

City of Falls City
City Council Regular Meeting
Meeting Minutes
Thursday June 9, 2016
Meeting Location: 320 N Main Street, Falls City, Oregon 97344

Council Present: Mayor Terry Ungricht, Lori Jean Sickles, Jennifer Drill, Tony Meier, Gerald Melin, Dennis Sickles, Julee Bishop

Staff Present: JoHanna Hewitt, City Clerk; Don Poe, Public Works Lead Worker

Mayor Ungricht called the meeting to order at 6:00 PM.

1) Roll Call

Clerk Hewitt took roll call. Councilor Bishop arrived at 6:08 pm.

2) Pledge of Allegiance

Mayor Ungricht led the pledge.

3) Motion to adopt the entire Agenda

A motion was made by Councilor Melin and seconded by Councilor Meier to adopt the entire agenda. Motion carried 5-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Gerald Melin, Dennis Sickles

4) Consent Agenda

Valley Electric payment was for Cliff Lauder's electrical protection updates for pump stations. Street sweeping done by the City of Dallas is billed quarterly, thus its absence in this packet. City Attorney's charges are included under the heading Spear Hoyt LLC, for \$494.00. Mayor Ungricht will forward the attorney's statement to Councilor Drill along with the most recent invoice from COG for Land Use planning as she requested.

A motion was made by Councilor D. Sickles and seconded by Councilor Meier to adopt the Consent Agenda. Motion carried 5-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Gerald Melin, Dennis Sickles

5) Public Comments

None

6) New Business

A. 2016-2017 Budget Adoption Resolution 08-2016

Mayor Ungricht proceeded with the Public Hearing for state revenue sharing Funds for the Fiscal Year 2016-2017 and read the following script:

This public hearing is an opportunity for any member of the public to comment on or make requests regarding how State Revenue Sharing Funds will be spent in the 2016-2017 Fiscal Year beginning July 1, 2016. State Revenue Sharing Funds are a share of certain revenues of the State of Oregon that shall be apportioned among and distributed to the cities of this state for general purposes.

I will open the public hearing for State Revenue Sharing at 6:06 pm.
Public Comments: none

Hearing none, I will close the public hearing for state revenue sharing at 6:07 pm.
Councilor Bishop arrived at 6:08 pm.

A motion was made by Councilor Meier and seconded by Councilor D. Sickles that the City Council of the City of Falls City approve Resolution 08-2016, a resolution of the City Council of Falls City, Oregon declaring the City's election to receive state revenues, adopting the budget, making appropriations and levying taxes for the City of Falls City, Oregon for Fiscal Year 2016-2017. Motion carried 6-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Gerald Melin, Dennis Sickles, Julee Bishop

Councilor Drill commended Mayor Ungricht on his outstanding effort producing the budget.

B. Water Master Plan update

Mayor Ungricht introduced Natalie Jennings, PE, Project Manager, and Mike Henry of HBH Consulting Engineers, Inc. Ms. Jennings presented prioritized preliminary recommendations for the Water Master Plan. HBH and staff continue to seek out the best alternative solutions to incorporate into the Water Master Plan.

1. Zero- Ten years: Distribution system- Data shows current pressures within the system range between 13-132 psi. Optimum pressure range is between 30-80 psi. This can be corrected by re-piping areas, strategic incorporation of pressure reducer valves, additional gravity fed pipe and possibly an additional pump station depending on what options are deemed best.

The city presents a unique geographic challenge not present in most cities. Either side of the city is high and very low in the middle. The river crossing with water pipe presents another difficult challenge. It will need determined if the city would rather maintain a pump station or invest in another river crossing. Ms. Jennings added there are pros and cons to both options of water supply. Further work will be done to identify the best solution.

Fire-flow was analyzed by taking the preliminary data model of pressure down to a minimum of 20-psi when a hydrant is opened at any point in the system. By dropping the pressure down to 20-psi there is essentially zero fire-flow due to the present range of 13-132-psi. Although water will flow from the hydrant, state regulations require that a minimum of 20-psi be maintained throughout the entire system at any given connection point while a hydrant is open. Most cities do not have the wide range of pressure Falls City possesses. HBH is working to address this problem.

Ms. Jennings said her understanding was that the Fire Department took water from the river instead of the system to avoid this problem. Mayor Ungricht and Don Poe corrected the misunderstanding and explained the pump trucks themselves act to sustain the 20-psi fire-flow when attached to the water system through a hydrant.

Ms. Jennings added this was part of the issue with water mains breaking. The pressure differentials cause a water hammer within the system damaging weakened areas of pipe causing leaks and breaks during and even days after a fire. This problem will need to be fixed.

Asbestos cement pipes used in the system are aged and brittle. During the 1970's this material was thought to be superior technology, unfortunately it does not have the longevity hoped. This is a regional problem for cities.

2. Intakes- Glaze Creek appears in good condition as a water intake source. Although there is a very long pipeline feeding the treatment plant, it is performing well and remains adequate. HBH sees no reason to alter it at this point. Ms. Jennings proposes moving the Teal Creek intake downstream or drilling a well adjacent to the creek to act as a water supply source. The surface water would filtrate through the ground into the well. The Oregon Water Resource Department views this latter action to be the same as current use. It would simply entail transferring the water rights.

Mike Henry elaborated on the well option. Wells have been drill and gravel added to create a gravel land filtration system. Water flows by gravity into the well through the gravel lands, cleansing it resulting in the elimination of turbidity. More research will be done into this type of system during the next several weeks. Location of a well would depend on available area and type of soil geology. Mr. Henry noted HBH would like to protect the city's water rights and provide the city with an emergency backup water source in case a problem should arise with either of the intakes.

The last option would be to install a well on site at the Treatment Plant. This would serve as a water source should the intakes fail or turbidity becomes a problem.

3. Water Treatment Plant- There is minor concrete damages that will need to be repaired before they worsen and present a major problem. Minor replacement of chlorine piping would make it more efficient. The design was not ideal when built. Don Poe has given recommendations to improve flow and efficiency. With Mr. Poe's input, HBH feels they can provide the desired improvements.

Line looping to provide improved water quality could be addressed when installing/replacing water meters. HBH recommends budgeting for a percentage of individual water meter replacements each year and along with that, looping the lines. This process will be less expensive and invasive by performing improvement alterations over an extended period.

4. Future improvements- Water storage is the least of the city's priorities. Existing storage is adequate for the city's current and projected needs. It would be redundant to add additional storage. In addition, there is no desirable location to place a second reservoir with in the city. As it is currently, the difference in elevation from one side of the city to the other is 150 feet or translates to 65-psi. The present reservoir is experiencing disinfection problems due to long-term storage, which creates problems chlorine by-products. In this situation, HBH recommends less storage is better and does not advise the installation of a second reservoir.

Ms. Jennings invited questions. Council had none and thanked Ms. Jennings for her presentation. Mr. Henry offered some insight to the river crossing option. He said while it may seem redundant, it is in the city's best interest to have more than one crossing to deliver water to the north side of the city. In Mr. Henry's opinion, the Dayton Street footbridge is not a reliable water source delivery. HBH will be considering the best and most cost effective option. This may be replacing or repairing Dayton Street footbridge and depends on further findings.

Mayor Ungricht suggested The Dalles bridge design, which carries their city water supply. It is a pillar with steel upper and would be an inexpensive solution. Mayor Ungricht offered to send photos to HBH. Councilor Drill requested to receive copies also.

Council thanked Natalie Jennings and Mike Henry of HBH for the Water Master Plan update presentation.

C. Resolution 09-2016 Agreement with Oregon Emergency Management

Councilor Drill and Mayor Ungricht share concern with OEM's wording in contract. Essentially the city is responsible for funding and FEMA will reimburse the city should the funds be available. If the funds are unavailable, the city would be responsible for the monies spent not the OEM. Mayor Ungricht stated that all grant contracts have the same wording and FEMA does come through with funding but only after trying to block the reimbursement. He has met with FEMA and the County, and is currently in negotiations with the County who will be handling and overseeing the repair for Dutch Creek Crossing. Mayor Ungricht reassured Council the monies have been set aside. He also added that new operational procedures in effect place final approval steps to Denton, Texas, not locally. This presents a challenge.

Mayor Ungricht further explained that FEMA will cover 75% and an IFA will cover the remaining 25% of funding needed to fix Dutch Creek Crossing. FEMA does not care if the city or county applies for the grant. IFA on the other hand, requires the small city to be the primary handling funds. The County has an engineer who is familiar with FEMA projects and is aware of Mayor Ungricht's concerns. They are working on ways to address the situation. The first step is to conduct an environmental engineering study to look into replacement with existing materials. It is known this type of fix will not work long term, and FEMA representatives locally have already guaranteed 75% of funding up front due to this factor. In the event, the city does not like the results from the environmental engineering study, that would be an appropriate time to back out. Although he has some concern with the new process, Mayor Ungricht stressed that this is the only opportunity to gain funding to fix the Crossing.

Councilor Drill expressed reserve in signing the contract. She said there were many red flags in the contract. Mayor Ungricht asked if she was willing to turn down the \$225,000.00 to repair the crossing. Councilor Drill inquired if there was time to table the agreement and have concerns answered. She was not sure the money was worth the risk. Mayor Ungricht reassured Council that this agreement is to protect the OEM and there is no risk to the city at this point. FEMA will be dealt with on a national level and this is where the risk lies. Mayor Ungricht added that Council will still have opportunities to decide how far to proceed. Should Mayor Ungricht have further concerns, he will share them with Council.

Mayor Ungricht said he was interviewed regarding the new FEMA process to protect public funds. His response was that small cities should not have to spend 70% more on a project to satisfy FEMA regulations. That, he said, is not protecting public funds. He reiterated the shared concerns, and clarified this contract agreement was to draw the funding in order to keep negotiating. If Council chooses not to enter into this agreement, the city withdraws from emergency funding.

A motion was made by Councilor D. Sickles and seconded by Councilor Bishop that the City Council of the City of Falls City approve Resolution 09-2016, a resolution adopting an agreement between the city of Falls City and the Oregon Office of Emergency Management for the management of funds through FEMA. Motion carried 5-1-0. Ayes: Lori Jean Sickles, Tony Meier, Gerald Melin, Dennis Sickles, Julee Bishop Nays: Jennifer Drill

D. Resolution 10-2016 IFA Grant

A motion was made by Councilor Melin and seconded by Councilor Meier that the City Council of the City of Falls City approve Resolution 10-2016, a resolution entering into a Finance contract with the State of

Oregon Infrastructure Finance authority for a grant of \$2,360.00 to be used toward an income survey. Motion carried 6-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Gerald Melin, Dennis Sickles, Julee Bishop

E. Resolution 11-2016 Volunteer Insurance Coverage

Councilor L. Sickles left at 6:24 pm, returning in time to cast her vote at 6:35 pm.

A motion was made by Councilor D. Sickles and seconded by Councilor Melin that the City Council of the City of Falls City approve resolution 11-2016 a resolution updating volunteer insurance coverage and listing volunteer events. Motion carried 6-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Gerald Melin, Dennis Sickles, Julee Bishop

F. Resolution 12-2016 Auditor Contract

Councilor D. Sickles suggested using a different auditor every five to seven years to maintain a transparency and ensure the audits are conducted to standard. Mayor Ungricht agreed it is good practice.

A motion was made by Councilor Meier and seconded by Councilor Melin that the City Council of the City of Falls City approve Resolution 21-2016, a resolution updating volunteer insurance coverage and listing volunteer events. Motion carried 6-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Gerald Melin, Dennis Sickles, Julee Bishop

G. Wagner Trust Fund

Mayor Ungricht did a self-audit on the Wagner Trust fund to fully understand the budgeting trail. Previous City Manager Amber Mathiesen had set up the fund. Her successor John Hanken did not fully understand the fund process and over budgeted. Some of the funds were transferred, but not all. Because of this audit, Mayor Ungricht found that the city owes the library fund \$22,442.52. This payment would come out of the general fund bringing the library fund balance up to date.

Because Mayor Ungricht budgets for a city manager position each year, funds are available to transfer to the Wagner Trust fund. This transfer will not impose a burden on city. Next year the library fund will be a stand-alone fund. Meaning, either the money will be there for library needs or it will not.

Mayor Ungricht apologized he did not correct the issue when it was identified in the budgeting process. However, he is pleased it is now rectified and next year will go smoothly and properly.

On this same subject, it is noted that the FCSD enters into contracts every 5 years with CCLR. This next contract will be for only 1 year. Cynthia Hovind, the prior librarian quit as of June 1, 2016 due to talk of the library closing. The open position is advertised and interviews will be held June 27, 2016 at beginning at 8am. Please let Jack Thompson or Amy Houghtaling know if any Councilors would like to attend, and of course, we have Councilors Meier and Melin who sit on the library board.

The School Board meeting will take place June 21, 2016 when Mr. Thompson will discuss a joint meeting with the School Board and Council. Mayor Ungricht and Mr. Thompson of FCSD have been meeting and plan to discuss the viability of the library. Mayor Ungricht asked Council to offer dates they would be available after June 21 to schedule a joint meeting on this issue with the School Board.

Councilor D. Sickles clarified the School Board meets at 5:30 pm for their Executive Session and 6:30 pm for the regular meeting.

The date agreed up on was June 29, 2016 at 6pm at the Community Center. Mayor Ungricht will forward the request to Mr. Thompson.

H. Resolution 13-2016, Land Use Contract

Councilor Drill had some reservation in signing a two-year contract and clarified with Mayor Ungricht that either party could cancel with a 30 day written notice. Councilor Bishop noted cancelling a contract with COG was not something one would generally want to do. Mayor Ungricht agreed and reminded Council of many benefits offered by COG including lower planning rates, grant application assistance and that the rates for land use planning would be locked-in for two years.

A motion was made by Councilor D. Sickles and seconded by Councilor Bishop that the City Council of the City of Falls City approve resolution 13-2016, a resolution establishing a contract for land use planning services with Mid-Willamette Valley Council of Governments. Motion carried 6-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Gerald Melin, Dennis Sickles, Julee Bishop

Correspondence, Comments and Ex-Officio Reports

A. Mayors Report

Sheriff Garton presented his update report. Two weeks ago, the PCSO held a couple presentations at the Elementary and High schools for drug prevention and awareness. They plan to meet again next week and follow up with the next steps to maintain the education program. Recently the Sheriff entered into an agreement with National Child Safety Council that provides funding for supplies through solicitation of businesses for those types of programs. There has been a very positive response.

24-hour coverage will be returning in two weeks, as will POINT. Four police officers are due to graduate June 10, 2016. Sheriff Garton added that every city has added a body to POINT as well as OSP. There will be some new people also and should be up and operational by July 1, 2016.

Sheriff Garton invited questions from Council. Mayor Ungricht let Sheriff Garton know he has put out a proposal to Dallas to enter into an IGA for court services. This would provide a court for the Sheriff's office to cite to when helping the city with ordinance violations. Sheriff Garton is currently halfway into reviewing our Municipal Code with state code for overlapping ordinances he may cite. Sheriff Garton was confident it could be workable to help the city.

Councilor Drill asked if there has been an increase in the online reporting. Sheriff Garton replied that there has been no activity in approximately two to three weeks. He added that it ebbs and flows. PCSO may get three to four per day for two weeks, then nothing for a while. There is really no way to predict the reporting.

Mayor Ungricht said the month of July will probably be a two-page newsletter and he will resubmit the blurb on how to do online reporting to the PCSO. Sheriff Garton would like more citizens reporting. He said if they do not have the information, they could not formulate a game plan to address what is taking place. Whether it is a crime or not, the call and information is documented and put into their system until a course of action can be determined. Examples of calls could be concerns with squatters or kids using marijuana.

Neighborhood watch has not scheduled another meeting. Mayor Ungricht will try to get more citizen interest. Councilor Drill will follow up with Amy Houghtaling.

Councilor Meier said he hears of many things that go unreported that should have been reported. He asked Sheriff Garton what percentages of calls come from the Green Haven RV Park. Sheriff Garton replied 25 to 50%. Some are frequent repeat calls, but do not escalate to the point of arrest and can be frustrating.

At one point Mr. Bowman was actively moving to evict people from the park. As for the rumor of turning it into a 55 and older park, Mayor Ungricht said that rumor has not been confirmed. Sheriff Garton agreed a 55 and older would be helpful. He added PCSO does handle eviction processes.

There are no patterns or countywide concerns to report at this time. If a public concern arises, it will be posted on the PCSO Facebook page and their official website. Council thanked Sheriff Garton for coming and presenting his update.

An LOC ballot was provided for Council review and input. The LOC Board of Directors and 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 2017 session. Twenty-nine legislative objectives have been identified as set forth in the ballot and legislative recommendation materials. Because these objectives span a variety of issues and differ in the potential resourced required to seek achievement, it is desirable to prioritize them to ensure focused efforts in needed areas.

Each city is asked to review the recommendations of the policy committees and provide input to the LOC Board of Directors as it prepares to adopt the Leagues 2017 Legislative agenda. Deadline for response is July 22, 2016.

The Steele property donation is now at the appraisal stage. Dr. Steele's tax attorney advised an official appraisal was necessary. Staff requested three bids with the cheapest being \$2400.00. Mayor Ungricht has also reached out to Joanne, who previously worked at the property when it was operating as the Luckiamute Clinic. She is with a non-profit organization running free clinics and it may be possible to reopen a clinic at the same location. This has not been confirmed and is simply informational. Mayor Ungricht asked Council's direction. Consensus of Council was to proceed with the appraisal.

The parks grant has moved through the first stage of the application process standing at number eleven of thirty-seven. It now goes before the Historical Preservation Commission and then onto the OPRD Board of Directors. There is currently \$4 million in grant funds to give out. We are number eleven in line for \$18,000.00 of those funds. The grant still needs to proceed through the last two processes. This will free up monies in the Revolving Loan fund with the County.

Mayor Ungricht has met with the engineer drawing up the plans for the paving work on South Main. It is hoped that by the end of July or the first part of August to be lay pavement from Bridge Street to just past the First Christian church.

Councilor Drill expressed interest on behalf of residents of Carey Court for an overlay during the paving process. Mayor Ungricht will relay that message to the engineer and keep her informed.

Not all of the funds set aside for the South Side project were needed for the winning bid. The engineer for the paving project will also be looking at the basketball court in the Lower Park and a

few other places in town and submit bids. Mayor Ungricht would like to keep some of the left over funds in reserve. The main reason is for equipment replacement such as the 1963 road grader. It currently leaks oil and is at the end of its lifespan.

Staff will be extremely busy preparing for the audit in the first part of August. Along with that, there is the Fiscal Year closeout, records retention and budget work to be completed.

Another source of funding was found for Dayton Street Bridge; however, that did not go through. Mayor Ungricht has contacted IFA and USDA in attempt to leverage the sewer crossing it bears as a means of gaining funds. If funds are not secured this way, it will be included in the Water Master plan.

RFP for City Engineer scoring process has been hindered by holidays and summer vacations. A meeting has been scheduled for 6 pm Wednesday June 15, 2016 to go over the RFP scoring. He noted to Council that a special meeting may need to be called to gain acceptance on hiring as soon as possible because expertize may be needed for the FEMA environmental Impact Study on the Dutch Creek Crossing project. Mayor Ungricht extended apologies to the submitting engineers for the delay.

The upcoming income survey has met some resistance already. Council could help by talking to residents and dispelling negative rumors. The questions are not specific amounts, but ranges of income. Personal information will not be asked on the survey. Mayor Ungricht stressed this is a last opportunity for grant money to improve and expand our sewer system.

Spring Clean operated with twenty-five volunteers this year. The event started out slowly due to Republic services not having enough dumpsters on site and an equipment failure. Unfortunately, some people went home due to the delay. No tonnage has been reported yet, but it is thought that it was as much or more than last year.

Several Council positions are open. Positions that terminate on December 31, 2016 are the office of Mayor Ungricht, Dennis Sickles' seat, Julee Bishop's seat and Gerald Melin's seat. Applications to apply or reapply may be obtained from the clerks at City Hall.

Mayor Ungricht asked Council to approve the trade of the old Ford Van to Cliff Lauder in exchange for the work he performed making the South Main Street drainage vault. This issue was discussed previously by Council and well received. The van was valued at \$1000.00.

A motion was made by Councilor Meier and seconded by Councilor L. Sickles that the City Council of the City of Falls City to direct Mayor Ungricht to transfer the title of the 1980 Ford Van, that was deemed surplus by Resolution 2010-09, to Cliff Lauder for the labor on making a drain vault on South Main. Motioned carried 6-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Gerald Melin, Dennis Sickles, Julee Bishop.

B. Council Reports

Councilor Melin reported on the EDC Committee progress. They discussed housing for the weekend of the 2017 Solar Eclipse tourism. An option they are looking into is Air B & B, which homeowners can sign up with to rent out rooms. He mentioned a tent/hammock hybrid invention that keeps you

off the ground and protected from the elements. The Committee is also researching the legalities and keeping very busy.

Councilor Meier said he took a cruise through the Green Haven RV Park. He described the scene there as one of a homeless camp in Portland. According to the City's Municipal Code, RV's must be moved every 180 days, which has not been enforced by the Park. RV's and trailers must also be licensed legally according to Oregon Vehicle Code.

Councilor D. Sickles asked for clarification on that moving an RV from point A to point B within the Park. This does not satisfy Code. Mayor Ungricht and Clerk Protheroe have been reviewing land use code in relation to Green Haven RV Park and will have a report at the following Council meeting in July where it will be discussed further. Mayor Ungricht sees several ways to help the Bowman's clean up their business property.

Green Haven dates back to the 1990's and one of the problems associated with land use in Falls City, is that the records were not always kept or properly handled. Mayor Ungricht did not feel comfortable answering further questions and assured Council a factual report would be presented at the July meeting for their review.

Councilor Drill inquired to the status of the July 3 celebration. Mayor Ungricht said no one has come to City Hall expressing interest in its organization.

Councilor Drill has the water-filtration system order form for use with the Emergency Preparedness Plan. There will be an Emergency Preparedness meeting before the July Council meeting and is yet to be scheduled. At this meeting, the Emergency Preparedness Survey results will be reviewed and Councilor Drill will have a status report for Council.

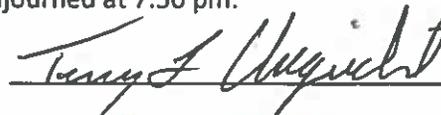
Mayor Ungricht's understanding was that Councilor Drill was originally tasked with the duty of providing Council with a document. He asked if the Emergency Preparedness was now a committee and if so, should it following Public Meeting Law and its requirements? There was some discussion among Council as to what constituted a committee and appointment of such.

Councilor Drill agreed to give meeting dates in advance for posting and that meeting minutes shall be kept for the Emergency Preparedness meetings if needed and deemed necessary. This will be clarified by staff.

7) Council Announcements

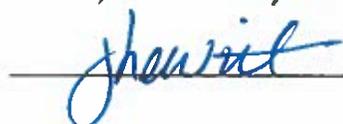
8) Adjourn

The meeting adjourned at 7:50 pm.



Mayor Terry Ungricht

Attested:



City Clerk Hewitt

Master
HAND OUT AT
6-9 Council meeting

I made copies to
hand out & saved
to M-drive in
Council meetings ✓
jh

Exhibits for
Sun City
Council
Meeting
Meeting

**2016 Spring Clean
Volunteers!**

Name	Area Served
We had a total of 25 volunteers. Volunteers hauled junk from 23 homes.	
John Creekmore	Tires
Sam Miller	Tires
Lori Albert	Tires
Cie Lynch	Tires
Don Scott	Tires
Jay Epperson	Tires
Karl (Corky Wagner	Tires
Terry Jordan	Tires
Daniel Hammon	Cleaned up trash at the Michael Harding Park!
Mark Jacques	Volunteer Hauler
Guy Mack	Volunteer Hauler
Kirby Frink	Volunteer Hauler & equipment
Bernie Frink	Volunteer Hauler
Jack Sylsberry and crew, EJ's Property Property Cleaning	Volunteer Hauler
Bo Johnson	Volunteer Hauler
Polk County Crew of Five	Unloaded junk, senior/disabled Junk Hauler AND weed wacked the corner of Terrace Street
Charollet Ungricht	Traffic control
Amy Houghtaling and daughters	Pizza Cook
Don Poe	Backhoe Operator
JoHanna Hewit	Volunteer (city staff) Traffic control, Volunteer Hauler Coordinator, Volunteer desk
Domenica Protheroe	Volunteer (city staff) Traffic control, County Crew Coordinator, Volunteer desk
Mayor Ungricht	Yard and traffic control, volunteer coordinator



City of Falls City Notice of Open City Council Positions

Posted on Wednesday June 1, 2016

NOTICE IS HEREBY GIVEN that the General Election will be held on Tuesday, November 8, 2016 at which time the legal voters of the City of Falls City will be entitled to vote for candidates for the following positions.

Open Positions	Term	Terms begins	Terms run through
Mayor (Position currently held by Terry Ungricht)	Two years	January 1, 2017	December 31, 2018
Council Position (Position currently held by Dennis Sickles)	Four years	January 1, 2017	December 31, 2020
Council Position (Position currently held by Julee Bishop)	Four years	January 1, 2017	December 31, 2020
Council Position (Position currently held by Gerald Melin)	Four Years	January 1, 2017	December 31, 2020

Petitions are available at City Hall, 299 Mill Street, Falls City, Oregon 97344. Completed petitions can be filed no sooner than **Wednesday June 1, 2016 at 10:00 AM** and filed no later than **Wednesday August 24, 2016 by 1:00 PM** at Falls City City Hall.

Election information may be obtained at City Hall or on the city website at www.fallcityoregon.gov



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

June 6, 2016

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 2017 session. They have identified 29 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.

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 2017 legislative agenda. After your city council has had the opportunity to review the 29 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 in the 2017 session. **The deadline for response is July 22, 2016.** 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 2017 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,

Michael J. McCauley
Executive Director

INSTRUCTIONS

1. Each city should submit one form that reflects the consensus opinion of its city council on the **top four** legislative priorities for 2017.
2. Simply place an **X** 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 **July 22nd** via mail, fax or e-mail to:

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

Thank you for your participation.

City of: _____

Please mark 4 boxes with an X that reflect the top 4 issues that your city recommends be the priorities for the League's 2017 legislative agenda.

Legislation

Community Development	
A. Needed Housing Assistance Program	<input type="checkbox"/>
B. Natural Hazard Land Use Reform	<input type="checkbox"/>
C. DOGAMI Disaster Mapping	<input type="checkbox"/>
D. Floodplain Technical Assistance	<input type="checkbox"/>
Energy	
E. Green Energy Technology Requirement	<input type="checkbox"/>
F. Funding Public Energy Projects	<input type="checkbox"/>
G. Updates to Oregon Energy Code	<input type="checkbox"/>
Finance and Taxation	
H. Property Tax Reform - Market Value / Local Control	<input type="checkbox"/>
I. Property Tax Reform - Fairness and Equity	<input type="checkbox"/>
J. Local Lodging Tax	<input type="checkbox"/>
K. Nonprofit Property Tax Exemption	<input type="checkbox"/>
L. Marijuana and Vaping Taxes	<input type="checkbox"/>
General Government	
M. Restore Recreational Immunity	<input type="checkbox"/>
N. Increase Local Liquor Fees	<input type="checkbox"/>
O. Marijuana Legalization Implementation	<input type="checkbox"/>
P. Mental Health Investments	<input type="checkbox"/>
Q. Qualification Based Selection	<input type="checkbox"/>
Human Resources	
R. Subsidy for Retiree Health Insurance Repeal	<input type="checkbox"/>
S. PERS Reform	<input type="checkbox"/>
T. Arbitration Reform	<input type="checkbox"/>
U. Veterans Preference Clarifications	<input type="checkbox"/>
Telecommunications	
V. Rights of Way	<input type="checkbox"/>
W. Franchise Fees	<input type="checkbox"/>
X. 9-1-1 Emergency Communications	<input type="checkbox"/>
Y. Technology Funding	<input type="checkbox"/>
Transportation	
Z. Transportation Funding and Policy Package	<input type="checkbox"/>
Water/Wastewater	
AA. Funding Water System Resilience	<input type="checkbox"/>
BB. Enhanced Prescription Drug Take-Back	<input type="checkbox"/>
CC. Water Supply Development Fund	<input type="checkbox"/>

Community Development

Legislation	Background
<p>A. <u>Needed Housing Assistance Program</u></p> <p>Create state grants and technical assistance to cities working to develop housing development programs directed at new or innovative means of providing housing solutions for low-income or senior populations.</p>	<p>Cities are looking for new ways to serve the needs of a variety of people needing housing options and putting more resources toward housing projects. However, there is a need for state resources and assistance in implementing these programs. Funds that cities could access could be used to assist in land purchases for leasing for long-term low income housing, incentives for creating single story housing for seniors, tiny housing development, and planned developments that serve a range of incomes. Technical assistance to other cities should help a city determine what programs or planning options are available tools to help cities reach the goals set in the comprehensive plan.</p>
<p>B. <u>Natural Hazard Land Use Reform</u></p> <p>Create process for communities to move the UGB from an identified hazard area to resource lands and planning for replacing significant urban areas lost after a natural disaster.</p>	<p>As science has better located some hazards areas and as regulations impact the expected development of other areas, cities need to find ways to respond more efficiently to address long-term planning for development. This requires a simplification of the process for changing the location of development, including adding new areas to the UGB, to account for lost development capacity. There also needs to be a streamlined process for a city to identify areas of new development should a disaster remove a large portion of the buildable land supply if a disaster should strike.</p>
<p>C. <u>DOGAMI Disaster Mapping</u></p> <p>Increase funding for DOGAMI to complete comprehensive disaster mapping of cities, including landslide and floodplain risk identification, and natural hazard related evacuation planning for additional potential risks such as tsunami or wildfire inundation.</p>	<p>The Oregon Department of Geology and Mineral Industries (DOGAMI) provides a number of technical resources to cities to identify hazards that could impact development. The department is also an integral partner in creating plans for the emergency response for many disasters that could occur in the state. Increasing funds for comprehensive maps will help with long-term planning for hazard mitigation, resilience, and survival.</p>
<p>D. <u>Floodplain Technical Assistance</u></p> <p>Provide DLCD funding for technical assistance to cities implementing required changes to floodplain development management practices from FEMA.</p>	<p>Because of the recent release of the Biological Opinion from the National Oceanic and Atmospheric Administration Fisheries Service related to the National Flood Insurance Program's potential to impact endangered species, there is a need for cities to receive significant assistance in implementing any changes required by the Federal Emergency Management Agency. As the federal process moves forward, the state must provide resources to help cities update comprehensive plans and development codes. This issue will have a number of impacts and assistance in the form of model codes, staff resources, grants, and other expertise will be necessary for cities trying to implement any changes or additional work.</p>

Energy

Legislation	Background
<p><u>E. Changes to 1.5 Percent Green Energy Technology Requirement</u></p> <p>Advance legislation to statutorily modify the existing “1.5 percent green energy technology for public buildings” requirement to allow for alternative investment options such as offsite solar or community solar projects.</p>	<p>Oregon statute currently requires public contracting agencies to invest 1.5% of the total contract price for new construction or major renovation of certain public buildings on solar or geothermal technology. The requirement allows for offsite technology, but only if the energy is directly transmitted back to the public building site and is more cost-effective than onsite installation.</p> <p>Removing the requirement that an offsite project be directly connected to the public building project could result in increased flexibility for local governments to invest in solar projects that are more cost-effective and provide for increased solar energy generation. In addition, the League will work to allow 1.5 percent funds to be invested in alternative projects that provide a greater economic or social return on investment. As an example, a city could use the funds on a community solar project to benefit low-income residents rather than being required to invest in solar generation at the site of the public building project.</p>
<p><u>F. Funding for Public Energy Projects</u></p> <p>Support enhanced incentives for public energy projects including grants for technical assistance, feasibility studies and resource recovery projects for energy and fuel generation.</p>	<p>There are programs that exist in Oregon for the purpose of incentivizing energy projects including renewable energy generation, alternative fuel vehicles, and energy efficiency. Programs such as the Business Energy Tax Credit (BETC), which was discontinued in 2014, and the State Energy Loan Program have been important tools for incentivizing energy projects for local governments. However, as a result of scrutiny over the administration of these incentives including private loan defaults, these programs are either no longer available, such is the case with the BETC program, or are at risk of being discontinued. It is critical for municipalities to have ongoing access to incentive opportunities as energy projects can be difficult to pencil-out and even more difficult for smaller communities to finance. The state of Oregon should take into consideration that loans for public energy projects, including cities, are lower-risk and should not be penalized in light of recent scrutiny. In addition, investments in these projects often result in environmental, social and economic benefits including long-term savings for taxpayers and reductions in greenhouse gas emissions.</p> <p>The League will work to enhance funding, including grants for technical assistance and feasibility studies for communities that currently do not have access to resources. The League will also advocate for incentives for energy and fuel generation projects. Examples of projects that warrant funding incentives include methane capture for fuel or energy generation, investments in community solar projects, renewable energy generation, and energy efficiency improvements.</p>

Energy (Continued)

Legislation

G. Require Updates to Oregon Energy Code

Require the Oregon Building Codes Division (BCD) to engage in more frequent review of the state's energy code to reduce greenhouse gas reductions and ensure that Oregonians can more affordably and efficiently heat their homes and businesses.

Background

Oregon's statewide energy code for commercial and residential buildings is an important tool for achieving greenhouse gas reductions through decreased energy consumption while helping to ensure that Oregonians are able to more efficiently and affordably heat their homes and businesses. Federal law requires each state to certify that their state energy code is equivalent to federal model energy codes. While Oregon was once a leader in energy code adoption and implementation, the state is now in a position of falling behind the federal code. This is due, in large part, to a decision made by the Oregon Building Codes Division in 2013 which changed the code cycle from a three-year update to a six-year update. Major code changes, including adoption of national codes, will now occur every six years with minor changes occurring every three years. This change will impact Oregon's ability to keep pace with federal standards and new technologies in energy efficiency.

The League will work to support efforts to align new construction building codes with the state's climate goal timelines. In addition, the League will support efforts to establish a periodic review schedule to ensure that Oregon more frequently updates the state energy code in order to reflect federal code requirements. Also, the League will encourage the state to set specific targets for increased energy efficiency in residential and commercial building construction with specific goals for increasing energy efficiency standards for affordable housing projects and increasing use of net-zero and passive house building requirements. Finally, the League will work to require BCD to make regular reports back to the legislature to update on energy code implementation and goals.

Finance and Tax

Legislation	Background
<p>H. <u>Property Tax Reform – Market Value / Local Control</u></p> <p>A legislative constitutional referral to reform the property tax system:</p> <ul style="list-style-type: none"> a) to achieve equity, transitions to a market based property tax valuation system; and b) to restore choice, allows local voters to adopt tax levies and establish tax rates outside of current constitutional limits in their taxing jurisdictions. 	<p>Property taxes are regulated largely by Measure 5 (1990) and Measure 50 (1997), as provided in the Oregon Constitution. Measure 50 established a new method for assessing property, discounting the assessment at 10 percent of the real market value and calling this assessed value. Assessed value is capped at an annual growth limit of 3 percent. As a state total, due to the limits and market changes, the gap between real market value and assessed value has now grown to nearly 25 percent over the past 20 years. This gap varies widely on a property by property basis, creating considerable property tax inequities for properties that sell for similar prices in a city. In short, Oregon property taxes have become disassociated from real market value and the result is considerable inequity.</p> <p>For FY 2014-15, 60 percent of cities, 97 percent of counties, and 89 percent of school districts had some compression. This means that the Measure 5 caps of \$5 per \$1000 for education and \$10 per \$1000 for general government on real market value have been exceeded in most taxing jurisdictions. The caps are over 25 years old and were set low as voters were anticipating a sales tax to be coupled with it. Voters can no longer vote for the services they desire due to these caps. With looming PERS costs increases, paying for services with the present restrictions will become very difficult in some cities.</p>
<p>I. <u>Property Tax Reform – Fairness and Equity</u></p> <p>A bill that pursues statutory modifications to the existing property tax system that enhances the fairness and adequacy of the current system.</p>	<p>There are some adjustments to the property tax process and calculations that can be done statutorily. These include altering the changed property ratio statute and the statutory discount given to property owners who pay their taxes by November 15th. New property is added to the tax rolls using a county-wide ratio (assessed value to real market value) for determining the discount to apply to the real market value and that could be changed statutorily to a city-wide ratio in taxing districts who elect the change.</p>

Finance and Tax (Continued)

Legislation	Background
<p data-bbox="129 247 381 279">J. <u>Local Lodging Tax</u></p> <p data-bbox="129 315 690 346">A lodging tax bill, the outcome of which, would:</p> <ul data-bbox="178 388 738 724" style="list-style-type: none"><li data-bbox="178 388 738 514">a) Provide jurisdictions greater flexibility to spend local lodging tax revenue to plan for and provide services and infrastructure related to tourism;<li data-bbox="178 525 738 651">b) Reduce or eliminate the required reimbursement charge that a lodging tax collector is allowed to retain for filing a local lodging tax return; and<li data-bbox="178 661 738 724">c) Improve efficiency and collection of local lodging taxes in cooperation with the state.	<p data-bbox="787 247 1502 756">State law restricts how local lodging tax revenues may be expended. Post 2003, any new taxes or any tax increase requires a 70 percent revenue dedication to tourism promotion or tourism-related facilities. In addition, state statute provides that cities may not lower the actual percentage of lodging tax revenues that were dedicated to tourism prior to 2003. This means that cities have varied percentages of restricted local lodging taxes revenues. These numbers are arbitrary as they were set based on circumstances in 2003 that have often greatly changed. In addition, the legislative history shows that the legislature intended to provide some revenue flexibility and provide that certain infrastructure (roads, sewer lines, etc.) would qualify as tourism-related but the statutes need revision and clarification.</p> <p data-bbox="787 798 1502 1165">State law requires local governments to provide a 5 percent collector reimbursement charge if they impose a new lodging tax or tax increase after January 1, 2001. This is a deduction from the taxes that would otherwise be due. The state also provides a 5 percent collector reimbursement charge for state lodging taxes. In addition, local governments that had a reimbursement charge, must continue it. Thus, cities have very different reimbursement requirements—some are at zero, others are at 5 percent, and some are in between. When coupled with the state deduction, the deduction seems too generous.</p> <p data-bbox="787 1207 1502 1543">The Oregon Department of Revenue now collects state lodging taxes throughout the state and could collect and enforce local lodging taxes at the same time if given statutory authority. Local governments could then enter into voluntary agreements with the state to delegate the collection. This option could make collection much more efficient and cost-effective for some local governments. In addition, cities continue to struggle with collections and auditing, particularly from online companies and private home rentals (through Airbnb, etc.) and this area of the law could be improved.</p>

Finance and Tax (Continued)

Legislation	Background
<p>K. <u>Nonprofit Property Tax Exemption</u></p> <p>Clarify and reform the statutory property tax exemption provided to nonprofit entities to address cost-benefit concerns for the continued full exemption in light of cost of city services provided to nonprofits and the changing services and business models of some nonprofit entity types.</p>	<p>Nonprofit organizations that are charitable, literary, benevolent or scientific are provided a property tax exemption that will cost more than \$194 million in the 2015-17 biennium. In addition, exemptions for the property of nonprofit religious organizations costs more than \$113 million for the biennium. For many cities, much of the city is exempt from property taxes due to the public property exemption and these nonprofit exemptions. This includes hospitals, nursing homes, etc.</p> <p>The Legislature has formed a work group to look at the nonprofit property tax exemption issue as the nature and number of nonprofits is changing and the administration of the exemption has become complex for county tax assessors. Nonprofit entities require significant services, including transportation, water, sewer, police, fire, etc. Thus, the legislature is looking at property taxes more as a service tax and considering how the full exemption could be adjusted to have nonprofits pay for their fair share of costs of services or otherwise meet a benefit test for continuing an exemption.</p>
<p>L. <u>Marijuana and Vaping Taxes</u></p> <p>Defend against restrictions and preemptions regarding local marijuana and vaping taxes and advocate for appropriate state shared revenue levels and distribution formulas for state marijuana taxes and potential vaping taxes.</p>	<p>There are no revenue use restrictions on local marijuana taxes, but the local marijuana tax rate is capped at 3 percent. There are no restrictions on local governments imposing a vaping tax. The state has not imposed a tax on vaping products to date but is considering a tax. Often when the state imposes a tax (for example, cigarette or liquor), the state preempts local governments from also imposing a tax.</p> <p>10 percent of state marijuana taxes will be distributed to cities after state administrative costs. Distributions will be made per capita for revenues received prior to July 1, 2017. After July 1, they will be distributed based on the number of the various marijuana licenses issued in a city. Cities that prohibit establishments for recreational marijuana producers, processors, wholesalers or retailers will receive no state shared revenue. Likewise, cities that prohibit a medical marijuana grow site or facility will receive no state shared revenue.</p>

General Government

Legislation	Background
<p>M. <u>Restore Recreational Immunity</u></p> <p>Cities should enjoy protection from unreasonable litigation when offering recreational opportunities to the public.</p>	<p>ORS 105.682 grants that a land owner is not liable for any personal injury, death or property damage that arises out of the use of their land for recreational purposes as long as no fee is charged in order to access that property. This statute allows cities to operate parks and trails without fear of lawsuit.</p> <p>However, in the recently decided Oregon Supreme Court case, <i>Johnson v Gibson</i>, It was held that even though the landowner may be immune from liability, their employees are not. As a result, two employees of the City of Portland were found liable for injuries sustained by a jogger in a park, employees who are indemnified by their employer.</p> <p>The practical effect of this ruling is that the immunity previously enjoyed by cities that allowed for robust park development have been eroded to the point of being non-existent. This priority directs LOC staff to seek to amend the ORS 105.682 to restore that immunity.</p>
<p>N. <u>Increase Local Liquor Fees</u></p> <p>Cities play an important role in the review and investigation of liquor license applicants and should be able to recoup costs associated with that role.</p>	<p>ORS 471.166 allows cities to adopt fees that are “reasonable and necessary to pay expenses” associated the review and investigation of liquor license applicants. However, the same statute limits the amounts of those fees to between \$25 and \$100 depending on the license or approval being sought by the applicant.</p> <p>This priority is to pursue changes to this statute that allow cities to recoup the actual costs associated with performing their role in the liquor licensing process and allowing for periodic increases.</p>

General Government (Continued)

Legislation	Background
<p>O. <u>Continue Marijuana Legalization Implementation</u></p> <p>Allow for civil enforcement of marijuana laws. Ensure equitable distribution of marijuana shared revenues. Eliminate limitations on shared revenue use.</p>	<p>One of the promises made by marijuana legalization advocates is that illicit sales and production of marijuana would shift into a legalized and regulated market. This has occurred to a large extent but many producers and retailers continue to seek the financial benefits or participation in the marijuana industry while avoiding the inconvenience of its regulatory framework. This priority seeks legislation that gives the Oregon Liquor Control Commission (OLCC) the same civil and administrative authority to prevent unlicensed sales and production of marijuana as it has in regards to liquor.</p> <p>Beginning in 2017, state shared revenue from marijuana will be distributed to cities based in the number of OLCC licensed commercial marijuana entities exist in their jurisdiction. This priority is to alter that arrangement so that is it distributed on a per capita basis to ensure equitable distribution among cities that are incurring costs.</p> <p>Measure 91 required that money distributed by the state to cities be used exclusively for costs associated with marijuana legalization. Tracking a dollar though a city's general fund and determining if a service was related to marijuana is inefficient if not impossible, and is not imposed for the receipt of liquor revenue. This priority is to advocate for legislation that removes this burden.</p>
<p>P. <u>Protect Mental Health Investments Made in 2015</u></p> <p>Oregon made significant and strategic investments in protecting and caring for the mentally ill in 2015 that should be maintained.</p>	<p>The Legislature increased access to mental health care and expanded existing, proven programs designed to de-escalate police contacts with the mentally ill. Those programs could be vulnerable in a difficult budget environment made challenging by increased PERS rates.</p> <p>This priority is defensive in nature and seeks to preserve investments that are improving the lives of mentally ill Oregonians.</p>
<p>Q. <u>Remove Qualification Based Selection Mandate</u></p> <p>Cities should be allowed to consider cost when making initial contract award decisions when hiring architects and engineers.</p>	<p>Cities are currently required to use a procurement method that prevents the consideration of cost when contracting with architects and engineers for public improvements. Instead, cities must base their initial selection for these services based solely on qualifications and can only negotiate the price after an initial selection is made.</p> <p>This mandate is not a cost effective means for procuring services and is poor stewardship of the public's dollars. This priority is to seek the removal of this mandate.</p>

Human Resources

Legislation	Background
<p>R. <u>Repeal Requirement to Subsidize Retiree Health Insurance</u></p> <p>Public employers should not subsidize the health insurance of former employees when reasonable, cost competitive options exist.</p>	<p>ORS 243.303 mandates that local governments provide retirees with access to health insurance and requires that they be placed in the same risk pool as active employees. As retirees are approximately 2.5 times more expensive to insure than active employees this mandate results in employers and current employees subsidizing the health insurance costs of former employees. This subsidization, according to the Government Accounting Standards Board, must be shown on an audit as long term liability, thus creating an inaccurate perception of a city's financial condition. Further, this requirement could be described as anachronistic as individuals are now able to purchase health insurance under the Affordable Care Act.</p> <p>This priority is to eliminate ORS 243.303 from Oregon's laws.</p>
<p>S. <u>PERS Reform</u></p> <p>PERS benefits should be adjusted where legally allowable and investments should be maximized to ensure a sustainable and adequate pension system.</p>	<p>The PERS unfunded liability stands at \$22 billion and employer rates are anticipated to approach 30 percent of payroll in the coming biennium. Rates are expected to remain at that level for the next twenty years. This is not sustainable.</p> <p>This priority is to seek any equitable changes to benefits that will reduce employer rates while not pursuing options that are legally tenuous or counterproductive. Additionally, changes are to be sought to the investment portfolio that will maximize returns through improved risk management and efficiencies.</p>

Human Resources (Continued)

Legislation	Background
<p>T. <u>Arbitration Changes</u></p> <p>Public employers should have greater influence over the disciplining of their employees.</p>	<p>Currently under the Public Employee Collective Bargaining Act, contested employee discipline matters must be submitted to an outside arbitrator for adjudication. Decisions by arbitrators are binding unless the conduct was a violation of public policy as defined by the state, there was serious criminal conduct or an egregious inappropriate use of force.</p> <p>This priority is to seek the following changes to the statute:</p> <ul style="list-style-type: none"> • Arbitrator decisions should also comply with local policies; • Decisions should comply with policies related to any inappropriate use of force a; • Arbitrator decisions should recognize all criminal misconduct related to employment not just “serious”; • Employer disciplinary decisions as it regards employees who are supervisors as defined by the EEOC and BOLI should be given more weight.
<p>U. <u>Veterans Preference Clarifications</u></p> <p>Requirements that veterans be given preference in public sector hiring should be clear and unambiguous for the benefit of veterans and employers.</p>	<p>The State of Oregon requires and the League agrees that honorably discharged veterans deserve special consideration in public sector hiring. However, statutes describing how this is to be accomplished are unclear and ambiguous. Vague statutes do not serve the interests of employers or veterans.</p> <p>This priority seeks a clear definition of “preference” in the statute, ensure that recently separated veterans receive the consideration necessary for them to successfully enter the workforce and establishes clarity as to when the preference is to be applied.</p>

Telecommunications, Cable & Broadband

Legislation	Background
<p>V. <u>Rights of Way</u></p> <p>Oppose legislation that preempts local authority to manage public rights-of-way and receive compensation for their use.</p>	<p>In its commitment to the protection of Home Rule and local control, the League consistently opposes restrictions on the rights of cities to manage their own affairs. From time to time, in the context of franchise fee and rights-of-way management authority discussions, proposals to restriction to this authority arise. These include a statewide franchise policy and revenue collection system as well as limiting the ability of cities to charge fees of other government entities. This is contrary to local government management authority, the ability to enter into agreements with service providers either by agreement/contract or ordinance and to derive revenues from business fees charged to users of public rights-of-way.</p>
<p>W. <u>Franchise Fees</u></p> <p>To ensure market fairness and equity, prepare legislation for possible introduction repealing ORS 221.515 (HB 2455 -7 in 2013, and HB 2172 in 2015) to remove franchise fee rate and revenue restrictions which currently apply to incumbent local exchange carriers but not to competitive local exchange carriers.</p>	<p>Oregon statute currently contains a discrepancy between how cities collect franchise fees from incumbent local exchange carriers (ILECs) and competitive local exchange carriers (CLECs). ORS 221.515 limits cities collecting franchise fees from ILECs to a maximum of 7 percent of revenues derived from dial-up services, which represents only a portion of ILEC total revenues due to the addition of a broader array of customer services. There is no such rate cap or revenue restriction on CLECs, hence the discrepancy. In the past the League has worked with CLECs to “level the playing field.” Repeal of ORS 221.515 would accomplish that.</p>
<p>X. <u>9-1-1 Emergency Communications</u></p> <p>Support legislation enhancing the effectiveness of the state’s emergency communications system through an increase in the 9-1-1 tax and/or a prohibition of legislative “sweeps” from accounts managed by the Oregon Office of Emergency Management.</p>	<p>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 new upgrades to communications technology becomes available, it is apparent that state and local governments do not have the resources necessary to address challenges or take advantage of opportunities. Additional funding is needed and the practice of periodically sweeping funds out of the state’s emergency management account for other uses should 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.</p>

Telecommunications, Cable & Broadband (Continued)

Legislation	Background
<p>Y. <u>Technology Funding</u></p> <p>Seek additional funding to assist for cities in:</p> <ul style="list-style-type: none"> • Increasing high speed broadband deployment and close the digital divide. • Purchasing upgraded emergency management communications equipment. • Providing local match money for federal funding programs, such as high speed broadband deployment. 	<p>The deployment of broadband throughout the state of Oregon is critical to economic development, education, health and the ability of citizens to link with their governments. Additional funding, from various sources, including the state and federal government, needs to be allocated for this purpose. The need becomes even more acute when consideration is given to the certainty of a major seismic event. Often federal assistance comes with the requirement of a state or local match which is problematical for cities. A state mechanism for providing matching fund assistance would be helpful to those communities seeking to take control of their broadband destiny.</p>

Transportation

Legislation	Background
<p data-bbox="115 233 771 300">Z. <u>Comprehensive, Multi-modal Transportation Funding and Policy Package</u></p> <p data-bbox="115 338 771 611">The League of Oregon Cities proposes that transportation infrastructure be raised to the same level of importance as other utilities, and be funded at a level capable of maintaining appropriate standards of operation and service. Therefore, the League will help draft and advocate for a comprehensive, inter-modal and statewide transportation funding and policy package that:</p> <ol data-bbox="164 646 771 1858" style="list-style-type: none"> <li data-bbox="164 646 771 1549">1. Provides a significant increase in resources available for the preservation and maintenance of city streets by: <ul data-bbox="212 785 771 1549" style="list-style-type: none"> <li data-bbox="212 785 771 848">• Substantially increasing the state gas tax and licensing and registration fees. <li data-bbox="212 852 771 884">• Indexing the state gas tax. <li data-bbox="212 888 771 1024">• Continuing efforts to identify and implement alternative funding mechanisms (VMT, tolling, public-private partnerships, etc.). <li data-bbox="212 1029 771 1092">• Disaster resilience and seismic upgrades for all transportation modes. <li data-bbox="212 1096 771 1201">• The completion of transportation projects begun but not yet completed due to lack of funding or changes in funding criteria. <li data-bbox="212 1205 771 1268">• Providing additional funding for voluntary jurisdictional transfer. <li data-bbox="212 1272 771 1335">• Funding transportation enhancements such as bike-ped facilities. <li data-bbox="212 1339 771 1444">• Increasing funding for the statutory Special City Allotment program while maintaining the 50%-50% ODOT/city split. <li data-bbox="212 1449 771 1549">• Repealing the referral requirement (2009 Jobs and Transportation Act) on cities seeking to create/increase local gas tax. <li data-bbox="164 1583 771 1858">2. Addresses statewide needs relating to intermodal transportation through: <ul data-bbox="212 1688 771 1858" style="list-style-type: none"> <li data-bbox="212 1688 771 1751">• Additional funding for transit operations and capital projects. <li data-bbox="212 1755 771 1858">• Additional funding for freight rail capital projects and operations (<i>ConnectOregon</i>, short-line rail and transload facilities). 	<p data-bbox="771 233 1507 747">Maintenance and preservation needs have outpaced the resources available for streets, roads and highways. In its March, 2016 Infrastructure Survey Report the League identifies a \$3.7 billion capital need for highway and non-highway transportation projects (\$2.6 billion highway / \$1.1 billion non-highway). In addition, the report shows, for the 120 cities that participated, an aggregated street budget shortfall for operations and maintenance of approximately \$217 million per year. Safety and disaster resilience were cited as major challenges and needs by most cities. Cities also expressed support for a voluntary jurisdictional transfer program (the sensible alignment of highway facilities and management responsibility) provided the availability of adequate funding to facilitate the transfer and to maintain the asset.</p> <p data-bbox="771 785 1507 1226">Given the threat that inadequate funding represents to investments already made in the transportation system, the League will insist on a transportation package that increases and makes more sustainable the ability of all government jurisdictions to preserve and maintain these assets. Notwithstanding its emphasis on the need to preserve and maintain existing streets, the League of Oregon Cities agrees that the state’s transportation system and the policy and funding programs that support it must be multimodal and statewide in scope. The League will therefore work to pass legislation in 2017 that addresses funding and policy initiatives relating to all modes (streets, bike/ped, transit, rail, aviation and marine) and in so doing address such issues as:</p> <ul data-bbox="820 1264 1507 1858" style="list-style-type: none"> <li data-bbox="820 1264 1507 1327">• Connectivity and capacity (especially truck mobility/rail) <li data-bbox="820 1331 1507 1362">• Safety for all users across all modes <li data-bbox="820 1367 1507 1430">• Resiliency and recovery (seismic retrofit across all modes) <li data-bbox="820 1434 1507 1465">• Jobs and economic development <li data-bbox="820 1470 1507 1501">• Impact on climate change <li data-bbox="820 1505 1507 1537">• Active transportation and public health <li data-bbox="820 1541 1507 1604">• Transportation access available on an equitable basis to all Oregonians <li data-bbox="820 1608 1507 1640">• Continuing and extending <i>ConnectOregon</i> <li data-bbox="820 1644 1507 1749">• Ensuring adequate <u>new</u> revenues for program/equipment such as the Oregon Department of Motor Vehicles technology upgrade <li data-bbox="820 1753 1507 1858">• Creative solutions to ongoing challenges (dedicated non-roadway fund, increased local authority to fund transit, bike-ped funding, etc.)

- **Additional funding for passenger rail operations, equipment and capital projects (federal matching money and AMTRAK Cascades).**

3. Does not:

- **Preempt local government ability to self-generate transportation revenues for street maintenance and preservation.**
- **Change the dedication of State Highway Fund dollars to highway, road and street projects contained in Article 8, Section 3a of the Oregon Constitution.**
- **Reduce cities 20% share of the State Highway Fund.**
- **Create unfunded mandates requiring cities to undertake specific programs, such as greenhouse gas reduction scenarios.**
- **Further complicate the planning and regulatory process that currently governs the project delivery process.**

- **Maximizing local benefits of the federal FAST Act in Oregon**

Water & Wastewater

Legislation	Background
<p data-bbox="115 241 602 275">AA. <u>Funding for Water System Resilience</u></p> <p data-bbox="115 310 740 548">Secure dedicated funding for water and wastewater system resilience and emergency preparation. This would include additional funds to plan for and upgrade water systems to increase seismic resiliency and funding to better position communities to better prepare for water supply shortages due to drought, climate change or other emergency scenarios.</p>	<p data-bbox="781 241 1484 619">In general, Oregon’s drinking water and wastewater systems are woefully underprepared for a catastrophic earthquake event. Restoration of water supply following such an event is critical for fire suppression, first aid, and for human health and safety. In 2013, the Oregon Resilience Plan provided estimates for service recovery of water and wastewaters systems in the event of a Cascadia earthquake under current infrastructure conditions. According to the plan, the estimated timeframe for service recovery in the valley ranges from one to twelve months. For the coast, service recovery is estimated between one to three years.</p> <p data-bbox="781 655 1484 957">In addition to risks associated with significant natural disaster events, recent drought conditions in Oregon have demonstrated the need for emergency supply planning and coordination with other water users to better address water supply challenges. It is critical that communities are able to acquire alternative and back-up water supplies from multiple sources in order to better prepare for supply shortages or emergency situations, such as natural disasters or supply contamination.</p> <p data-bbox="781 993 1484 1199">The League will work to identify and secure low-interest loans or grants to seismically upgrade drinking water and wastewater system infrastructure and to help ensure that these systems are more resilient and better positioned to respond to water supply shortages resulting from drought, climate change, natural disasters, or other system failures.</p>

Water & Wastewater (Continued)

Legislation	Background
<p>BB. <u>Promote an Enhanced Prescription Drug Take-Back</u></p> <p>Advocate for enhanced prescription drug take-back program funding and additional collection locations to reduce contamination of water from unwanted prescription drugs.</p>	<p>Unused prescription drugs are problematic from both a public health and safety perspective as well as from a water quality perspective. Drug take-back programs help to ensure that unused prescription drugs are properly disposed of which keeps them from being abused, keeps them out of the hands of children, and keeps them from entering Oregon’s waterways. Unwanted prescription drugs are often flushed down the toilet and despite wastewater treatment systems, y can end up contaminating lakes, streams and rivers. In 2014, U. S. Drug Enforcement Administration (DEA) expanded the types of locations allowed to accept unwanted medications including retail pharmacies and drug manufacturers. Prior to 2014, drug-take back programs were primarily supported through police department drop boxes. The challenge in expanding prescription drug take-back programs is now focused on the cost of transporting unused drugs from the take-back location to the disposal site and in educating the public about responsible disposal opportunities.</p> <p>The League will work with a variety of stakeholders, including public health advocates, to identify additional funding mechanisms to increase drug take-back collection locations across Oregon. Funding should support the transportation and responsible disposal of unused prescription drugs. Funds should also be dedicated for enhanced education of disposal opportunities and the establishment of convenience standards to ensure that all Oregonians have reasonable access to drug take-back locations.</p>
<p>CC. <u>Increased Funding for Water Supply Development</u></p> <p>Support additional water supply funding through the state’s Water Supply Development Account.</p>	<p>According to a survey conducted by the League, Oregon’s water and wastewater infrastructure needs for cities alone are estimated to be \$9 billion over the next twenty years. In addition, the survey identified 66 percent of respondent cities as being in need of additional water supply storage. The 2015 drought highlighted the need for additional investments in water supply infrastructure, including storage and water delivery system efficiencies. Additional storage project investments are not only critical for adequate drinking water supply, they are an important tool for supplementing streamflows and habitat restoration.</p> <p>The League will work to secure additional funding for existing water supply development programs. This includes support for feasibility grants and for the state’s Water Supply Development Account which provides funding for water supply storage, reuse, restoration and conservation projects.</p>