

July 7th, 2022
7:00 pm
City Council Meeting
Audio/Video Teleconference
City Hall Conference Room
48318 E. 1st Street
Oakridge OR, 97463



REGULAR MEETING

1. CALL MEETING TO ORDER

2. Pledge of Allegiance

3. Roll Call

4. Additions, Corrections or Adjustments to the Agenda

5. Public Comment – 30 Minutes

Individual speakers must be recognized by the presiding officer, provide their name and address, and will be allowed up to 3 minutes or less with Council approval. The Council will not engage in any discussion or make any decisions based on public comment at this time. The Council may take comments under advisement for discussion and action at a future Council meeting. The Mayor may direct the city administrator to follow up on comments received.

5.1 Public Comment sent to City Hall asked to be read into the record, attached

6. Mayor Comments / Announcements / Proclamation

7. Council Comments / Announcements

8. Consent Agenda

8.1 Consent Agenda, Meeting Minutes

9. Business from the City Council

9.1 League of Oregon Cities Legislative Priorities Ballot

10. Business from the City Administrator

10.1 Westfir Fire IGA

10.2 Westfir Police IGA

10.3 Lowell Police IGA

11. Staff Reports

12. Items Removed from the Consent Agenda

13. Ordinances, Resolutions and Public Comments

14. Public Hearings

15. Appointments

16. Public Comment

17. Adjourn

18. Executive Session

This will be a remote participation meeting. Citizens have four ways of attending and commenting:

1. Use your computer, tablet or smartphone and go to: <https://us02web.zoom.us/j/3664311610>,

Meeting ID: 3664311610. 2. Use your telephone and dial: +1 669 900 9128. Meeting ID: 366 431 1610.

3. Send comments by email to: cityadministrator@ci.oakridge.or.us by 2pm the day of the meeting.

4. While discouraged due to the pandemic, you may attend in person at City Hall. Masks are required.

Detailed instructions are available at City Hall, on the city website, and the city Facebook page

Accommodation for Physical Impairments: In order to accommodate persons with physical impairments, please notify the City of any special physical or language accommodations you may require as far in advance of the meeting as possible. To make arrangements, Contact City Hall at 541-782-2258. For the hearing impaired, City's TTD Number is 541-782-4232.

Bryan Cutchen
48300 Hills Street
Oakridge, OR

On June 28th, the city council closed out the current fiscal year by passing the FY 22-23 budget, heaping great praise upon each other and themselves for the smoothness and lack of conflict during the process as compared to last year. And yes, it did seem as if the council was of one mind during the budget process.

The budget committee and city council went about this process in a timeframe of three months and feeling flush with revenue, gleefully increased expenditures across the board. A stark contrast to last year's dark deliberations on how to balance the budget, including discussion of a public safety fee. What changed? Outside some belt tightening by the city staff in 2020-2021, absolutely nothing. Except a windfall grant from the American Rescue Plan Act of 2021.

A closer look at the detail underlying the budget summary reveals some significant flaws the city council chose not to correct or could not comprehend.

General Fund (Resources):

On page 3, Line 2: Since no ARPA expenditures or transfers occurred this past year, this number should be at least \$374,000.

In the General Fund (Police):

On page 8, Line 60: The line shows a capital outlay of CMAQ matching funds without a corresponding revenue line entry on Line 54 of the General Fund (Revenue) page 3.

General Fund (Municipal Court):

On page 12, Line 6: No COLA increase was budgeted for court clerk as required by her collective bargaining agreement.

And in the General Fund, (Requirements not Allocated), page 13:

Interfund Transfers Out: \$100,000 of ARPA revenue should have been transferred to the Wastewater Fund to cover an approved ARPA project for I&I.

And on Line 18: The transfer out does not match the corresponding transaction in the Emergency Services Fund.

Line 29: No required entry was made. This should be the sum of all the General Fund departmental appropriated expenditures.

Line 36: No entry. The budget summary indicates it should be 399,309.

Line 37: Because of all the above, requirements don't match expenditures.

Emergency Services Fund - page 16

Line 1 & Line 81: There was no budgeted transfer of ARPA funds to the Emergency Services Fund last year. There was no supplemental budget. The \$100,000 is still in the General Fund.

Oakridge Industrial Park Fund – page 20

Line 1: Fails to recognize a \$350,000 property sale.

Water Fund – page 21

Line 1: The beginning balance brought forward doubled. Looking at the current adopted budget and previous year's budget, this looks questionable. Water revenues can increase no more than CPI-W.

Wastewater Fund – page 23

Line 2: As with the Water Fund, the opening balance looks questionable.

Line 9: There is no transfer of \$100,000 ARPA revenue from the General fund to cover ARPA project on Line 69.

Due to these errors, the General Fund is at least \$200,000 out of balance with expenditures exceeding revenues. With the likelihood of the Public Safety Fee being rescinded, this would put the shortfall at \$440,000, curiously close to the stated shortfall in last year's budget discussion.

Given the inexperience of the city staff, the fact there were some mistakes in the proposed budget is understandable. But to have a highly experienced city council not catch these errors, who combined, have likely been through the budget process over 20 times, is disappointing. Even the self-anointed budget wonk on council did not ferret out these anomalies and voted to adopt this budget.

Some might consider this missive sour grapes given the comparison to the conflict which occurred in last year's budget cycle; however, it is not surprising the budget process this year ran like clockwork. Instead of taking on the difficult issues head on, this city council once again chose to kick the can down the road, through creative budgeting and questionable ARPA accounting. Unfortunately, the end of the road is in sight.

This citizen requests an immediate adoption of a supplemental budget which accurately reflects the city council's apportionment of our tax and fee for service revenue.



April 27, 2022

Regular Session (Via Zoom)
City Hall Conference Room

48318 E 1st Street

7:00 p.m.

MINUTES

1. CALL MEETING TO ORDER- 6:00 pm

Council Present: Mayor Christina Hollett, Councilors, Dawn Kinyon, Audy Spliethof, Melissa Bjarnson, Michelle Coker and Jan Hooker

Staff Present: none

2. Roll Call

****Executive Session ****

ORS 192.660 (2) the governing body of a public body may hold an executive session:

(a) to consider the employment of a public officer, employee, staff member or individual agent.

Regular Session 7:07 pm

Mayor Hollett-asked for any council motions from the executive session.

Motion: Councilor Kinyon moved to direct our City Attorney to give notice to West Coast Cronin Co. to cancel the current contract that we have for City Administrator Pro Tem. Councilor Bjarnson seconded the motion.

Councilor Kinyon-she doesn't feel like Mr. Cronin fulfilled the duties that were laid out in the contract.

Kinyon (aye) Bjarnson (aye), Coker (aye), Spliethof (aye), Hollett (aye), Hooker (aye). Motion passed 6-0

Motion: Councilor Coker moved upon the vacancy of the Pro Tem City Administrator that we appoint Kevin Martin as our Pro Tem City Administrator. Councilor Spliethof seconded the motion.

Kinyon (aye), Bjarnson (aye), Coker (aye), Hollett (aye), Hooker (aye), Spliethof (aye). Motion passed 6-0

Public Comment-none

19. Adjourn 7:12 p.m.

Signed: _____
Christina Hollett, Mayor

Signed: _____
Jackie Taylor, City Recorder



May 5, 2022
Regular Session (Via Zoom)
City Hall Conference Room

48318 E 1st Street

7:00 p.m.

MINUTES

1. CALL MEETING TO ORDER- 7:10 pm – we had internet connection problems at City Hall

Council Present: Mayor Christina Hollett, Councilors Bobbie Whitney, Dawn Kinyon, Audy Spliethof, Melissa Bjarnson, Michelle Coker and Jan Hooker

Staff Present: City Administrator Pro Tem and Police Chief Kevin Martin, Finance Director Colleen Shirley and City Recorder Jackie Taylor

2. Pledge of Allegiance

3. Roll Call

4. Additions, corrections or adjustments to the agenda

Kevin Martin-added 10.3 Budget Calendar and asked to 10.2 to before 9.1

5. Public Comments

Gary Carl 48175 E 1st Street-the council held an executive session for something other than what it was posted for. He is requesting the Hwy 58 Herald be notified when the city council is holding meetings. He is also requesting written minutes and views of the participants.

Trudy Hammond 76349 Willamette Way- When is there going to be activity on the OIP property?

6. Mayor Comments / Announcements / Proclamations

Councilor Whitney-talked about the Tree Planting events, the high school is working on benches for Banner Park, they are just waiting for the park to be ready.

Lynda Kamerrer-thanked the volunteers at Banner Park, she especially thanked Charles Nichols.

7. Council Comments / Announcements

8. Consent Agenda-none

9. Business from the City Council

9.1 Council Chambers update

Mayor Hollett-gave an update on the City Council Chambers at City Hall.

9.2 RTMP Committee recommendations

Kevin- read the issue.

Motion: Councilor Whitney moved to approve the Grant application for the Middle Fork Open event, Westfir 50k and the Triple Summit Challenge. Councilor Kinyon seconded the motion.

Spliethof (aye), Whitney (aye), Coker (aye), Hooker (aye), Hollett (aye), Kinyon (aye), Bjarnson (aye). Motion passed 7-0

10. Business from the City Administrator

10.1 Well No. 2 Bid Submittal & Recommended Award

Kevin-read the issue. Mr Hodges was very pleased with the bid.

Councilor Kinyon-is Well No. 2 project going to finish up the all of the Well projects?

Robeart-we have drilled as many places as possible to maintain water sources, Well No. 2 has always been in the works.

Motion: Councilor Whitney moved to award a bid to Schneider Inc. for work on Well No. 2 and authorize the City Administrator Pro Tem to execute a contract and the Mayor to sign, and all change orders over 10% must go through City Council. Councilor Hooker seconded the motion.

Whitney (aye), Hooker (aye), Kinyon (aye), Spliethof (aye), Hollett (aye), Coker (aye), Bjarnson (aye). Motion passed 7-0

10.2 Street Closure request | Tree Planting Festival

Kevin- read the issue.

Motion: Councilor Whitney moved to approve the event permit application for the Tree Planting Festival Parade street closure and use of non-street legal vehicles in the parade. Councilor Coker seconded the motion.

Kinyon (aye), Bjarnson (aye), Hollett (aye), Spliethof (aye), Whitney (aye), Kinyon (aye), Coker (aye). Motion passed 7-0

Motion: Councilor Whitney moved to approve the event permit application for the use of golf carts on designated city streets. Councilor Hooker seconded the motion.

Hooker (aye), Bjarnson (aye), Hollett (aye), Spliethof (aye), Whitney (aye), Kinyon (aye), Coker (aye). Motion passed 7-0

10.3 Budget Calendar FY 2022-2023

Motion: Councilor Coker moved to approve the updated budget calendar 22-23 with adjustments as presented. Councilor Bjarnson seconded the motion.

Hooker (aye), Bjarnson (aye), Whitney (aye), Kinyon (aye), Hollett (aye), Coker (aye), Spliethof (aye). Motion passed 7-0

11. Reports of Committees

Mayor Hollett-gave an update on the fire department special district committee(s) and progress.

Mayor Hollett-asked Councilor Spliethof if he would relinquish his spot on the committee and asked Councilor Coker to join.

Councilor Whitney- asked Mayor Hollett about the time lines for the special district committees.

Mayor Hollett-gave an update on the special district progress so far.

13. Ordinances, Resolutions & Public Comments-none

- 14. **Public Hearings-none**
- 15. **Appointments-none**
- 16. **Public Comment-none**
- 17. **Adjourn**

Adjourn meeting at 8:22 p.m.

18. Executive Session ORS 192.660 (2) (a) the governing body of a public body may hold an executive session: to consider the employment of a public officer, employee, staff member or individual agent.

Signed: _____
Christina Hollett, Mayor

Signed: _____
Jackie Taylor, City Recorder



May 19 2022
Regular Session (Via Zoom)
City Hall Conference Room

48318 E 1st Street

7:00 p.m.

MINUTES

1. CALL MEETING TO ORDER- 7:00 pm

Council Present: Mayor Christina Hollett, Councilors Bobbie Whitney, Dawn Kinyon, Audy Spliethof, Michelle Coker and Jan Hooker

Staff Present: City Administrator Pro Tem and Police Chief Kevin Martin, Finance Director Colleen Shirley and City Recorder Jackie Taylor

2. Pledge of Allegiance

3. **Roll Call**-Councilor Bjarnson was absent

4. Additions, corrections or adjustments to the agenda

Kevin-added 10.2 Wildfire Safety Night

5. **Public Comments**-none

6. Mayor Comments / Announcements / Proclamations

Mayor Hollett-announced the *If I were Mayor* Contest winner.

7. Council Comments / Announcements

Councilor Whitney-for a future discussion she would like to discuss having a volunteer appreciation event. We have a lot of great volunteers.

Mayor Hollett-that is a great idea.

Councilor Kinyon-we need to add to the agenda discussion on the petition regarding the PSF. Our city website and YouTube are behind in meetings.

8. Consent Agenda

8.1 City Council Minutes – March 17, 2022

Motion: Councilor Whitney moved to approve the consent agenda. Councilor Kinyon seconded the motion.

Hollett (aye), Whitney (aye), Kinyon (aye), Coker (aye), Hooker (aye), Spliethof (aye). Motion passed 6-0

9. Appointments

Kevin-read the issue.

9.1 Robert Woodson to Library Board/Committee

Motion: Councilor Kinyon moved to accept the volunteer nomination of Robert Woodson for the Library Board. With the term ending on 12/31/2025. Councilor Whitney seconded the motion.

Hollett (aye), Whitney (aye), Hooker (aye), Kinyon (aye), Spliethof (aye), Coker (aye). Motion passed 6-0

9.2 Lisa Samuelson to Budget Committee

Motion: Councilor Kinyon moved to accept the volunteer nomination of Lisa Samuelson as presented with a term ending on 12/31/2024. Councilor Coker seconded the motion.

Spliethof (aye), Coker (aye), Hooker (aye), Kinyon (aye), Whitney (aye), Hollett (aye). Motion passed 6-0

10. Business from the City Council

10.1 Audit Committee Meeting Report (Councilor Kinyon)

Councilor Kinyon-gave an update on the Audit.

Colleen-she spoke with the auditors and getting them the requested information.

10.2 IGA with LCOG for Services

Kevin-read the issue.

Motion: Councilor Kinyon moved to accept the IGA and permit the Mayor to sign the agreement with LCOG as presented. Councilor Hooker seconded the motion.

Hooker (aye), Whitney (aye), Kinyon (aye), Coker (aye), Spliethof (aye), Hollett (aye). Motion passed 6-0

11. Business from the City Administrator

11.1 Oakridge Fire Dept. Surplus vehicle

Kevin-read the issue.

Motion: Councilor Whitney moved to accept the OFD request to surplus 1996 International Ambulance through sealed bid process and proceeds be returned to the OFD budget as presented. Councilor Coker seconded the motion.

Spliethof (aye), Kinyon (aye), Coker (aye), Whitney (aye), Hooker (aye), Hollett (aye). Motion passed 6-0

10.2 Wildfire Safety Night Fee Waiver

Kevin-read the issue.

Motion: Councilor Whitney moved to accept the fee waiver to SWFC and Oakridge Air for Wildfire Safety Night as presented. Councilor Spliethof seconded the motion.

Hooker (aye), Whitney (aye), Kinyon (aye), Hollett (aye), Coker (aye), Spliethof (aye). Motion passed 6-0

12. Reports of Staff

12.1 Public Works Report-Kevin will send a copy of Robeart's report to the council

12.2 Police Dept. Report-no report

12.3 Library Report-

Kevin - the Library has a whole section devoted to Oregon.

Councilor Spliethof-there is a book collection box on the Hwy, they will pick up 3 times a week. He was told that the library at the high school will be closing.

Councilor Kinyon- we need to have an agenda item on the fee waiver policy

12.4 Fire Dept. Report-no report

13. Monthly Finance Report

13.1 Finance Information/Report

Colleen-sent out the report.

14. Items removed from the Consent Agenda-none

15. Ordinances, Resolutions and Public Comments-none

16. Public Hearings-none

17. Public Comments

Rustie Ackland 48265 Commercial St- if you have the volunteer recognition party at the park during the concerts just remember about the vendors at the park.

Trudy Hammond-asked the question at the last meeting, why is there no activity at the OIP?

Kevin-there is a planning process going on, we are working with LCOG.

Dan Barclay 47501 Hwy 58- this City Council inherited a mess, the audit is overdue and the PSF ordinance is horrible.

Sissy Cutchen 48300 Meadow Way- it is a catastrophic blow if the library is closing, devastating blow to the culture. The parents must rally around their children.

Kevin-he has not heard anything about the library closing.

18. Executive Session ORS 192.660 (2) (a) the governing body of a public body may hold an executive session: to consider the employment of a public officer, employee, staff member or individual agent. - Canceled

19. Adjourn meeting at 8:41 p.m.

Signed: _____
Christina Hollett, Mayor

Signed: _____
Jackie Taylor, City Recorder



2023 Legislative Priorities Ballot

Issued on June 10, 2022

Ballots due by 5:00 p.m. on August 5, 2022

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2023 Legislative Priorities Ballot – League of Oregon Cities

Background: Each even-numbered year the LOC appoints members to serve on 7 policy committees. These policy committees are the foundation of the LOC's policy development process. Composed of city officials, these committees are charged with analyzing policy and technical issues and recommending positions and strategies for the LOC. Each committee provides a list of recommended policy positions and actions for the LOC to take in the coming two year legislative cycle. This year, all 7 committees identified between 3 to 5 legislative policy priorities to advance to the full membership and LOC Board of Directors.

Ballot/Voting Process: Each city is being asked to review the recommendations from the 7 policy committees and provide input to the LOC Board of Directors as it prepares to adopt the LOC's 2023 legislative agenda. After your city has had an opportunity to review the proposals, please complete the electronic ballot indicating the top 5 issues that your city would like to see the LOC focus on during the 2023 legislative session.

Each city is permitted one vote. As such, each city must designate a person to enter the vote electronically on the below link. For those cities without electronic options for voting, paper ballots may be requested from LOC's Legislative Director Jim McCauley at jmccauley@orcities.org.

Important Deadlines: The deadline for submitting your city's vote is **5:00 p.m. on August 5, 2022.**

Ballots were emailed to the CAO of each city. If your city didn't receive the ballot, please email Jim McCauley at jmccauley@orcities.org.

Brought to you by the Community Development Policy Committee

Full Funding and Alignment for State Land Use Initiatives

Legislative Recommendation: *The LOC will support legislation to streamline and fully fund local implementation of any recently adopted or proposed state land use planning requirements, including administrative rulemaking.*

Background: Recent legislation and executive orders have made significant changes to the state's land use planning process, including increasing burdens for local government. While the LOC shares the state's policy goals, these updates have resulted in extensive, continuous, and sometimes conflicting rulemaking efforts that are not supported by adequate state funding. Cities simply do not have the staff capacity or resources needed to implement current requirements. Existing planning updates should be streamlined to enable simpler, less costly implementation and any new proposals should be aligned with existing requirements.

Local Funding to Address Homelessness

Legislative Recommendation: *The LOC will seek funding to support coordinated, local responses to addressing homelessness.*

Background: The LOC recognizes that to end homelessness, a statewide and community-based coordination approach to delivering services, housing, and programs is needed. Addressing homelessness will look different and involve different service provider partners from one city to the next, but one thing is consistent, addressing the crisis requires significant financial resources. While cities across Oregon have developed programs, expanded service efforts, built regional partnerships, and have significantly invested both their local General Fund and federal CARES Act and American Rescue Plan Act dollars into programs to address the homelessness crisis in their respective communities, the crisis continues. The homelessness crisis exceeds each city's individual capacity – necessitating the need for meaningful fiscal support from the State of Oregon.

Infrastructure Funding to Support Needed Housing

Legislative Concept: *The LOC will support state funding for infrastructure needed to support needed housing.*

Background: As Oregon works to overcome its historic housing supply deficit, development costs continue to rise. Cities have limited tools to address the rising costs of infrastructure necessary to support the impact of new housing development. A statewide fund to address infrastructure costs and improve housing affordability is needed.

Economic Development Incentives (co-sponsor with Tax and Finance Committee)

Legislative Recommendation: *The LOC will support legislation to preserve and strengthen discretionary local economic development incentives including the Enterprise Zone (EZ), Long Term Rural Enterprise Zone (LTREZ) and Strategic Investment Program (SIP).*

Background: The EZ and LTREZ programs provide local governments the option to offer a temporary full exemption from property taxes for qualified new property of a business (3 to 5 years for the standard EZ and 7 to 15 years for the rural EZ). The SIP program allows local governments to offer a 15-year

partial exemption on the value of new property that exceeds a certain investment threshold (\$25 million to \$100 million depending on location and total project value). Recent studies by Business Oregon confirmed what city economic development professionals knew; these incentive programs are crucial for Oregon to remain competitive nationally and show massive benefits to Oregon in terms of jobs, enhanced economic activity, and tax revenues. The EZ and LTREZ programs will sunset in 2025 without action by the legislature, and “gain share” provisions of the SIP program transferring a portion of income taxes resulting from qualified projects to local governments will sunset in 2026. The LOC will advocate for sunset extensions and for changes that will improve the programs, and advocate against any changes that will reduce local control or devalue the incentives.

Community Resiliency and Wildfire Planning

Legislative Recommendation: *The LOC will support investments for climate and wildfire resiliency planning, as well as infrastructure upgrades, to fill existing gaps and assist cities in planning for extreme weather events and wildfire.*

Background: Oregon communities are increasingly looking for help planning for climate change impacts, including infrastructure upgrades, to handle extreme weather events. Cities of all sizes, especially small to mid-sized cities, need technical assistance and additional capacity to better plan for and recover from climate events and wildfire. Investments in infrastructure upgrades, repairs, and resiliency will help rebuild communities, better ensure equity and access to critical services, protect public health and the environment, improve community resiliency, and promote economic recovery.

Brought to you by the General Government Policy Committee

Protecting Public Employees and Officials

Legislative Recommendation: *The LOC will introduce legislation to protect the personal contact information of public employees and increase criminal sanctions when public officials and employees are subject to criminal activity connected to their service.*

Background: Cities have seen an increase in harassments, threats and property damage in recent years. Over 80 percent of city leaders who participated in a National League of Cities [report](#) on public civility indicated they had personally experienced harassing or harmful behavior because of their role as a public official. Additionally, an ambiguity in the phrasing in a statute intended to protect the private information of public employees may require an employer to release home addresses, personal emails and contact information.

Return to Work

Legislative Recommendation: *Eliminate the sunset on the ability of retirees to return to work.*

Background: PERS covered retirees are currently allowed to return to work without suffering a tax or pension penalty until 2024. Allowing retirees to return to work allows employers to fill critical vacancies while not paying pension and other costs in times of both fiscal hardships and workforce scarcity. The sunset was established as part of a compromise PERS reform package passed in 2017 but has been successful for retirees and employers.

Attorney Client Privilege

Legislative Recommendation: *Ensure that privileged communications between public bodies and officials and their legal counsel remain confidential indefinitely.*

Background: A recent court ruling limited public sector attorney client privilege to 25 years, which is identical to the lifespan of other public records exemptions. The LOC believes that public officials should have the same right to unimpeded legal counsel as all other attorney clients.

Address Measure 110 Shortcomings

Legislative Recommendation: *Restore criminal justice incentives for seeking treatment for addiction while ensuring a path for expungement for successfully completing a treatment program.*

Background: Oregon voters passed Measure 110 in 2020 which eliminated criminal sanctions for simple possession for most narcotic drugs and replaced them with a waivable \$100 ticket. A citation cannot be issued if a person seeks treatment by calling a treatment referral service. The measure also re-dedicated local marijuana revenue to harm reductions services. Those funds are now pooled and distributed by an oversight and accountability committee. Oregon's overdose deaths continue to increase and funds that should have been distributed in January of 2021 are still not delivered. Additionally, problems related to drug abuse such as property crime have increased.

Brought to you by the Energy and Environment Policy Committee

Building Decarbonization, Efficiency, and Modernization

Legislative Recommendation: *The LOC will support legislation to protect against and rollback preemptions to allow local governments to reduce greenhouse gas emissions from new and existing buildings while ensuring reliability and affordability. Some initiatives may include a local option Reach Code, statewide home energy scoring or financial incentives like [CPACE](#).*

Background: Homes and commercial buildings need a lot of power. In fact, they consume nearly half of all the energy used in Oregon according to the Oregon Department of Energy 2020 Biennial Energy Report. Existing buildings need to be retrofitted and modernized to become more resilient and efficient. New buildings can be built with energy efficiency and energy capacity in mind, so they last longer for years to come, reduce the energy burden on occupants, and are built to a standard that is futureproof for carbon reducing technologies like electric vehicles

Continue Investments in Renewable Energy

Legislative Recommendation: *The LOC will work to identify barriers and potential solutions to local energy generation and will pursue funding assistance for feasibility studies and project implementation. The LOC will support legislation to study and invest in viable, preferably locally generated, options and to divest the Oregon Treasury from fossil fuels.*

Background: Renewable energy sources can be used to produce electricity with fewer environmental impacts. Local energy generation projects can better position cities to pursue and achieve local climate action goals, address capacity constraints of existing electric transmission lines, and can help cities respond to individual businesses that may be seeking green energy options. The types of local energy generation projects discussed by the committee include, but are not limited to, small-scale hydropower, in-conduit hydropower, methane capture, biomass and solar. Such projects are not intended to conflict

with existing low-carbon power purchase agreements but can position cities to pursue local climate action goals and supplement energy needs through renewable generation.

Investment in Community Climate Planning Resources

Legislative Recommendation: *The LOC will support investments that bring climate services (for mitigation and adaptation) together and work to fill the existing gaps to help communities get the high-quality climate assistance they need quickly and effectively.*

Background: Oregon communities are increasingly looking for help planning for climate change impacts and implementing programs to reduce greenhouse gases. Interest in climate services has continued as communities experience increasing disruptions caused or made worse by climate change. Oregon's small to mid-sized communities and rural communities are particularly in need of both technical assistance and additional capacity to address climate impacts and do their part to reduce greenhouse gas emissions. While some climate resources exist in Oregon, those programs are dispersed throughout state government, the nonprofit world, and academic institutions. Because of this current structure, it is not clear for communities what they should do once they decide to act on climate change.

Adequate Funding for State Climate Initiatives

Legislative Recommendation: *The LOC will support legislation to streamline processes and fully fund local implementation of climate mandates (like [Climate Friendly and Equity Communities](#) rules) from the state. Furthermore, the LOC will support legislation that allows the state to adequately maintain and staff programs that impact a city's ability to reduce greenhouse gas emissions.*

Background: On March 10, 2020, Governor Kate Brown signed [Executive Order 20-04](#) directing state agencies to take action to reduce and regulate greenhouse gas emissions. Additionally, the state has legislatively passed many greenhouse gas reduction measures. This has led to some unfunded mandates on cities as well as a significant workload for agency staff.

Brought to you by the Finance and Taxation Policy Committee

Property Tax Reform

Legislative Recommendation: *The LOC will advocate for constitutional and statutory reforms to the property tax system to enhance local choice, equity, fairness, and adequacy.*

Background: The property tax system is broken and in need of repair due to constitutional provisions in Measures 5 and 50 that were adopted by voters in the 1990s. The current system is inequitable to property owners and jurisdictions alike, is often inadequate to allow jurisdictions to provide critical services, removes meaningful local choice, and is incomprehensible to most taxpayers. Local governments and schools rely heavily on property tax revenues to pay for services and capital expenses. With federal pandemic aid to cities coming to an end and inflation looming, cities are concerned that their top revenue source will not allow residents to adequately fund the services that they demand. Therefore, the LOC will take a leadership role in pursuing efforts to draft and advocate for both comprehensive and incremental property tax reform option packages, including forming coalitions with other interested parties. The LOC will remain flexible to support all legislation that improves the system, but will, in the short term, focus on incremental changes that will allow for a foundation on which to build for broader revisions going forward. The LOC's overall focus will be on a property tax package that includes, but may not be limited to these elements:

- In the short term, advocating for a system that restores local choice and allows voters to adopt tax levies and establish tax rates outside of current limits and not subject to compression. This may also include advocating for a local option levy that has passed three or more times to become permanent (requires constitutional referral).
- Also in the short term, advocating for statutory changes to extend statewide a 2017 Multnomah County pilot that created an option that new property has a taxable value determined based on the city average of maximum assessed value to market value as opposed to countywide average.
- Over the longer term, to achieve equity, advocating for a system that has taxpayers' relative share tied to the value of their property, rather than the complex and increasingly arbitrary valuation system based on assessed value from Measure 50 (requires constitutional referral).
- Also over the longer term, to enhance fairness and adequacy, advocating for various statutory changes, some of which would adjust the impact of the above changes. For example, as a part of comprehensive reform the LOC will support targeted tax relief for lower income residents to make sure reform does not price vulnerable residents out of their homes.

Lodging Tax Flexibility

Legislative Recommendation: *The LOC will advocate for legislation to enhance flexibility in how cities may use transient lodging tax revenues. The goal is to help cities better serve visitors and improve local conditions that support the tourism industry.*

Background: The Legislature created the *state* lodging tax in 2003, and with it a new requirement that 70% of net revenues from new or increased *local* lodging taxes must be used for “tourism promotion” or “tourism related facilities.” Cities acknowledge and appreciate the economic development benefits that tourism brings to their local economies, but often struggle to support the industry in areas like public safety, infrastructure, workforce housing, and homeless services. Enhanced flexibility and clarification of allowed use of funds will benefit both visitors and business owners alike.

Economic Development Incentives (co-sponsor with the Community Development Committee)

Legislative Recommendation: *The LOC will support legislation to preserve and strengthen discretionary local economic development incentives including the Enterprise Zone (EZ), Long Term Rural Enterprise Zone (LTREZ) and Strategic Investment Program (SIP).*

Background: The EZ and LTREZ programs provide local governments the option to offer a temporary full exemption from property taxes for qualified new property of a business (3 to 5 years for the standard EZ and 7 to 15 years for the rural EZ). The SIP program allows local governments to offer a 15-year partial exemption on the value of new property that exceeds a certain investment threshold (\$25 million to \$100 million depending on location and total project value). Recent studies by Business Oregon confirmed what city economic development professionals know; these incentive programs are crucial for Oregon to remain competitive nationally and show massive benefits to Oregon in terms of jobs, enhanced economic activity, and tax revenues. The EZ and LTREZ programs will sunset in 2025 without action by the legislature, and “gain share” provisions of the SIP program transferring a portion of income taxes resulting from qualified projects to local governments will sunset in 2026. The LOC will advocate for sunset extensions and for changes that will improve the programs, and advocate against any changes that will reduce local control or devalue the incentives.

Marijuana Taxes

Legislative Recommendation: *The LOC will continue to advocate for increased revenues from marijuana taxes. This may include proposals to restore state marijuana tax losses related to Measure 110 (2020) distribution changes, and to increase the current 3% cap on local marijuana taxes so local voters may choose a rate that reflects the needs of their community.*

Background: Recreational marijuana retailers are required to charge a state-imposed retail sales tax of 17 percent for all recreational marijuana sold. Until the end of 2020 cities received 10% of the net revenue from the state tax but Measure 110 changed the distribution formula and will reduce city distributions by an estimated 73% for the 2021-23 biennium. Cities may also impose a local retail sales tax of up to 3%, subject to voter approval. Tax rates for recreational marijuana vary widely across the states, but the total Oregon tax burden is 20-25% percent below other West Coast states. Unbiased academic studies indicate Oregon could increase marijuana taxes without pushing significant business to the illicit market. If the Legislature is not willing to allow increased taxes it should restore city revenues by other means back to what was agreed to when recreation marijuana was legalized.

Alcohol Revenues

Legislative Recommendation: *The LOC will advocate for enhanced revenues from the sale of alcohol to mitigate the impact of recent legislative changes that will otherwise reduce this crucial revenue source.*

Background: Oregon's beer tax has not been increased since 1978 and is \$2.60 per barrel which equates to about 8.4 cents per gallon or less than 5 cents on a six-pack. Oregon has the lowest beer tax in the country, and to get to the middle of the states Oregon would need a more than 10-fold increase. Oregon's wine tax is 67 cents per gallon and 77 cents per gallon on dessert wines, this is the second lowest tax nationwide, and the first 2 cents of the tax goes to the wine board. Oregon is a control state and is the sole importer and distributor of liquor, which accounts for about 94% of total alcohol revenues. The Oregon Liquor and Cannabis Commission (OLCC) sets retail prices at about 105% of their cost and net revenues are distributed based on a formula. Cities are preempted from imposing alcohol taxes. In exchange, cities receive approximately 34% of the state alcohol revenues after the state takes 50% of beer and wine taxes off the top prior to this distribution. Recent legislative changes will reduce city revenues; the legislature approved a more generous compensation formula for liquor store owners in 2021 and approved a 148% cost increase for a planned OLCC warehouse in 2022. Both changes will reduce distributions to cities. Cities have significant public safety costs related to alcohol consumption and taxes on alcohol do not cover their fair share of these costs. There are numerous ways to address the issue: increasing taxes on beer or wine (possibly through a local sales tax option), increasing the markup on liquor, or increasing the per bottle surcharge currently in place at liquor stores and dedicating the funds to paying for the planned OLCC warehouse.

Brought to you by the Telecommunications, Broadband Policy Committee

Digital Equity and Inclusion

Legislative Recommendation: *The LOC will advocate for legislation and policies that help all individuals and communities have the information technology capacity needed for full participation in our society, democracy, and economy.*

Background: Connectivity is crucial to modern life. It is being relied on more for how people do business, learn, and receive important services like healthcare. As technology evolved the digital divide has become more complex and nuanced. Now, discussion of the digital divide is framed in terms of whether a population has access to hardware, to the Internet, to viable connection speeds and to the skills they need to effectively use it.

Resilient, Futureproof Broadband Infrastructure and Planning Investment

Legislative Recommendation: *The LOC will support legislation that will ensure broadband systems are built resiliently and futureproofed while also advocating for resources to help cities with broadband planning and technical assistance through direct grants and staff resources at the state level. The LOC will support legislation that addresses issues with the inconsistency of regulations applied to traditional and nontraditional telecommunications service as more entities move to a network based approach instead of what services are being provided. LOC will oppose any preemptions on local rights-of-ways, and municipalities right to own poles and become broadband service providers.*

Background:

Broadband Planning and Technical Assistance

Most state and federal broadband infrastructure funding sources require that communities have a broadband strategic plan in place to qualify for funds. Unfortunately, many cities do not have the resources or staff capacity to complete comprehensive broadband strategic plans.

Resilient and Long-Term Systems

As broadband is continually being made a priority on the state and federal level, we must think strategically about how to build resilient long-term networks that will serve Oregonians now and into the future. Ways to ensure broadband is resilient may include investing in robust middle mile connections, ensuring redundancy and multiple providers in all areas, and undergrounding fiber instead of hanging it on poles.

Optional Local Incentives to Increase Broadband Deployment

All levels of government have identified broadband as a priority. However, there continue to be proposed mandates on local governments to deploy broadband services more quickly. Cities have a duty to manage rights-of-ways (ROW) on behalf of the public and need flexibility to adequately manage the ROW. Instead of mandates the state should focus its efforts on allowing cities the option to adopt incentives that could help streamline broadband deployment.

Regulatory Consistency Amidst Convergence

Historically, the standards and oversight policies for a specific technology were established independently and were not developed with merging or interoperability in mind. For example, telephony (when providing voice), cable TV (when providing video), and mobile cellular technologies each follow their respective standards, and these services were regulated by policies specific to each type.

Incentives for Broadband Affordability, Adoption and Consumer Protections

Legislative Recommendation: *The LOC will seek additional state support and funding for increased broadband adoption and affordability and will advocate for consumer protections for those accessing the internet, internet enabled devices and broadband service.*

Background: Broadband infrastructure is being funded at a historic level. For that infrastructure to be adequately utilized affordability and adoption initiatives must receive investment. Initiatives that would help could include studying barriers to adoptions and affordability; ensuring adequate competition in providers; investing in more data centers statewide so service is cheaper for regions outside of the I-5 corridor as it is simply more expensive per megabit to provide; and ensuring providers are widely advertising programs meant for those with limited means.

Additionally, problems with internet providers are among the most common consumer complaints in Oregon. Complaints often involve paying more than expected, difficult cancellation policies and poor service. Consumers are at risk of being advertised or offered services that are not actually being delivered. For example, 25/3 is the current definition of broadband. Currently, providers are allowed to advertise

speeds as “up to” 25/3 or a certain speed. There is no one enforcing whether or not providers actually hit their advertised speeds. Providers should be accountable for making sure consumers have the appropriate equipment for the services they are paying for.

Cybersecurity & Privacy

Legislative Recommendation: *The LOC will support legislation that addresses privacy and cybersecurity for all that use technology, including but not limited to: funding for local government cybersecurity initiatives, statewide resources for cyber professionals, regulations of data privacy, or standards for software/hardware developers to meet to make their products more secure.*

Background: Society is becoming more technologically reliant than ever before and that will only increase. With this increase of technology there is an increased risk for cybercrimes. Therefore, cybersecurity and privacy systems must be taken seriously. Cybersecurity encompasses everything that pertains to protecting sensitive data, protected health information, personal information, intellectual property, data, and governmental and industry information systems from theft and damage attempted by criminals and adversaries.

Cybersecurity risk is increasing, not only because of global connectivity but also because of the reliance on cloud services to store sensitive data and personal information. Widespread poor configuration of cloud services paired with increasingly sophisticated cyber criminals means the risk that governments, businesses, organizations, and consumers suffer from a successful cyberattack or data breach is on the rise.

Brought to you by the Transportation Policy Committee

Transportation Safety Enhancement

Legislative Recommendation: *The LOC supports legislation that improves the overall safety of the transportation network in communities. The LOC will achieve this outcome by expanding authority for establishing fixed photo radar to all cities, increasing flexibility for local speed setting authority, and increased investment in the “safe routes to schools” and expansion of the “great streets” programs.*

Background: The City of Portland has demonstrated improved safety outcomes in neighborhoods with the addition of fixed photo radar along high-crash corridors. LOC’s efforts to expand the use of fixed photo radar to additional cities failed during the 2021 Session. ([HB 2019](#)) - High Crash Corridor for City of Unity) and ([HB 2530](#)) -Extending Fixed Photo Radar) were supported by the LOC, but lacked sufficient support from legislators to advance.

During the 2019 Session the LOC supported [SB 558](#), which would authorize a city to designate speed for a highway under the city’s jurisdiction that is five miles per hour lower than statutory speed when the highway is in a residential district and not an arterial highway. During the 2021 Session passage of [HB 3055](#) (Sect 81 (5)(g)) extended speed setting authority to highways within the jurisdictional boundaries of cities and Multnomah & Clackamas counties.

Road User Fee – Vehicle Miles Traveled (VMT) Structure

Legislative Recommendation: *The LOC will support replacement of Oregon’s Gas Tax with a road impact fee structure that will capture added revenue from cities with local gas tax structure. The pricing structure should also maintain a weight-mile tax structure to make sure that there is an impact element of the fees paid for transportation infrastructure.*

Background: The LOC has historically advocated for a fee structure that more closely matches road usage. Gas tax revenues are a declining source of revenue due to enhanced mileage in new vehicles and the increase of electric vehicles on roads.

New Mobility Services

Legislative Recommendation: *The LOC supports the entry and utilization of a variety of new mobility services that support a safe, sustainable, and equitable multimodal transportation system, while preserving local government's authority to regulate services and ensure public and consumer safety in communities.*

Background: The expansion of mobility services presents local governments with opportunities and challenges. Mobility services include Uber, Lyft, scooters, E-bikes, and food service delivery such as DoorDash, and UberEATS. Many cities across the country have initiated efforts to add regulatory oversight of these services to provide a base level of safety to consumers. Companies such as Uber and Lyft have tried to de-regulate their business model in states specifically introducing legislation that would pre-empt local governments to regulate and establish steps that protect their respective communities. The LOC has supported efforts during the 2019 session such as [HB 3379](#) and opposed efforts that pre-empted local governments such as HB 3023.

Funding for Recovery of Abandoned Recreational Vehicles

Legislative Recommendation: *The LOC supports the formation of a recovery fund that cities could access for disposing of abandoned Recreational Vehicles (RV).*

Background: With the ongoing houseless and affordable housing crisis cities have experienced an increase in dumping of vehicles and RVs in neighborhoods, streets and the right-of-way. The costs associated with towing, recovery, and determining ownership has presented significant costs in some communities. Several cities are allocating hundreds of thousands of dollars to recover abandoned vehicles from streets, parks, private property, and other locations. Tow companies have expressed an interest in a recovery fund as well, since the companies must deal with storage and disposal of the vehicles, which presents several challenges.

Brought to you by the Water and Wastewater Policy Committee

Water Utility Rate and Fund Assistance

Legislative Recommendation: *The LOC will collaborate with members of the bipartisan work group to continue the proposed legislative purpose of the Low-Income Household Water Assistance (LIHWA) program.*

Background: The LOC was successful during the 2021 legislative session in advocating for the development of a new water utility funding assistance program for ratepayers experiencing ongoing or recent economic hardships. The LOC worked with a bipartisan work group to pass legislation that formed the Low-Income Household Water Assistance (LIHWA) program which received federal funding for the

initial implementation through the Consolidated Appropriations Act of 2021 and the American Rescue Plan Act (ARPA) of 2021. The program was incredibly successful, but the federal funding that was allocated to the State of Oregon was already exhausted in some counties in the Spring of 2022.

The bipartisan workgroup's intent was to make this program a permanent program, with initial pilot funding provided by the federal government.

Place-Based, Water Resource Planning (Program Support)

Legislative Recommendation: *The LOC will advocate for the funding needed to complete existing place-based planning efforts across the state and identify funding to continue the program for communities that require this support.*

Background: Oregon's water supply management issues have become exceedingly complex. Lack of adequate water supply and storage capacity to meet existing and future needs is an ongoing concern for many cities in Oregon and is a shared concern for other types of water users including agricultural, environmental, and industrial. The Legislature created a place-based planning pilot program in Oregon administered through the Oregon Water Resources Department that provides a framework and funding for local stakeholders to collaborate and develop solutions to address water needs within a watershed, basin, or groundwater area. The LOC Water & Wastewater Policy Committee recognized that while this funding is limited to specific geographic areas, they also recognized the importance of successfully completing these pilot efforts and conducting a detailed cost/benefit analysis. It is a critical step to demonstrate the benefits of this type of planning. If these local planning efforts prove to be successful, there will likely be future efforts to secure additional funding for other place-based planning projects across the state in 2022.

Infrastructure Financing and Resilience

Legislative Recommendation: *The LOC will advocate for an increase in the state's investment in key infrastructure funding sources, including, but not limited to, the Special Public Works Fund (SPWF), Brownfield Redevelopment Fund, Regionally Significant Industrial Site loan program, and set asides through the SPWF for seismic resilience planning and related infrastructure improvements to make Oregon water and wastewater systems more resilient.*

Background: A key issue that most cities are facing is how to fund infrastructure improvements (both to maintain current and to build new). Increasing state resources in programs that provide access to lower rate loans and grants will assist cities in investing in vital infrastructure. An LOC survey of cities in 2016 identified a need of \$7.6 billion dollars over the next 20 years to cover water and wastewater infrastructure projects for the 120 cities who responded. This shows a significant reinvestment in the Special Public Works Fund (SPWF) is needed to help meet the needs of local governments.

CITY OF OAKRIDGE
REQUEST FOR COUNCIL ACTION

| | | | |
|--|-------------------------------------|--|--------------------------------------|
| DATE ACTION REQUESTED: July 7th, 2022 | | | |
| Ordinance <input type="checkbox"/> | Resolution <input type="checkbox"/> | Motion <input checked="" type="checkbox"/> | Information <input type="checkbox"/> |
| Date Prepared: July 5th, 2022 | | Dept.: City Administrator's Office | |
| SUBJECT: Westfir Fire IGA | | Contact Person for this Item: Kevin Martin, Pro-Tem City Administrator cityadministrator@ci.oakridge.or.us (541) 782-2258 | |

SUBJECT:

Westfir Fire IGA

BACKGROUND:

Oakridge has an ongoing Intergovernmental Agreement for Fire Protection Services.

RECOMMENDATION:

Staff recommends acceptance by a motion of the Council.

RECOMMENDED MOTION:

"I move to approve the Oakridge Westfir IGA for Fire Services as presented."

ALTERNATIVE MOTION:

"I move to continue the discussion at the next regularly scheduled City Council meeting."

FINANCIAL IMPACT:

\$35,191 in revenue for FY 22/23.

ATTACHMENT:

- a. Fire IGA

INTERGOVERNMENTAL AGREEMENT FOR PROVISION OF FIRE PROTECTION SERVICES

This agreement is made and entered into between the City of Westfir, hereinafter called Westfir, a municipal corporation of the State of Oregon, and the City of Oakridge, hereinafter called Oakridge, a municipal corporation of the State of Oregon.

Both entities are units of local government, organized and operated under the laws of the State of Oregon. Oregon statutes; Chapter 190 specifically authorizes agreements between units of local government that are party to the agreement for any and all functions and activities they have authority to perform.

RECITALS:

- 1.) Oakridge operates a Fire Department and Westfir desires to extend this contract with Oakridge for fire protection until such a time that Westfir is able to fully provide fire suppression services.
- 2.) Oakridge and Westfir acknowledge that it is in the best interest of the patrons of Oakridge and Westfir to pursue an inter-governmental agreement that provides fire services to the citizens of the area.
- 3.) Both Oakridge and Westfir have the statutory authority to provide all services covered by this agreement.

NOW, THEREFORE, it is mutually agreed by and between Oakridge and Westfir as follows:

1.) AGREEMENT

A. TERM: The term of this agreement shall be 12 months, commencing July 1, 2022. The agreement shall continue on a year to year basis unless one of the parties advises the other, in writing, at least 3 months prior to July 1st of any fiscal year of their desire to terminate this agreement. At the end of this agreement all equipment shall be returned to Westfir as inventoried and in equally good condition as at the origination of this agreement.

B. Throughout the term of this agreement, Oakridge shall provide fire suppression response, training, dispatch, rescue services and other related services set forth herein, at substantially the same level in Westfir as is currently being provided in Oakridge by the City of Oakridge Fire/EMS.

C. The Oakridge Fire Chief or designee shall have authority and responsibility to prescribe the manner, and method of providing the services delineated in this agreement, however neither may incur extraordinary costs that would adversely impact the other.

D. As part of this agreement and as part of the payment identified within Section 5, Westfir may occupy space at the Oakridge Fire/EMS station for the purposes of administrative duties and housing of equipment.

E. Compensation: Westfir shall pay Oakridge a total sum of \$35,191 per year. Billing will be done on a quarterly basis. The fee service is based on the Proposed Budget and population served using the PSU Population Estimate. Oakridge will send an invoice requesting payment of \$8,797.75 per quarter. This agreement shall be reviewed annually by both Westfir and Oakridge. Exhibit A includes a schedule of payments over the next five years for budgeting purposes.

2.) PERSONAL PROPERTY AND EQUIPMENT

- A. All property and equipment including fire apparatus, furnishings, training aids and other articles of property, purchased by each entity shall remain the property of the entity that purchased that said property. However, Oakridge may use the City of Westfir property in the fulfillment of this contract which shall include but not limited to the Westfir Fire Truck 1241; and Westfir "Turn-Out" washing/extractor machine
- B. All repairs, improvements, replacements, or additions to the property described in 2A shall be the responsibility of the party that purchased said property. The entity operating said equipment shall be responsible for the routine maintenance costs. Oakridge understands that they must get prior approval from Westfir for any and all expenditures that exceed \$200.
- C. Oakridge shall be responsible for providing liability insurance for both entities property and equipment. Oakridge shall ensure that all personnel driving the Westfir Fire Engine 1241 are fully qualified to operate the engine in accordance with Oakridge Fire Department policies.

3.) GENERAL ADMINISTRATION AND MANAGEMENT

- A. General administration and management of the Oakridge Fire/EMS agency shall be the responsibility of the Oakridge Fire Chief or designee. The Oakridge Fire Chief works under the general direction of the City of Oakridge Administrator. The Oakridge Fire Chief shall provide information to Oakridge and Westfir, as requested.
- B. Operational control of all incidents within Westfir boundaries shall be the responsibility of the Oakridge Fire Chief or designee.
- C. All Fire Department employees and volunteers shall be employees of Oakridge. They shall be subject to the rules and regulations of Oakridge. Oakridge shall have the responsibility of providing all administrative services required of an employee including accounting, personnel, and insurance practices. Westfir volunteers shall maintain membership as a volunteer with the Oakridge Fire/EMS.

4.) BUDGETING/EXPENDITURES

A. Oakridge and Westfir agree to meet annually to renegotiate the amount of compensation for the next year of this agreement. The initial meeting shall take place not later than March 15th. If the parties cannot reach an agreement, that shall be considered notice of termination of the agreement. For the remaining year, the compensation adjustment shall not exceed the percentage increase in the City of Westfir's valuation for the previous year.

5.) HOLD HARMLESS

A. The parties hereby covenant and agree to hold and save each other, their officers, agents and other employees, harmless from all claims whatsoever, including attorney's fees and costs, by reason of any act or omission of each entity, its officers, agents, or employees.

6.) MISCELLANEOUS

A. Westfir's Request for Proposals and the Proposals submitted by Oakridge are made a part of hereof. Westfir acknowledges that the personnel as set forth in Oakridge's proposals are subject to change herewith, the provisions of this agreement shall control.

B. Westfir and Oakridge acknowledge the need for a priority 911 system to help manage the types of calls and to improve operational efficiencies. Both parties will work in concert to advocate and develop an improved system.

B. Any amendments or modifications hereto shall be made in writing as approved by respective Councils.

IN WITNESS WHEREOF, this instrument has been executed in duplicate pursuant to resolutions heretofore duly and legally adopted by each of the parties hereto.

City of Oakridge

City of Westfir

Christina A. Hollett, Mayor

Melody Cornelius, Mayor

Scott Hollett
Oakridge Acting-Fire Chief

Nicole Tritten
Westfir City Recorder

Exhibit A

Schedule of Payments

| Fiscal Year | Amount | Total |
|--------------------|---------------|--------------|
| 2022-23 | \$18,391 | \$35,191 |
| 2023-24 | \$18,391 | \$53,582 |
| 2024-25 | \$18,391 | \$71,973 |
| 2025-26 | \$18,391 | \$90,364 |

CITY OF OAKRIDGE

REQUEST FOR COUNCIL ACTION

| | | | |
|--|--|---|---|
| DATE ACTION REQUESTED: July 7th, 2022 | | | |
| Ordinance <input type="checkbox"/> | Resolution <input type="checkbox"/> | Motion <input checked="" type="checkbox"/> | Information <input type="checkbox"/> |
| Date Prepared: July 5th, 2022 | | Dept.: City Administrator's Office | |
| SUBJECT: Westfir Police IGA | | Contact Person for this Item: Kevin Martin, Pro-Tem City Administrator cityadministrator@ci.oakridge.or.us (541) 782-2258 | |

SUBJECT:

Westfir Police IGA

BACKGROUND:

Oakridge has an ongoing Intergovernmental Agreement for Police/Law Enforcement Services.

RECOMMENDATION:

Staff recommends acceptance by a motion of the Council.

RECOMMENDED MOTION:

"I move to approve the Oakridge Westfir IGA for Law Enforcement Services as presented."

ALTERNATIVE MOTION:

"I move to continue the discussion at the next regularly scheduled City Council meeting."

FINANCIAL IMPACT:

\$55,263 in revenue for FY 22/23.

ATTACHMENT:

- a. Police IGA

AGREEMENT FOR LAW ENFORCEMENT SERVICES

CITY OF WESTFIR / CITY OF OAKRIDGE

THIS AGREEMENT is made and entered by and between the CITY OF WESTFIR hereinafter called Westfir, a municipal corporation of the State of Oregon, and the CITY OF OAKRIDGE, hereinafter called Oakridge, a municipal corporation of the State of Oregon.

WITNESSETH

WHEREAS, Westfir is desirous of contracting with Oakridge for the performance of the hereinafter described law enforcement functions within the boundaries of Westfir by Oakridge thereof, and;

WHEREAS, Oakridge has agreed to tender such services on the terms and conditions hereinafter set forth; and

WHEREAS, such contracts are authorized and provided for by the provisions of ORS 190.010.

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL PROMISES AND COVENANTS HEREIN CONTAINED, IT IS MUTUALLY AGREED AS FOLLOWS:

1. **TERM:** The term of this agreement shall be 12 months, commencing July 1, 2022 and terminating June 30, 2023.

2. **COMPENSATION:** Westfir shall pay to Oakridge for such law enforcement services as provided herein as follows:

a. Costs for this period:

| FISCAL YEAR | AMOUNT | PER QUARTER |
|----------------------------|---------------|--------------------|
| July 1, 2022-June 30, 2023 | \$55,263 | \$13,815.75 |

Exhibit A illustrates a schedule of payments to adjust and tie the payments based on a per capita model.

City of Westfir will pay for 1(one) Motorola/Ally software license for the Oakridge Police Department report management system that will be a City of Westfir specific database for police records. The cost of the FY22/23 license is \$1,575.00. This license fee will be paid to the City of Oakridge with the first quarter billing to be used for the Motorola/Ally license.

In the event an incident within Westfir requires extraordinary police services above and beyond the typical investigation and causes the hours to be performed on behalf of Westfir to exceed the normal hours worked, Westfir shall pay for such services at the actual cost for each officer. Prior to any payments being made under this subparagraph, the Police Services Committee as established herein shall review the time involved in the investigation and issue a recommendation to the Councils as to the additional amount of compensation which should be due and owing.

Billing will be done on a quarterly basis. The City of Oakridge will send an invoice requesting payment of **\$13,815.75** per quarter.

3. **POLICE RESPONSIBILITIES:** Oakridge agrees to provide police services within the corporate limits of Westfir to the extent and in the manner herein set forth encompassing 20 hours of patrol activities per month and emergency response. The police services shall encompass duties and functions of the type coming within the jurisdiction of and customarily rendered by a city police department. Such services shall include enforcement and investigations involved in the field of public safety, criminal law enforcement, or related fields within the legal power of the Oakridge Chief of Police to so provide and shall be provided in conformance with the standards generally accepted within the policing profession. The Oakridge Police shall:

a. Provide enforcement of Oregon State Statutes regarding criminal offenses and Oregon Vehicle Code Violations.

b. Provide enforcement of all other Westfir ordinances which by their nature are generally enforceable by police action on a call basis, responding to Westfir staff or resident complaints of ordinance violations. Westfir is responsible for applicable reports and the court processes for non-criminal related ordinance violations.

c. Provide a written report to Westfir on or before the 8th day of each month setting forth the actual number of calls for service and number of citations and arrests for the previous month. Report will include the same information as reported on the police department daily dispatch log. The Chief of Police or his designee shall attend any and all meetings concerning policing issues as requested by Westfir

e. Make available for the performance of the duties herein properly supervised officers, certified by the Oregon Department of Public Safety Standards and Training (except as to reserve officer/cadets), and furnish and supply all other necessary labor, supervision, equipment, communications facilities, and supplies to maintain the level of services to be rendered hereunder.

f. Respond to calls for service inside of the incorporated limits of Westfir. Response for emergency and urgent calls will be by a Police Officer. Response for any other calls will be determined by officer availability. The Chief of Police will dictate the classification of calls.

4. **PERSONNEL:** The rendition of such service, standards of performance, the discipline of officers, and other matters incident to the performance of such services and control of personnel so employed shall remain solely with the City of Oakridge.

a. With the exception of police department reserves, all personnel employed in the performance of such services pursuant to this agreement shall be Oakridge employees and all persons employed hereunder shall have City pensions, salary, workers compensation and any status or rights under the provisions of City employment paid for by Oakridge.

b. Westfir shall not be called upon to assume any liability for the direct payment of any salaries, wages, or other compensation to any Oakridge personnel performing services hereunder for Westfir or any liability other than that provided for in this agreement. Except as otherwise herein specified, Westfir shall not be liable for compensation or indemnity to any Oakridge employee for any injury, or sickness arising out of his or her employment.

5. **COURT:** It is mutually agreed that all arrests for felony crimes ~~or other misdemeanors~~ will be presented to the District Attorney for Lane County, State of Oregon, for trial in the appropriate court of jurisdiction, and the court of jurisdiction will be entitled to all portions of fines, forfeitures, etc. normally retained by them. ~~Misdemeanors may be presented in Oakridge Municipal Court or the appropriate State Court.~~ All violations of Oregon Vehicle Code, ordinance violations, ~~and Misdemeanors tried as violations~~ committed within the incorporated limits of Westfir will be cited to appear in the Oakridge Municipal Court, Lane County, Oregon, or such other court as has jurisdictions over the offense cited. All revenue generated and retained by Westfir will be divided equally with the City of Oakridge, to assist in covering additional costs of services.

6. **TERMINATION:** This agreement may be terminated for convenience by either party at any time upon giving three (3) months written notice of their intent to do so. All monies due shall be paid within 10 days of final **termination date**.

7. **HOLD HARMLESS:** The parties hereby covenant and agree to hold and save each other, their officers, agents and other employees, harmless from all claims whatsoever, including attorney's fees and costs, by reason of any act or omission of each city, its officers, agents, or employees.

8. **BUDGETING:**

Oakridge and Westfir agree to meet annually to renegotiate the amount of compensation for the next year of this agreement. The initial meeting shall take place no later than March 15th, and both parties agree to make every effort to agree upon compensation in a timely manner (by April 30th), in order for the budget process to move forward. Westfir will initiate the first meeting.

9. **MISCELLANEOUS:**

a. Westfir's Request for Proposals and the Proposal submitted by Oakridge are made a part hereof. Westfir acknowledges that the personnel as set forth in Oakridge's proposal are subject to change at any time without notice. In the event any of the provisions shall be in conflict herewith, the provisions of this agreement shall control.

b. Any amendments or modification hereto shall be made in writing as approved by respective councils.

c. Animal Control shall be in a separate contract.

d. Citations for Ordinance violations may be written by the Westfir City Recorder and delivered by Oakridge Police Chief or his designee.

IN WITNESS WHEREOF, this instrument has been executed in duplicate pursuant to resolutions heretofore duly and legally adopted by each of the parties hereto.

CITY OF OAKRIDGE

CITY OF WESTFIR

Christina Hollett, Mayor _____ Date

Melody Cornelius, Mayor _____ Date

ATTEST:

Kevin Martin _____ Date
Chief of Police

Nicole Tritten, City Recorder _____ Date

**Exhibit A
Schedule of Payments***

| Fiscal Year | Amount | Total |
|--------------------|---------------|--------------|
| 2022-23 | \$15,000 | \$55,263 |

| | | |
|---------|----------|----------|
| 2023-24 | \$15,000 | \$70,263 |
| 2024-25 | \$15,000 | \$85,263 |
| 2025-26 | \$5,102 | \$90,365 |

*Assumes City of Oakridge Police Budget and Westfir population is constant. Adjustments can be made if there are changes to either factor.

CITY OF OAKRIDGE
REQUEST FOR COUNCIL ACTION

| | | | |
|--|--|--|---|
| DATE ACTION REQUESTED: July 7th, 2022 | | | |
| Ordinance <input type="checkbox"/> | Resolution <input type="checkbox"/> | Motion <input checked="" type="checkbox"/> | Information <input type="checkbox"/> |
| Date Prepared: July 5th, 2022 | | Dept.: City Administrator's Office | |
| SUBJECT: Lowell Police IGA | | Contact Person for this Item: Kevin Martin, Pro-Tem City Administrator cityadministrator@ci.oakridge.or.us (541) 782-2258 | |

SUBJECT:

Lowell Police IGA

BACKGROUND:

Oakridge has an ongoing Intergovernmental Agreement for Police/Law Enforcement Services.

RECOMMENDATION:

Staff recommends acceptance by a motion of the Council.

RECOMMENDED MOTION:

"I move to approve the Oakridge Lowell IGA for Law Enforcement Services as presented."

ALTERNATIVE MOTION:

"I move to continue the discussion at the next regularly scheduled City Council meeting."

FINANCIAL IMPACT:

\$32087.83 in revenue for FY 22/23.

ATTACHMENT:

- a. Police IGA

AGREEMENT FOR LAW ENFORCEMENT SERVICES

CITY OF LOWELL/CITY OF OAKRIDGE

THIS AGREEMENT is made and entered by and between the CITY OF LOWELL hereinafter called Lowell, a municipal corporation of the State of Oregon, and the CITY OF OAKRIDGE, hereinafter called Oakridge, a municipal corporation of the State of Oregon.

WITNESSETH

WHEREAS, Lowell is desirous of contracting with Oakridge for the performance of the hereinafter described law enforcement functions within the boundaries of Lowell by Oakridge thereof, and;

WHEREAS, Oakridge has agreed to tender such services on the terms and conditions hereinafter set forth; and

WHEREAS, such contracts are authorized and provided for by the provisions of ORS 190.010.

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL PROMISES AND COVENANTS HEREIN CONTAINED, IT IS MUTUALLY AGREED AS FOLLOWS:

1. **TERM:** The term of this agreement shall be 12 months, commencing July 1, 2022 and terminating June 30, 2023.
2. **COMPENSATION:** Lowell shall pay to Oakridge for such law enforcement services as provided herein as follows:
 - a. Costs for this period. Payments shall be made in equal installments.

| FISCAL YEAR | AMOUNT | HOURS | HOURLY RATE |
|----------------------------|---------------|--------------|--------------------|
| July 1, 2022-June 30, 2023 | \$32,087.83 | 480 | \$66.85 |

b. City of Lowell will pay for 1(one) Motorola/Ally software license for the Oakridge Police Department report management system that will be a City of Lowell specific database for police records. The cost of the FY22/23 license is \$1575.00. This license fee will be paid to the City of Oakridge with the first billing to be used for the Motorola/Ally license.

c. In the event an incident within Lowell requires extraordinary police services above and beyond the typical investigation and causes the hours to be performed on behalf of Lowell to exceed the 40-hour month average, Lowell shall pay for such services at the established hourly rate listed above. Prior to any payments being made under this subparagraph, the City Administrators shall review the time involved in the investigation and jointly agree on the additional amount of compensation which should be due.

3. **POLICE RESPONSIBILITIES:** Oakridge agrees to provide police protection within the corporate limits of Lowell to the extent and in the manner herein set forth. The police services shall encompass duties and functions of the type coming within the jurisdiction of and customarily rendered by a city police department. Such services shall include enforcement and investigations involved in the field of public safety, criminal law enforcement, or related fields within the legal power of the Chief of Police to so provide and shall be provided in conformance with the standards generally accepted within the policing profession. The Oakridge Police shall:
- a. Provide enforcement of State Statutes and Lowell Ordinances regarding criminal offenses and Oregon Vehicle Code Violations.
 - b. Provide enforcement of all other Lowell ordinances which by their nature are generally enforceable by police action on a call basis, responding to Lowell staff or resident complaints of ordinance violations, but generally no ordinance enforcement by random patrol.
 - c. Provide a random 10-hour weekly patrol of Lowell in marked police vehicles. An average of 40 patrol hours shall be conducted within Lowell city limits each calendar month. Administrative hours will be included in the 40 total hours to include investigative reports and other administrative duties as needed.
 - d. Provide a written report to Lowell on or before the 8th day of each month setting forth the actual number of calls for service and number of citations and arrests for the previous month. The Chief of Police or his designee shall attend any and all meetings concerning policing issues as requested by Lowell. Example of report is included as Attachment 1.
 - e. Make available for the performance of the duties herein properly supervised officers, certified by the Oregon Department of Public Safety Standards and Training (except as to reserve officer/cadets), and furnish and supply all other necessary labor, supervision, equipment, communications facilities, and supplies to maintain the level of services to be rendered hereunder.
4. **PERSONNEL:** The rendition of such service, standards of performance, the discipline of officers, and other matters incident to the performance of such services and control of personnel so employed shall remain solely with the City of Oakridge.
- a. With the exception of police department reserves, all personnel employed in the performance of such services pursuant to this agreement shall be Oakridge employees and all persons employed hereunder shall have City pensions, salary, workers compensation and any status or rights under the provisions of City employment paid for by Oakridge.

- b. Lowell shall not be called upon to assume any liability for the direct payment of any salaries, wages, or other compensation to any Oakridge personnel performing services hereunder for Lowell or any liability other than that provided for in this agreement. Except as otherwise herein specified, Lowell shall not be liable for compensation or indemnity to any Oakridge employee for any injury, or sickness arising out of his or her employment.
5. **COURT:** It is mutually agreed that all arrests for felony crimes or other misdemeanors, except those cited under Lowell Ordinance 273 which may be cited into the Lowell Municipal Court, will be presented to the District Attorney for Lane County, State of Oregon, for trial in the appropriate court of jurisdiction, and the court of jurisdiction will be entitled to all portions of fines, forfeitures, etc. normally retained by them. All violations of Oregon Vehicle Code and ordinance violations committed within the incorporated limits of Lowell will be cited to appear in the Lowell Municipal Court, Lane County, Oregon, or such other court as has jurisdictions over the offense cited. Oakridge will provide a bailiff for the Lowell Municipal Court who shall be present whenever the Court is in session. An Officer schedule to testify at Court may serve as Bailiff. Bailiff time will be accounted for separately from patrol time and will be paid for at the established rate from Court revenues. A minimum of one hour will be charged for each Court session. Required Court appearances by Officers, above and beyond Bailiff duty will also be accounted for separately and paid from Court receipts. All net revenue generated and retained by the Lowell Municipal Court will be divided equally with the City of Oakridge, to assist in covering additional costs of services. Lowell will deposit all Court revenue into a Trust and Agency Account. Court Revenue will be accounted for as follows on a quarterly basis:
 - a) From Gross Receipts, all Statutory Assessments, including the Court Administration Surcharge will be deducted and paid from the Trust and Agency Account.
 - b) From Gross Receipts, direct Court costs for the Judge and any other required personnel services, including but not limited to City Attorney and Interpreter, if required, plus 10% Court Administrative Costs in addition to previous year Court Administration Surcharge and will be deducted for payment to the City of Lowell.
 - c) From Gross Receipts, Bailiff costs and additional costs for Officers to appear in Court, will be deducted for payment to the City of Oakridge.
 - d) The remaining net revenue will be divided equally between Lowell and Oakridge.
 - e) Within 30 days of the end of each fiscal year quarter, a check will be written from the Trust and Agency Account to the City of Lowell for costs identified in b above plus Lowell's share of net receipts.
 - f) Within 30 days of the end of each fiscal year quarter, a check will be written from the Trust and Agency Account to the City of Oakridge for costs identified in c above plus Oakridge's share of net receipts.

6. **DISPUTE RESOLUTION:** Specifically, the Administrators shall attempt to resolve any disputes between the cities concerning the terms of this agreement and the performance thereof and may recommend that the cities enter into mediation or arbitration if the Administrators are unable to resolve a dispute matter. The type and quality of service shall be reviewed annually by the respective councils.
7. **TERMINATION:** This agreement may be terminated by either city at any time upon giving two (2) months written notice of their intent to do so. Further, if the City of Lowell receives a UHP COPS Grant the contract will be adjusted as needed.
8. **HOLD HARMLESS:** The parties hereby covenant and agree to hold and save each other, their officers, agents and other employees, harmless from all claims whatsoever, including attorney's fees and costs, by reason of any act or omission of each city, its officers, agents, or employees. Oakridge will provide Lowell a certificate of insurance indicating the City of Oakridge carries an insurance policy providing liability insurance for its Police Department and any contractual arrangements with other agencies.
9. **MISCELLANEOUS:**
 - a. Any amendments or modification hereto shall be made in writing as approved by respective councils.

IN WITNESS WHEREOF, this instrument has been executed in duplicate pursuant to resolutions heretofore duly and legally adopted by each of the parties hereto.

CITY OF OAKRIDGE

CITY OF LOWELL

 Christina Hollett, Mayor Date

 Don Bennett, Mayor Date

ATTEST:

 Kevin Martin Date
 Chief of Police

 Jeremy Caudle Date
 City Administrator