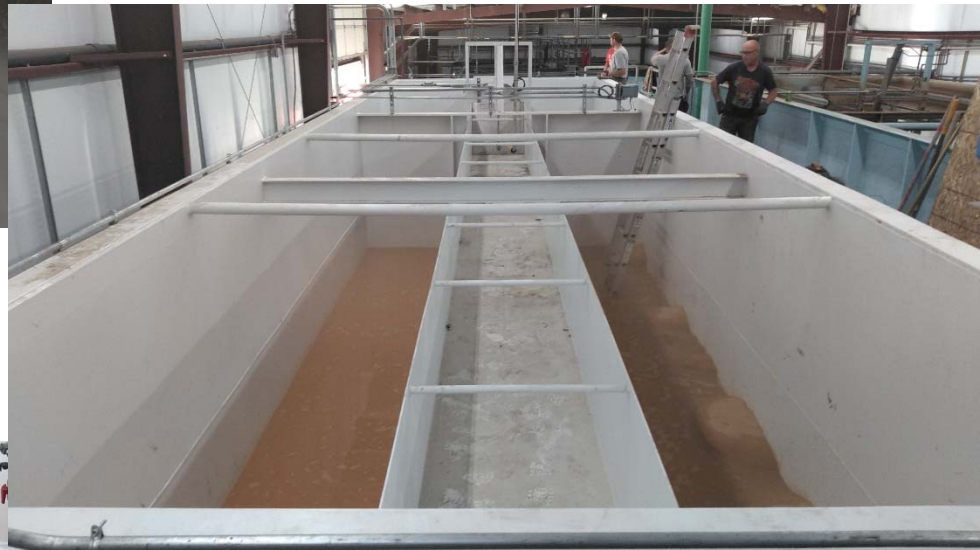
Crews worked hard this spring to make overdue repairs on the old shop building. Windows were replaced and caulked, the building cleaned, fresh paint applied, and a new roof was installed. These minor steps will ensure the viability of the building for many years.







The Water Treatment Plant Upgrade continues, with the new Trident Filter fully installed, media added, and backwashing sequences tested (below)



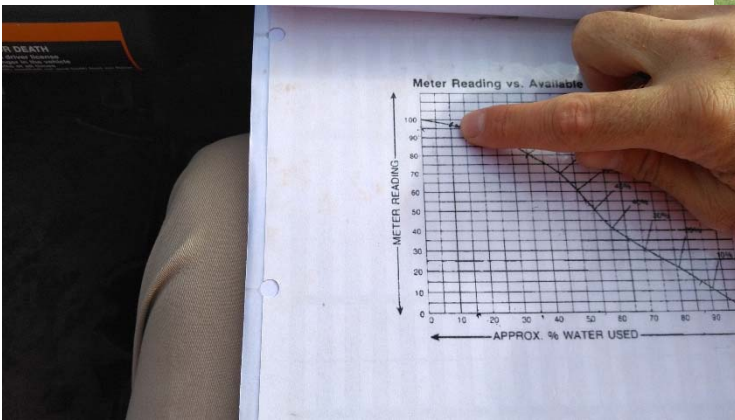
The new Chemical Feed Pumps (left) have also been installed and are schedule for testing next week (June 23<sup>rd</sup>).





Left, Darlene gives crews from Mt Angel a tour of our wastewater treatment facility and biosolids removal project. Mt Angel will be performing the same solids removal efforts in the next few years.

Irrigation season has begun in the Coleman Ranch fields. Wastewater Treatment Plant Operators make significant efforts in the fields each year. Below, James C checks moisture block readings, compares to limits from the Recycled Water Use Plan, and manages equipment startup.







All City owned equipment is important for enabling our crews to do their work, and we make efforts to prolong the life of all equipment. Here Shawn S, who has taken over much of the Fleet Management Effort, tests and replaces a radiator on the City's old Kubota Tractor.

Below, Councilor Childress assists Darlene in organizing the Banners for change-out. The Mezzanine in the new shop building is a perfect place for this effort.







The crew continued pouring new sections of reinforced concrete pad in the bays this month, which was work requested by the Public Works Director. Improvements like these not only prolong the life of City assets, but are part of an important Cultural commitment to “continuous improvement” in all our Operations. Pad pouring will continue in the coming months.







Left, our street sweeper cleans Francis St. In the Council Packet for June is the Draft Annual TMDL report for the City of Molalla in which we report the results of our sweeping efforts, among others, to DEQ. Since June last year City Crews logged sweeping 847 lane miles, removing 108 hopper loads. That's 388.8 Cubic Yards, or 324,000 lbs of material – exactly the gross takeoff weight of a fully fueled, full-passenger Boeing 707. We expect to be able to improve on these numbers when the Decant Facility planned for FY20-21 is constructed.

Below are official performance numbers for this month.

### Work In Process

#### Current Load by Team

Team	Backlog (# of WOs)	Promise Date Performance
Utility Crew	56	99.83%
Wastewater Plant	43	95.09%
Water Plant	19	96.12%
Supervisor	31	98.99%

#### Current Financial Encumbrances (Open/Approved POs by fund) for Operations

Fund	Account#	\$\$
Sewer Fund	106-601-5-	\$98355.24
Water Fund	105-501-5-	\$25248.88
Storm Fund	108-801-5-	\$5000
Park Fund	101-106-5-	\$2021.36
Street Fund	104-401-5-	\$35410.13
TOTAL		\$166035.6100

### Work Complete During Period

5/15/2020 - 6/15/2020

#### Work Orders Completed (by Fund)

Water	81
Sewer	63
Storm	7
Street	41
Fleet	9
General_parks_facilities_ect	92
SplitFund_locates_etc	20
Capital	0
Other	32
TOTAL	345

#### Work Orders Completed (by Team)

Utility_Crew	250
Wastewater_Plant	39
Water_Plant	48
Supervisor	8
Corrective_Action	0
Deep_Backlog	0
TOTAL	345



2020 customer report

# City of Molalla

**Tyesha Woods**, key customer manager  
tyesha.woods@pgn.com  
OFFICE 503-464-7593 | CELL 971-347-4631

**If you have an outage:**

1. Call 503-736-5585 to report it
2. Call your key customer manager





# ENERGY FUTURE





## THE POWER TO CHANGE TOMORROW

*Your success is what drives us. We're on an exciting journey to power Oregon with an increasingly clean energy future — one that's also reliable, affordable, and based on a modern, resilient grid that supports your growth.*



### DELIVERING TODAY

#### **Consistent, stable prices**

- » Managing power markets and our diverse generation resources to protect you from volatility.

#### **Resiliency and reliability**

- » Upgrading to a smarter and more modern system, including microgrids to test new reliability innovations.

#### **Clean energy**

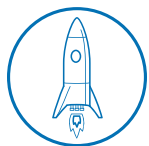
- » Integrating effective and efficient renewable sources, building the first-of-its-scale Wheatridge Renewable Energy Facility, and launching new options for you, such as Green Future Impact.

#### **Electric transportation**

- » Helping you transition to cleaner, more cost-effective mobility with technical support and advice.
- » Partnering with communities on a network of Electric Avenues like those in Beaverton, Hillsboro, Milwaukie, Portland and Wilsonville.
- » Providing grants to advance electric vehicle adoption, EV charging infrastructure and education through the PGE Drive Change Fund.

## THE POWER TO CHANGE TOMORROW

*Your success is what drives us. We're on an exciting journey to power Oregon with an increasingly clean energy future — one that's also reliable, affordable, and based on a modern, resilient grid that supports your growth.*



### INNOVATING FOR TOMORROW

We're currently testing several pioneering integrations and product designs to give you more reliability and sustainability.

#### **Battery storage**

- » Large-scale, on-demand storage at Port Westward 2 and Coffee Creek substation, to increase reliability and provide you with the most efficient resource use at any given time.

#### **Electric vehicle charging**

- » New options to support EV charging for your customers, employees and fleet.

#### **Electric trucks and infrastructure**

- » Developing efficient charging systems for medium- and heavy-duty trucks.

#### **Resiliency and reliability**

- » Partnering with customers on microgrids and resiliency hubs to increase reliability and help communities get up and running quickly after an emergency.



# DATA & PRICES





## 2019 ENERGY DATA

HERE'S YOUR ENERGY USE FROM LAST YEAR

Total kWh usage

**3.06M**

Total cost

**\$351K**

Estimated CO<sub>2</sub> footprint

**1,133t**

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GREEN FUTURE<sup>SM</sup> CAN HELP YOU ACHIEVE YOUR SUSTAINABILITY GOALS THIS YEAR



4.89M pounds CO<sub>2</sub> avoided  
from entering the air



3.06M kWh renewable  
power purchased



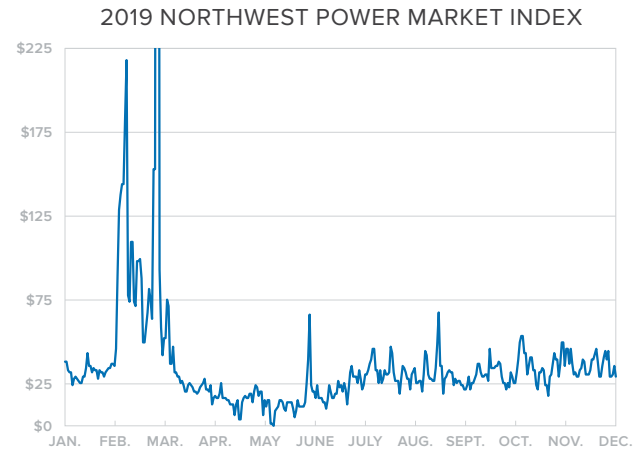
5.21M miles not driven

» SEE APPENDIX TO LEARN MORE ABOUT YOUR INDIVIDUAL ACCOUNTS

# YOUR PRICING

## DELIVERING PRICE STABILITY

We actively manage our diverse energy portfolio to protect you from market volatility and ensure that we can meet your energy needs now and in the future. Your prices will remain stable regardless of extreme weather or unforeseen events that can cause unanticipated energy market fluctuations.

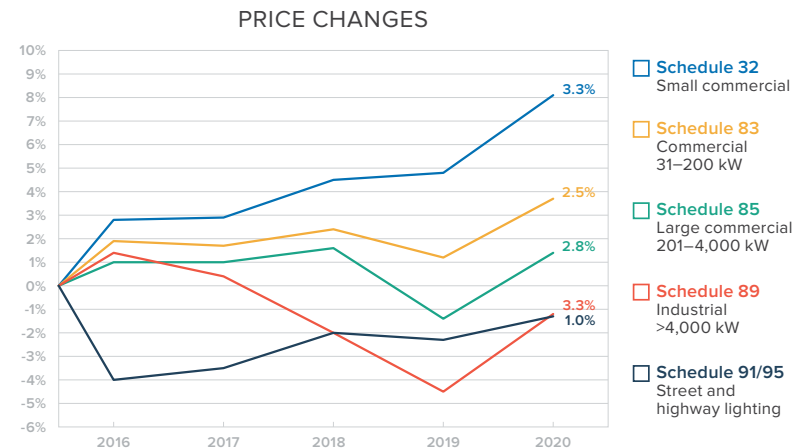


Market-based energy prices have fluctuated significantly in recent years.

## 2016 TO 2020 PRICE CHANGES

For 2020, your prices are estimated to change **2.2%**

In the last five years, the average annual change for all your accounts combined is **0.59%**



The price changes related in this graph are general for all schedules.



# PROGRAMS & PRODUCTS





## PROGRAMS & PRODUCTS



### RESILIENCY AND RELIABILITY

Making sure you have the power you need every day.

#### **Alternate Service**

- » Gain extra peace of mind with immediate and automatic backup to your current power service.

#### **i-Grid**

- » Address and monitor power quality issues and concerns that can affect your equipment.

#### **Distributed Standby Generation**

- » Let us maintain and fuel your backup generators in exchange for allowing us to use them during system emergencies.

#### **High-Voltage Services**

- » If you own your own high-voltage equipment, our crews can provide outage repairs in an emergency.\*

#### **Equipment rental**

- » For primary metered customers, we offer a transformer leasing program that can reduce your costs.

\*For the fastest service, talk to us about having a no-obligation emergency outage agreement in place. You do not need to purchase this product to continue to receive safe, reliable power from PGE.

## PROGRAMS & PRODUCTS



### ENERGY MANAGEMENT AND DEMAND RESPONSE

Affordable, easy-to-manage programs that seamlessly integrate with the way you do business and save, or even earn, you money.

#### **Energy Partner<sup>SM</sup>**

- » Receive custom energy-saving strategies and access to your real-time energy data while creating new revenue streams by reducing or shifting your energy use during times of high demand.

#### **Energy Expert**

- » Track and optimize how you use energy with in-depth reports and energy management.

#### **Energy efficiency**

- » Get expert advice and help navigating Energy Trust programs, training and incentives.

#### **Energy reporting**

- » Let us support your energy and sustainability reporting for efforts like Energy Star Portfolio Manager and City of Portland. We can also help you develop your sustainability or Climate Action plan.

## PROGRAMS & PRODUCTS



### RENEWABLE ENERGY

Offering a variety of innovative solutions from local resources that can grow with your business.

#### **C&I Clean Wind**

» Add affordable, sustainable wind power in packages customized for you.

#### **Green Future Impact<sup>SM</sup>**

» Sourced in Gilliam County, this solar project is for green-minded leaders who want a more direct connection to local renewable energy generation.

#### **Net Metering**

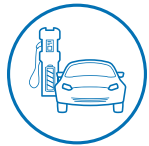
» Offset your electric use with renewable power you generate at your business.

#### **Renewable Development Fund**

» Apply for a grant for your local renewable project through a fund made possible by Green Future<sup>SM</sup> customers.

*Don't see a renewable option that meets your needs?  
Work with your account manager to explore what a custom  
renewable solution might look like for your company.*

## PROGRAMS & PRODUCTS



### TRANSPORTATION ELECTRIFICATION

Transportation is Oregon's largest source of greenhouse gas emissions. Switching to electric fuel is one of the most important steps you can take to decarbonize your operations. And because electric vehicles cost two-thirds less to operate and maintain, they also drive a stronger bottom line.

#### **Electric vehicle charging**

» Whether you're powering a fleet, providing for your employees or keeping your customers charged up, we can provide advice and technical support.

#### **Electric vehicle fleets**

» Electric transportation takes many forms these days, from delivery vans to school buses and from cars and trucks to mass transit. We can help you navigate the array of electric options to find those that best match your needs.



# CUSTOMER SUCCESS





## CUSTOMER SUCCESS

We're focused on being your trusted energy partner and are here 24/7 to help you be competitive, nimble and sustainable.

### What we accomplished in 2019

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- Transitioned account from Daniel Herrera to new Key Customer Manager
- Provided 24/7 outage support
- Advanced support for city projects and construction:
  - \* Big steel waterline meter base repair
  - \* Disconnect for construction related to new Tractor Supply
    - \* Graffiti removal from 7 poles on Heintz Street
    - \* PGE pole removal and construction prior to Molalla 4th of July parade
- Investigated rate migration for Waste Water Treatment Plant (Rate 83 to Rate 85)
- Provided streetlight analysis and support for transition from HPS to LED

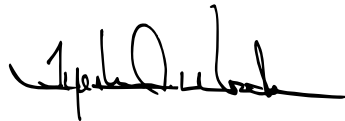
### What we're working on in 2020

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- Better understand COVID-19 impacts to business operations
- Participate in a tour of the Water Treatment Plant and Waste Water Treatment Plant to appreciate the city's critical process and recognize T&D infrastructure
- Measure and deliver a power quality assessment for the Water Treatment Plant
- Determine the City of Molalla's top energy priorities and pain points; business goals for 2020 & 2021
- Explore product/program opportunities and interests
  - \* Clean Wind
  - \* Energy Partner
  - \* EV Charging Infrastructure
  - \* Energy Efficiency

This annual energy report helps set our shared focus for the year.  
I look forward to supporting you and ensuring we achieve these goals.

THANK YOU,



**Tyesha Woods**, key customer manager

[tyesha.woods@pgn.com](mailto:tyesha.woods@pgn.com)

OFFICE 503-464-7593 | CELL 971-347-4631

**Tiffany Delgado**, backup key customer manager

OFFICE 503-464-8635 | CELL 503-329-3486

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**If you have an outage:**

- 1. Call 503-736-5585 to report it**
- 2. Call your key customer manager**



# APPENDIX





Customer Account Report  
CITY OF MOLALLA

Tyesha Woods 503-464-7593

Name	SP ID	Account	Rate	Feeder	Service Address	DBA	Facility Capacity (kW)	Annual Use (kWh)	Annual Charge
City of Molalla	3170680404	1695760000	PGE-85	MOLALLA-YODER	12424 S Toliver Rd	SEWER PLNT IRR PUMP	237	1,274,400	\$ 107,541
City of Molalla	3860210545	0287810000	PGE-83	MOLALLA-FOREST	35190 MOLALLA FOREST RD	WATER PUMP STATION	136	411,840	\$ 40,399
City of Molalla	7560232122	7782431000	PGE-83	MOLALLA-YODER	12424 S Toliver Rd	SEWER PLANT	78	356,160	\$ 32,281
City of Molalla	1260912249	7810330000	PGE-83	MOLALLA-FOREST	ABT 35201 S MOL FOREST	WATER TREATMENT PLANT	102	304,960	\$ 29,619
City of Molalla	6100431367	2953610000	PGE-91	NULL	Street Lighting		-	123,748	\$ 20,076
City of Molalla	0170679991	4388260000	PGE-83	MOLALLA-BUCKAROO	117 N Molalla Ave	CITY HALL	60	119,360	\$ 13,249
City of Molalla	9580836424	8609230000	PGE-83	MOLALLA-FOREST	201 5TH ST	LIBRARY	35	85,440	\$ 9,587
City of Molalla	6100431381	2953610000	PGE-91	NULL	Street Lighting		-	45,384	\$ 6,872
City of Molalla	6100431355	2953610000	PGE-95	NULL	Street Lighting		-	31,416	\$ 9,429
City of Molalla	6100431354	2953610000	PGE-95	NULL	Street Lighting		-	30,636	\$ 8,528
City of Molalla	6100431386	2953610000	PGE-91	NULL	Street Lighting		-	24,768	\$ 6,248
City of Molalla	3560799493	8158320000	PGE-32	MOLALLA-BUCKAROO	ABT 925 TOLIVER RD	CITY SHOPS #1	-	18,600	\$ 2,419
City of Molalla	9230118830	8628511000	PGE-32	MOLALLA-FOREST	31677 S SHADY DELL RD		-	13,820	\$ 1,753
City of Molalla	6100431385	2953610000	PGE-91	NULL	Street Lighting		-	13,464	\$ 2,014
City of Molalla	6100431366	2953610000	PGE-95	NULL	Street Lighting		-	12,096	\$ 7,776
City of Molalla	6100431350	2953610000	PGE-95	NULL	Street Lighting		-	8,684	\$ 3,090
City of Molalla	5280010703	9574831000	PGE-32	MOLALLA-BUCKAROO	209 Kennel Ave	PAL BUILDING	-	6,771	\$ 1,000
City of Molalla	5650561931	3270121000	PGE-32	MOLALLA-BUCKAROO	ABT 32340 S STOWERS RD	STOWERS LIFT STATION	-	6,664	\$ 988
City of Molalla	0970255710	9945480000	PGE-32	MOLALLA-FOREST	AT STEELHEAD AND COHO ST	STEELHEAD/COHO LIFT STA	-	6,528	\$ 983
City of Molalla	8460717714	6538080000	PGE-32	MOLALLA-FOREST	ABT 673 S MOLALLA AV	Mollala Ave Lift Station	-	6,309	\$ 1,063
City of Molalla	6100431372	2953610000	PGE-95	NULL	Street Lighting		-	5,616	\$ 1,306
City of Molalla	3040450294	7544430000	PGE-32	MOLALLA-BUCKAROO	ABT 708 FRANCIS AV		-	5,533	\$ 864
City of Molalla	6100431370	2953610000	PGE-91	NULL	Street Lighting		-	5,160	\$ 843
City of Molalla	6100431360	2953610000	PGE-91	NULL	Street Lighting		-	4,740	\$ 694
City of Molalla	6100431382	2953610000	PGE-91	NULL	Street Lighting		-	3,912	\$ 639
City of Molalla	6630088355	3214731000	PGE-32	MOLALLA-BUCKAROO	920 Toliver Rd	BMX/SHEETS FIELD	-	3,891	\$ 683
City of Molalla	8202826142	8365669007	PGE-32	NULL	920 Toliver Rd		-	3,758	\$ 491
City of Molalla	7580361392	2774500000	PGE-32	MOLALLA-BUCKAROO	AT TUAURES AND EXPLORER	SHAL-MAR LIFT STATION	-	3,262	\$ 622
City of Molalla	6100431362	2953610000	PGE-91	NULL	Street Lighting		-	2,448	\$ 347
City of Molalla	7430274944	9410190000	PGE-32	MOLALLA-BUCKAROO	ABT 704 5TH ST	5TH & COLE LIFT STATION	-	2,293	\$ 620
City of Molalla	6100431349	2953610000	PGE-91	NULL	Street Lighting		-	1,956	\$ 266
City of Molalla	6100431384	2953610000	PGE-91	NULL	Street Lighting		-	1,956	\$ 317
City of Molalla	6100431356	2953610000	PGE-91	NULL	Street Lighting		-	1,764	\$ 293
City of Molalla	6100431374	2953610000	PGE-91	NULL	Street Lighting		-	1,584	\$ 236
City of Molalla	5700384016	9367880000	PGE-32	MOLALLA-YODER	12424 S Toliver Rd		-	1,087	\$ 499
City of Molalla	2730825640	5840720000	PGE-32	MOLALLA-BUCKAROO	300 N MOLALLA AVE	CITY PARK(LONG PARK)	-	1,069	\$ 371
City of Molalla	6100431363	2953610000	PGE-91	NULL	Street Lighting		-	948	\$ 193
City of Molalla	6970721259	8680520000	PGE-32	MOLALLA-BUCKAROO	650 VILLAGE DR NBR HSE	VILLAGE DRIVE	-	940	\$ 366
City of Molalla	6100431351	2953610000	PGE-95	NULL	Street Lighting		-	900	\$ 545
City of Molalla	6100950954	2953610000	PGE-95	NULL	Street Lighting		-	876	\$ 227

\*\*\*Please note that Annual Charges may be inaccurate if accounts have been recently closed or opened.

12 months ending December,

Customer Account Report  
CITY OF MOLALLA

Tyesha Woods 503-464-7593

Name	SP ID	Account	Rate	Feeder	Service Address	DBA	Facility Capacity (kW)	Annual Use (kWh)	Annual Charge
City of Molalla	6100431378	2953610000	PGE-91	NULL	Street Lighting		-	792	\$ 172
City of Molalla	6100431357	2953610000	PGE-91	NULL	Street Lighting		-	516	\$ 124
City of Molalla	8530465467	6902670000	PGE-32	MOLALLA-BUCKAROO	300 N MOLALLA AVE	CITY PARK#2 (LONG PARK)	-	451	\$ 303
City of Molalla	6100431353	2953610000	PGE-91	NULL	Street Lighting		-	360	\$ 64
City of Molalla	6100431377	2953610000	PGE-91	NULL	Street Lighting		-	360	\$ 110
City of Molalla	1600765617	5529450000	PGE-32	MOLALLA-BUCKAROO	106 S Molalla Ave		-	288	\$ 285
City of Molalla	6100431380	2953610000	PGE-95	NULL	Street Lighting		-	216	\$ 67
City of Molalla	6170422875	6022410000	PGE-32	MOLALLA-BUCKAROO	TRAFFIC SIGNAL MOLA AND M/		-	195	\$ 278
City of Molalla	7250268594	1233000000	PGE-32	MOLALLA-FOREST	S FEYRER AND ADAMS	CATHODIC PROTECTION	-	85	\$ 170
City of Molalla	5040450296	9277830000	PGE-32	MOLALLA-BUCKAROO	AT PARK AND SHIRLEY	CLARK PARK	-	12	\$ 255
City of Molalla	6100431352	2953610000	PGE-91	CURTIS-CURTIS 13	Street Lighting		-	-	\$ 1,327
City of Molalla	6100431358	2953610000	PGE-91	CURTIS-CURTIS 13	Street Lighting		-	-	\$ 3,258
City of Molalla	6100431359	2953610000	PGE-91	CURTIS-CURTIS 13	Street Lighting		-	-	\$ 39
City of Molalla	6100431361	2953610000	PGE-91	CURTIS-CURTIS 13	Street Lighting		-	-	\$ 5,055
City of Molalla	6100431364	2953610000	PGE-91	CURTIS-CURTIS 13	Street Lighting		-	-	\$ 753
City of Molalla	6100431365	2953610000	PGE-91	CURTIS-CURTIS 13	Street Lighting		-	-	\$ 8,281
City of Molalla	6100431368	2953610000	PGE-91	CURTIS-CURTIS 13	Street Lighting		-	-	\$ 82
City of Molalla	6100431369	2953610000	PGE-91	CURTIS-CURTIS 13	Street Lighting		-	-	\$ 9
City of Molalla	6100431371	2953610000	PGE-91	CURTIS-CURTIS 13	Street Lighting		-	-	\$ 57
City of Molalla	6100431373	2953610000	PGE-91	CURTIS-CURTIS 13	Street Lighting		-	-	\$ 897
City of Molalla	6100431375	2953610000	PGE-91	CURTIS-CURTIS 13	Street Lighting		-	-	\$ 720
City of Molalla	6100431379	2953610000	PGE-91	CURTIS-CURTIS 13	Street Lighting		-	-	\$ 466
City of Molalla	6100431383	2953610000	PGE-91	CURTIS-CURTIS 13	Street Lighting		-	-	\$ 9
Molalla R F P D 73	5670848660	8186821000	PGE-32	MOLALLA-BUCKAROO	320 N MOLALLA AVE		-	70,720	\$ 7,821
Molalla R F P D 73	0700452912	6041800000	PGE-32	MOLALLA-BUCKAROO	320 N MOLALLA AVE GARG		-	10,902	\$ 1,454
Molalla R F P D 73	6009194867	9154242801	PGE-32	NULL	36715 S Sawtell Rd		-	10,075	\$ 1,394
Molalla R F P D 73	2470461340	6725670000	PGE-32	MULINO-SOUTH	27689 S Highway 213		-	8,639	\$ 1,186
Molalla R F P D 73	2430571624	7995201000	PGE-07	MOLALLA-BUCKAROO	414 N Molalla Ave		-	3,480	\$ 542
<b>TOTAL</b>							<b>648</b>	<b>3,061,832</b>	<b>\$ 350,509</b>

\*\*\*Please note that Annual Charges may be inaccurate if accounts have been recently closed or opened.



## RESOLUTION NUMBER 2020-16

### A RESOLUTION OF THE CITY OF MOLALLA, OREGON, EXTENDING RESOLUTION 2020-06 AND RESOLUTION 2020-07 AND RESOLUTION 2020-10 DECLARING A STATE OF EMERGENCY DUE TO COVID-19

**WHEREAS**, Molalla City Council adopted Resolution No. 2020-06 effective March 23, 2020 declaring a state of emergency for the City of Molalla in response to the COVID-19 pandemic; and

**WHEREAS**, Resolution No. 2020-06 was scheduled to expire on April 28, 2020 unless terminated or extended by Order of the City Council; and

**WHEREAS**, Resolution No. 2020-07 extending Resolution No. 2020-06 was scheduled to expire on May 30, 2020 unless terminated or extended by Order of the City Council; and

**WHEREAS**, Resolution No. 2020-10 extending Resolution No. 2020-07 was scheduled to expire on June 30, 2020 unless terminated or extended by Order of the City Council; and

**WHEREAS**, COVID-19 continues to present a high potential threat to public health and safety, the duration of which is still unknown.

**NOW THEREFORE, the City Council of the City of Molalla declares:**

1. The declaration of emergency is still needed to address the City's ability to respond and recover from this emergency.
2. Resolution No. 2020-10 is hereby extended and will expire when Clackamas County enters Phase III, unless terminated or extended by Order of the City Council.

Adopted this 8<sup>th</sup> day of July 2020.

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Keith Swigart, Mayor

ATTEST:

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Christie DeSantis, City Recorder

# City of Molalla

## City Council Meeting



### Agenda Category: Ordinances & Resolutions

**Subject:** Mobile Food Unit Temporary Standards

**Recommendation:** Adopt Ordinance 2020-08

**Date of Meeting to be Presented:** July 8, 2020

**Fiscal Impact:** Planning Fee and Business License Revenue

**Background:**

Attached Ordinance 2020-08 adopts and establishes section 17-2.3.220 of the Molalla Municipal Code allowing mobile food units to operate within the C1 and C2 commercial zone within the City of Molalla. Upon completion of a community wide mobile food unit survey in the fall of 2019, staff determined that citizens strongly support mobile food units as part of the city's business landscape. Currently, mobile food units are not included in Molalla Municipal Code and therefore these businesses cannot operate within city limits.

Staff presented the results of the community survey to both City Council and Planning Commission in the fall of 2019. Due to the positive support of mobile food units within our community, staff has determined it is in the city's best interest to proceed forward with an Ordinance allowing mobile food units to operate within our C1 and C2 commercial zone temporarily, until such time staff can prepare municipal code language to present to the Planning Commission for further review and final code language.

**SUBMITTED BY:** Dan Zinder, Associate Planner

**APPROVED BY:** Dan Huff, City Manager



## ORDINANCE NUMBER 2020-08

### AN ORDINANCE OF THE CITY OF MOLALLA, OREGON. ADOPTING AND ESTABLISHING SECTION 17-2.3.220 MOBILE FOOD UNITS TEMPORARY STANDARDS IN THE MOLALLA MUNICIPAL CODE.

**WHEREAS**, City of Molalla has not established mobile food units within City's Development Code; and

**WHEREAS**, City staff has determined that the community supports mobile food units; and

**WHEREAS**, Mobile food units meet the needs and desires of the citizens.

**Now, Therefore, the City of Molalla Resolves as follows:**

**Section 1.** Section 17-2.3.220 Mobile Food Units Temporary Standards in the Molalla Municipal Code are adopted with this Ordinance.

**Section 2:** Mobile Food Units Temporary Standards are established in attached Exhibit "A."

**Section 3. Effective Date.** The effective date of this code addition will take place thirty (30) calendar days after adoption of the Ordinance

Signed this 8<sup>th</sup> day of July 2020.

---

Mayor Keith Swigart

ATTEST:

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Christie DeSantis, City Recorder



## **Mobile Food Units**

### **A. Applicability.**

The following provisions apply to mobile food units not located within a building. The provisions do not apply to indoor mobile food units or mobile food units allowed pursuant to a special event permit issued by the city.

### **B. General Requirements.**

1. Mobile food units shall primarily sell food items.
2. Mobile food units shall operate in the commercial zone only.
3. Mobile food units shall have a valid Molalla business license.
4. Mobile food units shall not sell cannabis, in any form.
5. Mobile food units shall not be located within the public right-of-way.
6. Mobile food units shall maintain continuous compliance with applicable federal, state, and city standards.
7. Discharge or leakage draining into the stormwater system is prohibited. Wastewater shall not be dumped onto the ground, onto the streets, or into a storm drain. All liquid waste from the waste tank or from cleaning activities such as cleaning the mobile food cart shall be captured and properly disposed of by septic service.
8. Temporary utilities, lines and tanks shall be placed underground or otherwise screened, covered, or hidden from view from the right-of-way as to minimize visual impacts and prevent tripping hazards or other unsafe conditions.
9. Power connections may not be connected by overhead wires to the individual mobile food units.
10. Comply with the stormwater and grading design standards for additional impervious surfaces.
11. Mobile food units, equipment, customer service areas, or any associated item may not be located within the public right-of-way.
12. Parking lots, refuse and recycling areas, outdoor lighting, fencing, and structures (other than the mobile food units) are subject to compliance with site plan and design review standards MMC 17-4.3. Mobile food units are exempt from MMC 17-3.5 unless otherwise identified below.
13. Mobile food unit owners are responsible for maintaining the mobile unit and the adjacent site area in a neat and clean condition. This includes, but is not limited to, regular maintenance and cleaning of the exterior of the mobile food unit to avoid rust and peeling paint, repair of broken or sagging awnings, canopies, platforms, counters, benches, tables, umbrellas, and other structures used by customers adjacent to the mobile food unit.

### **C. Design Standards.**

1. Mobile food units can remain on a property for eight (8) hours or less in a twenty-four-hour period and shall comply with the following:
  - a. Standards related to the site.**
    - i. Be limited to three food units on a property at any one time;
    - ii. Maintain the minimum number of parking stalls and minimum drive aisle widths and parking lot requirements; and
    - iii. Not result in the reduction of landscaping less than the minimum for the site zoning.
  - b. Standards related to the mobile food unit.**
    - i. Comply with nuisance regulations in MMC 8.05.030;
    - ii. Comply with MMC 17-2.3.150(C) for all temporary structures associated with the mobile food cart units (except for the unit itself);
    - iii. Connect to individual wastewater holding tanks at all times; and
    - iv. Connect to a potable water tank at all times.

### **D. Process.**

1. A Type I site plan and design review shall be submitted for each property in compliance with the standards in MMC 17-2.3.220 with a wastewater/water operations and maintenance plan.
2. Mobile food cart units shall each submit a business license application.

# City of Molalla City Council Meeting



## Agenda Category: General Business

**Subject:** Consideration of Planning Department Fee Resolution 2020-09

**Recommendation:** Approve Resolution 2020-09

**Date of Meeting to be Presented:** July 8, 2020

**Fiscal Impact:** The proposed fee resolution will recover more Planning administrative costs associated with reviewing development permits.

**Background:**

Attached Resolution 2020-09 repeals the former Planning Department fee schedule from 2013. Upon evaluating the 2013 fees, staff found that the Planning Department was not recovering administrative staff costs associated with reviewing development permits. Furthermore, Molalla's fees are considerably lower than most peer cities. Staff reviewed fees for these peer cities:

- Canby
- Estacada
- Oregon City
- Sandy
- Silverton
- Woodburn; and
- Clackamas County

Staff discussed the proposed fee schedule in a City Council Work Session on April 22, 2020. Some City Council members were concerned that three fees may be too high for Molalla residents. In response to that discussion, staff reduced the proposed tree fee from \$50 to \$25. In addition, staff reduced the proposed "Historic Designation or Removal fee from \$2,000 to \$1,000 and revised and reduced the Type II Residential Site Design Review fee scale.

SUBMITTED BY: Dan Zinder, Associate Planner  
APPROVED BY: Dan Huff, City Manager





## RESOLUTION NUMBER 2020-09

### A RESOLUTION OF THE CITY OF MOLALLA, OREGON. REPEALING RESOLUTION 2013-17 AND ESTABLISHING APPROPRIATE ADMINISTRATIVE PLANNING DEPARTMENT CHARGES.

**WHEREAS,** City of Molalla had established a Resolution that incorporated a fee schedule for all departments; and

**WHEREAS,** The City of Molalla determined the fee schedule is an inaccurate way to track and impose various fees; and

**WHEREAS,** City staff have now separated the fee schedule per each department to better meet the needs of the City.

**Now, Therefore, the City of Molalla Resolves as follows:**

**Section 1.** Planning fees adopted in prior Resolutions are removed and superseded by this resolution.

**Section 2:** The Planning Department Administrative Fees are established in attached Exhibit "A."

**Section 3.** Effective immediately upon passage.

Adopted this 8<sup>th</sup> day of July 2020.

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Mayor Keith Swigart

ATTEST:

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Christie DeSantis, City Recorder

# Molalla Planning Department Fees

<b>Building Permit Plan Reviews</b>	
<b>Application Type</b>	<b>Proposed Fee</b>
<b>Residential</b>	
Single Family Residence or Accessory Dwelling Unit	\$400.00
Duplex	\$500.00
Multifamily	\$575 + \$75 per unit up to 20 units; \$15 per unit over 20 units
Accessory Buildings, Non-Living Space	\$100.00
Non-Exempt Remodels Not Increasing Square Footage	\$200.00
Residential Additions	\$200.00
<b>Non-Residential</b>	
0-5,000 Square Feet	\$400.00
5,001-10,000 Square Feet	\$500.00
10,001-50,000 Square Feet	\$750.00
50,001-100,000 Square Feet	\$850.00
More than 100,000 Square Feet	\$1,000.00
Parking Lot/Paving/Landscaping	\$350.00
Tenant Improvements and Remodels Not Increasing Square Footage	\$400.00
<b>Demolitions</b>	<b>\$100.00</b>

Page 1 – Exhibit “A” of Resolution 2020-09

<b>Land Use Applications</b>	
<b>Application Type</b>	<b>Proposed Fee</b>
<b>Adjustment</b>	\$500.00
<b>Annexation</b>	<b>Base Fee:</b> \$3,500 Plus \$3,000 deposit if election required
<b>Appeal</b>	<b>Type II:</b> \$250 <b>Type III:</b> \$1,000
<b>Code Interpretation Application</b>	<b>Type I:</b> \$500 <b>Type II:</b> \$1,000 <b>Type IV:</b> \$3,000
<b>Comprehensive Plan Amendment</b>	\$3,500.00
<b>Conditional Use</b>	\$2,500.00
<b>Historic Designation or Removal</b>	\$1,000.00
<b>Master Plan</b>	<b>Concept Plan</b> - \$3,000 <b>Detailed Development Plan</b> - \$1,500 <b>Site Design Review</b> - \$1,500
<b>Modification</b>	<b>Type I:</b> \$200 <b>Type II:</b> \$750 <b>Type IV:</b> \$3,000
<b>Nonconforming Use</b>	\$1,500.00
<b>Partition (Type II)</b>	<b>Preliminary Plat:</b> \$1,500 <b>Final Plat:</b> \$300
<b>Property Line Adjustment</b>	\$500.00
<b>Site Design Review</b>	<b>Type II Residential Zone:</b> 1% of Project Value (\$500 Min; \$1500 Max) <b>Type II All Other Zones:</b> \$1,500 <b>Type III:</b> \$3,000
<b>Subdivision -- Final Plat</b>	\$500.00
<b>Subdivision -- Preliminary Plat</b>	\$3,000.00
<b>Temporary Use</b>	\$400.00
<b>Type I Procedure</b>	\$150.00
<b>Variance</b>	\$2,500.00
<b>Zone Change</b>	\$3,000.00



<b>Miscellaneous</b>	
<b>Application Type</b>	<b>Proposed Fee</b>
<b>Addressing</b>	\$50.00
<b>LUCS Review for State Permit</b>	\$200.00
<b>Pre-Application Meeting</b>	<b>Type II: \$400</b> <b>Type III: \$750</b>
<b>Sign</b>	\$75.00
<b>Tree Removal</b>	\$25.00

Page 3 – Exhibit “A” of Resolution 2020-09

DRAFT

# City of Molalla

## City Council Meeting



### Agenda Category: General Business

**Subject:** Cybersecurity Policy

**Recommendation:** To adopt Cybersecurity Policy

**Date of Meeting to be Presented:** July 8, 2020

**Fiscal Impact:**

**Background:**

We are adding Cybersecurity this year to our insurance policy, but we must have an internal policy that gets signed by each of our employees or anyone using our computers. CIS has recommended this attached policy and has been approved by MCC that takes care of our IT security for the city.

Recommended Motion: Approve Security Policy

**SUBMITTED BY:** Chaunee Seifried, Finance Director  
**APPROVED BY:** Dan Huff, City Manager



# **CITY OF MOLALLA**

## **Cybersecurity Policy**

**Approved by City Council:  
July 8, 2020**



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## Objective

The focus of this policy is to help City of Molalla meet its objectives. We recognize that information and the protection of information is required to serve our citizens. We seek to ensure that appropriate measures are implemented to protect our citizen's information. This Cybersecurity Policy is designed to establish a foundation for an organizational culture of security. This policy will be reviewed annually and approved by the City Manager

The purpose of this policy is to clearly communicate the City of Molalla security objectives and guidelines to minimize the risk of internal and external threats while taking advantage of opportunities that promote our objectives.

This policy applies, to all City of Molalla elected officials, employees, contractors, consultants, and others specifically authorized to access information and associated assets owned, operated, controlled, or managed by City of Molalla. Additionally, leadership must ensure that all contracts and similar agreements with business partners and service providers incorporate appropriate elements of this policy.

## Compliance

Oregon public entities must comply with the Oregon Identity Theft Protection Act, ORS 646A.600 – 628. ORS 646A.622 (d) requires the implementation of a Cybersecurity program. Non-compliance with this policy may pose risks to the organization; accordingly, compliance with this program is mandatory. Failure to comply may result in failure to obtain organizational objectives, legal action, fines and penalties. Breaches with the potential to impact more than 250 individuals must be reported to the Oregon Department of Justice.

<https://www.doj.state.or.us/consumer-protection/id-theft-data-breaches/data-breaches/>

## ***Roles and Responsibilities***

City of Molalla has appointed the following roles and responsibilities to execute and monitor the policies described in this document.

### RISK MANAGER

- Ensure that a written Cybersecurity Policy is developed and implemented.
- Confirm identification, acquisition, and implementation of information system software and hardware.
- Identify all Personally Identifiable Information.
- Ensure implementation, enforcement, and effectiveness of IT Security policies and procedures.
- Facilitate an understanding and awareness that security requires participation and support at all organizational levels.

- Oversee daily activities and use of information systems to ensure employees, business partners, and contractors adhere to these policies and procedures.

Employees and Contractors

- See Appendix A - Acceptable Use Policy

**Identify, Protect, Detect, Respond, and Recover**

The following sections outline City of Molalla requirements and minimum standards to facilitate the secure use of organizational information systems. The information presented in this policy follows the format of the control families outlined in the National Institute of Standards and Technology (NIST) Cybersecurity Framework (NIST CSF): **Identify, Protect, Detect, Respond, and Recover**.

The scope of security controls addressed in this policy focus on the activities most relevant to City of Molalla as defined by the Center for Internet Security (CIS) and industry best practices. Questions related to the interpretation and implementation of the requirements outlined in this policy should be directed to the Risk Manager.

**IDENTIFY (ID)**

Objective: To develop the organization’s understanding that’s necessary to manage cybersecurity risk to systems, people, assets, data, and capabilities.

**Asset Management**

An inventory of all approved hardware and software on City of Molalla network and systems will be maintained in a computer program or spreadsheet that documents the following:

- The employee in possession of the hardware or software.
- Date of purchase.
- Amount of purchase.
- Serial number.
- Type of device and description.
- A listing of software or devices that have been restricted.

**Personally Identifiable Information (PII)**

An inventory of all PII information by type and location will be taken. The following table may be useful to inventory PPI.

Location	PII by type	Essential	Location	Owner
Website				
Contractors				
File in staff office				
File in building				



File offsite				
Desk top				
HR System				
Financial System				
Laptop				
Flash drive				
Cell phones				
Tablets				
Other				

Each manager will determine if PII is *essential*. If PII is not essential, it will either not be collected, or (if collected) will be destroyed. Do not collect sensitive information, such as a Social Security numbers, if there is no legitimate business need. If this information does serve a need, apply your entity’s record retention plan that outlines what information must be kept, and dispose of it securely once it is no longer required to maintain.

All PII no longer needed shall be shredded if in paper form or destroyed by IT if in electronic form.

The Oregon Identity Theft Protection Act prohibits anyone (individual, private or public corporation, or business) who maintains Social Security numbers from:

- Printing a consumer's SSN on any mailed materials not requested by the consumer unless redacted
- Printing a consumer's SSN on a card used by the consumer that is required to access products or services
- Publicly posting or displaying a consumer's SSN, such as on a website

Exceptions include requirements by state or federal laws, including statute records (such as W2s, W4s, 1099s, etc.) that are required by law to be made available to the public, for use for internal verification or administrative processes, or for enforcing a judgment or court order.

**PROTECT (PR)**

Objective: To develop and implement appropriate safeguards to ensure the delivery of critical services.

***Identity Management, Authentication and Access Control***

MCC is responsible for ensuring that access to the organization’s systems and data is appropriately controlled. All systems housing City of Molalla data (including laptops, desktops, tablets, and cell phones) are required to be protected with a password or other form of authentication. Except for the instances noted in this policy, users with access to City of Molalla systems and data are not to share passwords with anyone.

City of Molalla has established following password configuration requirements for all systems and applications (where applicable):

- Minimum password length: 8 characters
- Password complexity: requires alphanumeric and special characters
- Prohibited reuse for four (4) iterations
- Changed periodically every 90 days
- Invalid login attempts set to three
- Automatic logout due to inactivity = 30 minutes

Other potential safeguards include:

- Not allowing PII on mobile storage media
- Locking file cabinets
- Not allowing PII left on desktops
- Encrypting sensitive files on computers
- Requiring password protection
- Implementing the record retention plan and destroying records no longer required

Where possible, multi-factor authentication will be used when users authenticate to the organization's systems.

- Users are granted access only to the system data and functionality necessary for their job responsibilities.
- Privileged and administrative access is limited to authorized users who require escalated access for their job responsibilities and where possible will have two accounts: one for administrator functions and a standard account for day to day activities.
- All user access requests must be approved MCC.
- It is the responsibility of Risk Manager to ensure that all employees and contractors who separate from the organization have all system access removed within 72 hours.

On an annual basis, a review of user access will be conducted under the direction Risk Manager to confirm compliance with the access control policies outlined above.

### ***Awareness and Training***

City of Molalla personnel are required to participate in security training in the following instances:

1. All new hires are required to complete security awareness training before receiving login credentials.
2. Formal security awareness refresher training is conducted on an annual basis. All employees are required to participate in and complete this training.

Upon completion of training, participants will review and sign the ***Acceptable Use Policy*** included in Appendix A.

Two online classes are available through the CIS Learning Center at [learn.cisoregon.org](http://learn.cisoregon.org):  
“*Cyber Threats and Best Practices to Confront Them*” and “*Cyber Security Basics*.”

On an annual basis, MCC will conduct email phishing exercises of its users. The purpose of these tests is to help educate users on common phishing scenarios. It will assess their level of awareness and comprehension of phishing, understanding and compliance with policy around safe handling of e-mails containing links and/or attachments, and their ability to recognize a questionable or fraudulent message.

## **Data Security**

### Data Classification

You must adhere to your Records Retention Policy regarding the storage and destruction of data. Data residing on corporate systems must be continually evaluated and classified into the following categories:

- **Employees Personal Use:** Includes individual user's personal data, emails, documents, etc. This policy excludes an employee's personal information, so no further guidelines apply.
- **Marketing or Informational Material:** Includes already-released marketing material, commonly known information, data freely available to the public, etc. There are no requirements for public information.
- **Operational:** Includes data for basic organizational operations, communications with vendors, employees, etc. (non-confidential). The majority of data will fall into this category.
- **Confidential:** Any information deemed confidential. The following list provides guidelines on what type of information is typically considered confidential. Confidential data may include:
  - Employee or customer Social Security numbers or personally identifiable information (PII)
  - Personnel files
  - Medical and healthcare information
  - Protected Health Information (PHI)
  - Network diagrams and security configurations
  - Communications regarding legal matters
  - Passwords/passphrases
  - Bank account information and routing numbers
  - Payroll information
  - Credit card information
  - Any confidential data held for a third party (be sure to adhere to any confidential data agreement covering such information)

### Data Storage

The following guidelines apply to storage of the different types of organizational data.



- **Operational:** Operational data should be stored on a server that gets the most frequent backups (refer to the Backup Policy for additional information). Some type of system- or disk-level redundancy is encouraged.
- **Confidential:** Confidential information must be removed from desks, computer screens, and common areas unless it is currently in use. Confidential information should be stored under lock and key (or keycard/keypad), with the key, keycard or code secured.

#### Data Transmission

The following guidelines apply to the transmission of the different types of organizational data.

- **Confidential:** Confidential data must not be 1) transmitted outside the organization's network without the use of strong encryption, 2) left on voicemail systems, either inside or outside the organization's network.

#### Data Destruction

You must follow your records retention policy before destroying data.

- **Confidential:** Confidential data must be destroyed in a manner that makes recovery of the information impossible. The following guidelines apply:
  - Paper/documents: Cross-cut shredding is required.
  - Storage media (CD's, DVD's): Physical destruction is required.
  - Hard drives/systems/mobile storage media: At a minimum, data wiping must be used. Simply reformatting a drive does not make the data unrecoverable. If wiping is used, the organization must use the most secure commercially-available methods for data wiping. Alternatively, the organization has the option of physically destroying the storage media.

#### Data Storage

Stored Data includes any data located on organization-owned or organization-provided systems, devices, media, etc. Examples of encryption options for stored data include:

- Whole disk encryption
- Encryption of partitions/files
- Encryption of disk drives
- Encryption of personal storage media/USB drives
- Encryption of backups
- Encryption of data generated by applications

Data while transmitted includes any data sent across the organization network or any data sent to or from an organization-owned or organization-provided system. Types of transmitted data that shall be encrypted include:

- VPN tunnels

- Remote access sessions
- Web applications
- Email and email attachments
- Remote desktop access
- Communications with applications/databases

### ***Information Protection Processes and Procedures***

#### Secure Software Development

Where applicable, all software development activities performed by City of Molalla or by vendors on behalf of the organization shall employ secure coding practices including those outlined below.

A minimum of three software environments for the development of software systems should be available – development, quality assurance, and a production environment. Software developers or programmers are required to develop in the development environment and promote objects into the quality assurance and production environments. The quality assurance environment is used for assurance testing by the end user and the developer. The production environment should be used solely by the end user for production data and applications. Compiling objects and the source code is not allowed in the production environment. The information technology manager or an independent peer review will be required for promotion objects into the production environment.

- All production changes must be approved before being promoted to production.
- Developers should not have the ability to move their own code.
- All production changes must have a corresponding help desk change request number.
- All production changes must be developed in the development environment and tested in the quality assurance environment.
- All emergency changes must be adequately documented and approved.

Software code approved for promotion will be uploaded by [TITLE] to the production environment from the quality assurance environment once the change request is approved. The [TITLE] may work with the developer to ensure proper placement of objects into production.

#### Contingency Planning

The organization's business contingency capability is based upon MCC backups of all critical business data. This critical data is defined as all Law Enforcement, Administration, Finance, Court, Public Works, Planning Full data backups will be performed on a daily basis. Confirmation that backups were performed successfully will be conducted regularly. Testing of cloud backups and restoration capability will be performed on a regular basis.

During a contingency event, all IT decisions and activities will be coordinated through and under the direction of the Risk Manager.

The following business contingency scenarios have been identified along with the intended responses:

- In the event that one or more of City of Molalla's systems or applications are deemed corrupted or inaccessible, the MCC will work with the respective vendor(s) to restore data from the most recent backup and, if necessary, acquire replacement hardware.
- In the event that the location housing the City of Molalla systems are no longer accessible, the Risk Manager will work with the respective vendor(s) to acquire any necessary replacement hardware and software, implement these at one of the organization's other sites, and restore data from the most recent backup.

*As an important reminder, CIS covers data reproduction (subject to a deductible) for only one week.*

### Network Infrastructure

The organization will protect the corporate electronic communications network from the Internet by utilizing a firewall. For maximum protection, the corporate network devices shall meet the following configuration standards:

- Vendor recommended, and industry standard configurations will be used.
- Changes to firewall and router configuration will be approved by Risk Manager and MCC.
- Both router and firewall passwords must be secured and difficult to guess.
- The default policy for the firewall for handling inbound traffic should be to block all packets and connections unless the traffic type and connections have been specifically permitted.
- Inbound traffic containing ICMP (Internet Control Message Protocol) traffic should not be passed in from the Internet, or from any un-trusted external network.
- All web services running on routers must be disabled.
- Simple Network Management Protocol (SNMP) Community Strings must be changed from the default "public" and "private".

### Network Servers

Servers typically accept connections from several sources, both internal and external. As a general rule, the more sources that connect to a system, the more risk associated with that system, so it is particularly important to secure network servers. The following statements apply to the organization's use of network servers:

- Unnecessary files, services, and ports should be removed or blocked. If possible, follow a server-hardening guide, which is available from the leading operating system manufacturers.
- Network servers, even those meant to accept public connections, must be protected by a firewall or access control list.
- If possible, a standard installation process should be developed for the organization's network servers. A standard process will provide consistency across servers no matter what employee or contractor handles the installation.



- Clocks on network servers should be synchronized with the organization's other networking hardware using NTP or another means. Among other benefits, this will aid in problem resolution and security incident investigation.

### Network Segmentation

Network segmentation is used to limit access to data within the City of Molalla network based upon data sensitivity. City of Molalla maintains two wireless networks. The *guest* wireless network is password protected, and proper authentication will grant the user internet access only. Access to the *secure* wireless network is limited to [ORGANZIATION] personnel and provides the user access to the intranet.

*The following paragraph can be included if a third-party vendor is used for network administration:*

Under the direction of the City Manager the third-party network administrator manages the network user accounts, monitors firewall logs, and operating system event logs. The City Manager authorizes vendor access to the system components as required for maintenance.

#### **Additional Considerations**

Does the organization employ industry-accepted configurations/standards for mobile devices, laptops, workstations, and other hardware and software?

### ***Protective Technology***

#### Email Filtering

A good way to mitigate email related risk is to filter it before it reaches the user so that the user receives only safe, business-related messages. City of Molalla will filter email at the Internet gateway and/or the mail server. This filtering will help reduce spam, viruses, or other messages that may be deemed either contrary to this policy or a potential risk to the organization's IT security.

Additionally, [EMAIL OR ANTI-MALWARE PROGRAMS] may have been implemented to identify and quarantine emails that are deemed suspicious. This functionality may or may not be used at the discretion of the IT Manager.

#### Network Vulnerability Assessments

On a regular basis, City of Molalla will perform both internal and external network vulnerability assessments. The purpose of these assessments is to establish a comprehensive view of the organization's network as it appears internally and externally. These evaluations will be conducted under the direction of MCC to identify weaknesses with the network configuration that could allow unauthorized and/or unsuspected access to the organization's data and systems.

As a rule, "penetration testing," which is the active exploitation of organization vulnerabilities, is discouraged. If penetration testing is performed, it must not negatively impact organization systems or data.

#### **Additional Considerations**

Does the organization have technologies (e.g., web proxies/web filtering) in place that limit a user's access to dangerous or malicious sites?

Does the organization monitor the flow of data across the network?

Does the organization employ web application firewalls on web servers, if you host your own website?

### **DETECT (DE)**

Definition: Develop and implement appropriate activities to identify the occurrence of a cybersecurity event.

#### ***Anomalies and Events***

The following logging activities are conducted by MCC under the direction of MCC:

- Domain Controllers - Active Directory event logs will be configured to log the following security events: account creation, escalation of privileges, and login failures.
- Application Servers - Logs from application servers (e.g., web, email, database servers) will be configured to log the following events: errors, faults, and login failures.
- Network Devices - Logs from network devices (e.g., firewalls, network switches, routers) will be configured to log the following events: errors, faults, and login failures.

Passwords should not be contained in logs.

Logs of the above events will be reviewed by the [POSITION] at least once per month. Event logs will be configured to maintain record of the above events for three months.

#### ***Security Continuous Monitoring***

##### Anti-Malware Tools

All organization servers and workstations will utilize MCC to protect systems from malware and viruses. Real-time scanning will be enabled on all systems and weekly malware scans will be performed. A monthly review of the dashboard will be conducted by MCC to confirm the status of virus definition updates and scans.

City of Molalla utilizes MCC to protect mobile devices from malware and viruses.

##### Patch management

All software updates and patches will be distributed to all City of Molalla system as follows:

- Workstations will be configured to install software updates every week automatically.

- Server software updates will be manually installed at least monthly.
- Any exceptions shall be documented.

**Additional Considerations**

Does the organization manage the ongoing use of ports, protocols, and services on networked devices to minimize vulnerabilities?

**RESPOND (RS)**

Definition: Develop and implement appropriate activities to take action regarding a detected cybersecurity incident.

***Response Planning***

The organization's annual security awareness training shall include direction and guidance for the types of security incidents users could encounter, what actions to take when an incident is suspected, and who is responsible for responding to an incident. A security incident, as it relates to the City of Molalla's information assets, can be defined as either an Electronic or Physical Incident.

[TITLE] is responsible for coordinating all activities during a significant incident, including notification and communication activities. They are also responsible for the chain of escalation and deciding if/when outside agencies, such as law enforcement, need to be contacted.

Electronic Incidents

This type of incident can range from an attacker or user accessing the network for unauthorized/malicious purposes to a virus outbreak or a suspected Trojan or malware infection. When an electronic incident is suspected, the steps below should be taken in order.

1. Remove the compromised device from the network by unplugging or disabling network connection. Do not power down the machine.
2. Report the incident to the City Manager or the Risk Manager.
3. Contact the third-party service provider (and/or computer forensic specialist) as needed.

**The remaining steps should be conducted with the assistance of the third-party IT service provider and/or computer forensics specialist.**

4. Disable the compromised account(s) as appropriate.
5. Backup all data and logs on the machine, or copy/image the machine to another system.
6. Determine exactly what happened and the scope of the incident.
7. Determine how the attacker gained access and disable it.
8. Rebuild the system, including a complete operating system reinstall.
9. Restore any needed data from the last known good backup and put the system back online.

10. Take actions, as possible, to ensure that the vulnerability will not reappear.
11. Conduct a post-incident evaluation. What can be learned? What could be done differently?

### Physical Incidents

A physical IT security incident involves the loss or theft of a laptop, mobile device, PDA/Smartphone, portable storage device, or other digital apparatus that may contain organization information. All instances of a suspected physical security incident should be reported immediately to the [TTLE] or [TITLE].

### Notification

If an electronic or physical security incident is suspected of having resulted in the loss of third-party/customer data, notification of the public or affected entities should occur.

1. Contact CIS Claims at [claims@cisoregon.org](mailto:claims@cisoregon.org).
2. Inform your attorney
3. Complete this form if the breach involves more than 250 records.  
<https://justice.oregon.gov/consumer/DataBreach/Home/Submit>

### **RECOVER (RC)**

Recovery processes and procedures are executed and maintained to ensure timely restoration of systems and/or assets affected by cybersecurity events.

CIS will help with the recovery process. CIS may provide forensics services, breach coaching services, legal services, media services and assist in paying for notification expenses. The CIS claims adjuster will discuss with you the coverages and services offered by CIS.

MCC is responsible for managing and directing activities during an incident, including the recovery steps.

Recovery planning and processes are improved by incorporating lessons learned into future activities.

Restoration activities are coordinated with internal and external parties, such as coordinating centers, Internet service providers, owners of the affected systems, victims, and vendors.

External communications should only be handled by designated individuals at the direction of MCC. Recovery activities are communicated to internal stakeholders, executives, and management teams.



## Appendix A – Acceptable Use Policy

The intention of this Acceptable Use Policy is not to impose restrictions that are contrary to City of Molalla established culture of openness, trustworthiness, and uprightness. Understanding and adhering the organization's IT security policies is necessary to protect our employees and organization from illegal or damaging actions by individuals, either knowingly or unknowingly. Effective security is a team effort involving the participation and support of every employee. It is the responsibility of every computer user to know these guidelines and to conduct their activities accordingly.

### **Purpose**

The purpose of this policy is to outline the acceptable use of computer equipment, email, and internet access at all locations. These rules are in place to protect the employee and the organization. Inappropriate use exposes the organization to risks including virus attacks, compromises of network systems and services, and legal liability.

### **Scope**

This policy applies to both permanent and temporary employees of the organization. This policy applies to all equipment that is owned or leased by the organization. This policy is a supplement to the *City of Molalla Cybersecurity Policy*.

### **1.0 Policy**

The following actions shall constitute unacceptable use of the corporate network. The list also provides a frame of reference for types of activities that are deemed unacceptable. The user may not use the corporate network and/or systems to:

1. Engage in an activity that is illegal under local, state, federal, or international law.
2. Engage in any activities that may cause embarrassment, loss of reputation, or other harm to the organization.
3. Disseminate defamatory, discriminatory, vilifying, sexist, racist, abusive, threatening, obscene or otherwise inappropriate messages or media.
4. Engage in activities that cause an invasion of privacy.
5. Engage in activities that cause disruption to the workplace environment or create a hostile workplace based on a legally protected class.
6. Make fraudulent offers for products or services.
7. Install, download or distribute unlicensed or "pirated" software.
8. Reveal personal or network passwords to others, including family, friends, or other members of the household when working from home or remote locations.

### **Email**

The following activities are strictly prohibited:

1. Using the email system to send or forward pornographic material.

2. Using the email system for any form of harassment whether through language, content, frequency or size of the message.
3. Sending unsolicited bulk email messages, including the sending of “junk mail” or other advertising materials to individuals who did not specifically request such material (email spam).
4. Sending or forwarding emails of a non-business nature to the “All Employee” list.
5. Sending or forwarding emails of a non-business nature with either an excessive number of attachments or attachments of excessive size (examples would be emails with numerous photos, video clips, or large PowerPoint presentations).
6. Creating or forwarding “chain letters,” “Ponzi” schemes or other get rich quick “pyramid” schemes of any type.
7. Using the email system in a manner that would violate the City of Molalla Cybersecurity Policy.
8. Opening file attachments with file extensions such as .vbs, .exe, .com, or .sys.

### *Social Networking/Blogging*

The following applies to social networking/blogging:

1. Employees are discouraged from using employer-owned equipment, including computers, organizationally licensed software or other electronic equipment, or organization time to conduct personal blogging. Social networking activities are discouraged.
2. Employees are expected to protect the privacy of the organization and its employees and are prohibited for disclosing personal employee and nonemployee information and any other proprietary and nonpublic information to which the employees have access.
3. Management strongly urges employees to report any violations or possible violations or perceived violations to supervisors or managers. Management investigates and responds to all reports of violations of the social networking policy and other related policies.
4. Only executive management are authorized to remove any content that does not meet the rules and guidelines of the policy or that may be illegal or offensive.
5. Views of the individual employee are not ever attributed to the City of Molalla.
6. Posts must comply with existing policies re harassment and discrimination.
7. Posts must comply with existing policies re confidentiality and improper disclosures.
8. Online activities must not interfere or negatively affect work tasks or [City/County/Entity], except for “Concerted Activities.”
9. Employees must not reference City of Molalla or its services in the employee’s social medial posts, except for “Concerted Activities.”
10. City of Molalla logos should not be used in the employee’s social media posts, except for “Concerted Activities.”
11. Posts must not violate copyright laws.
12. Consult the Employee Personnel Handbook for further clarification.

### *Clean Desk*

A significant amount of confidential customer information is maintained in paper-based form. All staff members are responsible for ensuring that this information is properly safeguarded and is not improperly disclosed to unapproved third parties. In order to accomplish this, all employees are responsible for:

1. Ensuring that paper-based information is appropriately monitored and protected.
2. Ensuring that all confidential documents are properly locked-up at the end of each business day. Appropriate methods to secure documents include utilizing locking filing cabinets or desk drawers, etc.
3. Maintaining a “clean desk” or working area throughout the day and ensure there are no confidential documents in open view if absent from their desk for an extended period. This will help to ensure that confidential customer information is not inadvertently disclosed.

### *Computer Usage (Password)*

The following password criteria will be used to access Windows workstations:

1. Minimum password length: 8 characters
2. Password complexity: requires alphanumeric and special characters
3. Prohibited reuse for four (4) iterations
4. Changed periodically every 90 days
5. Invalid login attempts set to three
6. Automatic logout due to inactivity = 30 minutes

### *Portable Devices*

The following Portable Devices are allowed for organization use only:

1. Cell phones
2. Laptops
3. Digital cameras
4. Any type of USB memory device or USB mass storage device

## **2.0 Monitoring**

Employees should have no expectation of privacy for any information they store, send, receive, or access via the organization’s network. Content monitoring of email by management may occur without prior notice. All other monitoring, including but not limited to, internet activity, email volume or size, and other forms of electronic data exchange may occur without prior notice by management.

Monitoring may occur without prior notice of a suspected violation, either in part or in whole, of the Acceptable Use Policy or the *City of Molalla Cybersecurity Policy* is detected or reported.

**3.0 Reporting**

Employees must report to Risk Manager when they learn of a suspected breach of information or have lost a laptop, telephone, or USB memory with City of Molalla information.

**4.0 Enforcement**

Any employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment.

**Signature**

I have received a copy of the organization's Acceptable Use Policy as revised and approved by the management. I have read and understood the policy.

\_\_\_\_\_

(Print your name)

\_\_\_\_\_

(Signature)

\_\_\_\_\_

(Date)



## Appendix B – Confidentiality and Non-Disclosure Agreement

This Confidentiality and Nondisclosure Agreement (the "Agreement") is entered into by and between **City of Molalla** ("Disclosing Party") and [REDACTED] ("Receiving Party") for the purpose of preventing the unauthorized disclosure of Confidential Information as defined below. The parties agree to enter into a confidential relationship with respect to the disclosure of certain proprietary and confidential information ("Confidential Information").

1. **Definition of Confidential Information.** For purposes of this Agreement, "Confidential Information" shall include all information or material that has or could have commercial value or other utility in the business in which Disclosing Party is engaged. Examples of Confidential Information include the following:
  - Employee or customer Social Security numbers or personal information
  - Customer data
  - Entity financial data
  - Product and/or service plans, details, and schematics,
  - Network diagrams and security configurations
  - Communications about entity legal matters
  - Passwords
  - Bank account information and routing numbers
  - Payroll information
  - Credit card information
  - Any confidential data held for a third party
2. **Exclusions from Confidential Information.** Receiving Party's obligations under this Agreement do not extend to information that is: (a) publicly known at the time of disclosure or subsequently becomes publicly known through no fault of the Receiving Party; (b) discovered or created by the Receiving Party before disclosure by Disclosing Party; (c) learned by the Receiving Party through legitimate means other than from the Disclosing Party or Disclosing Party's representatives; or (d) is disclosed by Receiving Party with Disclosing Party's prior written approval.
3. **Obligations of Receiving Party.** Receiving Party shall hold and maintain the Confidential Information in strictest confidence for the sole and exclusive benefit of the Disclosing Party. Receiving Party shall carefully restrict access to Confidential Information to employees, contractors, and third parties as is reasonably required and shall require those persons to sign nondisclosure restrictions that are at least as protective as those in this Agreement. Receiving Party shall not, without the prior written approval of Disclosing Party, use for Receiving Party's own benefit, publish, copy, or otherwise disclose to others, or permit the use by others for their benefit or to the detriment of Disclosing Party, any Confidential Information. Receiving Party shall return to Disclosing Party any and all records, notes, and other written, printed, or tangible materials in its possession pertaining to Confidential Information immediately if Disclosing Party requests it in writing.
4. **Time Periods.** The nondisclosure provisions of this Agreement shall survive the termination of this Agreement and Receiving Party's duty to hold Confidential Information in confidence shall remain in effect until the Confidential Information no longer qualifies as a trade secret

or until Disclosing Party sends Receiving Party written notice releasing Receiving Party from this Agreement, whichever occurs first.

5. Relationships. Nothing contained in this Agreement shall be deemed to constitute either party a partner, joint venturer or employee of the other party for any purpose.
6. Severability. If a court finds any provision of this Agreement invalid or unenforceable, the remainder of this Agreement shall be interpreted so as best to affect the intent of the parties.
7. Integration. This Agreement expresses the complete understanding of the parties with respect to the subject matter and supersedes all prior proposals, agreements, representations, and understandings. This Agreement may not be amended except in a writing signed by both parties.
8. Waiver. The failure to exercise any right provided in this Agreement shall not be a waiver of prior or subsequent rights.

This Agreement and each party's obligations shall be binding on the representatives, assigns, and successors of such party. Each party has signed this Agreement through its authorized representative.

**Disclosing Party**

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Dated: \_\_\_\_\_

**Receiving Party**

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Dated: \_\_\_\_\_