



# CITY OF CENTRAL POINT

Oregon

## City Council Meeting Agenda Thursday, July 9, 2020

Next Res(1633) Ord (2067)

### I. REGULAR MEETING CALLED TO ORDER

### II. PLEDGE OF ALLEGIANCE

### III. ROLL CALL

### IV. SPECIAL PRESENTATIONS

1. Police Officer Swearing In - Police Department Lawn Area

### V. PUBLIC COMMENTS

*Public comment is for non-agenda items. If you are here to make comments on a specific agenda item, you must speak at that time. Please limit your remarks to 3 minutes per individual, 5 minutes per group, with a maximum of 20 minutes per meeting being allotted for public comments. The council may ask questions but may take no action during the public comment section of the meeting, except to direct staff to prepare a report or place an item on a future agenda. Complaints against specific City employees should be resolved through the City's Personnel Complaint procedure. The right to address the Council does not exempt the speaker from any potential liability for defamation.*

### VI. CONSENT AGENDA

- A. Approval of June 25, 2020 City Council Minutes

### VII. ITEMS REMOVED FROM CONSENT AGENDA

### VIII. PUBLIC HEARING

*Public comments will be allowed on items under this part of the agenda following a brief staff report presenting the item and action requested. The presiding officer may limit testimony.*

- A. First Reading/Public Hearing An Ordinance Amending the Central Point Municipal Code Sections 5.04.050 and 5.04.090 Regarding Business License Term (Weber)

### IX. ORDINANCES, AND RESOLUTIONS

- A. Resolution No. \_\_\_\_\_, A Resolution appointing official designee of the City of Central Point for purposes of approving traffic controls. (Samitore)
- B. Resolution No. \_\_\_\_\_, A Resolution authorizing the City Manager to sign the application applying for a Transportation Growth Management Grant from the Oregon Department of Transportation for the Development of a Transportation System Plan. (Samitore)

### X. BUSINESS

**Mayor**  
Hank Williams

**Ward I**  
Neil Olsen

**Ward II**  
Kelley Johnson

**Ward III**  
Melody Thueson

**Ward IV**  
Tanea Browning

**At Large**  
Rob Hernandez

**At Large**  
Michael Parsons

- A. League of Oregon Cities Legislative Priorities (Clayton)
- B. Planning Commission Report

**XI. MAYOR'S REPORT**

**XII. CITY MANAGER'S REPORT**

**XIII. COUNCIL REPORTS**

**XIV. DEPARTMENT REPORTS**

**XV. EXECUTIVE SESSION**

The City Council will adjourn to executive session under the provisions of ORS 192.660. Under the provisions of the Oregon Public Meetings Law, the proceedings of an executive session are not for publication or broadcast.

**XVI. ADJOURNMENT**

Individuals needing special accommodations such as sign language, foreign language interpreters or equipment for the hearing impaired must request such services at least 72 hours prior to the City Council meeting. To make your request, please contact the City Recorder at 541-423-1026 (voice), or by e-mail to [Deanna.casey@centralpointoregon.gov](mailto:Deanna.casey@centralpointoregon.gov).

Si necesita traductor en español o servicios de discapacidades (ADA) para asistir a una junta publica de la ciudad por favor llame con 72 horas de anticipación al 541-664-3321 ext. 201

# CITY OF CENTRAL POINT

*Oregon*

## City Council Meeting Minutes Thursday, June 25, 2020

### I. REGULAR MEETING CALLED TO ORDER

The meeting was called to order at 7:00 PM by Mayor Hank Williams

### II. PLEDGE OF ALLEGIANCE

### III. ROLL CALL

Attendee Name	Title	Status	Arrived
Hank Williams	Mayor	Present	
Neil Olsen	Ward I	Present	
Kelley Johnson	Ward II	Present	
Melody Thueson	Ward III	Remote	
Taneea Browning	Ward IV	Present	
Rob Hernandez	At Large	Present	
Michael Parsons	At Large	Present	

City Manager Chris Clayton; City Attorney Sydnee Dreyer; Police Chief Kris Allison; Police Captain Dave Croft; Community Development Director Tom Humphrey, Finance Director Steve Weber, Parks and Public Works Director Matt Samitore, IT Director Jason Richmond, and Public Works Office Assistant Cyndi Weeks were also present.

### IV. PUBLIC COMMENTS -None

### V. CONSENT AGENDA

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Rob Hernandez, At Large
<b>SECONDER:</b>	Taneea Browning, Ward IV
<b>AYES:</b>	Williams, Olsen, Johnson, Thueson, Browning, Hernandez, Parsons

#### A. Approval of June 11, 2020 City Council Minutes

### VI. ITEMS REMOVED FROM CONSENT AGENDA

### VII. PUBLIC HEARING

#### A. Resolution No. \_\_\_\_\_, A Resolution of the City of Central Point Approving a 2019-21 Supplemental Budget

A few projects that were finished but not invoiced in time are included in the need for a supplemental budget. Those include the Twin Creeks rail crossing, freeway off-ramp work, and a couple of street projects. There were also a few revenue items reflected in the budget such as \$14,000 in COVID-19 grants, \$80,300 in credits for the Chicory Village reverse development refund, \$48,000 from the police asset

forfeiture program.

**Mike Parsons made a motion to approve the Resolution Approving the 2019-21 Supplemental Budget.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Parsons, At Large
<b>SECONDER:</b>	Kelley Johnson, Ward II
<b>AYES:</b>	Williams, Olsen, Johnson, Thueson, Browning, Hernandez, Parsons

**VIII. ORDINANCES, AND RESOLUTIONS**

- A. Ordinance No. \_\_\_\_\_, An Ordinance Amending the Central Point Comprehensive Plan and Zoning Maps on Multiple Properties Totaling 12.12 Acres South of Bush Street between South 4th and South 1st Streets from C-2(M) Commercial -Medical to R-1-6 (Residential Single Family) and Civic. (37S 2W 11BC, Tax Lots 800 Through 5000 and 37S 2W 11BL, Tax Lots 100-700)**

Community Development Director Tom Humphrey presented a second reading of this ordinance to change the zoning of the old Asante building from medical to residential for School District #6.

**Melody Thueson made a motion to approve an Ordinance Amending the Central Point Comprehensive Plan and Zoning Maps on Multiple Properties Totaling 12.12 Acres South of Bush Street between South 4<sup>th</sup> and South 1<sup>st</sup> Streets from C-2(M) Commercial -Medical to R-1-6 (Residential Single Family) and Civic. (37S2W 11BC, Tax Lots 800 Through 5000 and 37S 2W 11BL, Tax Lots 100-7000).**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Melody Thueson, Ward III
<b>SECONDER:</b>	Tanea Browning, Ward IV
<b>AYES:</b>	Williams, Olsen, Johnson, Thueson, Browning, Hernandez, Parsons

- B. Resolution No. \_\_\_\_\_, A Resolution Approving that Intergovernmental Agreement for Central Point Branch Library between the City and Jackson County and Authorizing City Manager to Execute Same**

City Attorney Sydnee Dreyer reported that Jackson County decided not to be in control of the library property and agreed to Quit Claim interest to the City. In turn, this will allow the City to enter into an agreement with the Library District directly.

**Kelley Johnson made a motion to approve the Resolution Approving that Intergovernmental Agreement for Central Point Branch Library between the City and Jackson County and Authorizing City Manager to Execute Same.**

Minutes Acceptance: Minutes of Jun 25, 2020 7:00 PM (CONSENT AGENDA)

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Kelley Johnson, Ward II
<b>SECONDER:</b>	Michael Parsons, At Large
<b>AYES:</b>	Williams, Olsen, Johnson, Thueson, Browning, Hernandez, Parsons

**C. Resolution No. \_\_\_\_\_, A Resolution Approving that Intergovernmental Agreement Between the City of Central Point and the Jackson County Library District and Authorizing City Manager to Execute Same**

City Attorney Sydnee Dreyer discussed the need to enter into a lease between the City and Jackson County Library District that would direct the Library District to operate, maintain and insure the property. The lease would be an initial 30-year term with three options to renew for 5 years each.

**Kelley Johnson made a motion to approve the Resolution Approving that Intergovernmental Agreement Between the City of Central Point and the Jackson County Library District and Authorizing City Manager to Execute Same.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Kelley Johnson, Ward II
<b>SECONDER:</b>	Melody Thueson, Ward III
<b>AYES:</b>	Williams, Olsen, Johnson, Thueson, Browning, Hernandez, Parsons

**D. Resolution No. \_\_\_\_\_, Accepting the Lowest Responsible Bid from Knife River Materials Inc, for the Mingus Creek at Freeman Road Culvert Replacement and Authorizing the City Manager to Execute a Contract**

Parks and Public Works Director Matt Samitore reported that the Mingus Creek culvert on Freeman Rd is failing and needs replacement. Two bids were received for the project, and Knife River was the low bid in the amount of \$149,999. With the short time frame for working in rivers and creeks, this project is to start after July 4<sup>th</sup> and be completed in two weeks.

**Rob Hernandez made a motion to Accept the Lowest Responsible Bid from Knife River Materials Inc, for the Mingus Creek at Freeman Road Culvert Replacement and Authorizing the City Manager to Execute a Contract.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Rob Hernandez, At Large
<b>SECONDER:</b>	Tanea Browning, Ward IV
<b>AYES:</b>	Williams, Olsen, Johnson, Thueson, Browning, Hernandez, Parsons

**E. Resolution No. \_\_\_\_\_, A Resolution accepting the Qualified Based Selection Process for the Parks and Public Works Operations Center Project and authorizing the City Manager to execute a contract with S&B James Construction, Inc.**

Parks and Public Works Director Matt Samitore reported that the City conducted a formal Qualified Based Selection process for the Parks and Public Works Operations

Center. After receiving five bid submittals, two were rated highest based on qualifications. Interviews with both firms were held and it was decided that S&B James was the best fit for the project due to their experience with pre-fab buildings. If approved, the next phases will be fast-tracked over the next few months. This would be an 18 month project.

Council member Rob Hernandez declared a conflict of interest and did not participate in the deliberations.

**Kelley Johnson made a motion to approve A Resolution Accepting the Qualified Based Selection Process for the Parks and Public Works Operations Center Project and Authorizing the City Manager to Execute a Contract with S&B James Construction, Inc.**

<b>RESULT:</b>	<b>APPROVED AS AMENDED [6 TO 0]</b>
<b>MOVER:</b>	Kelley Johnson, Ward II
<b>SECONDER:</b>	Michael Parsons, At Large
<b>AYES:</b>	Williams, Olsen, Johnson, Thueson, Browning, Parsons
<b>RECUSED:</b>	Rob Hernandez

**F. Resolution No. \_\_\_\_\_, Authorizing the City Manager to Execute Payment for Fiscal Year 2020-2021 City of Central Point Insurance Premiums**

City Manager Chris Clayton reported that the 2020-2021 insurance premiums are 18% higher than the previous year and exceeds the City Manager’s purchasing authority. The increase seems to be on par for other cities increases in the area.

**Melody Thueson made a motion to approve a Resolution Authorizing the City Manager to Execute Payment for Fiscal Year 2020-2021 City of Central Point Insurance Premiums.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Melody Thueson, Ward III
<b>SECONDER:</b>	Kelley Johnson, Ward II
<b>AYES:</b>	Williams, Olsen, Johnson, Thueson, Browning, Hernandez, Parsons

**G. Resolution No. \_\_\_\_\_, Approving the Regional Plan Progress Report, a Self-Evaluation Monitoring Report Addressing Compliance with Regional Plan Performance Indicators for the City of Central Point, Oregon**

Community Development Director Tom Humphrey reported that as part of the Regional Plan Element, the City is required to adhere to various performance indicators and is subject to monitoring. Every five years, the City is required to participate in a regular review process in the form of a self-evaluation report. If the report is approved, it will become a main part of the UGB application being sent in next week.

**Mike Parsons made a motion to Approve the Regional Plan Progress Report, a Self-Evaluation Monitoring Report Addressing Compliance with regional Plan Performance Indicators for the City of Central Point, Oregon.**

Minutes Acceptance: Minutes of Jun 25, 2020 7:00 PM (CONSENT AGENDA)

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Parsons, At Large
<b>SECONDER:</b>	Melody Thueson, Ward III
<b>AYES:</b>	Williams, Olsen, Johnson, Thueson, Browning, Hernandez, Parsons

## IX. BUSINESS

### A. 2040 City of Central Point Strategic Plan

City Manager Chris Clayton reported that the Planning Commission will review the plan in July and make a formal adoption recommendation to the Council in order to allow public comment. Some points to note are to maintain safe communities, continue to police the “Central Point Way” of being a friendly town, and to develop and foster a community policing program by building relationships with the community.

<b>RESULT:</b>	<b>FOR DISCUSSION ONLY</b>
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## X. MAYOR'S REPORT

Mayor Williams reported that he attended:

- League of Oregon Cities weekly call
- Scenic Fire Station grand opening
- Study Session at the fire station
- Ribbon cutting at Flanagan Park

## XI. CITY MANAGER'S REPORT

City Manager Chris Clayton reported that:

- Human Resources completed a salary survey on department directors and will be incorporating Council in compensation agreements
- Flanagan Park ribbon cutting was well attended and kids were already enjoying the play structure
- Telework policies have been finished and it is up to department directors to determine who and when can work from home
- The livestock auction is coming up and Mayor Williams is preparing to buy on behalf of the City
- COVID Update: Oregon is staying stable and we are getting public meetings figured out either virtually or in person
- ROW from Walmart has been acquired for the Hamrick/Biddle intersection

## XII. COUNCIL REPORTS

Council Member Kelley Johnson reported that she attended:

- Weekly League of Oregon Cities calls
- Study Session at the fire station

Council Member Melody Thueson reported that she attended the Fire Station ribbon study session tour.

Council Member Rob Hernandez reported that he attended Study Session with the Fire Station tour.

Council Member Tanea Browning reported that she attended:

- Study Session
- Fire District board meeting
- Timber board meeting

Council Member Mike Parsons reported that he attended:

- RVSS board meeting
- Parks Foundation meeting
- Flanagan Park ribbon cutting

Council Member Neil Olsen had no report.

### **XIII. DEPARTMENT REPORTS**

Parks and Public Works Director Matt Samitore reported that:

- Benches will be installed next week at Flanagan Park.
- The water park is open, but the barrel is having issues and is being repaired.
- The new SCADA system was done as of last week, and that cuts the overtime budget down dramatically.
- Drive-in movies were a success with one last weekend to go. There are plans to have two movies in the park in August.

Community Development Director Tom Humphrey reported that:

- Planning Commission will meet in July and August
- Construction is happening on 10<sup>th</sup> and Freeman for medical offices
- There is some activity in front of the vet clinic on E Pine
- Table Rock and Biddle area is seeing activity with tire centers and the like



Police Chief Kris Allison reported that:

- She is very upset about the George Floyd murder and claims that it was not a police move. The community has been positive to our officers and have sent cards and food to the department in support. A handout was made of questions and answers about use of body cameras, use of force and chokeholds, and other questions that have come about after this tragedy.
- The department will be involved in the 4<sup>th</sup> of July cruise, and the route has changed again to encompass all neighborhoods.

Finance Director Steve Weber reported that information is being gathered to apply for a grant and a one-on-one match for small business assistance.

**XIV. EXECUTIVE SESSION**

**XV. ADJOURNMENT**

**Neil Olsen moved to adjourn**, all said “aye” and the Council Meeting was adjourned at 9:02 p.m.

The foregoing minutes of the June 25, 2020, Council meeting were approved by the City Council at its meeting of \_\_\_\_\_, 2020.

Dated:

\_\_\_\_\_  
Mayor Hank Williams

ATTEST:

\_\_\_\_\_  
City Recorder

Minutes Acceptance: Minutes of Jun 25, 2020 7:00 PM (CONSENT AGENDA)



## City of Central Point Staff Report to Council

### ISSUE SUMMARY

**TO:** City Council **DEPARTMENT:** Finance

**FROM:** Steven Weber,

**MEETING DATE:** July 9, 2020

**SUBJECT:** First Reading/Public Hearing An Ordinance Amending the Central Point Municipal Code Sections 5.04.050 and 5.04.090 Regarding Business License Term

**ACTION REQUIRED:** Public Hearing  
Ordinance 1st Reading

**RECOMMENDATION:** Approval

#### BACKGROUND INFORMATION:

During a discussion of the COVID-19 financial impact update at the May 18<sup>th</sup> City Council study session, options were presented as ways to help those in the community that are being impacted by the pandemic. One item in particular was extending the validity of current business licenses from June 30, 2020 to September 30, 2020. During the discussion it was also noted that the change in term is beneficial in that it avoids conflict with additional duties of the finance department during fiscal year end. Council directed staff to extend the validity of current business licenses to September 30, 2020 and to bring forward an ordinance to amend the municipal code sections to change the business license term to the twelve-month period beginning October 1<sup>st</sup> of each year and ending September 30<sup>th</sup> of the calendar year next following.

#### FINANCIAL ANALYSIS:

N/A

#### LEGAL ANALYSIS:

N/A

#### COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

N/A

#### ACTION:

Open public hearing and consider the proposed amendment to Central Point municipal code sections 5.04.050 and 5.04.090 regarding business license term, close the public hearing and 1) forward the ordinance to a second reading, 2) make revisions and forward the ordinance to a second reading, or 3) deny the ordinance.

#### RECOMMENDATION:

Forward the ordinance amending the Central Point municipal code to a second reading.

**ATTACHMENTS:**

1. Ordinance Amending Business License Term

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING THE CENTRAL POINT MUNICIPAL CODE SECTIONS 5.04.050 AND 5.04.090 REGARDING BUSINESS LICENSE TERM**

**RECITALS:**

- A.** Pursuant to CPMC, Chapter 1.01.040, the City Council, may from time to time make revisions to its municipal code which shall become part of the overall document and citation.
- B.** The City Council extended the validity of current business licenses to September 30, 2020 as a result of the COVID-19 Pandemic.
- C.** Upon review, the staff and city attorney for the City of Central Point determined that amendment to CPMC 5.04.050, Issuance of Business License, and CPMC 5.04.090 Fee-Term, is advisable for consistency with the extension to current business licenses. Further the new calendar term is beneficial in that it avoids conflicts with additional duties of the finance department during fiscal year end.
- D.** Words ~~lined through~~ are to be deleted and words **in bold** are added.

**THE PEOPLE OF CENTRAL POINT DO ORDAIN AS FOLLOWS:**

**SECTION 1.** Chapter 5.04.050, is amended as set forth below and incorporated herein by reference.

**5.04.050 Issuance.**

Upon receipt of a business license application and the required fee, the same shall be forwarded to the city designee who will cause the application to be reviewed by the appropriate members of the city staff for compliance by the proposed business with all applicable charter and ordinance provisions including, but not limited to, building, zoning and public safety ordinances. Upon approval for compliance, the application will then be forwarded to the city designee who shall issue a business license to the applicant. Licenses so issued shall be valid until the thirtieth day of ~~June~~ **September** following the date of issuance of the license (licenses issued before September 30, 1995 shall be valid). In the event an application is denied for noncompliance of the proposed business with city charter or ordinance provisions, the applicant shall have the right to appeal said denial to the city council at the next regularly scheduled council meeting.

Ordinance No. \_\_\_\_\_ (July 9, 2020)

Attachment: Ordinance Amending Business License Term (1296 : First Reading/Public Hearing An Ordinance Amending the Central Point

SECTION 2. Chapter 5.04.090, is amended as set forth below and incorporated herein by reference.

**5.04.090 Fee--Term.**

A. The business license term shall be the twelve-month period beginning on ~~July~~ **October** 1st of each year and ending ~~June~~ **September** 30th of the calendar year next following.

B. If any business subject to the provisions of this chapter comes into existence, or for the first time commences its operations within the city at any time after January 1st of any business license period, the license fee payable in connection with that business for the current business license period shall be prorated as of the beginning date of the semi-annual period during which the activity begins. The semi-annual periods for the purposes hereof shall begin on the first day of January of each year.

C. The license fee for any business taxed hereunder shall be computed using the city of Central Point business license fee schedule to include a basic fee and an additional fee for each employee over two employees, but no fee hereunder shall exceed the maximum annual amount set forth in the city of Central Point business license fee schedule. For the purposes of this subsection, the term "employee" means and includes:

1. A person having no ownership interest in the business other than the ownership of shares in a corporate owner of the business and who is regularly employed by, and under the supervision and control of, the owner or owners of the business or their representative in the course of the business activities; or
2. A natural person having an ownership interest in the business, who actively works in and for the business on a full-time basis;
3. Any person who is not subject to state and federal employment and withholding taxes by the business shall not be deemed an employee under this chapter.

**SECTION 2. Codification.** Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article", "section", "chapter" or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any recital clauses and boilerplate provisions (i.e. Recitals A-D) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

Ordinance No. \_\_\_\_\_ (July 9, 2020)

**SECTION 3.** Effective Date. The Central Point City Charter states that an ordinance enacted by the Council shall take effect on the thirtieth day after its enactment. The effective date of this ordinance will be the thirtieth day after the second reading.

**PASSED** by the Council and signed by me in authentication of its passage this \_\_\_\_ day of July, 2020.

\_\_\_\_\_  
Mayor Hank Williams

ATTEST:

\_\_\_\_\_  
City Recorder

Ordinance No. \_\_\_\_\_ (July 9, 2020)

Attachment: Ordinance Amending Business License Term (1296 : First Reading/Public Hearing An Ordinance Amending the Central Point



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**Strategies:**

- a. Provide easy access to transportation;
  - b. Aggressively encourage connectivity throughout all new development
  - c. Encourage retrofitted and expanded connectivity throughout existing development;
  - d. Refine Transportation Systems Plan (TSP) to include new growth areas; City of Central Point Strategic Plan
  - e. Designate and preserve “right of way” in growth areas, encourage early purchase of “right of way” easements;
  - f. Develop policies and ordinances to encourage development of activity centers;
  - g. Support individual transportation choices;
  - h. Pursue grants and public private funding sources for developing healthy communities;
  - i. Implement recommended and locally acceptable street improvements and traffic controls in the Central Business District (includes Highway 99) to reduce driving speeds and make walking safer and more desirable.
- 

**STAFF RECOMMENDATION:** Approve the Public Works Director as the official designee of the City of Central Point for the purposes of approving traffic control devices.

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**RECOMMENDED MOTION:** I move to approve Resolution No. \_\_\_\_ appointing the Public Works Director the official designee of the City of Central Point for the purposes of approving traffic control devices.

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**ATTACHMENTS:**

1. RESO Naming Designee for Traffic Control



RESOLUTION NO. \_\_\_\_\_

A RESOLUTION APPOINTING OFFICIAL DESIGNEE OF THE CITY OF CENTRAL POINT FOR PURPOSES OF APPROVING TRAFFIC CONTROLS

Recitals:

- A. Central Point Municipal Code 10.04.020 provides that the Council, or its designee, may approve the following traffic controls for the best use of the City streets in the public interest:
  - 1. Time limitations applicable to parking, in particular designated here as on the city streets;
  - 2. Through streets;
  - 3. One-way streets;
  - 4. Truck routes;
  - 5. Streets where trucks, machinery or any other large or heavy vehicles exceeding specified weights are prohibited, except for delivering or picking up materials or merchandise but then only by entering such streets at the intersection nearest the destination of the vehicle and leaving by the shortest route;
  - 6. The location and the time of operation of traffic control signals;
  - 7. Bus stops, bus stands, taxicab stands and stands for other passenger common carrier vehicles;
  - 8. The location of passenger loading zones for use in connection with a hotel, auditorium, theater, church, school or public building;
  - 9. Loading zones for commercial purposes;
  - 10. Intersections or areas where drivers of vehicles shall not make right, left or U-turns and the time when the prohibition applies;
  - 11. Crosswalks, safety zones, parking spaces, traffic lanes and other symbols;
  - 12. Traffic control signs;
  - 13. All other signs, signals, markings and devices required to implement traffic and parking controls enacted by the council or required by state law or regulation.
- B. The Council desires to appoint the Public Works Director as its designee to approve the foregoing traffic controls for the best use of City streets in the public interest.

The City of Central Point resolves as follows:

**Section 1.** The Public Works Director is hereby appointed the Council’s designee to approve traffic controls on City streets pursuant to CPMC 10.04.020(A).

Resolution No. \_\_\_\_\_ (July 9, 2020)

Attachment: RESO Naming Designee for Traffic Control (1294 : Designee to Approve Traffic Controls)

Passed by the Council and signed by me in authentication of its passage this \_\_\_\_\_ day of July, 2020.

\_\_\_\_\_  
Mayor Hank Williams

ATTEST:

\_\_\_\_\_  
City Recorder

Attachment: RESO Naming Designee for Traffic Control (1294 : Designee to Approve Traffic Controls)

Resolution No. \_\_\_\_\_ (July 9, 2020)



## **City of Central Point** **Staff Report to Council**

### **ISSUE SUMMARY**

<b>TO:</b>	City Council	<b>DEPARTMENT:</b>
		Public Works
<b>FROM:</b>	Matt Samitore, Parks and Public Works Director	
<b>MEETING DATE:</b>	July 9, 2020	
<b>SUBJECT:</b>	Resolution No. _____, A Resolution authorizing the City Manager to sign the application applying for a Transportation Growth Management Grant from the Oregon Department of Transportation for the Development of a Transportation System Plan.	
<b>ACTION REQUIRED:</b>		<b>RECOMMENDATION:</b>
Motion Resolution		Approval

**BACKGROUND INFORMATION:** City staff has been working on updating the City's Urban Growth Boundary (UGB) as well as coordinating with fellow Rogue Valley entities to produce a Rogue Valley Active Transportation Plan. Both of these projects are slated to be completed in the next six to eight months. Moreover, both amendments will require the City to update our Transportation System Plan (TSP) to incorporate new objectives and capital projects.

The City last updated its TSP in December 2008. The identified Tier 1 projects have remained some of the City's areas of focus for capital infrastructure improvements. These include the Highway 99 Streetscape Project (2010), Pinest Street/Downtown Improvements including new signals on 2<sup>nd</sup> and 4<sup>th</sup> Streets (2018), Twin Creeks Rail Crossing (2019), Scenic and Highway 99 Signal (2022), Beebe and Hamrick Signal (2021) and Hamrick and Pine Signal Upgrades (2020 or 2021).

With the upcoming Urban Growth Boundary expansion, a new series of goals and projects will be needed incorporate into an updatd TSP as growth occurs within the system over the next twenty years. Inasmuch, the current plan needs to be amended to reflect these new areas of growth, and the associated demands within the system. Additionally, the City has been an active participant in the Rogue Valley Active Transportation Planning process that will identify projects within the City that will contribute to a regional transportation system. Ultimately, the new plan and projects need to be incorporated into the updated TSP.

#### **FINANCIAL ANALYSIS:**

The estimated cost of the project is \$200,000. The grant requires a minimum of a 12% match. The City will be matching at 15% or approximately \$30,000, from the street maintenance fund.

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**LEGAL ANALYSIS:** N/A

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**COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:  
2020 City of Central Point Strategic Plan**

- Managed Growth and Infrastructure
  - Goal 3- Continually update infrastructure plans.
- 

**STAFF RECOMMENDATION:** Authorize the City to apply for a Transportation Growth Management Grant from the Oregon Department of Transportation for the Development of a Transportation System Plan.

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**RECOMMENDED MOTION:** I move to approve Resolution No. \_\_\_\_ authorizing the City of Central Point to apply for a Transportation Growth Management Grant from the Oregon Department of Transportation for the development of a Transportation System Plan (TSP) and delegating authority to the City Manager to sign the application.

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**ATTACHMENTS:**

1. resol\_tgm support

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AUTHORIZING THE CITY OF CENTRAL POINT TO APPLY FOR A TRANSPORTATION GROWTH MANAGEMENT GRANT FROM THE OREGON DEPARTMENT OF TRANSPORTATION FOR THE DEVELOPMENT OF A TRANSPORTATION SYSTEM PLAN AND DELEGATING AUTHORITY TO THE CITY MANAGER TO SIGN THE APPLICATION.

RECITALS:

A. WHEREAS, the Oregon Department of Transportation is accepting applications for the Transportation Growth Management Grant; and

B. WHEREAS, the City of Central Point desires to participate in this grant program to the greatest extent possible, as a means of developing a local comprehensive transportation system management plan and incorporating the Rogue Valley Active Transportation Plan; and

C. WHEREAS, the Central Point City Council desires to develop a balanced and interconnected transportation network necessary to support mobility, equity, environmental stewardship, long term growth and economic vitality of the community; and.

D. WHEREAS, the City of Central Point has available, local matching funds to fulfill its share of obligation related to this grant application should the grant funds be awarded;

**The City of Central Point resolves as follows:**

**Section 1.** The City of Central Point is authorized to submit a grant application to the Oregon Department of Transportation for a Transportation Growth Management Grant for the preparation and adoption of a transportation system plan (the "Grant Application").

**Section 2.** The City Manager is hereby authorized to sign the Grant Application.

**Section 3.** This Resolution shall take effect immediately from and after its passage and approval.

Passed by the Council and signed by me in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

1 - Resolution No. \_\_\_\_\_ (07/09/2020 Council meeting)

Attachment: resol\_tgm support [Revision 1] (1295 : Transportation Growth Management Grant)

\_\_\_\_\_  
Mayor Hank Williams

ATTEST:

\_\_\_\_\_  
City Recorder

Attachment: resol\_tgm support [Revision 1] (1295 : Transportation Growth Management Grant)

2 - Resolution No. \_\_\_\_\_ (07/09/2020 Council Meeting)



## City of Central Point Staff Report to Council

### ISSUE SUMMARY

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<b>TO:</b>	City Council	<b>DEPARTMENT:</b>	City Manager
<b>FROM:</b>	Chris Clayton, City Manager		
<b>MEETING DATE:</b>	July 9, 2020		
<b>SUBJECT:</b>	League of Oregon Cities Legislative Priorities		
<b>ACTION REQUIRED:</b>	Motion	<b>RECOMMENDATION:</b>	Not Applicable

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#### **BACKGROUND INFORMATION:**

For the past three months, seven policy committees have been working to identify and propose specific actions as part of the LOC's effort to develop a pro-active legislative agenda for the 2021 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 LOC'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. 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 LOC's 2021 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 LOC focus on during the 2021 session. The deadline for response is August 7, 2020. 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 LOC's 2021 legislative agenda.

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#### **FINANCIAL ANALYSIS:**

Not Applicable

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#### **LEGAL ANALYSIS:**

Not Applicable

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#### **COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:**

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## Our Vision

Through the leadership of the governing body, The City of Central Point has created a community:

- With a “small town” commitment and feel that promotes community pride, safety, and friendliness.
  - Which provides consistent quality in guiding growth, beautifying and strengthening the downtown area, and providing adequately for City services, while being flexible and updating citizens.
  - Where we work jointly with our community schools, libraries, and public/private institutions to increase opportunities for the development of our youth and our citizens.
  - Where city, county, state, and federal agencies work together as partners with a “can do” attitude
  - That protects our unique identity - People know when they are in the “Heart of the Rogue Valley” - Central Point.
- 

### **STAFF RECOMMENDATION:**

Staff recommends city council select and forward four issues to be considered legislative priorities by the League of Oregon Cities during the 2021 legislative session.

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### **RECOMMENDED MOTION:**

I move to approve the following four issues \_\_\_\_, \_\_\_\_, \_\_\_\_, \_\_\_\_ as legislative priorities for the League of Oregon Cities during the 2021 legislative session.

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### **ATTACHMENTS:**

1. LOC 2021 Leg Priority Ballot - Final



June 5, 2020

Dear Chief Administrative Official:

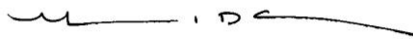
For the past three months, seven policy committees have been working to identify and propose specific actions as part of the LOC's effort to develop a pro-active legislative agenda for the 2021 session. They have identified legislative objectives as set forth in the enclosed ballot and legislative recommendation 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 LOC'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. 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 LOC's 2021 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 LOC focus on during the 2021 session. **The deadline for response is August 7, 2020.** 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 LOC's 2021 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. If you have individual questions about the ballot topics do not hesitate to reach out to committee members who serve on the seven policy committees. 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 Jim McCauley, Legislative Director, with additional questions.

Sincerely,



Mike Cully  
Executive Director



Jim McCauley  
Legislative Director

Attachment: LOC 2021 Leg Priority Ballot - Final (1293 : League of Oregon Cities Legislative Priorities)

## INSTRUCTIONS

Each city should submit one form that reflects the consensus opinion of its city council on the **top four** legislative priorities for 2021. Here are the ways to submit your ballot. **Ballots in any form must be submitted by August 7, 2020.**

1. Fill out the online survey that has been sent to your city's chief administrative official; or
2. Fill out the attached hard copy form and return it to the LOC at the address or fax number provided below. Simply place an **X or check mark** in the space to the right of the city's top four legislative proposals. The top four do not need to be prioritized.

Return hard copy ballots to:

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

**Thank you for your participation.**

Please mark 4 boxes with an X or check mark that reflects the top 4 issues that your city recommends be added to the priorities for the LOC’s 2021 legislative agenda.

City of: \_\_\_\_\_

### Legislation

<b>A. Beer and Cider Tax Increase</b>	
<b>B. Broadband Infrastructure and Technical Assistance Funding</b>	
<b>C. Building (Reach) Code – Energy Efficiency Local Option</b>	
<b>D. COVID-19 Economic Recovery Investments</b>	
<b>E. Digital Equity and Inclusion</b>	
<b>F. Expedited Siting for Shelter and Affordable Housing</b>	
<b>G. Green Energy/Renewables – Expanded Local Option</b>	
<b>H. Housing and Services Investment</b>	
<b>I. Increased Budgetary Flexibility During Budgetary Emergency</b>	
<b>J. Infrastructure Financing and Resilience</b>	
<b>K. Local Climate Action Planning Resources</b>	
<b>L. Local Energy Generation Project Support</b>	
<b>M. Local Speed Setting Authority</b>	
<b>N. Long Term Transportation Infrastructure Funding</b>	
<b>O. Low-Income Energy Efficiency and Affordability Programs</b>	
<b>P. Marijuana Tax Local Rate Limitation Increase</b>	
<b>Q. Mental Health Service Delivery</b>	
<b>R. Municipal Broadband and Municipal Pole Protection</b>	
<b>S. New Mobility Services</b>	
<b>T. Photo Enforcement Safety Cameras</b>	
<b>U. Property Tax Reform</b>	
<b>V. Reducing Wastewater Impacts from Wipes and Other “Non-Flushables”</b>	
<b>W. Right-of-way/Franchise Fees Authority Preservation</b>	
<b>X. State Highway Funds Formula</b>	
<b>Y. Tort Liability Reform</b>	
<b>Z. Water Utility Rate and Fund Assistance</b>	

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.):

Attachment: LOC 2021 Leg Priority Ballot - Final (1293 : League of Oregon Cities Legislative Priorities)

**You are reviewing the hard copy of the ballot. There are hyperlinks in the digital copy that may provide more background information. You can find the digital version with hyperlinks by going to this web address: [https://www.orcities.org/download\\_file/1038/0](https://www.orcities.org/download_file/1038/0). It is best opened in Google Chrome.**

## A. Beer and Cider Tax Increase

### Legislation:

The League proposes increasing the state taxes on beer 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, meaning the tax is less than 5 cents on a six-pack. Oregon has the lowest beer tax in the country, and to get to the middle of the states Oregon would need to raise the tax to \$30.00 per barrel or 54 cents per six pack (a more than 10-fold increase). Given recent challenges to the craft brewing industry tied to bar and restaurant closures it may be appropriate to delay or phase-in the increase. Cities are preempted from imposing alcohol taxes. In exchange, cities receive approximately 34% of the state alcohol revenues, but the state takes 50% of beer and wine taxes off the top prior to this distribution. Cities have significant public safety costs related to alcohol consumption, and the beer tax does not come close to covering its fair share of these costs.

*Presented by the Finance and Taxation Committee*

## B. Broadband Infrastructure and Technical Assistance Funding

### Legislation:

Seek additional state support and funding for increased broadband infrastructure deployment and technical assistance.

### 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. Research shows 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, reliable, low latency broadband infrastructure that reaches speeds of at least 25 Mbps download and 3 Mbps upload or any updated speed standards as adopted by the FCC. Many federal grant programs require localities to have a broadband strategic plan in place before they are eligible for funds. Therefore, there is a need for funding sources to help cities with technical assistance as well as infrastructure.

*Presented by the Telecom, Broadband & Cable Committee*

## C. Building (Reach) Code – Energy Efficiency Local Option

### Legislation:

The LOC will pursue/support legislation to allow communities to adopt the Reach Code as the mandatory residential or commercial building code within the city's jurisdictional boundaries. The Reach Code would represent a building energy code that would be at least 10 percent more efficient than the statewide building code. Under this proposal, cities would be able to adopt the more efficient Reach Code or would continue to use the standard statewide building code as the base code.

**Background:**

Under current state law, cities are preempted from adopting local building codes. Instead, development is subject to statewide codes, including for new residential and commercial development. In 2009, legislation was passed to implement a new, optional code (Reach Code) that would allow developers to exceed statewide codes and streamline the construction of higher-performance buildings through efficiencies gained in the building exterior envelope as well as heating, ventilation, air conditioning, piping insulation and lighting. The Reach Code is optional for builders to use, but a local government can't mandate a builder to use it. This legislative recommendation would allow a city to adopt the Reach Code within their jurisdiction in order to promote additional energy efficiency for new residential and commercial structures. If a city does not wish to adopt the Reach Code, the statewide code would remain in place. The LOC Energy & Environment Committee discussed whether this recommendation would impact housing costs and believes that long-term cost savings may be gained through increased energy efficiency in newly built units. Ultimately, the decision on whether to utilize the standard code or the enhanced (Reach) code would be at the discretion of the city.

*Presented by the Energy and Environment Committee*

#### **D. COVID-10 Economic Recovery Investments**

**Legislation:**

The League will advocate for continued economic recovery strategies and investments for small business and workforce assistance in response to the economic impacts of the COVID-19 pandemic.

**Background:**

The COVID-19 pandemic has had a devastating impact on Oregon's small businesses and workforce. While the federal government and the state have made recent investments to support small business, these resources have yet to meet current needs and more resources will be needed to support long term economic recovery for Oregon's communities. The League will work in coordination with economic development partners to advocate for continued investments to support long-term recovery and economic development.

*Presented by the Community Development Committee*

#### **E. Digital Equity and Inclusion**

**Legislation:**

Support legislation and policies that are inclusive and equitable to all, individuals and communities, so that they have the information technology capacity needed for full participation in our society, democracy and economy.

**Background:**

Connectivity is crucial to modern life. It is being relied on more for how people do business, learn, and receive important services like healthcare. As technology has evolved, the digital divide has become more complex and nuanced. It is no longer about the existence of technology in certain places. Now, the discussion of the digital divide is framed in terms of whether a population has access to hardware, to the Internet, to viable connection speeds and to the skills and training they need to effectively use it. The LOC will partner with schools, healthcare, and other stakeholders to ensure technologies are relevant, available, affordable, and accessible to the diverse populous and communities of Oregon. Additionally, the LOC will advocate for digital literacy programs to help learn these new technologies.

*Presented by the Telecom, Broadband & Cable Committee*

## F. Expedited Siting for Shelter and Affordable Housing

### Legislation:

The League will pursue legislation to expedite the siting of emergency shelter and other affordable housing that follows the intent of the 2020 shelter siting bill (HB 4001) but retains more local decision making in the process. The League will pursue this priority in coordination with affordable housing partners and other land use stakeholders.

### Background:

The League worked closely with city and county partners during the 2020 session to gain improvements to HB 4001, which sought to preempt all local siting and zoning regulations and the land use appeals process, for approving the siting of emergency shelters for a one-year period. HB 4001 received strong legislative support in 2020. Draft omnibus legislation for a potential future special session has included the text of HB 4001 and the League expects to see HB 4001 reintroduced in the 2021 session.

This priority will empower cities and counties to proactively introduce alternative legislation, similar to existing statute in California, which requires jurisdictions to identify places where shelters can locate instead of mandating that jurisdictions allow shelters to be sited anywhere. The California model requires cities and counties to accommodate their need for emergency shelters on sites where the use is allowed without a conditional use permit and requires cities and counties to treat transitional and supportive housing projects as a residential use of property.

*Presented by the Community Development Committee*

## G. Green Energy/Renewables – Expanded Local Option

### Legislation:

The LOC will pursue/support policies that increase local control opportunities for cities that want to establish a community-scale green energy program. This program would be optional for cities that choose to pursue it. Cities who choose to, would be allowed to adopt resolutions that would opt-in residential, commercial, and industrial customers to a voluntary renewable energy option if it is provided by an investor owned utility that serves the city and its electric customers. Under this proposed program, a city would be able to pursue a more aggressive green energy portfolio and would better position cities to meet local climate action goals.

### Background:

Under current law, customers of investor-owned utilities can opt-in to voluntary renewable energy options for their customers. These options allow customers to invest in additional green energy generation. In 2019, the state of Utah passed legislation (SB 411) that allows cities and counties to opt-in to programs on a community-scale basis, while still allowing individual customers to opt-out. Under this proposal, any city within the territory of an investor-owned utility, would be able to pursue this option for community-scale renewable energy (net-100% renewable).

*Presented by the Energy and Environment Committee*

## H. Housing and Services Investment

### Legislation:

The League will support increased investments for affordable housing, homeless assistance, and related services including funding for: shelter, homeless services, case management, rent assistance, the development and preservation of affordable housing, and permanent supportive housing.

**Background:**

Cities large and small were facing escalating homelessness rates before the COVID-19 pandemic and the current economic downturn will only increase the number of Oregonians facing eviction or experiencing homelessness. State general fund programs like the Emergency Housing Assistance (EHA) and State Homeless Assistance Program (SHAP) have seen record investments in previous legislative sessions. The legislative emergency board also voted recently to dedicate \$12M in general funds to support rent assistance and safe shelter in response to COVID-19.

Oregon's lack of available housing, high rents and high home prices are causing housing instability and homelessness to increase. The Legislature has made record investments in recent years to fund the LIFT affordable housing program and preserve Oregon's existing affordable housing infrastructure. These programs are funded through general obligation bonds and lottery backed bonds.

Permanent Supportive Housing is a key strategy for ending chronic homelessness that reduces downstream costs to public systems like public safety, emergency health care and corrections. The 2019 Legislature invested over \$50M to stand up a three-pronged permanent supportive housing program that includes 1) development costs to build, 2) rent assistance to keep units deeply affordable, and 3) wrap around services that are key to ensuring residents' long-term stability. The state should continue investing in this model to bring more Permanent Supportive Housing across the state and ensure that the housing developed with the original \$50M continues receive the necessary ongoing funding for rent assistance and supportive services.

*Presented by the Community Development Committee*

## **I. Increased Budgetary Flexibility During Budgetary Emergency**

**Legislation:**

The League proposes relaxing budgetary constraints in state law so that cities may better be able to withstand revenue losses related to natural disasters and public health emergencies. These losses will inevitably force many cities to cut services and lay off staff, the legislature can reduce the effect of losses by increasing flexibility for use of funds during and after a declared emergency.

**Background:**

Cities anticipate a tremendous loss in revenue due to the COVID-19 pandemic. Reduced revenues already include losses to lodging taxes, gas taxes, park fees, development fees, parking fees, utility charges, and so on. Further out, there is widespread concern that there will be impacts to the real estate market going into 2021, and by extension a reduction in 2021-22 property tax revenues. Cities want maximum flexibility in using funds that are subject to statutory limitations but will negotiate terms on individual funding sources including payback requirements if necessary. This flexibility should apply during and after declared emergencies, including both the current pandemic and future natural disasters.

*Presented by the Finance and Taxation Committee*

## **J. Infrastructure Financing and Resilience**

**Legislation:**

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

**Background:**

Cities continue to face the challenge of how to fund infrastructure improvements (both to maintain current and to build new). Increasing state resources in programs that provide access to lower rate loans and grants will assist cities in investing in vital infrastructure. Infrastructure development impacts economic development, housing, and livability. The level of funding for these programs has been inadequate compared to the needs over the last few biennia and the funds are depleting and unsustainable without significant program modifications and reinvestments. This priority will focus on maximizing both the amount of funding and the flexibility of the funds to meet the needs of more cities across the state to ensure long-term infrastructure investment.

*Presented by the Community Development Committee*

## **K. Local Climate Action Planning Resources**

**Legislation:**

The LOC will seek grant funding and technical assistance resources for cities to pursue, adopt or expand local climate action plans. In addition, the LOC will pursue opportunities to work with the Oregon Climate Change Research Institute (through Oregon State University) to provide cities and counties with local/regional data that can better inform the adoption and implementation of climate adaptation and mitigation at the local level.

**Background:**

According to the Oregon Department of Energy's 2018 Biennial Energy Report (BER), since the early 1990s, major international and U.S. scientific assessments have concluded that both climate change mitigation and adaptation efforts are necessary in response to climate change. The BER goes on to explain that adaptation is often thought of as actions "to prepare for and adjust to new conditions, thereby reducing harm or taking advantage of new opportunities or simply to reduce society's vulnerability to climate change impacts." Local climate action plans, adopted by cities or counties, can help communities better understand how climate change will impact their communities, and can provide localized solutions to help mitigate against the impacts of climate change. The LOC is aware of fourteen cities that have adopted local climate action plans. There are other cities that are interested in doing the same but that do not have the financial and/or staffing resources that are necessary.

*Presented by the Energy and Environment Committee*

## **L. Local Energy Generation Project Support**

**Legislation:**

The LOC will support/pursue funding, technical assistance and other tools that make local energy generation more feasible for cities to pursue.

**Background:**

Local energy generation projects can better position cities to pursue and achieve local climate action goals, address capacity constraints of existing electric transmission lines, and can help cities respond to individual businesses that may be seeking green energy options. The types of local energy generation projects discussed by the committee include, but are not limited to, small-scale hydropower, in-conduit hydropower, methane capture, biomass and solar. Such projects are not intended to conflict with existing low-carbon power purchase agreements but can position cities to pursue local climate action goals and supplement energy needs through renewable generation. Under this recommendation, the LOC will work to identify barriers and potential solutions to local energy generation and will pursue funding assistance for feasibility studies and project implementation.

*Presented by the Energy and Environment Committee*



## M. Local Speed Setting Authority

### Legislation:

Support legislation that provides legislative authority for ODOT to delegate local speed setting authority to Oregon cities that meet state criteria. I Improve safety and speed limit consistency in Oregon cities by establishing a clear delegation process that is consistent with recently adopted statewide speed zone rules. (OAR 734-020-0014, 734-020-0015, and 734-020-0016). This will be permissive legislation allowing cities to opt-in and thus will not be a mandate.

### Background:

The state of Oregon and cities across the state are all committed to improving safety on our streets. National and international research has shown that setting appropriate speed limits on city streets is a critical tool for improving safety and saving lives. During the 2020 legislative session, HB 4103 gained widespread support for setting up a collaborative process with ODOT and cities that opt into a process for gaining local speed setting authority. Despite strong support, HB 4103 did not pass due to the legislative clock running out. Going forward, LOC will work with safety advocates and cities and use HB 4103 from the 2020 session as a template for legislation in 2021. Delegated authority should be made available to all cities that meet ODOT's criteria; participation by cities is permissive (not required). Cities should be able to determine speeds that are adequate and safe for their communities, working within the OAR speed zone framework. This will improve safety and make speed setting more consistent across local government jurisdictions.

*Presented by the Transportation Committee*

## N. Long Term Transportation Infrastructure Funding

### Legislation:

Support expansion and consideration of revenue-generating options to fund multimodal transportation infrastructure, which includes state and local facilities. Support state and local projects that are part of the Statewide Transportation Improvement Program.

### Background:

Oregon has made two significant state-wide transportation investments in the last 15 years. In 2009 the Jobs and Transportation Act (JTA). This was a successful effort from local governments and the business community to invest in maintenance and capacity building projects state-wide. In 2017, HB 2017 established Oregon's first ever comprehensive, multimodal, transportation investment with what is known as "Keep Oregon Moving," which was a \$5.3 billion package. Although HB 2017 will not have its full funding until 2024 LOC and other transportation advocates will need to constantly explore other sources of revenue including a possible future replacement of Oregon's gas tax with a road user charge system. Oregon has been pioneering a vehicle miles traveled (VMT) tax within the MyOReGo pilot program. The program is voluntary and can provide several benefits to users. Ultimately the long-term structure for transportation investment may well take on a similar structure.

*Presented by the Transportation Committee, endorsed by the Community Development Committee*

## O. Low-Income Energy Efficiency and Affordability Programs

### Legislation:

The LOC will provide support for programs that seek to expand upon low-income energy and heating assistance programs, including programs targeted to make energy more affordable for rental properties. In addition, the LOC will work to support programs that provide for energy bill payment assistance and expand opportunities for low-income Oregonians to access resources for home weatherization.

**Background:**

According to Oregon Housing & Community Services, approximately 396,182, or about 25 percent of all households, are considered energy-burdened because of their energy-related expenditures (as of 2018). A household is considered energy burdened if six percent or more of its gross income is consumed by energy-related expenses. In recent years, legislation has been introduced in Oregon that would have provided additional assistance to low-income homeowners and renters that struggle with energy affordability. Unfortunately, legislation did not pass. The need for such assistance has increased as a result of the economic hardships resulting from COVID-19. In addition to bill payment assistance, there is a need for programs that will support low-income home weatherization in order to make energy bills more affordable in the long-term.

*Presented by the Energy and Environment Committee*

## **P. Marijuana Tax Local Rate Limitation Increase**

**Legislation:**

The League proposes increasing the current 3% cap on local marijuana taxes. This would give local voters greater choice in choosing a rate that reflects their needs or their community.

**Background:**

Retailers licensed by the Oregon Liquor Control Commission (OLCC) are required to charge a state-imposed retail sales tax of 17 percent for all recreational marijuana sold. Cities and counties (unincorporated areas only) may also impose a local retail sales tax of up to 3%, subject to voter approval. Tax rates for recreational marijuana vary widely across the states, but the total Oregon tax burden at a maximum of 20% is the lowest of West Coast states. Washington imposes a 37% state excise tax, but with a state sales tax of 6.5% and local rates of up to 1.9% the total rate can reach over 45%. California has a retail tax of only 15%, but with a state sales tax of 7.5% and local taxes up to 15.25% the total rate can reach up to 37.75%. Oregon consistently ranks among the lowest of the states for marijuana prices. Cities are sensitive to the desire to not push consumers to the black market and will work with the legislature on an increased cap that balances that concern with local revenue needs.

*Presented the Finance and Tax Committee*

## **Q. Mental Health Service Delivery**

**Legislation:**

Support the delivery of mental health services in order to reduce negative police interactions and ensure that those in need receive the help they require.

**Background:**

The Committee and the LOC membership have prioritized the delivery of mental health services periodically over the last 5 years. Items contained in this priority have included crisis intervention training for police officer, mobile police and social worker teams to proactively work with people in danger of going into crisis, jail diversion, mental health courts and greater access to care. In the immediate past short session, the LOC worked with its coalition partners to obtain \$9 million in additional funding for aid-and-assist, community care and jail diversion but was unsuccessful due to a lack of quorum.

While the measurements are subjective and not in general agreement, most surveys of behavioral health and alcohol and drug addiction service availability place Oregon near or at the bottom of state rankings. As a result, Oregon ranks third in the nation for alcohol related deaths, and above the national average in suicides. Anecdotally, most police chiefs that have participated in LOC conversations on this topic report a growing number of calls for service stemming from people in mental health crisis. The COVID-19 pandemic has exacerbated some of these issues with Portland Police Bureau reporting a 41% increase in suicide related calls (including attempts and threats) over this time last year. This priority would include but not be limited to:

Investment: The stark truth is that Oregon has never financially supported mental health services at a level commensurate with need. More beds and more capacity will allow for greater delivery. The spending plan may be complicated but many advocates bristle at the idea of “mental health reform” when it’s never been funded as a priority. The League does not have a specific number at this time but is in conversation with partners to develop one.

Decimalization of Mental Illness: People suffering from mental illness that interact with the criminal justice system typically spend more time incarcerated and suffer a disruption in treatment. Jail diversion has been something the League has advocated for in previous sessions and but will require changes in law, training and investments.

Workgroups Outcomes: There are currently several workgroups developing behavioral health reform plans that have yet to be completed, much of that work has been interrupted by COVID 19. LOC staff can update the Committee on these their work continues but cannot make recommendations on them now.

Alcohol Availability: The prevalence of cheap and potent alcoholic beverages that are produced and sold for the express purpose of achieving rapid intoxication has been a concern for Oregon Recovers, an advocacy group for those recovering from addiction. OLCC sells several 750 ml bottles for under \$10 and some as low as \$5. Creating a minimum price per international unit of alcohol has had an impact on consumption of cheap, potent beverages in Scotland and is believed to have had an impact on consumption there. Raising the price of low cost but high-volume products would also increase city shared revenue and provide additional funding for behavioral health services.

Mental Health Parity: Oregon and the federal government have enacted statutes to ensure that mental health services are treated as a health issues in a manner identical to physical health by health insurers. The legislative intent behind these laws has not been met as evidence by reports of denied coverage. Ensuring effective parity would increase treatment an access.

*Presented by the General Government/Human Resources Committee, endorsed by the Community Development Committee*

**R. Municipal Broadband and Pole Protection**

**Legislation:**

Oppose legislative efforts to restrict existing municipal authority to provide broadband services, and own and operate poles in the rights-of-way.

**Background:**

As the public grows more dependent on the Internet for expanding parts of their lives, community choices for gaining access at a reasonable price, for both consumers and producers, are dwindling. Some municipalities choose to become service providers themselves. Municipal broadband is sometimes the only way to bring high speed internet to a community and it can serve as an access point to neighboring communities. Additionally, municipal broadband adds competition to the market and can help lower prices for community members. As there is a push for more connectivity and bridging the digital the divide, the LOC will protect localities rights to be internet service providers for their own communities. Additionally, as more and more small cell and 5G technology is deployed in the rights-of-way, the LOC will protect the right of municipalities to own, operate and regulate attachments that are allowed on their poles.

*Presented by the Telecom, Broadband & Cable Committee*

## S. New Mobility Services

### Legislation:

Support for a variety of new mobility services that promote a safe, sustainable, and equitable multimodal transportation system, while preserving local government's authority to regulate services and ensure they best serve the local context.

### Background:

Transportation mobility has been rapidly changing over the last few years. The emergence of ridesharing services such as Transportation Network Companies (TNCs) now provide the public with more options to get from point "a" to point "b." New platforms continue to emerge such as scooters, shared bikes, electric delivery tricycles for package delivery and the possibility of future driverless delivery and vehicle fleets. Cities must have the flexibility to address the impacts of emerging technologies on their communities such as increased congestion and air pollution while protecting consumers and maintaining a safe transportation network that recognizes the unique needs of individual communities.

*Presented by the Transportation Committee*

## T. Photo Enforcement Safety Cameras

### Legislation:

Support continuation and expansion of fixed speed and red-light cameras and mobile speed radar state-wide to improve public safety in high-crash corridors. Explore changes that enable more streamlined processing of citations. Allow for local governments to form IGA's with other local governments to facilitate the use of safety cameras and mobile radar in their communities.

### Background:

The Oregon Transportation Safety Action Plan sets a goal of no deaths or life-changing injuries on Oregon's transportation system by 2035. In 2015, the Oregon Legislature granted the city of Portland the authority to implement a fixed speed safety camera program (HB 2621). Portland's fixed speed camera systems have been operating on "urban high crash corridors" for the past several years. Data collected at these locations shows a distinct change in driver behavior that has reduced the risk of collisions (See PBOT Report). Under existing statutes, photo radar is allowed in the cities of Albany, Beaverton, Bend, Eugene, Gladstone, Medford, Milwaukie, Oregon City, Portland and Tigard. LOC's goal is to bring this authority state-wide providing all cities with the choice of operating speed radar in their communities to improve safety and reduce the risk of high-speed crashes.

*Presented by the Transportation Committee*

## U. Property Tax Reform

### Legislation:

The League of Oregon Cities proposes that the Legislature refer a constitutional measure and take statutory action to reform the property tax system as part of the 2021 session. With the passage of the Corporate Activities Tax Oregon has taken a step towards long term financial stability at the state and school district level, but local budgetary challenges persist and the legislature must take action to allow cities and other local governments to adequately fund the services that residents demand.

### Background:

The property tax system is broken and in need of repair due to Measures 5 and 50, which are both now over 20 years old. The current system is inequitable to property owners and jurisdictions alike, is often inadequate to allow jurisdictions to provide critical services, removes all local choice, and is incomprehensible to the majority of taxpayers. Local governments and schools rely heavily on property tax revenues to pay for services and capital expenses. Therefore, the League will take a leadership role in forming coalitions to help draft and advocate for

both comprehensive and incremental property tax reform option packages. The League will remain flexible to support all legislation that improves the system, with a focus on a property tax package that includes, but may not be limited to these elements:

- To restore local choice, a system that allows voters to adopt tax levies and establish tax rates outside of current limits and not subject to compression (requires constitutional referral).
- To achieve equity, a system that has taxpayers' relative share tied to the value of their property, rather than the complex and increasingly arbitrary valuation system based on assessed value from Measure 50 (requires constitutional referral).
- To enhance fairness and adequacy, a system that makes various statutory changes, some of which would adjust the impact of the above changes. For example, as a part of comprehensive reform the League supports a new reasonable homestead exemption (percentage of RMV with a cap) but also supports limiting or repealing various property tax exemptions that do not have a reasonable return on investment.

*Presented by the Finance and Tax Committee, endorsed by the Community Development Committee*

## V. Reducing Wastewater Impacts from Wipes and Other “Non-Flushables”

### **Legislation:**

The LOC will work with other stakeholders, including the Oregon Association of Clean Water Agencies address challenges resulting from wipes and other non-flushable items. Legislation pursued will likely focus on requirements for manufacturers to clearly label product packaging to indicate that the product should not be flushed, however, the LOC will additionally explore other viable opportunities to address the public health, environmental and economic challenges resulting from improper disposal of these products.

### **Background:**

In recent years, public wastewater systems have experienced significant increases in sewer line clogs, environmental impacts, infrastructure impacts and costs associated with wipes being flushed down toilets. Most wipes don't break down when flushed, and even wipes that are labeled as “flushable” can clog pipelines and pumps and can cause sewage overflows in residences and the environment. The COVID-19 pandemic has made this challenge even worse due to shortages of toilet paper and increased use of disinfecting wipes. The EPA and other national organizations, as well as statewide and local wastewater agencies, are working to get the message out to avoid costly as well as environmental impacts of wipes in our sewer and treatment systems. In March of 2020, the state of Washington passed legislation requiring manufacturers to label products with a “do not flush” logo if the product does not meet national “flushability” standards (i.e. breaking down in the sewer system).

*Presented by the Water/Wastewater Committee*

## W. Right-of-Way/Franchise Fees Authority Preservation

### **Legislation:**

Oppose legislation that, in any way, preempts local authority to manage public rights-of-way and cities' ability to set the rate of compensation for the use of such rights-of-way.

### **Background:**

In its commitment to the protection of Home Rule and local control, the LOC consistently opposes restrictions on the rights of cities to manage their own affairs. From time to time, in the context of public rights-of-way management authority discussions, legislative proposals to restrict this authority arise. Efforts to restrict local authority often include proposals for a statewide right-of-way access policy and compensation 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 users of the right-of-way either by agreement/contract or ordinance; to set terms of right-of-way use and to set the rate of compensation. In recent

years the FCC has passed rulemaking through various orders like the Small Cell Orders (FCC 18-133 and FCC 18-111) and the Cable Franchising Order (FCC 19-80) that erode cities' right-of-way and franchising authority. Local governments around the U.S. are fighting these orders in court. There is a fear that the language of these orders will be codified in state legislatures. This would mean if the orders are overturned in court at the federal level, they will still impact cities in states that have passed laws codifying the orders.

*Presented by the Telecom, Broadband & Cable Committee*

## **X. State Highway Funds Formula**

### **Legislation:**

Consider opening the state highway fund distribution formula to allow for an additional percentage to cities. Currently the split is 50-30-20 with the State receiving 50%, Counties receiving 30% and the balance going to Cities 20%.

### **Background:**

Oregon has had a distribution formula for the state highway fund for decades. This fund combines the revenues generated from the state's gas tax, weight-mile tax on heavy trucks, licenses, fees, and bond proceeds. Approximately 77 percent of the total revenue collected by Oregon Department of Transportation (ODOT) is from state sources, while only 23 percent comes from federal sources. During the 2017 session base level funding for the least populated counties was established along with a \$5 million-dollar small city fund for cities under 5,000 in population with a maximum award of \$100,000 and no match requirement. LOC will engage with other transportation interests to determine if there is adequate support to advance legislation that would revisit the current 50-30-20 distribution.

*Presented by the Transportation Committee*

## **Y. Tort Liability Reform**

### **Legislation:**

COVID-19 and existing federal court decisions have added risk exposure to cities in areas where their authority has been limited or have not received adequate support. This priority seeks to ensure that cities are not held liable in these areas.

### **Background:**

CIS has already had a COVID related claim filed against it for a COVID related exposure. While there may be many legitimate reasons for a person to seek damages related to the outbreak, local governments have been hampered by inadequate supplies of PPE, testing capability, direct financial support, and legislative relief.

Additionally, the Boise decision that prevents cities from enforcing no camping rules and ordinances subject cities to additional tort liability. The ruling holds that if a person has no place else to go, a city must allow them to sleep somewhere. While there is a logical basis for the core of the ruling, if a city allows a person to sleep in an area that is not designed for camping, such as a park, the person may seek damages. Please note that recreational users of parks may not seek damages due to Oregon's recreational immunity statute that were corrected in 2017.

Finally, in previous sessions, legislation has been introduced but not passed to require cities to permit shelters in areas where they may not be appropriate and "codify" the Boise decision in state law. This legislation did not include immunity from tort liability while removing city authority.

*Presented by the General Government/Human Resources Committee*

## Z. Water Utility Rate and Fund Assistance

### Legislation:

The League will work during the 2021 legislative session to provide water utility funding assistance for ratepayers that are experiencing ongoing or recent economic hardships. In addition, the LOC will work to identify opportunities for additional investments in public infrastructure, including water supply, wastewater treatment, stormwater management, green infrastructure opportunities and resilience for water systems. Finally, the LOC Water & Wastewater Policy Committee has identified a need for additional, targeted grant funding assistance that will benefit smaller communities. This includes additional funding to conduct rate studies, feasibility studies and funding to help communities comply with new regulatory requirements, including the requirement to include a seismic risk assessment and mitigation plan within regular water master plan updates.

### Background:

In response to economic impacts associated with the spread of COVID-19, many of Oregon's drinking water and wastewater utility providers have offered additional assistance to ratepayers. The LOC is aware that most water utility providers have temporarily ceased water service shut offs (disconnections) for non-payment or past due bill collection during this period of economic hardship. Impacts associated with residential ratepayer revenue losses and decreased water consumption from businesses that have either closed or limited operations has resulted in revenue losses for many Oregon water utility providers. Some water utilities have outstanding debt from prior infrastructure investments and have expressed concerns that reductions in revenue may impact the ability to make the ongoing debt payments. In addition, the economic hardships that are being experienced by many Oregonians, especially in low-income and minority communities, will be ongoing; highlighting the need for additional ratepayer assistance investments that focuses on equity and our most vulnerable populations.

The LOC will work to identify funding for water utility ratepayer assistance and will work to establish a framework for the distribution of funds and will seek to ensure that this crisis does not exacerbate existing inequities, especially for Black, Indigenous, other Communities of Color and for rural Oregonians.

In addition, while COVID-19 has created unique revenue challenges for water utility providers, a key issue that most cities continue to face is how to fund infrastructure improvements (including maintaining, repairing and replacing existing infrastructure and building new infrastructure to address capacity and regulatory requirements). Increasing resources in programs that provide access to lower-rate loans and infrastructure-specific grants will assist cities in investing in vital infrastructure improvements which will also help bolster economic recovery. Infrastructure development impacts economic development, housing, and livability. The level of funding for these programs has been inadequate compared to the needs over the last few biennia and the funds are depleting and unsustainable without significant program modifications and reinvestments.

The LOC will pursue additional funding through the state's Special Public Works Fund, which provides funding assistance through Business Oregon for a variety of public infrastructure needs and will explore state bonding capacity opportunities for water-specific infrastructure needs. In addition, LOC will pursue funding for small communities that face regulatory and operational challenges. Examples of small-community funding assistance opportunities may include expanded grant opportunities through existing funding programs and additional funding assistance to help communities with regulatory compliance and engage in utility best practices, including rate studies.

*Presented by the Water/Wastewater Committee, endorsed by the Community Development Committee*

## Acknowledgements

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