1. Agenda

    Documents:

        COMPLETE CC WS AGENDA PACKET-7-11-16.PDF

2. Meeting Materials

    Documents:

        2016 LEGISLATIVE PRIORITY PACKET.PDF
        CC WS MINUTES 07-11-16.PDF
        MEMO MAYOR TRANSITION-7-16.PDF
        PROGRESS MATRIX-2016-UPDATED-6-1-16.PDF

**The Yachats City Council Vision**

**Our village is a place where natural resources are valued and protected, where diversity is celebrated, and where a vibrant economy and sense of community pride create and recreate a living spirit. Yachats cares not just for its citizens' basic needs but also supports them in their efforts to excel mentally, physically, artistically, and spiritually. It is a community with an enduring sense of itself.**

# CITY OF YACHATS

## CITY COUNCIL WORK SESSION - 9:30 A.M.

July 11, 2016
Civic Meeting Room, Yachats Commons

I. Continued Discussion: Vacation Rentals

II. Discussion: Legislative Priorities

III. Status Update: Water Supply

IV. Reactivate Organizational Study Group (Councilor Scott, City Administrator Joan Davies and Tom Lauritzen)

V. Discussion: The Role of the Mayor

VI. Discussion: Position Descriptions

VII. Continued Discussion: Farm Store Request

VIII. Banking Services

IX. September Work Session Date

X. Continued Discussion: City Logo

XI. Status Update: Hwy 101 Project

XII. Monthly-Review: Status of Work on Measurable Objectives/Goals

XIII. Set the agenda for the July 14, 2016 City Council meeting

This meeting is open to the public and interested citizens are invited to attend. This is an open meeting under Oregon Revised Statutes, not a community forum; audience participation is at the discretion of the Council.

The meeting will be audio taped. Minutes of this and all public meetings are available for review in the City Office. The meeting place is accessible to persons with disabilities. Please let us know if you will need any special accommodations to attend the meeting by calling the City Recorder at 547-3565, or Oregon Relay 1-800-735-2900 (T.D.D.) two days in advance.

The City of Yachats does not discriminate on the basis of race, color, religion, creed, gender, national origin, age, disability, marital or veteran status, sexual orientation, or any other legally protected status.

Posted July 7, 2016
Nancy Batchelder
City Recorder

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

# Community Development

| Legislation | Background |
|---|---|
| **A. <u>Needed Housing Assistance Program</u>**<br><br>**Create state grants and technical assistance to cities working to develop housing development programs directed at new or innovative mans of providing housing solutions for low-income or senior populations.** | 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. |
| **B. <u>Natural Hazard Land Use Reform</u>**<br><br>**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.** | 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. |
| **C. <u>DOGAMI Disaster Mapping</u>**<br><br>**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.** | 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. |
| **D. <u>Floodplain Technical Assistance</u>**<br><br>**Provide DLCD funding for technical assistance to cities implementing required changes to floodplain development management practices from FEMA.** | 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. |

# Energy

| Legislation | Background |
|---|---|
| **E. <u>Changes to 1.5 Percent Green Energy Technology Requirement</u>**<br><br>**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.** | 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.<br><br>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. |
| **F. <u>Funding for Public Energy Projects</u>**<br><br>**Support enhanced incentives for public energy projects including grants for technical assistance, feasibility studies and resource recovery projects for energy and fuel generation.** | 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.<br><br>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. |

## Energy (Continued)

| Legislation | Background |
|---|---|
| **G. <u>Require Updates to Oregon Energy Code</u>**<br><br>**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.** | 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.<br><br>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 |
|---|---|
| **H. <u>Property Tax Reform – Market Value / Local Control</u>**<br><br>**A legislative constitutional referral to reform the property tax system:**<br><br>**a) to achieve equity, transitions to a market based property tax valuation system; and**<br>**b) to restore choice, allows local voters to adopt tax levies and establish tax rates outside of current constitutional limits in their taxing jurisdictions.** | 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.<br><br>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. |
| **I. <u>Property Tax Reform – Fairness and Equity</u>**<br><br>**A bill that pursues statutory modifications to the existing property tax system that enhances the fairness and adequacy of the current system.** | 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. |

# Finance and Tax (Continued)

| Legislation | Background |
|---|---|
| **J. <u>Local Lodging Tax</u>**<br><br>**A lodging tax bill, the outcome of which, would:**<br><br>**a) Provide jurisdictions greater flexibility to spend local lodging tax revenue to plan for and provide services and infrastructure related to tourism;**<br>**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**<br>**c) Improve efficiency and collection of local lodging taxes in cooperation with the state.** | 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.<br><br>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.<br><br>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. |

# Finance and Tax (Continued)

| Legislation | Background |
|---|---|
| **K. <u>Nonprofit Property Tax Exemption</u>**<br><br>**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.** | 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.<br><br>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. |
| **L. <u>Marijuana and Vaping Taxes</u>**<br><br>**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.** | 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.<br><br>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. |

# General Government

| Legislation | Background |
|---|---|
| **M. <u>Restore Recreational Immunity</u>**<br><br>**Cities should enjoy protection from unreasonable litigation when offering recreational opportunities to the public.** | 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.<br><br>However, in the recently decided Oregon Supreme Court case, *Johnson v Gibson,* 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.<br><br>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. |
| **N. <u>Increase Local Liquor Fees</u>**<br><br>**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.** | 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.<br><br>This priority is to pursue changes to this statue that allow cities to recoup the actual costs associated with performing their role in the liquor licensing process and allowing for periodic increases. |

# General Government (Continued)

| Legislation | Background |
|---|---|
| **O. <u>Continue Marijuana Legalization Implementation</u>**<br><br>**Allow for civil enforcement of marijuana laws.**<br>**Ensure equitable distribution of marijuana shared revenues.**<br>**Eliminate limitations on shared revenue use.** | 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.<br><br>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.<br><br>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. <u>Protect Mental Health Investments Made in 2015</u>**<br><br>**Oregon made significant and strategic investments in protecting and caring for the mentally ill in 2015 that should be maintained.** | 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.<br><br>This priority is defensive in nature and seeks to preserve investments that are improving the lives of mentally ill Oregonians. |
| **Q. <u>Remove Qualification Based Selection Mandate</u>**<br><br>**Cities should be allowed to consider cost when making initial contract award decisions when hiring architects and engineers.** | 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.<br><br>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. |

# Human Resources

| Legislation | Background |
|---|---|
| **R. <u>Repeal Requirement to Subsidize Retiree Health Insurance</u>**<br><br>**Public employers should not subsidize the health insurance of former employees when reasonable, cost competitive options exist.** | 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 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.<br><br>This priority is to eliminate ORS 243.303 from Oregon's laws. |
| **S. <u>PERS Reform</u>**<br><br>**PERS benefits should be adjusted where legally allowable and investments should be maximized to ensure a sustainable and adequate pension system.** | 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.<br><br>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. |

## Human Resources (Continued)

| Legislation | Background |
|---|---|
| **T. <u>Arbitration Changes</u>**<br><br>**Public employers should have greater influence over the disciplining of their employees.** | 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.<br><br>This priority is to seek the following changes to the statue:<br>• Arbitrator decisions should also comply with local policies;<br>• Decisions should comply with policies related to any inappropriate use of force a;<br>• Arbitrator decisions should recognize all criminal misconduct related to employment not just "serious";<br>• Employer disciplinary decisions as it regards employees who are supervisors as defined by the EEOC and BOLI should be given more weight. |
| **U. <u>Veterans Preference Clarifications</u>**<br><br>**Requirements that veterans be given preference in public sector hiring should be clear and unambiguous for the benefit of veterans and employers.** | 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.<br><br>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. |

# Telecommunications, Cable & Broadband

| Legislation | Background |
|---|---|
| **V. <u>Rights of Way</u>**<br><br>**Oppose legislation that preempts local authority to manage public rights-of-way and receive compensation for their use.** | 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. |
| **W. <u>Franchise Fees</u>**<br><br>**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.** | 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. |
| **X. <u>9-1-1 Emergency Communications</u>**<br><br>**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.** | 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. |

# Telecommunications, Cable & Broadband (Continued)

| Legislation | Background |
|---|---|
| **Y. <u>Technology Funding</u>**<br><br>**Seek additional funding to assist for cities in:**<br><br>• **Increasing high speed broadband deployment and close the digital divide.**<br>• **Purchasing upgraded emergency management communications equipment.**<br>• **Providing local match money for federal funding programs, such as high speed broadband deployment.** | 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. |

# Transportation

| Legislation | Background |
|---|---|
| **Z. <u>Comprehensive, Multi-modal Transportation Funding and Policy Package</u>**<br><br>**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:**<br><br>**1. Provides a significant increase in resources available for the preservation and maintenance of city streets by:**<br><br>• **Substantially increasing the state gas tax and licensing and registration fees.**<br>• **Indexing the state gas tax.**<br>• **Continuing efforts to identify and implement alternative funding mechanisms (VMT, tolling, public-private partnerships, etc.).**<br>• **Disaster resilience and seismic upgrades for all transportation modes.**<br>• **The completion of transportation projects begun but not yet completed due to lack of funding or changes in funding criteria.**<br>• **Providing additional funding for voluntary jurisdictional transfer.**<br>• **Funding transportation enhancements such as bike-ped facilities.**<br>• **Increasing funding for the statutory Special City Allotment program while maintaining the 50%-50% ODOT/city split.**<br>• **Repealing the referral requirement (2009 Jobs and Transportation Act) on cities seeking to create/increase local gas tax.**<br><br>**2. Addresses statewide needs relating to intermodal transportation through:**<br><br>• **Additional funding for transit operations and capital projects.**<br>• **Additional funding for freight rail capital projects and operations (*Connect*Oregon, short-line rail and transload facilities).** | 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.<br><br>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:<br><br>• Connectivity and capacity (especially truck mobility/rail)<br>• Safety for all users across all modes<br>• Resiliency and recovery (seismic retrofit across all modes)<br>• Jobs and economic development<br>• Impact on climate change<br>• Active transportation and public health<br>• Transportation access available on an equitable basis to all Oregonians<br>• Continuing and extending *Connect*Oregon<br>• Ensuring adequate <u>new</u> revenues for program/equipment such as the Oregon Department of Motor Vehicles technology upgrade<br>• 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).**<br><br>3. **Does not:**<br>• **Preempt local government ability to self-generate transportation revenues for street maintenance and preservation.**<br>• **Change the dedication of State Highway Fund dollars to highway, road and street projects contained in Article 8, Section 3a of the Oregon Constitution.**<br>• **Reduce cities 20% share of the State Highway Fund.**<br>• **Create unfunded mandates requiring cities to undertake specific programs, such as greenhouse gas reduction scenarios.**<br>• **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 |
|---|---|
| **AA. <u>Funding for Water System Resilience</u>**<br><br>**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.** | 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 the 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.<br><br>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.<br><br>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. |

# Water & Wastewater (Continued)

| Legislation | Background |
|---|---|
| **BB. <u>Promote an Enhanced Prescription Drug Take-Back</u>**<br><br>**Advocate for enhanced prescription drug take-back program funding and additional collection locations to reduce contamination of water from unwanted prescription drugs.** | 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.<br><br>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. |
| **CC. <u>Increased Funding for Water Supply Development</u>**<br><br>**Support additional water supply funding through the state's Water Supply Development Account.** | 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.<br><br>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. |

Commission / Committee Review July 11, 2016

Early in the council discussion about the organization review, it was suggested there be a comprehensive examination of the current commission and committee structure. There has been a general understanding that this work would wait for the arrival of the new city administrator.

**Background**

The city of Yachats has five commissions and two committees. Of these, two are enshrined in State statutes (Planning and the Budget Committee) where their purpose, objectives and processes are defined and documented. I therefore recommend that they be excluded from this review and are not included in the discussion that follows.

| Commissions | Committees |
|---|---|
| Parks & Commons | Budget |
| Public Works & Streets | Finance |
| Planning | Trails |
| Library | |
| Little Log Church | |

**Discussion**

Commissions exist to advise the city council, recommend policy and legislative changes, provide a forum for public comments and requests and suggest future capital projects. Less clear is the relationship with city operational activities especially where information gaps exist needed to support policy and legislative changes. This appears to be due to the lack of staff analyst resources.

The central topics to be addressed appear to be the following:

- What is the optimal number and mix of commissions and committees for Yachats?
- Clarify the role and structure of commissions.
- Clarify the informational role for commissions related to city operations. Related to this area is the need to make key analysis less dependent on volunteer commission members.

Are these the correct topics for review and discussion?

**Study group composition**

Given this project was originally given to the organization study group, I propose that group continue the work while substituting the city administrator for the previous staff individuals.

Prepared by: Greg Scott Reviewed by: Joan Davies

## Mayor Transition

July 11, 2016

The origins for this idea go back over two years ago during a number of informal discussions about who might be the next mayor. There was a general consensus that it is very difficult to find potential mayor applicants with the governmental and operational experience of the current mayor. This led to thinking about ideas that might distribute the work of the mayor across a broader group of people. The recruitment of the new city administrator was the first step in simplifying the role of future mayors in the administration of the City of Yachats. The next step could be a reassessment of other duties normally associated with the mayor.

### Discussion

During the current city goals review process, the mayor suggested a new concept that is proving transformational. I am referring to the goals shepherding process. As a result, council and staff are thinking about and actively working on city goals every month and the work is evenly distributed across the entire council.

This experiment suggests there may be other options that could be employed to make the role of mayor more attractive for individuals without municipal or governmental experience. The primary objective would be to explore additional options designed to enhance the next mayor transition process.

Essential to this discussion is a willingness to think outside traditional roles. Given Yachats unique size, economy, demographics, and public charter (we are not a full service organization), we need to think beyond what other communities have done in constructing new administrative and council roles.

Prepared by: Greg Scott

Reviewed by: Ron Brean, Joan Davies

## Objective

The council should authorize the formation of a mayor transition study group charged with examining the duties and roles of the mayor and council recognizing that each person has a different mix of skills and experiences. The study group should consider all work options that make it easier for non-technical volunteers to serve the city. The final work product will be a recommendation to the city council. It should consider the sustainability of the recommended options.

## Study group composition

Given the mayor's almost 8 years of experience as the administrative and political leader, it is reasonable to assume he will have additional insights into ideas that would facilitate the transition to the next mayor. It also makes sense that the city administrator will play a constructive role in this discussion. To this group a second council member could be added to round out the group. Recommend that the study group composition be finalized at the July meeting so that work can begin as soon as possible.

## Timeline

It is desirable that any new process be implemented as quickly as possible so the current council has time to evaluate the effectiveness of changes.

Prepared by: Greg Scott

Reviewed by: Ron Brean, Joan Davies

| ***Provide for the effective governance of the City of Yachats*** | | | |
|---|---|---|---|
| **Goal/Objective** | **Individual or Team Assigned** | **Shephard** | **Progress** |
| Convene a team to consider City management of the State Park facilities in Yachats.<br>a. Yachats State Park<br>b. Smelt Sands<br>c. Yachats Ocean Road<br>d. 804 Trail | Team to be convened | Brean | 5-9-16<br>Have had conversations with State Parks Regional Director Dennis Comfort.<br><br>6-1-16<br>Brean reported that he had another conversation with Dennis Comfort and they briefly discussed the possibility of Yachats taking over the State Park. A future meeting will be needed to talk about the details. |
| Hire and work with City Administrator for fully coordinated transition to the new structure and evaluate staff roles as it relates to the organizational study. | City Administrator | Frye | 5-9-16<br>City hired the City Administrator and she will begin on June 1. |
| Convene an ad-hoc committee to consider appropriate uses of Visitor Amenities funds to attract visitors and to serve the needs of the residents as well. (Public art, visitors serving facilities, marketing efforts, festival support, etc.). Committee will make recommendations to the City Council. | Committee to be convened | Brean | 5-9-16<br>Budget Committee approved $50k in the budget for 2016-2017 for projects and a contract with Chamber to hire a coordinator. Task Force still needs to be convened to develop or review project ideas. |
| Continue development of emergency plans and resilience preparedness. | Emergency Preparedness Committee | Glenn | 5-9-16<br>Working with the Emergency Group and will coordinate the media for the June 10 Drill<br><br>6-1-16<br>Continuing to work with the Committee on the public notices for the drill and will work with the media. |

| | | | |
|---|---|---|---|
| Convene an ad-hoc committee to consider methods of more effectively communicating the programs, activities, policies. processes, and topics of council discussion to the citizens of Yachats. Recommendations of this committee will be made to the Council and will include general communications, social media considerations, and new ideas. This committee will be chaired by the new City Administrator. | Committee to be convened | Glenn | |
| Develop plans for diversifying revenue opportunities.<br>a. Franchise fees<br>b. Street district or utility fee<br>c. Grant writing<br>d. Methods for funding workforce housing | Finance Committee | Brean<br>(Glenn assisting with item d.) | 6-1-16<br>On the issue of workforce housing, Glenn said that he has asked the City Planner to look into the recently passed State law regarding inclusionary housing.<br><br>Brean said that he has had a conversation with County Counsel, Wayne Belmont regarding the possibility of workforce housing on the two small lots that the County purchased for the trail as part of the 804 Trail Settlement Agreement.<br><br>On the subject of diversifying revenue opportunities Brean said that he has been thinking about developing a street fee to put on the water/sewer billing, but do it in such a way that the total bill does not change. In that way money could be used for streets now, and then later once the streets have been taken care of money not needed for streets could be transferred to the reserve accounts for water and sewer projects. |
| Work with Library Commission to develop/revise a strategic plan.<br>a. Library operations<br>b. Library location<br>c. Funding strategies<br>d. Bequest allocation | Library Commission | Dunn | 4-11-16<br>Library Commission will be meeting more often to begin work on updating strategic plan. Established Task Force to start a needs assessment.<br>5-9-16<br>Library Commission has some sub-committee set up and they are meeting more often to work on the planning. |

| *Improve administrative processes to maintain and surpass previous high standards* | | | |
|---|---|---|---|
| **Goal/Objective** | **Individual or Team Assigned** | **Shephard** | **Progress** |
| New accounting software | IT Committee | Scott | 6-1-16<br>Scott said that he had been waiting until the City Administrator started. |
| Develop 50 year city anniversary logo for council approval | Marketing Committee | Dunn | 4-11-16<br>Marketing Committee agreed to hire a graphic artist to design logo |
| Continue improvements in IT capabilities | IT Committee | Scott | 6-1-16<br>Scott reported that the google login process has been completed for the City's database site and the Facebook capabilities will be done shortly. He is also working on the integration of data to the City's database from the Munibilling records |
| Develop and implement service satisfaction instruments | City Administrator and IT Team | Scott | 6-1-16<br>Scott reported that he has been researching online survey capabilities for the service satisfaction instrument and he found one that is reasonable. The Mayor will develop the survey questions. |

| Improve City Infrastructure | | | |
|---|---|---|---|
| **Goal/Objective** | **Individual or Team Assigned** | **Shephard** | **Progress** |
| Finalize plans for the 501 building | Bank Team | Glenn | 5-9-16<br>Report including recommendations for the 501 Building Study Group is on the May 12, 2016 Agenda<br><br>6-1-16<br>Working on list of people to interview for the remodeling project. |
| Complete Highway 101 improvements including undergrounding of electric service | Public Works | City Council | |
| Complete south city reservoir project | Public Works | City Council | 6-1-16<br>McClung reported on the alternative site and the cost savings if the tank were built there instead of current site. |
| Increase parking in the core business area | City Planner | Frye | 5-9-16<br>Brean reported that City is looking at a lot, and trying to make an agreement with an adjoining property owner for additional access that would increase the number of available spaces and make the lot easier to develop for parking. |
| Complete south city entrance sign | Public Works | Dunn | |
| Work with the County to complete upgrade and repairs to Ocean View Drive and the 804 south trail | Public Works | Brean | 6-1-16<br>Brean said that he has been working with the State and the County on improvements to Ocean View Drive that would allow the City to take over jurisdiction. The State Park naturalists want to move the camas that is blooming. The archaeologists also need to do their assessment of the area before the road can me moved. |

| Provide or facilitate opportunities for self-growth, education, and participation in programs and projects that enhance quality of life | | | |
|---|---|---|---|
| **Goal/Objective** | **Individual or Team Assigned** | **Shephard** | **Progress** |
| Participate in programs that seek to bring health care services to Yachats. | Frye | Frye | 5-9-16<br>Lincoln County Community Health Clinic conducted a site visit to look at potential places for clinic. Their Board Meeting will be May 10. They liked the space in the Commons that would be available if City Hall moved to the 501 Building. |
| Revisit backyard chicken concept | Brean | Brean | 5-9-16<br>City Council has agreed to make the pilot program permanent. Resolution No. 2016-05-05 drafted for adoption at May 12, 2016 meeting.<br><br>Completed |
| Continue efforts to develop public transportation options to the south | Dunn | Dunn | 5-9-16<br>Last week a grant was received for a pilot Lincoln County-Florence transportation connection project. The money should come in around July 1 after all of the reviews are completed.. |
| Continue to participate and provide leadership in marketing endeavors that enhance business opportunities and that provide benefit to Yachatians as well. | Marketing Team | Dunn | |
| Find appropriate means of protecting the character of Yachats from the negative implications of formula business models. | Planning Commission | Frye | |
| Improve the visual appeal of Yachats:<br>a. Address "blight" appearance in neighborhoods and business areas.<br>b. Devise a method of encouraging and displaying public art, especially kinetic art. | Convene an ad-hoc Committee | Glenn | 5-9-16<br>Was not sure who should convene the committee, now he knows he is authorized and will do so.<br><br>6-1-16<br>Glenn said that he is putting together a list of names for appointment to the ad-hoc committee to improve the visual appeal of Yachats.<br><br>Glenn said that he thinks the City needs a plan for public art, however the planters have already been installed and there is a fundraising effort to bring “Portia” home. |
| Re-visit and solidify City policies related to vacation rentals. | City Council | City Council | 5-9-16<br>City Council began discussion regarding possible cap on the number. |

| Foster "Seventh Generation" thinking | | | |
|---|---|---|---|
| **Goal/Objective** | **Individual or Team Assigned** | **Shephard** | **Progress** |
| 1. Participate in alternative energy projects.<br>a. Encourage solar systems.<br>b. Explore opportunities for city participation in EiP wind energy project. | Finance Committee | Brean | 5-9-16<br>Meeting with PUD has been scheduled to talk about Burkle's energy machine.<br><br>6-1-16<br>Brean said that he and others met with PUD regarding the preliminary plans for bringing alternative energy to Yachats.<br><br>Brean said that the device that Steve Burkle has designed could actually store energy even if the power is made elsewhere by Bonneville. |
| Work with Planning Commission to develop appropriate policies for industrial businesses. | Planning Commission | Scott | 5-9-16<br>Planning Commission is working on a definition.<br><br>6-1-16<br>Scott said that the Planning Commission has been working on the definition of "light industrial" use. The Planning Commission will hold a public hearing on the language soon. The Commission wants to require that any industrial use include retail space. |
| Work with other governmental entities to explore more efficient and productive use of wastewater bio-solids. | Public Works | Brean | |

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|---|---|---|---|
| Plan for the long-term development of additional raw water storage. | Finance Committee and Public Works | Brean | 6-1-16<br>McClung said that he attended a workshop on funding recently and it is possible that the City could qualify for a matching grant to develop additional raw water storage. He said that there are some steps that the City will need to take first, such as a water source protection plan and a feasibility study. There may be a small grant for the studies. |
| Work with the Planning Commission on developing policies that might lead to certification as an International Dark Sky Community. | Planning Commission | Scott | 5-9-16<br>Planning Commission will add Dark Sky to their agenda<br><br>6-1-16<br>Scott said that the Planning Commission has the dark sky issue on their agenda, but they are working on formula businesses and new regulations for building on steep slopes so it may be some time before they get to that subject. |

Created: March 29, 2016

Last update: June 1, 2016

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

# Community Development

| Legislation | Background |
|---|---|
| **A. <u>Needed Housing Assistance Program</u>**<br><br>**Create state grants and technical assistance to cities working to develop housing development programs directed at new or innovative mans of providing housing solutions for low-income or senior populations.** | 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. |
| **B. <u>Natural Hazard Land Use Reform</u>**<br><br>**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.** | 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. |
| **C. <u>DOGAMI Disaster Mapping</u>**<br><br>**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.** | 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. |
| **D. <u>Floodplain Technical Assistance</u>**<br><br>**Provide DLCD funding for technical assistance to cities implementing required changes to floodplain development management practices from FEMA.** | 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. |

# Energy

| Legislation | Background |
|---|---|
| **E. <u>Changes to 1.5 Percent Green Energy Technology Requirement</u>**<br><br>**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.** | 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.<br><br>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. |
| **F. <u>Funding for Public Energy Projects</u>**<br><br>**Support enhanced incentives for public energy projects including grants for technical assistance, feasibility studies and resource recovery projects for energy and fuel generation.** | 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.<br><br>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. |

## Energy (Continued)

| Legislation | Background |
|---|---|
| **G. <u>Require Updates to Oregon Energy Code</u>**<br><br>**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.** | 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.<br><br>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 |
|---|---|
| **H. <u>Property Tax Reform – Market Value / Local Control</u>**<br><br>**A legislative constitutional referral to reform the property tax system:**<br><br>**a) to achieve equity, transitions to a market based property tax valuation system; and**<br>**b) to restore choice, allows local voters to adopt tax levies and establish tax rates outside of current constitutional limits in their taxing jurisdictions.** | 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.<br><br>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. |
| **I. <u>Property Tax Reform – Fairness and Equity</u>**<br><br>**A bill that pursues statutory modifications to the existing property tax system that enhances the fairness and adequacy of the current system.** | 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. |

# Finance and Tax (Continued)

| Legislation | Background |
|---|---|
| **J. <u>Local Lodging Tax</u>**<br><br>**A lodging tax bill, the outcome of which, would:**<br><br>**a) Provide jurisdictions greater flexibility to spend local lodging tax revenue to plan for and provide services and infrastructure related to tourism;**<br>**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**<br>**c) Improve efficiency and collection of local lodging taxes in cooperation with the state.** | 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.<br><br>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.<br><br>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. |

# Finance and Tax (Continued)

| Legislation | Background |
|---|---|
| **K. <u>Nonprofit Property Tax Exemption</u>**<br><br>**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.** | 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.<br><br>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. |
| **L. <u>Marijuana and Vaping Taxes</u>**<br><br>**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.** | 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.<br><br>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. |

# General Government

| Legislation | Background |
|---|---|
| **M. <u>Restore Recreational Immunity</u>**<br><br>**Cities should enjoy protection from unreasonable litigation when offering recreational opportunities to the public.** | 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.<br><br>However, in the recently decided Oregon Supreme Court case, *Johnson v Gibson,* 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.<br><br>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. |
| **N. <u>Increase Local Liquor Fees</u>**<br><br>**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.** | 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.<br><br>This priority is to pursue changes to this statue that allow cities to recoup the actual costs associated with performing their role in the liquor licensing process and allowing for periodic increases. |

# General Government (Continued)

| Legislation | Background |
|---|---|
| **O. <u>Continue Marijuana Legalization Implementation</u>**<br><br>**Allow for civil enforcement of marijuana laws.**<br>**Ensure equitable distribution of marijuana shared revenues.**<br>**Eliminate limitations on shared revenue use.** | 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.<br><br>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.<br><br>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. <u>Protect Mental Health Investments Made in 2015</u>**<br><br>**Oregon made significant and strategic investments in protecting and caring for the mentally ill in 2015 that should be maintained.** | 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.<br><br>This priority is defensive in nature and seeks to preserve investments that are improving the lives of mentally ill Oregonians. |
| **Q. <u>Remove Qualification Based Selection Mandate</u>**<br><br>**Cities should be allowed to consider cost when making initial contract award decisions when hiring architects and engineers.** | 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.<br><br>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. |

# Human Resources

| Legislation | Background |
|---|---|
| **R. <u>Repeal Requirement to Subsidize Retiree Health Insurance</u>**<br><br>**Public employers should not subsidize the health insurance of former employees when reasonable, cost competitive options exist.** | 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 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.<br><br>This priority is to eliminate ORS 243.303 from Oregon's laws. |
| **S. <u>PERS Reform</u>**<br><br>**PERS benefits should be adjusted where legally allowable and investments should be maximized to ensure a sustainable and adequate pension system.** | 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.<br><br>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. |

## Human Resources (Continued)

| Legislation | Background |
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| **T. <u>Arbitration Changes</u>**<br><br>**Public employers should have greater influence over the disciplining of their employees.** | 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.<br><br>This priority is to seek the following changes to the statue:<br>• Arbitrator decisions should also comply with local policies;<br>• Decisions should comply with policies related to any inappropriate use of force a;<br>• Arbitrator decisions should recognize all criminal misconduct related to employment not just "serious";<br>• Employer disciplinary decisions as it regards employees who are supervisors as defined by the EEOC and BOLI should be given more weight. |
| **U. <u>Veterans Preference Clarifications</u>**<br><br>**Requirements that veterans be given preference in public sector hiring should be clear and unambiguous for the benefit of veterans and employers.** | 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.<br><br>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. |

# Telecommunications, Cable & Broadband

| Legislation | Background |
|---|---|
| **V. <u>Rights of Way</u>**<br><br>**Oppose legislation that preempts local authority to manage public rights-of-way and receive compensation for their use.** | 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. |
| **W. <u>Franchise Fees</u>**<br><br>**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.** | 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. |
| **X. <u>9-1-1 Emergency Communications</u>**<br><br>**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.** | 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. |

# Telecommunications, Cable & Broadband (Continued)

| Legislation | Background |
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| **Y. <u>Technology Funding</u>**<br><br>**Seek additional funding to assist for cities in:**<br><br>• **Increasing high speed broadband deployment and close the digital divide.**<br>• **Purchasing upgraded emergency management communications equipment.**<br>• **Providing local match money for federal funding programs, such as high speed broadband deployment.** | 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. |

# Transportation

| Legislation | Background |
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| **Z. <u>Comprehensive, Multi-modal Transportation Funding and Policy Package</u>**<br><br>**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:**<br><br>**1. Provides a significant increase in resources available for the preservation and maintenance of city streets by:**<br><br>• **Substantially increasing the state gas tax and licensing and registration fees.**<br>• **Indexing the state gas tax.**<br>• **Continuing efforts to identify and implement alternative funding mechanisms (VMT, tolling, public-private partnerships, etc.).**<br>• **Disaster resilience and seismic upgrades for all transportation modes.**<br>• **The completion of transportation projects begun but not yet completed due to lack of funding or changes in funding criteria.**<br>• **Providing additional funding for voluntary jurisdictional transfer.**<br>• **Funding transportation enhancements such as bike-ped facilities.**<br>• **Increasing funding for the statutory Special City Allotment program while maintaining the 50%-50% ODOT/city split.**<br>• **Repealing the referral requirement (2009 Jobs and Transportation Act) on cities seeking to create/increase local gas tax.**<br><br>**2. Addresses statewide needs relating to intermodal transportation through:**<br><br>• **Additional funding for transit operations and capital projects.**<br>• **Additional funding for freight rail capital projects and operations (*Connect*Oregon, short-line rail and transload facilities).** | 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.<br><br>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:<br><br>• Connectivity and capacity (especially truck mobility/rail)<br>• Safety for all users across all modes<br>• Resiliency and recovery (seismic retrofit across all modes)<br>• Jobs and economic development<br>• Impact on climate change<br>• Active transportation and public health<br>• Transportation access available on an equitable basis to all Oregonians<br>• Continuing and extending *Connect*Oregon<br>• Ensuring adequate <u>new</u> revenues for program/equipment such as the Oregon Department of Motor Vehicles technology upgrade<br>• Creative solutions to ongoing challenges (dedicated non-roadway fund, increased local authority to fund transit, bike-ped funding, etc.) |

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| • **Additional funding for passenger rail operations, equipment and capital projects (federal matching money and AMTRAK Cascades).**<br><br>3. **Does not:**<br>• **Preempt local government ability to self-generate transportation revenues for street maintenance and preservation.**<br>• **Change the dedication of State Highway Fund dollars to highway, road and street projects contained in Article 8, Section 3a of the Oregon Constitution.**<br>• **Reduce cities 20% share of the State Highway Fund.**<br>• **Create unfunded mandates requiring cities to undertake specific programs, such as greenhouse gas reduction scenarios.**<br>• **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 |
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| **AA. <u>Funding for Water System Resilience</u>**<br><br>**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.** | 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 the 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.<br><br>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.<br><br>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. |

# Water & Wastewater (Continued)

| Legislation | Background |
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| **BB. <u>Promote an Enhanced Prescription Drug Take-Back</u>**<br><br>**Advocate for enhanced prescription drug take-back program funding and additional collection locations to reduce contamination of water from unwanted prescription drugs.** | 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.<br><br>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. |
| **CC. <u>Increased Funding for Water Supply Development</u>**<br><br>**Support additional water supply funding through the state's Water Supply Development Account.** | 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.<br><br>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. |

**CITY OF YACHATS**
**CITY COUNCIL WORK SESSION**
Civic Meeting Room - Yachats Commons
July 11, 2016
Minutes

The work session of the City Council was called to order by Mayor Ronald Brean at 9:30 a.m. in the Civic Meeting Room at the Yachats Commons. Council members present: Greg Scott, Max Glenn, Sandy Dunn, Barbara Frye. Absent: None. Also present: City Administrator Joan Davies; WTP Operator Rick McClung; WWTP Operator Dave Buckwald and Code Enforcement Officer Don Niskanen. Audience: 4

## I. Continued discussion: Possible Cap on the Number of Vacation Rentals

Mayor Ron Brean noted there had been an increase in visitors in the past few weeks, with the usual impact on the city. He continues to hold the belief the City needs to establish a cap to the vacation rentals allowed, better sooner than later, even if it is minimal. He asked for further council input.

Councilor Max Glenn said he thought prime oceanfront properties should not be bought up by investors just seeking to make a profit off of vacation rentals. He said he had just bought one such oceanfront property himself.

Councilor Barbara Frye has noted vacation rentals in her own neighborhood, and agreed something needs to be done soon, as it is becoming more problematic. Finding affordable rentals is getting worse.

Councilor Greg Scott said there are 125 vacation rental licenses, with one pending. He has observed a gradual increase over the past five months, with about five new licenses in a six-month period. Mayor Brean asked if there was a method by which to pull records for the same period of each year, to look at the trend, and Councilor Scott said there is a way to access those numbers.

There was further discussion about the way taxes are calculated and reported, and that it is done on a quarterly basis. Councilor Sandy Dunn said she agreed there needs to be a quota, but she is more inclined to believe the law of dynamics will weed out the ones that can't make any money at it. She has seen houses in her neighborhood that have not gotten rented. She said a cap might increase housing ability long-term, it would stymy vacation rental sales, so there is an impact on both ends. She also did a comparison of hotel beds to vacation rentals, in terms of what gets rented "every night".

Councilor Scott said he would see what statistics could be pulled from the data, for further discussion. He added that increasing the license fee for vacation rentals might give people pause. Councilor Dunn suggested an incentive for those who kept their properties long-term rentals, rather than short-term.

Resident and business owner Linda Hetzler said several local business owners have been talking about trying to find housing for their employees. She mentioned how the City had worked with the development of Fisterra Gardens, to provide affordable housing.

## II. Monthly Review: Status of Work on Measurable Objectives/Goals

League of Oregon Cities (LOC) had requested cities submit a list of legislative priorities for the upcoming session. The council discussed water supply development, local lodging tax, mental health investments and homeless issues and property tax reform.

Mayor Brean asked WTP Operator Rick McClung if the recent rain had solved the problem with the river level. It spiked up to 100, but it was at 42 this morning, and is dropping rapidly. He is not quite ready to

make recommendations on dropping to a Level 1, based on combined flow. There was further discussion about water shortage this summer, and comparisons to last year.

Further discussion of committees and commissions included the level of volunteerism and commitment on the part of the members, and their contribution to projects for the City. There was some differentiation between boards, commissions and committees, and what the differences are between their participation and levels of authority. Councilor Glenn said he wanted the new city administrator to have a few months of working with them, in order to be able to make viable assessments. The change in the mayor's role, and the assumption of duties by the City Administrator were also discussed. July 26 was chosen as the date for a special work session to review the Administrator's proposed changes in position descriptions for City Hall staff, and an executive session to deal with some of the sensitive issues for set up, discuss staffing assignments, a proposal from the Administrator which informs how the Mayor and Council function in relationship with City Hall.

Mayor Brean advised that the City had received a letter from Linda Hetzler in reference to the proposal to work with Lincoln Community Health Services to get a health clinic established in Yachats, and in particular, housing it in the current space City Hall utilizes. She had concerns about it being a conflict of interest for the City to rent them the space, as opposed to private property owners in Yachats. The City Administrator determined with the City Attorney that there is no conflict, and it is something that is actually quite common for cities to participate in, as part of promoting something that benefits the city.

Don Niskanen, speaking as the Chair of the Parks & Commons Commission, said he was offended that the Commission had not been approached about the proposed change in use for The Commons. If City Hall moves to the 501 Building, that takes away about $17,000 from the anticipated rent revenue for The Commons. He asked if the health clinic and YYFAP, also proposed to move into the City Hall space, could afford to pay equivalent rent for those rooms.

Linda Hetzler asked the Council to consider using the 501 Building for an event center, if grant money could be obtained to do so, and just leave City Hall where it is now. Councilor Dunn pointed out that the remodeling required to move City Hall into the 501 is not funded yet, so the move is not going to happen quickly, giving the Council more opportunity to consider any other options.

There was a brief discussion about the Farm Store and proposed systems development charges. The Mayor explained that even though advice has been sought from the City Attorney, who advised against setting any precedents, there may be a better way of dealing with the questions that have arisen, including establishing an Equivalent Dwelling Unit (EDU) type of "trigger" for any water user that increases consumption to or above clearly-outlined levels.

Councilor Glenn and Mayor Brean have been working with the Council of Governments in reference to attracting another bank to set up in Yachats, specifically in the 501 Building which would already have the vault and drive-up window.

The sidewalk and highway project was reported on by the Mayor. At the last meeting, it looked like the City is short about $140,000 for the project, and the City Engineer was going to go back to the bidder, to see if they could scale back their costs a little. Councilor Glenn asked if the City was satisfied with the bid, and the Mayor related that ODOT had said that it may not be the best price, but it is the best contractor, and they advised against going back out for bids.

Schedules were reviewed for the August and September meeting dates. The Mayor will be at the Coastal Caucus meeting in North Bend on August 8, so Council President Scott will conduct that work session. September's work session will be changed to Sept. 12, due to the Monday (Labor Day) holiday, and the council meeting will be Sept. 15.

A complaint about the name of the "la de da" parade on July 4th caused some concern, which Councilor Glenn reported on. The resident felt the name was disrespectful of the patriotic holiday and the armed services. Mayor Brean said the history behind the name was totally self-deprecating, just about a small village putting on a big parade, and not at all reflective of the community's patriotism or support of veterans and active service members.

Establishing a utility fund for streets was brought forward by the Mayor at this time. He said the concept is not to change any of the rates, but to change the structure of part of it going to a street fund, so it can be applied to repair expenditures. It would not have an immediate effect on anyone.

Councilor Scott said he and the City Administrator had agreed to defer the work on the accounting system until later this winter. Councilor Glenn said that he and Councilor Dunn had been working with the City Administrator on how best to utilize the floor space in the 501 Building.

The Mayor concluded with a brief discussion of a letter from the Newport Non-Believers, in which they expressed concern about their perception of separation of church and state in Yachats. The group believes that the wooden sculpture in front of The Commons characterizes creationism; the City owns the Little Log Church Museum; and that the Council's Vision Statement contains the word "spirituality". Mayor Brean pointed out that the sculpture is a piece of art; the church/museum is just that; and the word in the statement is actually "spiritually".

Resident Tom Lauritzen brought up a question about CC&Rs (Conditions, Covenants and Restrictions) Yachats neighborhoods that seem to be violated by the City licensing vacation rentals in "single family residential subdivisions". There was discussion about possible solutions, but the City Attorney had definitely advised against the City becoming involved in private agreements like CC&Rs.

Mayor Brean mentioned that a grant is being applied for to help pay for new LED lights in the entire Building, and there was a need for a $10,000 match from the City. That amount is available, having been carried over in the budget after a different lighting project was actually completed. None of the Council members had any concerns over using it for the new project.

**III. Set the Agenda for the July 14, 2016 City Council Meeting**

City Council reviewed the items for the agenda, including Ordinance No. 346, to amend Code concerning Zoning and land use; Ordinance No. 344, repealing Ordinance 326, which dealt with a two per cent tax on marijuana; Ordinance No. 345, amending the Code and forwarding a three per cent tax on marijuana to the voters at the General Election; setting Legislative priorities; discussing the "no-fragrance" policy in The Commons; approving the new City logo.

The meeting was adjourned at 11:45 a.m.

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Ronald Brean, Mayor

Attest:

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Joan Davies, City Administrator

## Mayor Transition

July 11, 2016

The origins for this idea go back over two years ago during a number of informal discussions about who might be the next mayor. There was a general consensus that it is very difficult to find potential mayor applicants with the governmental and operational experience of the current mayor. This led to thinking about ideas that might distribute the work of the mayor across a broader group of people. The recruitment of the new city administrator was the first step in simplifying the role of future mayors in the administration of the City of Yachats. The next step could be a reassessment of other duties normally associated with the mayor.

### Discussion

During the current city goals review process, the mayor suggested a new concept that is proving transformational. I am referring to the goals shepherding process. As a result, council and staff are thinking about and actively working on city goals every month and the work is evenly distributed across the entire council.

This experiment suggests there may be other options that could be employed to make the role of mayor more attractive for individuals without municipal or governmental experience. The primary objective would be to explore additional options designed to enhance the next mayor transition process.

Essential to this discussion is a willingness to think outside traditional roles. Given Yachats unique size, economy, demographics, and public charter (we are not a full service organization), we need to think beyond what other communities have done in constructing new administrative and council roles.

Prepared by: Greg Scott

Reviewed by: Ron Brean, Joan Davies

## Objective

The council should authorize the formation of a mayor transition study group charged with examining the duties and roles of the mayor and council recognizing that each person has a different mix of skills and experiences. The study group should consider all work options that make it easier for non-technical volunteers to serve the city. The final work product will be a recommendation to the city council. It should consider the sustainability of the recommended options.

## Study group composition

Given the mayor's almost 8 years of experience as the administrative and political leader, it is reasonable to assume he will have additional insights into ideas that would facilitate the transition to the next mayor. It also makes sense that the city administrator will play a constructive role in this discussion. To this group a second council member could be added to round out the group. Recommend that the study group composition be finalized at the July meeting so that work can begin as soon as possible.

## Timeline

It is desirable that any new process be implemented as quickly as possible so the current council has time to evaluate the effectiveness of changes.

Prepared by: Greg Scott

Reviewed by: Ron Brean, Joan Davies

| ***Provide for the effective governance of the City of Yachats*** | | | |
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| **Goal/Objective** | **Individual or Team Assigned** | **Shephard** | **Progress** |
| Convene a team to consider City management of the State Park facilities in Yachats.<br>a. Yachats State Park<br>b. Smelt Sands<br>c. Yachats Ocean Road<br>d. 804 Trail | Team to be convened | Brean | 5-9-16<br>Have had conversations with State Parks Regional Director Dennis Comfort.<br><br>6-1-16<br>Brean reported that he had another conversation with Dennis Comfort and they briefly discussed the possibility of Yachats taking over the State Park. A future meeting will be needed to talk about the details. |
| Hire and work with City Administrator for fully coordinated transition to the new structure and evaluate staff roles as it relates to the organizational study. | City Administrator | Frye | 5-9-16<br>City hired the City Administrator and she will begin on June 1. |
| Convene an ad-hoc committee to consider appropriate uses of Visitor Amenities funds to attract visitors and to serve the needs of the residents as well. (Public art, visitors serving facilities, marketing efforts, festival support, etc.). Committee will make recommendations to the City Council. | Committee to be convened | Brean | 5-9-16<br>Budget Committee approved $50k in the budget for 2016-2017 for projects and a contract with Chamber to hire a coordinator. Task Force still needs to be convened to develop or review project ideas. |
| Continue development of emergency plans and resilience preparedness. | Emergency Preparedness Committee | Glenn | 5-9-16<br>Working with the Emergency Group and will coordinate the media for the June 10 Drill<br><br>6-1-16<br>Continuing to work with the Committee on the public notices for the drill and will work with the media. |

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| Convene an ad-hoc committee to consider methods of more effectively communicating the programs, activities, policies. processes, and topics of council discussion to the citizens of Yachats. Recommendations of this committee will be made to the Council and will include general communications, social media considerations, and new ideas. This committee will be chaired by the new City Administrator. | Committee to be convened | Glenn | |
| Develop plans for diversifying revenue opportunities.<br>a. Franchise fees<br>b. Street district or utility fee<br>c. Grant writing<br>d. Methods for funding workforce housing | Finance Committee | Brean<br>(Glenn assisting with item d.) | 6-1-16<br>On the issue of workforce housing, Glenn said that he has asked the City Planner to look into the recently passed State law regarding inclusionary housing.<br><br>Brean said that he has had a conversation with County Counsel, Wayne Belmont regarding the possibility of workforce housing on the two small lots that the County purchased for the trail as part of the 804 Trail Settlement Agreement.<br><br>On the subject of diversifying revenue opportunities Brean said that he has been thinking about developing a street fee to put on the water/sewer billing, but do it in such a way that the total bill does not change. In that way money could be used for streets now, and then later once the streets have been taken care of money not needed for streets could be transferred to the reserve accounts for water and sewer projects. |
| Work with Library Commission to develop/revise a strategic plan.<br>a. Library operations<br>b. Library location<br>c. Funding strategies<br>d. Bequest allocation | Library Commission | Dunn | 4-11-16<br>Library Commission will be meeting more often to begin work on updating strategic plan. Established Task Force to start a needs assessment.<br>5-9-16<br>Library Commission has some sub-committee set up and they are meeting more often to work on the planning. |

| *Improve administrative processes to maintain and surpass previous high standards* | | | |
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| **Goal/Objective** | **Individual or Team Assigned** | **Shephard** | **Progress** |
| New accounting software | IT Committee | Scott | 6-1-16<br>Scott said that he had been waiting until the City Administrator started. |
| Develop 50 year city anniversary logo for council approval | Marketing Committee | Dunn | 4-11-16<br>Marketing Committee agreed to hire a graphic artist to design logo |
| Continue improvements in IT capabilities | IT Committee | Scott | 6-1-16<br>Scott reported that the google login process has been completed for the City's database site and the Facebook capabilities will be done shortly. He is also working on the integration of data to the City's database from the Munibilling records |
| Develop and implement service satisfaction instruments | City Administrator and IT Team | Scott | 6-1-16<br>Scott reported that he has been researching online survey capabilities for the service satisfaction instrument and he found one that is reasonable. The Mayor will develop the survey questions. |

| Improve City Infrastructure | | | |
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| **Goal/Objective** | **Individual or Team Assigned** | **Shephard** | **Progress** |
| Finalize plans for the 501 building | Bank Team | Glenn | 5-9-16<br>Report including recommendations for the 501 Building Study Group is on the May 12, 2016 Agenda<br><br>6-1-16<br>Working on list of people to interview for the remodeling project. |
| Complete Highway 101 improvements including undergrounding of electric service | Public Works | City Council | |
| Complete south city reservoir project | Public Works | City Council | 6-1-16<br>McClung reported on the alternative site and the cost savings if the tank were built there instead of current site. |
| Increase parking in the core business area | City Planner | Frye | 5-9-16<br>Brean reported that City is looking at a lot, and trying to make an agreement with an adjoining property owner for additional access that would increase the number of available spaces and make the lot easier to develop for parking. |
| Complete south city entrance sign | Public Works | Dunn | |
| Work with the County to complete upgrade and repairs to Ocean View Drive and the 804 south trail | Public Works | Brean | 6-1-16<br>Brean said that he has been working with the State and the County on improvements to Ocean View Drive that would allow the City to take over jurisdiction. The State Park naturalists want to move the camas that is blooming. The archaeologists also need to do their assessment of the area before the road can me moved. |

| Provide or facilitate opportunities for self-growth, education, and participation in programs and projects that enhance quality of life | | | |
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| **Goal/Objective** | **Individual or Team Assigned** | **Shephard** | **Progress** |
| Participate in programs that seek to bring health care services to Yachats. | Frye | Frye | 5-9-16<br>Lincoln County Community Health Clinic conducted a site visit to look at potential places for clinic. Their Board Meeting will be May 10. They liked the space in the Commons that would be available if City Hall moved to the 501 Building. |
| Revisit backyard chicken concept | Brean | Brean | 5-9-16<br>City Council has agreed to make the pilot program permanent. Resolution No. 2016-05-05 drafted for adoption at May 12, 2016 meeting.<br><br>Completed |
| Continue efforts to develop public transportation options to the south | Dunn | Dunn | 5-9-16<br>Last week a grant was received for a pilot Lincoln County-Florence transportation connection project. The money should come in around July 1 after all of the reviews are completed.. |
| Continue to participate and provide leadership in marketing endeavors that enhance business opportunities and that provide benefit to Yachatians as well. | Marketing Team | Dunn | |
| Find appropriate means of protecting the character of Yachats from the negative implications of formula business models. | Planning Commission | Frye | |
| Improve the visual appeal of Yachats:<br>a. Address "blight" appearance in neighborhoods and business areas.<br>b. Devise a method of encouraging and displaying public art, especially kinetic art. | Convene an ad-hoc Committee | Glenn | 5-9-16<br>Was not sure who should convene the committee, now he knows he is authorized and will do so.<br><br>6-1-16<br>Glenn said that he is putting together a list of names for appointment to the ad-hoc committee to improve the visual appeal of Yachats.<br><br>Glenn said that he thinks the City needs a plan for public art, however the planters have already been installed and there is a fundraising effort to bring “Portia” home. |
| Re-visit and solidify City policies related to vacation rentals. | City Council | City Council | 5-9-16<br>City Council began discussion regarding possible cap on the number. |

| Foster "Seventh Generation" thinking | | | |
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| **Goal/Objective** | **Individual or Team Assigned** | **Shephard** | **Progress** |
| 1. Participate in alternative energy projects.<br>a. Encourage solar systems.<br>b. Explore opportunities for city participation in EiP wind energy project. | Finance Committee | Brean | 5-9-16<br>Meeting with PUD has been scheduled to talk about Burkle's energy machine.<br><br>6-1-16<br>Brean said that he and others met with PUD regarding the preliminary plans for bringing alternative energy to Yachats.<br><br>Brean said that the device that Steve Burkle has designed could actually store energy even if the power is made elsewhere by Bonneville. |
| Work with Planning Commission to develop appropriate policies for industrial businesses. | Planning Commission | Scott | 5-9-16<br>Planning Commission is working on a definition.<br><br>6-1-16<br>Scott said that the Planning Commission has been working on the definition of "light industrial" use. The Planning Commission will hold a public hearing on the language soon. The Commission wants to require that any industrial use include retail space. |
| Work with other governmental entities to explore more efficient and productive use of wastewater bio-solids. | Public Works | Brean | |

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| Plan for the long-term development of additional raw water storage. | Finance Committee and Public Works | Brean | 6-1-16<br>McClung said that he attended a workshop on funding recently and it is possible that the City could qualify for a matching grant to develop additional raw water storage. He said that there are some steps that the City will need to take first, such as a water source protection plan and a feasibility study. There may be a small grant for the studies. |
| Work with the Planning Commission on developing policies that might lead to certification as an International Dark Sky Community. | Planning Commission | Scott | 5-9-16<br>Planning Commission will add Dark Sky to their agenda<br><br>6-1-16<br>Scott said that the Planning Commission has the dark sky issue on their agenda, but they are working on formula businesses and new regulations for building on steep slopes so it may be some time before they get to that subject. |

Created: March 29, 2016

Last update: June 1, 2016