



CITY OF EAGLE POINT

"Gateway to the Lakes"

OREGON

EAGLE POINT CITY COUNCIL

Council Chambers
17 Buchanan Ave. South, Eagle Point, Oregon
July 24, 2018

REGULAR MEETING AGENDA

1. CALL TO ORDER – 6:00 P.M.
2. FLAG SALUTE AND INVOCATION
3. AUDIENCE QUESTIONS OR COMMENTS CONCERNING ITEMS NOT ON THE AGENDA
4. PRESENTATIONS
5. PUBLIC HEARINGS
6. CONSENT CALENDAR
 - 6.1 Presentation of Regular Meeting Minutes of July 10, 2018.
7. CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT CALENDAR
8. PRESENTATION OF BILLS TO BE PAID
9. OLD BUSINESS
 - 9.1 Discussion regarding 2018 League of Oregon Cities Survey regarding Legislative Priorities.
10. NEW BUSINESS
 - 10.1 Discussion regarding Eagle Point's committed residential density associated with future Urban Growth Boundary expansion under the city's Regional Plan Element.
 - 10.2 Discussion regarding sending City representatives to Eagle Point's Sister City, Showa Mura, Japan.

City Council Agenda

July 24, 2018

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11. REPORTS FROM CITY COUNCIL AND CITY COMMITTEE REPRESENTATIVES
12. STAFF REPORTS
 - 12.1 Planning Department.
 - 12.2 Financial Department.
 - 12.3 Public Works Department.
 - 12.4 Police Department.
13. INFORMATION
 - 13.1 OLCC License Renewal Notification.
14. ADJOURN

AGENDA AND COUNCIL PACKETS ALSO AVAILABLE ON WEBSITE
www.cityofeaglepoint.org

If a physical accommodation is needed to participate in this meeting, please contact the City Recorder at 541-826-4212 ext. 106 or TTY/TDD 711 or 800-735-2900. Notification of at least 48 hours prior to the meeting will assist the City in providing reasonable accommodations. (28 CFR 35.102-35.104 ADA Title II).



CITY OF EAGLE POINT

"Gateway to the Lakes"

OREGON

EAGLE POINT CITY COUNCIL
17 BUCHANAN AVE. SOUTH, EAGLE POINT, OREGON

JULY 10, 2018

REGULAR MEETING MINUTES

1. CALL TO ORDER – 6:00 P.M.

Mayor Russell called the meeting to order at 6:00 p.m.

Council Members Present: Bob Russell, Jonathan Bilden, Bill Fierke, Ruth Jenks, James Mannenbach, Kathy Sell, and Michael Stanek (via Skype).

Staff Members Present: Henry Lawrence, City Administrator; Joe Kellerman, City Attorney; Souvanny Miller, City Attorney; Darin May, Interim Police Chief; Robert Miller, Public Works Director; Mike Upston, Planning Director; and Cindy Hughes, City Recorder.

Guests: Cynda Rickert, Eagle Point School District Superintendent; Sue Kupillas, Board President, Butte Creek Mill Foundation; Maryanne Pitcher, Executive Director, Butte Creek Mill Foundation; Dennis Mihocko, Eagle Point Parks Foundation President; Suzi Collins, Planning Commissioner; Douglas Detling, Community Development Commissioner and Budget Committee Member; Bernie Grossman, Planning Commissioner; Eric Gunn, Budget Committee Member; Wyn Lewis, Community Development Commissioner; Leon Sherman, Budget Committee Member; Jerry Zieman, Budget Committee Member; and members of the public and press.

2. FLAG SALUTE AND INVOCATION

Mayor Russell led the Pledge of Allegiance; and Jerry Zieman offered the invocation. Following the invocation, Mayor Russell reminded everyone about quieting cell phones until after the meeting.

3. OATH OF OFFICE

3.1 Lindsey Evertt, Office of Police Officer

Cindy Hughes, City Recorder, administered the Oath of Office of Police Officer to Lindsey Evertt which was well attended by family, friends, and the Eagle Point Police Department.

City of Eagle Point Council Meeting Minutes

July 10, 2018

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3.2 Bill Fisher – Office of Police Corporal

Cindy Hughes, City Recorder, administered the Oath of Office of Police Corporal to Bill Fisher which was also well attended by family, friends, and the Eagle Point Police Department.

4. AUDIENCE QUESTIONS OR COMMENTS CONCERNING ITEMS NOT ON THE AGENDA

Matthew Schenk of Eagle Point Scout Troup 48 asked and received the Council's support of his Senior Eagle Scout Project to replace a portion of the fencing near the covered bridge. A project binder was shared with the Council including fencing pictures. Scout Schenk discussed the preliminary investigation of lumber costs and working with Darren Kinyon of the Eagle Point Public Works Department. The lumber is estimated to be \$2,400 to \$2,500 with two-rail fencing proposed.

Brian Schenk, Scout Schenk's father and Assistant Scout Master to Troup 48 added details about researching historic covered bridge fencing styles, and discussed countersinking bolts to preserve the fencing.

Henry Lawrence, City Administrator, reported on available funds for the project, and the Council indicated support.

There were no other audience questions or comments.

5. PRESENTATIONS

There were no Presentations.

6. PUBLIC HEARINGS

There were no Public Hearings.

7. CONSENT CALENDAR

7.1 Presentation of Regular Meeting Minutes of June 26, 2018.

Mayor Russell announced the Consent Calendar. Cindy Hughes, City Recorder, reported on revisions including the roll call vote on Item No. 10.5. There were no questions or comments. Councilor Bilden moved to approve the Consent Calendar as presented and Councilor Fierke seconded the motion. There was no discussion. Roll call: Michael Stanek, yes; Jonathan Bilden, yes; Bill Fierke, yes; Ruth Jenks, yes; James Mannenbach, yes; Kathy Sell, yes; and Bob Russell, yes. The motion passed unanimously.

City of Eagle Point Council Meeting Minutes

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9. PRESENTATION OF BILLS TO BE PAID

Mayor Russell asked if there were questions about the bills to be paid including the additional bills list. There were no questions. Councilor Bilden moved to approve the Regular Bill List (Corrected – Submission No. 1) in the amount of \$134,136.24 and the Additional Bills List in the amount of \$121,031.86 (Submission No. 2). Councilor Fierke seconded the motion. There was no discussion. Roll call: Jonathan Bilden, yes; Bill Fierke, yes; Ruth Jenks, yes; James Mannenbach, yes; Kathy Sell, yes; Michael Stanek, yes; and Bob Russell, yes. The motion passed unanimously.

10. OLD BUSINESS

- 10.1 Resolution No. 2018-35. A Resolution authorizing a General Fund donation in the amount of \$100,000 to the Butte Creek Mill Foundation for the Rebuild the Mill effort.

Mayor Russell announced Item No. 10.1 and recused himself at 6:19 p.m.

Ruth Jenks, City Council President, called on Henry Lawrence, City Administrator to present Item No. 10.1 regarding a donation request by the Butte Creek Mill Foundation (Foundation). Mr. Lawrence provided the background on this item as detailed in the agenda statement. This item was carried over from the Council meeting of June 26, and two City Councilors met with the Foundation after that meeting, resulting in a revised Resolution. The revised Resolution included an initial disbursement of \$80,000 and a \$20,000 credit for building fees, with any unused credit payable to the Foundation.

Discussion ensued about the \$20,000 credit which Mr. Lawrence anticipated coming in under \$10,000. It was noted though that the Mill and antique store are both on one meter and will need separate meters, which will trigger SDCs.

Discussion followed about the request for a liaison on the Foundation's Board, and whether or not it would be a requirement of all donations. Council President Jenks suggested the question could be reviewed by the Council at a future meeting. However, it was noted that the Foundation's Executive Director had previously made a suggestion about serving. Discussion continued about removing or keeping the last three "whereas" sections in the Resolution, and revising the wording about the \$20,000 credit to cover all building fees, resulting in the following motion.

MOTION: Councilor Mannenbach motioned to authorize Resolution No. 2018-35, a Resolution authorizing a General Fund donation in the amount of \$100,000 to the Butte Creek Mill Foundation for the Rebuild the Mill effort, removing the final three "whereas" sections, and adjusting the language to include all building fees. Councilor Bilden seconded the motion.

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Council President Jenks asked the Council if there were questions or comments. Councilor Fierke discussed the Council's fiduciary responsibility to the City of Eagle Point, and noted that Council President Jenks and Councilor Sell tried to address legitimate issues with representatives of the Foundation in a meeting after the last Council meeting. Councilor Fierke also spoke about the letter from the President of the Foundation (Submission No. 3), noting several concerns that were not addressed such as waiving tour charges for School District 9 Students, future public use of the facility and grounds at the Mill, and the viability of the project if they did not get enough money. Councilor Fierke again discussed the Council's responsibility in spending citizens' money but also stated support for the project. Councilor Fierke concluded by offering an amendment to the proposed Resolution (Submission No. 4).

Attorney Kellerman advised the Council about parliamentary procedure and withdrawing a motion before considering an amendment.

Council President Jenks noted the Council had received a first and a second on a motion and they were in the discussion phase on the motion. Sue Kupillas, Board President of the Foundation, was welcomed and she offered to address all of the issues starting with charging students. Ms. Kupillas reported that Mayor Russell had discussed the financial impact of providing tours on the operations of the Mill at a previous meeting. Discussion continued wherein Council President Jenks spoke about the request in the Resolution to waive the scheduled tour fee for Eagle Point students but not requiring tours. Ms. Kupillas suggested receiving input from the School Superintendent; however, it was not requested. Additionally, the liaison position to the Foundation Board was discussed as being a request. Ms. Kupillas noted the Foundation's willingness to work with the City, but reported on their attorney's guidance about not binding future Boards, and offered a Memorandum of Understanding (MOU).

The Council continued with discussion about donations wherein the results were nearly immediate but recalled promises from other groups that were not kept. Liaison positions were discussed again as well.

Councilor Stanek expressed interest in hearing more about the proposal from Councilor Fierke. Councilor Fierke discussed his proposed amendment to the Resolution that would change the donation amount to up to \$60,000, removing the last three "whereas" sections, and changing the disbursement of funds as follows:

1. A credit of up to \$20,000 towards all building permit fees; and
2. A donation of \$20,000, after written assurances by the Foundation are given to the City of Eagle Point that:
 - a. There will be no fees requested for educational tours by students attending Jackson County School District 9 (D9 Eagle Point School District); and
 - b. Eagle Point Parks and Historic Preservation (Eagle Point Parks Foundation, and Guardians of the Museum), as well as scholarships to

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Eagle Point students, be important considerations for future fund disbursements by the Foundation; and

- c. The Mill grounds will continue to be kept in a park like condition and available to Eagle Point groups and citizens as it was prior to the devastating fire.
3. An additional donation of \$20,000 after the Foundation reaches a total of \$1.5 million in donations.

Councilor Fierke noted that Mayor Russell had charged students from outside of Eagle Point.

Parliamentary procedure was discussed again, and Council President Jenks returned to the Motion offered by Councilor Mannenbach and seconded by Councilor Bilden, resulting in the following roll call vote. Roll call: James Mannenbach, yes; Michael Stanek, yes; Jonathan Bilden, yes; Bill Fierke, no; Kathy Sell, no; Ruth Jenks, no; and Bob Russell, recused. The motion failed with three yes votes and three no votes.

Following the failed motion, Council President Jenks offered the next motion as shown below.

MOTION: Council President Jenks made a motion to authorize Resolution No. 2018-35, as presented in the Council Packet with the language changed to include all building fees. Councilor Sell seconded the motion. There was no discussion. Roll call: Ruth Jenks, yes; James Mannenbach, yes; Kathy Sell, yes; Michael Stanek, yes; Jonathan Bilden, yes; Bill Fierke, no; and Bob Russell, recused. The motion passed with five yes votes and one no vote.

At 7:00 p.m. Mayor Russell returned to the dais.

11. NEW BUSINESS

- 11.1 Discussion regarding 2018 League of Oregon Cities Survey regarding Legislative Priorities.

Henry Lawrence, City Administrator, reported on the League of Oregon Cities (LOC) Survey regarding Legislative Priorities, with a request for Eagle Point's top and bottom four items by August 3rd.

Councilor Fierke reported on Items G, O, S, and Y as being good, and the rest as bad. There were no other Council recommendations and Mayor Russell suggested continuing the discussion to the next meeting for a final list, and there was no objection.

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July 10, 2018

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REPORTS FROM CITY COUNCIL AND CITY COMMITTEE REPRESENTATIVES

Councilor Fierke announced the Eagle Point School District 9 Board meeting was scheduled for the following night. Next, he commended Mayor Russell for a good visit with our Sister City, Showa Japan, and reported both cities learned from each other. On the next meeting agenda, Councilor Fierke requested taking action regarding the potential trip to Showa in October. In addition, Councilor Fierke requested the City to prepare documents to address density levels and take action. Mike Upston, Planning Director, reported that Eagle Point had become denser as the years have gone by but it would require rezoning to meet the requirements. Henry Lawrence, City Administrator, recalled past discussions about this being a political issue but would review Minutes and prepare the item for the next meeting.

Councilor Bilden reported enjoying the visit with Showa and the 4th of July celebration.

Council President Jenks reported on a great July 4th celebration, enjoying the Chamber's videos of the 4th, and expressed appreciation to Mayor Russell for the beautiful job in hosting our guests from Showa.

Councilor Mannenbach reported helping out with the Fun Run, which was fun, and also enjoying the 4th of July and visit by Showa.

Councilor Stanek reported on the excellent 4th of July celebration and the wonderful experience of meeting with the guests from Showa, and is looking forward to meeting them again in October. Additionally, Councilor Stanek noted he would not be available for the next meeting.

Councilor Sell thanked everyone that worked hard to make the 4th of July a great event, including Public Works, and reported enjoying the visit with our friends from Showa.

Mayor Russell expressed appreciation for the Eagle Point School District providing bus services for the Showa visit, as well as to all of the staff that helped with the visit and 4th of July celebration. Mayor Russell commented that the City had never looked better and suggested imagining how it will be next year with the completion of Linn Road. Mayor Russell asked if others were interested in going to Showa and they were.

STAFF REPORTS

Mike Upston, Planning Director, reported on seven active residential projects, ranging from large to small projects. Current commercial projects include: Windermere Real Estate Office, Storage Emporium, and the Butte Creek Mill. Mr. Upston further reported on the Downtown Façade Improvement Grant for improvements at 225 Main Street. In addition, he reported on other incentives to promote downtown development, and working with regional partners on housing and transit. Upcoming Planning Commission meetings will be held in July, August, and September, with subdivision development (North Barton Subdivision/East and Sienna Hills Phase 7) coming forward to the City Council. Richardson Vet Clinic conditional use permit is scheduled for a public hearing at the August Planning Commission meeting. A public hearing for the Arrowhead Trail Alley is

City of Eagle Point Council Meeting Minutes

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scheduled to be held before the City Council in August. Last, Mr. Upston reported on the next Community Development Commission meeting scheduled for August 7th at 5:00 p.m., followed by National Night Out at 6:00 p.m.

Robert Miller, Public Works Director, reported on the completion of most projects in preparation for the 4th of July. Additionally, the Public Works heated storage building project has broken ground, and Linn Road is under review with a bid opening set in August. Mr. Miller noted that while projects are being completed, work hasn't slowed and a lot of development is in review.

Chief May reported on Officer Evertt doing extremely well and preparing to attend the Police Academy. Chief May added that Police Corporal Fisher is a great addition to the Department's leadership. Regarding the 4th of July, Chief May reported it being a great event and while there were only eight calls on illegal fireworks, four received citations. Last, Chief May reported on the completion of replacement flooring in the Department's interview room.

Henry Lawrence, City Administrator, reported obtaining funding with Banner Bank for the Public Works Heated Storage Project at the rate of 2.85%, likely saving \$40,000 over the 5-year loan period.

At 7:18 p.m., Mayor Russell recessed the meeting for a short break and announced that representatives of the news media and designated staff would be allowed to attend the Executive Session. All other members of the audience would be asked to leave the room and welcomed back after the Executive Session.

12. EXECUTIVE SESSION PURSUANT TO ORS 192.660(2)(e), To conduct deliberations with persons designated by the governing body to negotiate real property transactions.

At 7:22 p.m., Mayor Russell opened the Executive Session pursuant to ORS 192.660(2)(e) and closed the Executive Session at 7:30 p.m.

13. ADJOURN

At 7:31 p.m., Mayor Russell reconvened and closed the meeting.

Respectfully submitted,

Cindy Hughes, City Recorder

ATTEST:

Robert E. Russell, Mayor

Cindy Hyman 7-20-18
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BILL LIST
 7/24/2018

<u>CHECK #</u>	<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
40429	AERIAL INSPECTIONS & REPAIRS, INC.	VEHICLE MAINT/REPAIR	\$ 469.00
40430	ALL AMERICAN WINDOW CLEANING	BUILDING MAINT/REPAIR	\$ 365.00
40431	ANDERSON ENVIRONMENTAL CONTRACTING	S SHASTA PEDESTRIAN BRIDGE	\$ 9,789.02
40432	BLUE STAR GAS	PROPANE FOR BACKUP GENERATOR/CRESTMONT PS	\$ 1,103.33
40433	BUDGE-MCHUGH SUPPLY CO.	SUPPLIES	\$ 64.16
40434	BUTTE CREEK MILL FOUNDATION	DONATION	\$ 80,000.00
40435	CENTURY WEST ENGINEERING CORP.	LINN ROAD	\$ 55,732.71
40436	CITY OF EAGLE POINT	ELECTRICAL PERMIT/PW HEATED STORAGE	\$ 183.56
40437	CONSTRUCTION ENGINEERING CONSULTANTS, INC.	ENGINEERING-PW HEATED STORAGE, LITTLE BUTTE PARK	\$ 236.25
40438	COSTCO WHOLESALE MEMBERSHIP	ANNUAL MEMBERSHIP	\$ 120.00
40439	DAY WIRELESS SYSTEMS	EQUIP MAINT/REPAIR	\$ 201.22
40440	DEVORE ELECTRIC AND CONSTRUCTION	MAIN STREET LIGHTING PHASE IV	\$ 26,353.00
40441	ECONOMY PLYWOOD & BLDG SUPPLY	SUPPLIES	\$ 145.44
40442	ECSO (EMERGENCY COMMUNICATIONS OF S. OR)	DISPATCH 3RD QTR 2018	\$ 36,156.85
40443	FOUR SEASONS NURSERY	CITY BEAUTIFICATION	\$ 198.00
40444	GRABOWSKI PAVING LLC	PAVING-LAUREL/TRACY STORM PROJECT	\$ 13,364.10
40445	HART INSURANCE AGENCY	CYBER LIABILITY INSURANCE	\$ 1,313.00
40446	HAYS OIL COMPANY	FUEL	\$ 891.56
40447	HORNECKER COWLING LLP	CITY ATTORNEY	\$ 4,020.00
40448	HUNTER COMMUNICATIONS	UTILITIES	\$ 2,263.91
40449	HYER GOLF, LLC	STORM MAINT AGREEMENT	\$ 7,500.00
40450	JACKSON COUNTY TREASURER	UNITARY ASSESSMENTS-JUNE & YEAR END RECON	\$ 448.93
40451	LIL' PANTRY	VEHICLE MAINT/REPAIR	\$ 88.00
40452	LLAD INC	LAUREL/TRACY STORM PROJECT	\$ 445.68
40453	MICHAEL ANSELM	TRAVEL/TRAINING	\$ 586.79
40454	NEILSON RESEARCH CORPORATION	WATER TESTING	\$ 280.00
40455	NETWORK SERVICES COMPANY	JANITORIAL SUPPLIES	\$ 133.60
40456	OREGON BOOKING AGENCY	STREET DANCE BAND	\$ 1,000.00
40457	OREGON DEPT OF REVENUE	UNITARY ASSESSMENTS-JUNE & YEAR END RECON	\$ 1,407.47
40458	PARIANI LAND SURVEYING	SURVEY WORK-LINN RD, LOTO ST, LITTLE BUTTE PARK	\$ 2,181.50
40459	PERSONNEL SOURCE	TEMP SERVICES-HARNISH, MUSEUM-2 WKS	\$ 1,827.95
40460	PLAYCRAFT SYSTEMS, LLC	PARK EQUIPMENT	\$ 2,329.98
40461	QUALITY ONE MAINTENANCE INC	WEED EAT HIGHLANDS PARK	\$ 375.00
40462	ROBERT RUSSELL	TRAVEL-OMA SUMMER CONFERENCE	\$ 500.07
40463	ROTARY CLUB OF THE UPPER ROGUE	SEMI-ANNUAL DUES	\$ 230.00
40464	STAPLES ADVANTAGE	SUPPLIES	\$ 67.78
40465	SYMBOL ARTS	POLICE BADGES	\$ 50.00
40466	TEHAMA TIRE SERVICE	VEHICLE MAINT/REPAIR	\$ 652.93
40467	US BANK	SHOWA VISIT,VEHICLE MAINT,UTILITIES,TRAVEL,SUPPLIES	\$ 7,100.61
40468	VERIZON WIRELESS	UTILITIES	\$ 320.10
40469	WELBURN ELECTRIC, INC.	BUILDING MAINT/REPAIR, OUTLET REPAIRS	\$ 3,013.84
40470	WIN-911 SOFTWARE	SCADA SUPPORT	\$ 495.00
40471	ZACH SPROTT	STREET DANCE LIGHTING & SOUND	\$ 1,740.00
			SUBTOTAL \$ 265,745.34

Cindy Hysa 7-20-18
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BILL LIST
7/24/2018

<u>CHECK #</u>	<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
REFUNDS			
40472	DAVIS, ROGER		\$ 74.01
40473	ELEGANT CUSTOM HOMES LLC		\$ 30.24
40474	GARMIRE, MARJORIE L		\$ 65.00
40475	GLENN, TRACEY/HEIDI		\$ 43.31
40476	JANAKES BUILDERS LLC		\$ 66.04
40477	MATTHEWS, KATIJO		\$ 26.91
40478	MITCHELL, MIKE/GAIL		\$ 67.47
40479	NICKERSON, PAULA		\$ 5.82
40480	OWEN, TROY		\$ 46.00
40481	REINHART, KARLA		\$ 8.45
40482	RITCHIE, S. STEVEN/DEANN		\$ 39.57
40483	SHELTON, DANIEL & JANET		\$ 29.34
40484	WATERHOUSE, A C JR		\$ 134.00
40485	WEAVER, NICHOLAS & HEAT		\$ 85.00
40486	Z DEVELOPMENT, LLC		\$ 18.38
		SUBTOTAL	\$ 739.54
		TOTAL	\$ 266,484.88

**BUSINESS OF THE CITY COUNCIL
EAGLE POINT, OREGON**

AGENDA STATEMENT

Item Number: 9.1
Meeting Date: July 24, 2018

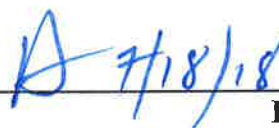
ITEM TITLE: Discussion regarding 2019 League of Oregon Cities Survey regarding Legislative Priorities.

SUBMITTED BY: Henry Lawrence, City Administrator.

SUMMARY EXPLANATION: This item was previously presented at the July 10th City Council meeting. Each member city of the League of Oregon Cities (LOC) is being requested to review legislative policy objectives that were developed by the LOC Policy Committee. The Council is being asked to identify the top four (4) issues that the LOC should focus on during the upcoming 2019 Oregon legislative session. In addition to the top four issues, the LOC requests the bottom four (least desirable) issues in terms of advocacy activity.

FINANCIAL IMPACT: None.

APPROVED FOR SUBMITTAL: _____


Henry Lawrence, City Administrator

STAFF RECOMMENDATION: None.

ATTACHMENTS: League of Oregon Cities' letter of June 6, 2018, and addendum to ballot.



1201 Court Street NE, Suite 200 • Salem, Oregon 97301
(503) 588-6550 • (800) 452-0338 • Fax: (503) 399-4863
www.orcities.org

June 6, 2018

Dear Chief Administrative Official:

For the past three months, eight policy committees have been working to identify and propose specific actions as part of the League's effort to develop a pro-active legislative agenda for the 2019 session. They have identified legislative objectives as set forth in the enclosed ballot and legislative recommendation materials. These objectives span a variety of issues and differ in the potential resources required to seek their achievement. Therefore, it is desirable to prioritize them in order to ensure that efforts are focused where they are most needed.

While the attached ballot reflects the top policies developed in each of the policy committees, each undertook a broad look at a range of issues impacting cities. Many issues reflect the League's ongoing mission to support cities' work and their home rule authority to develop and use a variety of tools to meet the needs of residents but were not included in the ballot. Additional issues, such as addressing the housing shortage and the opioid crisis, are multifaceted and did not fit concisely into policy priorities. However, they remain as work the League intends to accomplish as it works with large groups of stakeholders in search of solutions.

Each city is being asked to review the recommendations of the policy committees and provide input to the LOC Board of Directors as it prepares to adopt the League's 2019 legislative agenda. After your city council has had the opportunity to review the proposals and discuss them with your staff, please return the enclosed ballot indicating the top four issues that your city council would like to see the League focus on during the 2019 session. **The deadline for response is August 3, 2018.** The board of directors will then review the results of this survey of member cities, along with the recommendations of the policy committees, and determine the League's 2019 legislative agenda.

Your city's participation and input will assist the board in creating a focused set of specific legislative targets that reflect the issues of greatest importance to cities. Thank you for your involvement, and thanks to those among you who gave many hours of time and expertise in developing these proposals.

Do not hesitate to contact me or Craig Honeyman, Legislative Director, with questions.

Sincerely,

Mike Cully
Executive Director

Craig Honeyman
Legislative Director

P.S. If you are reviewing the hard copy of this ballot and would like to view the linked material please visit the following web address and click on the links there:

<http://www.orcities.org/Portals/17/Legislative/2019PolicyBallotInformation.pdf>

INSTRUCTIONS

1. Each city should submit one form that reflects the consensus opinion of its city council on the **top four** legislative priorities for 2018.
2. Simply place an **X or a check mark** in the space to the left of the city's top four legislative proposals (last pages of the packet).
3. The top four do not need to be prioritized.
4. Return by **August 3rd** via mail, fax or e-mail to:

Jenna Jones
League of Oregon Cities
1201 Court St. NE, Suite 200
Salem, OR 97301
Fax – (503) 399-4863
jjones@orcities.org

Thank you for your participation.

City of: _____

Please check or mark 4 boxes with an X that reflects the top 4 issues that your city recommends be added to the priorities for the League's 2019 legislative agenda.

Legislation

A. 9-1-1 Tax	<input type="checkbox"/>
B. Annexation Flexibility	<input type="checkbox"/>
C. Auto Theft	<input type="checkbox"/>
D. Beer and Cider Tax Increase	<input type="checkbox"/>
E. Broadband Infrastructure	<input type="checkbox"/>
F. Carbon Cap-and-Invest Program Adoption	<input type="checkbox"/>
G. City Comparability for Compensation	<input type="checkbox"/>
H. Green Energy Technology Requirement Changes	<input type="checkbox"/>
I. Infrastructure Financing and Resilience	<input type="checkbox"/>
J. Least Cost Public Contracting	<input type="checkbox"/>
K. Local Control Over Speed Limits on City Streets	<input type="checkbox"/>
L. Lodging Tax Definition Broadening	<input type="checkbox"/>
M. Mental Health Investment	<input type="checkbox"/>
N. Permanent Supportive Housing Investment	<input type="checkbox"/>
O. PERS Reform	<input type="checkbox"/>
P. PERS Unfunded Liability Revenue Stream Dedication	<input type="checkbox"/>
Q. Place-Based, Water Resource Planning (Program Support)	<input type="checkbox"/>
R. Property Tax Reform	<input type="checkbox"/>
S. Qualification Based Selection (QBS)	<input type="checkbox"/>
T. Right-of-Way and Franchise Fee Authority	<input type="checkbox"/>
U. Safe Routes to School Match	<input type="checkbox"/>
V. Small Area Cell Deployment	<input type="checkbox"/>
W. Speed Cameras	<input type="checkbox"/>
X. Speed Limit Methodology	<input type="checkbox"/>
Y. Third Party Building Inspection	<input type="checkbox"/>
Z. Tobacco Taxes Share Increase	<input type="checkbox"/>
AA. Waste Water Technical Assistance Program	<input type="checkbox"/>
BB. Wetland Development Permitting	<input type="checkbox"/>
CC. Wood Smoke Reduction Program Support	<input type="checkbox"/>

In addition to your ranking of the priorities shown above, please use this space to provide us with any comments (supportive or critical) you may have on these issues, or thoughts on issues or potential legislative initiatives that have been overlooked during the committee process.:

A. 9-1-1 Tax

Legislation:

Support legislation enhancing the effectiveness of the state's emergency communications system by increasing the 9-1-1 tax and/or seeking other sources of revenue and prohibiting legislative "sweeps" from emergency communications accounts managed by the Oregon Office of Emergency Management.

Background:

The League worked with other stakeholder groups in 2013 to extend the sunset date on the statewide 9-1-1 emergency communications tax to January 1, 2022 ([HB 3317](#)). In 2014, the League also worked to pass legislation including prepaid cellular devices and services under the 9-1-1 tax ([HB 4055](#)). As concerns mount with regard to disaster preparedness and recovery and as upgrades to communications technology become available, it is apparent that state and local governments do not have the resources necessary to address challenges or take advantage of opportunities (see an analysis in the League's 2018 State Shared Revenue Report, [here](#), and the Oregon Office of Emergency Management's "Emergency Communications Tax" webpage, [here](#)). Additional funding is needed and the practice of periodically sweeping funds out of the state's emergency management account for other uses must cease. It is worthy of note that the practice of "sweeps" disqualifies the state from receiving federal funds for emergency communications. It is unknown how many federal dollars have been foregone as a result of this policy.

Presented by the Telecom, Broadband & Cable Committee and endorsed by the Finance & Taxation Committee

B. Annexation Flexibility

Legislation:

The League will work to increase the flexibility for cities to annex residential areas and to encourage voluntary annexations, with a primary focus on improving the island annexation process.

Background:

There is a significant disconnect between the state's land use process and the [process of annexation](#), which has created issues for a variety of cities. The annexation process requirements are particularly difficult for areas known as "islands". Even though cities can involuntarily annex islands, most cities have adopted a policy to only engage in voluntary annexation. This has left significant islands un-annexed. In addition, waiting for surrounding properties to voluntarily annex often means the process and order of annexation does not necessarily match the plans for infrastructure development. Unannexed lands remain on the buildable land supply but much of it will contain some level of development that was approved by the county, but is often underdeveloped when compared to the comprehensive plan.

However, there have been bills that have been introduced over the last few sessions that aim to make non-voluntary annexation more difficult (see e.g., [HB 2039](#) and [HB 2040](#)). As these bills have gotten hearings, the League has taken the opportunity to discuss how annexation and land use are very disconnected. This is particularly of interest as interest in housing development remains at the top of the list of legislative priorities. If local governments have greater control over the annexation process and can better incentivize voluntary annexation, they can better meet the development expectations of the land use system and their comprehensive plans. It also assists in the orderly development of infrastructure.

Tools that were recommended to consider included partial island annexation in residential areas, relaxation of the limit of 10 years to bring a property fully onto the city's property tax level, changing the boundary requirements for islands, and looking at how the withdrawal of special district territory can be better regulated.

Presented by the Community Development Committee

C. Auto Theft

Legislation:

Address the deficiencies in the Unauthorized Use of a Motor Vehicle statute that were created after an adverse court ruling.

Background:

A 2014 Oregon Court of Appeals ruling requires that prosecutors prove beyond a reasonable doubt that a person driving a stolen car knew they were in violation of the law prohibiting the unauthorized use of a motor vehicle. Because of this ruling, unless confesses to the crime, obtaining a conviction for stealing a car is near impossible. The National Insurance Crime Bureau's 2017 "Hot Spots" report stated that Oregon experienced a 19 percent increase in auto theft over 2016. News stories on this issue may be found [here](#), [here](#) and [here](#).

Because of the ruling, auto theft has increased exponentially across rural and urban Oregon. A legislative fix was proposed in 2018 and was generally agreed to but was never voted on by either chambers due to the fiscal impact it would have on the state. A copy of the legislation can be found [here](#). This issue was brought to the Committee by a representative of the Oregon Association of Chiefs of Police and they have requested the League's supported in seeking to fix this issue. Of particular concern to the General Government Committee was the fact that vehicles being stolen tend to be older cars and trucks that are more likely to be owned by people of more modest means who would be unable to readily replace their vehicles without considerable impact.

Presented by the General Government Committee

D. Beer and Cider Tax Increase

Legislation:

The League proposes increasing the state taxes on malt beverages and cider to assist with rising public safety costs, improve public health, reduce alcohol consumption by minors, and provide alcohol tax equity with wine and liquor.

Background:

Oregon's tax has not been increased since 1978 and is currently \$2.60 per barrel which equates to about 8 cents on a gallon of beer. The tax is by volume and not on the sales price. (Yes, the bottle deposit is 60 cents and the tax is only about 4 cents on a six-pack!) Oregon is tied with Kentucky for the lowest beer taxes of all [states](#) (see page 98 in link). To get to the middle, Oregon would need to raise the tax to 80 cents per gallon (10-fold increase). Cities are [preempted](#) from imposing alcohol taxes. In exchange, cities receive approximately [34% of the state alcohol revenues](#) (see page 9 in link)(beer and wine taxes, license fees, and liquor profit sharing) as state shared revenues. However, because the tax is so small on beer, the share is also small. The beer tax brings in only about \$7 million per year state-wide; thus, the city share is about \$2.3 million of the total shared revenues. The total share for cities for all alcohol-based state shared revenues is estimated at over \$86 million. The League anticipates that excise tax increases including those on alcohol will be a part of revenue package discussions in 2019, and the League sees this concept as an important leveraging tool.

Presented by the Finance and Tax Committee and endorsed by the General Government Committee

E. Broadband Infrastructure

Legislation:

Seek additional state support and funding for increased and equitable broadband infrastructure deployment, especially in rural areas. Oppose legislative efforts to restrict existing municipal authority to provide broadband services.

Background:

The deployment of broadband and telecommunications networks and services (public and/or private) throughout Oregon is critical to economic development, education, health and safety and the ability of residents to be linked to their governments. Mapping research shows large areas of the state either not served or underserved by competitive broadband technology. A significant barrier to the deployment of broadband infrastructure is funding. Cities need additional funding and support from various sources, including the state and federal government, allocated for increased or new broadband infrastructure, especially for fiber connections to schools, community libraries, and public safety buildings. Also, oppose efforts by private internet service providers to restrict local efforts to make broadband technology available within their jurisdiction.

Presented by the Telecom, Broadband & Cable Committee

F. Carbon Cap-and-Invest Program Adoption

Legislation:

The League's Energy & Environment Policy Committee has recommended support, if specific principles are recognized and codified, of legislation that would implement a statewide cap on carbon emissions over time and that would generate revenues for strategic investments that further Oregon's greenhouse gas reduction goals. The cap on emissions would apply to certain "regulated entities" with carbon emissions over 25,000 metric tons annually. Regulated entities would receive allowances, or would generate offset credits, to emit carbon. The revenue from the purchase of allowances would be invested in specified programs aimed at furthering GHG reductions and mitigating program impacts. It is anticipated that funds generated from a cap on the transportation fuel industry may be subject to use per state Constitutional requirements related to the state highway fund. The statewide cap on carbon would be reduced over time to meet updated greenhouse gas reduction goals for Oregon.

For the League to support a statewide cap on carbon, the following principles would need to be recognized and codified in any legislation:

- The legislation and subsequent rulemaking processes would need to establish a forum to generate meaningful dialogue with rural Oregon communities and those with energy-intensive, trade-exposed industries. Equity considerations should be considered throughout this process by including cities and counties representing a variety of populations, regions of the state, and community demographics (e.g. low-income and underserved populations). Specific action should be taken to have representation from cities with populations of less than 1,500.
- The cap would need to apply to all sectors including utilities, industry and the transportation fuels sector (e.g. fuel producers) if annual carbon emissions exceed 25,000 metric tons.
- The program should be designed to link to the Western Climate Initiative which has a multi-jurisdictional carbon market (linking with programs in California, Ontario and Quebec)
- The revenue from the purchase of allowances would be invested in evidence-based technologies to reduce emissions from regulated sectors with excess revenues being invested in statewide programs to support climate resilience and rural Oregon economies. Requiring the reinvestment of allowance revenue will help regulated sectors become more efficient over time and less carbon intensive.