CORVALLIS
CITY COUNCIL AGENDA

May 19, 2008
12:00 pm ONLY

Downtown Fire Station
400 NW Harrison Boulevard

COUNCIL ACTION

PLEDGE OF ALLEGIANCE

I. ROLL CALL

II. CONSENT AGENDA

The following items are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member (or a citizen through a Council member) so requests, in which case the item will be removed from the Consent Agenda and considered separately. If any item involves a potential conflict of interest, Council members should so note before adoption of the Consent Agenda.

A. Reading of Minutes
   1. City Council Meeting – May 5, 2008
   2. City Council Work Session – May 12, 2008
   3. For Information and Filing (Draft minutes may return if changes are made by the Board or Commission)
      a. Airport Commission – April 1, 2008
      b. Bicycle and Pedestrian Advisory Commission – April 4, 2008
      c. Citizens Advisory Commission on Transit – April 9, 2008
      d. Corvallis-Benton County Public Library Board – April 2, 2008
      e. Downtown and Economic Vitality Plans Implementation Committee – March 27 and May 1, 2008
      f. Historic Resources Commission – April 8, 2008
      g. Housing and Community Development Commission – April 16, 2008

B. Confirmation of Appointment to Commission for Martin Luther King, Jr. (Wilburn)

C. Schedule public hearings for June 2, 2008 to consider State Revenue Sharing Funds for Fiscal Year 2008-2009 and a Fiscal Year 2008-2009 budget

D. Schedule an Executive Session following the regular noon meeting under ORS 192.660(2)(d) (status of labor negotiations)

III. ITEMS REMOVED FROM CONSENT AGENDA

IV. UNFINISHED BUSINESS

A. Enterprise Zone sustainability criteria discussion

B. Senior and Community Center/Chintimini Park and Recreational Facilities Bond Measure update

C. City Legislative Committee – May 7, 2008

V. MAYOR, COUNCIL, AND STAFF REPORTS

A. Mayor's Reports

1. Proclamation of Public Works Week – May 17-23, 2008
2. Proclamation of Get There Another Way Week – May 18-24, 2008

B. Council Reports

C. Staff Reports

1. Sustainability Annual Report
2. City Manager's Report – April 2008
3. Council Request Follow-up Report – May 15, 2008

VI. VISITORS' PROPOSITIONS – 12:30 pm *(Note that Visitors' Propositions will continue following any scheduled public hearings, if necessary and if any are scheduled)*

VII. PUBLIC HEARINGS – None.

VIII. & IX. STANDING COMMITTEE REPORTS, ORDINANCES, RESOLUTIONS, AND MOTIONS

A. Human Services Committee – May 6, 2008
1. Liquor License Annual Renewals

B. Administrative Services Committee – May 8, 2008
1. Council Policy Review: CP 95-4.10, "Public Library Gifts and Donations Policy"
2. Economic Development Allocations Orientation

C. Urban Services Committee – May 8, 2008

1. Council Policy Review: CP 95-7.12, "Integrated Vegetation Pest Management (IVPM) Program"
2. Rivergreen Avenue/Hwy 99 Intersection Improvements
3. Federal Earmark Alternatives (Cascade View Industrial Properties)

D. Other Related Matters

1. *A resolution accepting a grant from Federal Aviation Administration ($334,379) for Corvallis Municipal Airport facility improvements, and authorizing the City Manager to sign grant documents,* **to be read by the City Attorney**

2. *A resolution accepting a Fund Exchange Agreement from Oregon Department of Transportation ($160,000) for street preservation project on NW Highland Drive from NW Walnut Boulevard to City limits, and authorizing the City Manager to execute the agreement,* **to be read by the City Attorney**

3. *A resolution accepting a grant from the State Historic Preservation Office for ongoing historic program activities ($10,500) and authorizing the City Manager to sign grant agreements,* **to be read by the City Attorney**

X. NEW BUSINESS

A. Initiation of a Land Development Code Text Amendment (Willamette River Greenway – Evanite Area – LDT07-00004)

XI. ADJOURNMENT

For the hearing impaired, a sign language interpreter can be provided with 48 hours' notice prior to the meeting. Please call 766-6901 or TTY/TDD telephone 766-6477 to arrange for such service.

A LARGE PRINT AGENDA CAN BE AVAILABLE BY CALLING 766-6901

A Community That Honors Diversity

CITY OF CORVALLIS

ACTIVITY CALENDAR

MAY 19 - 31, 2008

MONDAY, MAY 19

- City Council - 12:00 pm only - Downtown Fire Station, 400 NW Harrison Boulevard

TUESDAY, MAY 20

- Human Services Committee - 12:00 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue

WEDNESDAY, MAY 21

- Housing and Community Development Commission - 12:00 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue
- Watershed Management Advisory Commission - 5:30 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue
- Planning Commission - 7:00 pm - Downtown Fire Station, 400 NW Harrison Boulevard

THURSDAY, MAY 22

- Administrative Services Committee - 12:00 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue
- Urban Services Committee - 4:00 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue

SATURDAY, MAY 24

- No Government Comment Corner

MONDAY, MAY 26

- City Holiday - all offices closed

TUESDAY, MAY 27

- Commission for Martin Luther King, Jr. - 11:30 am- City Hall Meeting Room A, 501 SW Madison Avenue

WEDNESDAY, MAY 28

- City Legislative Committee - 8:30 am - City Hall Meeting Room A, 501 SW Madison Avenue

- Downtown Parking Commission - 5:00 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue

SATURDAY, MAY 31

- Government Comment Corner (Councilor Dan Brown) - 10:00 am - Library Lobby, 645 NW Monroe Avenue

CITY OF CORVALLIS
COUNCIL ACTION MINUTES

May 5, 2008

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for Further Review	Decisions/Recommendations
Consent Agenda Pages 208-209			
Unfinished Business 1. D-EVPIC BLF recommendations Page 209	Yes		
Mayor's Report 1. National Historic Preservation Month – April 2008 2. Older Americans Month – May 2008 3. Public Service Recognition Week – May 5-11, 2008 4. Building Safety Week – May 5-11, 2008 5. Enhancing Community Livability – Kids Day America/International – May 10, 2008 6. Enhancing Community Livability – AmeriCorps Week – May 11-18, 2008 7. Economic Development Allocations Subcommittee appointment Pages 209-210	Yes Yes Yes		• Read; Proclaimed April 21, 2008 • Proclaimed • Proclaimed • Appointed Trevor Greismeyer
Council Reports 1. Social Services Allocations Committee update (Wershow) 2. CT meeting update (Wershow) 3. CPF meeting update (Wershow) 4. Historic Preservation Month tours (Brown) 5. Sustainability scientific survey (Brown, Beilstein, York, Hamby) 6. Batting cages location (Hamby) Pages 210-211	Yes Yes Yes Yes Yes	Staff follow-up	
Staff Reports 1. Council Request Follow-Up Report – May 1, 2008 Page 211	Yes		

Agenda Item	Information Only	Held for Further Review	Decisions/Recommendations
HSC Meeting of April 22, 2008 1. Council Policy Review: 99-4.13, "Internet Access Policy for Corvallis-Benton County Public Library" 2. Majestic Theatre annual report 3. Boys and Girls Club annual report Pages 211-212			• Amended policy passed U • Accepted report passed U • Accepted report passed U
ASC Meeting of April 24, 2008 1. Allied Waste Services annual report 2. Corvallis RFPD agreement Page 212	Yes		• Approved agreement passed U
USC Meeting of April 24, 2008 1. Downtown Commission 2. Traffic Calming: NW Circle Blvd-NW Dogwood to NW Lantana Drives 3. Airport lease – Helicopter Transport Services, Inc. Pages 212-213			• ORDINANCE 2008-09 passed U • Authorized three speed humps passed U • Authorized CM to sign passed U
Executive Session 1. Labor negotiations update Page 214	Yes		
Visitors' Propositions 1. HR 808 support – US Department of Peace and Nonviolence (White) 2. Oregon Sesquicentennial Celebration for Benton County (Leung) Pages 214-215	Yes Yes		
Public Hearings 1. McGarry Health Hazard Annexation 2. McGarry Withdrawal from RFPD Pages 215-217			• ORDINANCE 2008-10 passed U • ORDINANCE 2008-11 passed U

Glossary of Terms

ASC	Administrative Services Committee	HR	House Resolution
BLF	Business License Fee	HSC	Human Services Committee
CM	City Manager	RFPD	Rural Fire Protection District
CPF	Community Policing Forum	U	Unanimous
CT	Corvallis Tourism	USC	Urban Services Committee
D-EVPIC	Downtown/Economic Vitality Plans Implementation Committee		

CITY OF CORVALLIS
COUNCIL ACTION MINUTES

May 5, 2008

The regular meeting of the City Council of the City of Corvallis, Oregon, was called to order at 12:00 pm on May 5, 2008 in the Downtown Fire Station, 400 NW Harrison Boulevard, Corvallis, Oregon, with Mayor Tomlinson presiding.

PLEDGE OF ALLEGIANCE

I. ROLL CALL

PRESENT: Mayor Tomlinson, Councilors Wershow, Daniels, York, Hamby, Beilstein, Brauner, Grosch, Brown

II. CONSENT AGENDA

Councilors Daniels and Hamby, respectively, moved and seconded to adopt the Consent Agenda as follows:

A. Reading of Minutes
   1. City Council Meeting – April 21, 2008
   2. For Information and Filing (Draft minutes may return if changes are made by the Board or Commission)
      a. Committee for Citizen Involvement – March 6, 2008
      b. Community Police Review Board – February 6, 2008
      c. Planning Commission – March 19, 2008

B. Confirmation of Appointments to Boards, Commissions, and Committees (Citizens Advisory Commission on Transit - Abernathy; Commission for Martin Luther King, Jr. - Stumbo)

C. Announcement of Appointment to Commission for Martin Luther King, Jr. (Wilburn)

D. Schedule a public hearing for June 2, 2008 to consider an appeal of a Planning Commission decision (PLD08-00001, SUB08-00001 – Seavey Meadows)

E. Authorization to enter into and for the City Manager to sign an Intergovernmental Agreement with 509J School District for Camerata performances

F. Authorization to enter into and for the City Manager to sign an Intergovernmental Agreement with Oregon Department of Transportation and Corvallis Area Metropolitan Planning Organization for metropolitan transit planning

G. Authorization to enter into and for the City Manager to sign an Intergovernmental Agreement with State of Oregon Wireless Interoperability Network for wireless communications site sharing

H. Schedule an Executive Session following the regular noon meeting under ORS 192.660(2)(d)(status of labor negotiations)

The motion passed unanimously.

III. ITEMS REMOVED FROM CONSENT AGENDA – None.

IV. UNFINISHED BUSINESS

A. Downtown/Economic Vitality Plans Implementation Committee recommendations on Business License Fee

Councilor York reported that the Committee recently met to finalize their recommendation to establish a business license fee. Highlights include a fee range of $50 to $1,000, depending on number of employees; implementation through ordinance versus City Charter; and a $25,000 revenue cap and mechanism to adjust fees appropriately within the following year. Council will further discuss the Committee's recommendations during a work session on May 12.

Councilor Daniels said establishing a mechanism to appropriately adjust fees was important to the Committee. She noted that public testimony was received during the Committee meeting.

Mayor Tomlinson added that the Committee agreed to sunset as they have fulfilled the charge assigned by Council.

This item presented for information only.

V. MAYOR, COUNCIL, AND STAFF REPORTS

A. Mayor's Reports

Mayor Tomlinson read the National Historic Preservation Month proclamation that was included in the April 21 Council meeting packet.

Historic Resources Commission Chair Kadas thanked the Mayor and encouraged citizens to participate in the month-long celebration that includes walking and bus tours, speakers, floats, and other activities.

1. Proclamation of Older Americans Month – May 2008

Mayor Tomlinson announced that Councilor Brown will read the proclamation at the next Council of Governments meeting.

2. Proclamation of Public Service Recognition Week – May 5-11, 2008

Mayor Tomlinson read the proclamation. The Mayor and Council commended City staff for their public service.

3. Proclamation of Building Safety Week – May 5-11, 2008

Mayor Tomlinson read the proclamation.

Assistant Building Official Fegles thanked the Mayor and said 24 states are making similar proclamations this week.

Councilor Daniels commended the building staff for consistently assisting university students with safe housing.

4. Proclamation of Enhancing Community Livability – Kids Day America/ International – May 10, 2008

Mayor Tomlinson will read this proclamation in Philomath on May 10.

5. Proclamation of Enhancing Community Livability – AmeriCorps Week – May 11-18, 2008

Mayor Tomlinson will read this proclamation during a Parks and Recreation Department work day at Marys River Natural Area on May 12.

6. Appointment to Economic Development Allocations Subcommittee

Mayor Tomlinson announced that Jeff Barricks had to withdraw from the Subcommittee due to other commitments. Trevor Greismeyer will replace Mr. Barricks and join two other citizens along with Councilors Brown, York, and Brauner on the Subcommittee.

B. Council Reports

Councilor Wershow said the United Way Social Services Allocations Committee responded to many of the City's concerns previously expressed. The Committee heard presentations from various agencies and has difficult decisions to make. He encouraged Council to revise the policy to make it easier to administer.

During a recent Corvallis Tourism meeting, Councilor Wershow mentioned the new Police Department staffing report included in the next budget document. During the meeting, he encouraged committee members to make known their desires for additional police activities.

Councilor Wershow announced that the Community Policing Forum meets the second Wednesday of each month at 3:00 pm at the Corvallis Police Department.

Councilor Brown noted that he recently led a tour of the College Hill West Historic District. A related article in today's *Corvallis Gazette-Times* identifies other tours being held this month.

Councilor Brown reviewed his memorandum on initiating a sustainability scientific survey. The purpose of the survey is to provide Council with objective information in assessing the

viability of the Corvallis Sustainability Coalition (CSC) action plan. The survey will be modeled after the annual Citizen Attitude Survey and Council will have an opportunity to approve the survey process including contractor choice, methodology, design, sample plan, timing, and implementation. The amount budgeted for the survey is $10,000.

Councilor Beilstein noted that CSC held an online survey to identify areas of interests. He understands that the online survey was not scientific and that this survey will help focus the City's efforts.

Councilor York said the Citizen Attitude Survey is comprehensive and intimidating. He encouraged CSC to draft a condensed questionnaire to increase response rates.

Councilor Brown responded that the survey will be as short as possible and reiterated that Council will see the survey before it is finalized.

Councilor Hamby opined that the survey should be without bias and sent to a broad group of citizens throughout the City.

Councilor Hamby reported that the batting cages at the Benton County Fairgrounds is losing the lease. He asked staff to provide advantages and disadvantages of offering batting cages at a City park.

C. Staff Reports

City Manager Nelson thanked the Mayor and Council for the public service recognition on behalf of all City employees. He also thanked the Mayor and Councilors for their service.

1. Council Request Follow-up Report – May 1, 2008

Mr. Nelson reviewed the items in the report. He noted that during future public testimony, citizens will be asked to write their name and address on the roster, and state their name only for the record. Personal addresses will no longer be included in the minutes.

VIII. & IX. STANDING COMMITTEE REPORTS AND ORDINANCES, RESOLUTIONS, AND MOTIONS

A. Human Services Committee – April 22, 2008

1. Council Policy Review: 99-4.13, "Internet Access Policy for Corvallis-Benton County Public Library"

Councilors Wershow and Brauner, respectively, moved and seconded to amend Council Policy 99-4.13, "Internet Access Policy for Corvallis-Benton County Public Library" as recommended by staff. The motion passed unanimously.

2. Majestic Theatre Annual Report

Councilor Wershow said staff clarified his questions about the financial report.

Councilor Brauner announced that when the Majestic Theatre closes next year for seismic upgrade, Theatre staff will take the opportunity to upgrade their equipment and work on fund raising efforts.

Councilors Wershow and Beilstein, respectively, moved and seconded to accept the Majestic Theatre annual report for fiscal year 2006-2007. The motion passed unanimously.

3. Boys and Girls Club Annual Report

Councilors Wershow and Beilstein, respectively, moved and seconded to accept the Boys and Girls Club 2007 annual report. The motion passed unanimously.

B. Administrative Services Committee – April 24, 2008

1. Allied Waste Services Annual Report

Councilor Brown announced that at the end of 2008, the City and Allied Waste will negotiate a new agreement for waste and recycling services. The waste recovery level decreased from 50 percent in 2006 to 43 percent in 2007. Total receipts and Allied Waste's franchise fees increased two percent.

This item was presented for information only.

2. Corvallis Rural Fire Protection District Agreement

Councilor Brown reported that the Corvallis Rural Fire Protection District contracts with the City for fire protection. The new agreement is for a seven-year term.

Councilors Brown and York, respectively, moved and seconded to approve the Corvallis Rural Fire Protection District agreement. The motion passed unanimously.

Mayor Tomlinson thanked Fire Chief Emery for negotiating the new contract.

C. Urban Services Committee – April 24, 2008

1. Downtown Commission

Councilor Grosch reported that the Committee reviewed and discussed the creation of a Downtown Commission including advisory role, responsibilities, and implementation.

City Attorney Fewel read an ordinance amending Municipal Code Chapter 1.16, "Boards and Commissions," as amended; creating a Downtown Commission and sunset review, repealing the Downtown Parking Commission, and stating an effective date.

ORDINANCE 2008-09 passed unanimously.

Mayor Tomlinson announced that he is creating an application packet for citizens interested in serving on the Commission and has requested Councilor Daniels' help with interviews.

Councilor Daniels commended Community Development Director Gibb and Committee Member Pat Lampton for their efforts in development of the Downtown Commission.

2. Traffic Calming: NW Circle Boulevard-NW Dogwood Drive to NW Lantana Drive

Councilor Grosch noted that the neighborhood completed all steps necessary to install speed humps, including surveys, traffic studies, and neighborhood meetings.

Councilor Wershow said speed humps slow emergency response vehicles and he hopes the City will consider photo red light and photo radar as traffic calming methods in the future.

Councilors Grosch and Daniels, respectively, moved and seconded to authorize the construction of three speed humps on NW Circle Boulevard between NW Dogwood and NW Lantana Drives. The motion passed unanimously.

3. Airport Lease – Helicopter Transport Services, Inc.

Councilor Grosch reported that Helicopter Transport Services needs additional space for the upcoming fire season.

Councilors Grosch and Daniels, respectively, moved and seconded to authorize the City Manager to sign a lease agreement with Helicopter Transport Services, Inc. The motion passed unanimously.

Mayor Tomlinson read a statement, based upon changes in Oregon laws regarding executive sessions. The statement indicated that only representatives of the news media, designated staff, and other Council-designated persons were allowed to attend the executive session. News media representatives were directed not to report on any executive session discussions, except to state the general subject of the discussion, as previously announced. No decisions would be made during the executive session. He reminded Council members and staff that the confidential executive session discussions belong to the Council as a body and should only be disclosed if the Council, as a body, approves disclosure. He suggested that any Council or staff member who may not be able to maintain the Council's confidences should leave the meeting room.

The Council entered executive session at 12:52 pm.

Assistant City Manager Volmert briefed the Council on current American Federation of State, County, and Municipal Employees and Corvallis Police Officers Association labor negotiations.

Mayor Tomlinson recessed the Council at 1:03 pm and reconvened the Council at 7:00 pm in the Downtown Fire Station, 400 NW Harrison Boulevard, Corvallis, Oregon.

I. ROLL CALL

PRESENT: Mayor Tomlinson, Councilors Wershow, Daniels, York, Hamby, Beilstein, Brauner (7:04 pm), Grosch, Brown

VI. VISITORS' PROPOSITIONS

Valerie White read her written statement related to supporting House Resolution 808 to create a United States Department of Peace and Nonviolence (Attachment A) and served the Mayor and Council peace pie.

The Mayor recognized Marge Stevens in the audience and noted that Ms. Stevens recently donated a kidney to a colleague.

The Mayor said he recently signed the Mayors for Peace initiative along with 2,200 Mayors in 128 countries. The focus of Mayors for Peace is to abolish nuclear weapons and reduce the use of depleted uranium. He commented on three items from the Mayors for Peace action plan:

1. Promoting intercity diplomacy,
2. Building societies that protect children from war and violence, and
3. Collaborating with international organizations.

The Mayor said the City has Sister City relationships with Uzhgorod, Ukraine, and Gondar, Ethiopia. Both relationships advance world peace through their work with children, orphanages, rehabilitation centers, after school programs, a farm home in Uzhgorod, and a water project in Gondar. The Sister Cities organization also works with the "Kids 4 Kids" program in Darfur.

Mayor Tomlinson announced that Benton County has been recognized as one of the best 100 counties to raise children in the United States.

In response to Councilor Beilstein's inquiry, Ms. White confirmed that she is asking Council to endorse and support House Resolution 808.

Council agreed to refer this issue to the Legislative Committee for review and Council consideration. Councilor Grosch will collaborate with Ms. White to develop materials.

Mayor Tomlinson and Councilors thanked Ms. White and others for providing pie.

Peter Leung testified about the Oregon Sesquicentennial Celebration for Benton County. The State's Celebration Committee granted acceptance of the "Oregon-China Youth Leadership Consortium, a Program for the Development of Tomorrow's Leaders in Foreign Affairs" project for the official

celebration. Mr. Leung said many local organizations have agreed to send representatives to the kick-off meeting scheduled for May 13 at 2:00 pm in the Library and requested City support.

Councilor Beilstein volunteered to represent the Council at the May 13 meeting.

Because there were no other citizens in attendance desiring to speak to the Council under Visitors' Propositions, and the public hearings were advertised to begin at 7:30 pm, Mayor Tomlinson recessed the meeting from 7:25 until 7:30 pm.

VII. PUBLIC HEARINGS

A. A public hearing to consider a health hazard annexation (ANN08-00001 – McGarry Health Hazard Annexation)

Mayor Tomlinson reviewed the order of proceedings and opened the public hearing. He directed Councilor's attention to the letter submitted by Joan Noyce related to this public hearing (Attachment B).

Staff Review

Senior Planner Schlesener said the subject property is located at 2520 SE Crystal Lake Drive. She reviewed the events leading to the annexation:

- January 11, 2008 – Benton County Environmental Health Department declared a health hazard due to a failing septic system and mandated annexation in accordance with State law.
- March 3, 2008 – Council adopted a resolution to establish the annexation process and refer the issue to the Planning Commission to establish a City zone.
- April 2, 2008 – Planning Commission established an RS-6, Low Density Residential Zone on the subject property, contingent upon annexation.

Ms. Schlesener said the annexation will alleviate the designated health hazard by allowing the site to connect to City utilities. Future streets, street improvements, additional units, and/or any other development related to this property are not subject to this public hearing. If future development is proposed, it would be considered in accordance with the Land Development Code standards at that time.

Ms. Schlesener noted that the subject property and surrounding properties are designated Low Density Residential in the Comprehensive Plan. Current County zoning on the site is UR-5, Urban Residential five-acre minimum. West of the subject property is City zoned RS-5, Low Density Residential. The property is at the east end of SE Marion Avenue, between Marion Avenue and SE Crystal Lake Drive.

The total site proposed for annexation includes the adjacent SE Crystal Lake Drive right-of way (ROW), a standard action with all annexations.

Questions of Staff

In response to Councilor Beilstein's inquiry related to future development, Ms. Schlesener said the subject property is one-half acre, and up to three dwellings (including the current dwelling) would be allowed on the property.

In response to Councilor Grosch's inquiry, Ms. Schlesener said obligations for street improvements would be made at the time of future development. Civil Engineer Grassel added that the street remains under County control until further development. Maintenance of the ROW will need to be determined.

Applicant testimony

Ken McGarry commended Ms. Schlesener and staff for their presentation. He said he had no intention of developing the property at this time, but understands he could in the future with street improvements.

In response to Councilor Beilstein's inquiry, Mr. McGarry said he will schedule and pay for the connection to City water and sewer services immediately. His request to connect at Crystal Lake Drive was denied and his request to annex the house he owns on the adjacent lot was also denied.

City Manager Nelson explained that the adjacent lot could not be included in this annexation because it was not declared a health hazard.

Public Testimony – None.

Mayor Tomlinson closed the public hearing.

Deliberations

In response to Councilor Grosch's inquiry, Ms. Schlesener explained that the new Land Development Code (LDC) has introductory information for each residential zone, identifying when a specific zone is to be used. RS-3.5 is being phased out, RS-5 is for existing properties of one acre or less, and RS-6 is the primary Low Density Residential zone for new Low Density Residential properties. This annexation would be considered a new Low Density Residential property.

City Attorney Fewel read an ordinance related to the annexation of property contiguous to the City Limits and declaring an emergency.

Final Decision

ORDINANCE 2008-10 passed unanimously.

B. A public hearing to consider withdrawing annexed properties from the Rural Fire Protection District (ANN08-00001 – McGarry Health Hazard Annexation)

Mayor Tomlinson reviewed the order of proceedings and opened the public hearing.

Staff Report

Ms. Schlessener said since Council adopted the Health Hazard Annexation ordinance, the property must be withdrawn from the Rural Fire Protection District to avoid double taxation.

Questions of Staff – None.

Public Testimony – None.

Mayor Tomlinson closed the public hearing.

Deliberations

Mr. Fewel read an ordinance withdrawing certain real property and annexed to the City from the Corvallis Rural Fire Protection District and declaring an emergency.

Final Decision

ORDINANCE 2008-11 passed unanimously.

X. NEW BUSINESS – None.

XI. ADJOURNMENT

The meeting was adjourned at 7:55 pm.

APPROVED:

_____

MAYOR

ATTEST:

_____

CITY RECORDER

I'd like to thank the mayor and city council for allowing us this time to serve and share a "peace" of pie with each of you. The pies you are enjoying were baked by two Corvallis moms, Laurie Childers and Jeanne Raymond.

We chose pies to represent our federal discretionary budget to show the tiny sliver that would represent the portion of the U.S. budget requested for a Cabinet level Department of Peace. Yes, Peace wants a Piece of the Pie! We would like to see applied peace building be a national investment priority at all levels from the individual to the international. Since preventing violence is much more cost-effective than recovering from it, why wouldn't a city council want resources for violence reduction? In Section 102 of this proposed legislation it says "The Secretary of Peace and Non-Violence (Domestic) shall finance local community initiatives that can draw on neighborhood resources to create peace projects that facilitate the development of conflict resolutions."

Corvallis has several wonderful programs in this realm, that address root causes of violence and conflict; such as CARDV, Jackson St.Youth Shelter, Community Outreach and others. They all spend a significant portion of their resources on securing funding to continue their work. What if we actually invested in our greatest resource of all, human capital and create what Riane Eisler has called a caring economics?

This is where a national Dept. of Peace (HR 808) can help. Historically, it's not a new idea. Benjamin Banneker, and Dr. Benjamin Rush wrote to Thomas Jefferson in 1792 to suggest a Peace Department as a balance to the War Department. At least 100 times through Congressional history bills have been introduced in the Senate or House to create such an agency. Rep. Kucinich first introduced this latest version of a Dept. of Peace bill in June of 2001, and again in 2003, 2005 and 2007. The Peace Alliance was organized in 2003 to continue to work for its passage. The bill currently has 69 co-sponsors, including Oregon Reps. DeFazio and Wu. Peter DeFazio has been a co-sponsor since 2001. 34 cities and other government councils have taken a stand and endorsed H.R. 808, including Lincoln City and Portland, Oregon, both Mayors for Peace cities. A broad range of faith, human dignity, peace, and environmental organizations has also endorsed the legislation, including Amnesty International, National Organization for Women, and Veterans for Peace. Locally, the Corvallis Friends Meeting and the Active for Peace and Justice Ministry Team of the First United Methodist Church have endorsed the legislation. There are representatives here from these groups.

Do we need a federal agency for this? Did we need to create the EPA to protect our environment, our health and natural resources on a federal level? In order to get the comprehensive changes we sought, yes we did! **Why is peace as an organizing principle in our culture any less important?** We have a large, expensive infrastructure set up for defense, but next to nothing dedicated to the pursuit of peace. Isn't living in peace a grand part of the pursuit of happiness our forefathers wrote about?

Americans need to stop our violence against each other. We cannot hope to ever create a peaceful world unless we have learned how to make it in our own culture. In the US, youth homicide rates are more than 10 times that of other industrialized nations. The

World Health Organization estimates the cost of interpersonal violence and the cost to victims in the US at $800 billion per year. We all pay these costs!

The best way we can end the war (at home) is to invest in peace. H.R. 808 would include a Secretary of Peace to be a Cabinet member and advisor to the President, the creation of a Peace Academy with training for government service, funding for programs for dispute resolution, mediation and nonviolent communication. This agency would identify, fund and share successful programs in a range of peace and non-violent issues; including but not limited to gang violence, child abuse, school shootings, community/police relations, domestic violence and peace education in schools. The agency would work on international disputes, but is more about changing ourselves as a nation to reflect and value nonviolent resolutions, as I have said before, creating a caring economics!

Here's an example of the caring economics in our own County. 80% of the criminal cases here are drug related. The cost of one person going through the drug court program is a little over $2,000/ yr. If this individual were in prison for a year, it would cost our community at least 10 times as much. Recidivism rates, (a return to jail) are significantly lower for those who complete this program over a jail sentence. Individuals who complete the program make gains in education, employment, wages and housing stability. When individuals have their needs met and get praise for doing things properly as viewed by society, crime rates lower. We need, though, to put a higher value on this model of caring for people, we need to invest this type of peace-building activity.

The Mayors for Peace program that Mayor Tomlinson will talk about promotes Inter-city solidarity in the effort to abolish nuclear weapons. The clear objectives for an ultimate goal of achieving world peace match with concepts of the Dept. of Peace legislation. MFP works to solve problems that threaten peaceful co-existence; such as environmental destruction, hunger, poverty and violence. This matches the mission (Sec.101) of the Dept. of Peace to create and promote a culture of preventative measures against violence. Both H.R. 808 and MFP would work to protect children from war and violence (Sec. 102b, d), and for human rights protection. Both call for study and efforts to protect the global environment, collaborating with NGOs, training personnel and creating peace education materials. Corvallis celebrates a Peace Day, considered important to both programs.

The most frequently asked question I get from people about this legislation is "Why haven't I heard about this before?" What's keeping us from doing this on a national level!! Why aren't we nurturing human generosity and creating a caring economy? This is why we are here, for your help in the pursuit of happiness, which includes a peaceful world, by taking a step toward that goal, by supporting and endorsing H.R. 808, to create a national Department of Peace and Non-Violence. The Linn/Benton Dept. of Peace group has gathered over 200 signatures of Corvallis citizens in support of this bill. It is our hope that we can work together to write and pass a resolution by the International Day of Peace in September this year!! On that day, we hope "Whirled Peace" will reign.

Thank you.

Valerie J White
May 5, 2008

RECEIVED

MAY - 5 2008

Community Development
Planning Division

McGarry Zone Change
2520 S.E. Crystal Lk. Dr.
Corvallis
Benton Co. Map 12-5-11AC
Tax Lot 2600

May 5, 2008

This piece of land backs up to a feeder and wetland for Ryan Creek. On the map it indicates the city wants to extend a loop road around and on top of this soggy land. The back part of the property is practically a swamp in the winter. To put in a traditional development will cause all sorts of problems.

Another part of this watershed had a similar area and it is now a large paved street. A house next to the street now has the stream flowing underneath it, instead of down its former path. The house was folding in half because of this diverted stream. (Do you recall those homes in Pennsylvania built over a stream? and they kept collapsing.) Just a block away, homes are jeopardized from their flooding back yards. One neighbor has a huge percentage of the lot covered in concrete and asphalt, contributing to the flooding. With a bit more rain, water would have been in her house, because traditional capture and culvert system was used. Now the whole area is paying the price.

Across town in Arthur court, the city allowed building on the Dixon Creek flood plain. Now those home owners are threatened annually with floods. I'm sure similar stories can be found around town, since so much of town is so wet. We don't need to make more sad stories for the future. We know enough now, to do things differently. We can adapt our needs to the existing situation. The result may not look exactly like all the other designs we're used to seeing, but it can be something allowing all systems to continue to work.

Let's not keep doing the same things the same way with the same results. We need to increase habitation in the city, but we don't need to continue putting people at risk by degrading land and natural systems in the city. On occasion the city has made some progress with land designs, but then 'drops the ball' in the next action. Goodwill on 9th street is treating its parking lot runoff in a visually pleasing way, contributing to the experience of city life. What happened at the TJ Max complex?

Putting restrictions and covenants on the land will protect future owners, the neighbors and contribute to the health of the hydrologic system. It is time to make changes that will benefit us now and future generations. Decisions now will create a city with continuing headaches, or a city dancing easily with the land.

Joan Noyce
2565 S.E. Crystal Lk. Dr.
Corvallis 97333
(541) 602-19093

CITY OF CORVALLIS
COUNCIL WORK SESSION MINUTES

May 12, 2008

The work session of the City Council of the City of Corvallis, Oregon, was called to order at 7:00 pm on May 12, 2008, in the Downtown Fire Station, 400 NW Harrison Boulevard, Corvallis, Oregon, with Mayor Tomlinson presiding.

I. ROLL CALL

PRESENT: Mayor Tomlinson, Councilors York, Hamby, Beilstein, Brauner, Grosch, Brown, Wershow, Daniels

II. UNFINISHED BUSINESS

A. Planning Commission/Historic Resources Commission Interview Questions

Mayor Tomlinson proposed that any suggestions regarding Planning Commission and Historic Resources Commission applicant interview questions could be reviewed by a committee, rather than during a public meeting or work session.

Councilor Beilstein recalled that last year he was concerned that the interview process did not elicit responses from applicants; there was no exchange between the interview panel and the applicants. Each applicant is asked the same questions in the same manner, but some applicants must be prompted to provide an answer. He suggested that the interview process be more conversational in style, rather than an "examination." His concerns would not be resolved by changing the interview questions but would be addressed by changing the Council's attitude regarding the interview process. He surmised that the City's interview process is standard practice for governmental entities. He does not believe the Council is obtaining as much information from applicants as it desires.

Councilor Grosch responded that the interview questions are tools for the Council, but the Council is ultimately responsible for its applicant selection decisions, which are based upon many factors. Applicant responses are important, particularly if applicants are not known by Council members. He is interested in obtaining information and becoming acquainted with the applicants, which is not always best accomplished through the interview questions. He would not object to a Councilor re-phrasing a question to prompt a response from an applicant.

Councilor York acknowledged that the interview process is awkward but typical for governmental entities. Most Councilors do not hesitate to re-phrase questions to elicit answers. Follow-up questions are often allowed to obtain information.

Councilor Daniels recalled, from the perspective of an applicant, that the interview process did not seem particularly rigid; however, follow-up questions were asked to elicit more information. She had not observed the current Council utilizing follow-up questions to prompt unexpected responses.

Councilor Grosch opined that some of the interview questions are impossible to answer. He would find it more valuable for the Council to have a broad discussion prior to the interviews to determine what information it wants to obtain.

The Council concurred with having a 30-minute discussion prior to the interviews.

City Manager Nelson urged Councilors to review the interview questions for relevance, given recent changes.

Councilors Beilstein and York volunteered to review the questions.

B. Planning Division Work Program and Priorities

Community Development Director Gibb reviewed a handout (Attachment A) and his staff report and its attachments.

- Staff made some progress developing Land Development Code (LDC) mechanisms to track procedures. Technology will be implemented to aid in tracking. More work is needed.
- Proposed LDC amendments are being developed and will prompt major effort over the next few months. This was a high priority during last year's work program review. In applying the new LDC, staff is finding provisions that need clarification or adjustment.
- Staff worked on the Buildable Lands Inventory (BLI) model. Consultant assistance will be needed to meet the State's standards. A Request for Proposals was advertised, and staff expects to retain a consultant over the next few months to complete the BLI update.
- Reports regarding possible South and Southwest Corvallis area plans were expected this year. Staff identified an outline of the report scope. The reports have not been begun because of a lack of staffing resources; the projects are expected to require a moderate amount of staff effort. The outcomes of two or three pending appeals could impact the priority of the Southwest Corvallis report.
- Significant staff time has been, and will continue to be, invested on the Economic Vitality Plan (EVP) and Downtown Strategic Plan over the next several months.
- The Code Enforcement Program is operating.
- Staff developed a list of more than 60 projects, Council goals, and "packages" of projects. Resolving some items is hampered by time associated with LDC implementation. Staff has found that applying non-discretionary standards is very time consuming. Staffing changes have also impacted the implementation process.
- A planner was assigned to Development Services to administer the non-discretionary staff decisions, and that position also handled general and minor land use applications. Demands on Development Services staff prompted moving these minor land use cases to the Planning Division. This shift allows Development Services staff to provide customer service to walk-in customers. Additional staff resources may be needed in the future to address these issues. This affects the amount of Planning Division staff time available to address long-term projects. The first priority is providing good customer service at the Development Services counter.
- Significant staff support is needed to prepare records for appeals to the Land Use Board of Appeals (LUBA). Approximately 75 percent of land use applications during the past two years were appealed to the Council and to the LUBA.
- Extensive staff resources are dedicated to the EVP and Downtown Strategic Plan.

- Extensive staffing changes during the past year impacted work on projects. Planning Division is now fully staffed.
- The new Downtown Commission will require a .3 to .4 full-time equivalent (FTE) Planner (and significant Department Director time) for implementation. The proposed Urban Renewal District (URD) project will soon be transferred to the City for review through public processes. If the URD is approved by voters, one full-time planner will be needed to support the Downtown Commission and the URD. The Fiscal Year 2008-2009 budget includes a proposed Planning Division position to provide more resources to address the work program. More existing staff resources would be assigned to supporting the Downtown Commission and the URD project, and their current responsibilities would be "back-filled" by the new position. This would mean approximately one-half of the new position would be dedicated to projects other than the long-range planning work program.

Mr. Gibb explained that staff developed work "packages" or projects for LDC adjustments that could be accomplished in groups.

- Package 1 – Tasks with few complexities that could be completed without extensive outside processes. Some projects in the package are more important than others.
- Package 2 – Tasks with more complexity that may require work sessions with the Planning Commission and official procedures.
- Package 3 – Tasks with broader policy implications that may require more work and public process to accomplish.

Mr. Gibb requested Council feedback regarding the proposed package strategy.

Councilor Brauner asked how much of Packages 1, 2, and 3 could be accomplished by the end of this calendar year with existing staffing and without pursuing Council goal projects. He further asked how much less of Packages 1, 2, and 3 could be accomplished if the Council goals were pursued.

Mr. Gibb responded that the amount of work existing staff can accomplish depends upon the quantity and nature of land use applications and appeals submitted to the City. He would like to begin work on Package 1 within the next month. Packages 1 and 2 might be completed before the end of the calendar year. A report regarding a South or Southwest Corvallis area plan might result in only Package 1 being completed yet this year. Each package would be presented in its entirety; projects within the packages were grouped to facilitate efficiency for the Council, Planning Commission, staff, and the public.

In response to Councilor Grosch's inquiry, Planning Division Manager Towne explained that staff developed some procedures, utilizing the geographic information system (GIS), Permit Plan, and Laserfiche, to integrate the systems. Several native plants lists were established in the state, including lists for Eugene and Salem, which will help identify native plants in Corvallis; the lists were distributed to interested parties, but staff has not received responses. Little work has been done on the tree canopy coverage list.

In response to Councilor Grosch's further inquiries, Mr. Towne explained that using non-discretionary standards puts the review process "up front," rather than preparing a staff report for the Planning Commission's review and decision. The process is more complex

but produces a decision earlier. The LDC was adopted in 2000, with the expectation that two planners might be needed in Development Services to process development proposals under the more-direct standards. The additional staffing might expedite the review process, but time is still needed to fully understand the new LDC. Staff is learning the details of the Code during application reviews. The new LDC is lengthier and more detailed than the previous LDC, and two planners are relatively new to the City's system.

Mr. Gibb commented that the proposed packages of LDC amendments will help everyone better work with the LDC so that it is more effective.

Mr. Gibb confirmed for Councilor Grosch that the rate of appeals to the LUBA is somewhat reflective of the statewide system allowing public participation.

Councilor Grosch inquired whether elements were missing that would help facilitate the work flow.

Mr. Gibb responded that the BLI would confirm assumptions regarding residential land capacity and could identify areas where re-designation of commercial land is needed. The BLI update is needed, but it is not a major factor in day-to-day operations.

Councilor York inquired as to the status of developing a Benton County "Airport Industrial Zone" and "down zoning" higher-density properties in the City's historic districts. These projects were identified as possible priority projects during last year's project review.

Mr. Gibb responded that Appendix B to his memorandum addresses tasks that would fine-tune the existing LDC to make it function better. The tasks Councilor York cited are on the list of 60-plus pending projects; however, they were not assigned high priorities.

Mr. Towne confirmed that the BLI update would indicate possible shortages or overages in acreage for specific development classifications. Staff knows that the Mixed Use General Commercial (MUGC) zone has a limited supply of developable land. The BLI update will incorporate constraints from the Natural Features Inventory. If a land shortage is identified, staff will identify areas of the community that seem appropriate for zoning and Comprehensive Plan Map designation changes to provide enough land of a specific designation to meet anticipated needs.

Mr. Gibb added that the City has an adequate supply of developable residential land, but non-residential land designations may need to be changed.

Councilor Daniels noted that the MUGC zone was developed for specific uses, such as car lots, "big box" stores, and warehouses. There is a very limited supply of land for these uses. The Home Depot case was prompted partly because of a lack of legitimate locations for its use. During 2005, the Planning Commission determined that the definition of construction sales and service, which is allowed on all industrially zoned land, was problematic, as more industrial lands could be used for home improvement centers, which is not considered a productive use of land. She expressed hope that progress can be made on resolving this issue during the next year.

In response to Councilor Daniels' inquiry, Mr. Gibb said staff initially presented the Code Enforcement Program work plan during November 2007 and an update during February 2008. No commitments were made for the first year regarding code changes.

Councilor Daniels noted that Corvallis citizens are more educated regarding the land use system. As more infill development occurs, challenging parcels will be presented for development approval. A property's legal status for development does not mean it can be easily developed from a land use perspective.

In response to Councilor Hamby's inquiry, Mr. Gibb explained that the new planner position, discussed by the Council in conjunction with a similar work program six or nine months ago, will be officially funded with approval of the Fiscal Year 2008-2009 budget during June. Mr. Town added that he has begun the recruitment process.

Councilor Hamby expressed concern that one-half of the new planner's time would be used for the Downtown Commission and the proposed URD project. He inquired whether the Council considered it a priority to allocate one-half of the new planner's time away from the work program, for which the Council specifically wanted to hire someone. Many of the projects have been pending for some time, and he questioned the appropriateness of using one-half of a new planner's time for Downtown-related projects.

Mr. Gibb reviewed that the Council asked staff to propose a General Fund-supported planning position, which is included in the proposed Fiscal Year 2008-2009 budget. Staff committed last year to absorb the work supporting the proposed URD project and the Downtown Strategic Plan within existing staffing resources. More commitment by the City regarding those projects will be needed during the next fiscal year. Staff is proposing addressing this continued commitment by allocating one-half of the new planner's time to Downtown-related projects.

Councilor Brauner noted that the work involving the EVP would be funded by the proposed business license fee (BLF), if it is approved. The fee would not become effective until sometime during Fiscal Year 2008-2009. The Council must decide whether to maintain implementation of the EVP and use the new planning position to support the EVP or postpone implementation of the EVP until a BLF is approved and fee revenue is received or whether additional General Fund allocations should be approved through the budget in June. If additional funding is not allocated and staff is to continue with the projects until alternate funding is received, one-half of the new planner's time would be needed for the Downtown-related projects.

Councilor York noted that a planner position for Downtown-related issues could be funded through the proposed BLF or the proposed URD. He considered the staffing issue to be an interim problem with two potential, long-term funding solutions.

Councilor Daniels noted that, if the proposed URD is not approved, the new planner would have more time available for supporting the Downtown Commission and pursuing other Planning Division projects.

Councilor Grosch observed that the Planning Division projects involved assignments from the Council. He noted that staff was not proposing new projects but had proposed "packages" for completing some projects. He questioned whether the Council was satisfied with staff's progress on projects or whether staff should postpone any new initiatives. The activities outlined in the EVP added stress on the organization and staff's ability to accomplish assigned projects. He questioned, alternatively, whether action should be postponed until funding is available to support projects.

Councilor Wershow said he was willing to not pursue Council goals in order to expedite project completion. The Council put the project burden on Planning Division staff and can remove some of the burden.

Mr. Nelson reviewed his May 6th memorandum from the work session packet regarding the Prosperity That Fits (PTF) Plan City action items. The Plan cited three City action items that would cost an estimated total of $167,000 ($105,000 for support of the Downtown Commission and the proposed URD, $50,000 annually for studies related to the Downtown Strategic Plan, and $12,000 as the City's share of "overhead" for the PTF Plan). Proponents of the proposed URD indicated that, over time, staff support could be funded through the URD; this self-funding status would probably not occur until Fiscal Year 2011-2012.

Mr. Nelson's memorandum outlined different funding alternatives.

- The proposed BLF could fund the $12,000 in PTF Plan "overhead" expense. The City could compete for fee revenue for special annual projects until the proposed URD is generating sufficient revenue to fund the staff support. The $105,000 for staff support is more than could be funded from the proposed BLF.
- The Council Policy regarding economic development allocations could be amended to allow the City to compete for funding to support the City's PTF Plan actions.
- Costs for staff support of the Downtown Commission and proposed URD project could be absorbed within the existing staff work plan with the new planning position, if approved. Alternatively, staff could request additional funding beyond the one-time associate planner position for staff support for the Downtown projects. Staff believes it is important to maintain support for the projects.

Mr. Nelson reviewed staff's five recommendations, as outlined in his memorandum. Several options were available for addressing a complex situation involving the Planning Division work program and the proposed BLF.

Councilor York observed that many of this year's projects proposed for the economic development allocations could be considered eligible for BLF applications. He questioned what policy or process changes the Council might consider to avoid creating two competitive selection processes with projects competing for both funding sources. An integrated allocation process might make sense.

Mr. Nelson responded that the economic development and BLF allocation programs might be integrated in the future. He explained that his proposal was presented to avoid the delay of waiting for the next budget cycle. The overall funding is uncertain, since the proposed BLF has not been approved and the Council may amend the Council Policy governing economic development allocations.

Councilor York expressed support for Mr. Nelson's proposal.

Councilor Brauner concurred, adding that assumptions cannot be made regarding funding options. If the BLF is approved and is dedicated to implementing the EVP, the Council would be almost required to review the economic development allocation program and incorporate it into the EVP. He would not support that option, as not all programs supported by the economic development allocation program are included in the EVP. The next Council will need to address this issue. He believed it would be unwise to have the economic development program fund actions that implement the EVP.

Mayor Tomlinson said the Council must decide whether to continue pursuing Council goals. The Council would then determine the extent of the three "packages" that could be realistically pursued.

Councilor Brauner responded that the Council's decision regarding the BLF and the percentage of fee revenue that would be dedicated to City planning and efforts could affect how the City would pay for continuing costs. The portion of the City's costs that would be directly allocated from the BLF revenue would determine the amount of funding that would be sought on a competitive basis. The competitive funding process can affect project and staff planning. Furthermore, the Council's decision can determine whether staff should pursue or postpone work on the Council goals.

Mr. Gibb suggested that the Council determine priorities for the work tasks and the Council goals.

Councilor Wershow suggested postponing work on the Council goals.

Councilor York expressed reluctance to postpone work on a South Corvallis area plan report. Many people endorsed the project, and he would like it to remain a priority.

Councilor Beilstein said he supported the Council goals and was not as concerned about area plans for South and Southwest Corvallis.

Councilor Grosch said a South Corvallis area plan report would inform the Council regarding other decisions about pending Planning Division projects. Many people were interested in potential commercial development in South Corvallis. The report would highlight issues that should be considered and would impact the Council's decisions regarding other Planning Division projects. He urged completing the South Corvallis area plan report.

In setting priorities, disregarding funding, Councilor Brauner said he would support Package 1 as a first priority because it involves projects that are relatively quick and simple to accomplish. Package 2 and the South Corvallis area plan report would be his second priorities of almost equal importance. His next priority would be continuing staffing for the EVP, followed by Package 3 and the Southwest Corvallis area plan report.

Councilor Brauner observed that the Council can give overall priorities to staff but not specific work assignments by staff positions. Therefore, whether the new planner works on

Planning Division projects or Downtown-related projects is not a decision for the Council to make.

Mayor Tomlinson noted that the new planner position was proposed to work on Planning Division projects.

Councilor Grosch recalled that the Council recognized the need for more staffing in the Planning Division and asked management how that additional staffing would best be used. He would like to give a high priority to a South Corvallis area plan report. Citizens expressed interest in an area plan and feel South Corvallis is being forgotten in the context of development.

Mr. Nelson and Mr. Gibb said it is difficult to find experienced planners, particularly those interested in part-time positions. This prompted staff's recommendation of absorbing into existing staff responsibilities the Downtown-related projects during the first year and analyzing the impacts at the end of the year.

Mr. Gibb expressed concern about assigning a lower priority to the Downtown and urban renewal projects. The Council just approved formation of a Downtown Commission, which must be implemented. It would be difficult to withdraw staff support from this effort while pursuing other projects. He confirmed his belief that Planning Division staff could complete Package 1 projects and the South Corvallis area plan report with existing staff, while still devoting staff support to Downtown and urban renewal projects.

C. Business License Fee

Staff distributed the Downtown-Economic Vitality Plans Implementation Committee's (D-EVPIC) March 27th and May 1st meeting minutes and a letter from the Downtown Corvallis Association regarding the proposed business license fee (Attachments B, C, and D, respectively).

Mayor Tomlinson facilitated discussion of Mr. Nelson's May 6th memorandum regarding the major BLF issues.

- *Objections*
  - No Council member objected to continuing to explore a BLF.

- *Charter vs. Ordinance*
  - Councilor Wershow had suggested including the BLF provisions in the Charter to protect them from amendment by a future Council. The BLF could be implemented by ordinance with a limited duration.
  - Councilor Beilstein believed voters should have opportunity to approve the BLF, rather than leaving voters with the referendum process, if they objected to the fee.
  - Councilor Brauner supported adopting a BLF via ordinance. Enacting the BLF by Council initiative would create an unnecessary expense because of an election. If the BLF is approved via ordinance and citizens oppose it, they can present it to voters via the referendum process.

- *Administrative Services Committee Review with Stakeholders*
  - Councilor Brauner supported the suggestion of a stakeholder group meeting initially, as has been done with systems development charge updates. Having stakeholders work with staff and then with the Committee creates another delay. The Committee can relay Council concerns directly to the stakeholders.
  - Councilor York would like staff and a stakeholder group to resolve issues before presenting a proposal to the Committee.
  - Councilor Brauner believed staff could work with stakeholders before the proposal is presented to the Committee. He did not want staff to work with stakeholders through an extensive process and develop a final proposal before presenting it to the Committee. Staff and stakeholders should provide frequent status reports to the Committee.
  - Mr. Nelson assured the Council that Committee members and stakeholders would develop key issues for staff to review and provide direction and implementation language. The Council would be periodically updated.

- *Proposed BLF Fee Rates*
  - Councilor Beilstein believed the $50 minimum fee was too high and the $1,000 maximum fee was too low. A business with only one employee could operate at a loss, only to have to pay a license fee. Small businesses with one employee each should be licensed, so the City has information regarding the businesses; however, he would support waiving a fee for such businesses. He would support waiving the BLF for businesses with very few employees and then assess $50 to a business with a few more employees. He considered it unfair to assess $50 to a small business with an annual income of less than $20,000 and assess $1,000 to Hewlett-Packard. He suggested that the maximum fee be higher, such as $10,000. The Corvallis Independent Business Alliance wrote to the Council asserting that the $50 minimum BLF would be onerous on small businesses.
  - Councilor York believed $50 in today's economy would not make an impact on most businesses. A higher threshold for more employees was part of the initial recommendation from a subcommittee, which extensively debated the issue.
  - Councilor Daniels concurred with Councilor York, noting that $50 per year equals less than $4.25 per month. The BLF would result in a directory of businesses, which could be beneficial in the community.
  - Councilor Grosch surmised that all businesses would consider the BLF onerous and would not want to pay the fee. As an independent businessman, he did not expect to reap benefits from the BLF; however, he might reap benefits from the activities implemented through the EVP, with funding from the BLF. He would ultimately consider who benefits from the BLF; those receiving the maximum benefit should pay the maximum amount.
  - Councilor Brauner opined that the BLF minimum rate of $50 was reasonable, and he requested minutes from the subcommittee's discussions regarding the maximum BLF rate. A graduated scale based upon employee headcount was appropriate. He would like to review the subcommittee's rationale for its rate recommendation before making a decision. He believed the minimum rate was reasonable but might re-consider the maximum rate.

- Councilor Wershow reported that the proposed BLF rates were comparable with those of other Oregon communities, although most communities have a maximum BLF rate of $700 to $800.

- *Exclusive Use of BLF Revenue*
  - Councilor Brauner opined that application of BLF revenue to EVP action items was logical; however, there should be a process for future amendments to the EVP.
  - Councilor Beilstein opined that there was no current need for general increases to the General Fund balance, but there is potential future need for such increases. He urged avoiding language that would specifically tie the BLF revenue to the EVP. He opined that the BLF should fully fund all City actions under the EVP. BLF revenue could then be available on a competitive basis for other EVP activities, but planning activities should be fully funded from the BLF first. (Councilor Grosch left the meeting at 8:44 pm.)
  - Councilor Hamby opined that the BLF should be tied to the EVP activities.

- *Competitive Funding*
  - Councilor Hamby believed it was inappropriate for the City to collect the BLF revenue and then compete for allocations of those funds.
  - Councilor Wershow opined that all City EVP-related costs should be paid by the BLF.
  - Councilor York said he did not object to the City competing for BLF allocations, if the City had a chance of being successful. He would be more comfortable competing for funding allocations if the advisory board composition was more balanced. (Councilor Grosch returned to the meeting at 8:46 pm.)
  - Mr. Nelson noted that representatives of the Corvallis-Benton Chamber Coalition (Chamber) and the D-EVPIC indicated that, if the City did not compete with other entities for BLF funding, the City may lose support from the Coalition and the D-EVPIC members regarding a BLF.
  - Councilor Grosch urged that this issue be discussed and noted that the City would receive an administration fee.
  - Councilor Brauner anticipated compromise areas. The City could recover administrative costs and then compete for other funding or could recover all costs from the revenue. He questioned whether the City would encounter fixed costs, other than collection costs, that should be funded by the BLF, with the City competing for project funding.
  - Councilor Wershow envisioned a future Council having funding demands in other budget areas. A future Council could "back away" from the BLF.
  - Councilor York noted that the proposed BLF implementation model was based upon the transportation maintenance fee, which was working well.
  - Mayor Tomlinson urged Councilors to read the recommendation from the Chamber to understand the BLF parameters the Chamber could support and how that evolved through the D-EVPIC.
  - Councilor Hamby surmised that the business community would allow the City to pursue the expensive tasks outlined in the EVP. The business community appeared to want to use the City's clout to collect the BLF and not allow the City to utilize it to pay for its projects.

- Mr. Nelson clarified that staff reminded the D-EVPIC that the BLF was proposed as a means of funding the City's action items under the PTF Plan. The business community indicated that support would be provided, understanding that all parties (including the City) affected by the PTF Plan would be eligible to compete for BLF funding.
- Mayor Tomlinson said the business community, by investing in the BLF fund, wanted to have input in how the fund was spent.
- Mr. Nelson explained that the D-EVPIC voluntarily sunsetted, but its stakeholders offered to stay actively involved in pursuing the BLF.
- Councilor Wershow noted that the transient occupancy tax (TOT), originally targeted for tourism-related activities, was gradually reallocated to other activities. (Councilor York left the meeting at 8:56 pm.) He anticipated that D-EVPIC members were concerned that a future Council might use the BLF to avoid City service reductions.
- Councilor Daniels stated that the original TOT allocation information was still being debated. (Councilor York returned to the meeting at 8:58 pm.)

- *BLF Sunset Provision*
  - Councilors concurred with establishing a time limit to the BLF.

- *Advisory/Allocation Committee*
  - Mayor Tomlinson urged Councilors to read the information from the Chamber, as business community support for the BLF could be rescinded if the Council makes major changes to the BLF.
  - Councilor Wershow noted that the Council would make final BLF funding allocation decisions, based upon the advisory/allocation committee's recommendations and could also approve amending the committee's composition.
  - Councilor Beilstein noted that the advisory/allocations committee members would be appointed by the Mayor.

- *Out-of-Town Businesses*
  - Councilor Wershow noted that other communities assess BLFs to out-of-town businesses operating in the community.
  - Councilor Hamby opined that the provision would be difficult to enforce.
  - Councilor Brauner expressed concern about a BLF prompting businesses to locate outside Corvallis to avoid the BLF and then operating in the community without paying the BLF.

- *Data Collection*
  - Mayor Tomlinson noted that the PTF Plan would require reports regarding businesses active in the community.
  - Councilor Brauner reported that the Chamber envisioned the BLF as a means of obtaining business data.

- *BLF Revenue Target and BLF Structure*
  - Mayor Tomlinson noted that the D-EVPIC wanted to be able to adjust the BLF rates if the generated revenue was more or less than was projected. The D-EVPIC did not want to use excess revenue to accelerate the PTF Plan.

- Councilor Brauner suggested that an annual BLF adjustment would create administrative problems.
- Councilor Wershow noted that the proposed URD operates for a specific period of time. It might be appropriate to stop collecting BLFs when a specific amount of revenue was received.
- Councilor Beilstein suggested adjusting the BLF rate during the periodic BLF program sunset review.
- Mayor Tomlinson surmised that excess BLF revenue would be held in the fund. He referred Councilors to the D-EVPIC's May 1st meeting minutes (Attachment C) for information about the Committee's discussion of this issue.

Additional Issues

- Councilor Beilstein inquired about businesses based outside Corvallis for which the City is the landlord, such as businesses at Corvallis Municipal Airport.
- Mr. Nelson anticipated extensive discussion regarding the City competing with other entities for BLF funding and the proposed advisory/allocation committee composition. Some issues may impact the success of the BLF program, so the Council would need to know immediately what actions should be taken to keep the BLF program viable.
- Councilor Daniels noted that a core group of leaders within the business community and the stakeholders who were not necessarily involved with the D-EVPIC helped others understand the importance of the proposed BLF program and helped members of the business community reach compromises on several key issues. She cautioned the Council about the tenuous nature of the proposed BLF program.
- Councilor Beilstein opined that the business community should understand the benefit of the proposed BLF program. He did not discredit the PTF process, which involved many people not involved in the business community. He opined that the proposed BLF program would succeed or fail, based upon the community's support or lack of support.

The Council expressed concurrence with the recommendations in Mr. Nelson's May 6th memorandum regarding the PTF Plan City Action Items.

III. ADJOURNMENT

The work session was adjourned at 9:16 pm.

APPROVED:

ATTEST:

MAYOR

CITY RECORDER

City Council Work Session
May 12, 2008

1. **Work Program Status**
   - Various Code Mechanisms (Table 2A)
     - Some progress on "tracking technology"
   - Code Tweaks
     - Experienced gained, packages developed
   - Buildable Land Inventory
     - Staff work on BLI model nearly complete
     - Draft consultant RFP developed
   - Council Goals
     - South Corvallis and Southwest Corvallis white papers scoped
     - Significant staff resources spent on EVP/Downtown Strategic Plans

2. **Factors Impacting Work Program**
   - LDC Implementation
     - More time required to apply non-discretionary standards
     - Planning providing support for review of general land use applications, e.g., minor land partitions – more resources may be needed in future
   - LUBA Appeals
     - Significant commitment to support City Attorney's Office
   - Resources Dedicated to Implementation of EVP/Downtown Strategic Plans
   - Staff Changes
     - Vacancies and transition to new staff

3. **Supporting the New Downtown Commission**
   - Anticipated that it will require .30 – .40 of Planner's time plus Community Development Director's time, perhaps more during start-up and after Urban Renewal Plan is handed off to the City.
   - Planner's time will be back-filled by additional Planning position included in FY 08-09 budget.
   - This will impact the progress on Planning work program that is the goal of adding additional staff capacity.

CITY OF CORVALLIS
DOWNTOWN AND ECONOMIC VITALITY
PLANS IMPLEMENTATION COMMITTEE
MINUTES

March 27, 2008

The regular meeting of the Downtown and Economic Vitality Plans Implementation Committee of the City of Corvallis, Oregon, was called to order at 4:02 pm on March 27, 2008, in the Madison Avenue Meeting Room, 500 SW Madison Avenue, Corvallis, Oregon, with Mayor Tomlinson presiding.

I. ROLL CALL

PRESENT: Mayor Charles Tomlinson, City Manager Jon Nelson; Committee Members Rich Carone, Judy Corwin, Dave Gazeley, Pat Lampton, Elizabeth Foster, Larry Plotkin, Barbara Ross, Councilor Bill York; and Recorder Mark Lindgren.

ABSENT/EXCUSED: Belinda Batten, Patricia Daniels, Jay Dixon, Linda Modrell, Bennett Hall, Pam Folts, Elizabeth French, Julie Manning, Dave Livingston, and Vincent Remcho.

II. REVIEW AND APPROVAL OF MINUTES

September 20, 2007 minutes approved as presented.

III. CORVALLIS-BENTON CHAMBER COALITION SUBCOMMITTEE REPORT- BUSINESS LICENSE FEE

Mayor Tomlinson highlighted the distributed March 14, 2008 revised business license fee recommendation and stated the presentation would be made before the first public comment period. Councilor Bill York highlighted minor revisions.

Committee members received a "Business license Fee Talking Points" and revised "Business License Fee" memorandum

Curt Wright stated that an unofficial business license fee committee met six or seven meetings since November; the group was asked by DEVPIC and the mayor to explore the idea of a business license fee. He noted that several other funding sources for economic development, such as the restaurant and entertainment tax and the transient occupancy tax, were rejected because they asked single industries to fund the effort.

Mr. Wright related that the Chamber Coalition, the Downtown Corvallis Association and the Corvallis Independent Business Alliance sent out questionnaires to members on the matter and received feedback. He related that the unofficial business license fee committee contained members from these groups, as well as the Corporate Roundtable and interested, involved citizens. The groups sought to address concerns that had been raised by the business community and came up with solutions to them.

He cautioned that any businessperson, if asked if they would like to pay a business license fee, would probably reply "No"; however, he said, the real issue is whether the community wants to take control of its economic future and well-being by implementing the Prosperity That Fits Plan. He noted the PTF Plan was put together over three years with the involvement and feedback by the community and all business groups; it was adopted by all Economic Vitality Partners, and County and City government. Mr. Wright stated that the PTF Plan was designed to benefit existing business and enhance the community quality of life. It is intended to grow diverse business start-ups and strengthen and retain existing businesses and create a range of jobs at a range of wages.

He stated that the business license fee is what would make the PTF Plan a reality. He emphasized that funding the plan is the sole purpose of the fee and it cannot be diverted to any other use. He added that if a future Council attempted to divert it to another use, the fee would be automatically terminate. The fee would automatically sunset in six years, the length of time called for in the PTF Plan.

He contended that the proposed fee was fair; everyone doing business in the community must pay it. The proposed $50 minimum covers all businesses under ten employees; the fee rises in graduated steps, up to businesses with over 1,000 employees, where the fee is capped at a maximum of $5,000. He stated that $50 per year was not too much for even the smallest business to invest in community economic development and $5,000 won't break the few multi-million dollar firms in the city.

Mr. Wright related that as structured, the business license fee would generate about $250,000 per year, to fund implementing fourteen strategies and 48 action items in the PTF Plan. The committee recommended that decisions on allocating the funding be made by a separate, seven-member committee; one member would be a City Councilor appointed by the Mayor, with the other six being business representatives, selected in an open public ballot, from candidates nominated by the sixteen partner organizations participating in the creation and implementation of the PTF Plan. Funding allocations would be made through a public, competitive grant application process, with requirements that all organizations submitting requests show how their requests respond to PTF Plans, what economic benefits the community would gain, and how the promise of performance would be measured. Applicants must demonstrate how each grant dollar will be leveraged with $3 in matching funds.

Councilor York noted that the original charge of the DEVPIC was to find a way of raising the $170,000 that the city had committed to as its portion of responsibility in the PTF Plan. This included a one-time software allocation and $10,000 per year for coordination. He noted that this seems to be lost in this new proposal. Mr. Wright replied that the committee felt it would be preferable if the business license fee addressed funding all the PTF Plan action steps, not just those of the City. The City would be free to apply for funding for its action steps like all other applicants.

Dave Gazeley asked about the $3:1 leveraging formula. Mr. Wright replied that it was modeled on the City's current economic allocation program. He added that it was intended that grant contracts would include measurement points to insure delivery on economic return.

Larry Plotkin commented that the DEVPIC committee originally did look at funding the City's $170,000 portion of PTF. That scope of purpose was expanded following extended discussions to find a way to fund the plan.

Judy Corwin asked if the committee had projected how many businesses fall into each business tax license fee bracket. She asked for an explanation for why the recommendation was to house the fee in the City Charter. Mr. Wright replied that months ago, the city put together from public information a list of sizes of businesses, including categories of funding, that added up to fund the City's $170,000 portion of the PTF Plan. (The document, "Revenues Generated by Business License Fee", was distributed). He highlighted the breakdowns of categories in the document (for Benton County, he noted the assumption was that about 85% of county economic activity occurred in the City).

Mr. Wright stated that the committee expanded the document's initial step of one to four employees up to one to nine employees. He related that Rich Carone did the rough financial projections to get to the desired amount of funding from the business size categories. Mr. Carone cautioned that the figures are rough estimates but do add up to the same as those of the City's figures. Finance Director Nancy Brewer clarified that the numbers came from a State Employment Department report, probably from 2006.

Mr. Wright related that the committee voted to recommend that the Council immediately adopt the plan and put the business license fee in place and begin collecting the money in order to start moving on the PTF Plan action items. At the same time, it was recommended that the Council should be moving to make the fee a charter amendment. The reason for a charter amendment reflected the feeling that portions of the business community have a significant distrust of what future Councils might do with the funding (they might spend it in ways unrelated to economic development).

Councilor York noted that it was unusual to suggest a charter amendment; this would be a lot of work and expense for something that has only a six-year life; he asked for precedent for doing this. Mr. Wright responded that the assumption is that the plan would not sunset in six year, but instead, new action items would come forward and be adopted through the PTF Plan public process, and that the business community be surveyed every eighteen months to determine whether it feels good about its investment and whether it should keep going after six years and after the 48 original action items are completed. He anticipated that many members of the business community would feel that there was still much to be done after six years and that they would ask the Council to extend the period of the fee. He clarified that the commission making PTF allocations would only be making recommendations to the City Council, which would make the final decision.

Ms. Corwin asked why the need was felt to put the business license fee in the City Charter. Mr. Wright replied that he personally did not see the need; however, the committee voted to recommend that, because some members felt that only by making it part of the charter could the Council be prevented for using the fee for purposes other than economic development.

Pat Lampton asked whether the committee had gotten advice from the City's attorneys regarding the Charter amendment proposal and whether the committee had considered any other mechanisms that could make a similar guarantee without the pain of going through a charter

amendment. Mr. Wright replied that his understanding was the group had not consulted an attorney.

Manager Jon Nelson added that a similar model is the Transportation Maintenance Fee, implemented with a specific use for a specific time (sunsetting after five years). It was passed by the Council as an ordinance; there have been no objections regarding its amount or use over the past three years. The thought at the time the ordinance was drafted was that if a future, different Council tried to redirect those funds, the initiative process would be more efficient than going through a charter process. He opined that there are more efficient models that give assurances about future Councils' uses of funds.

Barbara Ross stated that an ordinance would seem sufficient to prevent a future Council from changing the use of business license fee, unless it went through a clear public process to do so; Mr. Nelson concurred that an ordinance process would be an adequate safeguard and that a charter would not be necessary. He added that he thought there would be little interest by a Council in changing the purpose of those funds.

Ms. Corwin asked what a charter process would entail. Mr. Nelson replied that it would take direction from elected officials to pursue what would be the equivalent of a major Council goal. The charter has been amended twice in the last fifteen years; each time required roughly a year-long process. He related that when charter changes are broached, other community stakeholders are typically brought in and often pitch additional amendments, as well. He noted the business license fee is a $250,000 in a $100 million City budget.

Liz Foster asked if the committee looked at how the fee would be collected and enforcement. Mr. Wright responded that the group deferred all such questions and concerns to the City Council, staff and attorneys.

Councilor York noted that the current Economic Development allocations process has three City Councilors and three citizens. However, the committee proposal has only one Councilor and six businesspersons; he asked how that ratio was developed. Mr. Wright replied that reflects the desire to keep allocations strongly focused on the PTF Plan and covering the spectrum of the 14 strategies and 48 action items. Since it was all business related, it made sense to have as many business people on that committee as possible. Mr. Lampton added that the ratio reflects the thinking about the kinds of choices that are made in the current Economic Development allocation process and whether they are purely economic development programs that the business community feels are outside the boundaries of the PTF approach.

IV. PUBLIC COMMENT

Gary Rodgers, 950 NE Angelee, stated that he is a Corvallis realtor; he asked for clarification on language regarding whether the fee applied to all businesses *located* in the area or *doing business* in the area. He asked whether the fee would apply to independent contractors; he cited some businesses located outside the city, that regularly do business in the city. He pointed out that the estimate of realtors doing business in the city was too low (he estimated that there were around 1,000). He asked who would police the fee.

Amanda Dalton, PO Box 981, Salem, stated that she represented the Willamette Association of Realtors; the group has yet to take an official position on the matter. She presented an information piece provided to WAOR members (attached). A major concern is what will happen once the cap of the funds to be collected is reached: would there be refunds at that point? The groups was also concerned about there would be fines. She asked whether there had been any research on whether other cities have established contractual agreements with local Chambers; with built-in percentages on funds collected. The group was also interested in whether the information collected would be accessible by the public.

Malcolm Rose, 1417 NW 9th Street, asked how the proposed business license fee would find or impact low-income businesses, such as lawn-maintenance or automotive companies. He assured the group that he could not have started up his business in Corvallis had there been a business license fee. He stated that despite talk of sustainability, there are too many fees and taxes and Corvallis residents must go to Albany to shop. He said Corvallis was making it too expensive for businesses to operate. He asked how many businesses of only one or two employees were polled regarding the license and how it would impact them.

Keta Tom submitted written testimony (attached). She cited a negative experience regarding her own business and used merchandise licensing to support her contention that having a license gives the city the power to give or take away a business. She noted that a business license and a business license fee were actually two different things; she opposed having a business license; however, a business fee was acceptable. She added that the city already spends $500,000 per year for economic development, including $300,000 for tourism, which is part of the PTF Plan.

She noted that little research and development is actually occurring on Technology Drive; however, part of the cost of developing the site was assessed on adjacent residents, forcing many of them to move. She noted the cost of administration and enforcement had not been addressed in the proposal.

Andrew Perry stated that as a representative of larger businesses in the community, the plan as devised is right on in almost all cases. The plan raises funds in order to create a platform by which businesses can start and grow in Corvallis, benefitting all. The PTF Plan needs funding and this is probably the best plan to come forward so far to do so. His major concern was regarding the fee structure. He noted that the statistics distributed show about 2,200 businesses; so to raise $250,000, that comes to about $115 per business. Because there are so many small businesses, to decrease $10 from the one to nine employees group cost-shifts about $20,000 to the larger businesses. He stated that he did not believe that $50 or $100 was that significant to any business.

Mr. Perry stated that the plan would find more support by altering its fee structure. He suggested starting the fee at $100 and escalating it to a cap of $500. Businesses with one to twenty employees could be charged $100; twenty to 100 employees could be charged $200; and businesses with over 100 employees could be charged $500.

He noted that businesses that come to the community to work (but are located elsewhere) should be charged a fee, reducing the burden on local businesses; they do not appear to be represented in the current fee structure. He stated that his large for-profit business already pays sizable taxes and provides significant charitable care and services; he stated the business would rather not incur an additional large business fee when it could be proportionately shared better.

Kate Lindberg, 826 NW 35th Street, stated that most of the PTF Plan action steps were valuable and that the plan should be funded and moved forward. However, the fee structure should not be prejudicial to small businesses; many of the anticipated revenue is coming from small businesses. While $50 may not seem like much, any business will want to see value for money from their fees, (which will expand and grow their businesses). She noted that $50 may not sound like much, but it represents a half-day's wage for her part-time workers. Also, this amount over six years totals $300.

Ms. Corwin asked that if $50 seemed too high, what amount would be more reasonable for small business; Ms. Lindberg that a flat registration fee of $5-10 for registration to develop a database of local businesses seemed reasonable, especially if that database were to be made available to the local business community for marketing.

Following public testimony, Mayor Tomlinson asked Curt Wright to answer more questions. The mayor noted that many questions had to do with issues that the committee chose not to deal with, because they are rightly staff and Council issues.

Councilor York noted that Corvallis was unusual in not having a business license fee. He asked whether the committee had confirmed that; Mr. Wright replied that it had not done such research. He added that most cities that he had lived in had a business license and most of those had a fee attached to that. Manager Nelson added that some survey work was previously done on the issue and that information can be provided.

Mr. York asked about the coverage of fair and festival participants. Mr. Wright replied that the proposed language referred to an umbrella that covered them if they participate less than one day per week over the course of the year (52 days); this also covers Saturday market participants. Also, the fee is applied on an FTE basis; so two 0.5 FTE employees equal 1.0 FTE. Also, contractors are not employees. Mr. York added that a contractor is a business, so they too would be paying $50 under this proposal.

Mr. Wright replied that becomes a political and practical question for the Council to address; the Council will have to define what defines a business and how hard it wants to chase $50 (in some cases it may not be worth the effort). He related that some cities do require businesses from out of town that come into town to do business, to get a license. The committee voted to not require itinerant businesses to have a license. Councilor York pointed out that the phrase, "businesses doing business within the community" should cover itinerant businesses.

Ms. Ross asked whether the committee had addressed the cost of collecting, administering and enforcing the fee. Mr. Wright replied that in the recommendation, there is a one-time (up to $40,000) software charge that the city had identified earlier; also, a need was identified for staffing charging and collecting the fee (up to $10,000). Manager Nelson added that estimate was based on the experience of the Finance Department in collecting license fees; the actual amount may vary depending on several factors. Mr. Wright related that the committee recommended allocating an ongoing 15% of the fee to fund collecting the fee; the Chamber Coalition is the current staffing body for the PTF Plan.

Mayor Tomlinson thanked the committee for its work.

V. NEXT STEPS

Mayor Tomlinson asked DEVPIC whether it would recommend that the Council consider a business license fee, recognizing and considering the testimony heard today (generally around administrative issues and fee matrices); and that the Council should work through these issues and others that may come up during their deliberations.

Mr. Carone suggested it might be worthwhile to discuss a maximum fee. Mr. Gazeley concurred, saying some testimony from small business was to get the numbers where small business could live with it. There was also compelling testimony about doing research on imposing the fee on businesses from outside the community doing business within the community, to see if they could help carry part of the load.

Mr. Carone noted that the CIBA President was part of the unofficial business license fee committee and helped develop the proposal for the minimum $50 fee. Ms. Lindberg related that there were still too many unresolved details for CIBA to come to a consensus on the issue. Mr. York noted that DEVPIC has heard that $50 is a hardship for very small businesses and relief for large businesses can't be accomplished without increasing the $50 minimum (about 30% of the revenue comes from the $50 fee). Mr. York stated he was supportive of a $50 fee but wouldn't want that raised to provide relief for larger businesses.

Mr. Carone suggested modifying the fee structure, so that businesses with 50 or more employees pay a license fee of $1,000; this should raise roughly the same amount of money. Ms. Ross concurred, noting that larger businesses might otherwise have asked whether they would be getting $5,000 of benefit from the fee they were charged; a $1,000 cap makes more sense.

Ms. Ross stated that she felt that it was appropriate for people doing a substantial amount of business in Corvallis to pay a business license fee, even if they are located in Salem. They drive on Corvallis streets, pollute the air and make money here. She suggested imposing a flat $50 fee on out of town businesses, to avoid having to determine how many employees an out of town company has. Mr. York related that any landscape business in California, regardless of size, must have a business license; the license number sticker must be placed on the vehicle. If such a vehicle is spotted without the sticker, an offender will be cited; they must then pay a penalty and obtain a business license. The license fee taxes itinerant businesses.

Mayor Tomlinson determined that there was consensus on a $50 flat fee for out of town businesses.

He asked for discussion of the charter proposal. Mr. Carone related that he and Mr. Wright were the two on the committee who opposed the charter approach; Mr. Nelson's testimony is new information that argues against the charter approach. Mr. Plotkin stated he opposed the charter amendment. Ms. Corwin stated she had serious concerns with the charter amendment and that other alternatives should be explored. Ms. Ross opined that if appropriately crafted, an ordinance path would provide an adequate safeguard for a six-year project; an ordinance is a more practical and appropriate mechanism than going the charter route. Mr. Tomlinson found consensus to recommend using an ordinance, rather than a charter amendment, in implementing a business license fee.

Mayor Tomlinson clarified for Ms. Dalton that following discussion, the business license fee schedule would be: $50 for 1-9 employees; $175 for 10-19 employees; $275 for 20-49 employees; $1,000 for 50 and above employees.

Ms. Ross noted the public will want to know more about enforcement. She recommended that city staff look at how other cities address the issue and see what has proved most practical and worked best; then have staff bring a recommendation to the Council; then the Council would hold public hearings on administrative rules.

Mr. Carone suggested DEVPIC address the realtors' expressed concern that each of them would be charged $50; the unofficial business license fee committee did not address this. Ms. Foster added that the issue goes beyond just realtors; there are many independent contractors; the issues of employees versus independent contractors is a gray area. Mr. Plotkin replied that his assumption is that his small, one-person LLC consulting business would be paying a $50 fee.

Mr. Gazeley highlighted the issue of addressing those who live in the county but make their living within the city. He noted that a number of businesses are located just outside the city limits, but they have a Corvallis address; he asked whether the $50 flat fee for out of town businesses was appropriate. Mayor Tomlinson related that the committee previously determined that the business license fee would only be effective within the city limits of Corvallis and not Benton County; the business license fee is only a City of Corvallis administrative issue, not the County Commissioners. Manager Nelson added that a contractor coming into town to do business would be required to pay a $50 fee.

Ms. Foster asked if there had been a breakdown of what kinds of businesses were in each category of the fee schedule. Mr. Nelson replied that information was in members' packets; it was derived from 2006 State Employment Department figures; he cautioned that these figures do not have the definition that she was looking for and emphasized they should be viewed with some suspicion.

Mr. York related that his wife has a small, sole-proprietorship consulting business run out of the home; he expected that she would be required, as an independent contractor, to pay $50 as a cost of doing business. He would also expect an independent contractor realtor to pay $50, as well. He added that if a business hires contractors, as proposed to employees, the contractors themselves would be expected to pay a $50 fee.

Ms. Foster asked how the $50 fee would be collected from a realtor agent coming down from Salem to sell a Corvallis home. Mayor Tomlinson asked Ms. Foster if she personally, as a realtor, found a $50 fee acceptable; she replied it was fine for her. She added that her firm, along with many others, would only be paying the fee for administrative staff, not the independent contractors. It was pointed out that the State of Oregon would have information on local businesses filing tax forms: Mr. Lampton cautioned that the State may not share that information. Manager Nelson stated that such issues under discussion have all been dealt with elsewhere already; if the decision is to move forward, the Council will assign someone to work on municipal code language to address these and many other questions and concerns.

Mr. Carone asked if there was a good mechanism to collect fees from businesses who come into Corvallis from elsewhere. Mr. Nelson replied that his experience in other Pendleton and Missoula

was that business license fees were requested by businesses who became tired of itinerant merchants coming in and setting up shop, without having to contribute to the community. The best policing for the business license fees turned out to be the businesses themselves; there was very little municipal court or police activity, once businesses knew the procedure. He anticipated that the process would not be as enforcement heavy as some had expressed.

Mayor Tomlinson asked for committee sentiment on the issue of what happens if significantly more or less funds are raised than the projected $250,000. Councilor York stated that if more income is raised, then faster progress can be made on the Prosperity That Fits plan, accelerating completion of the program and realizing its benefits. If additional good ideas pass the test of public scrutiny, then the program can continue; otherwise, it goes away.

Mr. Plotkin that if the stated goal is to raise $250,000, then the city should stick with that and as a show of good faith and credibility, lower the fees. Mayor Tomlinson noted the committee was in consensus that there should be a future conversation on whether, if amounts raised differ significantly from the projected $250,000, whether the community wants faster progress on PTF or another course. Mr. Plotkin noted that one approach is measurable and the other is very subjective; the public will have more trust in a measurable approach.

Mayor Tomlinson highlighted the issue of data collection; this was originally a way of capturing information on who's doing business in Corvallis. This is still a primary effort of the business license fee, which has now been expanded to raise funds for PTF. He asked whether the information should be public. Manager Nelson opined that it would be public information, but there may be issues related to additional proprietary information.

Mr. Carone commented on realtor testimony related to concerns of 40% of the fee being spent on overhead. He clarified that 15% is specified for ongoing EVP administrative support for the PTF Committee; it is not for the Chamber. While the Chamber is currently hired to do that administration, someone else could be hired, instead. While the Chamber is currently the fiscal agent, perhaps that should be clarified.

Manager Nelson suggested it could be helpful to the Council, if the decision is to move forward with the fee, to recommend which group the Council could assign to work on municipal code language. He noted that it was not clear whether that group would be DEVPIC or the unofficial Business License Fee Committee. Mayor Tomlinson stated he expected the Administrative Services Committee would probably look at a potential ordinance and Council policy; they would hear public testimony from stakeholder groups and citizens on the work product as it progresses. Councilor York added that the ASC would not want to see a raw product that did not already include a lot of stakeholder input.

Mayor Tomlinson noted that Mr. Carone, Mr. Plotkin, Mr. Gazeley and Mr. Lampton are members of the Chamber Coalition and DEVPIC; he asked Manager Nelson whether that was a representative working group to develop work product. Mr. Gazeley emphasized the need for a representative of small business, such as CIBA; he suggested including CIBA President Pat Sardell, also active in PTF steering committee. Manager Nelson stated he would work with that group to sharpen administrative issues. *[Mr. Plotkin subsequently clarified that he was not yet a member of the Coalition.]*

Mr. Lampton moved and Mr. Plotkin seconded to move the business license fee forward to the City Council for their consideration, given the testimony and questions raised today (especially regarding administrative issues; the revised schedule; out of town businesses; ordinance work vs. charter; public hearings in the future; the amount of dollars raised; and data collected); and the deliberations of DEVPIC.

Ms. Corwin asked that the DEVPIC meet again to accept the content of the minutes. Mayor Tomlinson stated that the motion would include that DEVPIC would meet again to be clear on the content of the minutes and accept them. Motion passed unanimously.

Members asked to be able to review the minutes before they are sent to the City Council's April 7, 2008 meeting. Mayor Tomlinson stated he will email the draft minutes for members' review.

VI. SCHEDULE NEXT MEETING

The next Committee meeting was set for April 24, 2008 at 4:00 pm. (Ed.- Subsequently changed to May 1, 2008).

VII. PUBLIC COMMENT

General desire to see and comment on draft minutes before the April 7 Council meeting. Ms. Lindberg asked what would happen if significantly less than $250,000 was collected, especially due to lack of compliance.

VIII. ADJOURNMENT

The meeting was adjourned at 5:59 pm.

CITY OF CORVALLIS
DOWNTOWN AND ECONOMIC VITALITY
PLANS IMPLEMENTATION COMMITTEE
MINUTES

May 1, 2008

The regular meeting of the Downtown and Economic Vitality Plans Implementation Committee of the City of Corvallis, Oregon, was called to order at 4:03 pm on May 1, 2008, in the Madison Avenue Meeting Room, 500 SW Madison Avenue, Corvallis, Oregon, with Mayor Tomlinson presiding.

I. ROLL CALL

PRESENT: Mayor Charles Tomlinson, City Manager Jon Nelson; Committee Members Rich Carone, Judy Corwin, Patricia Daniels, Pam Folts, Dave Gazeley, Pat Lampton, Elizabeth Foster, Elizabeth French, Larry Plotkin, Barbara Ross, Councilor Bill York; and Recorder Mark Lindgren.

ABSENT/EXCUSED: Belinda Batten, Jay Dixon, Linda Modrell, Bennett Hall, Julie Manning, Dave Livingston, and Vincent Remcho.

II. REVIEW AND APPROVAL OF MINUTES

Judy Corwin noted that wording in paragraph 3, page 9 seems to leave open-ended the issue of what to do with any amount raised over $250,000; she stated that her understanding was that the committee was in agreement that funds over that amount should be given back. Bill York concurred, except that his recollection was that excess funds collected would result in a fee reduction the following year. Ms. Corwin added that the committee thought that it was important for public trust to stick to the budget numbers, rather than using excess funds to move Prosperity That Fits (PTF) progress faster.

Pat Lampton cautioned that returning a marginal amount would likely incur a cost greater than the savings. Larry Plotkin stated that keeping extra money for faster PTF progress was squishy; whereas sticking to a firm figure was measurable. Mr. Plotkin said that he didn't recall agreement on the issue; Manager Jon Nelson concurred. He suggested inserting after the second sentence in the third paragraph of page 9, "This could be accomplished by lowering the next year's fee". Barbara Ross remembered the discussion but not an agreement. Mr. Nelson suggested separating approval of minutes from clarifying what the committee intended to communicate to the City Council.

It was noted that Dave Gazeley's name was misspelled several times throughout the minutes. There was consensus to delete the last sentence of the third paragraph on page 7. Larry Plotkin highlighted the last paragraph of page 9, noting that he was not a member of the Chamber Coalition yet. Bill York moved and Dave Gazeley seconded to **approve the March 27, 2008 minutes as corrected**; motion passed unanimously.

Discussion of Business License Fee Next Steps followed.

III. PUBLIC COMMENT

Amanda Dalton, PO Box 981, Salem, stated that she represented the **Willamette Association of Realtors**. She noted the organization requested a small clarification of the March 27, 2008 minutes; she noted that the email memo from herself to her organization should not have been entered into the record.

She clarified that the primary concern of the organization was the impact that the business licensing would have on independent contractors doing business in the City of Corvallis as well those brokers and contractors from outside the city coming in to do business. She submitted her group's list of questions and concerns for the record; as well as letters from Suzanne Rushman of Town and Country Realty and Barbara Hartz of Landmark Realty.

Ms. Dalton stated her organization was concerned about significant aspects of the proposed fee that have gone unanswered; also, that small businesses may not have time to respond to the proposal before it is enacted into an ordinance. She stated that if passed, Corvallis would be the only city in this area of the Willamette Valley with such a fee.

Ms. Corwin asked Ms. Dalton how the business license fees in Tigard and Hillsboro were working; Ms. Dalton said they had a similar structure to the DEVPIC proposal but she did not know how they were working out.

Deborah Weaver, real estate broker and member of the **Willamette Association of Realtors**, stated she was present on behalf of WAOR President Geri Cuomo. She noted that the WAOR represents 450 members located in or doing business in Corvallis; most of these are independent contractors. She expressed concern about the increased cost of doing business in Corvallis as well as the impact on many businesses located outside of Corvallis that provide affiliated services to the industry, such as inspectors, landscapers, appraisers, roofers, lenders, repair people, etc. Many of these are small businesses that can do business anywhere in the valley without incurring additional cost.

She stated that the proposed fee would put Corvallis at a competitive disadvantage with other nearby communities and sends the message that Corvallis may be not friendly to business. She related that while the WAOR is supportive of economic development, it couldn't support a business license fee. Since economic development is of benefit to everyone in the community, funding for it should come from the general fund.

Stanley Rich stated he is a commercial real estate agent and represents many small businesses directly; many lease directly through him. He also represents landlords that charge a property tax residual to tenants. He said the business license fee is not fair to small business and is not needed to attract businesses to the community. He said that when he attended the PTF events, it was his impression that funding would come from the general fund; the funding is already there in the city budget; it simply needs to be allocated more appropriately. Rich Carone contended that the city did not have an extra $250,000 in its budget to fund economic development. Mr. Rich stated that economic development should be done, in part, by city urban and regional planning staff.

Larry Kampfer, 218 NW 6th Street, stated that he hadn't heard of the proposed fee until yesterday and it hadn't been well publicized. He stated that a business license fee was offensive and counterproductive. He noted that realtors relied on bringing people from outside the community to do work here.

Mr. Plotkin asked if he had read the PTF plan; Mr. Kampfer replied that he had not. Mr. Plotkin related that the committee spent a considerable amount of time to figure out how to fund the PTF plan. He contended that the community is unique, south of Tualatin and Hillsboro, in its potential to create and enhance high tech businesses good for raising the whole economy, which should greatly help the real estate market. More money is needed to try to attract the kind of businesses discussed in the PTF plan. He said the proposed business license fee rates as proposed were not a disincentive to him as a businessman. Mr. Plotkin added that the Gazette-Times had covered the proposed fee well and the PTF plan was widely publicized.

Gary Rodgers, 950 NE Angelee, stated that he was a local realtor; the proposed business license fee was awkward for the industry. He said it needed to be clear who the fee was aimed at. He asked if an appraiser from Portland, an out of town title company or a realtor from Philomath would pay the fee. He asked for clarification on who would be considered an employee or an independent contractor.

Mr. York replied that the questions raised would be dealt with in the next phase of the process, as staff and the stakeholder group look at existing programs in other communities (several in Oregon and most in California) over the next several months. Ms. Ross asked if he thought a business license fee should be used to fund the PTF plan. He replied that he was not enthusiastic about it; he feared it set a precedent that could eventually cause every community in the area where he potentially works to impose a similar fee on himself and other realtors. He predicted that if this happens, many realtors would drop out of the profession.

Mayor Tomlinson stated that this and other testimony will go into the record that goes to the City Council. He added the committee recognized that many administrative issues still must be worked through; there will be further opportunities for testimony in the next several months.

There followed discussion of forming a stakeholder committee in Business License Fee Next Steps.

IV. BUSINESS LICENSE FEE NEXT STEPS

In discussion on clarifying its intent of what would happen if more than the goal of $250,000 was collected in one year, Councilor Patricia Daniels suggested wording, "If more than $250,000 was raised, the excess would not be applied to additional PTF projects. Instead, it could be applied to the following year's fee". Ms. Corwin emphasized that the issue was not *whether* to return excess funds, but *how* to do so.

Mayor Tomlinson asked if there was consensus that the committee recommended not collecting an increment over the $250,000 in the following year and to implement that by reducing the fee in the next year, to try to get to the $250,000 for two years running. He observed that the amount collected may always be hovering above or below the $250,000 benchmark. Mr. Gazeley added that the committee needs to recognize that if the amount is exceeded by enough, fees could be adjusted by

enough in order to come close to the figure; however, collecting exactly $250,000 will never be achieved.

Mr. Plotkin stated that an inflation clause should be built into the $250,000. He anticipated that the amount collected would fluctuate; he suggested that a 2 or 5% excess figure should trigger reduction of the fee in the following year. Elizabeth French cautioned against incurring administrative costs and burdensome complexity in trying to return relatively small amounts; the important thing is the intent; it will never be exact. She suggested that the community may need a couple years' experience to make any re- adjustments, then come back to the table to balance the fees.

Ms. Corwin stated that hastening the progress of the PTF shouldn't be the goal the first year. Manager Nelson said that the recommendation that came to DEVPIC from the subcommittee was a proposal whose sole purpose was raising approximately $250,000 per year; a sub-clause was that an increase was allowable, but should not exceed the US Consumer Price Index for the previous year.

Ms. Ross said that some amount of carry over could be a cushion against not collecting enough. She noted that if the fee was adjustable every year depending on how much was carried over, so that the amount levied was $47.50 instead of $50, for example, it could be exasperating. She cautioned against making a commitment to adjust the fee the first year, especially when it is not even certain how much will be raised. Mr. Plotkin added that the amount raised could be way under or over the $250,000 figure; that won't be known until after the first year. Ms. Daniels suggested the committee simply ask the City Council consider options but not specify them.

Ms. Corwin noted that the subcommittee had recommended that the fee be part of the City Charter; while the Committee as a whole felt that that would be too burdensome, the recommendation reflected some people's concern that funds might be used for other purposes.

Mayor Tomlinson asked if there was consensus that the fee should be targeted at about $250,000 per year for now; and to recommend to the City Council that if there are significant overages or underages, the Council needs to bring that figure back to the $250,000 in some administrative way; and if it's significantly over, the committee does not recommend a spending spree; and if it's significantly under, then the fee structure will need to be adjusted. Mr. Lampton stated that due to inflation, he would not want to lock the figure at $250,000 in following years. After the first two years, there shouldn't be significant differences, since the numbers of businesses will probably not fluctuate wildly.

Mr. Nelson summarized that $250,000 is the committee's target; significant overages or underages need to come back to $250,000 annually, as adjusted (thus taking into account inflation). Mr. Plotkin suggested modifying the language to "*about* $250,000". He added that initially, there would likely be compliance variation, as there is outreach to business owners. Ms. Ross added that the Council shouldn't be locked into adjusting the fees in the second year, since it won't be known until the end of the first year how it has gone. She recommended leaving the details to staff and the City Council.

Mr. Lampton added that the committee should recommend that carryover should go to even things out in the long term. During discussion to clarify what "significant" overages should mean, Mr. York noted that a small excess over $250,000 wouldn't have to be spent, it could simply be a reserve. Mr. Plotkin suggested that exceeding a margin of 10% overage could trigger an evaluation of the fee structure or compliance.

Ms. Corwin moved and Pat Lampton seconded that approximately $250,000 in annual revenues and expenditures is the committee target. Significant (10%) overage or underage needs to come back to $250,000 annually, as adjusted; motion passed unanimously. Ms. Ross noted that this is simply a recommendation, not the final product.

Mayor Tomlinson then moved the agenda to III, Public Comment.

Following the period of public comment, Mayor Tomlinson said that there was previous discussion of forming a stakeholder committee that would work with the City Council and the Administrative Services Committee. The minutes call out Rich Carone, Larry Plotkin, Dave Gazeley and Pat Lampton to be part of that. He suggested considering inviting Pat Sardell, CIBA President, to participate. A member of the real estate community should also be involved.

He stated that in the past, the Urban Services Committee has worked with stakeholder groups as the committee sets policy on a significant issue; a similar model would be used with the ASC. Mr. Carone suggested including representatives of single-employee business owners and independent contractors. Mr. French suggested including a representative from non-profits. Mr. Plotkin suggested getting a member of the high tech industry.

Ms. Ross noted that given the testimony, there should be a look at how other towns deal with the issue of out of town businesses doing business in the city.

Mayor Tomlinson stated that the City Council would have a work session on the issue at its May 12 meeting; while the public is invited, there would be no public testimony. Manager Nelson clarified that in preliminary discussions, the committee has given direction towards requiring a business license fee for businesses located outside of the city that come into the city to do business.

V. COMMITTEE SUNSET DISCUSSION

Judy Corwin moved and Pat Lampton seconded to recommend to the City Council that the committee feels that it has finished its work and recommends that DEVPIC sunset; motion passed unanimously.

VI. PUBLIC COMMENT

Gary Rodgers asked whether it would be the listing office for a property that would be responsible for paying and policing the fee. Mayor Tomlinson stated that there were a number of administrative issues that exist and need to be worked through; there will be opportunities to comment on what they look like. Rodgers highlighted the process of how houses are shown and noted that realtors are not necessarily paid when a transaction closes. Mr. York replied that it was his understanding that showing a house would not necessarily be defined as "doing business" though selling a house would be, though paying a license fee would not be part of the real estate transaction. Mr. Plotkin stated that a contractor is not an employee; contractors typically have their own company and pay taxes and are responsible for their own business. Ms. Foster encouraged Mr. Rodgers to ask his friends to bring ideas, concerns and issues forward.

Mr. Nelson related that when the process started, the focus was on the city of Corvallis PTF action items; since then, it was expanded to look at all the action items. He thanked the committee participants for their work. Ms. Daniels recognized Julie Manning for first broaching the idea for looking at funding PTF action items beyond just the city's portion. Mayor Tomlinson thanked the committee for its thoughtful work.

VII.ADJOURNMENT. The meeting was adjourned at 5:15 pm.

DOWNTOWN CORVALLIS ASSOCIATION

RECEIVED
MAY 12 2008
CITY MANAGERS OFFICE

9 May 2008

460 SW Madison, Suite 9
Corvallis OR 97333
PO Box 1536
Corvallis OR 97339
(541) 754-6624
FAX (541) 758-4723
www.downtowncorvallis.org

Board Members
Bruce Pedersen, President,
Corvallis Super 8
Amy Childers, Vice-President,
Starbucks
Steve Hutchison, Treasurer
US Bank
Les Boudreaux, co-Treasurer
Downtown Property Owner
Jerry Groesz, Secretary
1st American Title
Deanna Carr,
Elements Building
John Coleman
Coleman Jewelers
Iain Duncan,
LeBistro
Catherine Holdorf,
Sibling Revelry
Susan MacNeil, Treasurer,
InsideOut Garden Visions
Cary Stephens,
Barnhisel, Willis, Barlow & Stephens

Staff
Joan Wessell,
Executive Director
joan@downtowncorvallis.org

Ex-Officio
Sarah Johnson,
City Planning
Trish Daniels,
City Council
Dave Henslee,
Corvallis Police Dept.
Corvallis Tourism
Corvallis-Benton Chamber Coalition
Associated Students of OSU

Mr. Jon Nelson, City Manager
Corvallis City Hall
501 SW Madison Avenue
Corvallis OR 97333

Dear Jon:

Re: Proposed Business License Fee

At their May 8th meeting, Downtown Corvallis Association Board of Directors took the following position on the proposed Business License Fee:

"The DCA Board endorses the concept of a Business License Fee, with nominal/equitable fees, and justification of the proposed fees structure before giving their final recommendation.

Sincerely,

Bruce Pedersen,
DCA Board President

Copy: Mayor Charlie Tomlinson

"To improve and promote the economic, aesthetic and cultural vitality of Downtown Corvallis as a regional center"

DRAFT
Subject to review & approval
by Airport Commission

AIRPORT COMMISSION
MINUTES
April 1, 2008

Present
Jim Moran, Chair
Lanny Zoeller
Bill Gleaves
Marion Rose
Louise Parsons
Dan Allen
Chris Bell

Absent
Todd Brown, Vice Chair, excused
George Grosch, Council Liaison

Staff
Lisa Namba, Transportation Supervisor
Dan Mason, Airport Coordinator
John Sechrest, Corvallis-Benton Chamber Coalition

Visitors
Walter Palubiski - HTSI
Ron Gustafson - HTSI
Rod Lockrem - Corvallis Aero Service
John Larson - Corvallis Aero Service
Jack Mykrantz - CVO Corporette

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for Further Review	Recommendations
I. Open Meeting, Introductions	X		
II. Review of March 4, 2008 Minutes			Approved
III. Visitor Comments None			
IV. Old Business None			
V. New Business • HTSI Fuel Site Land Lease • Ferrellgas Lease Extension			 Approved Approved
VI. Update on Industrial Park	X		
VII. Update on Airport	X		
VIII. Update on FBOs	X		Approved
IX. Update on City Council	N/A		

X. Information Sharing • Annual Fire Inspection • Monthly financial report	 X X		

CONTENT OF DISCUSSION

I. Open Meeting, Introductions

Chair Moran opened the meeting at 7:00 am. Staff and visitors were introduced.

II. Review of Minutes

Commissioners Gleaves and Parsons, respectively, moved and seconded that the Commission accept the March 4, 2008 minutes as written. The motion passed unanimously.

III. Visitor Comments

None

IV. Old Business

None

V. New Business

- **HTSI Fuel Site Land Lease.** HTSI, represented at the meeting by Walter Palubiski and Ron Gustafson, have asked to lease the former United Chrome site for storage of their fuel tanker trucks and other equipment. The area is between the CoEnergy propane lease and the Ferrellgas propane lease. It is a two-acre site, fully fenced, with a 20,000 gallon containment area. The site also has an office building with all utilities to it. The lease is proposed at the same rate as CoEnergy and Ferrellgas. These sites do not have taxi way or runway access, and were given Industrial Park lease rates that were updated in the 2006 appraisal, since that time, two Consumer Price Index increases have been applied. This makes the current rate 8.8 cents/square foot/year. Commissioner Zoeller inquired as to the clean-up schedule for the site. Mr. Mason stated that the people managing the clean-up are the City's Wastewater Operations crew. The intent is to have the clean-up completed by the time the lease reaches Council.

  Commissioners Zoeller and Gleaves, respectively, moved and seconded that the lease be forwarded to the Urban Services Committee with a recommendation of approval. The motion passed unanimously.

- **Ferrellgas Lease Extension.** Both Ferrellgas and CoEnergy have five-year leases, with seven additional options to extend for five years each. Ferrellgas is on their second option and they are requesting a third option, which extends their lease from July 1, 2008 to June

30, 2013. This is a standard lease option.

Commissioners Gleaves and Zoeller, respectively, moved and seconded that the request for a lease extension to Ferrellgas be forwarded to the City Council Consent Agenda with a recommendation of approval. The motion passed unanimously.

VI. Update on Industrial Park

- Mr. Sechrest said the Industrial Park is full and has no current lease requests. He believes the next step is for the Industrial Park to have a new building. Mr. Sechrest stated that he is trying to find someone willing to build the building. He has some plans for a possible building that could be sited there. He is looking at the costs associated with the building plans to see how best to facilitate building. Mr. Sechrest stated he is working on scheduling an Airport Industrial Park tenants meeting.

  Regarding the Enterprise Zone, Mr. Sechrest said the Enterprise Zone was approved by both the City Council and the County Commissioners. The deadline for applications is April 4th; Jon Nelson will be submitting the proposal to the State. He said there is strong competition with other areas, but the chances look good for approval. He stated he is still hoping for some local incentives, such as lease abatement, to draw tenants to the Industrial Park. He would like to see a future conversation on local incentives after the Enterprise Zone is established.

  Commissioner Gleaves mentioned that he had been at the Enterprise Zone meeting when this was discussed and the only difference between the County and the City was the issue of sustainability and "green" industry. He noted that the Enterprise Zone will extend on the airport side only as far south as the east/west runway and does not include the entire airport. Therefore, if a business was to locate at the southeast corner, it would not be within the Enterprise Zone. Further, the current land use zoning for everything south of that line would not be compatible for industrial use. The zoning in that area is Public and it's intended that there would be no businesses in that area. Mr. Sechrest pointed out that since the Airport Master Plan envisions businesses along the east side of the airport or in the southeast corner, the zoning is an issue that will have to be revisited in the future.

  Commissioner Rose questioned the sustainability issue and Mr. Sechrest explained the criteria currently being used. The criteria only applies if the business wants to take advantage of the tax abatement. He also stated that the subject of sustainability will have to be discussed further in the future. Commissioner Gleaves stated that the criteria should be explicitly spelled out so new businesses thinking of coming here know exactly what is expected of them.

- Mr. Sechrest updated the Commission on the status of the wetlands mitigation loan. He said the loan is on track for approval by the Oregon Economic and Community Development Department (OECDD). There is a meeting in Portland today with Mr. Sechrest, City staff, the Department of State Lands, and the Army Corps of Engineers regarding the project.

VII. Update on Airport

- Mr. Mason said he was contacted by Hideo Ono, the owner of Frontier Flight Services. Mr. Ono sublets space from Corvallis Aero Service for his flight school. Mr. Ono asked for his business name to be added to the airport signs on Airport Avenue. Mr. Mason stated that staff is using this opportunity to update and spruce up the signs.

- Mr. Mason briefed the Commission on the Streaked Horned Larks (STHL). There are about 200 of them that nest each year at the Airport. He said that Randy Moore, a post-doc wildlife biologist from OSU has been studying them for the last two years. Benton County has obtained a grant to develop a Habitat Conservation Plan and the STHL is one of the species addressed in the plan. Mr. Mason stated that he, Randy Moore and Steve Rogers, the Public Works Director, are working together to review Mr. Moore's draft plan to protect the STHLs on City lands.

- Mr. Mason stated that the 2008 FAA Airport Improvement Program is still on schedule for paving the grass area on the west side of Corvallis Aero Service, realigning the fence out to the water tower, and moving the gate out there for increased security. FAA funding has been released at the national level. The next step is the contract stage.

- A contract with Maier Roofing has been signed to replace the south side slant shingle roof on the main hangar. They will have to remove four roof layers currently on the building and replace them with architectural shingles. Staff is requesting quotes to replace the siding above that area. Quotes will also be pursued for replacing all the siding on the south side of the main hangar.

- The damaged exterior door on the main hangar lounge has been replaced.

VIII. Update on FBO

- HTSI representative, Walter Palubiski, stated that they are committed to building only on property they own as opposed to on leased property. The building they need is between 110,000 and 120,000 square feet, on 10-15 acres of land. He talked about the growth of their company and the need to expand. Mr. Palubiski also stated that they are having a difficult time finding land to purchase and build their building in the Corvallis area since the City is not able to sell land at the airport. As a result, they are expanding their search to other areas of the state. There was further discussion about HTSI's needs and possible solutions to helping them meet those needs in Corvallis.

  Commissioners Gleaves and Parsons, respectively, moved and seconded a proposal that the Airport Commission have a resolution, for City Council approval, for some members of the Airport Commission to speak with members of Congressman DeFazio's Office to see if it is a possibility to have some airport land released for HTSI to purchase and build a facility on. The motion passed unanimously.

  Following the vote, there was a discussion on possible Airport locations that could be considered for HTSI's proposal. HTSI was told they would need to submit their request in writing to the City and they would have to pick a specific piece of land at the airport. Mr.

Mason said he would coordinate with HTSI to pick a site.

IX. Update on City Council

None

X. Information Sharing

Annual Fire Inspection

- The Fire Department has scheduled their annual Airport Fire Inspection. It will be in two parts, the first part next Monday, April 7th and the balance three weeks later, Monday, April 28th.

- **Monthly Financial Report**
  None

The meeting was adjourned at 7:51 a.m.

•

NEXT MEETING: May 6, 2008, 7:00 a.m., Madison Avenue Meeting Room

DRAFT
Subject to review & approval by BPAC

Bicycle and Pedestrian Advisory Commission
MINUTES
April 4, 2008

Present
Brad Upton, Chair
Josh Storer, Vice Chair
Rosie Toy
Jack Schubert
Gerry Perrone
Joel Rea
Andrew Ross
Mike Beilstein, Council Liaison

Absent
Rick Crawford, ASOSU
Lt. Jef Van Arsdall, Police Department

Staff
Joe Whinnery, Public Works
Steve Rogers, Public Works
Sgt. Jim Crain, Police Department

Visitors
Christine Duffney
Laura Duncan Allen
Susan Christie
Dean Codo
Nancy B. Komp
Alice Morrow
David Dodson
Dan Kellom
Greg Bennett
Dan Herford

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for Further Review	Recommendations
I. Call Meeting to Order/ Introductions	X		
II. Approve March 7, 2008 Minutes			Approved, as amended.
III. Visitor Comments		X	
IV. Old Business 10th Street Bikelanes, Grant St. to Harrison Blvd. Get There Another Way Week (added by Chair Upton)		X	Accepted volunteers for manning booth
V. New Business 14th Street Bikelanes, Monroe Av - Harrison Blvd.		X	
VI. Information Sharing Rivergreen Access to 99W(added by staff)	X		

CONTENT OF DISCUSSION

I. Call Meeting to Order/Introductions

Chair Upton called the meeting to order.

II. Approve March 7, 2008 Minutes

It was stated that some important comments Public Works Director Rogers made may have been left out of the minutes. Mr. Rogers said, where the minutes note that 10th Street from Buchanan Avenue south is a local street, the point he was trying to make was, there were no requirements for bike lanes and therefore sharrows are an alternative. Commissioner Ross believed he was misquoted in the minutes regarding a statement relating to pedestrian safety. It was suggested that Commissioner Ross's name be replaced with someone brought up. Commissioner Schubert then stated he was quoted as making comments during the discussion on the 14th Street bike lanes that he did not make. Commissioner Rea stated those statements were his. The minutes will be corrected to reflect the correction.

Commissioners Schubert and Storer, respectively, moved and seconded that the March 7, 2008 minutes be approved as amended. The motion passed unanimously.

Chair Upton proposed, and the Commissioners agreed, to rearrange the order of the agenda due to the numerous items to be discussed at this meeting.

III. Visitor Comments

- Visitor Christie suggested re-striping the edges of the path that runs parallel to Highway 99 from Buchanan to Circle. The current striping is worn and getting hard to see at night.

- Visitor Codo commented on the new sidewalk café policy that went into effect January 1st. He mentioned that Iovino's did not conform to the new code and Chris Westfall, the new Code Enforcement Supervisor, was asked to address the issue. It was noted that Iovino's had moved the tables and fences and the sidewalk is completely clear, but the fence sections are piled up where the bike racks are so the racks can no longer be used. Mr. Westfall will pursue the issue as a café operating without a permit.

- Visitor Bennett made an observation and complimented the Commission on the mid-block pedestrian crossings located on SE 3rd. He stated they were working well resulting in more crossings and reduced speed in the area where the crossings are located. He further stated the sharrows were working well on Madison, Monroe and 2nd.

- Visitor Duncan Allen made a proposal for a 4-way stop at 2nd and Monroe. She stated it is a major access to the riverfront, and that it is difficult for pedestrians to cross there. Mr. Rogers stated there were several intersections that have the same problem. Chair Upton asked if staff would start thinking about the various intersections and lead the Commission through a detailed discussion in the next few months.

- Visitor Dodson, of Willamette Valley Planning stated that since he last met with the

Commission, there have been changes to their proposal for the Evanite multimodal path. He said they will be submitting their proposal to the City next month. He said he would put together a summary of what they are proposing, with the changes, and provide the information to Mr. Whinnery for distribution before the next meeting.

Mr. Whinnery suggested the visitors who were present to speak to the Commission regarding Evanite be given that opportunity. Chair Upton asked if the Commission wanted to postpone the discussion until next month. It was decided to take the visitor comments on the issue of Evanite, but not have a formal discussion amongst the Commission members until the May meeting.

Visitor Bennett stated there would always be a public multi-use path available, whether or not Evanite's proposal met with approval. He said the Greenway Law insures there will be public access and a multi-use trail. Mr. Bennett also discussed his concerns over trading the easement for constructing the path and Evanite's proposed footage for constructing the path. He mentioned that he would like to be involved in future discussions.

- **Installation of Bikelanes on Garfield Avenue from 9th Street to Highland Drive**
  Visitor Christine Duffney, Director of the Vina Moses Center, spoke about her concerns regarding the potential removal of parking on the 900 block of Garfield. She stated that many of the people visiting the center are elderly and/or handicapped. Most of their volunteers are senior citizens and they could possibly decide not to volunteer because of the inconvenience of not being able to park close by. Ms. Duffney stated they have 50-75 families per day that visit the center. She also expressed concern for the safety of the bicyclists on Garfield as there were nine driveways located in the 900 block of Garfield. She requested the Commission consider an alternative location to place bikelanes.

  Mr. Whinnery stated that this is the current proposal, drawn up by Som Sartnurak, City Traffic Engineer. This summer Public Works will be re-striping in a number of areas and this area is slated for installation of bikelanes if the Commission supports the concept. In a past conversation with Ms. Duffney, Mr. Whinnery had explained that the Transportation Plan identified the proposed bikelanes as a link to the lanes that are already on Garfield Avenue, west of Highland Drive. Currently the only bikelane linkages between Highland Drive and 9th Street are on Buchanan Avenue and Circle Boulevard. Mr Whinnery said that it is safer to bring bicyclists to a controlled intersection and that is why the Garfield linkage was developed in the Transportation Plan.

  Chair Upton asked for clarification regarding when the bikelanes will be put in. Mr. Rogers stated that nothing would be done unless the Commission recommends it. He said that the new no-parking signs on that section of Garfield Avenue were a requirement of the building permit for the new shopping center, in order to set up this section of Garfield Avenue for future bikelanes. Mr. Rogers stated that the Commission should decide if they want to go forward with the bikelanes. If they do, the Commission will consider public input. If the decision is made to have the bikelanes, and the decision is made prior to August, then the installation will occur this year.

Commissioner Schubert asked Ms. Duffney if she had considered the possibility of moving Vina Moses to a location where they won't have the problem of a constricted street. In his opinion, the traffic where they are currently located will only get worse. Ms. Duffney said she would be thrilled if they could find a different facility; however, they don't have the funds to do so. It is in their master plan to find a bigger facility, with better parking, in generally the same area. Ms. Duffney concluded her remarks by asking the Commission once again to please consider their decision carefully as it could have an impact on a large community.

Mr. Rogers outlined the process: the Commission can make a recommendation to the City Council that parking be removed to install bikelanes; staff would prepare the recommendation in the form of a traffic order to the City Council; if the Council did not disagree then the recommendation would be implemented. Mr. Whinnery stated that staff has sent letters to all the property owners. As of this date, there have been no responses from any of the owners.

Commissioner Storer brought up the positives of installing bikelanes on Garfield Avenue, including the safety and continuity of having the bikelanes in that location. Chair Upton stated that their charge as a Commission is to make it safer for people to bicycle and walk to where they are going. Commissioner Perrone mentioned his inability to find parking near Vina Moses when dropping items off. Councilor Beilstein had questions regarding the section of Garfield Avenue east of Vina Moses with three travel lanes, as shown on the engineer's drawing. He mentioned the possibility of shortening the right turn lane. It was explained that the drawing does not have direction markers or arrows and the Commission would need more information regarding the design parameters before making any recommendations.

Chair Upton then posed a question to the Commission, asking if they wanted to give this item their attention. Commissioner Schubert suggested they form a sub-committee to go look at the area. Chair Upton also suggested that in addition to a sub-committee, the City provide the Commission with more information on what the proposal is, showing where the existing entrances and exits are. Commissioner Toy suggested that in lieu of a sub-committee, all the BPAC Commissioners should go out and take a look. Chair Upton stated that perhaps sometime during the next month, each Commissioner should look at the area. At the same time, he asked staff to get the Commission some more detailed plans so they can compare what is currently there with what is being proposed. Commissioner Perrone suggested that as each person goes out to look at the area, they email the rest of the Commissioners their impressions, comments, etc., so everyone has the information ahead of time. Visitor Nancy Komp of Vina Moses, suggested that the Commissioners should visit the area at various times of the day, including the weekends. She also mentioned that when there is an event going on in town, the hotels are full and therefore the parking is further impacted.

IV. Old Business

- **10th Street Bikelane issue, Grant to Harrison**

Chair Upton proposed another change in the order of the agenda. He suggested holding off discussion of the 10th Street Bikelane issue until the end of the meeting. He suggested they talk about the 14th Street bikelanes between Monroe Avenue and Harrison Boulevard and Get There Another Way Week.

- **Get There Another Way Week**
  Mr. Whinnery reminded the Commission that they had decided last month to support the staff in currently planned efforts rather than do something on their own as a Commission. Get There Another Way Week is the third week in May. Commissioner Toy informed everyone that the event is on Tuesday, May 20th at the Downtown Transit Center. Staff and Commissioners will disburse information and speak with people about bicycling and walking. Mr. Whinnery said the set-up usually starts about 6:30 a.m. and ends around 9:30 a.m. Several Commissioners volunteered to be there. Mr. Whinnery said that staff will be requesting donations from various businesses and suggested that the Commissioners do not need to solicit prizes. Visitor Christie suggested that when they start planning for this event next year, they start earlier and solicit the involvement of the Mid-Valley Bike Club. She said the bike club might be willing to donate some money for bicycle related items to use for give-a-ways.

V. New Business

- **14th Street Bikelanes, Monroe Avenue - Harrison Blvd**
  The university will be reconstructing 14th/15th Street between Jefferson and Monroe Avenues this summer, and marked bikelanes are included. If the Commission wants to see a bicycle treatment on 14th Street north of Monroe Avenue, it will involve a public process to remove about 28 parking spaces. It's worth noting that the pavement is in very poor condition and more than just marking lanes would be required. Sharrows rather than bikelanes may be an alternative. Mr. Whinnery noted that this is a local street and there would normally be no striped bikelanes on a local street.

  Chair Upton stated that the area is heavily used by bicyclists. Commissioner Rea commented that this is a similar situation as 10th Street south of Buchanan Avenue. Mr. Whinnery mentioned that the on-street parking in the area is heavily used.

  There was a discussion regarding sharrows and the typical protocol for using them.. Commissioner Perrone wondered if there was any input from ASOSU. Mr. Whinnery stated there was no need to make an immediate decision on this issue. He listed the Commission's options as: 1) wait to see how people respond once the other section of street is completed; 2) start the process for removing parking and mark bikelanes; or 3) think about using sharrows.

  Commissioner Ross said that section of 14th is a main access on to campus. Chair Upton added that it would be useful to be able to portray the information to motorist (via bikelanes or sharrows) that they need to be ready to share the area.. Staff was asked to investigate other options besides the ones that were currently being talked about and report back to the Commission within the next couple months.

  Visitor Duncan Allen suggested that protecting bicyclists and pedestrians at the intersection of 14th Street and Monroe Avenue may be more of a concern than providing bikelanes. Mr. Rogers stated that the design of this project includes the redesign of the intersection to include a northbound right turn lane, and that the City will be funding that part of the project. Mr. Whinnery stated that the project also includes a pedestrian refuge island between the right turn lane and the through lane.

  The Commission agreed they cannot make a recommendation at this time and will discuss

this again at a future meeting once they have more information on the intersection design.

- Mr. Whinnery mentioned that Public Works was successful with their application for an education mini-grant through the state. An intern will be hired to help get information out to the schools and other locations, as well as researching and procuring different kinds of outreach materials. The money must be spent before the end of September.

- **Rivergreen Access to 99W**
  Mr. Whinnery stated that this came up after the packets were sent out. He requested a quick review of a proposal regarding the access of SE Rivergreen Avenue at 99W, though no action is required on the part of the Commission. In order to add a dedicated left turn on Rivergreen Avenue, a center median, park strips on-street parking, and bikelanes, the southern park strip will be narrowed. When questioned about the reason for the median, Mr. Rogers explained that it is a requirement of the South Corvallis Refinement Plan and planned work that will permit development on the west side of 99W. Staff recommends that the bikelane striping close to the intersection be skip-striped, so that bicyclists are aware they can move out of the lanes when needed. Commissioner Storer expressed concern with the skip striping because vehicles might move into the bikelane.

VI. Information Sharing

- Commissioner Schubert suggested they set a date for the clean-up on the bikepath. Those who were able to stay after the meeting would be setting a date.

- Mr. Rogers mentioned he will give a presentation at the Governor's Tourism Conference next Tuesday about the Bike Friendly City Gold Awards.

- Mr. Whinnery said that he would be attending the 2008 statewide Bike Conference starting this evening and running through tomorrow.

- Chair Upton adjourned the meeting.

NEXT MEETING: May 2, 2008 7:00 a.m., Madison Avenue Meeting Room

DRAFT
Subject to review & approval

CORVALLIS CITIZENS ADVISORY COMMISSION ON TRANSIT
MINUTES
April 9, 2008

Present
Bob Lowry, Chair
Lita Verts, Vice-Chair
Stephan Friedt
George Grosch, City Councilor
Susan Hyne
Brandon Trelstad
Robert E. Wilson

Absent
Rick Crawford, ASOSU

Staff
Lisa Namba, Public Works
Tim Bates, Public Works
Cindy Hallett, Public Works

Visitors
Dr. George L. Norek
Tad Abernathy

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for Further Review	Recommendations
I. Introductions	X		
II. Approval of February 13, 2008 minutes March 12, 2008 minutes	 X	X	Held until May meeting Approved, as amended
III. CACOT/Visitor Comments • Dr. George Norek, CACOT Commissioner Applicant • Tad Abernathy Commissioner Applicant	 X X		
IV. Old Business • Route Revision Subcommittee	X		
V. New Business • Proposal of fee for replacement of lost CTS passes			Approved
VI. Information Sharing	X		
VII. Adjournment	X		Adjourned at 9:16 a.m.

CONTENT OF DISCUSSION

I. Introductions

The meeting was called to order at 8:15 a.m.

Introductions of Commission members, visitors and staff were made. Susan Hyne was welcomed as a new Commission member.

II. Approval of Minutes

Commissioners were provided the February 13 minutes at the March 12 meeting, but there was no quorum. They will be provided again to Commissioners and placed on the May agenda for approval.

Approval of March 12, 2008 minutes

The minutes shall be amended to reflect the following:

"He stated that he'd spoken with many students and that the feedback he'd received was that, of the student fees, the two essential and best value fees are for student health and transportation."

Chair Lowry and Vice-Chair Verts, respectively, moved and seconded that the Commission approve the February 13, minutes, as amended. The motion passed unanimously.

III. CACOT/Visitor Comments

Dr. George Norek is interested in becoming a CACOT Commissioner. Dr. Norek presented his ideas for future schedules/maps, including: displaying time points on the route map instead of in the margins; displaying route numbers on the directional arrows; identifying shelter locations; providing the ability to print individual routes from the City's website (currently the entire map must be printed); a card-sized wallet map; more shelters; a loop for shoppers that would cut across multiple routes of the city; and increased bike capacity on buses. Commissioner Hyne suggested that Dr. Norek meet with her and staff to review the history of CACOT, route revisions, and other issues related to the transit service.

Tad Abernathy, owner of American Family Insurance, expressed his interest in becoming a Commission member.

Commissioner Friedt would like to be a part of the group that meets with Dr. Norek. Mr. Bates will type up the information provided by Dr. Norek and set a time to meet. Dr. Norek questioned if there are better stops to connect routes, park and ride areas, and if the biofuel used by the buses is carbon-neutral. Staff answered that the subcommittee is

currently studying better connectivity of routes, the only current park and ride area is the Rite-Aid parking lot on Circle and 9th, and the biofuel used contains 20% soy..

Chair Lowry suggested a "Pharmacy Guide" route map which would be funded by participating pharmacies. The route map would list the pharmacy names on the map with advertising from the pharmacies surrounding the map.

Chair Lowry wanted to raise, for the record, the possibility of designating the low floor buses for high-use wheelchair routes.

IV. Old Business

Route Revision Subcommittee Update

Mr. Bates reported the subcommittee has been meeting weekly and most recently reviewed Routes 3 and 8. Staff will test-drive the proposed routes with a bus on April 10th . Route 3 in Southwest Corvallis is proposed to be a 30-minute service, and Route 8 is proposed to be replaced with a commuter service running twice in the morning and twice in the afternoon. Proposed changes for Route 1 include splitting the route into a 40-minute route between Timberhill Shopping Center and the Downtown Transit Center (DTC), which would enable quicker access from the NW Witham Hill area to OSU, and a 20-minute route from the DTC along NE 2nd Street to Hewlett Packard (HP). An additional east/west run would travel along NW Walnut Boulevard from Timberhill Shopping Center to HP. Final subcommittee route recommendations will be presented at the May CACOT meeting. A public meeting will take place in late May at which citizens can comment on the route proposals. Commissioner Wilson reminded the Commission that the group has gone on record many times stating that a top priority is on-time service. He would like the presentation on the revisions to reflect how the $180,000 budget enhancement is being spent. The subcommittee will continue to meet on Fridays, with the last meeting May 2nd.

V. New Business

Proposal of fee for replacement of lost CTS monthly passes

Mr. Bates presented a fee schedule for CTS bus pass replacements to address a recent increase in requests for pass replacements. The policy will ease people into the replacement fee with passenger circumstances taken into consideration. This fee is intended to cut down on the number of fraudulent or stolen cards and is not intended as a revenue source. Commissioner Hyne suggested the first replacement should be free of charge. Staff said there will be a grace period when the policy is first implemented.

Commissioners Wilson and Trelstad, respectively, moved and seconded that the Commission approve the fee replacement schedule recommended by staff.

Discussion ensued. Councilor Grosch questioned the cost or availability of magnetic cards. Staff answered that cost is the overriding factor in implementing magnetic cards.

The motion passed unanimously.

VI. Information Sharing

CTS/ASOSU Transit Advisory Committee - Mr. Bates met with ASOSU Executive Secretary Meagan Thomas on April 8th to discuss the formation of this committee. The committee will meet at least 2 more times before OSU's school year ends. Councilor Grosch suggested having the committee meet with CACOT once or twice a year. This group will not make recommendations to the Student Incidental Fee Committee (SIFC) but could be the body that represents CTS during presentations to the SIFC.

Beaver Bus - Service resumed March 13th with a 30% increase from March, 2007.

No Smoking - Chair Lowry asked if there is a new state law with an ordinance of clean air. Councilor Grosch stated the City normally goes with the stricter law adopted by the state of Oregon. Mr. Bates suggested the possibility of establishing a smoking area near the benches in the southwest corner of the DTC.

CACOT Vacancies - Susan Hyne has filled the vacancy left by Scott Carroll. There will be one vacancy when Vice-Chair Verts' term expires June 30, 2008. Dr. Norek and Mr. Abernathy have both expressed interest in serving on the Commission. Commissioner Friedt questioned if a special-needs person has applied. Mr. Bates reported none has applied so far.

Group Pass Program - Ms. Hyne asked about the group-pass program and if the yearly fees would be changing in fiscal year 2008-09. Ms. Namba is considering reducing the rate and favors changing from an adjustable rate to a flat fee. Ms. Hallett is available to provide outreach services to group-pass program members to help increase awareness, answer questions or concerns, and help with educating new employees/users, with the goal of increased ridership. In response to a Commissioner concern that the rate seems low, Ms. Namba stated that the per-employee rate reflects the low percentage of employees who ride. Vice-Chair Verts thinks routes should go up to the hospital earlier in the day to make CTS service more appealing to group-pass members, Good Samaritan Hospital and Corvallis Clinic. Commissioner Friedt asked how often the rate schedule is updated. Ms. Namba stated it is updated every couple of years. Staff is considering including the Philomath Connection in the group pass program.

Card readers - Commissioner Friedt will investigate and report back to the Commission. Mr. Bates will meet with Tri-Met soon and will ask about its progress with magnetic card readers.

VII. Adjournment

Commissioners Wilson and Friedt, respectively, moved and seconded that the meeting be adjourned. The motion passed unanimously.

The meeting was adjourned at 9:16 a.m.

NEXT MEETING: May 14, 2008, 8:15 a.m., Madison Avenue Meeting Room

For a copy of the Information Sharing Report, contact Tim Bates at Public Works, 541-766-6916.

CORVALLIS-BENTON COUNTY PUBLIC LIBRARY BOARD MINUTES
April 2, 2008

Board Present	Staff Present
Sandy Ridlington, Chair	Carolyn Rawles-Heiser, Library Director
Judith Edelstein	Teresa Landers, Deputy Library Director
Scott Elmshaeuser	Janelle Cook, Senior Administrative Specialist
Samantha Fisher	
Martha Fraundorf	
Leanne Giordono	
Corrine Gobeli	
David Low	
Linda Modrell	
Jacque Schreck	
Mary Lee Seward	
Tom Wogaman	
Bill York	
Excused:	**Visitors:**
None	None

Summary of Discussion

Agenda Item	Information Only	Action/Recommendation
Call to Order	7:30 pm	
Visitors' Propositions		None
Minutes: March 5, 2008	x	
Library Board Packet	x	
Committee and Board Reports • Friends of the Library • Library Foundation • Board Committees	 x	 None None
Director's Report	x	
Planning for the Future Committee Focus Group	x	
Information Sharing	x	
Adjournment	8:55 pm	

CONTENT OF DISCUSSION

I. CALL TO ORDER

Sandy Ridlington called the meeting to order at 7:30 pm.

II. VISITORS' PROPOSITIONS

None

III. APPROVAL OF MINUTES

Sammi Fisher corrected the spelling of her name in the March 5, 2008 minutes.
Motion: Martha Fraundorf moved approval of the minutes as amended. The motion was seconded by Scott Elmshaeuser and carried unanimously.

IV. LIBRARY BOARD PACKET QUESTIONS AND COMMENTS

Carolyn Rawles-Heiser said she was happy to read the article on Curtis Kiefer and the Board concurred. Jacque Schreck commented it is wonderful to see all of the meetings/conferences that Library staff are able to attend. Carolyn noted the next PLA meeting will be in Portland in 2010 and this would be a great opportunity for Board members to attend.

V. COMMITTEE AND BOARD REPORTS

Friends of the Library: No report

Foundation Board: No report

Board Committees: Committee members provided updates on any recent activities and/or discussions.

Speaker's Bureau: Martha Fraundorf made a brief announcement that this committee will have a table at the Earth Faire on April 19 and invited all those who wanted to help distribute information or advocate for the Library to join them.

Facilities Planning: No report.

Current Library Services: No report.

Planning for the Future: No report.

VI. DIRECTOR'S REPORT

Carolyn reviewed the plans for the lobby remodel project with the Board. The Library will be closed for two days on April 22 and 23 due to the demolition of non-structural columns as well as a software upgrade. Remodeling work will take place that entire week and will include removal of the Circulation desk, carpet patching, spot painting, and opening up the service window. Mobile shelving has been ordered for self pick-up of holds, but until these arrive, the New Books shelving will be utilized for this purpose. Carolyn hopes everyone will exercise patience during this transitional time because the changes to the lobby will be gradual and the Library will be closed again in December to complete the project. A staff member will be stationed in the lobby at all times to help answer patron questions. More self-check machines will be purchased, but most likely, not delivered until the end of June at the earliest. Eventually there will be a total of four in the lobby, plus one in the Youth area. Additionally, a couple of these self-check machines will serve to dispense audiovisual materials. A comfortable seating area is also planned as part of the lobby reorganization. The idea is to have everything be mobile so it can easily be rearranged. Items that will stay in the lobby: quilt hanging on the wall, turtles statue, time capsule, computer(s) for catalog access, and bench in memory of Denise Thompson. The Ask Here desk is still a question mark. The walnut display case will also stay, but the older display case will be removed. Teresa Landers mentioned a wayfinding kiosk for

brochures, Library map, fliers, etc. might be placed near the lobby entrance. Space will be given to the Friends of the Library to sell merchandise and for a Volunteer information table. Eventually, staff would like to change the arcade/parking lot entrance and explore removal of the security gates. Mary Lee Seward opined the security gates are cumbersome. As an alternative, Carolyn is investigating the possibility of having security cameras installed in various areas of the Library such as the parking garage, public elevators and restroom entrances, and perhaps the Beluschi Wing. Surveillance signs would be posted near the entrances. Jacque concurred that times do change and did not think cameras in a public building would violate anyone's privacy. Both Jacque and Mary Lee felt this would be in the best interest of everyone's safety. Jacque pondered if the problems associated with the public restrooms are partly due to the fact that the entrances are not visible to staff. Teresa distributed a rough draft of a flyer created by staff to help explain the many changes to patrons. Sandy inquired if the service window would hinder staff access to the Circulation workroom. Teresa replied if the concept works, the window will be moved closer to the arcade entrance, but staff did not want to go to the expense of moving it without testing the concept first. Also, there is another entrance to the Circulation workroom available to staff. Scott asked if the code for self pick-up of holds would change each time. Teresa said it would be the same (for example, first five letters of the patron's last name plus the last four digits of their Library card) unless you request a specific personal code. Jacque requested further information on the seating arrangement. Both Carolyn and Teresa said the seating would be upholstered. One other issue that staff is currently trying to resolve is creating a workspace for the Early Literacy Coordinator in the Youth area. Jacque inquired if there was enough of the original carpet to patch in and Carolyn replied affirmatively. David Low asked if the remodel would include wall color changes and Teresa said, yes eventually, but not in April. Please contact Carolyn with any ideas, comments, or questions. From the perspective of a mother with young children, Leanne Giordono suggested the removal of the kids' stamps in the lobby. She is in favor of a less messy, child-friendly activity near the check-out stations. Staff agreed and are considering other options.

VII. PLANNING FOR THE FUTURE COMMITTEE FOCUS GROUP

Leanne handed out a list of topics for the focus group dialogue. This committee has been speaking with various key players about the future of libraries within the next twenty years. The discussion began by addressing the broad LSTA goals and how they do or do not fit with the goals of the Corvallis-Benton County Library system. Linda Modrell noted one issue not addressed by the LSTA goals is meeting the needs of diverse populations. Carolyn mentioned these are federally directed, and do not necessarily apply to this specific library. Teresa added one caveat that LSTA (Oregon) does not fund is collection development and thus, it is not listed as part of their goals. David pointed out that this session was primarily meant to be a brainstorming session to gather the Board's opinions. According to Jacque, the Corvallis Library has an excellent, up-to-date collection, which was not the case twenty years ago. Martha suggested sustainability should be an important goal because Corvallis is a community that values green practices. Linda inquired what would that mean in the case of the Library – using less paper? Martha replied it could mean not being wasteful, increasing recycling, and supporting energy efficient future building projects. Jacque opined there is a lot that can be done for sustainability without starting from scratch. Corrine Gobeli feels CBCPL goes beyond "fostering the joy of reading" - this Library is focused on lifelong learning.

Leanne solicited opinions about what kinds of changes in the next five to twenty years will likely impact Library goals and services. Jacque feels this is where sustainability will come into play. Bill York agreed that less and less will be printed, including novels. Mary Lee disagreed, citing the numerous book clubs in Corvallis, but Leanne interjected that someone in her book club already reads the book on their mp3 player. Sandy thought if digital is the new medium, there would be a need for more computers and Martha added it could mean more training for an aging population. Carolyn supposed more people would bring in their laptops. Sandy wondered where they will sit because a better collection means less seating. Carolyn agreed and said a larger building would be needed. Jacque feels the Library should be accessible for all ages and that it is important to celebrate diversity as a whole instead of zeroing in on one population. Bill commented the Library needs to accommodate a growing Spanish-speaking community. Tom Wogaman said the Library needs to instill a respect for all diverse groups. Jacque concurred that accessibility is the key and no matter what a patron's background is, they should feel comfortable at the Library. Martha speculated if alternative services like NetFlix or having a book on hold mailed to one's home address might be future possibilities for the Library given the rising cost of gasoline. Corrine wondered where in the County growth is

occurring? Most believe Adair Village and Monroe. Jacque was intrigued by the ATM type of technology which dispenses books and suggested these could be used in places where a new branch library is not feasible. Carolyn added that staying flexible is key in her opinion so the Library can stay responsive because no one can predict what the next twenty years will bring. Corrine noted online learning still requires some face-to-face time and thus, the Library must continue to be a gathering place.

Tom postulated that schools may not play the primary role for education in the future. Linda pointed out that it is necessary to educate people about why the Library is important, especially since they are paying taxes for a service they may not be using. Jacque echoed agreement and said she likes the fact that the Library is for all ages. Leanne said it seems like it will be critical to identify co-location partnerships in talking about a new facility.

Finally, the discussion was steered toward the differences between the main Corvallis Library and the branch libraries. Martha noted the growth rate for the branches are different than that of Corvallis. The youth activities offered at the branch libraries might be the only options for young adults in some communities, according to Carolyn. Additionally, broadband may only be available at the community library in these rural areas. Jacque questioned where else in Benton County might a branch library be built? Adair Village came to Tom's mind and Carolyn said that is a possibility, although funding an additional branch would be difficult. Scott inquired about the age of Philomath Community Library's building. Teresa replied it is thirteen years old and the facility is already taxed (too small), but the City of Philomath currently does not plan to even consider a new building for at least twenty more years. Linda pointed out that the Philomath City Council is trying to keep their costs down.

The ATM book dispensing machine was brought up again and Leanne said given the focus on educational opportunities and exposure to lifelong learning as goals of this Library system, it does not resonate with her to place this type of technology in under-served areas with low literacy rates. Corrine brought up the idea of having more school library partnerships. Carolyn thought Lincoln School would be a good place to try this type of partnership. Teresa felt it would be challenging due to differing philosophies. Leanne observed that school partnerships has been a key area with a number of individuals this committee has spoken with due to the insufficient funding of local school libraries. Jacque mentioned the Library had much stronger partnerships with the schools less than ten years ago, but now it is hit and miss. Martha inquired if there has ever been any kind of partnership with OSU Valley Library and Carolyn replied affirmatively.

VIII. INFORMATION SHARING

Mayor Tomlinson would like to visit next month to speak to the Board in honor of Volunteer Month.

IX. ADJOURNMENT

The meeting was adjourned at 8:55 pm.

NEXT MEETING: May 7, 2008 at 7:30 pm

CITY OF CORVALLIS
DOWNTOWN AND ECONOMIC VITALITY
PLANS IMPLEMENTATION COMMITTEE
MINUTES

March 27, 2008

The regular meeting of the Downtown and Economic Vitality Plans Implementation Committee of the City of Corvallis, Oregon, was called to order at 4:02 pm on March 27, 2008, in the Madison Avenue Meeting Room, 500 SW Madison Avenue, Corvallis, Oregon, with Mayor Tomlinson presiding.

I. ROLL CALL

PRESENT: Mayor Charles Tomlinson, City Manager Jon Nelson; Committee Members Rich Carone, Judy Corwin, Dave Gazeley, Pat Lampton, Elizabeth Foster, Larry Plotkin, Barbara Ross, Councilor Bill York; and Recorder Mark Lindgren.

ABSENT/EXCUSED: Belinda Batten, Patricia Daniels, Jay Dixon, Linda Modrell, Bennett Hall, Pam Folts, Elizabeth French, Julie Manning, Dave Livingston, and Vincent Remcho.

II. REVIEW AND APPROVAL OF MINUTES

September 20, 2007 minutes approved as presented.

III. CORVALLIS-BENTON CHAMBER COALITION SUBCOMMITTEE REPORT- BUSINESS LICENSE FEE

Mayor Tomlinson highlighted the distributed March 14, 2008 revised business license fee recommendation and stated the presentation would be made before the first public comment period. Councilor Bill York highlighted minor revisions.

Committee members received a "Business license Fee Talking Points" and revised "Business License Fee" memorandum

Curt Wright stated that an unofficial business license fee committee met six or seven meetings since November; the group was asked by DEVPIC and the mayor to explore the idea of a business license fee. He noted that several other funding sources for economic development, such as the restaurant and entertainment tax and the transient occupancy tax, were rejected because they asked single industries to fund the effort.

Mr. Wright related that the Chamber Coalition, the Downtown Corvallis Association and the Corvallis Independent Business Alliance sent out questionnaires to members on the matter and received feedback. He related that the unofficial business license fee committee contained members from these groups, as well as the Corporate Roundtable and interested, involved citizens. The groups sought to address concerns that had been raised by the business community and came up with solutions to them.

He cautioned that any businessperson, if asked if they would like to pay a business license fee, would probably reply "No"; however, he said, the real issue is whether the community wants to take control of its economic future and well-being by implementing the Prosperity That Fits Plan. He noted the PTF Plan was put together over three years with the involvement and feedback by the community and all business groups; it was adopted by all Economic Vitality Partners, and County and City government. Mr. Wright stated that the PTF Plan was designed to benefit existing business and enhance the community quality of life. It is intended to grow diverse business start-ups and strengthen and retain existing businesses and create a range of jobs at a range of wages.

He stated that the business license fee is what would make the PTF Plan a reality. He emphasized that funding the plan is the sole purpose of the fee and it cannot be diverted to any other use. He added that if a future Council attempted to divert it to another use, the fee would be automatically terminate. The fee would automatically sunset in six years, the length of time called for in the PTF Plan.

He contended that the proposed fee was fair; everyone doing business in the community must pay it. The proposed $50 minimum covers all businesses under ten employees; the fee rises in graduated steps, up to businesses with over 1,000 employees, where the fee is capped at a maximum of $5,000. He stated that $50 per year was not too much for even the smallest business to invest in community economic development and $5,000 won't break the few multi-million dollar firms in the city.

Mr. Wright related that as structured, the business license fee would generate about $250,000 per year, to fund implementing fourteen strategies and 48 action items in the PTF Plan. The committee recommended that decisions on allocating the funding be made by a separate, seven-member committee; one member would be a City Councilor appointed by the Mayor, with the other six being business representatives, selected in an open public ballot, from candidates nominated by the sixteen partner organizations participating in the creation and implementation of the PTF Plan. Funding allocations would be made through a public, competitive grant application process, with requirements that all organizations submitting requests show how their requests respond to PTF Plans, what economic benefits the community would gain, and how the promise of performance would be measured. Applicants must demonstrate how each grant dollar will be leveraged with $3 in matching funds.

Councilor York noted that the original charge of the DEVPIC was to find a way of raising the $170,000 that the city had committed to as its portion of responsibility in the PTF Plan. This included a one-time software allocation and $10,000 per year for coordination. He noted that this seems to be lost in this new proposal. Mr. Wright replied that the committee felt it would be preferable if the business license fee addressed funding all the PTF Plan action steps, not just those of the City. The City would be free to apply for funding for its action steps like all other applicants.

Dave Gazeley asked about the $3:1 leveraging formula. Mr. Wright replied that it was modeled on the City's current economic allocation program. He added that it was intended that grant contracts would include measurement points to insure delivery on economic return.

Larry Plotkin commented that the DEVPIC committee originally did look at funding the City's $170,000 portion of PTF. That scope of purpose was expanded following extended discussions to find a way to fund the plan.

Judy Corwin asked if the committee had projected how many businesses fall into each business tax license fee bracket. She asked for an explanation for why the recommendation was to house the fee in the City Charter. Mr. Wright replied that months ago, the city put together from public information a list of sizes of businesses, including categories of funding, that added up to fund the City's $170,000 portion of the PTF Plan. (The document, "Revenues Generated by Business License Fee", was distributed). He highlighted the breakdowns of categories in the document (for Benton County, he noted the assumption was that about 85% of county economic activity occurred in the City).

Mr. Wright stated that the committee expanded the document's initial step of one to four employees up to one to nine employees. He related that Rich Carone did the rough financial projections to get to the desired amount of funding from the business size categories. Mr. Carone cautioned that the figures are rough estimates but do add up to the same as those of the City's figures. Finance Director Nancy Brewer clarified that the numbers came from a State Employment Department report, probably from 2006.

Mr. Wright related that the committee voted to recommend that the Council immediately adopt the plan and put the business license fee in place and begin collecting the money in order to start moving on the PTF Plan action items. At the same time, it was recommended that the Council should be moving to make the fee a charter amendment. The reason for a charter amendment reflected the feeling that portions of the business community have a significant distrust of what future Councils might do with the funding (they might spend it in ways unrelated to economic development).

Councilor York noted that it was unusual to suggest a charter amendment; this would be a lot of work and expense for something that has only a six-year life; he asked for precedent for doing this. Mr. Wright responded that the assumption is that the plan would not sunset in six year, but instead, new action items would come forward and be adopted through the PTF Plan public process, and that the business community be surveyed every eighteen months to determine whether it feels good about its investment and whether it should keep going after six years and after the 48 original action items are completed. He anticipated that many members of the business community would feel that there was still much to be done after six years and that they would ask the Council to extend the period of the fee. He clarified that the commission making PTF allocations would only be making recommendations to the City Council, which would make the final decision.

Ms. Corwin asked why the need was felt to put the business license fee in the City Charter. Mr. Wright replied that he personally did not see the need; however, the committee voted to recommend that, because some members felt that only by making it part of the charter could the Council be prevented for using the fee for purposes other than economic development.

Pat Lampton asked whether the committee had gotten advice from the City's attorneys regarding the Charter amendment proposal and whether the committee had considered any other mechanisms that could make a similar guarantee without the pain of going through a charter

amendment. Mr. Wright replied that his understanding was the group had not consulted an attorney.

Manager Jon Nelson added that a similar model is the Transportation Maintenance Fee, implemented with a specific use for a specific time (sunsetting after five years). It was passed by the Council as an ordinance; there have been no objections regarding its amount or use over the past three years. The thought at the time the ordinance was drafted was that if a future, different Council tried to redirect those funds, the initiative process would be more efficient than going through a charter process. He opined that there are more efficient models that give assurances about future Councils' uses of funds.

Barbara Ross stated that an ordinance would seem sufficient to prevent a future Council from changing the use of business license fee, unless it went through a clear public process to do so; Mr. Nelson concurred that an ordinance process would be an adequate safeguard and that a charter would not be necessary. He added that he thought there would be little interest by a Council in changing the purpose of those funds.

Ms. Corwin asked what a charter process would entail. Mr. Nelson replied that it would take direction from elected officials to pursue what would be the equivalent of a major Council goal. The charter has been amended twice in the last fifteen years; each time required roughly a year-long process. He related that when charter changes are broached, other community stakeholders are typically brought in and often pitch additional amendments, as well. He noted the business license fee is a $250,000 in a $100 million City budget.

Liz Foster asked if the committee looked at how the fee would be collected and enforcement. Mr. Wright responded that the group deferred all such questions and concerns to the City Council, staff and attorneys.

Councilor York noted that the current Economic Development allocations process has three City Councilors and three citizens. However, the committee proposal has only one Councilor and six businesspersons; he asked how that ratio was developed. Mr. Wright replied that reflects the desire to keep allocations strongly focused on the PTF Plan and covering the spectrum of the 14 strategies and 48 action items. Since it was all business related, it made sense to have as many business people on that committee as possible. Mr. Lampton added that the ratio reflects the thinking about the kinds of choices that are made in the current Economic Development allocation process and whether they are purely economic development programs that the business community feels are outside the boundaries of the PTF approach.

IV. PUBLIC COMMENT

Gary Rodgers, 950 NE Angelee, stated that he is a Corvallis realtor; he asked for clarification on language regarding whether the fee applied to all businesses *located* in the area or *doing business* in the area. He asked whether the fee would apply to independent contractors; he cited some businesses located outside the city, that regularly do business in the city. He pointed out that the estimate of realtors doing business in the city was too low (he estimated that there were around 1,000). He asked who would police the fee.

Amanda Dalton, PO Box 981, Salem, stated that she represented the Willamette Association of Realtors; the group has yet to take an official position on the matter. She presented an information piece provided to WAOR members (attached). A major concern is what will happen once the cap of the funds to be collected is reached: would there be refunds at that point? The groups was also concerned about there would be fines. She asked whether there had been any research on whether other cities have established contractual agreements with local Chambers; with built-in percentages on funds collected. The group was also interested in whether the information collected would be accessible by the public.

Malcolm Rose, 1417 NW 9th Street, asked how the proposed business license fee would find or impact low-income businesses, such as lawn-maintenance or automotive companies. He assured the group that he could not have started up his business in Corvallis had there been a business license fee. He stated that despite talk of sustainability, there are too many fees and taxes and Corvallis residents must go to Albany to shop. He said Corvallis was making it too expensive for businesses to operate. He asked how many businesses of only one or two employees were polled regarding the license and how it would impact them.

Keta Tom submitted written testimony (attached). She cited a negative experience regarding her own business and used merchandise licensing to support her contention that having a license gives the city the power to give or take away a business. She noted that a business license and a business license fee were actually two different things; she opposed having a business license; however, a business fee was acceptable. She added that the city already spends $500,000 per year for economic development, including $300,000 for tourism, which is part of the PTF Plan.

She noted that little research and development is actually occurring on Technology Drive; however, part of the cost of developing the site was assessed on adjacent residents, forcing many of them to move. She noted the cost of administration and enforcement had not been addressed in the proposal.

Andrew Perry stated that as a representative of larger businesses in the community, the plan as devised is right on in almost all cases. The plan raises funds in order to create a platform by which businesses can start and grow in Corvallis, benefitting all. The PTF Plan needs funding and this is probably the best plan to come forward so far to do so. His major concern was regarding the fee structure. He noted that the statistics distributed show about 2,200 businesses; so to raise $250,000, that comes to about $115 per business. Because there are so many small businesses, to decrease $10 from the one to nine employees group cost-shifts about $20,000 to the larger businesses. He stated that he did not believe that $50 or $100 was that significant to any business.

Mr. Perry stated that the plan would find more support by altering its fee structure. He suggested starting the fee at $100 and escalating it to a cap of $500. Businesses with one to twenty employees could be charged $100; twenty to 100 employees could be charged $200; and businesses with over 100 employees could be charged $500.

He noted that businesses that come to the community to work (but are located elsewhere) should be charged a fee, reducing the burden on local businesses; they do not appear to be represented in the current fee structure. He stated that his large for-profit business already pays sizable taxes and provides significant charitable care and services; he stated the business would rather not incur an additional large business fee when it could be proportionately shared better.

Kate Lindberg, 826 NW 35th Street, stated that most of the PTF Plan action steps were valuable and that the plan should be funded and moved forward. However, the fee structure should not be prejudicial to small businesses; many of the anticipated revenue is coming from small businesses. While $50 may not seem like much, any business will want to see value for money from their fees, (which will expand and grow their businesses). She noted that $50 may not sound like much, but it represents a half-day's wage for her part-time workers. Also, this amount over six years totals $300.

Ms. Corwin asked that if $50 seemed too high, what amount would be more reasonable for small business; Ms. Lindberg that a flat registration fee of $5-10 for registration to develop a database of local businesses seemed reasonable, especially if that database were to be made available to the local business community for marketing.

Following public testimony, Mayor Tomlinson asked Curt Wright to answer more questions. The mayor noted that many questions had to do with issues that the committee chose not to deal with, because they are rightly staff and Council issues.

Councilor York noted that Corvallis was unusual in not having a business license fee. He asked whether the committee had confirmed that; Mr. Wright replied that it had not done such research. He added that most cities that he had lived in had a business license and most of those had a fee attached to that. Manager Nelson added that some survey work was previously done on the issue and that information can be provided.

Mr. York asked about the coverage of fair and festival participants. Mr. Wright replied that the proposed language referred to an umbrella that covered them if they participate less than one day per week over the course of the year (52 days); this also covers Saturday market participants. Also, the fee is applied on an FTE basis; so two 0.5 FTE employees equal 1.0 FTE. Also, contractors are not employees. Mr. York added that a contractor is a business, so they too would be paying $50 under this proposal.

Mr. Wright replied that becomes a political and practical question for the Council to address; the Council will have to define what defines a business and how hard it wants to chase $50 (in some cases it may not be worth the effort). He related that some cities do require businesses from out of town that come into town to do business, to get a license. The committee voted to not require itinerant businesses to have a license. Councilor York pointed out that the phrase, "businesses doing business within the community" should cover itinerant businesses.

Ms. Ross asked whether the committee had addressed the cost of collecting, administering and enforcing the fee. Mr. Wright replied that in the recommendation, there is a one-time (up to $40,000) software charge that the city had identified earlier; also, a need was identified for staffing charging and collecting the fee (up to $10,000). Manager Nelson added that estimate was based on the experience of the Finance Department in collecting license fees; the actual amount may vary depending on several factors. Mr. Wright related that the committee recommended allocating an ongoing 15% of the fee to fund collecting the fee; the Chamber Coalition is the current staffing body for the PTF Plan.

Mayor Tomlinson thanked the committee for its work.

V. NEXT STEPS

Mayor Tomlinson asked DEVPIC whether it would recommend that the Council consider a business license fee, recognizing and considering the testimony heard today (generally around administrative issues and fee matrices); and that the Council should work through these issues and others that may come up during their deliberations.

Mr. Carone suggested it might be worthwhile to discuss a maximum fee. Mr. Gazeley concurred, saying some testimony from small business was to get the numbers where small business could live with it. There was also compelling testimony about doing research on imposing the fee on businesses from outside the community doing business within the community, to see if they could help carry part of the load.

Mr. Carone noted that the CIBA President was part of the unofficial business license fee committee and helped develop the proposal for the minimum $50 fee. Ms. Lindberg related that there were still too many unresolved details for CIBA to come to a consensus on the issue. Mr. York noted that DEVPIC has heard that $50 is a hardship for very small businesses and relief for large businesses can't be accomplished without increasing the $50 minimum (about 30% of the revenue comes from the $50 fee). Mr. York stated he was supportive of a $50 fee but wouldn't want that raised to provide relief for larger businesses.

Mr. Carone suggested modifying the fee structure, so that businesses with 50 or more employees pay a license fee of $1,000; this should raise roughly the same amount of money. Ms. Ross concurred, noting that larger businesses might otherwise have asked whether they would be getting $5,000 of benefit from the fee they were charged; a $1,000 cap makes more sense.

Ms. Ross stated that she felt that it was appropriate for people doing a substantial amount of business in Corvallis to pay a business license fee, even if they are located in Salem. They drive on Corvallis streets, pollute the air and make money here. She suggested imposing a flat $50 fee on out of town businesses, to avoid having to determine how many employees an out of town company has. Mr. York related that any landscape business in California, regardless of size, must have a business license; the license number sticker must be placed on the vehicle. If such a vehicle is spotted without the sticker, an offender will be cited; they must then pay a penalty and obtain a business license. The license fee taxes itinerant businesses.

Mayor Tomlinson determined that there was consensus on a $50 flat fee for out of town businesses.

He asked for discussion of the charter proposal. Mr. Carone related that he and Mr. Wright were the two on the committee who opposed the charter approach; Mr. Nelson's testimony is new information that argues against the charter approach. Mr. Plotkin stated he opposed the charter amendment. Ms. Corwin stated she had serious concerns with the charter amendment and that other alternatives should be explored. Ms. Ross opined that if appropriately crafted, an ordinance path would provide an adequate safeguard for a six-year project; an ordinance is a more practical and appropriate mechanism than going the charter route. Mr. Tomlinson found consensus to recommend using an ordinance, rather than a charter amendment, in implementing a business license fee.

Mayor Tomlinson clarified for Ms. Dalton that following discussion, the business license fee schedule would be: $50 for 1-9 employees; $175 for 10-19 employees; $275 for 20-49 employees; $1,000 for 50 and above employees.

Ms. Ross noted the public will want to know more about enforcement. She recommended that city staff look at how other cities address the issue and see what has proved most practical and worked best; then have staff bring a recommendation to the Council; then the Council would hold public hearings on administrative rules.

Mr. Carone suggested DEVPIC address the realtors' expressed concern that each of them would be charged $50; the unofficial business license fee committee did not address this. Ms. Foster added that the issue goes beyond just realtors; there are many independent contractors; the issues of employees versus independent contractors is a gray area. Mr. Plotkin replied that his assumption is that his small, one-person LLC consulting business would be paying a $50 fee.

Mr. Gazeley highlighted the issue of addressing those who live in the county but make their living within the city. He noted that a number of businesses are located just outside the city limits, but they have a Corvallis address; he asked whether the $50 flat fee for out of town businesses was appropriate. Mayor Tomlinson related that the committee previously determined that the business license fee would only be effective within the city limits of Corvallis and not Benton County; the business license fee is only a City of Corvallis administrative issue, not the County Commissioners. Manager Nelson added that a contractor coming into town to do business would be required to pay a $50 fee.

Ms. Foster asked if there had been a breakdown of what kinds of businesses were in each category of the fee schedule. Mr. Nelson replied that information was in members' packets; it was derived from 2006 State Employment Department figures; he cautioned that these figures do not have the definition that she was looking for and emphasized they should be viewed with some suspicion.

Mr. York related that his wife has a small, sole-proprietorship consulting business run out of the home; he expected that she would be required, as an independent contractor, to pay $50 as a cost of doing business. He would also expect an independent contractor realtor to pay $50, as well. He added that if a business hires contractors, as proposed to employees, the contractors themselves would be expected to pay a $50 fee.

Ms. Foster asked how the $50 fee would be collected from a realtor agent coming down from Salem to sell a Corvallis home. Mayor Tomlinson asked Ms. Foster if she personally, as a realtor, found a $50 fee acceptable; she replied it was fine for her. She added that her firm, along with many others, would only be paying the fee for administrative staff, not the independent contractors. It was pointed out that the State of Oregon would have information on local businesses filing tax forms: Mr. Lampton cautioned that the State may not share that information. Manager Nelson stated that such issues under discussion have all been dealt with elsewhere already; if the decision is to move forward, the Council will assign someone to work on municipal code language to address these and many other questions and concerns.

Mr. Carone asked if there was a good mechanism to collect fees from businesses who come into Corvallis from elsewhere. Mr. Nelson replied that his experience in other Pendleton and Missoula

was that business license fees were requested by businesses who became tired of itinerant merchants coming in and setting up shop, without having to contribute to the community. The best policing for the business license fees turned out to be the businesses themselves; there was very little municipal court or police activity, once businesses knew the procedure. He anticipated that the process would not be as enforcement heavy as some had expressed.

Mayor Tomlinson asked for committee sentiment on the issue of what happens if significantly more or less funds are raised than the projected $250,000. Councilor York stated that if more income is raised, then faster progress can be made on the Prosperity That Fits plan, accelerating completion of the program and realizing its benefits. If additional good ideas pass the test of public scrutiny, then the program can continue; otherwise, it goes away.

Mr. Plotkin that if the stated goal is to raise $250,000, then the city should stick with that and as a show of good faith and credibility, lower the fees. Mayor Tomlinson noted the committee was in consensus that there should be a future conversation on whether, if amounts raised differ significantly from the projected $250,000, whether the community wants faster progress on PTF or another course. Mr. Plotkin noted that one approach is measurable and the other is very subjective; the public will have more trust in a measurable approach.

Mayor Tomlinson highlighted the issue of data collection; this was originally a way of capturing information on who's doing business in Corvallis. This is still a primary effort of the business license fee, which has now been expanded to raise funds for PTF. He asked whether the information should be public. Manager Nelson opined that it would be public information, but there may be issues related to additional proprietary information.

Mr. Carone commented on realtor testimony related to concerns of 40% of the fee being spent on overhead. He clarified that 15% is specified for ongoing EVP administrative support for the PTF Committee; it is not for the Chamber. While the Chamber is currently hired to do that administration, someone else could be hired, instead. While the Chamber is currently the fiscal agent, perhaps that should be clarified.

Manager Nelson suggested it could be helpful to the Council, if the decision is to move forward with the fee, to recommend which group the Council could assign to work on municipal code language. He noted that it was not clear whether that group would be DEVPIC or the unofficial Business License Fee Committee. Mayor Tomlinson stated he expected the Administrative Services Committee would probably look at a potential ordinance and Council policy; they would hear public testimony from stakeholder groups and citizens on the work product as it progresses. Councilor York added that the ASC would not want to see a raw product that did not already include a lot of stakeholder input.

Mayor Tomlinson noted that Mr. Carone, Mr. Plotkin, Mr. Gazeley and Mr. Lampton are members of the Chamber Coalition and DEVPIC; he asked Manager Nelson whether that was a representative working group to develop work product. Mr. Gazeley emphasized the need for a representative of small business, such as CIBA; he suggested including CIBA President Pat Sardell, also active in PTF steering committee. Manager Nelson stated he would work with that group to sharpen administrative issues. *[Mr. Plotkin subsequently clarified that he was not yet a member of the Coalition.]*

Mr. Lampton moved and Mr. Plotkin seconded to move the business license fee forward to the City Council for their consideration, given the testimony and questions raised today (especially regarding administrative issues; the revised schedule; out of town businesses; ordinance work vs. charter; public hearings in the future; the amount of dollars raised; and data collected); and the deliberations of DEVPIC.

Ms. Corwin asked that the DEVPIC meet again to accept the content of the minutes. Mayor Tomlinson stated that the motion would include that DEVPIC would meet again to be clear on the content of the minutes and accept them. Motion passed unanimously.

Members asked to be able to review the minutes before they are sent to the City Council's April 7, 2008 meeting. Mayor Tomlinson stated he will email the draft minutes for members' review.

VI. SCHEDULE NEXT MEETING

The next Committee meeting was set for April 24, 2008 at 4:00 pm. (Ed.- Subsequently changed to May 1, 2008).

VII. PUBLIC COMMENT

General desire to see and comment on draft minutes before the April 7 Council meeting. Ms. Lindberg asked what would happen if significantly less than $250,000 was collected, especially due to lack of compliance.

VIII. ADJOURNMENT

The meeting was adjourned at 5:59 pm.

Business License Fee Talking Points

C. Wright

"Prosperity That Fits" is the new economic development plan developed by and for the people who work and live here.

The Prosperity That Fits plan is designed to benefit existing businesses and to enhance the quality of life in our community.

It's all about growing our own startups here, and strengthening and retaining the businesses already here.

It's all about creating more jobs, at good wages, in a range of occupations, to generate more employment opportunities for people in our community.

It's all about achieving economic diversity, so the well-being of our community is not so dependent on a few large employers and a few big property taxpayers.

It's all about integrating sustainability into our local economy.

But what the Prosperity That Fits plan is **not** about is recruiting "big box" retail or businesses that don't share our community's special values. That's the all-important "fits" part of Prosperity That Fits.

Making good on the promise of Prosperity That Fits is one of the best and smartest investments our local business community can make.

The Business License Fee is the funding mechanism that will make the Prosperity That Fits plan a reality.

Funding this specific plan is the sole purpose of the Business License Fee. The money cannot be diverted to any other use. If any future Council attempts to do so, the Business License Fee automatically terminates.

Speaking of termination, the Business License Fee will sunset after six years – because that is the number of years for which there are actions specified in the Prosperity That Fits plan.

The Business License Fee is fair – everyone doing business in our community must pay it. Not just the businesses and stores you can see, but also the vendors who come into the community and set up business on the street corners or during fairs and festivals. And all the hidden home-based Internet businesses

and other consultancies. Even those businesses legally defined as nonprofits, some of which are among the biggest businesses in town.

The Business License Fee is fairly charged – it works out to about $5 per employee, based on the number of fulltime equivalents. There is a $50 minimum, which covers all businesses with less than 10 employees. The fee rises in graduated steps to businesses with more than 1,000 employees, where the fee is capped at a maximum of $5,000. The fee increments are as follows:

Number of Employees	Rate/Yr
0-9	$50
10-19	$175
20-49	$275
50-99	$750
100-249	$1,000
250-499	$1,500
500-999	$2,500
1,000+	$5,000

Annually, the Business License Fee will raise about $250,000 for implementing the 14 strategies and 49 action items in the Prosperity That Fits plan.

Decisions on how to allocate the funding will be made by a seven-member committee. One member will be a City Councilor. The other six will be businesspeople. The six business members will be selected in open, public ballot from candidates nominated by the 16 partner organizations participating in the creation and implementation of the Prosperity That Fits plan.

Allocations will be made through a public, competitive grant application process, with requirements of showing how the request responds to the plan, what economic benefit(s) will the community gain, and how that promise of performance will be measured. Furthermore, grants will not be just a giveaway. Applicants will need to demonstrate how they will leverage each $1 in Business License Fee money with a minimum of $3 in matching funds.

The Business License Fee is for the good of business in our community. It is to be spent solely for business purposes, as defined in the community-embraced Prosperity That Fits plan. The fee is fairly assessed across all businesses. The decisions on how to allocate funding is made in an open, competitive, businesslike manner. And members of our business community make the decisions.

Memorandum

To: Corvallis Mayor and City Council
From: Unofficial Business License Fee Committee
Date: March 13, 2008
Re: Business License Fee

BACKGROUND

The Economic Vitality Partnership (EVP) is an agreement between social, government and business support organizations to work cooperatively for the good of the economy of Corvallis and Benton County. Organized in 2003, the EVP engaged in conversations and updates about current work going on with each of the partners until January 2005 when the EVP adopted a goal to create a comprehensive strategic economic development plan.

Between January 2005 and November 2006 the partners worked together to create such a plan, based on the Corvallis Vision 2020 Statement. The EVP Strategic Planning Committee employed community and business surveys; hired facilitator, Barney and Worth; held three town hall meetings and 20 focus groups to produce the EVP Strategic Economic Development Plan titled *Prosperity That Fits.*

The Prosperity That Fits (PTF) Plan was accepted by the EVP partners in late 2006 and early 2007. A steering committee was created to oversee the activities and fundraising for the coordination of the PTF Plan. Mayor Charlie Tomlinson volunteered to act as convener.

At about the same time, the City of Corvallis created the Downtown Economic Vitality Plan Implementation Committee (DEVPIC) to explore ways to fund the city's portion of the PTF Plan and the Downtown Master Plan. DEVPIC explored a restaurant fee, an increase in transient occupancy tax and a business license fee. The DEVPIC asked Mayor Tomlinson to appoint a subcommittee to further explore a business license fee (BLF).

The Business License Fee Committee (BLFC) was composed of business people from the community including at least one representative from each of the business support organizations. The BLFC met several times and concluded that a business license fee may be a good option for funding a variety of the PTF Plan actions, provided it was not an exclusive source for the City of Corvallis and its use was focused on the direct benefit of businesses in the community.

DISCUSSION

In many communities around the state, country and globe, economic development activities are valued in the same way police, fire and infrastructure are valued in a community. An investment in economic health is seen as a necessary part of long range community success. Currently the City of Corvallis allocates approximately $500,000 in revenues created by the transient occupancy tax (TOT) toward economic development services. Approximately $300,000 goes to

Corvallis Tourism as the City's designated tourism agency and approximately $200,000 is divided among about a dozen other organizations including business support organizations, economic development organizations and local festivals.

Generally, area business people are concerned that a moderate business license fee will be implemented and then the fee will increase significantly over time or revenues will be redirected to fund other City priorities. One way these concerns could be addressed is to consider a charter amendment.

In order for a business license fee to be successful, it will require the PTF Plan initiatives that directly and positively impact area businesses be funded and implemented. If executed well, the fee could do much to further improve the relationship between the City of Corvallis and area businesses. The possible consequences if executed poorly could fracture support from the business community, effectively making the PTF Plan worthless and unraveling all the work that has been done to forge better working relationships over the last few years.

REQUESTED ACTION

The committee of business people who explored the business license fee concept are only in favor of moving forward with such a fee if the revenues generated are used solely for the support of PTF Plan implementation.

The committee recommends the City Council begin the process of a pursuing a charter amendment to ensure a minimal to moderate rate increase, a sunset clause and permanent direction of the funds toward economic vitality.

The committee recommends the institution of an interim business license fee until a Charter amendment can be fully explored, at a rate schedule not to exceed the rates outlined in the policy draft attached.

Finally, the committee recommends the selection committee makeup outlined in the policy draft not be altered to ensure business people make the decisions about strategic business investments for the duration of the fee.

EVP FUNDING POLICY – DRAFT

Purpose

The primary purpose of the Economic Vitality Partnership funding policy is to create economic opportunities and economic stability for Corvallis by funding the strategies and actions in the Economic Vitality Partnership (EVP) Strategic Plan.

In partnership with businesses, citizens, community and regional organizations, this will be achieved through a balanced program that addresses retention and the creation of traded sector jobs and companies, infrastructure, development and a vibrant retail environment.

Policy

In order to guide the creation and implementation of a business license fee to support the strategies and actions of the EVP Strategic Plan the following mission statement, goals and policies are adopted. These goals and policies may be suspended by the City Council after following existing procedural rules for public notice and participation.

Mission

To realize the goals set out in the Corvallis 2020 Vision Statement as they relate to economic vitality by implementing the EVP Strategic Plan as accepted by the City Council in November 2006. In partnership with citizens, community and regional organizations, this will be achieved through a balanced program that addresses the four strategic focus areas:

a. Strengthening and Expanding Existing Business and Industry
b. Recruiting Targeted Business Icons
c. Developing Human and Physical Infrastructure
d. Integrating Sustainability and Economic Development

Goals

a. Support retention and expansion of traded sector businesses, which are compatible with the community and provide a diverse economic base.
b. Support entrepreneurial businesses and people through coordination of programs and support available to business startups, local product development and environmentally responsible modernization.
c. Leverage existing investment in economic development pursuits and reward collaboration among business support organizations.
d. Support all commercial and industrial districts as vital commercial areas in the community.
e. Develop methods by which the success is defined by equally balancing economic, social and environmental responsibility.
f. Develop the Airport Industrial Park and other industrial centers as attractive business locations which create quality jobs and provide

resources necessary to continuously regenerate jobs and create wealth for the community.

g. Support business development by planning for appropriate amounts and locations of industrial and commercial development by providing the necessary public infrastructure.
h. Support business development by creating incentives appropriate for the community including but not limited to Enterprise Zones and Urban Renewal Districts.
i. Support programs, projects and activities which encourage local spending. To strengthen existing business and industry by creating an environment where existing businesses can compete locally and globally.
a. To embrace creative and innovative business and development opportunities for the benefit of the community.
b. To support a healthy and vibrant business climate.

Funding Allocation of Business License Fee

Funding Source

a. A business license fee shall be established for the sole purpose of raising approximately $250,000 per year to support the realization of strategies and actions outlined in the EVP Strategic Plan. Every going concern physically located in the City of Corvallis as well as every going concern doing business in the City of Corvallis shall pay the business license fee at the rate prescribed below.

Number of Employees	Rate/Yr
*Festivals & Fairs	$50
0-9	$50
10-19	$175
20-49	$275
50-99	$750
100-249	$1,000
250-499	$1,500
500-999	$2,500
1,000+	$5,000

*Any festival or fair with business vendors that participate less than 1 day per week will be covered under a single $50 annual fee unless said umbrella organization has an annual budget exceeding $250,000.

b. As a one time allocation to manage the EVP Strategic Plan implementation, $40,000, collected in the previous fiscal year shall be allocated to the City of Corvallis General Fund to purchase software specifically for the managing the fee collection for the EVP Strategic Plan implementation.
c. To provide for the administrative activities of the EVP Strategic Plan implementation, $10,000, collected in the previous fiscal year shall be

allocated to the City of Corvallis General Fund to cover costs of assessing, collecting and enforcing a business license fee.

d. To provide for the coordination activities of the EVP Strategic Plan implementation 15% of the business license fee collected in the previous fiscal year shall be allocated to the Corvallis Benton Chamber Coalition to manage the EVP coordination activities.
e. The remaining monies will be allocated to businesses and/or business support organizations or entities requesting funding through the annual EVP Strategic Plan Implementation Fund. Such requests shall be consistent with the purpose, mission and goals of the EVP Strategic Plan and improve the community's opportunity to realize the Economic Vitality section of the Vision 2020 Statement.
f. Applicants who are provided EVP Strategic Plan Implementation monies shall meet the criteria for funding by addressing the Application Requirements in section XXXX of this policy, which are intended to measure and communicate outcomes as a result of the investment.
g. The business license fee and EVP Strategic Plan Implementation Fund will automatically expire six (6) years from its adoption by the City Council. Any attempt to change the amount or use of the funds during this time will result in an automatic public process to reengage the business community. The business community will be surveyed every 18months by the EVP Coordinator to gauge support for the business license fee.

Eligible Activities

a. Applicants should refer to and reference in their submittal the goals identified in section XXXX above.
b. Applicants shall only apply for funds that relate directly to a specific strategy and action in the EVP Strategic Plan. Applicants shall refer to and reference in their submittal the strategy(s) and action(s) identified in the EVP Strategic Plan.
c. Funds may not be used to repay indebtedness, create reserve or for the sole purpose of funding ongoing operations unless specifically identified in the EVP Strategic Plan.

Application Requirements

a. Applicants should provide organizational information which includes a listing of board members, a statement about the purpose of the organizations, the address where the organization is housed and the names of paid staff if any.
b. The applicant should submit evidence that for the two years proceeding the requested period of funding, success has been achieved in at least two (2) of the EVP Strategic Plan actions.
c. Applicants shall submit a work plan for the requested funding period predicated on furthering at least two (2) of the EVP Strategic Plan implementation actions and one (1) or more indicators listed below. The applicant's work plan should incorporate an anticipated budget for

activities which include funding. Work plans shall show direct connections between proposed activities, EVP Strategic Plan actions and economic indicators.

d. Listed below are indicators of economic vitality. In addition to addressing the goals in section XXXX of this policy, applicants shall state how their proposals for funding address one or more of the following indicators of economic vitality:
    1. Community Indicators of economic vitality
        a) Business Starts
        b) Jobs created
        c) Business longevity
        d) Payroll Taxes
        e) Unemployment rates – (combined Linn-Benton) compared to state and national
        f) Non-agricultural jobs
        g) Vacancy rates – commercial and residential
        h) OSU and LBCC FTE Students – actual and projected
        i) Median home sale prices – average days on market – historical perspective
        j) Bank deposits – growth
        k) County wide assessed tax values
        l) Corvallis average property tax per $1000
        m) Water/sewer usage
        n) Electric consumption
        o) Natural gas consumption
        p) DMV records – new licenses issued
        q) Building permits issued
        r) New business incorporations
        s) Infant mortality
        t) Jobs impacted
        u) CPI for Benton County – compared to state and nation

    In any given year, the EVP Strategic Plan Implementation Fund Allocation Committee (Allocation Committee), specific areas may be targeted by the Selection Committee through the allocation process.

e. Applicants shall submit a plan to leverage business license fee monies to other matching sources, with a preferred goal of one business license fee dollar to three matching dollars. Leverage sources may include cash contribution or in-kind services. Applicants shall clearly identify all sources of income, direct or indirect, cash contributions, or in-kind services, including volunteer hours and activities.

f. Applicants shall address one or more of the following objectives to demonstrate financial leverage:
    1. Retaining or generating ten dollars ($10) of local business gross sales per one dollar ($1) invested, and/or
    2. Generating ten dollars ($10) of payroll in the community for one dollar ($1) invested, and/or

3. Demonstrating increase in tax dollars collected as a result of business investment.

g. These requirements are not intended to preclude innovative proposals from organizations or preclude consideration of funding for new organizations or collaborators working to achieve the strategies and actions outlined in the EVP Strategic Plan. Applications from new entities shall provide mission statements, goal statements, or other information on how the request furthers the EVP Strategic Plan initiatives.

Funding Process

a. EVP funding will be allocated by the City Council, upon recommendation of the EVP Allocation Review Committee.
b. The mayor will appoint one (1) City Councilor to serve on the EVP Allocation Committee.
c. Each EVP Partner may submit one (1) candidate to the EVP Allocation process. The EVP Steering Committee will use an open ballot process to select six (6) additional participants to serve a two year term. Participants shall not be a current board member, officer, employee or immediate relative of any organization requesting funds. Furthermore, participants must be a business person, who is currently in business.
d. The mayor will review the proposed Allocation Committee to ensure businesses of various size and industry are represented and make suggestions to the EVP Steering Committee as needed.
e. All applicants, will present budgets and work plans for the coming year during the annual allocation process. This presentation will include the preceding year's activities and results.
f. Recipients of funding will be expected to provide work progress narratives with related financial information on a regular basis as stipulated by each agency agreement.

REVISED 03/14/08

Prosperity That Fits Plan Implementation Fund Policy – DRAFT

Purpose
The purpose of this funding policy is to create economic opportunities and economic stability for Corvallis by funding the strategies and actions in the Economic Vitality Partnership's (EVP) Strategic Economic Development Plan: Prosperity That Fits.

In partnership with businesses, citizens, community and regional organizations, this will be achieved through a balanced program that addresses retention and the creation of traded sector jobs and companies, infrastructure, sustainability, development and a vibrant retail environment.

Policy
In order to guide the creation and implementation of a business license fee to support the strategies and actions of the Prosperity That Fits Plan the following mission statement, goals and policies are adopted. These goals and policies may be suspended by the City Council after following existing procedural rules for public notice and participation.

Mission
To realize the goals set out in the Corvallis 2020 Vision Statement as they relate to economic vitality by implementing the Prosperity That Fits Plan as accepted by the City Council in November 2006. In partnership with citizens, community and regional organizations, this will be achieved through a balanced program that addresses the Plans four strategic focus areas:

a. Strengthening and Expanding Existing Business and Industry
b. Recruiting Targeted Business Icons
c. Developing Human and Physical Infrastructure
d. Integrating Sustainability and Economic Development

Goals
a. Support retention and expansion of traded sector businesses, which are compatible with the community and provide a diverse economic base.
b. Support entrepreneurial businesses and people through coordination of programs and support available to business startups, local product development and environmentally responsible modernization.
c. Leverage existing investment in economic development pursuits and reward collaboration among business support organizations.
d. Support all commercial and industrial districts as vital commercial areas in the community.
e. Develop methods by which the success is defined by equally balancing economic, social and environmental responsibility.
f. Develop the Airport Industrial Park and other industrial centers as attractive business locations which create quality jobs and provide resources necessary to continuously regenerate jobs and create wealth for the community.

g. Support business development by planning for appropriate amounts and locations of industrial and commercial development by providing the necessary public infrastructure.
h. Support business development by creating incentives appropriate for the community including but not limited to Enterprise Zones and Urban Renewal Districts.
i. Support programs, projects and activities which encourage local spending.
j. To strengthen existing business and industry by creating an environment where existing businesses can compete locally and globally.
k. To embrace creative and innovative business and development opportunities for the benefit of the community.
l. To support a healthy and vibrant business climate.

Funding Allocation of Business License Fee

Funding Source

a. A business license fee shall be established for the sole purpose of raising approximately $250,000 per year to support the realization of strategies and actions outlined in the Prosperity That Fits Plan. Every going concern physically located in the City of Corvallis as well as every going concern doing business in the City of Corvallis shall pay the business license fee at the rate prescribed below.

Number of Employees (FTE)	Rate/Yr
*Festivals & Fairs	$50
0-9	$50
10-19	$175
20-49	$275
50-99	$750
100-249	$1,000
250-499	$1,500
500-999	$2,500
1,000+	$5,000

*Any festival or fair with business vendors that participate less than 1 day per week will be covered under a single $50 annual fee unless said umbrella organization has an annual budget exceeding $250,000.

b. An increase in the rate is allowable, but should not exceed the United States Consumer Price Index for the previous year.
c. As a one time allocation to manage the Prosperity That Fits Plan implementation, $40,000, collected in the previous fiscal year shall be allocated to the City of Corvallis General Fund to purchase software specifically for the managing the fee collection for the Prosperity That Fits Plan implementation.

d. To provide for the administrative activities of the Prosperity That Fits Plan implementation, $10,000, collected in the previous fiscal year shall be allocated to the City of Corvallis General Fund to cover costs of assessing, collecting and enforcing a business license fee.
e. To provide for the coordination activities of the Prosperity That Fits Plan implementation 15% of the business license fee collected in the previous fiscal year shall be allocated to the Corvallis Benton Chamber Coalition to manage the Prosperity That Fits Plan coordination activities.
f. The remaining monies will be allocated to businesses and/or business support organizations or entities requesting funding through the annual Prosperity That Fits Plan Implementation Fund. Such requests shall be consistent with the purpose, mission and goals of the Prosperity That Fits Plan and improve the community's opportunity to realize the Economic Vitality section of the Vision 2020 Statement.
g. In any given year, the Prosperity That Fits Plan Implementation Fund Allocation Committee (Allocation Committee), may target specific areas of the Plan through the allocation process.
h. Applicants who are provided Prosperity That Fits Plan implementation monies shall meet the criteria for funding by addressing the Application Requirements in section XXXX of this policy, which are intended to measure and communicate outcomes as a result of the investment.
i. The business license fee and Prosperity That Fits Plan Implementation Fund will automatically expire six (6) years from its adoption by the City Council. Any attempt to change the amount (Except as authorized in "b." above) or use of the funds during this time will result in an automatic public process to reengage the business community. The business community will be surveyed every 18 months to gauge support for the business license fee.

Eligible Activities

a. Applicants should refer to and reference in their submittal the goals identified in section XXXX above.
b. Applicants shall only apply for funds that relate directly to a specific strategy and action in the Prosperity That Fits Plan. Applicants shall refer to and reference in their submittal the strategy(s) and action(s) identified in the Prosperity That Fits Plan.
c. Funds may not be used to repay indebtedness, create reserve or for the sole purpose of funding ongoing operations unless specifically identified in the Prosperity That Fits Plan.

Application Requirements

a. Applicants should provide organizational information which includes a listing of board members, a statement about the purpose of the organizations, the address where the organization is housed and the names of paid staff if any.

b. The applicant should submit evidence that for the two years proceeding the requested period of funding, success has been achieved in at least two (2) of the Prosperity That Fits Plan actions.
c. Applicants shall submit a work plan for the requested funding period predicated on furthering at least two (2) of the Prosperity That Fits Plan implementation actions and one (1) or more indicators listed below. The applicant's work plan should incorporate an anticipated budget for activities which include funding. Work plans shall show direct connections between proposed activities, Prosperity That Fits Plan actions and economic indicators.
d. Listed below are indicators of economic vitality. In addition to addressing the goals in section XXXX of this policy, applicants shall state how their proposals for funding address one or more of the following indicators of economic vitality:
    1. Community Indicators of economic vitality
        a) Business Starts
        b) Jobs created
        c) Business longevity
        d) Payroll Taxes
        e) Unemployment rates – (combined Linn-Benton) compared to state and national
        f) Non-agricultural jobs
        g) Vacancy rates – commercial and residential
        h) OSU and LBCC FTE Students – actual and projected
        i) Median home sale prices – average days on market – historical perspective
        j) Bank deposits – growth
        k) County wide assessed tax values
        l) Corvallis average property tax per $1000
        m) Water/sewer usage
        n) Electric consumption
        o) Natural gas consumption
        p) DMV records – new licenses issued
        q) Building permits issued
        r) New business incorporations
        s) Infant mortality
        t) Jobs impacted
        u) CPI for Benton County – compared to state and nation

e. Applicants shall submit a plan to leverage business license fee monies to other matching sources, with a preferred goal of one business license fee dollar to three matching dollars. Leverage sources may include cash contribution or in-kind services. Applicants shall clearly identify all sources of income, direct or indirect, cash contributions, or in-kind services, including volunteer hours and activities.

f. Applicants shall address one or more of the following objectives to demonstrate financial leverage:
    1. Retaining or generating ten dollars ($10) of local business gross sales per one dollar ($1) invested, and/or
    2. Generating ten dollars ($10) of payroll in the community for one dollar ($1) invested, and/or
    3. Demonstrating increase in tax dollars collected, in excess of the allocation requested, as a result of business investment.
g. These requirements are not intended to preclude innovative proposals from organizations or preclude consideration of funding for new organizations or collaborators working to achieve the strategies and actions outlined in the Prosperity That Fits Plan. Applications from new entities shall provide mission statements, goal statements, or other information on how the request furthers the Prosperity That Fits Plan initiatives.

Funding Process

a. Prosperity That Fits (PTF) funding will be allocated by the City Council, upon recommendation of the seven (7) member PTF Allocation Committee.
b. The mayor will appoint one (1) City Councilor to serve on the PTF Allocation Committee.
c. Each of the fifteen (15) EVP partners may submit one (1) candidate for election the PTF Allocation Committee. From all such submitted candidates, the PTF Steering Committee will use an open ballot process to elect six (6) participants to serve a single two year term. Participants shall not be a current employee or immediate relative of an employee of any organization requesting funds. Furthermore, participants must be a business person, who is currently in business.
d. The mayor will review the proposed Allocation Committee to ensure businesses of various size and industry are represented and make suggestions to the EVP Steering Committee as needed.
e. All applicants will present budgets and work plans for the coming year during the annual allocation process. This presentation will include the preceding year's activities and results.
f. Recipients of funding will be expected to provide work progress narratives with related financial information on a regular basis as stipulated by the PTF funding allocation agreement.

TO: Members of WAOR

FR: Amanda Dalton
Shared Government Affairs Coordinator
amanda@directnorthwest.com

RE: City of Corvallis: NEW Business License Fee

As you may be aware the City of Corvallis is currently considering implementing a business license fee for all businesses located (doing business?) in the City of Corvallis.

The Willamette Association has taken an 'opposed position' to the issue.

And we need your help!

Thursday, March 27th is the next public meeting and April 7th is first tentatively scheduled hearing before the council.

What we need from you – our members – is letters stating your opposition to the business licensing fee. The only way we'll be successful in stopping, or at a minimum ensuring a fair fee, is to show a broad base of opposition from local employers and business owners.

The proposed fee schedule is as follows:

Number of Employees	Yearly Rate
Festivals & Fairs	$50
0-9	$50
10-19	$175
20-49	$275
50-99	$750
100-249	$1,000
250-499	$1,500
500-999	$2,500
1,000 or more	$5,000

Some of our primary concerns:

- This fee will make Corvallis the only city in the Willamette Valley with a business license fee. Is that helping us attract new businesses?
- Are we setting a negative precedent for our surrounding cities?
- Why is there such a high administrative cost with the program? (Almost 40%)
- What happens when the proposed/discussed cap of $250,000 is collected? Will other businesses get a rebate?

- Do Realtors® (or other multi-jurisdiction contractors) have to pay the business fee if they do business in Corvallis?
- How is the city going to identify who pays the fee?
- What is going to be done with the information collected about local business owners? For commercial use? For chamber membership solicitation use?
- Is this really the best avenue to promote 'economic growth'? Are there general fund dollars currently available to fund the program by simply making economic growth and stimulus a priority?

Please feel free to use any of the above points as you craft your letter or for more information review the Gazette article below. You can email your letters to me at amanda@directnorthwest.com, however please attach as a word document or pdf placed on your company letterhead or with a signature. You may also fax them to 503.336.1159. We would like to present all of them to the Council at their first public hearing.

Thank you!

Business fee could go to voters

By Matt Neznanski
Gazette-Times reporter

To ensure that money generated by a proposed business license fee would fund economic-growth programs, a special committee of business leaders is suggesting making such a fee part of the city charter.

In a recommendation prepared by a task force charged with finding money for citywide economic development programs, the group claims business owners are most concerned about their fees going to programs that don't directly help them.

"It's evident that a lot of business owners want to make sure that the money goes to where it was actually intended," said Pat Lampton, owner of the Inkwell Home Store and part of the committee working through the issue.

Adding a business fee to the city charter would require approval from Corvallis voters. But any changes would have to go to voters as well, something business leaders hope will keep the funds from being diverted.

"At any point in getting a fee on the books, we would only be a couple of years from having a whole new council that wouldn't have to follow any of the rules set out by the former one," said Mysty Rusk, president of the Corvallis-Benton Chamber Coalition, which led the license fee task force.

The Downtown and Economic Vitality Plans Implementation Committee has the job of raising $170,000 per year to pay for the city's portion of the Prosperity that Fits plan, designed to build targeted economic prosperity in Corvallis.

As proposed, money collected for the fee must be used strictly for programs outlined in the city's Prosperity that Fits plan. These include business incubation and support services, promoting growth in specific industries and hiring a business retention specialist to work on behalf of the city.

According to the policy draft, the city should use the fee to collect no more than $250,000 to cover programs and administration with businesses kicking in between $50 and $5,000 per year, depending on how many people they employ.

Lampton said he employs about 20 people, and so would pay $175 per year if a business license fee is implemented.

"I think it's well worth it to me," he said.

Many cities devote considerable staffing resources to economic development, Lampton said.

"Corvallis hasn't done a lot of that," he said. "What you're seeing here is a realization that we do need to pay attention to those things."

Last fall, members of the committee discussed raising hotel fees or carving economic growth programs out of the city's

general fund, which also pays for police, fire and other services.

Those plans met with resistance from the hotel industry and local restaurateurs who argued that a rise in entertainment-related taxes smacked of placing the burden of economic growth on a narrow part of the business community.

The committee opted to remove targeted taxes from consideration and city councilors suggested a business license fee as a best option to pay for economic development programs

Rusk said the license fee also allows the city and development advocates such as the chamber to collect information about area businesses, something that isn't done regularly or with any specificity.

"People have been pretty good about calling me, but that's basically the only way I know they're there. Or if I'm driving by and I see it," she said.

The plan also specifies that the fee end after six years. While programs would likely be necessary after that time, Rusk said the idea was to provide a checkpoint when value and success of the program could be assessed.

"If it's working perfectly, it'll be easy to get an extension passed again," she said.

The broader economic vitality committee will have a chance to sound off on the recommendation before sending it to the City Council, which must decide whether to send it to voters.

PROPOSED RATE SCHEDULE

Number of Employees Yearly rate

Festivals & Fairs $50

0-9 $50

10-19 $175

20-49 $275

50-99 $750

100-249 $1,000

250-499 $1,500

500-999 $2,500

1,000 or more $5,000

For more information

For more on the "Prosperity that Fits' economic development plan for Corvallis and its recommendations, see www.prosperitythatfits.blogspot.com

THE ISSUE: A committee trying to find ways to pay for city economic development programs is considering charging local companies a business license fee.

WHAT'S HAPPENED: The group had considered a restaurant tax or an increase in room taxes, but decided not to move forward with those ideas. Instead, they directed the mayor to form a subcommittee of business people to investigate.

WHAT'S NEW: The subcommittee has plans for putting a business license fee on the books and will present them to the larger committee on March 27 at 4 p.m. in the Madison Avenue Meeting Room, 500 S.W. Madison Ave.

Matt Neznanski can be reached at 758-9518 or matt.neznanski@lee.net.

Business License Fee Talking Points (Curt Wright, EVP)

Annotated 3-20-2008 by Keta Tom

Inherent in any business license is approval by the issuer. This gives the issuer authority to approve or disapprove any business. It can put people out of business. It gives the issuer the opportunity to decide who can or cannot do business.

"Prosperity That Fits" is the new economic development plan developed by and for the people who work and live here.

This was not developed by all the people that live and work here. Although presented as a county plan, it was a Corvallis plan. The plan cites the Business Enterprise Center, Benton County, Corvallis Independent Business Association, City of Corvallis, Corporate Roundtable, Corvallis-Benton Chamber Coalition, Business Advocacy Committee, Corvallis Neighborhood Housing Services, Corvallis Tourism, Downtown Corvallis Association, Linn-Benton Community College, Oregon Natural Step Network, and Oregon State University. It did not consult the Oregon Farm Bureau, Oregon Tilth, Corvallis Environmental Center, Oregon Small Woodlands Owners Association, City of Monroe, City of Philomath, or the Alsea community.

After the plan was published apparently some Economic Vitality Partnership members realized it covered only Corvallis and not the county. Some Economic Vitality Partnership members also realized no extra money was provided to implement the plan.

The Prosperity That Fits plan is designed to benefit existing businesses and to enhance the quality of life in our community.

The October, 2006 "'Prosperity That Fits' Report and Action Plan" wants to help new businesses start and compete. It encourages established businesses improve and expand. It wants one office for development, with one person getting all the permits and approvals in record time. It wants to increase city annexations. Emphasis is on high technology education and companies.

The city has a current program that provides $500,000 a year for economic development.

It's all about growing our own startups here, and strengthening and retaining the businesses already here.

The March 13, 2008 Memorandum states, "Currently the City of Corvallis allocates approximately $500,000 in revenues created by the transient occupancy tax (TOT) toward economic development services." The fee in the December 2, 2007 "Prosperity That Fits Plan Implementation Fund Policy – DRAFT" has a city business fee provide grants and loans for existing businesses and new businesses and some funding for the Chamber of Commerce to be a go between among organizations.

It's all about creating more jobs, at good wages, in a range of occupations, to generate more employment opportunities for people in our community.

From the March 13, 2008 Memorandum, "Currently...approximately $200,000 is divided among about a dozen other organizations including business support organizations, economic development organizations and local festivals." The business fee would be additional money for the same thing, except festival vendors would pay another fee.

It's all about achieving economic diversity, so the well-being of our community is not so dependent on a few large employers and a few big property taxpayers.

The economic diversity in the plan is mostly high technology, supported by OSU and Linn Benton Community College.

It's all about integrating sustainability into our local economy.

Small business is mostly left out. Page 23, 4.4, wants to increase business size. In the plan the electronic polling in the first town hall meeting "small and mid-size (10-50 employees) are preferred (p11)."

But what the Prosperity That Fits plan is **not** about is recruiting "big box" retail or businesses that don't share our community's special values. That's the all-important "fits" part of Prosperity That Fits.

Not true, 1.3 wants "anchor" stores downtown, which could mean big box. Big box is not ruled out. The December 2, 2007 "Prosperity That Fits Plan Implementation Fund Policy – DRAFT" mission has "b. Recruiting Targeted Business Icons." It would not rule out large out-of-state retailers.

Most of the plan is about creating big technology programs at OSU. This would increase the high technology firms in the area, using the research and students from OSU, Linn-Benton Community College, and the Corvallis schools.

Making good on the promise of Prosperity That Fits is one of the best and smartest investments our local business community can make.

This is propaganda, advertising. Perhaps, the plan should have been written by local enterprise developers and employed someone local. Some felt it could have been done at much less, one-fourth, cost by Corvallis consultants.

The Business License Fee is the funding mechanism that will make the Prosperity That Fits plan a reality.

Not true. Outside of the database much of the plan can already be done. From the December 2, 2007 policy draft, the city would pay $40,000 for compatible software for the city to manage "the fee collection for the Prosperity That Fits Plan implementation (p2, c.)." Ten thousand dollars from last year's city money would pay for "assessing, collecting and enforcing a business license fee (p3, d.)." This money does not come from the license fee. The Chamber of Commerce would get 15% of the fee to coordinate plan activities (p3, e.).

In the original plan…"the City of Hillsboro has assigned a percentage of senior level staff time to their implementation process, and retained the services of a consultant to facilitate committee meetings and manage implementation activities (p29)."

Funding this specific plan is the <u>sole purpose</u> of the Business License Fee. The money cannot be diverted to any other use. If any future Council attempts to do so, the Business License Fee automatically terminates.

This is not in the original plan, but the December 2, 2007 implementation draft. The draft would create grants and loans for businesses. The Chamber of Commerce would get 15%, about $37,5000 (p3, e.). The draft has the business fee expire six years after adoption by the city council (p3, i.).

In the original plan Strategy 4, action 4.3, has a possible county fee to establish and maintain a database on all businesses, pay for pretty presentations, and tell businesses about

Linn-Benton classes. "Explore establishing a county-wide, self-supporting business licensing fee that would make it easier to gather business information for retention purposes. As a baseline service, provide participating businesses a multi-media resource guide that includes a listing of what business service and resources are available locally, an inventory of grant and loan programs and a schedule of training courses (p23)." The business license fee does not terminate.

Speaking of termination, the Business License Fee will sunset after six years – because that is the number of years for which there are actions specified in the Prosperity That Fits plan.

The December 2, 2007 draft has the business fee expire six years after adoption by the city council (p3, i.).

In the original plan, the business fee will create and maintain a business database, creating pretty promotions, and list Linn-Benton Community College business classes. The business fee has no expiration date. Pages 21 through 28, has "Implementation to Begin: ... Yrs 6+" for all actions; none have an expiration.

The Business License Fee is fair – everyone doing business in our community must pay it. Not just the businesses and stores you can see, but also the vendors who come into the community and set up business on the street corners or during fairs and festivals. And all the hidden home-based Internet businesses and other consultancies. Even those businesses legally defined as nonprofits, some of which are among the biggest businesses in town.

This is on page 2, a. of the December 2, 2007 draft. Tupperware, Creative Memories, home lingerie, Mary Kay, Avon, Amway, and Herbalife dealers would all have to pay. E-Bay businesses would have to pay. The fall festival vendors would have to pay if they stay more than one day, which most do. The wine walk would not have to pay.

The Business License Fee is fairly charged – it works out to about $5 per employee, based on the number of fulltime equivalents. There is a $50 minimum, which covers all businesses with less than 10 employees. The fee rises in graduated steps to businesses with more than 1,000 employees, where the fee is capped at a maximum of $5,000. The fee increments are as follows:

Number of Employees	Rate/Yr
0-9	$50
10-19	$175
20-49	$275
50-99	$750
100-249	$1,000
250-499	$1,500
500-999	$2,500
1,000+	$5,000

Home businesses would pay $50. Street musicians would pay the fee. Home E-Bay businesses would pay. Consider the costs to enforce the license.

Annually, the Business License Fee will raise about $250,000 for implementing the 14 strategies and 49 action items in the Prosperity That Fits plan.

The 15%, about $37,500, in the December 2, 2007 draft would support one employee at the Chamber of Commerce. The rest would pay for grants and loans to implement the plan.

In the original plan the city could provide staff to implement and oversee the plan (p30). The business fee in Action 4.3 would pay to create and maintain a business database, not implement "strategies" or 48 other "action items." This talking point shows the change from the original plan to the policy draft.

No one has mentioned the cost the city will incur maintaining the database and enforcing the fee. This will cost more than paying for compatible software. This cost of this license for the city has not been computed; if the money goes to the chamber and economic development the city will lose money.

Decisions on how to allocate the funding will be made by a seven-member committee. One member will be a City Councilor. The other six will be businesspeople. The six business members will be selected in open, public ballot from candidates nominated by the 16 partner organizations participating in the creation and implementation of the Prosperity That Fits plan.

This is in the December 2, 2007 draft (p5; a., b., c.) Page 5, c., has 15 organizations.

In the original plan the money would establish and maintain a database.

The original plan recommends a 10 to 12 member committee and includes two "public at large" positions (p29).

Allocations will be made through a public, competitive grant application process, with requirements of showing how the request responds to the plan, what economic benefit(s) will the community gain, and how that promise of performance will be measured. Furthermore, grants will not be just a giveaway. Applicants will need to demonstrate how they will leverage each $1 in Business License Fee money with a minimum of $3 in matching funds.

The December 2, 2007 policy draft requires businesses to file an income statement and plan to get business license money. This is not in the October, 2006 "'Prosperity That Fits' Report and Action Plan."

The Business License Fee is for the good of business in our community. It is to be spent solely for business purposes, as defined in the community-embraced Prosperity That Fits plan. The fee is fairly assessed across all businesses. The decisions on how to allocate funding is made in an open, competitive, businesslike manner. And members of our business community make the decisions.

Inherent in any business license is approval by the issuer. This gives the issuer authority to approve or disapprove any business. It can put people out of business. The fee can be spent to help competitors to established businesses.

Summary, in October 2006 "'Prosperity That Fits' Report and Action Plan"

make development easier, Barrier buster, Blue Ribbon

1.1	downtown plan	city, chamber, DCA, Gary Pond
4.1	one organization	chamber, city, county, other, LBCC
5.2	land and buildings ready to move into	chamber, city, county, other towns
5.3	varied businesses in same space	city, chamber
7.3	streamline permitting, incentives	chamber, OSU
12.1	update land and building codes	city, chamber, county, Natural Step
14.1	streamline plan review	city, chamber, contractors, other, DCA, CNHS
14.1f	review current PDO	
14.1g	loosen up development rules	
14.1i	design project review and timeline	
14.3	reduce charges when public benefits	city, county, EVP, chamber
6.1c	one development office	OSU, chamber, city, ONSN, BEC, OEF, AO
6.2	business recruitment specialist	chamber, city, county, LBCC
7.1	business recruitment specialist	chamber, city, county
14.1h	person to usher permits through	city, chamber, contractors, other, DCA, CNHS
4.3	county fee for database	chamber, LBCC, DCA, CIBA
7.2	compile business survey	chamber, city, OECDD, county, HP (Ms. Miller)
10.2	power study	COG, city, chamber, ONAMI, OSU, utilities,

organizations

14.1e inventory possible land to develop

planning and urban renewal district

1.2	evaluate urban renewal district	city, DCA supported by chamber, CIBA
14.1a	survey development plans	city, chamber, contractors, other, DCA, CNHS
14.1b	guaranteed review timeline	
14.1c	improve way to annex property	
14.1d	plan annexations	
14.1e	*inventory possible land to develop*	
14.2	county business plan	county, EVP, city

recruit businesses

1.3	anchor tenants, extended hours	chamber, city, CIBA, DCA, county
3.1	incubation committee	OSU, city, chamber, BEC, CIBA, DCA, ONAMI,

HP, LBCC, state, feds

5.1	business land and space database	chamber, city, county
6.1	cluster technology businesses	OSU, chamber, city, ONSN, BEC, OEF, AO,

LBCC, HP

4.3	county fee for database	chamber, LBCC, DCA, CIBA
7.2	compile business survey	chamber, city, OECDD, county, HP (Ms. Miller)
6.3	microtechnology, automation, nanotechnology, alternative and renewable energy,	

pharmaceutical devices chamber, ONAMI, SAO, OSU, LBCC

12.2	recruit sustainable product businesses	chamber, Natural Step, city, county
14.1h	permit partner program	city, chamber, contractors, other, DCA, CNHS

help established businesses

3.2 training, business clusters city, BEC, CIBA, DCA, OSU, LBCC, Round Table, state, feds
3.3 regional health center county, city, Good Sam, Clinic, LBCC
4.2 buy local GT, chamber, Comcast, KEZI, radio, CIBA, tourism, OSU extension
4.4 help smaller companies grow, classes chamber, LBCC
9.1 train workers OSU, LBCC, chamber, school district
9.2 provide training LBCC, BEC, CIBA, COG, Linn County
9.3 survey business employment LBCC, COG (Council of Governments)
9.4 vocational training in schools school district, LBCC, OSU, Round Table
9.5 night classes LBCC, chamber, COG, Linn County, WIB, WRT
13.1a support niche agriculture and forestry Ten Rivers, OSARC, OSU, OSU Ext, LBCC, Cascade Pacific Resource Conservation District, CIBA, Starker Forests, Stahlbush Farms, chamber
13.1b farmers market, buy local
13.1c educate farmers on business
13.1d aid agriculture and forestry products Corvallis Tourism, OSU, county, OSU Ext, conservation district, LBCC

<u>tourism and promotion</u>
2.1 promotion Corvallis Tourism, OSU
2.2 conferences Corvallis Tourism, OSU, LBCC
2.3 cooperative marketing Corvallis Tourism
2.4 entertainment guide GT, DCA, OSU, Corvallis Tourism
11.1 lobby and publish cooperation chamber, OSU, ONAMI, HP, LBCC, SAO
11.2 create community calendar Corvallis Tourism, chamber, school district, DCA, OSU, GT, LBCC
11.3 enhance welcome wagon chamber, OSU, CIBA, DCA, mayor, HP, school district, LBCC
12.3 reward sustainable companies Natural Step, city, county, chamber
12.4 promote vocational education EVP, school district, OSU, LBCC, chamber, ONAMI
13.2 cultural tourism Corvallis Tourism, OSU, county, OSU Extension, conservation district, LBCC

<u>business license</u>
4.3 county fee for database chamber, LBCC, DCA, CIBA
(personal property tax = consequence of fee and database)

<u>housing</u>
8.1 community land trusts for housing CNHS, city, county, realtors
8.2 find funding for affordable housing city, CNHS, state, consultants, small builders
8.3 affordable housing zoning city, county, big developers
8.4 design competition, waive some costs city, county, Natural Step, GBLT, co. foundation

<u>other</u>
10.1 better mass transit city, Round Table, county, other towns
12.5 public transport in planning OSU, Environmental Center, city, Natural Step

10.2 power study COG, city, chamber, ONAMI, OSU, organizations, utilities

10.3 airport become pilot school city, chamber, county

CITY OF CORVALLIS
DOWNTOWN AND ECONOMIC VITALITY
PLANS IMPLEMENTATION COMMITTEE
MINUTES

May 1, 2008

The regular meeting of the Downtown and Economic Vitality Plans Implementation Committee of the City of Corvallis, Oregon, was called to order at 4:03 pm on May 1, 2008, in the Madison Avenue Meeting Room, 500 SW Madison Avenue, Corvallis, Oregon, with Mayor Tomlinson presiding.

I. ROLL CALL

PRESENT: Mayor Charles Tomlinson, City Manager Jon Nelson; Committee Members Rich Carone, Judy Corwin, Patricia Daniels, Pam Folts, Dave Gazeley, Pat Lampton, Elizabeth Foster, Elizabeth French, Larry Plotkin, Barbara Ross, Councilor Bill York; and Recorder Mark Lindgren.

ABSENT/EXCUSED: Belinda Batten, Jay Dixon, Linda Modrell, Bennett Hall, Julie Manning, Dave Livingston, and Vincent Remcho.

II. REVIEW AND APPROVAL OF MINUTES

Judy Corwin noted that wording in paragraph 3, page 9 seems to leave open-ended the issue of what to do with any amount raised over $250,000; she stated that her understanding was that the committee was in agreement that funds over that amount should be given back. Bill York concurred, except that his recollection was that excess funds collected would result in a fee reduction the following year. Ms. Corwin added that the committee thought that it was important for public trust to stick to the budget numbers, rather than using excess funds to move Prosperity That Fits (PTF) progress faster.

Pat Lampton cautioned that returning a marginal amount would likely incur a cost greater than the savings. Larry Plotkin stated that keeping extra money for faster PTF progress was squishy; whereas sticking to a firm figure was measurable. Mr. Plotkin said that he didn't recall agreement on the issue; Manager Jon Nelson concurred. He suggested inserting after the second sentence in the third paragraph of page 9, "This could be accomplished by lowering the next year's fee". Barbara Ross remembered the discussion but not an agreement. Mr. Nelson suggested separating approval of minutes from clarifying what the committee intended to communicate to the City Council.

It was noted that Dave Gazeley's name was misspelled several times throughout the minutes. There was consensus to delete the last sentence of the third paragraph on page 7. Larry Plotkin highlighted the last paragraph of page 9, noting that he was not a member of the Chamber Coalition yet. Bill York moved and Dave Gazeley seconded to **approve the March 27, 2008 minutes as corrected**; motion passed unanimously.

Discussion of Business License Fee Next Steps followed.

III. PUBLIC COMMENT

Amanda Dalton, PO Box 981, Salem, stated that she represented the **Willamette Association of Realtors**. She noted the organization requested a small clarification of the March 27, 2008 minutes; she noted that the email memo from herself to her organization should not have been entered into the record.

She clarified that the primary concern of the organization was the impact that the business licensing would have on independent contractors doing business in the City of Corvallis as well those brokers and contractors from outside the city coming in to do business. She submitted her group's list of questions and concerns for the record; as well as letters from Suzanne Rushman of Town and Country Realty and Barbara Hartz of Landmark Realty.

Ms. Dalton stated her organization was concerned about significant aspects of the proposed fee that have gone unanswered; also, that small businesses may not have time to respond to the proposal before it is enacted into an ordinance. She stated that if passed, Corvallis would be the only city in this area of the Willamette Valley with such a fee.

Ms. Corwin asked Ms. Dalton how the business license fees in Tigard and Hillsboro were working; Ms. Dalton said they had a similar structure to the DEVPIC proposal but she did not know how they were working out.

Deborah Weaver, real estate broker and member of the **Willamette Association of Realtors**, stated she was present on behalf of WAOR President Geri Cuomo. She noted that the WAOR represents 450 members located in or doing business in Corvallis; most of these are independent contractors. She expressed concern about the increased cost of doing business in Corvallis as well as the impact on many businesses located outside of Corvallis that provide affiliated services to the industry, such as inspectors, landscapers, appraisers, roofers, lenders, repair people, etc. Many of these are small businesses that can do business anywhere in the valley without incurring additional cost.

She stated that the proposed fee would put Corvallis at a competitive disadvantage with other nearby communities and sends the message that Corvallis may be not friendly to business. She related that while the WAOR is supportive of economic development, it couldn't support a business license fee. Since economic development is of benefit to everyone in the community, funding for it should come from the general fund.

Stanley Rich stated he is a commercial real estate agent and represents many small businesses directly; many lease directly through him. He also represents landlords that charge a property tax residual to tenants. He said the business license fee is not fair to small business and is not needed to attract businesses to the community. He said that when he attended the PTF events, it was his impression that funding would come from the general fund; the funding is already there in the city budget; it simply needs to be allocated more appropriately. Rich Carone contended that the city did not have an extra $250,000 in its budget to fund economic development. Mr. Rich stated that economic development should be done, in part, by city urban and regional planning staff.

Larry Kampfer, 218 NW 6th Street, stated that he hadn't heard of the proposed fee until yesterday and it hadn't been well publicized. He stated that a business license fee was offensive and counterproductive. He noted that realtors relied on bringing people from outside the community to do work here.

Mr. Plotkin asked if he had read the PTF plan; Mr. Kampfer replied that he had not. Mr. Plotkin related that the committee spent a considerable amount of time to figure out how to fund the PTF plan. He contended that the community is unique, south of Tualatin and Hillsboro, in its potential to create and enhance high tech businesses good for raising the whole economy, which should greatly help the real estate market. More money is needed to try to attract the kind of businesses discussed in the PTF plan. He said the proposed business license fee rates as proposed were not a disincentive to him as a businessman. Mr. Plotkin added that the Gazette-Times had covered the proposed fee well and the PTF plan was widely publicized.

Gary Rodgers, 950 NE Angelee, stated that he was a local realtor; the proposed business license fee was awkward for the industry. He said it needed to be clear who the fee was aimed at. He asked if an appraiser from Portland, an out of town title company or a realtor from Philomath would pay the fee. He asked for clarification on who would be considered an employee or an independent contractor.

Mr. York replied that the questions raised would be dealt with in the next phase of the process, as staff and the stakeholder group look at existing programs in other communities (several in Oregon and most in California) over the next several months. Ms. Ross asked if he thought a business license fee should be used to fund the PTF plan. He replied that he was not enthusiastic about it; he feared it set a precedent that could eventually cause every community in the area where he potentially works to impose a similar fee on himself and other realtors. He predicted that if this happens, many realtors would drop out of the profession.

Mayor Tomlinson stated that this and other testimony will go into the record that goes to the City Council. He added the committee recognized that many administrative issues still must be worked through; there will be further opportunities for testimony in the next several months.

There followed discussion of forming a stakeholder committee in Business License Fee Next Steps.

IV. BUSINESS LICENSE FEE NEXT STEPS

In discussion on clarifying its intent of what would happen if more than the goal of $250,000 was collected in one year, Councilor Patricia Daniels suggested wording, "If more than $250,000 was raised, the excess would not be applied to additional PTF projects. Instead, it could be applied to the following year's fee". Ms. Corwin emphasized that the issue was not *whether* to return excess funds, but *how* to do so.

Mayor Tomlinson asked if there was consensus that the committee recommended not collecting an increment over the $250,000 in the following year and to implement that by reducing the fee in the next year, to try to get to the $250,000 for two years running. He observed that the amount collected may always be hovering above or below the $250,000 benchmark. Mr. Gazeley added that the committee needs to recognize that if the amount is exceeded by enough, fees could be adjusted by

enough in order to come close to the figure; however, collecting exactly $250,000 will never be achieved.

Mr. Plotkin stated that an inflation clause should be built into the $250,000. He anticipated that the amount collected would fluctuate; he suggested that a 2 or 5% excess figure should trigger reduction of the fee in the following year. Elizabeth French cautioned against incurring administrative costs and burdensome complexity in trying to return relatively small amounts; the important thing is the intent; it will never be exact. She suggested that the community may need a couple years' experience to make any re- adjustments, then come back to the table to balance the fees.

Ms. Corwin stated that hastening the progress of the PTF shouldn't be the goal the first year. Manager Nelson said that the recommendation that came to DEVPIC from the subcommittee was a proposal whose sole purpose was raising approximately $250,000 per year; a sub-clause was that an increase was allowable, but should not exceed the US Consumer Price Index for the previous year.

Ms. Ross said that some amount of carry over could be a cushion against not collecting enough. She noted that if the fee was adjustable every year depending on how much was carried over, so that the amount levied was $47.50 instead of $50, for example, it could be exasperating. She cautioned against making a commitment to adjust the fee the first year, especially when it is not even certain how much will be raised. Mr. Plotkin added that the amount raised could be way under or over the $250,000 figure; that won't be known until after the first year. Ms. Daniels suggested the committee simply ask the City Council consider options but not specify them.

Ms. Corwin noted that the subcommittee had recommended that the fee be part of the City Charter; while the Committee as a whole felt that that would be too burdensome, the recommendation reflected some people's concern that funds might be used for other purposes.

Mayor Tomlinson asked if there was consensus that the fee should be targeted at about $250,000 per year for now; and to recommend to the City Council that if there are significant overages or underages, the Council needs to bring that figure back to the $250,000 in some administrative way; and if it's significantly over, the committee does not recommend a spending spree; and if it's significantly under, then the fee structure will need to be adjusted. Mr. Lampton stated that due to inflation, he would not want to lock the figure at $250,000 in following years. After the first two years, there shouldn't be significant differences, since the numbers of businesses will probably not fluctuate wildly.

Mr. Nelson summarized that $250,000 is the committee's target; significant overages or underages need to come back to $250,000 annually, as adjusted (thus taking into account inflation). Mr. Plotkin suggested modifying the language to "*about* $250,000". He added that initially, there would likely be compliance variation, as there is outreach to business owners. Ms. Ross added that the Council shouldn't be locked into adjusting the fees in the second year, since it won't be known until the end of the first year how it has gone. She recommended leaving the details to staff and the City Council.

Mr. Lampton added that the committee should recommend that carryover should go to even things out in the long term. During discussion to clarify what "significant" overages should mean, Mr. York noted that a small excess over $250,000 wouldn't have to be spent, it could simply be a reserve. Mr. Plotkin suggested that exceeding a margin of 10% overage could trigger an evaluation of the fee structure or compliance.

Ms. Corwin moved and Pat Lampton seconded that approximately $250,000 in annual revenues and expenditures is the committee target. Significant (10%) overage or underage needs to come back to $250,000 annually, as adjusted; motion passed unanimously. Ms. Ross noted that this is simply a recommendation, not the final product.

Mayor Tomlinson then moved the agenda to III, Public Comment.

Following the period of public comment, Mayor Tomlinson said that there was previous discussion of forming a stakeholder committee that would work with the City Council and the Administrative Services Committee. The minutes call out Rich Carone, Larry Plotkin, Dave Gazeley and Pat Lampton to be part of that. He suggested considering inviting Pat Sardell, CIBA President, to participate. A member of the real estate community should also be involved.

He stated that in the past, the Urban Services Committee has worked with stakeholder groups as the committee sets policy on a significant issue; a similar model would be used with the ASC. Mr. Carone suggested including representatives of single-employee business owners and independent contractors. Mr. French suggested including a representative from non-profits. Mr. Plotkin suggested getting a member of the high tech industry.

Ms. Ross noted that given the testimony, there should be a look at how other towns deal with the issue of out of town businesses doing business in the city.

Mayor Tomlinson stated that the City Council would have a work session on the issue at its May 12 meeting; while the public is invited, there would be no public testimony. Manager Nelson clarified that in preliminary discussions, the committee has given direction towards requiring a business license fee for businesses located outside of the city that come into the city to do business.

V. COMMITTEE SUNSET DISCUSSION

Judy Corwin moved and Pat Lampton seconded to recommend to the City Council that the committee feels that it has finished its work and recommends that DEVPIC sunset; motion passed unanimously.

VI. PUBLIC COMMENT

Gary Rodgers asked whether it would be the listing office for a property that would be responsible for paying and policing the fee. Mayor Tomlinson stated that there were a number of administrative issues that exist and need to be worked through; there will be opportunities to comment on what they look like. Rodgers highlighted the process of how houses are shown and noted that realtors are not necessarily paid when a transaction closes. Mr. York replied that it was his understanding that showing a house would not necessarily be defined as "doing business" though selling a house would be, though paying a license fee would not be part of the real estate transaction. Mr. Plotkin stated that a contractor is not an employee; contractors typically have their own company and pay taxes and are responsible for their own business. Ms. Foster encouraged Mr. Rodgers to ask his friends to bring ideas, concerns and issues forward.

Mr. Nelson related that when the process started, the focus was on the city of Corvallis PTF action items; since then, it was expanded to look at all the action items. He thanked the committee participants for their work. Ms. Daniels recognized Julie Manning for first broaching the idea for looking at funding PTF action items beyond just the city's portion. Mayor Tomlinson thanked the committee for its thoughtful work.

VII.ADJOURNMENT. The meeting was adjourned at 5:15 pm.

Revised

Memorandum

To: Corvallis Mayor and City Council
From: Unofficial Business License Fee Committee
Date: March 13, 2008
Re: Business License Fee

BACKGROUND

The Economic Vitality Partnership (EVP) is an agreement between social, government and business support organizations to work cooperatively for the good of the economy of Corvallis and Benton County. Organized in 2003, the EVP engaged in conversations and updates about current work going on with each of the partners until January 2005 when the EVP adopted a goal to create a comprehensive strategic economic development plan.

Between January 2005 and November 2006 the partners worked together to create such a plan, based on the Corvallis Vision 2020 Statement. The EVP Strategic Planning Committee employed community and business surveys; hired facilitator, Barney and Worth; held three town hall meetings and 20 focus groups to produce the EVP Strategic Economic Development Plan titled *Prosperity That Fits.*

The Prosperity That Fits (PTF) Plan was accepted by the EVP partners in late 2006 and early 2007. A steering committee was created to oversee the activities and fundraising for the coordination of the PTF Plan. Mayor Charlie Tomlinson volunteered to act as convener.

At about the same time, the City of Corvallis created the Downtown Economic Vitality Plan Implementation Committee (DEVPIC) to explore ways to fund the city's portion of the PTF Plan and the Downtown Master Plan. DEVPIC explored a restaurant fee, an increase in transient occupancy tax and a business license fee. The DEVPIC asked Mayor Tomlinson to appoint a subcommittee to further explore a business license fee (BLF).

The Business License Fee Committee (BLFC) was composed of business people from the community including at least one representative from each of the business support organizations. The BLFC met several times and concluded that a business license fee may be a good option for funding a variety of the PTF Plan actions, provided it was not an exclusive source for the City of Corvallis and its use was focused on the direct benefit of businesses in the community.

DISCUSSION

In many communities around the state, country and globe, economic development activities are valued in the same way police, fire and infrastructure are valued in a community. An investment in economic health is seen as a necessary part of long range community success. Currently the City of Corvallis allocates approximately $500,000 in revenues created by the transient occupancy tax (TOT) toward economic development services. Approximately $300,000 goes to

Corvallis Tourism as the City's designated tourism agency and approximately $200,000 is divided among about a dozen other organizations including business support organizations, economic development organizations and local festivals.

Generally, area business people are concerned that a moderate business license fee will be implemented and then the fee will increase significantly over time or revenues will be redirected to fund other City priorities. One way these concerns could be addressed is to consider a charter amendment.

In order for a business license fee to be successful, it will require the PTF Plan initiatives that directly and positively impact area businesses be funded and implemented. If executed well, the fee could do much to further improve the relationship between the City of Corvallis and area businesses. The possible consequences if executed poorly could fracture support from the business community, effectively making the PTF Plan worthless and unraveling all the work that has been done to forge better working relationships over the last few years.

REQUESTED ACTION

The committee of business people who explored the business license fee concept are only in favor of moving forward with such a fee if the revenues generated are used solely for the support of PTF Plan implementation.

The committee recommends the City Council begin the process of a pursuing a charter amendment to ensure a minimal to moderate rate increase, a sunset clause and permanent direction of the funds toward economic vitality.

The committee recommends the institution of an interim business license fee until a Charter amendment can be fully explored, at a rate schedule not to exceed the rates outlined in the policy draft attached.

Finally, the committee recommends the selection committee makeup outlined in the policy draft not be altered to ensure business people make the decisions about strategic business investments for the duration of the fee.

Prosperity That Fits Plan Implementation Fund Policy – DRAFT

Purpose

The purpose of this funding policy is to create economic opportunities and economic stability for Corvallis by funding the strategies and actions in the Economic Vitality Partnership's (EVP) Strategic Economic Development Plan: Prosperity That Fits.

In partnership with businesses, citizens, community and regional organizations, this will be achieved through a balanced program that addresses retention and the creation of traded sector jobs and companies, infrastructure, sustainability, development and a vibrant retail environment.

Policy

In order to guide the creation and implementation of a business license fee to support the strategies and actions of the Prosperity That Fits Plan the following mission statement, goals and policies are adopted. These goals and policies may be suspended by the City Council after following existing procedural rules for public notice and participation.

Mission

To realize the goals set out in the Corvallis 2020 Vision Statement as they relate to economic vitality by implementing the Prosperity That Fits Plan as accepted by the City Council in November 2006. In partnership with citizens, community and regional organizations, this will be achieved through a balanced program that addresses the Plans four strategic focus areas:

a. Strengthening and Expanding Existing Business and Industry
b. Recruiting Targeted Business Icons
c. Developing Human and Physical Infrastructure
d. Integrating Sustainability and Economic Development

Goals

a. Support retention and expansion of traded sector businesses, which are compatible with the community and provide a diverse economic base.
b. Support entrepreneurial businesses and people through coordination of programs and support available to business startups, local product development and environmentally responsible modernization.
c. Leverage existing investment in economic development pursuits and reward collaboration among business support organizations.
d. Support all commercial and industrial districts as vital commercial areas in the community.
e. Develop methods by which the success is defined by equally balancing economic, social and environmental responsibility.
f. Develop the Airport Industrial Park and other industrial centers as attractive business locations which create quality jobs and provide resources necessary to continuously regenerate jobs and create wealth for the community.

g. Support business development by planning for appropriate amounts and locations of industrial and commercial development by providing the necessary public infrastructure.
h. Support business development by creating incentives appropriate for the community including but not limited to Enterprise Zones and Urban Renewal Districts.
i. Support programs, projects and activities which encourage local spending.
j. To strengthen existing business and industry by creating an environment where existing businesses can compete locally and globally.
k. To embrace creative and innovative business and development opportunities for the benefit of the community.
l. To support a healthy and vibrant business climate.

Funding Allocation of Business License Fee

Funding Source

a. A business license fee shall be established for the sole purpose of raising approximately $250,000 per year to support the realization of strategies and actions outlined in the Prosperity That Fits Plan. Every going concern physically located in the City of Corvallis as well as every going concern doing business in the City of Corvallis shall pay the business license fee at the rate prescribed below.

Number of Employees (FTE)	Rate/Yr
*Festivals & Fairs	$50
0-9	$50
10-19	$175
20-49	$275
50-99	$750
100-249	$1,000
250-499	$1,500
500-999	$2,500
1,000+	$5,000

*Any festival or fair with business vendors that participate less than 1 day per week will be covered under a single $50 annual fee unless said umbrella organization has an annual budget exceeding $250,000.

b. An increase in the rate is allowable, but should not exceed the United States Consumer Price Index for the previous year.
c. As a one time allocation to manage the Prosperity That Fits Plan implementation, $40,000, collected in the previous fiscal year shall be allocated to the City of Corvallis General Fund to purchase software specifically for the managing the fee collection for the Prosperity That Fits Plan implementation.

d. To provide for the administrative activities of the Prosperity That Fits Plan implementation, $10,000, collected in the previous fiscal year shall be allocated to the City of Corvallis General Fund to cover costs of assessing, collecting and enforcing a business license fee.
e. To provide for the coordination activities of the Prosperity That Fits Plan implementation 15% of the business license fee collected in the previous fiscal year shall be allocated to the Corvallis Benton Chamber Coalition to manage the Prosperity That Fits Plan coordination activities.
f. The remaining monies will be allocated to businesses and/or business support organizations or entities requesting funding through the annual Prosperity That Fits Plan Implementation Fund. Such requests shall be consistent with the purpose, mission and goals of the Prosperity That Fits Plan and improve the community's opportunity to realize the Economic Vitality section of the Vision 2020 Statement.
g. In any given year, the Prosperity That Fits Plan Implementation Fund Allocation Committee (Allocation Committee), may target specific areas of the Plan through the allocation process.
h. Applicants who are provided Prosperity That Fits Plan implementation monies shall meet the criteria for funding by addressing the Application Requirements in section XXXX of this policy, which are intended to measure and communicate outcomes as a result of the investment.
i. The business license fee and Prosperity That Fits Plan Implementation Fund will automatically expire six (6) years from its adoption by the City Council. Any attempt to change the amount (Except as authorized in "b." above) or use of the funds during this time will result in an automatic public process to reengage the business community. The business community will be surveyed every 18 months to gauge support for the business license fee.

Eligible Activities

a. Applicants should refer to and reference in their submittal the goals identified in section XXXX above.
b. Applicants shall only apply for funds that relate directly to a specific strategy and action in the Prosperity That Fits Plan. Applicants shall refer to and reference in their submittal the strategy(s) and action(s) identified in the Prosperity That Fits Plan.
c. Funds may not be used to repay indebtedness, create reserve or for the sole purpose of funding ongoing operations unless specifically identified in the Prosperity That Fits Plan.

Application Requirements

a. Applicants should provide organizational information which includes a listing of board members, a statement about the purpose of the organizations, the address where the organization is housed and the names of paid staff if any.

b. The applicant should submit evidence that for the two years proceeding the requested period of funding, success has been achieved in at least two (2) of the Prosperity That Fits Plan actions.
c. Applicants shall submit a work plan for the requested funding period predicated on furthering at least two (2) of the Prosperity That Fits Plan implementation actions and one (1) or more indicators listed below. The applicant's work plan should incorporate an anticipated budget for activities which include funding. Work plans shall show direct connections between proposed activities, Prosperity That Fits Plan actions and economic indicators.
d. Listed below are indicators of economic vitality. In addition to addressing the goals in section XXXX of this policy, applicants shall state how their proposals for funding address one or more of the following indicators of economic vitality:
    1. Community Indicators of economic vitality
        a) Business Starts
        b) Jobs created
        c) Business longevity
        d) Payroll Taxes
        e) Unemployment rates – (combined Linn-Benton) compared to state and national
        f) Non-agricultural jobs
        g) Vacancy rates – commercial and residential
        h) OSU and LBCC FTE Students – actual and projected
        i) Median home sale prices – average days on market – historical perspective
        j) Bank deposits – growth
        k) County wide assessed tax values
        l) Corvallis average property tax per $1000
        m) Water/sewer usage
        n) Electric consumption
        o) Natural gas consumption
        p) DMV records – new licenses issued
        q) Building permits issued
        r) New business incorporations
        s) Infant mortality
        t) Jobs impacted
        u) CPI for Benton County – compared to state and nation

e. Applicants shall submit a plan to leverage business license fee monies to other matching sources, with a preferred goal of one business license fee dollar to three matching dollars. Leverage sources may include cash contribution or in-kind services. Applicants shall clearly identify all sources of income, direct or indirect, cash contributions, or in-kind services, including volunteer hours and activities.
f. Applicants shall address one or more of the following objectives to demonstrate financial leverage:

1. Retaining or generating ten dollars ($10) of local business gross sales per one dollar ($1) invested, and/or
2. Generating ten dollars ($10) of payroll in the community for one dollar ($1) invested, and/or
3. Demonstrating increase in tax dollars collected, in excess of the allocation requested, as a result of business investment.

g. These requirements are not intended to preclude innovative proposals from organizations or preclude consideration of funding for new organizations or collaborators working to achieve the strategies and actions outlined in the Prosperity That Fits Plan. Applications from new entities shall provide mission statements, goal statements, or other information on how the request furthers the Prosperity That Fits Plan initiatives.

Funding Process

a. Prosperity That Fits (PTF) funding will be allocated by the City Council, upon recommendation of the seven (7) member PTF Allocation Committee.
b. The mayor will appoint one (1) City Councilor to serve on the PTF Allocation Committee.
c. Each of the fifteen (15) EVP partners may submit one (1) candidate for election the PTF Allocation Committee. From all such submitted candidates, the PTF Steering Committee will use an open ballot process to elect six (6) participants to serve a single two year term. Participants shall not be a current employee or immediate relative of an employee of any organization requesting funds. Furthermore, participants must be a business person, who is currently in business.
d. The mayor will review the proposed Allocation Committee to ensure businesses of various size and industry are represented and make suggestions to the EVP Steering Committee as needed.
e. All applicants will present budgets and work plans for the coming year during the annual allocation process. This presentation will include the preceding year's activities and results.
f. Recipients of funding will be expected to provide work progress narratives with related financial information on a regular basis as stipulated by the PTF funding allocation agreement.

5-1-08

TO: **DevPic**
City of Corvallis Council Subcommittee

FR: **Amanda Dalton**
Willamette Association of REALTORS®

RE: **Proposed Business License Fee**

March 27, 2008

I am here today representing the Willamette Association of REALTORS®. The Association has about 450 members located in Corvallis or doing business in Corvallis. Many in our membership are independent contracts and not employees of the firm with which they are affiliated. While our members are still reviewing the overall business license fee proposal, there are some immediate questions that we are concerned about. I'm hoping this committee can address them today:

- How will the fee be administered/collected? How will it be enforced?
- Would each real estate broker, operating as an independent contractor, have to pay the $50?
- Would brokers based in other communities such as Albany, doing business in Corvallis, be required to pay the fee?
- What happens when the $250,000/$170,000 cap is met? Do businesses stop paying for the year? Cap increased? Adjusted for new business?
- Have other cites established this type of formal arrangement with their local Chambers? Specifically the built-in percentage?
- What is going to be done regarding the collected information? Available to the public? For commercial use? Membership solicitation?

Thank you for your time and consideration.

Real people providing exceptional service.

Town & Country Realty

March 25, 2008

To Whom It May Concern:

I wish to go on record as being opposed to the proposed business license fee being implemented in the city of Corvallis.

I believe it will deter new business from coming to the area, Oregon already makes doing business here very difficult. This will not promote economic growth. I would also like to know why there is such a high administrative cost to this program, almost 40%.

As a current business person in Corvallis, I am opposed to the proposed business license fee.

Thank you,

Suzanne Rushman

Suzanne Rushman, Broker
Town & Country Realty
Corvallis

Landmark Realty

"The Comfortable Choice"

DATE: 1 May 2008

TO: DevPic
City of Corvallis Council Subcommittee

FROM: Barbara Hartz
LANDMARK REALTY

SUBJECT: Proposed Business License Fee

Your proposed business license fee gives the impression that Corvallis is not business friendly. Further, this concept appears on the surface to be a cumbersome, expensive bureaucracy with little benefit to the consumer. The fee may further discourage new businesses from coming to the area. I also believe it is "anti-green" in that businesses may try to locate outside the zone of enforcement and commute to do business in the zone unnecessarily wasting fuel and time.

There are too many questions yet to be answered. In order for the community to even consider this proposal, there needs to be a detailing of the guidelines, the method of collection, cap limits, the manner of monitoring this program, etc.

I am a real estate Broker located in Philomath. Much of our business deals with Corvallis property. Will each of our agents (who are independent contractors) need to pay the fee to sell Corvallis real estate? What about lenders, contractors, inspectors, appraisers and other professionals who are not located in Corvallis? Will anyone who is hired to provide a service be required to pay this fee?

I am a member of the Corvallis Chamber (Corvallis-Benton Chamber Coalition) and do not support the position the Chamber has taken on this matter. City government should be run like a successful business. We should not be considering a plan without knowing the specific details and impact to businesses in and around Corvallis.

Respectfully submitted,

Barbara Hartz

Barbara Hartz
Principal Broker-Owner

BH/bj

2801 Main Street
Philomath, OR 97370
(541) 929-2586
(541) 753-6206
Fax: (541) 929-3548
E-Mail Available

5-1-08

May 1, 2008

TO: Dev-Pic Committee

FROM: Deborah Weaver
Willamette Association of REALTORS®

RE: Proposed Business Licensee Fee

I am here on behalf of Geri Cuomo, President, Willamette Association of REALTORS® who could not be here today.

The Willamette Association of REALTORS® represents about 450 members located in or doing business in Corvallis. Most of our members are independent contractors and not employees of a large firm. We are concerned not only with the increased cost to our membership doing business in Corvallis but also the impact it may have on many of the businesses located outside of Corvallis that we depend on to provide affiliated services to our industry, such as inspectors, appraisers, lenders, roofers, repair people, etc. Many of these are small businesses that can do business any place in the valley without incurring additional cost.

If the business license fee is adopted, Corvallis would be the only city in the mid-valley area charging a fee to conduct business here. In talking with others in mid-valley communities, we find that offering some abatement of taxes, fees and some regulations is used as an incentive to attract business to locate in their area. The proposed business license fee would put Corvallis at a disadvantage to be competitive with nearby communities. It also sends a message that Corvallis may be less-than-friendly to business.

While our Association finds it very important that Corvallis have a reasonable plan to draw economic development to our community, our Board of Directors has determined that we cannot support a Business License Fee.

Economic development is a benefit to everyone in our community. Having more business provides choice and competition. That is good for all consumers. Anything that the City does to enhance economic development should be paid for from the general fund and not by taxing a certain sector of the economy for doing business here.

We are asking that you not recommend to Council adoption of a Business Licensee Fee. We are also asking you to take some time to develop a better understanding of how small businesses work and the substantial impact that your proposed fee may have if it is implemented. We can be of assistance to you in this regard. We hold once-a-month meetings specifically for the purpose of discussing issues and concerns to our businesses. I would cordially invite you, Mr. Mayor, and others to join us for such a discussion at our next meeting on May 21st.

Thank you for your attention.

CITY OF CORVALLIS
HISTORIC RESOURCES COMMISSION MINUTES
APRIL 8, 2008

Present
Lori Fulton
Chick Gerke
Scott McClure
Robert "Jim" Morris
Bruce Osen, Chair
E. Ross Parkerson
Michael Pope
Cynthia Solie, Vice Chair
Dan Brown, Council Liaison

Excused
Deb Kadas
Karyn Bird, Planning Commission Liaison

Staff
David Coulombe, Deputy City Attorney
Brian Latta, Assistant Planner
Bob Richardson, Associate Planner
Kelly Schlesener, Senior Planner
Mark Lindgren, Recorder

Guests
B.A. Beierle, PO Box T
Dawn Jones, 530 SW 5th Street
Carolyn Ver Linden, 644 SW 5th St.
Sue Rutherford, 24663 Ervin Rd. Philomath
Hugh Richard White, 146 NW 28th St.

SUMMARY OF DISCUSSION

	Agenda Item	Held for Further Review	Recommendations
I.	Visitor Propositions		B.A. Beierle informational email.
II.	Public Hearings. A. JRN & Margaret Bell House (HPP08-00008) B. Lilly Conover House (HPP08-00001)		A. Motion passed unanimously to approve the application as conditioned. B. Motion passed unanimously to deny the application.
III.	HRC Work Program		Prioritization of work program items.
IV.	Historic Preservation Month		Updates.
V.	Minutes Review		March 11, 2008 minutes approved as corrected.
VI.	Other Business/Info Sharing		A special HRC meeting April 22 will consider Historic Preservation Awards.
VII.	Adjournment.		Meeting adjourned 9:50 p.m.

CONTENT OF DISCUSSION

Chair Bruce Osen called the Corvallis Historic Resources Commission to order at 7:00 p.m. in the Corvallis Downtown Fire Station Meeting Room, 400 NW Harrison Blvd. Introductions were made. Planner Kelly Schlesener introduced new Planner Brian Latta.

I. VISITOR PROPOSITIONS.

Planner Bob Richardson highlighted an informational email from B.A. Beierle.

II. PUBLIC HEARINGS –A. JRN & Margaret Bell House (HPP08-00008)

A. Opening and Procedures:

Chair Osen reviewed the public hearing procedures. Staff will present an overview followed by the applicant's presentation. There will be a staff report and public testimony, followed by rebuttal by the applicant, limited in scope to issues raised in opposition and sur-rebuttal by opponents, limited in scope to issues raised on rebuttal. The Commission may ask questions of staff, engage in deliberations, and make a final decision. Any person interested in the agenda may offer relevant oral or written testimony. Please try not to repeat testimony offered by earlier speakers. It is sufficient to say you concur with earlier speakers without repeating their testimony. For those testifying this evening, please keep your comments brief and directed to the criteria upon which the decision is based.

Land use decisions are evaluated against applicable criteria from the Land Development Code and Comprehensive Plan. A list of the applicable criteria for this case is available as a handout at the back of the room.

Persons testifying either orally or in writing may request a continuance to address additional documents or evidence submitted in favor of the application. If this request is made, please identify the new document or evidence during your testimony. Persons testifying may also request that the record remain open seven additional days to submit additional written evidence. Requests for allowing the record to remain open should be included within a person's testimony.

The Chair opened the public hearing.

B. Declarations by the Commission: Conflicts of Interest, Ex Parte Contacts, Site visits, or Objections on Jurisdictional Grounds

1. Conflicts of Interest – None.
2. Ex Parte Contacts – No ex parte contacts were declared or rebutted.
3. Site Visits –Declared by all Commissioners except Commissioner Gerke.
4. Objections on Jurisdictional Grounds – None made.

C. Staff Overview:

Mr. Richardson stated the property is located at 530 SW 5th Street; it is a designated Historic Resource in the Avery-Helm National Historic District and classified as Historic Contributing (2). The request is to replace 23 wood windows. Nineteen double-hung wood windows are proposed to be replaced with double-hung aluminum-clad wood windows. Three fixed wood windows (not believed to be original) are proposed to be replaced with three aluminum-clad wood double-hung windows and one fixed wood window is proposed to be replaced with one fixed aluminum-clad window.

D. Legal Declaration:

City Deputy Attorney David Coulombe stated that the Commission would consider the applicable criteria as outlined in the staff report, and he asked that citizens direct their testimony to the criteria in

the staff report or other criteria that they feel are applicable. It is necessary at this time to raise all issues that are germane to this request. Failure to raise an issue, or failure to provide sufficient specificity to afford the decision-makers an opportunity to respond, precludes an appeal to the State Land Use Board of Appeals on that issue.

The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the local government to respond to the issue precludes an action for damages in Circuit Court.

E. Applicant's Presentation:

Applicant Dawn Jones, 530 SW 5th Street, stated that the application complies with the applicable code. The structure was built in 1909; she has spent the last several years making improvements to make the structure sound, improving energy efficiency, functioning, reducing sound intrusion, and improving ventilation and security. The new windows would be tilt-pack, allowing them to be more readily cleaned.

Ross Parkerson noted it was a fine application that indicated that the proposed changes are very similar to existing windows. He asked whether work was planned to be done all at once or incrementally. Ms. Jones replied work was projected through summer.

Mr. Osen asked about the fixed windows; Ms. Jones replied that in several cases, replacing fixed windows would improve airflow. He asked whether there had been any consideration of replacing one fixed window with a single light casement, in order to make it appear closer to the original. Ms. Jones replied that it was her understanding that her contractor and a Marvin Windows rep indicated that there would be a problem with using a casement window there. She clarified that the frames will remain the same; only the sash will be changed (although two non-original picture windows' frames will need to be re-done).

She noted that she believed that the small fixed window (#11) on the north side of the front stairwell (in the entryway) was original, so it is incorrectly listed as being non-original in the staff report; she asked that it be changed to double-hung.

F. Staff Report:

Planner Bob Richardson stated that as the applicant indicated in her testimony, the window #11 appears to have been incorrectly listed as non-original in the staff report. The Statement of Significance noted one unique feature to the house; otherwise, it is not a rare or unusual structure; it has maintained its historical integrity.

Since the proposed replacement windows meet the design or style of the existing windows, with the exception of the three that would be changed from fixed to double-hung (two of which are believed to be non-original), the proposal meets criteria 2.9.100.04.b.1.

He noted that because the windows would have an exterior change of material, and because the style of three of the windows would change, then it is not returning the structure to its original form, and so must be found to be compatible with several other criteria. Since the design and style would be the same as the existing windows (except for three, going from fixed to double-hung, the predominant pattern) staff found that the proposed windows would be compatible with the historic resource.

He highlighted the Pattern of Window and Door Openings in 2.9.100.04.b.3, in terms of form of the windows' size, proportion, and detailing; and materials, pattern, type and placement of openings. He noted that the size and proportion of the windows and their placement would be the same. The proposed windows' materials would be wood with an aluminum exterior; the existing windows are wood with a painted exterior. Looking at all of the aspects overall, staff found that the proposed windows were compatible and that even though the material change of the aluminum exterior and double-paned glass might be visible under careful examination, the changes in and of themselves are compatible with the designated historic resource and consistent with the review criterion.

Mr. Richardson stated that staff recommended approval of the application as proposed, with two conditions of approval. Mr. Osen noted that there are a lot of windows in the area that share the same pattern and size similar to the south window's single pane of fixed glass, that has an approximately square lower sash with a narrower, rectangular sash (cottage style). He asked whether there was a description whether that was a possibility in the plan. Mr. Richardson replied that a comparison of nearby properties in the district was not addressed in the application; he could not say how that matches up.

G. Public Testimony in favor of the application: None.

H. Public Testimony in opposition of the application:

Carolyn Ver Linden, 644 SW 5th St., stated she lived in the Avery-Helm Historic District and read her submitted written testimony. She expressed concern that her research showed that windows only represent 25-30% of building heat loss. Inappropriate windows are being allowed to substitute for original materials, even when the original features may be in good shape. She emphasized the embodied energy of the original windows and that adding storm windows is as effective as double-paned windows, while avoiding destruction of a probably irreplaceable resource. She cited 2.9.100.04.b.3.c, which states that an owner shall consider retention and repair of a character-defining element of a structure prior to replacement.

I. Neutral testimony: None.

J. Rebuttal by Applicant:

Ms. Jones related that window replacement is only one step in the overall process of improving energy efficiency; adding insulation in the ceiling has also helped a lot. She added that City Hall and other historic structure have also used windows similar to what is proposed, so others must also see an advantage.

She noted that there were a number of "cottage style" windows in the neighborhood; she rejected that plan because most of the cottage style windows in the neighborhood were on the front facades and having another double-hung window between two close-by double-hung windows might look more compatible and more original. She also appreciated the advantage of the ventilation of a double-hung window; currently, there are no openable windows in that room.

K. Sur-rebuttal: None.

L. Additional time for applicant to submit final argument:

The applicants waived the seven-day period to submit additional written argument.

M. Close the public hearing:

Mr. Parkerson moved and Ms. Solie seconded to close the public hearing; motion passed.

N. Discussion and Action by the Commission:

Questions from the Commission:

Mr. Parkerson asked, in regards to Ms. Ver Linden's testimony, whether staff knows of the record of similar past HCR actions based on the established criteria. Mr. Richardson replied that to date, staff looks at each application as if a precedent has not been set. Past HRC decisions have approved aluminum-clad wood windows; however, this is not set in stone; the HRC makes decisions on a case-by-case basis. Planner Schlesener added that staff looks at how each application stands up against review criteria.

Mr. Richardson added that regarding 2.0.100.04.b3.c, cited by Ms. Ver Linden, that "the owner shall *consider*..". He added that nowhere in the code does it state that one type of material for a window is inappropriate or that there must be a certain level of disrepair for something to be replaced. Instead, the criteria are based on compatibility. Also, there is nothing in the code that prevents the true, historic original feature from being removed and replaced with a new material. Depending on the proposed feature the historic feature could be removed as an exempt activity or as a Director-level activity. The question regarding materials is whether their appearance will be compatible with an historic resource.

Mr. Parkerson recalled the HRC has approved similar requests. He noted that there may be some visible change in the proposal but it is a reasonable request and will be a great help to the house and give it new life; he emphasized the fairness issue; Ms. Fulton concurred.

Mr. McClure noted that old windows can be tuned up and rehabilitated and storm windows added; however, there's nothing in the code that requires keeping the original fabric. He cautioned that many new "direct glaze" windows require that the whole sash be thrown away if the glass is broken or the seal fails. He encouraged her to allow the original windows to be salvaged.

MOTION:

Mr. Gerke (using the wording in the staff report, page 9), moved to approve the application as presented and conditioned in the staff report; Mr. Parkerson seconded.

Mr. Gerke noted that despite the embodied energy aspects of the existing windows, the building code performance requirements can't be met with single-glazed and storm windows; the proposed windows will be a significant improvement to the thermal performance of the building. The HRC must weigh duplication of the historic aspects of a structure against its long-term sustainability; many tons of carbon dioxide will be saved from entering the atmosphere by improving these windows.

Mr. Osen expressed concern about the small window on the corner of the north near the pedestrian right of way; changing it into a double-hung window is a significant change to the building (unlike the other proposed changes). Mr. Parkerson moved an auxiliary motion that the applicant shall explore the possibility of replacing window #11 with a casement window. Mr. McClure said that the applicant would probably do it if it were possible; Mr. Osen noted the motion had no teeth. Motion died due to lack of a second.

Main motion passed unanimously.

O. Appeal Period:

Chair Osen stated that any participant not satisfied with this decision may appeal to the City Council within 12 days of the date that the Notice of Disposition is signed.

II. PUBLIC HEARINGS –B. Lilly Conover House (HPP08-00001)

A. Opening and Procedures:

Chair Osen reviewed the public hearing procedures. Staff will present an overview followed by the applicant's presentation. There will be a staff report and public testimony, followed by rebuttal by the applicant, limited in scope to issues raised in opposition and sur-rebuttal by opponents, limited in scope to issues raised on rebuttal. The Commission may ask questions of staff, engage in deliberations, and make a final decision. Any person interested in the agenda may offer relevant oral or written testimony. Please try not to repeat testimony offered by earlier speakers. It is sufficient to say you concur with earlier speakers without repeating their testimony. For those testifying this evening, please keep your comments brief and directed to the criteria upon which the decision is based.

Land use decisions are evaluated against applicable criteria from the Land Development Code and Comprehensive Plan. A list of the applicable criteria for this case is available as a handout at the back of the room.

Persons testifying either orally or in writing may request a continuance to address additional documents or evidence submitted in favor of the application. If this request is made, please identify the new document or evidence during your testimony. Persons testifying may also request that the record remain open seven additional days to submit additional written evidence. Requests for allowing the record to remain open should be included within a person's testimony.

The Chair opened the public hearing.

B. Declarations by the Commission: Conflicts of Interest, Ex Parte Contacts, Site visits, or Objections on Jurisdictional Grounds

1. Conflicts of Interest – None.
2. Ex Parte Contacts – No ex parte contacts were declared or rebutted.
3. Site Visits –Declared by all Commissioners except Commissioner Gerke.
4. Objections on Jurisdictional Grounds – None made.

C. Staff Overview:

Planner Latta stated the site is located at 416 SW 5th Street; it is located in the Avery-Helm Historic District and is classified as Historic Non-Contributing. The request is to construct a 1,200 square foot addition to the west of the house in order to create a 2,400 duplex. The proposal would require modifications to the existing structure, including converting hip and shed roofs on the west into a single gabled roof. It is also proposed to convert the hot tub room at the NW corner into an open porch and bicycle storage for both units. A pedestrian walkway would be constructed from the existing sidewalk to the entrance of the second unit, on the south. Two vehicle parking spaces would be constructed on the north, off the alley.

A Director-level proposal would be to re-roof the entire structure with composition, architectural shingles; an exempt activity would be removing two small trees in the rear.

D. Legal Declaration:

City Deputy Attorney David Coulombe stated that the Commission would consider the applicable criteria as outlined in the staff report, and he asked that citizens direct their testimony to the criteria in the staff report or other criteria that they feel are applicable. It is necessary at this time to raise all issues that are germane to this request. Failure to raise an issue, or failure to provide sufficient specificity to afford the decision-makers an opportunity to respond, precludes an appeal to the State Land Use Board of Appeals on that issue.

The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the local government to respond to the issue precludes an action for damages in Circuit Court.

E. Applicant's Presentation:

Hugh White, 146 NW 28th Street, noted that the proposal is for new construction on a Historic Non-Contributing structure and that planning for the project has taken many months, working with staff to ensure the proposal is compatible with the code. He noted the project's designer, Sue Rutherford, has previously done other projects with historic resources in the Avery-Helm District. He noted the staff report states that the proposal is compatible with the nine applicable criteria. The site does permit two units and only has one now, so the intensification in use is compatible with the code.

Mr. Morris asked if there was a plan for the second floor. Sue Rutherford replied that she was waiting for permission to build before completing the design of the second floor. It would contain two bedrooms and a bathroom in a west dormer; the windows are laid out. Mr. Morris asked about the cantilevered upstairs bathroom; Ms. Rutherford replied that it leaves a 20' rear yard.

Mr. Osen asked about the existing roofing material; Ms. Rutherford answered that it was metal paint on the wood shingles.

Ms. Fulton said that the new roof uses a different roof pitch and materials than the existing roof and does not tie as well to the original roof as it could. Ms. Rutherford stated that the original roof pitch is 12:12; but if she used that pitch on the new structure, it would be much taller and out of proportion. Therefore, she used the roughly 5 or 6:12 pitch of the connecting gable on the rear of the house, at the suggestion of staff. Mr. White added that staff suggested using different, lapped siding on the addition's ground floor and shingles on the second floor to differentiate it from the existing structure. Ms. Rutherford stated that a trim strip separated the two.

Ms. Solie highlighted Attachment C-13, in regards to criteria 2.9.100.04.b.3.d and e; (Scale, Proportion and Height) in regards to the roofline of the addition in relation to the original. Ms. Rutherford said it was a perspective drawing and the new roof line would be as tall as the original (she highlighted the elevation drawing in C-17).

Mr. Brown noted that though the structure was built in 1895, it has been substantially modified to the extent that it no longer considered to be a contributing structure to the historic district. He said it was a challenge to decide what elements to emulate in the design of the addition.

Ms. Solie expressed concern whether the scale and proportion of the proposed addition meets criteria 2.9.100.04.b.3. d and e; the addition to the rear appears to overwhelm the original structure. Mr. White related three options were discussed with planners. The house is set back 19' from the edge of the sidewalk; since only a 10' front yard is required, the house could have been moved 9' in order to gain 9' to construct a unit at the rear (to the west). However, he related, staff felt the front yard setback contributed to the historic character of 5th Street and couldn't support that, so that option was eliminated.

Another option was to raise the structure about four feet and construct a basement unit underneath. However, it was felt that it would lose its scale and proportion in relation to adjacent houses. The last option available was to construct an addition to the rear. In order to meet rear yard setback and other development standards, construction had to be designed to go up. The pitch of the new unit was lowered in order to not overwhelm the existing or adjacent structures. Ms. Rutherford clarified that heights of the adjacent buildings shown in drawings are only estimates.

F. Staff Report:

Assistant Planner Latta stated that review criteria 2.9.100.04.b.1 considers the historic integrity, significance and condition of the resource. He noted the number of modifications over the years make it a Non-Contributing structure, though it is in good structural condition.

In regards to 2.9.100.04.b.2, the proposal will not take the structure more closely to its historic look, so changes must be compatible with historic characteristics of the resource or district. In regard to 2.9.100.04.b.3, compatibility criteria, the addition will be oriented to access from the south. Parking spaces as proposed did not meet maneuverability standards, so they are conditioned to be larger to meet standards.

The applicant made an application for a Lot Development Option to reduce the south side yard setback from 10' to 8'; this was approved last week. Planner Latta noted that only a portion of the new unit would be visible from 5th Street. No portion of the addition will be taller than the tallest peak of the original structure. He related that the proposed alley width was 1' shy of the standard, so widening right of way by 1' is also conditioned by staff.

Changes are proposed to north, south, and west facades, but not the 5th Street front façade. Similar building materials are proposed, with lapped siding on the first story and shingles on the second story to provide differentiation. Window styles match existing windows, though the proposed vinyl material is not compatible with the historic resource; staff have conditioned using aluminum-clad, fiberglass-clad, or wood windows.

Mr. Latta concluded that staff recommends approval of the application subject to staff conditions of approval.

Mr. Gerke asked about the rear yard setback; Mr. Latta responded that the rear yard setback is 15'. Mr. Gerke asked whether the projecting upper dormer would meet setback standards. Planner Richardson noted that the cantilevered bathroom would not affect the ability to use the yard. Mr. Gerke said his understanding was that "Usable yard" extends up to the sky, unimpeded. Mr. Richardson added that his recollection of the Director's interpretation of the rear yard would be that the projection would not pose a hindrance.

Mr. Osen highlighted a new proposed concrete sidewalk several feet in front of the historic structure, proceeding south to the parking spaces; he asked why that was preferred to a sidewalk that came in parallel to the parking spaces. Mr. Latta replied that the design sought to prevent drivers from parking on the pedestrian sidewalk. Ms. Schlesener added that the commission are free to propose what Mr. Osen suggested, if it better meets the criteria. Mr. Parkerson suggested additional walkway from the addition to the parking area; Mr. Richardson replied that that was a good idea but not related to historic criteria; other chapters of the LDC require pedestrian access from the public street to the second dwelling unit, which is explains the proposed sidewalk location (stepping stones could be placed to lead to the alley).

Mr. Morris asked whether staff had considered the visual impact of the overhanging upper bathroom; Mr. Latta answered that staff felt it would not have much visual impact to passersby, and it would only be visible from the alley.

G. Public Testimony in favor of the application: None.

H. Public Testimony in opposition of the application:

Carolyn Ver Linden, 644 SW 5th Street, stated the modest house, built in 1895, is one of the older historic resources, and one of its defining characteristics is its steeply pitched roof. The proposal to make it into a duplex is not in keeping with the age and historic use of the structure. Also, the addition is much larger, so not meeting 2.9.100.04.3.d. Four feet of the structure will be visible from 5th Street.

The code should be interpreted so any addition primarily matches the original structure, and only secondarily surrounding structures (2.9.100.04.2.a). Structures in a historic district are unique; using a standard that says one can modify a building to look like its neighbors rather than itself undermines the definition of a historic district.

The hipped rear roof is proposed to be replaced by a gabled roof that is not pitched to match the rest of the house; this is in opposition to 2.9.100.04.3.f. The original spatial layout of the site would be altered; historic preservation, not infill, is the mission of the HRC. She recommended the HRC deny the application.

B.A. Beierle, PO Box T, stated that her greatest concern was in regard to 2.9.100.04. b.2.b, in which the resource needs to be compatible with the historic characteristics of the resource or the district. The resource is not compatible with itself. When there is an intent to make a resource compatible with adjacent structures that are already altered, it lowers the bar on historic district integrity.

The application also fails to meet 2.9.100.04.b.3.a, b, d, e, f and g. In regards to "a", the facade is being altered as viewed from a right of way. In regards to "b", Building Materials, vinyl is not acceptable in a historic structure. In regards to "d", Scale and Proportion, new additions should generally be smaller than the impacted designated historic resource if in existence and proposed, in part, to remain. In regards to "e", second story additions are allowed provided they are consistent with height standards, but the height of the alteration or new construction shall not exceed that of the primary resource, as this one does. In regards to "f", Roof Shape, the new roof does not match the shape or pitch of the original designated historic resource; the steeply pitched roofs are one of the most defining architectural elements on the building. In regards to "g", Pattern of Window and Door Openings, fails the materials test. She asked the application be denied. In response to Mr. Pope's question, she stated that she believed that the steep roof pitches were original.

I. Neutral testimony: None.

J. Rebuttal by Applicant:

Mr. White noted that the building was classed as Historic Non-Contributing because of the extent to which it was altered since its construction; that it no longer represented a contributing structure to the historic district. Only the setback is what staff considers to be the historic element of the home; that 19' setback is being preserved at direction of staff; this is one of the criteria on which the design is based.

Multi-family use is not prohibited in the historic district; the property is zoned RS12. The structures to the north and south are multi-family. The comprehensive plan encourages infill as efficient use of land.

K. Sur-rebuttal: Ms. Ver Linden stated that when structures that have been altered to the extent that they are designated as Historic Non-Contributing, it is with the hope that at some point in the future they may become Contributing again. The RS12 zoning cited by Mr. White was increased by the City Council around 1980 beyond what it really is, in the hopes that the area would be razed and become an infill link between OSU and the transportation corridor; however, since then, it has become a historic district and the zoning doesn't fit. She contended infill was not appropriate in a historic district and should only be done judiciously.

Mr. Osen asked if the alterations were done in 1930's, well within the period of significance for the district, why it would be considered Non-Contributing. Ms. Ver Linden replied that additions made within the period of significance are considered historic; so it is not clear why the designation was made.

Ms. Beierle added that Article 5, Section 5.4 of the Comprehensive Plan also provides for historic and cultural resources, which must be balanced with infill considerations.

L. Additional time for applicant to submit final argument:

The applicants waived the seven-day period to submit additional written argument.

M. Close the public hearing:

Mr. Parkerson moved and Mr. Gerke seconded to close the public hearing; motion passed.

N. Discussion and Action by the Commission:

Questions from the Commission:

Ms. Solie asked whether staff had given advice to applicants during the process that the setback was the only historic aspect of the resource. Mr. Latta replied that he did not discuss with the applicants the options of moving or raising the house.

Mr. Morris noted the criteria regarding the roof pitch, scale and proportion and size, have been sidestepped in the proposal, probably largely because it is Non-Contributing. Ms. Schlesener noted that the review criteria are discretionary and just because it is Non-Contributing does not give it an automatic out.

Mr. Gerke stated that he is supportive of the LDC aspirations for infill, but the proposed building will not be attractive; the scale and proportion of the proposal are a mess. He emphasized that the character of the original structure is largely about the steeply pitched roofs. Fitting the amount of density proposed on the site would be a challenge under the imposed conditions, but it is not up to the commission to design it.

Mr. Parkerson stated that the Avery-Helm District is the most diverse and conflicted district in Corvallis, since it represents a period of community growth. Development may occur on this lot, but not the proposed development. He stated that there is not another house like it in the district. He stated that there needs to be consideration of scale, proportion, architecture and the view from 5th Street.

Mr. McClure cited code, "In rare instances, where an addition or new construction is proposed to be larger, no single element is visually larger than original designated historic resource". This is clearly not the case with the proposed new roof pitch or shape and fails the Scale and Proportion criterion.

Mr. Pope noted Ms. Ver Linden's concern regarding how the infill aspect of the proposal radically alters size of the buildings on the lot, even though it is Non-Contributing. It is not compatible with the district.

Ms. Solie stated concern with scale and proportion. She stated her appreciation of investment in the historic district; however, the proposed addition reduces the quality of the historic district and the resource. There doesn't seem to be any reference in the code about how Non-Contributing structures should be treated any differently than Contributing; she cannot vote in favor.

Mr. Osen stated that while he is sympathetic to infill in a historic district, which must respond to current needs, the design must be integrated in a sympathetic manner. While the scale of the building seems small and fine, it managed to get a lot of square footage under a series of steep roofs and this is not represented in the proposal. He noted that the proposed pattern of ganged windows is also different; the proposed trim bands are also different.

Ms. Fulton stated that she was sympathetic to infill but the proposal doesn't work with the resource or the district; and fails 2.9.100.04.b.3.a, b, c, and d, etc. Ms. Fulton noted that code states that additions shall be compatible, but her interpretation is that those differences can also be subtle.

Mr. Gerke stated he was concerned that the applicants stated they believed that staff was encouraging them to differentiate from the existing structure as a way to avoid having to replicate the vocabulary of the existing building, and that the applicants felt that they did what staff asked them to do. Planner Richardson replied that staff doesn't view difference as an alternative to being compatible. Ms. Schlesener added that differentiation doesn't need to be glaring, it can be subtle. She noted that Chapter 2.9 is new and staff was on the fence on the proposal and shared some of the concerns that the commission voiced. Staff can take the HRC's direction and apply it more clearly in future proposals.

MOTION:

Ms. Solie moved to deny the application as presented and conditioned in the staff report; Mr. Parkerson seconded. Motion passed unanimously.

O. Appeal Period:

Chair Osen stated that any participant not satisfied with this decision may appeal to the City Council within 12 days of the date that the Notice of Disposition is signed.

III. HRC WORK PROGRAM.

There was consensus to rank "Create Incentives and Provide Tangible Benefits for Living in a Historic District or Resource" #1 in both importance and urgency.

There was consensus to eliminate "Reduce Steps" and separate "Streamline the Hearings and Review Process" from "Provide Opportunities for Technical Assistance"; both of which were ranked priority #1 in importance and urgency.

"Make Public Hearings Process More Friendly" was rated #2 in both importance and urgency.

IV. HISTORIC PRSERVATION MONTH.

Planner Richardson highlighted the Footwise display, a library display and that only three award nominations had been received so far.

V. MINUTES REVIEW.

It was noted that on page 3, paragraph 3, Vincent Martorello's title should be Director of Facility Services; also, in the same paragraph, *manager* is misspelled. Ms. Solie emphasized she abstained from that vote. Mr. Parkerson moved and Mr. Morris seconded to approve the March 11, 2008 minutes as corrected; motion passed unanimously.

VI. OTHER BUSINESS/INFORMATION SHARING.

Planner Richardson highlighted Ms. Beierle's memo.

Ms. Solie highlighted the Friday deadline for Historic Preservation Award submissions; the subcommittee will consider nominations the following Wednesday, with the full commission considering them at a special meeting April 22.

VII. ADJOURNMENT: The meeting was adjourned at 9: 50 p.m.

DRAFT

HOUSING AND COMMUNITY DEVELOPMENT COMMISSION
MINUTES
April 16, 2008

Present
Judy Gibson, Chair
Ed Fortmiller, Vice Chair
Buzz Berra
Jennifer Jordan
Sherry Littlefield
David McCarthy
Dan Schofield
Patricia Weber, Planning Commission Liaison
Trish Daniels, City Council Liaison

Absent
Robin de La Mora

Staff
Kent Weiss
Joe DeMarzo
Lauren Sechrist
Terri Heine

SUMMARY OF DISCUSSION

Agenda Item	Action/Recommendation
I. Consideration & Approval: HCDC Draft Minutes of 03/12/08	Approval
II. Status: Loan Funds and Recent Rehab Loan	Information Only
III. Essential Repair Program Loan Policy Exception Request	Recommendation
IV. Housing Coalition Activities/OHCS Director's Message	Discussion
V. Small Housing Investigation/Planning Workplan and Timeline	Discussion

CONTENT OF DISCUSSION

I. Consideration & Approval: HCDC Draft Minutes of March 12, 2008

Chair Gibson opened the meeting, asking for consideration of the HCDC draft minutes of March 12, 2008. The minutes were approved unanimously.

II. Status: Loan Funds and Recent Rehab Loans

Housing Program Specialist DeMarzo reported that one new First Time Home Buyer (FTB) loan had closed since the last meeting. Regarding rehabilitation loans, DeMarzo reported that no new loans have closed since the last meeting, adding that several are in the application/review process.

III. Essential Repair Program Loan Policy Exception Request

DeMarzo directed Commissioners to a memo included in their packet detailing an Essential Repair (ER) Program loan policy exception request for a two person household located at 1350 NW 11th Street. He noted that the home was built in 1955 and is a 3 bedroom, 1 bath structure with an attached garage/utility room. The owner purchased the residence approximately 15 years ago, but a few years later she became significantly disabled and is now confined to a wheelchair. Since then, she has made some makeshift adaptations to the house in order for it to be more accessible. DeMarzo noted that the existing bathroom and kitchen are still too small and the hallway is too narrow for wheelchair maneuvering. In order to make the interior of the house wheelchair accessible, it will take a substantial reconfiguration of the hallway, kitchen, bathroom and one bedroom; in addition, passageways to other rooms will need to be widened.

Continuing, DeMarzo noted that over the course of several years, the owner has explored numerous options regarding her living arrangements, but prefers to stay in her familiar neighborhood where she strives to lead a relatively independent lifestyle. She is willing to utilize the equity in her home as an investment toward making the property meet her long term needs. In addition to the owner's equity, her parents are willing to contribute a significant amount of funds ($50,000) to the project. The owner and her family have determined that investing in modifications to the home will be less costly in the long run and will allow the owner to live a more independent lifestyle compared to entering an assisted living facility.

Regarding defining the scope of work, DeMarzo noted that the owner's parents have already contributed approximately $2,500 for a number of up-front costs such as a pest and dry rot inspection and architectural design services. Benchmark Architectural Services has coordinated with the owner and Housing staff to develop a set of plans and specifications that address the owner's accessibility needs, as well as lead based paint hazards, electrical hazards, emergency egress, plumbing and heating deficiencies, energy efficiency upgrades, and the maintenance, repair or replacement of components such as paint, roofing, and siding as would be typical of a 53 year old house.

DeMarzo noted that the owner has worked to contain project costs in a variety of ways, beginning with selecting four reputable contractors who were willing to provide competitive bids. She then worked with the lowest priced contractor, along with Housing staff and the architect, to value engineer and modify numerous aspects of the project. A number of less expensive but workable alternative methods and materials have already been incorporated into the project's budget. The owner also has several friends and acquaintances who have committed to volunteer with various aspects of the project, including labor and moving assistance. DeMarzo noted that despite all these cost containment efforts, the project will still cost a considerable amount. He added that the costs are somewhat magnified by the presence of lead based paint, but the primary reasons for the high cost are mostly due to the large scale of the project, the cost of labor and materials, and the inclusion of many accessibility features.

Concluding, DeMarzo noted that there is sufficient equity in the property to secure the requested loan amount of $65,881.00. Because the total loan amount exceeds the $30,000 ER Program policy threshold, a recommendation for a loan policy exception from the HCDC is needed in order to forward this request for City Manager approval.

A brief discussion followed during which staff confirmed that there are enough FY 07-08 City funds available to provide the loan. Commissioner Berra then moved, with Commissioner Jordan's second, that the HCDC recommend City Manager approval of the request for a loan policy exception for an Essential Repair Program loan in the amount of $65,881.00 for the owner of the home located at 1350 NW 11th Street. The motion passed unanimously.

IV. Housing Coalition Activities/OHCS Director's Message

Housing Division Manager Weiss reminded Commissioners that during their February 19, 2008 meeting, they had decided to recommend City Council approval that the City of Corvallis join the Housing Alliance; following Council's approval, the City did join the group. Weiss directed Commissioners to a memo included in their packet regarding the March 18 Housing Coalition meeting, noting that four summaries of discussion held during the meeting are attached to the memo. He noted that at the March meeting, attendees had a long discussion about what priorities the group feels the state should be setting for its housing efforts in the coming biennium. During the meeting, attendees broke into smaller groups to discuss priorities in four issue areas: homeownership, homelessness, multi-family rental housing, and capacity building. The four summaries of those issue group discussions have been provided by the Coaliation in preparation for another meeting in late May that will synthesize discussion from the four groups into a single set of priority and funding recommendations.

Continuing, Weiss noted that during the March meeting, each of the four issue groups discussed the following questions:

1) What do we agree on?

2) What do we disagree on?

3) What is our strategy for reaching agreement on a 2009 position?

4) If we had $100 to spend in our category, how would we spend it?

Weiss noted that he participated in the homelessness issue group, so was not directly involved in the discussions of the remaining three issues, but following a review of the discussion summaries did note that projects that the City of Corvallis has funded over time have been in alignment in many areas, but that there are other areas to look at more closely.

Regarding the discussion by the homeownership issue group, Weiss noted that the City aligns very well with what the priorities being suggested for the State would be. Two of the identified priorities already being carried out locally include downpayment assistance (through the City's loan programs) and homebuyer education and counseling (through programs at Willamette Neighborhood Housing Services). Weiss noted that working with manufactured home parks to encourage the continuation of affordable housing options was identified as a priority, adding that this may be one of the areas that the HCDC and staff might take a closer look at. Two additional priorities identified by this group are construction subsidies (which the City is already providing) and land banking (which the Housing Division cannot currently do because of restrictions on the use of federal funds).

Weiss noted that it was the consensus of the homelessness issue group that shelters and hotels/motel vouchers are not ideal long-term solutions, and that permanent housing is the preferred solution. He added that this is another area that would benefit from further discussion by staff and the HCDC, noting that there may be a project ready for proposal within the next two years for the creation new shelter beds. Weiss then noted that the City is aligning well with the range of eligible populations as discussed by the homelessness issue group: 1) persons or families at imminent risk of homelessness; 2) persons or families experiencing episodic or intermittent homelessness; 3) persons or families experiencing repeated or long term homelessness ("chronically homeless"); and 4) special needs populations including youth, persons leaving domestic violence, and veterans and their families.

Beginning an overview of the discussion by the multi-family rental housing issue group, Weiss noted that the group considered five potential uses of funds: new development, preservation, permanent supportive housing, special needs housing, and land banking. He noted that the City currently provides assistance in three of those areas, but does not currently fund preservation or land banking mostly due to a lack of opportunities to do so with the types of funding the City has available for allocation. Weiss added that the term "preservation" used here is not specifically for acquisition/rehab of just any multi-family rental units, but targets using public and private funds to acquire structures that are HUD moderate rehab projects for which the affordability period is nearing the end (such as Benton Plaza and the Julian Hotel locally), and lock them up with affordability commitments for an extended period of time.

Weiss noted that the primary focus of the capacity building issue group centered around how non-profit agencies can continue to access the funding they need so they can continue offering their services, and how they can make the most of the funds that they are currently receiving.

Directing Commissioners to a message included in their packet from Oregon Housing and Community Services Department (OHCSD) Director Victor Merced, Weiss noted that Mr. Merced's message expresses concern about national economic trends and the impacts they are having on the programs of his agency. Weiss explained that to date, housing programs in Corvallis have been minimally affected, but with a large pending Willamette Neighborhood Housing Services' (WNHS) project that will look for a significant portion of its funding to come from the federal Low Income Housing Tax Credits that OHCSD allocates, there is reason for some concern. Weiss noted that he and Jim Moorefield, Executive Director of WNHS, have had several discussions regarding this concern, and have talked about alternative strategies for the project if Low Income Housing Tax Credits are not available. These alternatives include restructuring the project into two smaller projects, looking for other types of tax credits that are not as advantageous to the project, and asking the committed investors of the project for additional allocations.

V. Small Housing Investigation/Planning Workplan and Timeline

Weiss directed Commissioners to a memo regarding alternative affordable/small housing unit investigation, noting that an attachment includes an updated project overview and timeline for the HCDC project that will investigate housing structure types that are relatively affordable, and that are not currently being utilized in Corvallis either because there is a lack of knowledge about their availability, or because current land use regulations either do not allow, or do not encourage their use.

Continuing, Weiss noted that the project goals and primary bases for evaluations are still basically the same today as they were when originally established. However, the original design of the project's approach had the HCDC breaking into three subcommittees to work on separate aspects of the investigation. Weiss noted that given Commissioners' availability and the amount of staff time that approach would take (staff meetings of three groups), staff is proposing an alternative that lays more of the burden for the investigative/evaluative work on an OSU intern and staff, but allows participation, at whatever level is desired, by individual HCDC members. Progress reports will be given during monthly HCDC meetings.

If the Commission approves of the alternative project design, Weiss noted that staff will invite a Planning Division representative to attend May's HCDC meeting to provide an overview of current Land Development Code allowances and limitations. The next step will begin soon thereafter, with the intern and staff working through an initial investigation and evaluation of building types/structure designs to form a basis for the evaluation of the other two areas of investigation: financing options and issues, and siting/land use options and issues. Based on discussions about building designs/structure types, options will be selected for further

investigation by the intern and staff from the perspective of financing and siting. Planning representatives and other with expertise can be invited to additional meetings as desired by the HCDC to discuss options/direction. Weiss noted that the final item of the process will be to discuss and summarize findings and to determine the next steps during HCDC's December 17, 2008 meeting.

Weiss asked Commissioners for their thoughts and suggestions regarding the suggested process for the project. Following a brief discussion, it was the consensus of the HCDC to proceed with the staff's proposed alternative process for the project. Weiss noted that he will contact Planning to arrange a visit during next month's meeting.

There being no further business, the meeting was adjourned at 1:15 p.m.

MEMORANDUM

To: City Council Members

From: Charles C. Tomlinson, Mayor

CCT/kw

Date: May 15, 2008

Subject: Confirmation of Appointment to Commission for Martin Luther King, Jr.

As you know, at our last regular meeting I appointed the following person to the Commission for Martin Luther King, Jr., for the term of office stated:

Amber Wilburn
1250 NW 23rd Street # 4
Corvallis, OR 97330
Telephone: 737-2350
Term Expires: June 2008

I ask that you confirm this appointment at our next Council meeting, May 19, 2008.

c: Ellen Volmert
Linda Weaver

1063

MEMORANDUM

May 12, 2008

TO: Mayor and City Council

FROM: Nancy Brewer, Finance Director NB

SUBJECT: **Scheduling Public Hearings**

Staff requests the City Council schedule Public Hearings at 7:30 PM on Monday, June 2, 2008 for:

- A recommendation for the use of State Shared Revenues for FY 2008-2009; and
- Adoption of a budget for FY 2008-2009.

MEMORANDUM

CORVALLIS
ENHANCING COMMUNITY LIVABILITY
PARKS & RECREATION

To: Mayor and City Council
From: Karen Emery, Acting Director
Date: May 14, 2008
Subject: Senior Center/Chintimini Park/Playground Equipment/Softball Fields Bond Update

---

Issue: The City Council approved placing the Senior Center, Chintimini Park (SC/CP) capital improvement project, system-wide playground equipment improvements and the development of softball fields on the November 2008 ballot as a bond measure. The following is an update regarding this project.

Background: The SC/CP improvement project began in the late 1990's. In Fall 2004, the City Council adopted the master plan for building and site improvements. In Summer 2006, the City Council approved placing a general obligation bond measure on the May 2007 ballot to fund the SC/CP project. In Fall 2006, the Parks, Natural Areas and Recreation Board recommended including system-wide playground improvements in the bond measure, which was affirmed by City Council. At its September 2007 work session, City Council endorsed moving forward with the project and re-scheduling the bond measure for the November 2008 ballot to allow for more time to prepare for the election and address relocation of the softball fields displaced by this project.

Discussion: In preparation for the November bond measure, projected costs have been updated. The costs of the Senior Center/Chintimini Park reflect the City Council approved FY 2009-2013 Capital Improvement Plan, with an adjustment for inflation for the Senior Center/Chintimini Park component.

<u>Senior Center/Chintimini Park</u>
Adopted Senior Center master plan adds 8,500 of new construction LEED Silver Standard, additional classrooms, Dial-A-Bus and Senior Meals offices, and parking. Adopted park master plan includes covered play area, picnic area, play equipment, basketball court, and future volley ball court. See attachment A -Master Plan and attachment B – Probable Costs.
Projected cost to build in 2010: $11,409,118

Playground Equipment
Ten parks have been selected to be upgraded. Nine will receive play equipment and Americans with Disabilities Act (ADA) accessible tile surfacing and two of the ten will receive ADA accessible play equipment. Avery Park has been selected to receive play equipment that will accommodate people who use wheelchairs. See attachment C for further details.
Projected cost to build in 2009: $1,650,000

Softball Fields
In Fall 2005, staff completed an adult softball field analysis which included the status of current inventory, recommendations from the Parks and Recreation Facilities Plan 2000, population projection estimates, concessions, tournaments, and operations. The Parks and Recreation Facilities Plan 2000 projects the need for eleven softball fields; to date there are seven. Last FY the eighth field was removed to restore wetlands at north Sunset Park. The Senior Center/Chintimini Park Master Plan converts South Chintimini softball field to parking and restricts North Chintimini field to youth only play. Due to these changes, staff investigated nine sites for potential construction of a four field softball complex. See attachment D for further details.

The Parks, Natural Areas and Recreation Board (PNARB) reviewed the Bald Hill site in depth at their April 2008 meeting and moved this site not be considered for a softball complex. At a special meeting held in May 2008 to discuss softball fields, PNARB moved to "have staff look for property for a four field complex and to be creative with the existing fields in the inventory in the interim". The development of a softball field complex is eligible to be funded both through System Development Charges and various grants.

PNARB asked staff to reconsider changing North Chintimini Park from youth only, per the master plan, and retain for the adult program. Change to an adult playing field would require reviewing the master plan, relocating play equipment areas, removing the planned basketball court and making improvements to the softball field; i.e., installing a safety fence around the softball outfield and upgrading the infield. If the field remains permanently as an adult field, installing zero spill lights could be considered.

Staff requests Council direction to determine how softball fields will be included in the November bond.

NOTE: All options below include the cost of both the Senior Center/Chintimini Park expansion and playground upgrades.

Option A: Do not include softball fields in the bond.
Total Cost of Bond: $13,059,118

Option B: Enhance North Chintimini softball field for adult use on an interim basis until a complex is developed. Enhancements would include installation of outfield and other fencing and upgrading the infield soil. Include funding for enhancement in the bond.
Projected cost $50,000
Total Cost of Bond: $13,109,118

Option C: Enhance North Chintimini softball field, maintain in permanent adult inventory and include funding for the field enhancements and funding to acquire land (to date, unidentified) for a softball complex. Enhancements would include installation of outfield fencing, upgrading the infield soil, and installing zero spill lights, projected to cost $210,000. In addition, the funding would include up to $100,000 for initial infrastructure costs to the acquired property. The estimated cost of property is $500,000. With this option, making the fields permanent may require revising the Chintimini Park master plan (attachment A).

Projected cost $810,000
Total cost of Bond: $13,869,118

Recommendation: Council select option A, B, or C, or any other alternative Council identifies, so staff may develop Bond Measure Ballot Title language to be reviewed by Administrative Services Committee and the City Council.

Review and Concur:

Jon S. Nelson, City Manager

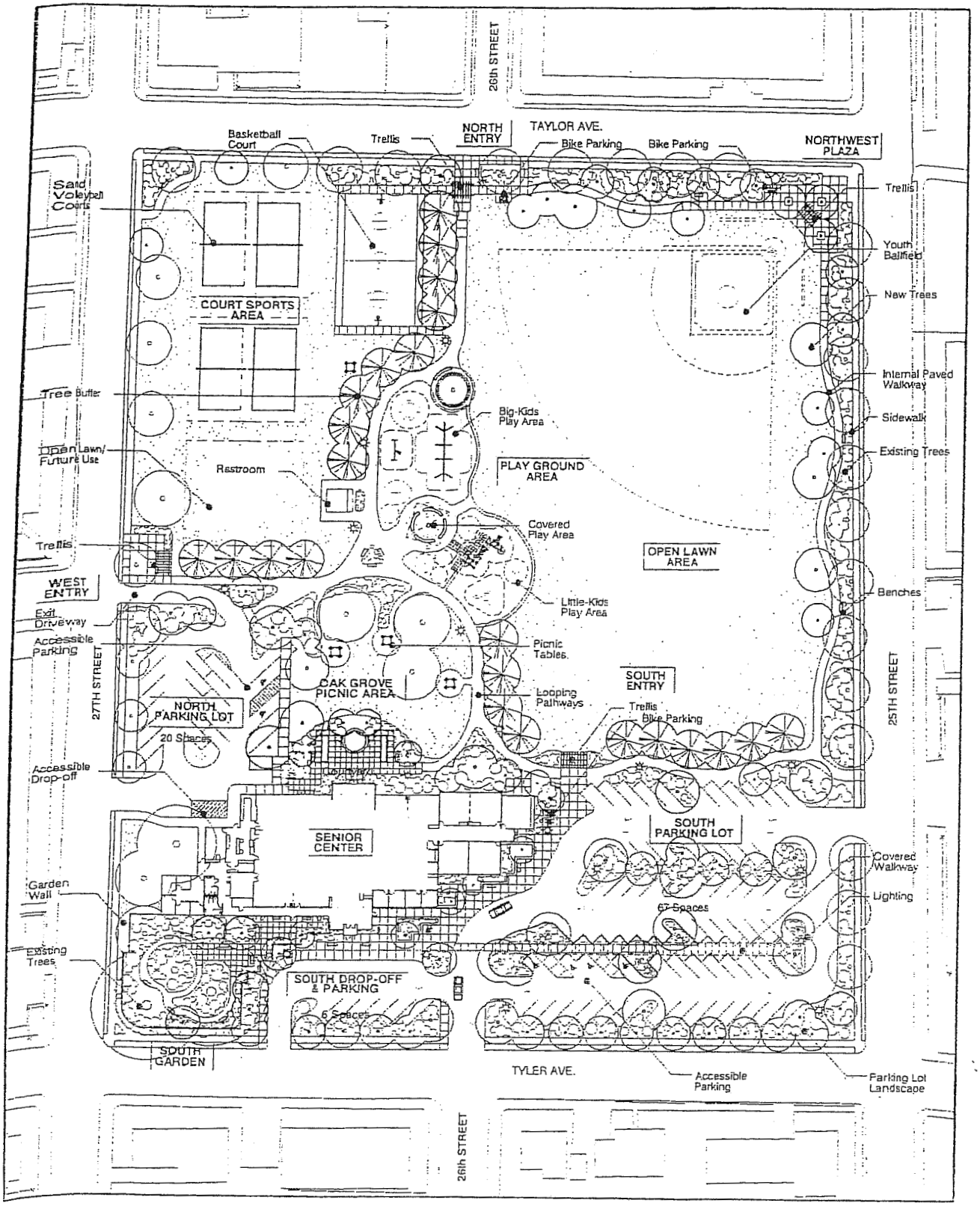
Nancy Brewer, Finance Director

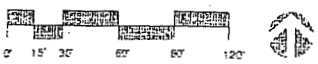
Attachments:
Attachment A – Master Plan
Attachment B – Senior Center/Chintimini Park Probable Costs
Attachment C – Playground Costs
Attachment D – Softball Site Locations
Bond Measure Timeline

City of Corvallis — Chintimini Senior Center

Preferred Site Plan

November 1, 2004





SATRE ASSOCIATES

Preferred Site Plan

City of Corvallis **Summary** **Statement of Probable Costs**

Chintimini Senior Center and Park Original 7/22/04, Revised 2/8/08

Assumption of probable costs based on conceptual drawings and systems description dated 7/22/04.

			Low Range	High Range
Hard Costs Total with Mark-Ups (see attached)			$5,284,922	$5,787,149
Add- Inflation 7/04 to 12/07 (from Marshall Valuation Service)	13.3%		$702,895	$769,691
Revised Project Construction Total, Jan-2008			**$5,987,816**	**$6,556,840**
Budget for Inflation 1/08 to 4/10	16%	20%	$958,051	$1,311,368
Revised Construction Cost Total Bid Date April-2010			**$6,945,867**	**$7,868,207**
Soft Costs Summary				
Site Surveys and Soils Test	0.30%		$20,838	$23,605
Construction Testing	1.00%		$69,459	$78,682
Development Charges	1.00%		$69,459	$78,682
Plan Check Fees	0.45%		$31,256	$35,407
Construction Management Fees	3.00%		$208,376	$236,046
Construction Contingency	8.00%		$555,669	$629,457
AE Fees	11.00%		$764,045	$865,503
Printing Costs	0.35%		$24,311	$27,539
Public Art	1.00%		$69,459	$78,682
Communication	1.00%		$69,459	$78,682
AV Equipment	2.00%		$138,917	$157,364
Furniture & Fixtures	2.50%		$173,647	$196,705
LEED Certification and Sustainable Services	1.50%		$104,188	$118,023
Total Percentage, Soft Costs	33.1%		$2,299,082	$2,604,377
Inflation for Soft Costs 7/04 to 12/07 (from Marshall Valuation Service)	13.3%		$305,778	$346,382
SOFTCOST SUBTOTAL-1			**$2,604,860**	**$2,950,759**
Budget for Soft Costs Inflation 1/08 to 4/10	16%	20%	$416,778	$590,152
SOFTCOST SUBTOTAL-2			**$3,021,638**	**$3,540,911**
Total - Project Cost Budget			**$9,967,505**	**$11,409,118**
Project Costs Allocation Per Element				
Site			$4,452,185	$5,096,111
Building			$5,515,319	$6,313,007

City of Corvallis
Chintimini Senior Center and Park

Statement of Probable Costs
Original 7/22/04, Updated 4/9/06

LOC	ITEM			QNTY	UNIT	$/UNIT	TOTAL $
	SITEWORK						
	Demolition: Site Pavement			10,661	SF	0.700	7,463
	Add- Inflation 7/04 to 12/07 (from Marshall			1	LS	10,435	10,435
	Site Earthwork			88,442	SF	4.226	373,756
	Concrete Paving			38,843	SF	7.583	294,559
	Asphalt Paving			49,599	SF	1.200	59,519
	Budget for Inflation 1/08 to 4/10	16%	20%	1	LS	13,725	13,725
	Site Fixtures And Furnishings			1	LS	145,340	145,340
	Play Amenities			1	LS	138,691	138,691
	Restroom Building			224	SF	410.714	92,000
	Playground Shelter			624	SF	55.000	34,320
	Bandstand/Gazebo			624	SF	80.000	49,920
	Covered Walkway			2,000	SF	55.000	110,000
	Fountain			1	LS	15,000	15,000
	Planters & Retaining Walls			1	LS	25,700	25,700
	Landscape			542,058	SF	1.001	542,582
	Site Utilities			1	LS	42,500	42,500
						SITEWORK HARDCOST:	**1,955,509**
	BUILDING						
	Building Demolition			11,200	SF	1.88	21,000
	Main Common Area			3,270	SF	171.31	560,185
Inflation	Classroom Wing			4,650	SF	140.85	654,969
	Office Area			1,700	SF	162.13	275,625
	New Restrooms			460	SF	352.34	162,079
	Mechanical Mezzanine			1,040	SF	14.17	14,734
Budget	Dining Room	16%	20%	1,300	SF	187.48	243,725
	Remodel Multi-Purpose Room			3,120	SF	47.89	149,403
	Remodel Skylit Hall			350	SF	117.88	41,258
	Kitchen Addition			270	SF	242.23	65,403
	Meals Remodel			380	SF	53.94	20,499
	Existing Service Remodel			1,780	SF	16.38	29,152
	Dial-A-Bus			920	SF	211.83	194,883
						BUILDING HARDCOST:	**2,432,918**
						HARDCOST TOTAL	**4,388,427**

LOW RANGE			HIGH RANGE	
		Markups:		
@ 5%:	219,421	Contingency	@ 15%:	658,264
	354,804	Gen Requirements @ 7%:		388,595
	271,172	Profit & Overhead @ 5%:		296,998
	5,000	BOLI Wage Fee:		5,000
	46,097	Perfomance bond:		49,865
	896,495	**Subtotals:**		1,398,722
	5,284,922			**5,787,149**

Attachment C

Playgrounds to be updated through the November, 2008 Bond

Arnold Park	Play equipment, surfacing, removal, disposal	$121,000
Avery Park	Design, ADA play equipment, play equipment, surfacing, removal, disposal	$298,000
Bruce Starker Arts Park	Design, play equipment, surfacing, removal, disposal	$121,000
Central Park	Design, ADA play station, surfacing, removal, disposal	$113,000
Cloverland Park	Design, play equipment, surfacing, removal, disposal	$191,000
Franklin Square Park	Design, play equipment, surfacing, potable water/drinking fountain, removal, disposal	$121,000
MLK Jr. Park	Design, play equipment, surfacing, removal, disposal	$263,000
Porter Park	Design, play equipment, surfacing, removal, disposal	$121,000
Tunison Park	Design, play equipment, surfacing, removal, disposal	$188,000
Village Green Park	Design, surfacing, service access, removal, disposal	$113,000

Total Cost for playground upgrades: $1,650,000

Attachment D

Softball Field Site Locations
Updated May 2008

	SITE	COMMENTS	FEASIBILITY
1	Westland School	School district declined to participate, due to preferred alternative use of the site	None
2	OSU Property (Brooklane & Hwy 34)	OSU declined to participate, due to preferred alternative use of the site	None
3	Pleasant View Farms (49th Street)	Too small, located in neighborhood, incompatible use	None
4	Pioneer Park (East & west of existing park)	Too small, in a partially protected riparian zone	None
5	Porter Park	Too small, located in neighborhood	None
6	Willamette Park	Too small, still need soccer fields in that location, not enough parking, in a partially protected floodplain	None
7	Bald Hill	PNARB didn't support, expensive location due to mitigation and road construction, natural area, protected vegetation	None
8	Berg Park	Limited access, outside UGB within Linn County, wetland issues	None
9	Crystal Lakes Sports Fields Facility	Parking is limited & at capacity for current use, infrastructure exists and requires upgrades to water services, scheduling challenges due to conflict between sports, ie soccer, baseball and softball time of play, flood plain issues, no permanent structures allowed such as fencing and backstops, require CC approval to change conditional use conditions, Benton County planning requirements are compatible	None
10	Acquire new site	No properties identified, time is limited	Potential, but not before bond deadlines

SENIOR & COMMUNITY CENTER & PARK FACILITIES BOND MEASURE

NOVEMBER 4, 2008 ELECTION TIMELINE

Date	Event
November '07	City Council approved Senior Center bond measure for November 3, 2008 election
February 19	City Council receives update on Senior Center/Chintimini Park project
Feb - Nov	Forward any public outreach materials (FAQs, Q&As, fliers, newsletter articles, web site information) to State Elections Division for advocacy review (at least two weeks notice to State)
June 2	City Council public hearing to consider Budget Commission recommendations on FY 2008-2009 proposed budget
June 5	Administrative Services Committee (ASC) reviews draft ballot title language
June 16	City Council considers ASC recommendations and approves Ballot Title
June 23	Assistant to City Manager/City Recorder publishes "Notice of Receipt of Ballot Title"
July 2	Deadline to file dissatisfaction of ballot title with Circuit Court
July 7 -11	Circuit Court holds hearing; decides on ballot title
July 7 - 21	Forward Explanatory Statement and other public outreach materials to State Elections Division for advocacy review
August 4	City Council adopts resolution forwarding the measure to the voters on the November 4, 2008 ballot, and directing Assistant to City Manager/City Recorder to publish notice of municipal election
August 7	ASC reviews Explanatory Statement
August 18	City Council considers/approves Explanatory Statement
September 4	Last day for Assistant to City Manager/City Recorder to file Notice of Measure and Voters' Pamphlet with County Elections
September 26	Explanatory Statement (Voters' Pamphlet) published in *"the City"*
Mid-October	Ballots in mailboxes
October 18 & 25	Assistant to City Manager/City Recorder publishes "Notice of Municipal Election" and post in four locations
November 4	Election
December 1	Assistant to City Manager/City Recorder prepares Abstract of Votes and Canvass of

* * * MEMORANDUM * * *

MAY 7, 2008

TO: MAYOR AND CITY COUNCIL

FROM: JON S. NELSON, CITY MANAGER

SUBJECT: MAY 7, 2008 CITY LEGISLATIVE COMMITTEE WORKING NOTES

1. Call to Order

Mayor Tomlinson called the meeting to order at 8:35 am, with Councilors Hamby, Wershow, and York in attendance. Also in attendance were State Representative Andy Olson and City Manager Nelson.

2. Legislative Issues Update from Representative Olson

Mayor Tomlinson briefly discussed the process underway to review Senate Bill 10 regarding ethics reporting and the League of Oregon Cities' (LOC) process for developing legislative positions. He extended an invitation to Representative Olson to revisit the Committee this Fall to discuss the LOC agenda.

Representative Olson reviewed the following discussion points with Committee members:

- Economic conditions (Representative Olson is on the House Revenue Committee).
- Probable special session in June/July 2008 to address revenue short falls.
- Proposed solutions, including five-percent State agencies budgets give-back and reconsideration of recent and planned salary raises.
- May ballot measures, in particular Measure 53 replaces Measure 3, and he supports this civil forfeiture proposal.
- November ballot measures, in particular how Senate Bill 1087 (Andy Olson and Floyd Prozanski) is less costly to the taxpayers than Initiative Petition 40 (Kevin Mannix). SB 1087 also includes treatment. Both would require new capital construction for prisons and related operating support.
- His sponsorship of legislation protecting children, including child pornography.
- His support of additional Oregon State Police Officers through the 2009 session and for legislation addressing metal theft.

Representative Olson and Committee members also discussed street repair needs, tax reform, ONC funds, negotiations, and re-prioritization of services efforts.

Representative Olson agreed to visit again next Fall.

3. Other

Committee members agreed by consensus that Councilors could individually provide feedback regarding ethics reporting (attached invitation).

Councilors also noted that Legislative Committee discussion on a National Peace Department is pending further feedback from Councilor Grosch.

4. Next Meeting

The next meeting is scheduled for May 28, 2008.

5. Adjournment

The meeting adjourned at approximately 9:30 am.

Attachment: May 6, 2008 Letter from Ethics Reform Review Team

1037

Dexter Johnson, Legislative Counsel
Philip Schradle, Office of the Attorney General

Kelly Skye, Office of the Governor
Marjorie Taylor, Department of Administrative Services

Ethics Reform Review Team
900 Court St. NE, S-101 Salem, OR 97301
P: (503) 986-1243 F: (503) 373-1043

May 6, 2008

Dear Public Official or interested member of the public:

Committees of the Oregon Legislative Assembly will hold public hearings on the new Oregon government ethics reforms. The hearings will begin in June.

In preparation for those hearings, legislative leadership has appointed a fact-finding team to research, review and report to the legislature on concerns public officials have with the requirements and implementation of the new ethics laws.

As members of the fact-finding team, we write to you to invite your comment on these issues. The team will compile a record and summarize the information received in a final report to the legislative committees prior to their June hearings. You may submit written comments by May 20, 2008.

Written comments should be submitted by **May 20, 2008**, to:

Dexter Johnson
Legislative Counsel
S-101 State Capitol
900 Court St. NE
Salem, Oregon 97301
Email: ethics.review@state.or.us

Thank you for your assistance.

Dexter Johnson
Legislative Counsel

Philip Schradle
Office of the Attorney General

Marjorie Taylor
Department of Administrative Services

Kelly Skye
Office of the Governor

CORVALLIS
ENHANCING COMMUNITY LIVABILITY

Office of the Mayor
501 SW Madison Avenue
P.O. Box 1083
Corvallis, OR 97339-1083
(541) 766-6985
FAX: (541) 766-6780
e-mail: mayor@council.ci.corvallis.or.us

PROCLAMATION

Public Works Week

May 18-24, 2008

WHEREAS, Public works services provided in our community are an integral part of our citizens' everyday lives; and

WHEREAS, The sustainability of our community's natural environment is directly impacted by public works activities; and

WHEREAS, The support of an understanding and informed citizenry is vital to the efficient operation of the public works systems and programs provided in Corvallis, such as water, wastewater, storm water, streets, bicycle and pedestrian facilities, transit, airport, communications, engineering, and public buildings; and

WHEREAS, The health, safety, and comfort of this community greatly depends on these systems, programs, facilities, and services; and

WHEREAS, The quality and effectiveness of these services, as well as the planning, design, and construction of facilities and infrastructure, is vitally dependent upon the efforts and skill of public works officials; and

WHEREAS, The community benefits from the dedication and hard work of the City of Corvallis Public Works Department staff who are committed to delivering high- quality, efficient, and cost-effective services to the citizens of Corvallis; and

WHEREAS, The efforts of these dedicated personnel are materially influenced by the people's attitude and understanding of the importance of the work they perform,

NOW, THEREFORE, I, Charles C. Tomlinson, Mayor of Corvallis, Oregon, do hereby proclaim **May 18-24, 2008,** to be **Public Works Week** in the City of Corvallis, and I call upon all citizens and civic organizations to acquaint themselves with our public infrastructure services and to recognize the contribution which Corvallis Public Works staff make every day to our health, safety, comfort, and quality of life.

CORVALLIS 150
Celebrating Past ✦ Present ✦ Future

_____
Charles C. Tomlinson, Mayor

_____
Date

1062

A Community That Honors Diversity

Office of the Mayor
501 SW Madison Avenue
P.O. Box 1083
Corvallis, OR 97339-1083
(541) 766-6985
FAX: (541) 766-6780
e-mail: mayor@council.ci.corvallis.or.us

CORVALLIS
ENHANCING COMMUNITY LIVABILITY

PROCLAMATION

Get There Another Way Week

May 19-23, 2008

WHEREAS, Use of transportation alternatives to the single-occupancy vehicle (SOV) is vital to the quality of life and economic well being of the citizens of Corvallis; and

WHEREAS, The price of petroleum is at record high levels; and

WHEREAS, Citizens, including workers, students, senior citizens, people with disabilities, and those unable to afford or utilize an automobile, use commute options to gain access to jobs, schools, medical facilities, and other fundamental services; and

WHEREAS, Use of public transportation, walking, bicycling, carpooling, and vanpooling provides commute options to employees, students, and other citizens without the use of an SOV; and

WHEREAS, Use of commute options decreases the demand for automobile parking, resulting in better use of land for more productive uses, such as commercial, industrial, and residential development and open space; and

WHEREAS, Increased public investment in transit services and other commute options provides the potential to expand the employment base, provide job opportunities, and enhance prosperity; and

WHEREAS, Traffic congestion that wastes productive time can be alleviated through the increased availability and use of public transportation and other commute options; and

WHEREAS, Walking and bicycling are healthy forms of exercise and can help to incorporate physical activity into the daily routine; and

WHEREAS, The nation, our community, and our citizens face the risks to health and the environment that are brought on by automobile exhaust emissions.

NOW, THEREFORE, I, Charles C. Tomlinson, Mayor of Corvallis, Oregon, do hereby proclaim **May 19-23, 2008,** as **Get There Another Way Week** in the City and encourage all Corvallis citizens to consider public transit, bicycling, walking, carpooling, and vanpooling to the events planned in Corvallis.

CORVALLIS 150
Celebrating Past ✦ Present ✦ Future

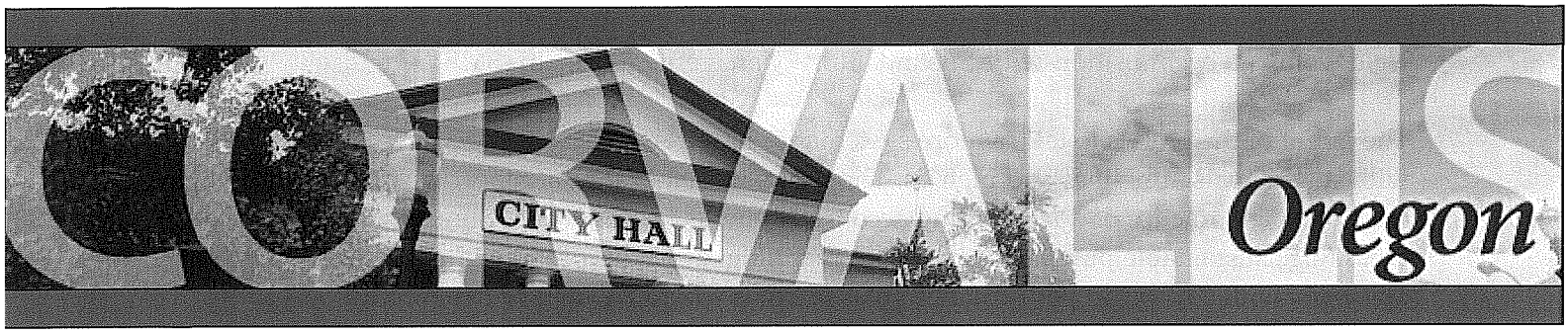
_____
Charles C. Tomlinson, Mayor

_____
Date

1060

A Community That Honors Diversity

CITY OF CORVALLIS



2007 Sustainability Report

FOURTH ANNUAL

In 2004, the City Council adopted a Sustainability Policy to ensure that City departments achieve a more sustainable workplace through plans and programs that promote a balance of environmental, economic and social equity values in the expenditure of public funds. The policy requires an annual report that identifies the progress achieved and sustainability objectives for the next reporting period. This fourth Annual Report on Organizational Sustainability Practices presents a snapshot of the City's aggressive sustainability work plan goals.

> *"Sustainability means using natural, financial and human resources in a responsible manner that meets existing needs without compromising the ability of future generations to meet their own needs."*
> -- City Council Policy on Sustainability

http://www.ci.corvallis.or.us

Background

This report outlines actions that the City of Corvallis is taking to achieve a vision of organizational sustainability. It provides an overview of the diverse action areas and projects that are underway and outlines some new directions for City efforts that are coming to light as we develop an organization-wide Sustainability Management System (SMS).

The intent of the SMS is to take a more systematic, comprehensive approach to sustainability, with stated goals, timelines and metrics. Therefore, with this annual report we are transitioning from our past practice of documenting accomplishments by department under various topical areas (e.g., sustainable purchasing, land use planning, green building) to an organization-wide approach with a focus on performance goals in areas where we believe the greatest sustainability gains can be made.

Table of Contents

Sustainability Planning 3
Initial Results 5
Challenges 6
Objectives for 2008 6
Sustainable City Report Card 8
2007 Sustainability Highlights 15
Energy Conservation 15
Renewable Energy 16
Greenhouse Gas Emissions 16
Green Buildings 16
Solid Waste Reduction 16
Resource Conservation 17
Sustainable Purchasing 18
Planning for Sustainability 18
Parks and Open Space 18
Community Education and Participation 18
Employee Education and Awareness 19
Human Dignity 19
Conclusion 20

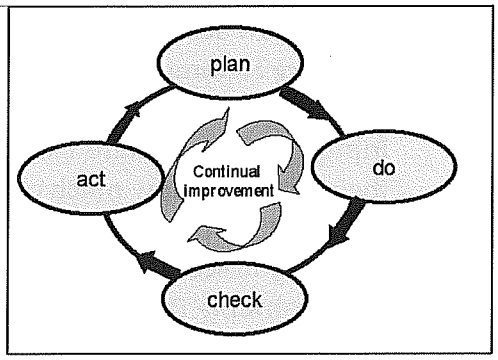
Sustainability Planning

The City of Corvallis' 2007 sustainability work plan was developed out of recommendations from Zero Waste Alliance consultants, who in 2005 conducted an assessment of the sustainability performance of the City organization. The consultants identified these elements as key components of a systematic approach:

- policies to set expectations for employee behavior,
- training to give staff a common understanding of sustainability and how to get there,
- communication mechanisms to ensure an ongoing dialog, and
- reporting to measure and track our progress.

Underpinning the work plan is the Sustainability Management System (SMS) that we are developing. The SMS is a mechanism to identify the impacts of our activities, develop and prioritize improvement projects, create metrics and measurement devices, and develop audit procedures, training, documentation and document management processes. The framework we are using is ISO 14001, from the International Organization for Standardization's family of standards for environmental management systems. However, we are calling ours a Sustainability Management System because, in keeping with the City Council's adoption of the "triple bottom line" in its sustainability policy, we are weighing social and economic considerations along with environmental ones.

A **Sustainability Management System** or **SMS** is a set of processes and practices that enables an organization to manage its sustainability efforts in a way that integrates with existing planning processes and business goals. The City of Corvallis SMS is built on the ISO 14001 International Standard, which follows an approach developed many years ago by quality experts. The "Plan, Do, Check, Act" model fosters continual improvement of the system based upon:



Planning: identifying activities and their impacts and establishing goals;

Doing: training, communication, documentation and operational controls;

Checking: monitoring, measuring, corrective/preventive action, audits;

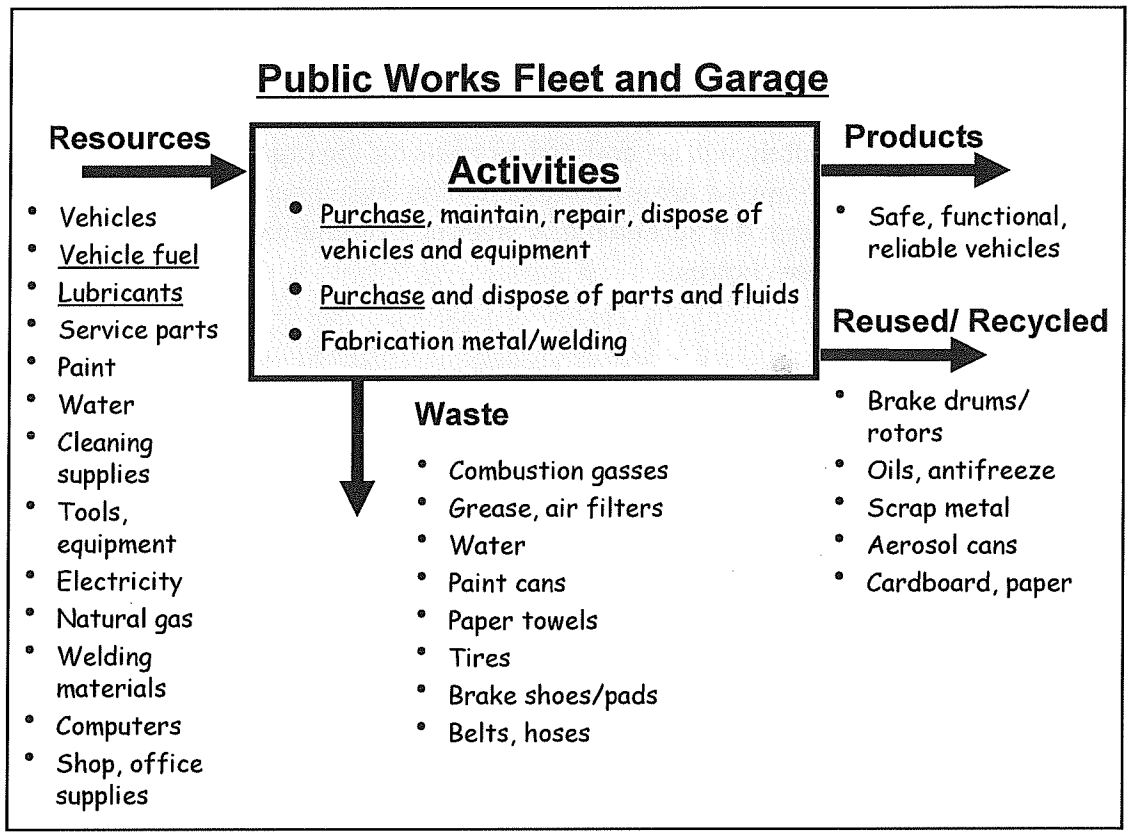
Acting: progress reviews and updating the SMS.

The City is developing and implementing the SMS in phases, with the ultimate goal being an organization-wide management system. A phased approach allows us to adjust to the unique cultures and concerns of each department and to modify the process as we go. The Sustainability Supervisor is the project manager and provides support to the departments during the phased SMS implementation.

The first phase was the Public Works Department, which kicked off the SMS process in early 2007. We chose to begin in Public Works because the department has long had a mindset of regulatory compliance but in recent years had taken this further to make significant advances in environmental sustainability. In the summer of 2007, we started a second phase—the four "office environments" of the City Manager's Office, Community Development, the Library, and the Finance Department. In October, as the third phase, we extended the SMS to include Parks and Recreation and the Fire Department.

At the end of 2007, seven out of eight departments had started the "Plan" part of the SMS cycle. The planning process includes:

- ***Forming Departmental "Core Teams."*** Members function in an advisory capacity, developing the project plan along with management, enlisting buy-in from employees, and collecting information and disseminating it across the department.
- ***Conducting Gap Assessments.*** For each department, we review documentation and interview personnel to determine what systems the department already has in place and what may need to be created or improved. The survey of staff identifies whether employees understand sustainability concepts, what training has occurred, what forms of communication are used to relate information about the organization's sustainability efforts, how sustainability ideas get from the 'front line' to management, etc.
- ***Mapping Sustainability Impacts.*** Work groups catalog their specific work activities and operations, looking for ones that can affect progress toward sustainability goals. Using Input/Output diagrams (see example below), they map the resources needed to perform their work and how much of their waste they recycle, reuse, or landfill. The group then identifies the top three areas where the greatest gains toward sustainability can be made, generally based on the amount of resources used or wastes produced.
- ***Brainstorming Projects.*** Employees brainstorm ideas for projects that address the three impact areas they identified. These can be projects to improve an area of deficiency or to make an area of strength even better.
- ***Prioritizing Impacts and Projects.*** After all of a department's work groups have been through the mapping exercise, the Core Team ranks all the impact areas using "triple bottom line" (environmental, social, and economic) sustainability screening criteria. The Core Team selects the highest-ranking impact areas and then ranks the project ideas in those impact areas using criteria to determine such things as economic and technical feasibility, ability to be a model for other work groups/departments, and involvement of the largest number of employees.
- ***Setting Goals.*** The Core Team selects short- (one year) and long-term (5- and 10-year) goals for the department for the highest-ranking impact areas.



Input/Output diagram: The Fleet Maintenance work group's selected impact areas are underscored.

Initial Results

Although we are still in the early stages of our SMS, we have realized some specific benefits from the program, including:

- ***Increasing employee awareness of sustainability issues and responsibilities.*** All employees had the opportunity to participate in the initial mapping of sustainability impacts. More than 15% of the workforce is regularly involved with some aspect of sustainability as a member of the Sustainability Steering Committee, a departmental core team, or the Recycling Coordinators, Diversity, or Career Development Committees. In addition, most employees have attended either general sustainability and recycling training or a new employee orientation session focused on the sustainability policy and program. Every work group has one or more projects to work on, and some managers and supervisors have made sustainability a regular agenda item at their staff meetings.
- ***Sharing of information.*** Increased employee involvement, especially through the cross-functional sustainability teams, is increasing communication within and across departments on a range of issues. For example, items raised in the SMS brainstorming process related to existing programs, such as safety, diversity, and career development, have been shared with the appropriate established committee for action.
- ***Increasing efficiency.*** Sharing information enables us to avoid duplication and focus on high-value activities. As the SMS rolls out to each City department, quite often ideas come up that already have been explored or implemented in another department. The

SMS process enables employees to see what other departments are doing and to build on those efforts rather than starting new initiatives from scratch.

- ***Setting and reviewing goals.*** Each Core Team is developing goals for the department(s) it represents. The SMS ultimately will set and review goals for the organization as a whole. For the most part, the impact areas identified by the departments align with the six City-wide priority areas that the Sustainability Steering Committee chose in 2006 and have therefore validated those choices.

Challenges

Our most pressing challenge is to formulate appropriate metrics for our improvement projects and to collect baseline data. Although we can point to actions we have taken to reduce our energy and resource consumption, in many instances the numbers associated with those efforts are unknown. Monitoring and measurement is built into the SMS as part of the "Checking" phase, but the metrics must be decided in the "Planning" phase to inform the entire sustainability management system process. This is especially difficult in relation to social sustainability projects, where the baselines and endpoints are often intangible.

Objectives for 2008

We have drafted an SMS master calendar based on the City's fiscal year so that our sustainability efforts will build upon and integrate with existing processes, such as the annual budget cycle. With the start of the fiscal year in July, we plan to bring together representatives from all the departments for a City-wide SMS Core Team.

Key objectives that have emerged from the impacts and projects so far and/or that fall out of the SMS master calendar include:

- Completing the "planning" phase of the SMS by conducting training and brainstorming sessions in the Police Department.
- Developing in-depth sustainability metrics and reporting on them on a consistent basis.
- Revising City-wide sustainability goals based on information gathered during the SMS planning process.
- Providing training to employees on sustainability topics most significant to the City or to their specific work groups (e.g. green building/LEED for Community Development and Public Works employees).
- Documenting standard operating procedures (SOP) that relate to sustainability and writing new SOPs for activities that had not previously been documented.
- Developing a Green Building Policy for energy- and resource-efficient building standards for all new construction and major renovation projects of City facilities.
- Revising the Energy Conservation policy to provide direction to building occupants as well as operations and maintenance staff.
- Developing sustainable purchasing guidelines and identifying environmentally preferable products for City acquisitions.
- Factoring sustainability into job descriptions, project plans and other business functions.
- Designing a communication strategy to update employees and the public on the SMS

program and other sustainability initiatives.

- Creating a solid waste reduction policy to guide staff's decision-making for areas such as purchasing (obtain products with minimal packaging) and end-of-life disposal (maximize reuse opportunities)

The SMS to Date: Departmental Impacts and Projects		
City Department	**Significant Impact**	**Project Example (one of many)**
Public Works	Vehicle fuel	Evaluating E85 for City gas vehicles
	Electricity	Ballast and lighting upgrades
	Disposal of debris	Reuse of street sweepings
	Recycling	Find outlets to recycling the plastic and metal in used or broken water meters
	Purchasing/Life-cycle costing	Work with vendors to reduce packaging
Community Development City Manager's Office Finance Library	Building construction/ remodel & operations (LEED)	Staff training on LEED standards (CD)
	Sustainability considerations in policies, codes, plans, projects	Factor sustainability into prioritization of annual work plan items (CD)
	Sustainable purchasing/ influencing vendors and contractors	Enhance sustainable purchasing section of purchasing manual and intranet (Finance)
	Paper use	Eliminate extra copies of invoices, receipts, delinquency notices (Finance)
	Sustainability information/ outreach (internal & external)	Publish sustainability information via signage and handouts (Library)
	Staff time/workload	More self-checkout machines (Library)
	Staff well-being	Make ergonomic assessments available to all City employees (CMO)
Parks & Recreation	Chemicals & filters	Investigate feasibility of alternative chemical and filtering methods for pool
	Paper use	Online program registration
	Solid waste reduction	"Green" events; develop sustainability guidelines for park facility renters
	Staff workload & well-being	Video training for instructors
Fire	Vehicle fuel	Web-based training and meetings
	Staff time/workload	Time management training
	Building energy/electricity	Solar hot water heater at all stations
Police	To be determined in Spring 2008	TBD – 2008

Sustainable City Report Card

In fiscal year 2006-07, the City's internal Sustainability Steering Committee set aggressive one-, five- and 10-year goals for six major areas: building energy use, paper use, transportation energy use, water use and social and economic sustainability. This report card reflects our progress toward meeting those goals and highlights successes and challenges. In 2008, we plan to revise these goals to take into account information gleaned from the SMS process.

Meets/exceeds goal ↑ **Some progress toward goal** ↗ **No progress toward goal** ↓

Sustainable Building Use

Sustainable End Point	2007 Goal	Grade	Comment
Buildings built and maintained to LEED standards	Develop LEED for existing buildings program	↓	We need to establish an operations plan for buildings.
100% Green power	10% of power from green/renewable sources	↑	We buy 750 blocks (75,000 kWh) of Pacific Power's Blue Sky each month—8.6% of our average monthly usage. Adding the 75,000 kWh we purchase from CPI, which generates power from renewable sources, we exceed the 10% goal.
Zero toxins	30% reduction in toxins in building products or cleaning supplies	↗	We need a baseline for what is now used to determine the percent reduction. We use green cleaning products and during the City Hall remodel used low VOC paints and glues.
Energy efficiency	10% reduction in energy use compared to FY 00-01 base	↗	City buildings combined have not met the goal, but many locations have and others are trending in the right direction.
	Improve building systems efficiency at Osborn Aquatic Center	↑	A new pump and motors increase energy efficiency; thermal pool covers reduce evaporation, heat loss, and natural gas consumption.
Reduce or reuse materials	Develop a metric for amount of construction debris to be recycled	↓	This will be part of the operations plan for buildings.

Economic			
Sustainable End Point	**2007 Goal**	**Grade**	**Comment**
Have parameters and values to get to discussion of sustainability with each purchase	Hire purchasing coordinator	↑	
'Green', certified products that maximize reusability or recyclability of 'waste'	Develop intranet resources/links to sustainable products	↗	We have identified reference materials and suppliers, but they have not been added to the intranet.
Vendor preference to companies with integrated sustainability policies and practices	Develop language for bids/RFPs	↗	Standard contracts ask for recycling or reuse of construction materials. Contractors are asked to use materials that meet LEED standards where possible.
	Establish with Council a premium for projects/ vendors that meet our sustainability standards	↓	
Return on investment justifies new City programs	Develop standards for new programs, with measurable criteria, to justify investment to the public and Budget Commission	↗	We have revamped performance measures to capture data that would justify the investment.

Paper Use			
Sustainable End Point	**2007 Goal**	**Grade**	**Comment**
100% recycled fiber	30%-100% recycled content	↑	All departments use at least 30% post-consumer recycled content office paper.
	Reduce paper purchased from FY 04-05 base by 5%	↓	Metric needs development
Sustainable manufacturing	Investigate which is most environmentally friendly for restrooms–paper towels, cloth towels, or hot air	↑	Have completed investigation and switched all restrooms to enMotion towel dispensers; also using foam soap, which saves water.
Chlorine free	Chlorine-free	↗	Office paper is virtually chlorine free.
100% paperless copies	Switch 10% of the copies currently being made to paperless copies (i.e. electronic copies, send links to files for review/comment instead of printing)	↗	Need to develop metric related to reams of paper purchased and electronic file storage space. We are using paperless copies, but do not have a good idea how much it accounts for.
Maximize paper use	Adopt duplexing as citywide standard	↑	
	MIS set all printers to default to duplexing, where possible	↗	Most printers set to duplexing. MIS sets new printers to default to duplexing.
Reuse or recycle all paper products	100% of waste paper recycled	↗	Office paper – yes; paper towels – no
	Find reuse opportunities (i.e. make into notepads)	↑	Print on backside of paper; create note pads

Social Goals

Sustainable End Point	2007 Goal	Grade	Comment
Retention of the top 20% of performers	Define what constitutes the top 20%	↓	
75% of employees live in the Corvallis city limits	Determine what the current number is	↑	Of current regular employees for whom we have addresses, 53% live in Corvallis.
95% of employees give back to the community (volunteer hours or donations to nonprofits)	Develop survey tool	↑	
	Post volunteer opportunities on the intranet	↓	
90% of employees taking part in formal or informal committees/teams (i.e. union, employee picnic, blood drive)	Post profile of committees on the intranet	↗	All are listed, but only Class & Comp and Career Develop-ment have profiles.
	Determine current number	↗	
Council policy that addresses equitable total compensation	Participate with LOC to enhance collective bargaining act re: impact on equitable compensation	↑	
All employees understand the Classification and Compensation system and process	Train employees/share information annually	↗	
	Make information available on the intranet	↓	
Employees have avenues to achieve their advancement goals	Employees identify short/long term goals in evaluations	↗	
All employees participate in wellness programs	75% participation	↑	81.6% of employees participated in at least one element of incentive program.
All employees report satisfaction with their work/life balance	Survey employees annually	↑	
Take care of workers injured on the job	Develop a return-to work plan for each occurrence	↑	

Social Goals, cont.			
Sustainable End Point	**2007 Goal**	**Grade**	**Comment**
Supervisors have skills to assist employees with learning and change	Skill training for supervisory staff	↑	City Manager's meetings; employee newsletter articles
Talent management and career development is fostered	Develop mentoring program	↗	
The work force is diverse	Increase % of diverse applicants for jobs	↓	2006 minority applicants represented 8.4% of the 1339 total (male and female); 2007 minority applicants represented 5.5% of the 871 total.
	Identify resources to implement diversity action plan	↑	There is money in the budget.
	Increase cultural competency of employees and supervisors	↑	
Employees feel workplace is welcoming	All employees attend diversity/inclusive workplace training	↑	

Transportation Energy Use

Sustainable End Point	2007 Goal	Grade	Comment
Purchase from local vendors–ethanol plants in Oregon in three years	Change vehicle replacement policy to require new vehicles be compatible with alternative fuels	↓	
	Change replacement schedules in the vehicle replacement policy to maximize life and reduce waste balanced against the environmental impacts of older equipment	↗	
Reduce amount of energy used	5% reduction in fuel use compared to FY 04-05 base (taking into account the growth in city size)	↓	Overall consumption rose 3.4% over base year. A major influence was the move of the Laidlaw facility to Hwy 34 from 9th St. in FY 05-06, increasing fuel consumption in the transit fleet.
Zero tailpipe greenhouse gas emissions	Develop a metric to measure reduction in carbon emitted as a result of department actions Investigate E-85 for gas vehicles	↗ ↑	A team of graduate students is investigating which protocol to use and will devise a methodology for the City to follow.

Water Use

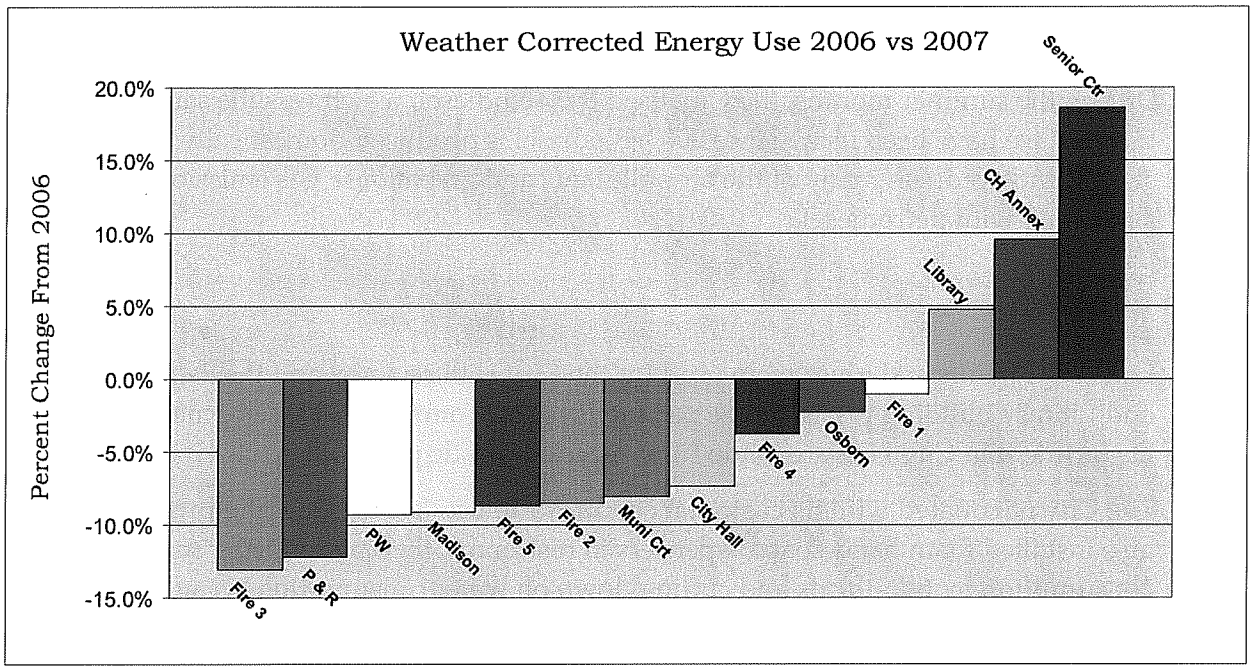
Sustainable End Point	2007 Goal	Grade	Comment
Reduce use of treated water by 50%	Reduce water use from FY 04-05 base by 5%		FY 04/05 = 141,273 units FY 06/07 = 148,041 units Since 04/05 we have added meters, including park irrigation meters and flushing valves that use a lot of water. Thus, while consumption has increased, we serve more area with less water than we would have had we not taken conservation into account.
	Maxicom system for irrigation control in parks		Completed at Sunset Park and conduit has been laid at Washington Park. Three parks will be brought online each fiscal year until the entire system is covered.
	Timers and/or low flow shower heads at facilities		Low flow shower heads have been installed at all facilities.
	Track water use at all facilities		
	Signs at sinks and shower facilities encouraging conservation		

2007 Sustainability Highlights

City departments undertook many actions that met overall sustainability objectives but that did not specifically match the 2007 goals set by the City's Sustainability Steering Committee. These highlights are organized by theme to underscore the scope of the challenge involved with achieving sustainability across the triple bottom line.

Energy Conservation

- Staff track electricity, natural gas, and water use at each City facility to compare usage against baseline years and measure progress toward our reduction goals. We analyze the data from several angles—adjusting for degree-day weather correction, comparing BTUs per square foot, and reviewing historical trending—to get feedback on the effect of completed energy conservation projects and to prioritize new ones.



City buildings combined have not met the ambitious goal of reducing energy use by 10% over the base year of FY 00-01. However, some locations are exceeding the goal and most are trending in the right direction.

- Improvement projects that should show significant energy savings in 2008 include:
  - upgrades to the Library's energy management system and lighting. These have already resulted in 13% lower electrical consumption (about 35,760 kilowatt hours saved) and 50% lower natural gas consumption (about 6,195 therms saved) in November/December 2007 and January 2008 over the same period the previous year.
  - upgrades to the HVAC system at City Hall. The new system has remote sensors that average temperatures throughout the building. In addition to saving energy by

reducing operation of the HVAC unit, this creates more balanced and comfortable temperatures for the staff working in the building.

- pool covers for the indoor facility at the Osborn Aquatic Center. The covers reduce evaporation and therms used. Osborn also purchased new variable frequency drives for aquatic center motors, thereby reducing the kilowatts used.

Renewable Energy

- The Fire Department replaced Station 1's conventional water heater with a solar heater. According to Portland General Electric, a typical solar water heating system saves 1,000 pounds of CO2 from the earth's atmosphere each year.
- City staff facilitated a meeting between the Energy Trust of Oregon and the Corvallis Sustainability Coalition that led to those organizations' partnership on the Corvallis Energy Challenge, a year-long effort to promote energy efficiency and renewable energy technologies in the community.

Greenhouse Gas Emissions

- During the summer months, the City used B-50 biodiesel, which was the same price as the B-20 we have been using since 2003. Biodiesel is produced domestically and significantly reduces many of the air pollutants and greenhouse gas emissions associated with petrodiesel.

Green Buildings

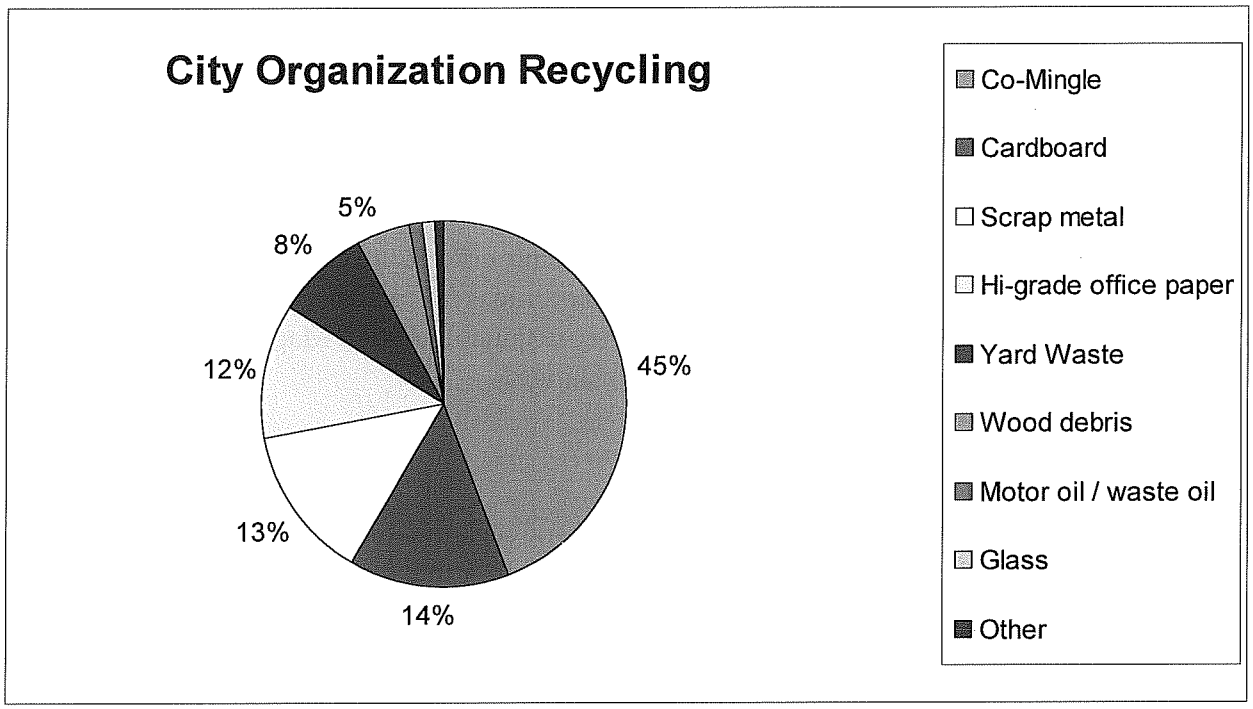
- Low VOC paints and glues were used for the City Hall remodel and the Senior Center and Library building projects. The partitions in the Community Development Department in City Hall are made from recycled plastic pop bottles.
- The City negotiated with its custodial contractor to use "green" cleaning products. We also installed foam hand-soap dispensers in restrooms, thereby reducing soap consumption by two-thirds and cutting down on water consumption because the foam washes off easier than gel soap.

Solid Waste Reduction

- We established a Recycling Coordinators Committee, with staff from every department to share information and best practices across the organization. The group has found outlets for items that can not currently be collected by the solid waste company, such as hard plastics, DVDs and CDs.
- The City cut its leaf collection disposal costs by 75%—a savings of $2,400—by establishing sites at three parks where the street sweepers could deposit leaves for public use. This also reduced sweeper fuel use by 9%—a $655 savings—because leaves

were deposited close to where they were picked up instead of being hauled to the Process and Recovery Center.

- We conducted waste audits of all City buildings (excluding rest rooms). Of the waste the City generates (i.e., not waste from the public, such as from parks, street sweepers or the wastewater treatment plant), 81% is recycled and 19% is sent to the landfill.



Resource Conservation

- City departments are making progress toward reducing paper consumption by finding electronic solutions:
  - the City Manager's Office saves more than 600,000 pieces of paper each month by providing City Council meeting information electronically;
  - the Parks and Recreation Department uses electronic copies of contracts for its instructors and service providers, printing only one final version for the party involved.
  - the Library is saving paper and postage with its online BookLetters, which pushes information out to subscribers;
  - Community Development implemented a wireless permit tracking system that allows inspectors to view, log and send reports to contractors from laptop computers instead of using paper reports.
- Public Works designed and built a car wash for fleet vehicles that recycles the water to use again.
- Public Works extended the irrigation system at the Administrative Office site to use reclaimed wastewater in the planting beds.

Sustainable Purchasing

- Parks & Recreation added language to RFPs requiring vendors to have a sustainable forest products certification for applicable projects.
- The Finance Department hired a purchasing coordinator, whose duties include making progress toward the economic sustainability goals, developing sustainability procurement and life-cycle costing documents and aids for staff, and working with local vendors on how to do business with the City.

Planning for Sustainability

- To ensure that environmental, social and economic criteria are consciously and consistently considered when reviewing project ideas for inclusion in the Capital Improvement Program , we began using the Sustainable Action Map (SAM) decision tool developed by the City of Olympia, Washington.

Parks and Open Space

- The City converted a softball field at Sunset Park back into its natural wetland habitat, installing a boardwalk made of 100% recycled lumber that guides visitors through a natural area without harming the vegetation. Kiosks provide information on storm water and wetland functions for public education. The wetland is designed to flood, providing storage for peak flow and mitigating downstream flood impacts.
- Other new amenities at Sunset Park include an ADA accessible playground that has recycled rubber under the equipment, improved pedestrian and bike facilities, and energy-efficient lights at the ball field.
- Parks and Recreation conducted a controlled burn on Bald Hill that has restored bluebird habitat.

Community Education and Participation

- The City is a founding partner and represented on the steering committee of the Corvallis Sustainability Coalition.
- The Library developed reference guides on green building, renewable energy, local foods, water conservation, and waste reduction and recycling to accompany a display created by the Corvallis Sustainability Coalition.
- The Library co-sponsored several programs on sustainability topics with The Oregon Natural Step and Linn-Benton Community College.
- The Senior Center developed a quarterly column on sustainability for its newsletter.

- "The City" newsletter regularly publishes articles on recycling and other sustainability topics.

Employee Education and Awareness

- More than half of City employees participated in "Recycling 101" and "Sustainability 101" training developed in house. We also provide a sustainability orientation for new employees, with an overview of the City Council's policy, the current objectives and targets for the City and the employee's department, and information about additional resources.
- The Police Department developed web-based training on the City Council Sustainability Policy. All staff are required to take the training and to pass an associated test.
- We revised the Employee Handbook's Energy Conservation section to include other sustainable practices such as conserving water, reducing waste, and conducting lifecycle assessments on purchases.
- The monthly employee newsletter contains a regular sustainability column, including updates on the City's priorities and progress and tips on how to reduce waste and energy, vehicle fuel and water consumption.

Human Dignity

- The City conducted diversity training for all staff. More than 50 employees volunteered for the diversity steering committee to begin work in 2008.
- The joint labor/management development team began meeting and working on the organization's social sustainability goals in the areas of career development and retention of top talent.
- Of the 143 employees who responded to our survey on volunteerism, nearly 78% indicated they participated in some volunteer activity in Corvallis or their home community in 2007. Thirty-seven percent said they had volunteered for more than 80 hours during the year.

Conclusion

The accomplishments—and challenges—cited in this report underscore the considerable efforts that staff is making to incorporate sustainable practices into ongoing organizational operations. These efforts are reducing energy consumption, saving operational costs, reducing waste, conserving resources, protecting natural features, and strengthening relationships within our own community and with other cities engaged in sustainability initiatives.

The City has implemented a program in the broadest sense of sustainability, based on a "triple bottom line" foundation. Our Sustainability Management System includes—within our organizational context—the primary elements of economic viability, environmental stewardship, and social responsibility. As we work to achieve the 2008 objectives on page 7 and to develop the improvement projects coming out of departmental brainstorming sessions, we will measure and report our performance against those parameters. Outcome-based implementation is a priority, and we are establishing metrics to baseline and measure progress.

2008 will be another transition year as we move from implementing the SMS in individual departments to integrating into a City-wide system. Continued progress will require an even deeper commitment, ranging from further institutionalizing the sustainability ethic at the individual staff-member level; to working as an organization to achieve the overarching goals coming out of the SMS; to collaborating with the Corvallis Sustainability Coalition on a sustainability plan for the community. While we have made great progress, there is still much to be done. We are up to and welcome the challenge.

As your local government, one of our roles is to serve as a public resource. We would be pleased to share any aspect of our sustainability activities. If you have questions please visit http://www.ci.corvallis.or.us/ or contact the city's Sustainability Supervisor at 541-754-1736.

CORVALLIS
ENHANCING COMMUNITY LIVABILITY

CORVALLIS
ENHANCING COMMUNITY LIVABILITY

****

CITY MANAGER'S REPORT

MAY 15, 2008

****

2008-04

REPORTING PERIOD: APRIL 2008

I. ORGANIZATIONAL HIGHLIGHTS

- The City received the Tree City USA award for the seventh consecutive year and the Tree City USA Growth award for the fifth consecutive year.
- The City received the first place taste award from the Cascade to Coast Section of the American Water Works Association. The competition in the blind water taste test included seven communities and two districts.

II. MAYOR'S DIARY

April was another busy month for the Mayor. I met with Council Leadership and with Councilor Hamby's son John's class to assist with a mock land use hearing; toured the Benton County Courthouse with Boy Scouts; met with representatives of Hewlett-Packard; provided testimony to the Oregon House Interim Committee on Energy and the Environment; moderated a Ward 7 candidates' forum; helped facilitate a community health forum; taped the first segment of "In the Heart of the Valley" with Corvallis Tourism Chief Executive Officer John Hope-Johnstone and United Way of Benton and Lincoln Counties Executive Director Jennifer Moore; participated in mock interviews for Corvallis High School (CHS) juniors; helped judge Benton County Teen Idol; welcomed Basic Rights Oregon, Notes for Goats, and Inconvenient Ride participants; toured the Consumers Power, Inc., Coffin Butte power generation center and the Old Mill Center; discussed community issues with the CHS political club; planted native plants in a wetland at Owens Farm; met with Crescent Valley High School Principal Cherie Stroud; welcomed at the Biking for Justice event; judged the Mr. Spartan Contest; made pancakes and tofu scramble at the Buy Local breakfast; met with representatives of the Oregon Business Plan; welcomed the community to the Economic Vitality Partnership town hall meeting; chaired a meeting of the League of Oregon Cities Energy Policy Committee; moderated the League of Women Voters Senate candidate forum; and proclaimed Holocaust Memorial Week at Oregon State University (OSU).

III. FIRE

A. Department Highlights

Operational

Response Activity - April 2008	City	Non-City	Total
Fires	12	2	14
Overpressure/Rupture	0	0	0
Requests for Ambulance	280	82	362
Rescue (Quick Response Team)	117	19	136
Hazardous Condition	8	0	8
Service Requests	41	3	44
Good Intent	40	16	56
False Calls	39	8	47
Other	0	0	0
TOTAL RESPONSES OVERALL	**537**	**130**	**667**

- Finalized a seven-year contract with the Corvallis Rural Fire Protection District, effective through June 30, 2015.
- Staff is in the process of renewing two separate inspection contracts with OSU.
- An internal promotional process for Engineer/Apparatus Operator is underway.
- Department of Public Safety Standards and Training (DPSST) accreditation has been approved for existing certifications and rescue skills.

IV. LIBRARY

A. Department Highlights

- The Library received an Energy Trust Incentive award of $25,901 as a result of installing our heating, ventilation, and air conditioning (HVAC) energy management system at the end of 2007. The system has already saved considerable electricity and natural gas energy.
- Staff from several divisions attended the joint Oregon Library Association and Washington Library Association conference in Vancouver, Washington.
- During a two-day closure, the lobby renovation proceeded smoothly. Space was opened up in the lobby and the library section with new books and CDs. Self-check machines and shelving for self-pick-up of holds will be moved into place in the next few weeks.
- The transition to the new version of the Library's circulation and on-line patron access catalog (OPAC) software has been challenging, as is usual

with these types of upgrades. Staff received training in a variety of formats but is still discovering procedures that are quite different from the former version.

- Staff attended a training session on an open source integrated library system (ILS). This is the latest trend in library software, and staff got good information about one of the possibilities of using the open source approach.
- A request for proposals for the Audio Visual Security and Self-Check system was distributed, with responses due May 1st.
- The Library staffed an information booth at the first Farmers' Market of the year, promoting library resources. The Library is scheduled for several more booths during the summer.
- Extensions staff is investigating an alternative to the satellite system for the Bookmobile, which has not been performing well. Cellular data service has greatly improved over what was available five years ago and appears to be a cost-effective and efficient alternative.
- New PCs and software have arrived for the instructional game computers in the Electric Kid Room. Games focusing on early literacy, reading, math, music, history/geography, sports, and more will be featured.

B. Other

- The Spring noontime lecture series, "If I Had A Hammer...The Sustainable Home," has been attracting more than 100 attendees for each program. The series continues through May on Tuesdays.

V. PARKS AND RECREATION

A. Department Highlights

Administration/Planning

- Recruiting internally for a part-time, front-desk assistant during the busy summer season.
- Willamette Park Greenway Permit application is underway.

Aquatic Center

- Participation Statistics:
  - 76 registered for cardiopulmonary resuscitation (CPR), First Aid, Water Safety, and Lifeguard Instructor classes.
  - More than 1,500 people in more than 30 pool rentals.
  - 300 children, families, and spectators for the annual April Pool's Day, with a focus on Water Safety and Aquatic Recreation opportunities.
- Replaced 20-foot umbrella from damaged original; Pepsi's insurance paid 80 percent of the replacement costs.

- Corvallis Aquatic Team (CAT) held annual fundraiser, bringing in more than $17,000 in pledges for CAT.
- OSU Water Polo adopted Osborn as its "home pool"and rented the facility for all April practices.

Parks

- Recruiting for a Park Maintenance Technician.
- Working with Public Works to improve the parking lot at Pioneer Park for a seasonal leaf disposal site and program parking.
- Preparing the softball fields for mid-May start for adult leagues.
- Replaced Crystal Lakes golf carts with larger-capacity electric vehicles.
- Working on the Avery Rose Garden path improvements, as well as parking.
- Arbor Month celebrations and the Spring Garden Festival went well.
- Volunteer hours in Parks are at 886 hours – more than 340 hours above the previous four-year average.
- Farmers' Market season began, and staff support of installing the "No Parking" signs went well.

Recreation

- Procession of the Species Parade was a huge success, despite cold, unseasonable weather.
- Parks Operations Supervisor DeGhetto, Osborn Aquatic Center Supervisor Mullein, and Senior Center Supervisor Brand led a Department tour for Leadership Corvallis. April was Recreation and Cultural Day for Leadership Corvallis, and students toured Parks and Recreation facilities.
- Adult Spring Volleyball has 13 teams registered.
- Youth Spring football and volleyball are well underway. Football has 16 youth registered, which is double last year's registration level, and volleyball has 25 youth registered, with a maximum of 30 youth. Lacrosse, in coordination with KidSpirit, has 31 youth registered; and Recreation is now offering a youth ultimate Frisbee program.
- All Recreation staff are recruiting casuals for program support.

Senior Center

- Initiated two new wellness classes during April: Meditation and Taiji.
- Kicked off the Spring weekly walking program, and several older adults are getting the chance to exercise and meet new friends.
- The spring hiking program is well underway, with April hikes offered to Avery Park to view wildflowers and to Plunkett Creek.
- The trip program sponsored trips to see the Portland Trailblazers, visit the Oregon Gardens for the Brewfest, and see "Mamma Mia" at the Hult Center for the Performing Arts in Eugene.

VI. POLICE

A. Department Highlights

Officers investigated 1,904 incidents this month. Following are the highlights:

- Officer Harvey and Xar were deployed seven times during April. During the month, Xar was used for four area searches, two tracks/trails, one business alarm, one agency assist, and one presentation.
- Detectives, Street Crimes Unit, and Albany Police Department, executed search warrants at two locations in Corvallis and at one residence in Albany. Seven men and one woman were arrested on charges including Delivery of a Controlled Substance - Cocaine, Marijuana, and Ecstasy; Child Neglect; and Endangering the Welfare of a Minor. Over one pound of cocaine, over one ounce of marijuana, more than 30 pills of MDMA (ecstasy), and other prescription drugs were located in the Corvallis search warrants. Police also located and seized more than $9,000 in cash. The investigation is ongoing.
- An Officer saw a vehicle reported stolen approximately 30 days earlier. As the Officer attempted to stop the vehicle, both occupants fled on foot. The driver was apprehended by the pursuing Officer, but the passenger fled in a different direction and disappeared. K9 Officer Harvey responded with Xar and tracked the passenger to where he was hiding. Both men were apprehended and transported to Corrections.
- K9 Officer Sapp and drug detection K9 Roxy conducted a search of a residence to assist Detectives with a search warrant. Roxy had thirteen alerts and located a total of 229.6 grams of marijuana, $2,034 in cash, and 20 grams of mushrooms.
- Officers arrested and charged a man with Strangulation, Menacing, Violating a Restraining Order, and Burglary, among other charges. An estranged husband attacked and choked his wife and then fled before Officers arrived. He returned and broke into the house to wait for her to come inside and then attacked her again. The case was referred to the District Attorney's Office to seek a Grand Jury indictment for Attempted Murder.
- Records staff processed 729 police reports and entered 532 traffic citations. Staff generated 146 incident reports.
- Evidence received 483 items during April. There are currently 48,951 items in the Evidence Room.
- Investigations Division personnel continue to work with investigators from Oregon State Police, the Benton County District Attorney's Office, the Benton County Sheriff's Office, the Federal Bureau of Investigation, and the National Center for Missing and Exploited Children on the Brooke Wilberger missing-person case.

Tactical Action Plans (TAP)

- TAP 20 – Officer Eaton authored a TAP to verify addresses of registered sex offenders and arrest those out of compliance in cooperation with Benton County Sheriff's Office patrol staff. The TAP is ongoing at this time.

9-1-1 Center Calls for Service

- The Corvallis Regional Communications Center dispatched 2,988 calls for police, fire, and medical assistance this month as follows:

POLICE		FIRE AND MEDICAL	
Corvallis Police	1,904	Corvallis Fire/Ambulance	536
Benton County Sheriff	418	Other Fire/Medical	29
Philomath Police	101		
TOTAL	2,423	**TOTAL**	565

B. Other

- Lead Dispatcher Barb Baxter retired April 30th.
- Officer Anderson resigned his employment.
- Officer Hull continues to participate in Phase D of the Police Officer Training Program.
- Officer McCall was injured in the line of duty and is working light duty.
- Officer Blount graduated from the Police Academy and began his in-house training.
- Sergeants Zessin and VanArsdall attended DPSST Supervisor's Academy.
- Officers and Detectives attended Crisis Intervention Training.
- Sergeant Goodwin and Officer Eaton represented the Department at the Red Robin Tip-a-Cop for Special Olympics at the Albany restaurant April 12th. Just over $3,000 was raised at the Albany restaurant, with almost $50,000 raised statewide for this event.
- Detectives Poole and Wells, Sergeants Zessin and Crain, and Crime Analyst Neet attended Death & Homicide Investigations training.
- The Cops & Robbers Citizen Academy Program started April 2nd and will continue for ten weeks, ending June 4th. Thirty-one participants were granted admission; 26 are attending. This class is being run by Corvallis Police Department Auxiliary.
- All sworn and non-sworn personnel attended Commission on Accreditation for Law Enforcement Agencies (CALEA) training.

VII. PUBLIC WORKS

A. Department Highlights

Administration Division

- Began staff discussions on potential language changes for the solid waste franchise renewal.
- Finalized the annual sustainability report and the update to the Administrative Policy on Energy Conservation.
- The Director presented information about Corvallis' bicycle systems at the Governor's Oregon Tourism conference on bicycle tourism (and the Cities' Gold Bike Friendly Award).

Engineering Division

- Construction is in progress for the Taylor Water Treatment Plant Filter Modification and Media Replacement (May completion).
- Design is in progress for the following projects: Townsend Park Shelter, Airport Facility Improvements, 2008-2009 Sanitary Sewer Rehabilitation, and the Stormwater Master Plan project.
- The 2008-2009 Street Reconstruction, Phase II (NW Walnut Boulevard from NW Rolling Green Drive to NW Kings Boulevard) was awarded to Mid-Valley Gravel Co. of Philomath, Oregon. Construction will begin during late-June.
- Bids were received and are being reviewed for the Baldy Reservoir Cover Replacement and Rock Creek Backwash Tank Replacement projects.
- The 2008-2009 Storm Drain Replacement project is in the process of being awarded to Mid-Valley Gravel Co.

Transportation Division

- Corvallis Transit System (CTS) provided 60,900 rides during April, a 20-percent increase over April 2007. This is an all-time monthly record in CTS history. Beaver Bus provided 1,036 rides – a 30-percnet increase over 2007. The Philomath Connection provided 1,674 rides during April, a 19-percent increase over April 2007.
- Corvallis Transit System and the Philomath Connection completed a Route Revision and Job Access/Reverse Commute (JARC) survey. Of the 370 responses, 33 percent were JARC eligible.
- Received proposals for the Geographic Information System (GIS) Strategic Plan and Software Migration Project. The project is anticipated to be completed during early-October 2008.

Utilities Division

- Corvallis drinking water won first place in a Best Tasting Water Competition sponsored by the American Water Works Association. Oregon competitors

beaten included Eugene, Bend, Newport, Springfield, Cottage Grove, and Rainier Water District.

- Received one proposal for the wastewater reclamation plant solar power project. Sun Energy of Bend, Oregon, submitted a response proposal.
- An industrial waste discharge permit is under development for Valley Landfill, Inc., to allow it to continue to process landfill leachate at the City wastewater reclamation plant.

B. Other

- Traffic order 08-02 was signed by the City Manager, allowing staff to install two "No Parking" signs with arrows on the east and west sides of NW Shooting Star Drive at NW Daylily Avenue.

VIII. CITY MANAGER'S OFFICE

A. Department Highlights

- Received one Notice of Tort Claim; information is available for review in the Assistant to City Manager/City Recorder's office.
- Held Fifth Tuesday supervisor training: Willamette Criminal Justice Council Meth 101 and 2007 health risk assessment results.
- Held Open House for employees to meet the three new Personnel Division employees.

IX. COMMUNITY DEVELOPMENT

A. Department Highlights

- Two First Time Home Buyer loans, each in the amount of $10,000, were approved; and one Essential Repair housing rehabilitation loan in the amount of $65,881 was approved.
- The Housing Division received 33 Rental Housing Program-related contacts outlining 47 separate issues, with 14 related to habitability and 33 of a non-habitability nature. Eight of the habitability issues reported are or may be subject to the Rental Housing Code; those making contact are being advised of the process to follow to pursue resolution.
- Two reported Rental Housing Code violations were resolved during April; three more are being investigated or are undergoing compliance enforcement.
- The Fiscal Year 2008-2009 through Fiscal Year 2012-2013 Community Development Block Grant (CDBG)/HOME Investment partnerships Program (HOME) Consolidated Plan (with Fiscal Year 2008-2009 Action Plan) was

considered during an April 21st City Council public hearing and was approved by Council for submittal to the United States Department of Housing and Urban Development (HUD) for final action.

- Two HUD staff members conducted an in-depth monitoring of the City's CDBG program. A formal monitoring report will be issued by mid-June.
- Development Services staff processed 23 residential and 45 non-residential plan reviews for proposed construction projects.
- Development Services staff conducted 1,351 inspections.
- Year to date through April, nine (9) permits were issued for new single-family dwellings, compared to 34 during the same period last year.
- Processed and issued 24 Mechanical and Electrical permits online.
- During April, 34 new code enforcement cases were created as a result of citizen complaints; 148 site inspections were conducted.
- Met with Development Services Stakeholder Advisory Group again to discuss new plumbing, electrical, and residential code change implementation strategy. Discussed Land Development Code implementation, slowdown in housing, budget, project coordinator position, legislation, school construction excise tax, building safety week outreach, and other issues.
- Continued participation in statewide 'Think Permit' outreach campaign to foster greater understanding of the benefits of obtaining permits.
- Met with City of Salem staff to discuss their Project Coordinator position.
- Development Services Division Manager Carlson and Assistant Building Official Fegles provided a presentation at Keller Williams for approximately 30 Realtors.
- Met with Evanite and neighborhood representatives for quarterly noise monitoring.
- Participated in Building Department Accreditation Task Force at the State Building Codes Division in Salem.
- Attended a meeting at the Corvallis-Benton Chamber Coalition for brainstorming sustainable construction issues in Corvallis.

X. FINANCE

A. Department Highlights

- Utility Billing staff continued to test the Alert Notification System to notify delinquent customers of pending service disconnect by telephone. Staff will continue to provide duplicate notifications to customers by telephone and by letter until the end of the fiscal year.
- Utility Billing staff reviewed ACH Lockbox software that was purchased in March. Installation and software testing will begin in May. This software add-on will take the electronic file of data for payments made to the City via

an electronic funds transfer and upload that data directly to customer accounts, saving a considerable amount of staff time currently spent manually entering the payment information.

- The contract to provide audit services for the next three years was awarded to Grove Mueller and Swank, which has been the City's audit firm for the last three years. Accounting staff is now working to pull together the information required this year to meet new auditing standards. The new standards are designed to do more internal control testing and better determine if fraud is occurring.

XI. MISCELLANEOUS

- Attached is the City Attorney's Office Report to the City Council for April.

Jon Nelson
City Manager

TRAFFIC ORDER NO. 08-02

TO: Jon Nelson, City Manager

FROM: Steve Rogers, Public Works Director SR

DATE: April 10, 2008

The traffic order described below is for your review and approval. No action on the part of the City Council is required to approve the traffic order.

Public Request: YES (**X**) NO ( )

Request: Citizen request to install "No Parking" signs on NW Shooting Star Drive.

NW Shooting Star Drive is a local street off NW Daylily Avenue in the Timberhill Subdivision. The street is 28 feet wide except at the bulbs where NW Shooting Star Drive meets NW Daylily Avenue. The street narrows down to 20 feet at these bulbs. The street is often fully parked at night and on weekends. Some of these vehicles park adjacent to the bulbs, creating the concern that emergency vehicles cannot get past these parked vehicles. Table 3-5 of the Corvallis Transportation Plan notes that local streets that are 20 feet in width should have no on-street parking.

Consistent with the guidelines of the Transportation Plan and in order to maintain emergency access to NW Shooting Star Drive, it is recommended that the bulbs be signed for no parking.

Action: Staff install two R7-1 "No Parking" signs with arrows on the east side of NW Shooting Star Drive, and one R7-1 "No Parking" sign on the west side, as shown in the attached diagram.

Recommended: Steve Rogers, Public Works Director

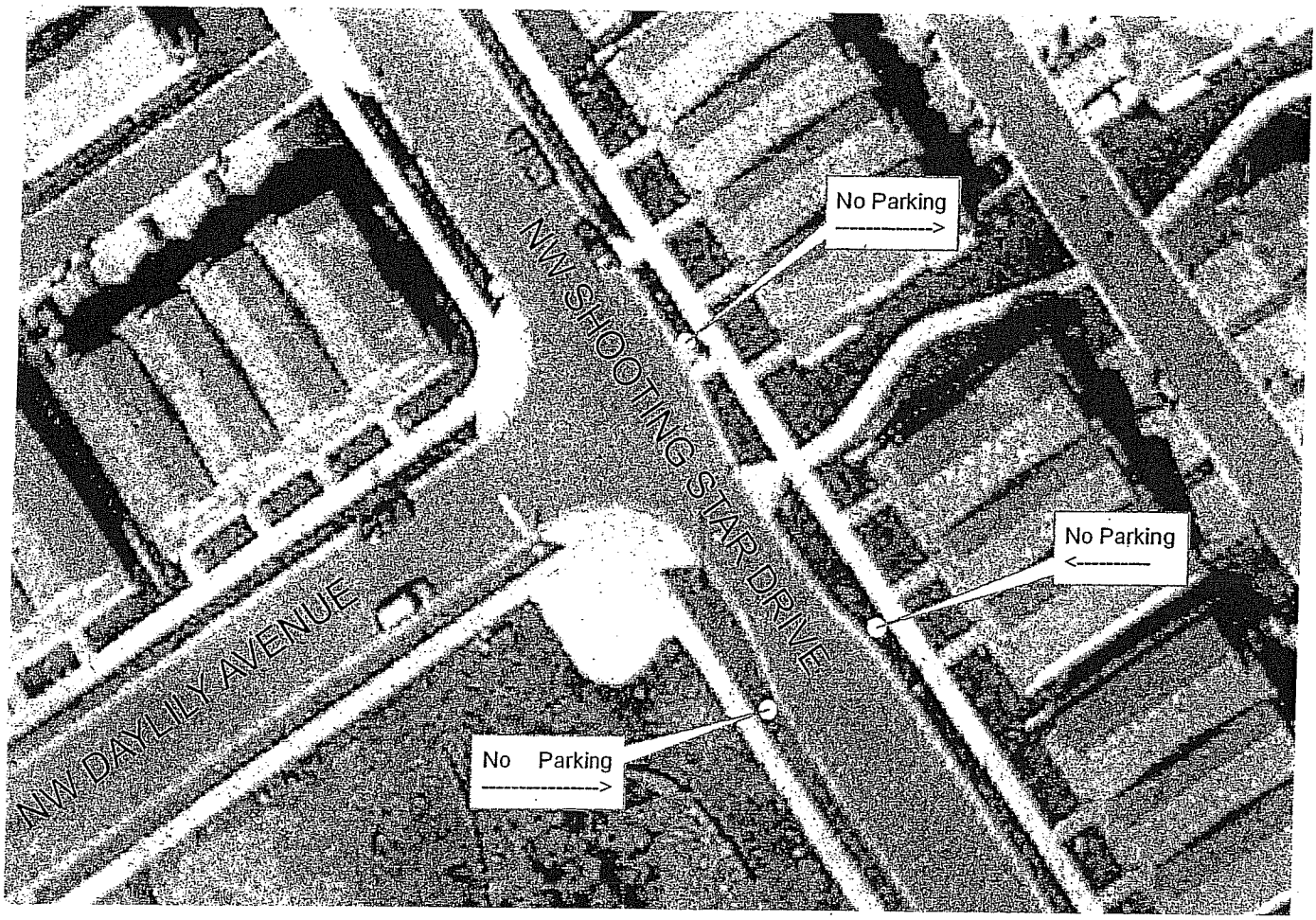
Authorized: Jon A. Nelson Decision

Date: 4-15-08

APPROVAL STATUS

- ☐ Council Notified - Date:_____
- ☐ Referred to Urban Services Committee
- ☐ Reviewed by City Council

X:\Divisions\Transportation\Traffic\Traffic Orders\TO-08series\TO-0802 shooting_star_no_parking\Traffic Order-08-02.wpd


No Parking
NW SHOOTING STAR DRIVE
No Parking
NW DAYLILY AVENUE
No Parking

CORVALLIS
ENHANCING COMMUNITY LIVABILITY

CORVALLIS CITY ATTORNEY
456 SW Monroe, #101
Corvallis, OR 97333
Telephone: (541) 766-6906
Fax: (541) 752-7532

CITY ATTORNEY'S OFFICE
REPORT TO CITY COUNCIL: HIGHLIGHTS

April 2008

The following are highlights of the City Attorney's Office activities during April 2008.

1. Meetings with Public Works Dept. re: Corvallis Aero Service.

2. Assistance to Public Works Dept. regarding renewal of solid waste franchise.

3. Appearance at oral argument for *Soares v. City* (Cascade Crest LUBA Appeal).

4. Telephone conference with Circuit Court regarding *State ex rel. McElroy v. March* objection by Plaintiff to form of order.

5. Discussions/correspondence with Comcast Cable regarding use of cable network for telephonic systems.

Ongoing/Future Matters:

1. Representation of the City before Oregon Court of Appeals re: *McElroy v. March* (nka *McElroy v. Carlson* - Mandamus Appeal), *McElroy v. City & Building Codes Structures Board;* and before the Land Use Board of Appeals re: *Boucot v. City* (Brooklane Heights Appeal), and *7th Street Station LLC v. City* (Closure of SW "D" Ave. LUBA Appeal).

2. Enforcement actions regarding code violations (building, sidewalk, land development code, etc.).

3. Continued work on discrimination complaints.

4. Continued work on public records requests.

5. Continued monitoring of recovery of City costs due to the Timberhill Shopping Center retaining wall failure issue.

****

COUNCIL REQUESTS

FOLLOW-UP REPORT

MAY 15, 2008

****

1. Street Light at SE Lily Avenue and SE Bethel Street (Grosch)

   Councilor Grosch inquired about adding a street light at the intersection of SE Lilly Avenue and SE Bethel Street. There is now a functioning street light at that intersection.

2. Pedestrian Crossing – NW Walnut Boulevard at NW 13th Street (Hamby)

   A resident of NW 13th Street (13th) asked that a crosswalk be marked across NW Walnut Boulevard (Walnut) at 13th. Oregon Revised Statutes regarding pedestrian use of crosswalks is the same, whether marked or unmarked; however, many pedestrians feel safer using a marked crosswalk. The result is that crosswalk marking is requested several times each year. To provide consistency in dealing with these requests, the City Council, in 1957, adopted a City Council Policy (attached) to provide guidance for authorizing crosswalk marking. It is staff's judgment that this specific request does not meet the guidelines for marking. In addition to not meeting the guidelines, in this case there are other reasons to not mark a crosswalk. Several years ago, the intersection of NW Rolling Green Drive (Rolling Green) and Walnut was signalized, primarily to facilitate pedestrian access. This intersection was chosen because of the potential for high pedestrian activity drawn by Timberhill Shopping Center. Persons wishing to cross Walnut at 13th can use this traffic signal with less than a seven-minute, out-of-direction travel walk. Also, traffic speeds are high in this section of Walnut (35 mile-per-hour limit). The traffic speed results in long stopping distances that are not likely to be influenced by a marked crosswalk. Vehicles may have difficulty stopping for pedestrians entering a marked crosswalk, who think the marking provides an enhanced level of protection.

   Traffic signals are not warranted at 13th or NW Garryanna Drive (Garryanna); nor are warrants likely to be met in the future, as this area is developed. A mid-block pedestrian crossing between 13th and Garryanna could be constructed; although, it would be within about 500 feet of the traffic signal at Rolling Green. A mid-block crossing would need to include pedestrian-activated caution lights similar to those recently constructed on South Third Street. The City Council-directed project submittal to the Capital Improvement Program Commission for medians on Walnut includes this feature.

3. City Wireless Status (Daniels)

The City is a member of a consortium of governmental entities that is seeking to build a wireless network in Corvallis. Other partners include Oregon State University (OSU), Benton County, and Corvallis School District 509J (509J). As a group, the consortium has been working on a funding model for Wi-Fi wherein the governmental entities would serve as "anchor tenants" on the network; the private contractor which builds the network could also sell access to other businesses and private individuals. OSU students, funded through a student fee, would be the largest "anchor tenant" in this agreement. The consortium has completed a Request for Proposals (RFP) process and selected a vendor – Stephouse – to implement the project. The project schedule has anticipated deploying a small wireless area as a proof of concept (POC) of the technology to deploy. Upon successful evaluation of the POC, and with anchor tenant commitments, the rest of the network would be built.

Stephouse did not deploy the POC as scheduled in early-Spring. This has had a cascading effect on the project timeline and specifically with the Associated Students of OSU (ASOSU) leadership plan to place the issue of increasing fees for a wireless network on the ballot for vote during Spring term. The ballot would have requested students to vote for a fee increase to pay for the wireless network services through fees beginning in the Fall 2008 term. The plan also included having a POC in place during this time for the students to evaluate the network before casting their votes. Without the pilot in place the student leadership did not bring the issue to a vote.

At the present time, the vendor is proposing to continue on the current course and deploy a 180-day pilot in which the consortium members, including OSU students, will collectively evaluate the POC network. The pilot is estimated to be initiated within thirty days once approval to proceed is garnered from the consortium. None of the consortium members will have any costs associated with the POC.

Following approval of the POC, the vendor will begin to deploy Wi-Fi City-wide at a slow, conservative pace to areas within the city that they expect will provide a faster return on investment. In addition, they propose that they work with the consortium to define contract performance metrics and goals early in the POC deployment and operation of the network.

When the students return for Fall term, the vendor plans to hold a formal network evaluation with student leadership and other interested parties and request that ASOSU place the issue on the ballot for a special student vote in early-November 2008. Following that vote, assuming a positive outcome, the vendor is committed to begin aggressive deployment of the remainder of the network; in the event of a negative vote, the vendor and the consortium members will evaluate the project and either scale back or propose less density of radio access points in some areas.

4. Speed Humps on NW Circle Boulevard – NW Dogwood Drive to NW Lantana Drive (Nelson)

On May 5, 2008, the City Council approved a project to install three speed humps on NW Circle Boulevard between NW Lantana Drive and NW Dogwood Drive. Per Condition of Approval #61 of the Witham Oaks subdivision approval, the developer, Matrix Corp., is to provide, prior to construction, approximately $8,600 towards the cost of the traffic-calming project. Although the Condition of Approval states no specifics as to when the traffic calming must be funded, staff asked Matrix Corp. if they would provide the required funding now. Matrix Corp. declined. Staff will make project funding a requirement of the public improvement by private contractor (PIPC) permitting process. At this time, staff has been given no indication of Matrix Corp's schedule for beginning the PIPC process.

A letter to neighbors updating them as to the status of the traffic-calming project is attached.

5. Batting Cages at Benton County Fairgrounds (Hamby)

Currently there are privately owned, mecanical-feed batting cages utilizing leased property at the Benton County Fairgrounds. A lease will not be renewed, and Council asked if City-owned park property is an option for this purpose.

The Parks and Recreation Department provides non-mechanical-feed batting cages for youth seasonally at Crystal Lake Sports Fields. Batting cages for adults have not been developed, as they were not identified as a need by the community through the Parks and Recreation Facilities Plan of 2000 or the Recreation Services Plan of 2004.

If interest exists, the Department would need to determine the cost of installation and maintenance, identify an appropriate site, determine a fee structure, and include the package as a budget priority to consider. An ideal time frame to consider this as an enhancement would be during the future development of a softball complex.

Jon Nelson
City Manager

CITY OF CORVALLIS

COUNCIL POLICY MANUAL

POLICY AREA 9 - RIGHT-OF-WAY MATTERS

CP 91-9.01 **Crosswalks**

Adopted April 15, 1957
Affirmed 1970
Affirmed October 7, 1991
Revised November 20, 1995
Revised October 18, 1999
Revised November 3, 2003
Revised December 17, 2007

9.01.010 Purpose

To establish a policy regarding marked crosswalks where they add safety.

9.01.020 Policy

It is the policy of the Council that crosswalks should be marked consistent with the MUTCD and:

a. Where average pedestrian count is high;

b. At signalized intersections;

c. At school crossings with patrols;

d. At school crossings on established school safe-routes where there is substantial conflict between drivers, bicyclists and pedestrian movements, where students are encouraged to cross between intersections, or where students would not otherwise recognize the proper place to cross;

e. At Downtown business district crossings;

f. At designated pedestrian islands; and

g. At preferred safety locations to promote use of the safer location.

9.01.030 Review and Update

This policy shall be reviewed every four years in October by the Public Works Director and updated as appropriate.

May 12, 2008

List

RE: Traffic Calming Project Update

In March you all received a traffic calming ballot, which most of you returned. All of the returned ballots supported the proposed project to install three speed humps along NW Circle Blvd between NW Lantana Dr and NW Dogwood Dr. The ballots were presented to the City Council as a recommendation to proceed with the project and on May 5, 2008 the City Council approved the project.

As you may recall, the majority of the project funding is required to be provided by Matrix Corp, the developer of the Whitham Oaks subdivision as a condition of development. Although Matrix Corp is not currently proceeding with the development, they were asked if they would fund the traffic calming project now. They declined. This means that the project will not proceed at this time.

When Matrix Corp requests permits to begin the construction of the necessary subdivision infrastructure (water, sewer, drainage and streets) the permits will be conditioned to include payment of their share of the cost of the speed humps. At this time, we have no indication from Matrix Corp when they plan to begin work and no final design plans have been submitted to the City for approval.

Should you have questions, please contact me.

Steve Rogers,
Public Works Director

CITY OF CORVALLIS – COUNCIL QUESTS – TRACKING REPORT
PENDING QUESTS

Council Request Item	Requested By	Date of Request	CM Report Due Date	Assigned to	Response in CM Rpt No.	Comments
ity Wireless Status	Daniels	04-21-08	05-13-08	Brewer	CCR 05-15-08	
treet Light at SE Lily Avenue and SE Bethel Street	Grosch	05-05-08	05-13-08	Rogers	CCR 05-15-08	
edestrian Crossing – NW Walnut Boulevard at NW 3th Street	Hamby	05-06-08	05-13-08	Rogers	CCR 05-15-08	
peed Humps on NW Circle Boulevard – NW Dogwood rive to NW Lantana Drive	Nelson	05-07-08	05-13-08	Rogers	CCR 05-15-08	
atting Cages at Benton County Fairgrounds	Hamby	05-05-08	05-13-08	Emery, K	CCR 05-15-08	
ingle-Family Dwelling Definition	Hamby/ Wershow	05-12-08	05-27-08	Gibb		

BEFORE THE LAND USE BOARD OF APPEALS

OF THE STATE OF OREGON

JUSTIN SOARES, LINA SOARES
and LES WATTERS,
Petitioners,

vs.

CITY OF CORVALLIS,
Respondent.

LUBA No. 2007-232

FINAL OPINION
AND ORDER

Appeal from City of Corvallis.

Justin Soares, Corvallis, filed the petition for review and argued on his own behalf. Lina Soares, Corvallis, and Les Watters, Portland, represented themselves.

David E. Coulombe, Corvallis, filed the response brief and argued on behalf of respondent. With him on the brief was Fewel, Brewer & Coulombe.

BASSHAM, Board Member; RYAN, Board Chair; HOLSTUN, Board Member, participated in the decision.

REMANDED 05/08/2008

You are entitled to judicial review of this Order. Judicial review is governed by the provisions of ORS 197.850.

Opinion by Bassham.

NATURE OF THE DECISION

Petitioners appeal a city council decision approving a tentative plat for a 10-lot subdivision.

MOTION TO FILE REPLY BRIEF

Lead petitioner Justin Soares (petitioner) moves to file a reply brief responding to an argument in the city's response brief that certain issues were waived. There is no objection to the reply brief, and it is allowed.

FACTS

The subject property is a vacant 2.99-acre parcel with a long north-south axis that is located on a hillside sloping generally to the east. In places the slope exceeds 25 percent. Running along the entire eastern border of the subject property at the bottom of the slope is Brooklane Drive, a two-lane neighborhood collector street with a bike lane but no sidewalks on either side. A retaining wall runs along most of the eastern property boundary where the slope is steepest, separating the property from Brooklane Drive. The Marys River and Marys River Natural Areas lie to the east and southeast of the subject property, which generally drains toward the river and natural area. Access to the property is via Chintimi Avenue, which runs along the northern border of the property and intersects with Brooklane Drive, and SW Roth Street, which border the western border of the site.

TC2 Investments, LLC (the applicant) applied to the county for tentative subdivision plat approval to create 10 residential lots. The city's code requires developers of property that abuts a public street that is not already improved to city standards to make full-width street improvements to city standards along the entire frontage. For a neighborhood collector, the city standards require a 66-foot right of way, two travel lanes, two bike lanes, curb and gutter, and, as relevant here, two five-foot sidewalks on both sides of the street separated from the curb by 12-foot planter strips. However, a 1995 study of the Brookline

Drive corridor recommended that when property abutting Brooklane Drive is developed, a sidewalk should be required only on one side of Brookline Drive, with a preference for the east side, due to the difficulty and expense of constructing the sidewalk on the west side, which would require building into a steep slope.

The applicant did not propose construction of sidewalks along the west side of Brookline Drive, based on the preference stated in the 1995 study. The applicant also did not propose to construct a sidewalk along the east side of Brookline Drive, as contemplated by the 1995 study, because it would require obtaining additional right of way from the adjoining property owners to the east. Instead, the applicant proposed resurfacing the existing Brookline Drive travel and bike lanes, and dedicating right of way for a planter strip along a portion of the eastern boundary of the property. In addition, the applicant proposed to make full-width street improvements to the abutting portions of Chintimi and SW Roth Street.

City planning staff issued a report dated June 8, 2007, recommending that the planning commission approve the proposed tentative subdivision plat, with conditions. The planning commission held a public hearing on June 20, 2007, and, on July 18, 2007, deliberated and voted to deny the application, in relevant part, due to the lack of proposed sidewalks. The applicant appealed the planning commission decision to the city council. The city council held a *de novo* hearing and, on September 17, 2007, voted to uphold the appeal, approving the subdivision without requiring a sidewalk along the east side of Brooklane Drive. This appeal followed.

FIRST ASSIGNMENT OF ERROR

The city council adopted findings supporting its decision, at Record 25-38. In addition, the city council decision adopts (1) the findings in the June 8, 2007 staff report and an August 24, 2007 staff memorandum that support approving the application; (2) "those portions" of the minutes of the planning commission hearings and city council hearings that demonstrate support for approving the tentative subdivision plat. Record 26. Petitioner

1 argues that the city erred in incorporating the findings in the staff report and staff
2 memorandum and those "portions" of the minutes that support the application.

3 **A. Staff Report and Staff Memorandum**

4 With respect to the staff report and memorandum, petitioner contends that the city
5 council appears to have incorporated only those portions of the staff report and memorandum
6 that support approving the application, which presumably means that the report and
7 memorandum include other findings that the city council rejected and did not incorporate.
8 Petitioner argues that the city has failed to sufficiently identify which portions of the staff
9 report and memorandum were adopted and which were rejected.

10 Both the staff report and memorandum recommended approval of the subdivision
11 application and essentially agreed with the applicant's positions on the disputed issues before
12 the city council. As far as we can tell, the staff report, staff memorandum, and city council
13 findings all resolve those disputes in the applicant's favor. Petitioner does not cite to any
14 findings in the staff report or memorandum to the contrary, or that recommend denial. This
15 is not a circumstance like that in *Ellis v. City of Bend*, 28 Or LUBA 332, 333 (1994), which
16 petitioner cites, where the governing body's decision *denied* an application, based on broadly
17 incorporated findings in a lower body's decision that *approved* an application. Petitioner has
18 not demonstrated that there is any inconsistency between the city council decision, the staff
19 report or memorandum.

20 Moreover, petitioner infers from the city council's language adopting the staff report
21 and memorandum as findings that the city council intended to incorporate only *some* of the
22 findings in the report and memorandum, while rejecting others. While the findings can be
23 read to suggest that, the fairest reading is that the city council intended to incorporate the
24 staff report and memorandum findings in their entirety. In contrast, in purporting to
25 incorporate the minutes of hearings, as discussed below the city council clearly indicated that
26 it intended to adopt only "portions" of those minutes as findings. Accordingly, we conclude

that the city council incorporated the findings in the staff report and memorandum in their entirety, and petitioner has identified no error in doing so.

B. Minutes of Hearings

Petitioner argues that the city erred in incorporating as findings "those portions" of the minutes that support approval of the application. We agree. In *Gonzalez v. Lane County*, 24 Or LUBA 251, 259 (1992), we held that where the decision maker chooses to incorporate all or portions of another document by reference into its findings, it must clearly (1) indicate its intent to do so, and (2) identify the document or portions of the document so incorporated. While the city council clearly intended to adopt portions of the minutes as findings, the city council failed to adequately or clearly identify which portions. The limitation to "those portions" of testimony "that demonstrate support" for approving the application is simply too imprecise, and leaves the Board and the parties guessing which testimony or portions of testimony are adopted as findings, and which are not. Therefore, the purported incorporation of portions of the minutes is ineffective. *See Staus v. City of Corvallis*, 48 Or LUBA 254, 261 (2004) (adoption of unspecified testimony in the record "that support[s] approval" is ineffective); *DLCD v. Douglas County*, 17 Or LUBA 466, 471 n 6 (1989) (a finding that purports to incorporate only those portions of documents that are "consistent" with the decision is inadequate).

However, as we explained in *Staus*, an ineffective incorporation of documents as findings is not necessarily an independent basis for reversal or remand. *Id.* at 261. We address petitioner's challenges to the other adopted findings below, conclude that they are inadequate in certain respects, and remand the city's decision. However, we do not see that the arguments under this assignment of error add anything to those bases for remand, or that the city's ineffective incorporation of unspecified portions of the minutes provides an independent basis for reversal or remand.

The first assignment of error is denied.

1 **SECOND ASSIGNMENT OF ERROR**

2 City of Corvallis Land Development Code (LDC) 4.0.70.d.1 requires that where a
3 development site abuts an existing public street that is not already improved to city
4 standards, the street must be improved to city standards along the full frontage of the
5 property, concurrent with development. Half-street improvements are "generally not
6 acceptable," but may be approved under certain circumstances.[1] City standards for collector
7 streets require sidewalks on both sides of the street separated from the curb by planter strips.
8 LDC 4.0.40; 4.0.70.i.6. As noted, the applicant proposed to improve the Brooklane Drive
9 vehicle lanes and bicycle lanes to city standards, but did not propose to construct sidewalks
10 on either side of Brooklane Drive. The city council found that the application satisfied
11 LDC 4.0.40 and 4.0.70, based in part on the 1995 Brooklane Drive-Nash Road Corridor
12 Study (BNCS).[2]

---

[1] LDC 4.0.70(d) provides, in relevant part:

> "Development sites shall be provided with access from a public street improved to City standards in accordance with the following:
>
> "1. Where a development site abuts an existing public street not improved to City standards, the abutting street shall be improved to City standards along the full frontage of the property concurrent with development.
>
> "2. Half-street improvements, as opposed to full-width street improvements, are generally not acceptable. However, these may be approved by the Planning Commission or Director where essential to the reasonable development of the property. Approval for half-street improvements may be allowed when other standards required for street improvements are met and when the Planning Commission or the Director finds that it will be possible to obtain the dedication and/or improvement of the remainder of the street when the property on the other side of the half-street is developed."

[2] The city council found, in relevant part:

> "The City Council notes that a concern raised during the Planning Commission public hearing and in public testimony was pedestrian safety along Brooklane Drive. The Planning Commission found that the bicycle and pedestrian facility improvements proposed along Brooklane Drive did not meet the criteria for 'safe and convenient pedestrian facilities,' as required by LDC Section 4.0.40. The Council notes that the [BNCS] is a Council-approved set of standards for the development of this corridor and states that pedestrian facilities should be installed on the east side of Brooklane Drive, along with landscaping strips of varying

1 The BNCS, approved by the city council in 1995, evaluates three options for
2 improving Brooklane Drive in the area of the subject property. Option 2 proposes a city
3 standard street section, except for a single sidewalk on either the east or west sides, instead
4 of a sidewalk on both sides. City staff recommended option 2, with an expressed preference
5 for constructing the sidewalk on the east side. That preference was based on (1)
6 continuation of the recommended street section for the previous segment, which apparently
7 included a sidewalk only on the east side, and (2) the higher acquisition and construction
8 costs for a west side sidewalk compared to an east side sidewalk.

9 The city council found that the BNCS "is a Council-approved set of standards for the
10 development of this corridor," and cited with apparent approval a councilor's statement
11 asserting that the BNCS "should override general standards in the LDC." Record 32.
12 Petitioner argues that the decision does not explain why the BNCS is a "Council-approved
13 set of standards" that can override the requirements of LDC 4.0.40 and 4.0.70. In any case,
14 petitioner argues, the BNCS recommends placing a single sidewalk on either the east or west
15 sides of Brooklane Drive, with a mere *preference* for the east side. The BNCS does not
16 require the single sidewalk on the east side, petitioner argues, and certainly does not provide
17 support for requiring no sidewalks at all along Brooklane Drive.

---

widths, such as would be allowed according to right-of-way dedications. Councilor York asserted that the [BNCS] applies specifically to this area, and as such, should override general standards in the LDC. * * * The Council notes that a survey of Brooklane Drive in the area adjacent to the proposed development found that there is not sufficient right-of-way to allow for construction of pedestrian facilities, especially a new sidewalk. The Council notes that LDC standards allow for the construction of half-street improvements rather than full-street improvements in certain circumstances. The Council notes that this case varies from that practice, but conforms to the Corridor Study, which recommends that a sidewalk not be placed on the west side of Brooklane Drive, adjacent to the subject property. * * * The Council finds that it is unreasonable for the City to require an applicant to gain right-of-way from other property owners in order to construct street improvements on the east side of the street. Councilors expressed concern that sidewalks will not be developed in conjunction with this proposal, but noted that when the properties on the eastern side of Brooklane Drive are developed or redeveloped, sidewalk and landscape strip rights-of-way would be more appropriately gained for the construction of pedestrian facilities as has been done in previous similar situations. Therefore, the Council finds that the pedestrian facilities included with the proposal conform to the adopted [BNCS] and comply with the criteria found in LDC Section 4.0.40." Record 32.

1 The city responds, initially, that no issue was raised below whether the BNCS
2 constitutes a council-approved set of standards or whether the city could rely on the BNCS to
3 determine what improvements to Brooklane Drive the applicant must provide, and therefore
4 petitioner's first argument under this assignment of error is waived. ORS 197.195(3)(c).[3]
5 Petitioner replies that they raised issues below regarding compliance with the applicable
6 LDC standards, and their challenge to the city's reliance on the BNCS to override those LDC
7 standards is not a separate "issue" that must be separately raised. Petitioner also argues that
8 if the BNCS constitutes an approval standard, then the city's failure to list the BNCS on the
9 notice of hearing as an approval criterion means that petitioner may raise new issues based
10 on that omitted "criterion," under ORS 197.835(4)(a).[4] In anticipation of that response, the
11 city argues that even if the BNCS is viewed as an omitted approval criterion for purposes of
12 ORS 197.835(4)(a), there was extensive discussion of the BNCS recommendations below
13 and LUBA should therefore find that the issue of whether the BNCS functions as a city
14 council-approved set of standards "could have been raised" during the proceedings below.

---

[3] ORS 197.195 sets out the procedural requirements for a limited land use decision, such as the decision challenged in this appeal. ORS 197.195(3)(c) provides, in relevant part, that:

> "The notice and procedures used by local government shall:
>
> "* * * * *
>
> "(B) State that issues which may provide the basis for an appeal to the Land Use Board of Appeals shall be raised in writing prior to the expiration of the comment period. Issues shall be raised with sufficient specificity to enable the decision maker to respond to the issue;
>
> "(C) List, by commonly used citation, the applicable criteria for the decision[.]"

[4] ORS 197.835(4) provides, in relevant part:

> "A petitioner may raise new issues to [LUBA] if:
>
> "(a) The local government failed to list the applicable criteria for a decision under ORS 197.195(3)(c) or 197.763 (3)(b), in which case a petitioner may raise new issues based upon applicable criteria that were omitted from the notice. However, the board may refuse to allow new issues to be raised if it finds that the issue could have been raised before the local government[.]

As far as we are made aware, the city first took the position that the BNCS functions as a council-approved "set of standards" that can "override" the applicable LDC sidewalk requirements in the city council findings adopted as part of the final decision. Although there was discussion of the BNCS recommendations during the proceedings below, the city has not established that a reasonable participant would have recognized from that discussion that the city council intended to apply the BNCS recommendations as *ad-hoc* "standards" to "override" the applicable LDC standards. We agree with petitioner that having raised issues below regarding compliance with the LDC sidewalk standards, petitioner was not required to anticipate that the city would respond to those issues by treating the BNCS recommendations as "approval standards" that operate to trump application of those LDC standards. Further, to the extent the city applied the BNCS recommendations as approval standards, ORS 197.835(4)(a) would permit petitioner to raise issues regarding the city's reliance on the BNCS for the first time, because the city failed to list the BNCS as an approval criterion on the notice of hearing. For the reasons set out above, we disagree with the city that the issue "could have been raised" during the proceedings below, for purposes of ORS 197.835(4)(a).

On the merits, the city responds that LDC 4.0.70.j authorizes the city in "unusual situations" to adopt "special design standards recommended by the City Engineer."[5] According to the city, LDC 4.0.70.j allows the city to grant a "variance" from applicable standards that require particular street design elements, if the city engineer recommends a different design to address an unusual situation. The city argues that its finding that the BNCS is a "council-approved set of standards" that override the LDC sidewalk requirements is a permissible exercise of the city's authority under LDC 4.0.70.j.

---

[5] LDC 4.0.70(j) is part of the code section addressing "Street Requirements," and provides:

> "Where standards do not exist to address unusual situations, the Planning Commission or Director may require as conditions of approval of [*sic*] special design standards recommended by the City Engineer."

1 As petitioner notes, the city council findings do not mention LDC 4.0.70.j, and it is
2 not clear that the city council relied on that provision. Petitioner also argues that, even if the
3 city relied on LDC 4.0.70.j to justify using the BNCS recommendations to override the LDC
4 standards, LDC 4.0.70.j applies only "[w]here standards do not exist to address unusual
5 situations[.]" According to petitioner, applicable LDC standards do exist, and unambiguously
6 require sidewalks on both sides of Brooklane Drive. Petitioner argues that LDC 4.0.70.j does
7 not operate to allow the city to vary or waive LDC requirements, or to apply *ad-hoc* "special
8 design standards" in lieu of applicable LDC approval standards.

9 We agree with petitioner that remand is necessary for the city explain on what basis it
10 may apply the BNCS recommendations to "override" the applicable LDC standards. If the
11 city relies on LDC 4.0.70.j, it must address that provision in the first instance and explain
12 why it applies. As petitioner notes, it is not at all clear that the present circumstance is one
13 where "standards do not exist to address unusual situations." Nor is it clear, even if
14 LDC 4.0.70.j applies, that it authorizes the city to grant a "variance" to applicable LDC
15 approval standards, as the city's response brief contends. LDC 4.0.70.j does not state, at
16 least explicitly, that the city may grant a "variance" to applicable approval criteria, or that
17 street elements required by such criteria may be waived.

18 In the response brief, the city suggests a possible second basis for concluding that the
19 BNCS can "override" applicable LDC requirements. In the course of arguing that LUBA
20 should take official notice of the BNCS, the city notes that the city's Transportation System
21 Plan (TSP), adopted in 1996, states that the BNCS identifies the scope of improvements that
22 are contemplated for Brooklane Drive, for purposes of a priority list of city-initiated
23 transportation projects.[6] We understand the city to argue that the TSP incorporates the

---

[6] The city cites to a section of the TSP stating that

> "Recent development pressure in this area has elevated the need to upgrade this sub-standard collector street. The primary issue involves safety to pedestrians and bicyclists along this

1 BNCS as part of the TSP and that, because the TSP is part of the city comprehensive plan,
2 the BNCS is therefore also part of the comprehensive plan. If so, we understand the city to
3 argue, the city may apply the BNCS directly to override any contrary LDC standards.

4 The city's decision does not take that approach, and there are at least two problems
5 with it. First, it is not clear to us that the discussion of the BNCS in the TSP is sufficient to
6 "incorporate" the BNCS into the TSP, such that the BNCS is considered part of the city's
7 comprehensive plan. In addition, it is not clear that the TSP's use of the BNCS to identify
8 proposed improvements for purposes of a list of *city-initiated* transportation projects
9 necessarily means that the BNCS identifies the scope of improvements that can be required
10 of an adjacent developer for purposes of LDC 4.0.40 and LDC 4.0.70, or that the BNCS or
11 TSP can be used to "override" requirements imposed by those provisions. While we do not
12 foreclose the possibility that, on remand, the city council could adopt a sustainable
13 interpretation of the TSP and LDC to that effect, as the decision and briefing now stands we
14 do not agree with the city that we can deny this assignment of error based on the
15 interpretation proffered in the city's brief.

16 Finally, the city argues, apparently in the alternative, that LDC 4.0.70.d.2 allows the
17 city to approve half-street improvements under certain circumstances. *See* n 1. According to
18 the city, the finding quoted at n 2 relies on LDC 4.0.70.d.2 to approve the subdivision
19 without the required sidewalk on the east side of Brooklane Drive. The city found that it is
20 unreasonable to require the applicant to gain the right-of-way on the east side of the street
21 needed to construct full street improvements, and that the right-of-way may be more
22 appropriately obtained when properties on the eastern side of Brooklane Drive area
23 developed or redeveloped.

---

narrow, curved roadway. The [BNCS], adopted by the City Council in spring of 1995, identifies the scope of improvements for this project." TSP 10.10.10.b.14, attached to the Response Brief at App 75.

The city is correct that LDC 4.0.70.d.2 authorizes the city to require this applicant to construct only half-street improvements to Brooklane Drive instead of full-street improvements, and thus not require this applicant to construct a sidewalk on the east side of Brooklane Drive. Although the city technically required more than half-street improvements, the city made the findings required by LDC 4.0.70.d.2, and petitioner does not challenge those findings. However, LDC 4.0.70.d.2 provides only limited assistance to the city. LDC 4.0.70.d.2 does not purport to authorize the city to waive required improvements on both sides of Brooklane Drive. For purposes of waiving the sidewalk on the west side of Brooklane Drive, adjacent to the subject property, the city appears to rely entirely on the BNCS. As explained above, the city has not established that anything in the city's code or elsewhere authorizes the city to apply the recommendations in the BNCS to override applicable LDC requirements. On remand, the city must either require compliance with the sidewalk requirements of LDC 4.0.40 and LDC 4.0.70 or identify some basis in its code or plan that authorizes it to waive or grant a variance to the LDC requirements for a sidewalk on the west side of Brooklane Drive.

The second assignment of error is sustained.

THIRD ASSIGNMENT OF ERROR

Petitioner contends that the city's findings regarding stormwater drainage are inadequate and not supported by substantial evidence.

A. Purpose Statement at LDC 2.4.20

LDC 2.4.30.04 provides in relevant part that "[r]equests for approval of a tentative subdivision plat shall be reviewed to assure consistency with the purposes of this Code[.]"[7] The city council found that the plat is consistent with the purposes of the city land division

[7] In its response brief, the city argues that the "purposes of this Code" refers to the general code purpose statement at LDC 1.0.20, not the land division purpose statement at LDC 2.4.20. However, the city's findings do not take that approach, and we do not consider that argument further. On remand, the city can determine if it agrees with that interpretation of LDC 2.4.30.04.

1 code, which are stated at LDC 2.4.20. The LDC 2.4.20 purpose section states that land
2 division review procedures are established for a number of purposes, including to
3 "[m]inimize negative effects of development upon the natural environment and to
4 incorporate natural features into the proposed development where possible." LDC 2.4.20.b.
5 The staff report incorporated by the city council decision found that the proposed subdivision
6 plat is consistent with the purposes listed in LDC 2.4.20.

7 Petitioner argues first that the city's findings addressing LDC 2.4.20 fail to discuss
8 stormwater drainage and are therefore inadequate. Petitioner acknowledges that the city
9 adopted extensive findings addressing stormwater drainage elsewhere in the decision,
10 addressing approval criteria specific to stormwater drainage. Record 314-17. However,
11 petitioner argues that the city should also address stormwater drainage under LDC 2.4.20.b
12 and show that the applicant's stormwater drainage plans "[m]inimize negative effects of
13 development upon the natural environment[.]"

14 While the city's findings addressing the purpose provisions of LDC 2.4.20 do not
15 specifically discuss stormwater drainage, we do not see that LDC 2.4.30.04 requires detailed
16 findings regarding specific development issues, when addressing whether the proposed
17 subdivision plat is consistent with the purposes of the city's code. That is particularly the
18 case when the code includes specific approval standards for addressing stormwater drainage
19 issues and the city adopted extensive findings addressing those standards. Petitioner has not
20 demonstrated that the city's findings under LDC 2.4.30.04 and 2.4.20 are inadequate.

21 **B. Findings Addressing Stormwater Drainage**

22 Next, petitioner challenges a statement in the city council findings that the proposed
23 stormwater drainage facilities "satisfy the criteria outlined in the Corvallis Stormwater

1 Master Plan[.]"[8] Petitioner argues that neither the decision nor the record identify what those
2 "criteria" are or how the proposed facility complies with them.

3 The city responds that this statement and related staff findings refer to Appendix F of
4 the Corvallis Stormwater Master Plan, which revises and is part of the Corvallis Design
5 Criteria Manual. Appendix F is attached to the city's brief. According to the city, Appendix
6 F includes a number of technical standards for design of stormwater facilities, including
7 detention facilities. The city notes that LDC 4.5.90.b.1 requires that development projects
8 above a certain size must "implement stormwater detention and/or retention measures as
9 specified in the Corvallis Design Criteria Manual."[9] Similarly, LDC 4.0.80.e requires that all

---

[8] In addition to incorporated findings addressing stormwater drainage, the city council adopted the following findings:

> "The City Council notes that concerns regarding the proposed detention pond and impacts to downstream properties were raised during public hearings and in written testimony. The Council notes that specific concerns were related to downstream property owners who had past drainage problems. The Council further notes that last year the City installed a new storm drain line to intercept much of the storm water that impacted downstream property owners. In addition, the storm drainage system proposed with the development will redirect the remaining downstream storm water into pipes that will outfall a considerable distance from the affected property. The Council notes that the proposal, as conditioned, will provide public storm drainage facilities, including pipes, water quality manholes, drainageways, swales, and detention ponds in compliance with the criteria noted above.
>
> "*The Council finds that, as conditioned, the proposed storm drainage facilities satisfy the criteria outlined in the Corvallis Stormwater Master Plan,* and will be designed to capture runoff so that runoff rates from the site after development will not exceed the pre-developed conditions based on 2-year, 5-year, 10-year and 24-hour storm events. The Council finds persuasive the analysis and conclusions on pages 28-31 of the June 8, 2007 staff report to the Planning Commission that demonstrate downhill properties will not be negatively impacted by stormwater runoff." Record 35 (emphasis added).

[9] LDC 4.5.90 governs stormwater detention and retention measures, and requires in relevant part:

> "a. To reduce the risk of causing downstream properties to become flooded and to help maintain or restore the properly functioning conditions of receiving waters, new development, expansions to existing development, or redevelopment shall be required to provide stormwater detention and retention in accordance with 'b' of this section.
>
> "b. When detention and/or retention are required
>
> "1. Development Projects that create impervious surfaces (roads, driveways, parking lots, walks, patios, and roofs) in excess of 25,000 square feet are

1 public utility installations "shall conform to the City's adopted facilities master plans." The
2 staff report incorporated into the city council's decision evaluated the proposed stormwater
3 drainage plan and imposed conditions requiring that the proposed facilities be consistent with
4 the "criteria" in Appendix F. Record 316, Record 20 (Condition 22, quoted below at n 11,
5 requiring that detention facilities shall be designed consistent with criteria outlined in
6 Appendix F).

7 We understand the city to argue that the challenged city council finding that the
8 proposed stormwater facility satisfies the "criteria outlined in the Corvallis Stormwater
9 Master Plan" is essentially a finding that the proposed facility, as conditioned, complies with
10 applicable LDC standards and is not intended to suggest that the Appendix F or the Corvallis
11 Stormwater Master Plan include "criteria" in the sense of *approval standards* that must be
12 addressed in findings in order to approve a tentative subdivision plat application. According
13 to the city, pursuant to the conditions of approval, compliance with the technical engineering
14 standards in Appendix F will be reviewed by the city engineer as part of a subsequent "public
15 improvement plan review process." The city contends that as part of tentative subdivision
16 plat review, the city is required only to evaluate compliance with the applicable LDC
17 standards, such as LDC 4.5.90.b and LDC 4.0.80.e, not the technical engineering standards
18 in Appendix F. While LDC standards require that stormwater drainage facilities conform to
19 the adopted master plans, the city argues, those master plans are not, in themselves, approval
20 criteria. Therefore, the city argues, to the extent the city council or staff found that the
21 proposed facility satisfies the "criteria" in the Corvallis Stormwater Master Plan or Appendix
22 F as part of tentative subdivision plat review, such findings are surplusage and not a basis for
23 reversal or remand.

---

required to implement stormwater detention and/or retention measures as specified in the Corvallis Design Criteria Manual. Detention facilities shall be designed to maximize stormwater infiltration."

The exact role Appendix F and other city public facilities plans play in reviewing a tentative subdivision plat application under the city's review scheme is not clear to us. Appendix F includes what appear to be technical engineering standards for designing stormwater drainage facilities (which it calls "design criteria") that are clearly nondiscretionary or minimally discretionary in nature (e.g., the minimum pipe size for storm drain mains is 12 inches). However, it also includes other "design criteria" that are clearly subjective and discretionary (e.g., "[s]ufficient capacity shall be designed into the system to account for future growth potential of the area served as identified in the Comprehensive Plan"). By contrast, the LDC stormwater drainage standards that apply at the time of tentative subdivision plat review, such as LDC 4.5.90.b and LDC 4.0.80.e, include few or no actual "standards," but instead simply refer to and require conformance with the city's master plans, apparently including Appendix F. The result is that, as a legal and practical matter, tentative subdivision plat review appears to require that the city conduct at least *some* evaluation into whether the proposed stormwater drainage facilities comply with the "design criteria" in Appendix F and other applicable master plans. Accordingly, we reject the city's argument in its brief that the Appendix F "design criteria" are not meaningful approval standards and therefore that the city's finding that the proposed stormwater drainage facility "satisfies" those design criteria is mere surplusage. The city council did not adopt that position, and it seems to be contrary to the city's review scheme, which relies almost exclusively on the standards in Appendix F and other facility plans to approve proposed stormwater drainage facilities.

LDC 2.4.30.01.a and .b require the applicant to submit a preliminary "utility plan" and accompanying narrative that includes the proposed stormwater detention and drainage facilities.[10] It is difficult to imagine why the code requires such information as part of the

---

[10] LDC 2.4.30.01.a.4.i requires that the tentative subdivision plat application shall include graphics that depict "[e]xisting and proposed utility systems including sanitary sewer, storm sewer, drainageways, and water,

1 tentative subdivision plat application if the city need not evaluate the proposed facilities
2 against some standard as part of tentative subdivision plat review. The applicant duly
3 submitted a utility plan and narrative, proposing that stormwater will be directed to an on-site
4 detention facility and then to a new storm drain line in Brooklane Drive, connecting to the
5 existing city system. The city engineer and then city staff reviewed the preliminary utility
6 plan and narrative. The city staff findings discuss the proposed storm drainage system at
7 length, and evaluate it against some of the Appendix F "design criteria." Record 314-17.
8 However, the staff findings reach no conclusions regarding consistency with the Appendix F
9 design criteria, but instead simply impose conditions requiring that the applicant submit to
10 the city engineer plans and calculations sufficient to demonstrate that the proposed facility is
11 consistent with Appendix F and related design criteria.[11]

12 As noted, in response to the petitioners' arguments, the city council decision found
13 that "as conditioned, the proposed stormwater drainage facilities satisfy the criteria outlined
14 in the Corvallis Stormwater Master Plan." However, the findings do not identify those
15 "criteria" or explain why they are satisfied. The findings assert that the stormwater drainage

---

where appropriate[.]" LDC 2.4.30.01.b.2 requires a written narrative that includes a "[s]tatement of improvements to be constructed or installed and date of their anticipated completion including * * * [p]rovisions for sewage disposal, storm drainage, and flood control[.]"

[11] Condition 22 provides:

> "As part of the plans for public improvements the applicant shall provide engineered calculations for pre-development and post-development peak storm water run-off flows, and demonstrate that the storm drainage facilities are designed to match pre and post-development flows based on the 2-year, 5-year, and 10-year storm events. The detention facilities shall be designed consistent with criteria outlined in Appendix F of the City's Storm Water Master Plan, and criteria established in the most recent version of the *King County, Washington, Surface Water Design Manual*. The water quality facilities shall be designed to remove 70 percent of the total suspended solids (TSS) entering the facility for a 0.9 inch 24-hr storm event * * *. As per King County criteria, if side slopes steeper than the standard 3H:1V are proposed, or if embankment heights exceed 6 feet, they shall be designed by a licensed geotechnical engineer. * * * If the proposed stormwater drainage facilities cannot be constructed to City of Corvallis and King County criteria, the applicant shall initiate a new application. The new application shall include alternate design solutions to accommodate the stormwater quality and detention requirements of the proposed development. * * * Comprehensive Plan Policies 4.12.9 and 4.12.10 listed above shall be considered when deviating from above-ground, open detention and water quality facilities." Record 20.

1 system "will be designed to capture runoff so that runoff rates from the site after
2 development will not exceed the pre-developed conditions based on 2-year, 5-year, 10-year
3 and 24-hour storm events," which is one of the Appendix F design criteria. However, as
4 Condition 22 suggests, the applicant apparently provided no calculations or evidence on that
5 point. Instead, the city appears to have completely deferred that demonstration to a later
6 review process involving only the applicant and the city engineer.

7 Accordingly, we agree with petitioner that remand is necessary for the city to adopt
8 findings explaining what role the design criteria in Appendix F and other master plans play
9 in reviewing a tentative subdivision plat application, pursuant to LDC 4.0.80.3.e and
10 LDC 4.5.90.b.1. Petitioner argues, and we agree, that if those "design criteria" apply to
11 tentative subdivision plat applications or include discretionary approval standards, the city
12 must address those standards at the time of tentative subdivision plat review approval. The
13 city may not defer consideration of applicable discretionary approval standards to a later
14 review process that does not offer notice and opportunity for public participation. *Rhyne v.*
15 *Multnomah County*, 23 Or LUBA 442, 447-48 (1992).[12]

---

[12] In *Rhyne*, we stated:

> "Where the evidence presented during the first stage approval proceedings raises questions concerning whether a particular approval criterion is satisfied, a local government essentially has three options potentially available. First, it may find that although the evidence is conflicting, the evidence nevertheless is sufficient to support a finding that the standard is satisfied or that feasible solutions to identified problems exist, and impose conditions if necessary. Second, if the local government determines there is insufficient evidence to determine the feasibility of compliance with the standard, it could on that basis deny the application. Third, if the local government determines that there is insufficient evidence to determine the feasibility of compliance with the standard, instead of finding the standard is not met, it may defer a determination concerning compliance with the standard to the second stage. In selecting this third option, the local government is not finding all applicable approval standards are complied with, or that it is feasible to do so, as part of the first stage approval (as it does under the first option described above). Therefore, the local government must assure that the second stage approval process to which the decision making is deferred provides the statutorily required notice and hearing, even though the local code may not require such notice and hearing for second stage decisions in other circumstances. *Holland v. Lane County*, 16 Or LUBA 583, 596-97 (1988)." (footnotes omitted).

If on remand the city determines that some of the design criteria in Appendix F are not approval standards for tentative subdivision plat approval, or that Appendix F includes certain design criteria that are objective, nondiscretionary technical engineering standards, the city should identify any such design criteria and explain why they need not be addressed at the time of tentative subdivision plat approval.[13]

The third assignment of error is sustained, in part.

FOURTH ASSIGNMENT OF ERROR

Petitioner argues that the city failed to adequately address concerns raised below regarding potential adverse effects of stormwater runoff on the significant wetland southeast of the subject property.

As noted, LDC 2.4.30.04 provides a tentative subdivision plat "shall be reviewed to assure consistency with the purposes of this Code[.]" The LDC 2.4.20 purpose section states that land division review procedures are established, among other reasons, to "[m]inimize negative effects of development upon the natural environment * * *." LDC 2.4.20.b. In response to concerns raised by the petitioners regarding the impact of stormwater runoff on the nearby Marys River Natural Area, the city council found:

> "The Council finds that the proposed detention pond, swale, and water quality manholes will remove pollutants and protect the quality of water entering the Marys River Natural Area, in compliance with the Corvallis Stormwater Master Plan. * * * The Council further noted that concerns regarding wetland protection will be specifically addressed at the time of development through the 2006 LDC. * * * Per analysis and discussion, the Council finds that water levels in the Marys River Natural Area and adjacent wetlands are not expected to change significantly as a result of the proposed development. * * *" Record 35.

---

[13] Petitioner also cites *Rhyne* for the proposition that when a local government imposes a condition of approval to ensure compliance with applicable approval criteria, it must make a finding that compliance is "feasible." While the present case does not require an extended discussion of *Rhyne*, we disagree with petitioner that *Rhyne* supports that broad proposition. Nothing in *Rhyne* imposes a general requirement that conditions of approval must be accompanied by findings that compliance with approval criteria is "feasible."

Petitioner contends that the findings of compliance with the Corvallis Stormwater Master Plan are inadequate, for the reasons set out in the third assignment of error. Further, petitioner argues that the finding that "water levels in the Marys River Natural Area and adjacent wetlands are not expected to change significantly as a result of the proposed development" is not supported by substantial evidence, because the record includes no evidence calculating the pre-and post-development stormwater flows from the subject property, and the city essentially deferred consideration of that issue to a later review process.

The first sentence of the above-quoted finding suffers from the same problem described under the third assignment of error. The city council appeared to apply unspecified provisions of the Corvallis Stormwater Master Plan as approval criteria, but without identifying those criteria or explaining why the proposed development complies with those criteria. The third sentence of the finding appears to rest on the city's unsupported conclusion that the proposed stormwater drainage facility will ensure that post-development stormwater flows will not exceed pre-development flows, based on a future demonstration of compliance with Appendix F design criteria. As explained above, the city has not cited any evidence supporting that finding, and that demonstration was apparently deferred to a later proceeding involving only the applicant and the city engineer.

The second sentence notes that "concerns regarding wetland protection will be specifically addressed at the time of development through the 2006 LDC." It is not clear what standards are referred to or when they would apply. The city explains that this finding refers to standards enacted in 2006, following submission of the present application, that apply to "lot development." Response Brief 30. However, the response brief also does not identify the referenced LDC standards. If the second sentence of the quoted finding is intended to suggest that future application of unidentified standards that govern development of *individual* lots within the subdivision is sufficient to address the impacts of the entire

1 subdivision on a nearby wetland for purposes of LDC 2.4.30.04 and LDC 2.4.20.b, the
2 finding is inadequate. At a minimum, the city needs to make clearer in its findings what
3 standards governing lot development are sufficient to ensure that stormwater impacts of the
4 subdivision as a whole on the wetland are consistent with the code purpose to "[m]inimize
5 negative effects of development upon the natural environment[.]" Nothing cited to us in the
6 city's incorporated findings, including the staff report, addresses impacts on the nearby
7 wetland. Remand is therefore necessary to adopt findings addressing the concerns the
8 petitioners raised under LDC 2.4.30.04 and LDC 2.4.20.b, regarding the impact of the
9 subdivision on the nearby Marys River Natural Area.

10 The fourth assignment of error is sustained.

11 The city's decision is remanded.

BEFORE THE LAND USE BOARD OF APPEALS
OF THE STATE OF OREGON

7TH STREET STATION, LLC,	)	
	)	
Petitioner,	)	
	)	
v.	)	LUBA No. 2008-_____
	)	(Closure of SW D Avenue)
CITY OF CORVALLIS	)	
	)	
Respondent.	)	
	)	

NOTICE OF INTENT TO APPEAL

I.

Notice is hereby given that petitioner intends to appeal that land use decision or limited land use decision of respondent made on April 21, 2008, and memorialized in the minutes of that meeting, as approved on May 5, 2008, in which the City Council decided by a unanimous vote to "close SW D Avenue to vehicular traffic, while maintaining pedestrian and bicycle access." Petitioner is unaware of any other documents memorializing the decision.

The city made this decision without notice or public hearing. Petitioner participated via email, having submitted an email from Robert Cavell, objecting to the closure and the lack of a public process. At the time of the closure, Petitioner had applications pending at the city for development permits on property adjacent to and accessed by SW D Avenue. This development site was the subject of LUBA decision in *7th Street Station LLC v. City of Corvallis*, __ Or LUBA __ (LUBA No. 2007-140, 141, Nov. 21, 2007). This decision is the city's most recent attempt to render the 7th Street Station property undevelopable for residential purposes.

II.

Petitioner is represented by Bill Kloos, LAW OFFICE OF BILL KLOOS PC, 375 w. 4th

St., Suite 204, Eugene, OR 97401; Phone: 541-343-8596.

III.

Respondent, City of Corvallis, has as its mailing address and telephone number: Corvallis City Manager, Corvallis Community Development, 501 SW Madison Street, Corvallis, OR 97333; Phone: 541-766-6901. Respondent has as its legal counsel: Jim Brewer, FEWELL BREWER & COULOMBE, 456 S.W. Monroe St., Suite 101, Corvallis, OR 97333; Phone: 541-(541) 752-5154.

IV.

No persons were mailed notice of the decision by the City.

NOTICE:

Anyone designated in paragraphs IV of this Notice who desires to participate as a party in this case before the Land Use Board of Appeals must file with the Board a Motion to Intervene in this proceeding as required by OAR 661-10-050.

LAW OFFICE OF BILL KLOOS PC

Bill Kloos, OSB No. 81140

CERTIFICATE OF SERVICE

I hereby certify that on May 6, 2008, I served a true and correct copy of this Notice of Intent to Appeal on all persons listed in paragraphs III and IV of this Notice pursuant to OAR 661-010-0015(2) by first class mail

Dated: May 6, 2008.

Bill Kloos

MEMORANDUM

TO: Mayor and City Council

FROM: Steve Rogers, Public Works Director

DATE: May 12, 2008

SUBJECT: Emissions Testing at Woodland Hills Water Tower

ISSUE:

In response to neighbor concerns over potential emissions generated from cell phone antenna connected to the Woodland Hills Water Tower, staff conducts tri-annual noise level and radio frequency-electromagnetic field (RF/EMF) emissions tests at the facility. The 2008 test results are attached.

BACKGROUND:

The City of Corvallis (City) has four lease agreements with wireless service providers at the Woodland Hills Water Tower facility on NW Woodland Drive. Each provider leases space within the compound for ground-related facilities and a limited amount of space on the water tower to attach a variety of antennas. As a condition of development, each provider was restricted to increasing the ambient noise level to no more than 35 decibels (dB) at the property line and had to submit documentation to demonstrate RF/EMF levels did not exceed Federal Communications Commission (FCC) standards. The FCC is the only government agency that regulates RF/EMF emissions and establishes guidelines for evaluating environmental effects of human exposure. Moreover, the FCC determines the basis for some facilities to be categorically excluded from FCC testing depending upon the location and attachment of the antenna. Due to the height of the City's water tower and the placement of the antenna, all facilities at the site are categorically excluded from FCC RF/EMF testing. However, as a good neighbor, the City continues testing the site on a triennial basis to ensure the wireless providers maintain noise and emission compliance. The last testing occurred in April 2005.

DISCUSSION:

In order to sample ambient noise levels, staff used a Lutron SL-4022, Type 1, digital sound level meter. The meter was programmed to collect an environmental sound level measurement (A-weighting), a frequency that best simulates human ear listening in the 60-100 dB range. For RF/EMF emissions testing, staff used a Holaday HI-4433 digital meter equipped with an MSE field probe. The combination of meter and probe allowed measurement of the 0.5 MHz to 5 GHz frequency range in milliwatts per centimeter squared (mw/cm^2). This is the unit of measurement specified by the FCC in its regulation of the maximum permissible exposure (or power density) of the general population defined as "the maximum rate that energy can be transferred to a square centimeter of a person's body over a period of time" (30 minutes for the general population). FCC guidelines stipulate the power density level cannot exceed 1.00. Both instruments were calibrated to standards traceable to international standards prior to use.

RF/EMF Emissions Test

The RF/EMF emission tests were conducted in the early afternoon of April 30, 2008. The test included eleven testing points inside the water tower compound and eleven testing points in the surrounding neighborhood. Measurements at each location were the highest recorded emission for the time period tested. Test results from the 2008 testing are as follows:

Inside the water tower compound:											
2008	.014	.006	.004	.001	.000	.000	.001	.004	.007	.077	.019
Surrounding neighborhood:											
2008	.000	.000	.000	.027	.082	.031	.016	.014	.078	.031	.045

The highest emission measurement was .077 (mw/cm^2), inside the water tower compound. The highest measurement in the surrounding area was .082 (Elmwood Drive). All readings were well below the FCC maximum permissible exposure threshold of 1.00.

Noise Level Test

A noise level analysis was also conducted in the early afternoon of April 30, 2008. The test included eleven testing points inside the water tower compound and eleven testing points in the surrounding neighborhood. Ambient noises included birds, traffic, wind, and typical neighborhood noises. Test results from the 2008 testing are as follows:

Inside the water tower compound:											
2008	48.9	45.2	48.0	53.4	45.5	48.9	48.7	50.8	46.3	53.1	44.3
Surrounding neighborhood:											
2008	47.5	43.1	42.8	51.3	58.2	47.7	51.1	55.1	55.2	61.3	49.9

The highest noise levels inside the water tower compound were all on the side nearest the wireless facilities. Each equipment cabinet or building is outfitted with a cooling device that can lead to increased ambient noise levels. The highest recorded noise level within the compound was 53.4 dB. The highest recorded noise level in the surrounding neighborhood was 61.3 dB with an average reading of 51.1 dB. The 2005 average noise level was 57.3 dB. In most cases, the noise levels outside the compound were higher than the corresponding location inside the compound. Therefore, the noise being emitted by the cell phone facilities in the water tower compound are not elevating noise levels on neighboring properties.

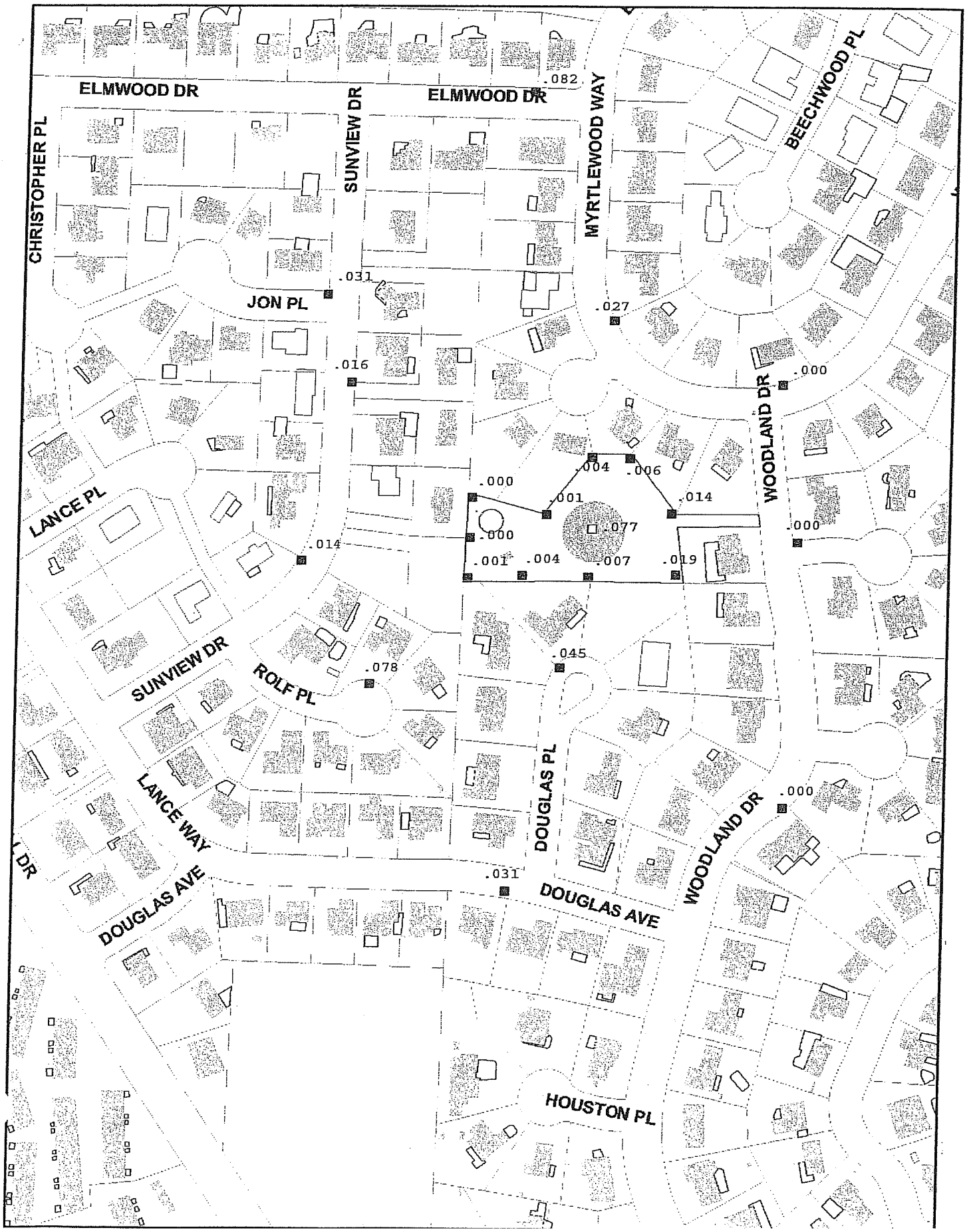
CONCLUSION:

Ambient noise levels and RF/EMF emission levels are well within prescribed guidelines. Staff will conduct the next triennial noise and emissions test in spring 2011. No action is necessary. This report is for information only.

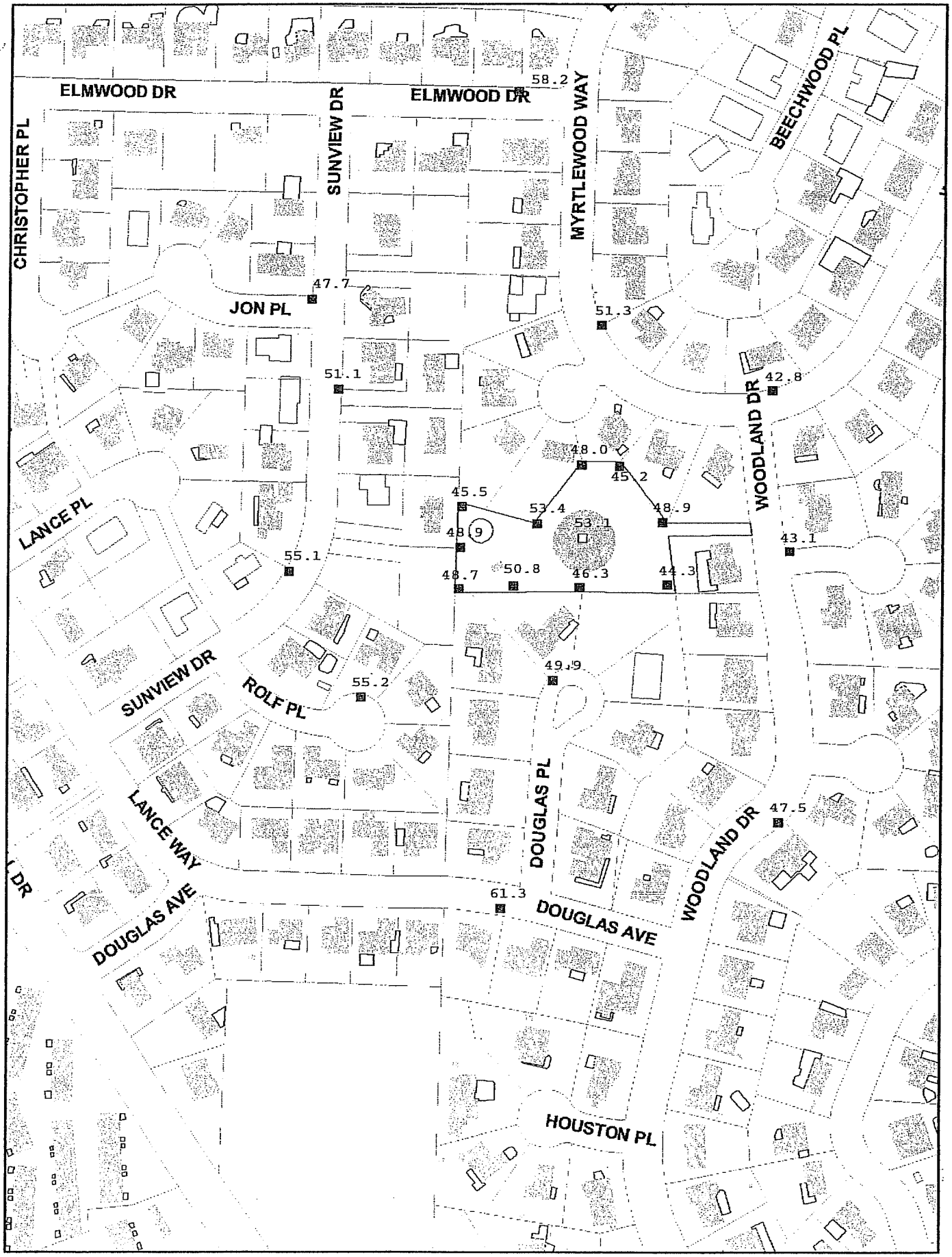
Review and Concur:

Jon S. Nelson, City Manager

2008 RF/EMF Testing



2008 Noise Testing (decibels)



ADMINISTRATIVE SERVICES COMMITTEE
SCHEDULED ITEMS

May 15, 2008

MEETING DATE	AGENDA ITEM
May 13 (special) 5:30 pm	• Economic Development Allocations Presentations
May 15 (special) 4:00 pm	• Economic Development Allocations Deliberations
May 22	• Oregon Economic and Community Development Department Loan for Airport Industrial Park Wetlands Mitigation • Solid Waste Franchise Renewal
June 5	• Land Use Application Fee Review Update • Senior and Community Center/Park Facilities Bond Measure Ballot Title Review • League of Oregon Cities Foundation Funding Request • Third Quarter Operating Report • Auditing Standards • Potential Revenue Alternatives
June 19	• 2009-10 City Council Goal Setting and Team Building Facilitator Process
July 10	• Economic Development Allocations Third Quarter Reports
July 24	
August 7	• Senior and Community Center/Park Facilities Bond Measure Explanatory Statement
August 21	• Solid Waste Franchise
September 4	• Fourth Quarter Operating Report
September 18	

October 9	• Council Policy Reviews:
	  • CP 04-1.09, "Public Access Television"
	  • CP 91-2.01, "Meeting Procedures"
	  • CP 91-2.03, "Expense Reimbursement"

October 23	• Council Policy Reviews:
	  • CP 91-3.01, "Appointment of Acting City Manager"
	  • CP 91-3.02, "City Compensation Policy"
	• Economic Development Allocations Fourth Quarter Reports

November 6	• Utility Rate Annual Review • Economic Development Application Process and Calendar • Funding Agreement Annual Report – Corvallis Environmental Center
November 20	• Comprehensive Annual Financial Report (CAFR)

MEETING DATE	AGENDA ITEM
December 4	
December 18	• Economic Development Allocations First Quarter Reports • First Quarter Operating Report

ASC PENDING ITEMS

• Annual Contribution to Fire Vehicle Reserve	Fire/Finance
• Construction Excise Tax Agreement with 509J School District	City Manager's Office
• Council Policy Reviews: CP 10.01 through 10.08, "Financial Policies"	Finance
• Economic Development Policy Review	Community Development
• Potential Revenue Alternatives – Business License Fee	Finance
• Potential Revenue Alternatives – City Services Fee	Finance
• Potential Revenue Alternatives – Entertainment/Admissions Tax	Finance
• Potential Revenue Alternatives – Restaurant/Meal Tax	Finance

Regular Meeting Date and Location:

Thursday following Council, 12:00 pm – Madison Avenue Meeting Room

HUMAN SERVICES COMMITTEE
SCHEDULED ITEMS

May 15, 2008

MEETING DATE	AGENDA ITEM
May 20	• Corvallis Fall Festival Annual Report

June 3	• Boards and Commissions Sunset Reviews:
	  • Housing and Community Development Commission
	  • Public Art Selection Commission
	• Corvallis Farmers' Markets Annual Report

June 17	• Social Services Allocations – Fiscal Year 2008-2009
July 8	
July 22	• Willamette Neighborhood Housing Services Third Quarter Report
August 5	• Parks and Recreation Annual Fee Review
August 19	• Social Services Semi-Annual Report
September 3	
September 16	• Rental Housing Program Annual Report

October 7	• Council Policy Reviews:
	  • CP 91-1.02, "Liquor License Approval Procedures"
	  • CP 91-1.03, "Naming of Public Facilities and Land"
	  • CP 91-4.01, "Guidelines for Selling in Parks"

October 21	• Council Policy Reviews:
	  • CP 93-4.11, "Public Library Policy for Selecting and Discarding Materials"
	  • CP 99-4.14, "Use of City Hall Plaza and Kiosk"
	  • CP 95-1.07, "Policy Regarding the City Flag"

November 4	• Willamette Neighborhood Housing Services Fourth Quarter Report
November 18	
December 2	
December 16	

HSC PENDING ITEMS

- Noise Ordinance Review — Police

Regular Meeting Date and Location:
Tuesday following Council, 12:00 pm – Madison Avenue Meeting Room

URBAN SERVICES COMMITTEE
SCHEDULED ITEMS

May 15, 2008

MEETING DATE	AGENDA ITEM
May 22	• Benton County Water Supply Policy/ Memorandum of Cooperation
June 5	• Boards and Commissions Sunset Review: Watershed Management Advisory Commission • Solar Power Project at Wastewater Treatment Plant
June 19	• Federal Earmark Alternatives (Cascade View Industrial Properties)
July 10	• Rivergreen Drive/Hwy 99 Intersection Improvements
July 24	• Safety Sidewalk Program Review • Street Tree Maintenance in the Right-of-Way
August 7	
August 21	
September 4	
September 18	

October 9	• Council Policy Reviews:
	  • CP 04-1.08, "Sustainability"
	  • CP 91-7.05, "Capital Improvement Program"
	  • CP 91-7.06, "Engineering and Administrative Costs for Assessment Projects"

October 23	• Council Policy Reviews:
	  • CP 91-7.04, "Building Permits"
	  • CP 91-7.08, "Sidewalk Policy"

November 6	
November 20	
December 4	
December 18	

USC PENDING ITEMS

- Building Code Amendment — Community Development
- Fire Protection Services in Health Hazard Residential Areas — Fire

Regular Meeting Date and Location:
Thursday following Council, 4:00 pm – Madison Avenue Meeting Room

UPCOMING MEETINGS OF INTEREST

City of Corvallis

MAY - OCTOBER 2008
(Updated May 15, 2008)

MAY 2008

Date	Time	Group	Location	Subject/Note
15	~~4:30 pm~~ **4:00 pm**	Econ Dev Allocations Committee	Madison Avenue Mtg Rm	deliberations
15	6:30 pm	Parks, Nat'l Areas, and Rec Bd	Downtown Fire Station	
17	10:00 am	Government Comment Corner	Library Lobby - Mike Beilstein	
19	**12:00 pm**	**City Council**	**Downtown Fire Station**	
~~**19**~~	~~**7:00 pm**~~	~~**City Council**~~	~~**Downtown Fire Station**~~	
20	12:00 pm	Human Services Committee	Madison Avenue Mtg Rm	
21	12:00 pm	Housing and Community Dev Cmsn	Madison Avenue Mtg Rm	
21	5:30 pm	Watershed Mgmt Adv Cmsn	Madison Avenue Mtg Rm	
21	7:00 pm	Planning Commission	Downtown Fire Station	
22	12:00 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
22	4:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	
24		No Government Comment Corner		
26		City Holiday – all offices closed		
27	11:30 am	Cmsn for Martin Luther King, Jr.	City Hall Meeting Room A	
28	8:30 am	City Legislative Committee	City Hall Meeting Room A	
28	5:00 pm	Downtown Parking Commission	Madison Avenue Mtg Rm	
31	10:00 am	Government Comment Corner	Library Lobby - Dan Brown	

JUNE 2008

Date	Time	Group	Location	Subject/Note
2	**12:00 pm**	**City Council**	**Downtown Fire Station**	
2	**7:00 pm**	**City Council**	**Downtown Fire Station**	
3	7:00 am	Airport Commission	Madison Avenue Mtg Rm	
3	12:00 pm	Human Services Committee	Madison Avenue Mtg Rm	
3	~~**5:30 pm**~~ ***5:00 pm***	**City Council**	**Madison Ave Mtg Rm**	**Plng Cmsn/Historic Res Cmsn interviews**
4	~~**5:30 pm**~~ ***5:00 pm***	**City Council**	**Madison Ave Mtg Rm**	**Plng Cmsn/Historic Res Cmsn interviews**
4	7:00 pm	Planning Commission	Downtown Fire Station	
4	7:30 pm	Library Board	Library Board Room	
5	12:00 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
5	4:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	
5	7:15 pm	Committee for Citizen Involvement	Madison Avenue Mtg Rm	
6	7:00 am	Bicycle and Pedestrian Adv Cmsn	Madison Avenue Mtg Rm	
7	10:00 am	Government Comment Corner	Library Lobby - Patricia Daniels	
10	7:00 pm	Historic Resources Commission	Downtown Fire Station	
11	8:15 am	Citizens Adv Cmsn on Transit	Madison Avenue Mtg Rm	
11	8:30 am	City Legislative Committee	City Hall Meeting Room A	
12	8:00 am	Citizens Adv Cmsn on Civic Beautification and Urban Forestry	Parks and Rec Conf Rm	

Date	Time	Group	Location	Subject/Note
14	10:00 am	Government Comment Corner	Library Lobby - Charles Tomlinson	
16	**12:00 pm**	**City Council**	**Downtown Fire Station**	
16	**7:00 pm**	**City Council**	**Downtown Fire Station**	
17	12:00 pm	Human Services Committee	Madison Avenue Mtg Rm	
18	12:00 pm	Housing and Community Dev Cmsn	Madison Avenue Mtg Rm	
18	5:30 pm	Watershed Mgmt Adv Cmsn	Madison Avenue Mtg Rm	
18	7:00 pm	Planning Commission	Downtown Fire Station	
19	12:00 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
19	4:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	
19	6:30 pm	Parks, Nat'l Areas, and Rec Bd	Downtown Fire Station	
21	10:00 am	Government Comment Corner	Library Lobby - TBD	
24	11:30 am	Cmsn for Martin Luther King, Jr.	City Hall Meeting Room A	
25	5:00 pm	Downtown Parking Commission	Madison Avenue Mtg Rm	
28	10:00 am	Government Comment Corner	Library Lobby - TBD	

JULY 2008

Date	Time	Group	Location	Subject/Note
1	7:00 am	Airport Commission	Madison Avenue Mtg Rm	
2	7:00 pm	Planning Commission	Downtown Fire Station	
2	7:30 pm	Library Board	Library Board Room	
4		City Holiday – all offices closed		
5		No Government Comment Corner		
7	**12:00 pm**	**City Council**	**Downtown Fire Station**	
7	**7:00 pm**	**City Council**	**Downtown Fire Station**	
8	12:00 pm	Human Services Committee	Madison Avenue Mtg Rm	
8	7:00 pm	Historic Resources Commission	Downtown Fire Station	
9	8:15 am	Citizens Advisory Cmsn on Transit	Madison Avenue Mtg Rm	
10	8:00 am	Citizens Advisory Cmsn on Civic Beautification and Urban Forestry	Parks and Rec Conf Rm	
10	12:00 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
10	4:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	
11	7:00 am	Bicycle and Pedestrian Adv Cmsn	Madison Avenue Mtg Rm	
12	10:00 am	Government Comment Corner	Library Lobby - George Grosch	
14	7:00 pm	City Manager/Mayor/City Council quarterly work session	Madison Avenue Mtg Rm	tentative
16	5:30 pm	Watershed Mgmt Adv Cmsn	Madison Avenue Mtg Rm	
16	7:00 pm	Planning Commission	Downtown Fire Station	
17	6:30 pm	Parks, Nat'l Areas, and Rec Bd	Downtown Fire Station	
19	10:00 am	Government Comment Corner	Library Lobby - TBD	
21	**12:00 pm**	**City Council**	**Downtown Fire Station**	
21	**7:00 pm**	**City Council**	**Downtown Fire Station**	
22	11:30 am	Cmsn for Martin Luther King, Jr.	City Hall Meeting Room A	
22	12:00 pm	Human Services Committee	Madison Avenue Mtg Rm	
23	5:00 pm	Downtown Parking Commission	Madison Avenue Mtg Rm	
24	12:00 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
24	4:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	
26	10:00 am	Government Comment Corner	Library Lobby - TBD	

AUGUST 2008

Date	Time	Group	Location	Subject/Note
2	10:00 am	Government Comment Corner	Library Lobby - TBD	
4	**12:00 pm**	**City Council**	**Downtown Fire Station**	
4	**7:00 pm**	**City Council**	**Downtown Fire Station**	
5	12:00 pm	Human Services Committee	Madison Avenue Mtg Rm	
6	7:30 pm	Library Board	Library Board Room	
7	12:00 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
7	4:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	
9	10:00 am	Government Comment Corner	Library Lobby - David Hamby	
14	8:00 am	Citizens Advisory Cmsn on Civic Beautification and Urban Forestry	Parks and Rec Conf Room	
16	10:00 am	Government Comment Corner	Library Lobby - TBD	
18	**12:00 pm**	**City Council**	**Downtown Fire Station**	
18	**7:00 pm**	**City Council**	**Downtown Fire Station**	
19	12:00 pm	Human Services Committee	Madison Avenue Mtg Rm	
21	12:00 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
21	4:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	
21	6:30 pm	Parks, Nat'l Areas, and Rec Bd	Downtown Fire Station	
23	10:00 am	Government Comment Corner	Library Lobby - TBD	
26	11:30 am	Cmsn for Martin Luther King, Jr.	City Hall Meeting Room A	
30		No Government Comment Corner		

SEPTEMBER 2008

Date	Time	Group	Location	Subject/Note
1		City Holiday – all offices closed		
2	**12:00 pm**	**City Council**	**Downtown Fire Station**	
2	**7:00 pm**	**City Council**	**Downtown Fire Station**	
3	12:00 pm	Human Services Committee	Madison Avenue Mtg Rm	
3	7:30 pm	Library Board	Library Board Room	
4	12:00 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
4	4:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	
6	10:00 am	Government Comment Corner	Library Lobby - Charles Tomlinson	
11	8:00 am	Citizens Advisory Cmsn on Civic Beautification and Urban Forestry	Parks and Rec Conf Room	
13	10:00 am	Government Comment Corner	Library Lobby - Blake Rodman	
15	**12:00 pm**	**City Council**	**Downtown Fire Station**	
15	**7:00 pm**	**City Council**	**Downtown Fire Station**	
16	12:00 pm	Human Services Committee	Madison Avenue Mtg Rm	
18	12:00 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
18	4:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	
18	6:30 pm	Parks, Nat'l Areas, and Rec Bd	Downtown Fire Station	
20	10:00 am	Government Comment Corner	Library Lobby - Mike Beilstein	
23	11:30 am	Cmsn for Martin Luther King, Jr.	City Hall Meeting Room A	
27	10:00 am	Government Comment Corner	Library Lobby - Bill York	

OCTOBER 2008

Date	Time	Group	Location	Subject/Note
1	7:30 pm	Library Board	Library Board Room	
4	10:00 am	Government Comment Corner	Library Lobby - George Grosch	
6	**12:00 pm**	**City Council**	**Downtown Fire Station**	
6	**7:00 pm**	**City Council**	**Downtown Fire Station**	
7	12:00 pm	Human Services Committee	Madison Avenue Mtg Rm	
9	8:00 am	Citizens Advisory Cmsn on Civic Beautification and Urban Forestry	Parks and Rec Conf Room	
9	12:00 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
9	4:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	
11	10:00 am	Government Comment Corner	Library Lobby - TBD	
16	6:30 pm	Parks, Nat'l Areas, and Rec Bd	Downtown Fire Station	
18	10:00 am	Government Comment Corner	Library Lobby - Helen Higgins	
20	**12:00 pm**	**City Council**	**Downtown Fire Station**	
20	**7:00 pm**	**City Council**	**Downtown Fire Station**	
21	12:00 pm	Human Services Committee	Madison Avenue Mtg Rm	
23	12:00 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
23	4:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	
25	10:00 am	Government Comment Corner	Library Lobby - David Hamby	
28	11:30 am	Cmsn for Martin Luther King, Jr.	City Hall Meeting Room A	

Bold type – involves the Council ~~Strikeout~~ type – meeting canceled *Italics* type – new meeting

TBD To be Determined

ciba Corvallis Independent Business Alliance

CIBA
c/o A & S Accounting
316 SW Washington Avenue
Corvallis, Oregon 97333

info@CorvallisIBA.org
www.CorvallisIBA.org

541-752-0047
Fax 541-757-1998

Board of Directors

Pat Sardell
Country Vitamins
President

Bob Baird
The Book Bin
Vice President

Kay Dee Cole
Associate Board Member
Secretary

Ilene Anderton
A & S Accounting
Treasurer

Jack Wolcott
Grass Roots Music & Books

Peter Ball
Corvallis Insurance Service

Barbara Ross
Fisher House Cottage

Catherine Holdorf
Sibling Revelry

Laurie Zink
Day Dreamers LLC

Peg Obrist
Citizen's Bank

Kate Lindburg
Animal Crackers Pet Supply

Evelyn Hall
t Alternative Coop

Becky Picton
Associate Board Member

RECEIVED
MAY 08 2008
CITY MANAGERS OFFICE

May 7, 2008

To Whom It May Concern,

Representing Corvallis' diverse, independent business community, and in light of the potential impact of fees on businesses of such small sale as sole owner or of owner and one employee, CIBA proposes the following adjustments and suggestions to the Business License Fee structure:

1. There is a perceived value problem and a lack of understanding in the small business community about the intentions of the Business License Fee. More information, especially details of costs associated with the various action items is requested.

2. EVP is looking at a fiscal short fall due to the ongoing consultant fees for the implementation of the Prosperity That Fits plan. Accumulated expenses associated with that relationship seem great, and in the future might be better utilized to implement some of the plan action items.

3. Business of 0-1 employees should be charged a significantly lesser rate than the currently proposed $50.

Once these items have been addressed, CIBA could then consider whether or not to support the Business License Fee

Appreciatively,

Pat Sardell, President
Corvallis Independent Business Alliance

RECEIVED
MAY 1 2 2008
CITY MANAGERS
OFFICE

Minutes of Access Benton County
April 17, 2008 Meeting

Present: Edith Yang, Linda Wagner, Judy Heath, Pat Shermer, Hugh White, Ronald Naasko, Jim Smith.

ABC Minutes are intended to describe the discussions, decisions, and actions that occur during ABC's monthly meeting. The minutes are to be considered only a draft until they are approved at the following monthly meeting. Persons who receive the draft of the minutes and see inaccuracies or omissions in them are asked to please inform ABC.

12:00 Noon, Call to order and introductions.

A. Minutes of March 20, 2008 approved as submitted.

B. Treasurer's Report: ABC has received, unsolicited, $520.00. This will be put in a savings account and spent as determined by ABC members. Thank you donors!

C. Correspondence: E-mails and phone discussions pertaining to action items below.

D. Old Business:

1. **OSU Sustainability Center/Ramp Project. ABC will ask for feedback periodically. The Center Manager is connected with an OSU engineering student who has chosen to take on the design and construction of the ramp! Thank you OSU!**

2. **Future ABC Guests: Carla Pusateri, Corvallis Fire Department Safety Specialist, will be our guest at our May 15, 2008 meeting!**

3. **ABC has completed a list of accessibility-related internet websites that we believe will be very useful for persons wanting to increase their knowledge and understanding of this broad and important field. This has been shared with the Corvallis-Benton Chamber Coalition for possible use of this great organization.**

E. New Business:

1. ABC will present a letter of appreciation to Mayor Tomlinson and the Corvallis City Council at the April 21st meeting at 7 p.m.. The letter expresses ABC gratitude for the recent work done by City Staff and citizenry to improve access around sidewalk cafes.

2. ABC members were recently asked to do an access survey of a building in Corvallis that is being remodeled. It was a very rewarding and fun experience for those who participated. Inspection was for the outside of the premises. When the inside is ready, we hope to survey that part of the building too. We feel certain that our input was important and useful for the engineering firm doing the remodeling and for the owner of the building.

   We hope that this public service will be valued by businesses so that many of us can deepen our knowledge of codes and best practices for facility accessibility and to share this with our communities. Persons who use mobility devices or who require accommodations are especially valuable to perform these surveys because they are so realistic about what is and isn't accessible! ABC will welcome anyone who would like to learn more about surveying!

3. An individual has offered to do a mock website for ABC so we can see how this communication tool might be useful for us. ABC will share the trial site for members to examine in the near future.

4. ABC Business Name. There is a fifty dollar charge every two years for an organization to protect its assumed business name through the State. Research on this topic will be presented at our May meeting to help with decision about protecting "ABC" legal identity.

Adjourn: 1 p.m.. Next Meeting: Thursday, May 15, 2008. Noon. Benton Plaza, Commissioner's Meeting Room.

HUMAN SERVICES COMMITTEE
MINUTES
May 6, 2008

Present
Councilor Mike Beilstein, Chair
Councilor Hal Brauner

Absent
Councilor Wershow (excused)

Staff
Jon Nelson, City Manager
Tony Krieg, Customer Service Manager
Carrie Mullens, City Manager's Office

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for Further Review	Recommendations
I. Liquor License Annual Renewals			Approve all annual liquor license renewal applicants and submit favorable recommendation to the Oregon Liquor Control Commission
II. Other Business	**		

Chair Beilstein called the meeting to order at 12:00 pm.

CONTENT OF DISCUSSION

I. Liquor License Annual Renewals (Attachment)

Customer Services Manager Krieg explained that each year the Oregon Liquor Control Commission (OLCC) provides the City with a list of eligible liquor license holders due for renewal. Each renewal is reviewed by various City departments for fire, building, and sign code compliance, along with criminal activity or alcohol related problems. The OLCC is not required to abide by the City's recommendation; however, comments are taken seriously. Staff recommends the City submit a favorable recommendation for all applicants, as no issues have been reported.

Mr. Krieg added that two recently approved liquor license applicants, Aqua Seafood Restaurant and Thanh-Hein Vietnamese, will be added to the renewal list next year.

Chair Beilstein said 122 establishments have received favorable recommendations from staff.

Councilor Brauner noted that he was pleased the prior year issues have been resolved.

The Committee unanimously recommends that Council approve all annual liquor license renewal applicants and submit favorable recommendation to the Oregon Liquor Control Commission.

II. Other Business

The next Human Services Committee meeting is scheduled for 12:00 pm on Tuesday, May 20, 2008 in the Madison Avenue Meeting Room.

Respectfully submitted,

Mike Beilstein, Chair

MEMORANDUM

April 17, 2008

TO: Human Services Committee

FROM: Nancy Brewer, Finance Director NB

SUBJECT: **Annual Liquor License Renewals**

I. ISSUE

Annual review and approval of local establishments applying for liquor licenses with the Oregon Liquor Control Commission (OLCC).

II. BACKGROUND

The OLCC conducts an annual renewal process for all liquor licenses issued in the state. OLCC sends a list of licensees that are eligible for renewal to the City in early March. The City has sixty days to make a recommendation to OLCC about renewing the licenses. At the end of sixty days, if there is not a recommendation for a license, OLCC processes the renewal as if it received a favorable recommendation.

OLCC mails license renewal applications to licensees approximately two months before the license expires. The license applicant must return the completed application to OLCC at least twenty days before the license expires. As part of the City renewal process, licensees must provide a copy of their completed OLCC application and pay a $35 renewal fee to the City. Applicants cannot legally sell or serve alcohol after the license expires.

The City conducts an investigation on all renewal applications which includes review by the Fire Department for compliance with fire code and by Community Development for compliance with building and sign codes. The Police Department (CPD) investigates each applicant for any criminal activity or alcohol related problems associated with the business. Finance staff compile the recommendations and report to the Human Services Committee (HSC).

Even though Council is requested to review license applications, Council has limited authority in the actions it can take. Actions available to Council and responses available to the OLCC are detailed in the table below. The OLCC is not required to abide by Council's recommendations, but the OLCC does carefully consider Council's recommendations.

Actions available to the City Council	Responses available to the OLCC
No recommendation on licenses	Process as a favorable recommendation
Favorable recommendation	Accept recommendation

Actions available to the City Council	Responses available to the OLCC
Recommend granting licenses with restrictions	Accept recommendation; renew without restrictions; deny
Recommend licenses not be granted unless applicant demonstrates commitment to overcome concerns	Accept recommendation; renew without restrictions; renew with restrictions; deny
Recommend denial of the licenses	Accept recommendation; renew without restrictions; renew with restrictions.

III. DISCUSSION

Upon review and investigation of the applicants, CPD, Fire Department and Community Development reported no ongoing problems and approved all applicants (list attached) for liquor license renewal.

Staff also received applications from Aqua Seafood Restaurant and Thanh-Hein Vietnamese for an annual liquor license during this renewal period. These two applications are currently under review by each department. In addition, these applicants will also be subject to liquor license renewal in June 2008.

IV. REQUESTED ACTION

Staff requests HSC recommend City Council approve all applicants for the annual liquor license renewal and submit a favorable approval recommendation to the OLCC.

Review and Concur:

City Manager

Chief of Police

Outlet Name	Type of License	Location	Owner
?6th Street Superette	O	2531 NW Monroe Ave	Yim, Brooke Y
-Eleven Store #2363-14520E	O	746 NW Kings Blvd	Bally Enterprises Inc.
/-Eleven Store #2363-17105E	O	2641 NW 9th St.	Noor Enterprises Inc
7-Eleven Store #2363-22935C	O	2405 SE	Armaan Enterprises Inc
AJ's Dawg Haus	L	1420 NW 9th Street	AJH Delis LLC
Albertson's #514	O	2005 NW Circle Blvd	New Albertson's Inc
American Dream Pizza	L	2525 NW Monroe Ave	Scotian Inc.
American Dream Pizza & Crowbar	F-COM	214 SW 2nd St	Magela Inc.
Aomatsu Japanese Restaurant	L	122 NW 3rd St	Ahn, Guyoung
Aqua Seafood Restaurant	F-COM	151 NW Monroe Ave Ste 102	Aqua Seafood Restaurant, LLC
Applebee's Restaurant	F-COM	1919 NE Four Acre Pl	Restaurant Concepts II LLC
Avalon Wine & Gormet	O	201 SW 2nd St.	Avalon Wine Inc
Baja Fresh Mexican Grill	L	815 NW 9th St.	Northwest Fresh III LLC
Bi-Mart #604	O	2045 NW 9th Street	Bi-Mart Corp
Bi-Mart #639	O	1555 SW 53rd St	Bi-Mart Corp
Big River Restaurant	F-COM	101 NW Jackson Ave	Malmac Inc.
Block 15	F-COM, BP	300 SW Jefferson Ave	Block 15 Brewing Company Inc.
Blue Sky Chinese Restaurant #2	L	1585 SW 53rd St.	Zhou, Weidong
Bombs Away Cafe	F-COM	2527 NW Monroe Ave	Bombs Away Café Inc
Cha Da Thai Restaurant	L	1945 NW 9th St	Apone, Pantip
China Blue Restaurant	L	2307 NW 9th Street	Healthy Food Inc
China Delight Restaurant	F-COM	325 NW 2nd Street	Spring K Inc.
Circle K Store #1022	O	1900 SW 3rd Street	Circle K Stores Inc.
Circle K Store #292	O	1467 NW Monroe Ave	Circle K Stores Inc.
Cirello's Pizza	L	919 NW Circle Blvd Suite F	SAJ Inc.
'odfelter's	F-COM	1501 NW Monroe Ave	C D E LTD
loud 9	F-COM	126 SW 1st Street	Cloud 9 LLC
Coleman's Jeweler's & Wine	GROWER	255 SW Madison Ave	Coleman, John
Corvallis Country Club	F-COM	1850 SW Whiteside Dr	Corvallis Country Club Inc./ Golf Enterpr
Corvallis Grocery Outlet	O	1235 NW 10th Street	Neumann LTD/Grocery Outlet Inc.
Dari Mart Store #13	O	440 SW Western Blvd	Dari-Mart Stores Inc
Darrell's	F-COM	2200 NW 9th Street	Hubler Restaurant Inc
Dede's	L, O	1786 NW 9th Street	CJ Eateries LLC
El Presidente Mexican Rest/Cantir	F-COM	1110 NW 2nd Street	El Presidente of Corvallis Inc.
El Sol De Mexico	F-COM	1597 NW 9th Street	De La Cruz & Magana Inc.
El Sol De Mexico #3	F-COM	1845 NW Circle Ave	Maravillas Inc.
Elks Lodge #1413 Corvallis	F-CLU	1400 NW 9th Street	Elks Lodge #1413, Corvallis
Elmer's Breakfast Lunch Dinner	L	1115 NW 9th Street	Lupa Inc.
Enoteca	F-COM, O	136 SW Washington Ave	BMRCMC LLC
Evergreen So & No Indian Cuisine	L	136 SW 3rd Street	Evergreen S & N Indian Cusn LLC
Fireworks Restaurant & Bar	F-COM	1115 SW 3rd	Natural Gourmet Eatery Inc.
First Alternative Cooperative	O	1007 SE 3rd Street	First Alternative Cooperative
First Alternative Cooperative North	O	2855 NW Grant Ave	First Alternative Cooperative
Fred Meyer	O	777 NW Kings Blvd	Fred Meyet Stores Inc
Gabby's	O	136 SW Washington Ave Suite	Gabby's Inc
Harrison Bar & Grill	F-COM	550 NW Harrison Blvd	TSE Corporation
Headwaters	F-COM	1730 NW 9th Street	Salebasgeon Inc
Highland Bowl	F-COM	2123 NW 9th Street	Haymac Inc
Indoor Sports Park	L	175 SW Twin Oaks Circle	Corvallis Sports Park LLC
Iovino's Ristorante	F-COM	136 SW Washington Ave Suite	RIRC LLC
y's Pizza Bar Classic Buffet	L	2475 NW 9th Street	Dine Inc
ıckon's Food Stores #111	O	1334 NW 9th Street	Jacksons Food Stores Inc
Jade Garden	F-COM	503 SW 3rd Street	Chen's Jade Inc
King Tin Restaurant	L	1857 NW 9th Street	King Tin Corp
La Roquita Mexican Restaurant	F-COM	370 SW Western Blvd	Garcia-Nunez, Marx
Le Bistro	F-COM	150 SW Madison Ave	Ducan Culinary Ventures Inc

Outlet Name	Type of License	Location	Owner
Magenta Restaurant & Catering	F-COM	137 SW 2nd Street	Hoang, Kimber Thi
Marzini's	L	922 NW Kings Blvd	SAJ Inc.
McGrath's Publick Fish House	F-COM	350 NE Circle Blvd	McGrath's Publick Fish House In
McMenamin's	F-COM, O	420 NW 3rd Street	McMenamin's Inc.
McMenamin's on Monroe	F-COM, BP	2001 NW Monroe Ave Suite 1	McMenamin's Inc.
Mexico Lindo Restaurant	F-COM	5228 SW Philomath Blvd	Mexico Lindo Inc
Micahaels Landing	F-COM	603 NW 2nd St	Serrette Inc
Moose Lodge #1411 Corvallis	F-CLU	2240 SW 3rd St	Moose Lodge #1411 Corvallis
Murphy's Restaurant & Lounge	F-COM	2740 SW 3rd St	Dragonfly Pacific Inc
Natalia & Cristoforo's	O	351 NW Jackson Ave Suite 2	Leytem, Greg & Regina
Nearly Normal's Gonzo Cuisine	F-COM	109 NW 15th St	Nearly Normal's Gonzo Cuisine Inc
New Morning Bakery	L, O	219 SW 2nd St	New Morning Bakery Inc
Oasis Restaurant	L	2315 NW Kings Blvd	Abdellatif, Ghassan N
Old World Deli	L	341 SW 2nd St	OWD Inc
Oregon State University Catering	F-CAT	140 Arnold Center	Oregon State University
Oregon Trail Brewery	BP	341 SW 2nd St	Brewing Northwest LTD
Papa's Pizza Parlor #4	L	1030 SW 3rd St	The Papa's Group Inc
Penguin Flowers	O	930 NW Kings Blvd	Portz, Angela & Edward
Pizza Hut	L	2575 NW Kings Blvd	Pizza Hut of SE Kansas Inc
Platinum	F-COM	126 SW 4th	Platinum Promo LLC
Qdoba Mexican Grill	F-COM	2001 NW Monroe	QMexcor LLC
Ragin Cajun Bar & Grill	F-COM	370 SW Western Blvd Suite A	Brown & Co Productions LLC
Rice & Spice	O	1075 NW Van Buren Ave	Kim, Peter P
Rice's Pharmacy	O	910 NW Kings Blvd	Vista Health Services Inc
Richeys Markets of Benton County	O	944 NW Circle Blvd	Richeys Markets of Benton County Inc
Rite Aid #5366	O	922 NW Circle Blvd	Thrifty Payless Inc
Riverview Mongolian Grill	L	230 NW 1st Ave	Mongolian Grill LLC
Ruby Tuesday	F-COM	1895 NW 9th St	RT Portland Franchise LLC
Safeway Store #1690	O	590 NE Circle Blvd	Safeway Inc
Safeway Store #1765	O	5270 SW Philomath Blvd	Safeway Inc
Safeway Store #4333	O	450 SW 3rd Street	Safeway Inc
Sahalie Wine Cellars	L	151 NW Monroe Ave Suite 10	ISIS LLC
Sancho's Mexian Grill & Bar	F-COM	1425 NW Monroe Ave Suite A	Gallegos, Sebastian & Macela
Senor Sam's Mexican Grill	F-COM	140 NW 3rd Street	Restaurant Group of Corvallis Inc
Shari's of Corvallis	L	1117 NW 9th Street	Shari's Management Corp
Sodexho	L	430 SW Langton Pl	Sodexho America LLC
Sodexho	F-CAT	Reser Stadium	Sodexho America LLC
Southeast Restaurant	F-COM, O	1425 NW Monroe Ave Suite A	Hoang, Kimber Thi
Squirrels	F-COM, L, O	100 SW 2nd Street	Squirrels Inc
Stadium Grill	F-COM	2500 SW Western Blvd	Corvallis Hospitality LLC
Strega	F-COM	517 SW 2nd St Suite C	Cerridwen Holdings LLC
T & G Market	O	1621 NW 9th St	T & S & G Market Inc
Taco Del Mar	L	1915 NW 9th St	La Tortuga LLC
Tailgater's Bar & Grill	F-COM	1425 NW Monroe Ave Suite M	Sandbox Entertainment LLC
The Fox & Firkin	F-COM	202 SW 1st Street	Firkin USA Inc
The Gables Restaurant	F-COM	1121 NW 9th Street	Hearing Gables Inc
The Retreat Day Spa & Salon	L	777 NW 9th St Suite 200	The Retreat Day Spa & Salon Inc
The Waterfront Grill	F-COM	151 NW Monroe Ave Suite 10	Food For Thought Services LLC
Timberhill Athletic Court Club	L	2855 NW 29th Street	Timberhill Athletic/Court Club Inc
Thanh-Hien Vietnamese Restaura	L	2329 NW Kings Blvd	Nolan, Eugelinda
Tokyo Japanese Steakhouse & Su	F-COM	250 SW 3rd Street	Happy Tokyo Inc
Tom's Peacock Bar & Grill	F-COM	125 SW 2nd St	SMRK LLC
Tommy's 4th St. Bar & Grill	F-COM	350 SW 4th Street	Budtig Inc.
Tri Valley Food Mart #102	O	5500 SW Philomath Blvd	Singh, Ranjit
University Hero	L	211 SW 5th St	VV Enterprises LLC
University Market	O	1149 NW Van Buren Ave	Epoch Group LLC
US Market #145	O	1450 NW 9th St	US Market #145 LLC

Outlet Name	Type of License	Location	Owner
JS Market #185	O	300 SW 4th St	US Market #185 LLC
Western Market	O	2875 SW Western Blvd	Western Market LLC
Whiteside's Beer & Wine	O	119 SW 4th St	Corvallis Brewing Supply Inc
Winco Foods #03	O	2335 NW Kings Blvd	Winco Foods LLC
Wine Styles Corvallis	O, L	2333 NW Kings Blvd	Gwintray LLC
Wineopolis	O	151 NW Monroe Ave Suite 10	Larson, Jerald
Woodstock's Pizza Parlor	L	1045 NW Kings Blvd	Woodstock's Enterprises Inc
Zia Southwest Cuisine	L	121 SW 3rd Street	Zia Southwest Cuisine, LLC

Types of Liquor Licenses

Full On-Premises Sales License (Type Code - F-COM, F-CLU, F-CAT)
Allows the sale and service of distilled spirits, malt beverages, cider, and wine for consumption on the licensed premises. Also allows licensees who are pre-approved to cater events off the licensed premises.

Limited On-Premises Sales License (Type Code - L)
Allows the sale of malt beverages, wine and hard cider for consumption on the licensed premises, and the sale of kegs of malt beverages for off-premises consumption. Also allows licensees who are pre-approved to cater events off the licensed premises.

Off-Premises Sales License (Type Code - O)
Allows the sale of malt beverages, wine and cider in factory sealed containers for consumption off the licensed premises, and allows approved licensees to offer sample tasting of malt beverages, wine and cider on premises.

Brewery-Public House License (Type Code - BP)
Allows the manufacture and sale of malt beverages, and sale of wine and cider for consumption on or off the premises.

Winery (Type Code - W)
Allows the licensee to import, bottle, produce, blend, store, transport and export wines, and allows wholesale sales to OLCC licensees, and retail sales of malt beverages and wine for consumption on or off the licensed premises.

Brewery (Type Code - B)
Allows the manufacture, importation, storage, transportation and wholesale sales of malt beverages to OLCC licensees. Malt beverages brewed on the premises may be sold for consumption on the premises and in kegs under certain circumstances.

Certificate of Approval
Allows an out-of-state manufacturer, or an importer of foreign wine or malt beverages, to import wine and malt beverages into Oregon for resale to certain licensees.

Distillery
Allows the holder to import, manufacture, distill, rectify, blend, denature and store distilled spirits. A distillery that produces brandy or pot-distilled liquor may permit sample tasting on the premises.

Growers Sales Privilege
Allows importing, storing, transporting, exporting, and wholesale and retail sale of wines made from fruit grown in Oregon.

Warehouse
Allows storing, importing, exporting, bottling, producing, blending and transporting wine and malt beverages.

Wholesale Malt Beverage and Wine
Allows the importation, storage, transportation and wholesale of malt beverages and wine to OLCC licensees, and limited retail sales to the public.

ADMINISTRATIVE SERVICES COMMITTEE
MINUTES
May 8, 2008

Present
Councilor Bill York, Chair
Councilor Dan Brown

Visitors
Hal Brauner, Councilor
Liz Foster, Economic Dev Allocations Committee
Trevor Griesmeyer, Economic Dev Allocations Committee
Matt Johnen, Economic Dev Allocations Committee

Staff
Jon Nelson, City Manager
Carolyn Rawles-Heiser, Library Director
Ken Gibb, Community Development Director
Carla Holzworth, City Manager's Office

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for Further Review	Recommendations
I. Council Policy Review: CP 95-4.10: Public Library Gifts and Donations Policy			Approve staff's recommended changes to Council Policy 95-4.10: Public Library Gifts and Donations Policy
II. Economic Development Allocations Orientation	*		
III. Other Business	*		

Chair York called the meeting to order at 12:00 p.m.

CONTENT OF DISCUSSION

I. Council Policy Review: CP 95-4.10: Public Library Gifts and Donations Policy (Attachment)

Ms. Rawles-Heiser said staff recommends minor changes to the Library's Gifts and Donations policy. Extraneous language was removed, as well as the requirement to return donated items unless specifically requested by the donor. Ms. Rawles-Hesier said many of the thousands of books donated to the Library are given anonymously.

Chair York noted that the Library Board discussed the policy when they met in April and they support the policy as proposed.

The Committee unanimously recommends that Council approve staff's recommended changes to Council Policy 95-4.10: Public Library Gifts and Donations Policy.

II. Economic Development Allocations Orientation (Attachment)

Mr. Gibb distributed notebooks containing allocation materials, an orientation outline (Attachment A), and a copy of the Business Enterprise Center's 2007 application (Attachment B) as a proposal example.

Mr. Gibb reviewed the outline and provided background. Notification about the process was mailed in late December, notices of intent from interested agencies were due at the end of January, requests for proposals were sent in early February, and applications were due March 31. Staff received ten proposals; requests total $405,500, but only $225,300 is available for allocation. Mr. Gibb said the notebook includes copies of the proposals, a financial review memo from Finance, and Community Development staff's basic review of the applications for formatting and completeness. Council's economic development policy stipulates that 50% of collected transient room taxes go to the City's General Fund and the remaining 50% is available for economic development, with 30% going to Corvallis Tourism and the remaining 20% being available through the allocation process.

Mr. Gibb said a limit of six double-spaced pages was placed on each agency's core narrative, but supporting documentation may be attached if desired. Mr. Gibb directed the Committee's attention to Attachment B, noting that the checklist for application funding, shown on the last page of the attachment, has been helpful in addressing precise review criteria.

Mr. Gibb said staff is available to follow up with agencies if the Committee has clarifying questions. He asked everyone to complete the tabulation sheets after the presentations on May 13 and bring them to the deliberations meeting on May 15. He requested that at the end of the process, Committee members complete the evaluation included in the notebook to help improve future processes. The Committee's recommendation will go to Council on June 2.

Due to a minor scheduling conflict, the group agreed to move the May 15 deliberations meeting up to 4 pm instead of the originally scheduled time of 4:30 pm. Mr. Gibb agreed to notify participating agencies.

Councilor Brown observed that both the amount requested and amount available are at a new high.

In response to Chair York's inquiry about agency requests that have multiple components, such as the Downtown Corvallis Association (DCA), Mr. Gibb confirmed that the Committee has generally addressed the total amount requested instead of trying to allocate funding among an agency's multiple programs. Councilor Brauner added that the Committee has usually left it to the agency to decide.

Committee members expressed opinions that just because funding has been requested does not mean that all agencies and programs should receive some funding.

In response to Councilor Brown's inquiry, Chair York said the checklist asks applicants to address how their program fits with the City's economic development policy. Mr. Gibb added that staff's initial review includes a determination that the applicant's proposal has generally addressed the policy.

In response to Mr. Johnen's inquiry about whether a rating system exists for the types of organizations making requests, such as First Alternative being a business versus Red, White and Blues being a festival, Mr. Gibb said there is no rating system; the Committee is empowered to make funding recommendations based on the merits of the proposals.

In response to Mr. Johnen's question, Chair York said downtown vitality has been a Council goal for many years, but there have been no significant changes in funding. Councilor Brauner noted that the proposed business license fee may have an impact on allocations in subsequent years, but it has no bearing on this year's process.

Councilor Brown said he has an overlapping commitment on May 13, so he will leave the meeting at 6:45 pm and will listen to recordings of the presentations before Thursday's deliberations.

The item is for information only.

III. Other Business

The next regular Administrative Services Committee meeting is scheduled for 12 pm, Thursday, May 22, 2008 in the Madison Avenue Meeting Room.

Respectfully submitted,

Bill York, Chair

MEMORANDUM

TO: Administrative Services Committee
FROM: Carolyn Rawles-Heiser, Library Director
DATE: April 17, 2008

Issue:

Review of CP 95-4.10, Public Library Gift and Donation Policy

Background:

This policy governs acquisition, use, and disposition of gifts to the Library and addresses recognition for donors.

Discussion:

Only a few minor changes are recommended to the policy. Language regarding the Friends advocating for library services was removed as being extraneous to this policy. Language regarding the Library returning donated materials to the donors if not used was removed as being impractical. In certain situations when the donor specifically requests that an item be returned if not added to the collection, library staff certainly honor that request, but it is not practical to say that is done regularly because of the volume of book donations involved.

Recommendation:

Approve revised policy.

Review and Concur:

Jon S. Nelson 4/22/08

Jon S. Nelson, City Manager Date

CITY OF CORVALLIS

COUNCIL POLICY MANUAL

POLICY AREA 4 - LEISURE AND CULTURAL ACTIVITIES

CP 95-4.10 **Public Library Gift and Donation Policy**

Adopted February 21, 1995
Revised April 15, 2002
Revised May 2, 2005

4.10.010 General Statement of Purpose

The Corvallis-Benton County Public Library acknowledges the great importance of private gifts and donations to the library's future development and growth. Such gifts take many forms, come from various sources, and are made for a variety of purposes. However, since the mission of the library is "Bringing people and information together," gifts of books, means of acquiring information, and other materials are particularly important. This policy is established in order to make certain that the decisions on the acceptance of gift and donation offers are made in a timely, consistent manner, and are appropriate in terms of both the nature of the facilities and purposes of the library.

The City of Corvallis owns the Corvallis Public Library building and the branch libraries are owned by the communities in which they are located. The City of Corvallis operates the county-wide Corvallis-Benton County Public Library system. The regulations, policies, and procedures of the City shall apply in decisions on the acceptance of gifts and donations. The only exception is in the case of donations to the branch library buildings themselves (such as fixtures and permanent art) which have no cost impact to the City, in which case the decision on acceptance and policy implications are decided jointly by the Library staff and the building owner.

Offers of gifts and donations may be made directly to the library, the Corvallis–Benton County Public Library Foundation, or the Friends of the Library. The Library Foundation raises funds for the library via an annual campaign, planned giving opportunities, and other activities and is the preferred recipient for planned giving to the Library. The Friends of the Library is a membership organization which raises funds **for the Library**

through memberships, book and merchandise sales, and **other sales.** ~~advocates for library services~~. Although they work closely with library staff, the Library Foundation and Friends of the Library are separate organizations with their own policies and procedures and are not governed by this policy.

4.10.020 Policies and Criteria for Receipt of Donations

All donations become the property of the Corvallis-Benton County Public Library, which is an agency of the City of Corvallis. Gifts and donations may be designated for a specific branch library or to another specific library use. The library can accept anonymous donations only if the identity of the donor is not known; as a public agency, the records of all donations are public records. The library reserves the right to not accept donations if, in the judgment of the library staff, the gift has too many restrictions, is not needed by the library, or has an adverse fiscal or service impact on the library. Specific criteria for various types of donations are described below.

4.10.021 Naming Facilities

a. CCP 91-1.03, "Naming of Public Facilities and Land" establishes City policies and procedures to be followed in naming facilities. "Public facilities" is interpreted to include rooms in the library.

4.10.022 Books and Materials

a. The Corvallis-Benton County Public Library will accept gifts of books and other materials with the understanding that such gifts will be added to the collection only if they meet the same standards required of purchased materials. Gift materials not meeting those standards, those that are out-of-date, unneeded duplicates of items already owned, those in a format unsuitable for library use or unsuitable for some other reason will be **given to the Friends of the Library,** ~~returned to the donor~~, given to other organizations, sold, exchanged or recycled. Library staff shall determine whether such gifts will be added to the collection and shall determine how gift materials are handled and integrated into the collection.

b. Gifts of money to purchase specific library materials should be given to the Library in advance of any material being ordered. Normally such gifts shall be at the list price, which covers the Library's cost for the item(s), shipping charges, and cataloging and processing expenses.

4.10.023 Equipment

The decision as to the acceptance of equipment shall be made by the Library Director. Major equipment donations may also be reviewed by the Library Board.

Among the criteria on which the decision shall be based are need, space, impact on staff, eventual replacement, and expense and frequency of maintenance.

4.10.024 Art and Displays

a. The decision as to the acceptance of an art object shall be made by the City's Public Art Selection Commission in accordance with CCP 98-4.12, "Guidelines for Public Art Selection" with the coordination of library staff.

b. Donations for other types of displays shall be evaluated for appropriateness by the Library Director. The Library Board may review such evaluation as needed. Council Policy 92-4.06, "Library Displays, Exhibits, and Bulletin Boards," generally covers non permanent displays in the library.

4.10.025 Donations of Money, Real Estate, Securities, or Personal Property

a. Persons desiring to make a gift of money, real estate, securities, or personal property to the Corvallis-Benton County Public Library either during their lifetime or in their will may do so by making the gift in the name of the Corvallis-Benton County Public Library with the expressed condition that the funds or property be used exclusively for the benefit of the Corvallis-Benton County Public Library.
b. Oregon Revised Statutes 357.490(5) provides that donations of money, personal property or real estate for the benefit of any public library are to be held, controlled and disposed of by the library governing body according to the terms of the deed or gift.

4.10.026 Landscaping

The decision as to the acceptance and location of gifts of landscaping items shall be made by the Library Director. The major criteria on which the decision shall be based are the appropriateness of the offered gift to the landscaping plan for the building and the costs of maintaining the gift.

4.10.030 Policy for the Disposition of Gifts

All non-monetary gifts may be subject to disposition at some point. For example, whenever books and materials donated to the library are no longer needed or have become so worn or damaged as to be beyond repair, they will be disposed of in the same manner as purchased books and other material. This disposition policy also shall be applied in an appropriate manner to other gifts such as equipment, art objects and landscaping. Since all gifts to the Corvallis-Benton County Public Library become the property of the City, appropriate City disposition procedures shall be followed.

4.10.040 Gift Recognition Policies and Procedures

a. The Corvallis-Benton County Public Library acknowledges the great importance of private gifts and donations to the library's development and growth. Many donations are made by individuals and groups in the memory of a deceased loved one, to honor a living person, or in celebration of an event. It is desirable and essential to publicly recognize these contributions and to do so in a timely fashion. These policies and procedures shall be applied to recognize gifts from individuals and organizations that have been given directly to the library. In order to implement recognition procedures in a consistent manner, donors and potential donors should be directed to the Library Director. Generally the library's donor recognition procedures are as follows:

1. All donations to the library will be acknowledged by a letter from the Library Director. Donors will also be listed in the annual donor listing in the library's newsletter.

2. Additional special recognition may take place for significant contributions. Such recognition may include a donor board, placement of plaques or bookplates on items purchased, special events, publicity, naming collections, or other means. Any collections named after significant donors will not be displayed or shelved separately.

3. If a donor does not wish to be publicly recognized, that wish will be honored.

4. Detailed recognition procedures based on various levels of giving are available from the Library Administration Office.

Levels of giving to the Library:

1. SUPPORTER: Gifts less than $200

2. SPONSOR: Gifts of $200–499
3. DONOR: Gifts of $500-999
4. PATRON: Gifts of $1,000-4,999
5. SUSTAINER: Gifts of $5,000-9,999
6. BENEFACTOR: Gifts of $10,000 and above

4.10.050 Review and Update

This Leisure and Cultural Activities Policy shall be reviewed every three years by the Library Director.

Memorandum

Date: April 21, 2008

To: Administrative Services Committee and Councilor Brauner - Economic Development Allocations Subcommittee

From: Ken Gibb, Community Development Director

Re: Orientation Session for Requests for Economic Development Funding

I. Issue
This is an opportunity for citizen members to join ASC members in an orientation session to review the process for allocating the FY 08-09 Economic Development program funds.

II. Discussion
For the orientation on May 8th, we will bring to the meeting a proposal from last year's allocation process to discuss as an example, as well as the full set of proposals received for the FY 08-09 process for you to take and review prior to the Economic Development Allocations presentations on May 13th.

We have attached to this memo the Allocation History (three prior years) for your information and perspective on the past distribution of funds. On the far right of the spreadsheet are ten requests for FY 08-09. Under the current policy guidelines, Corvallis Tourism will be receiving a dedicated amount of the Transient Room Tax (TRT) of $337,950 (30% of the TRT collected in calendar year 2007 of $1,126,494). We received requests for non-dedicated funding which total $405,500. The amount available is $225,300, leaving a gap of $180,200 between requests and funds available. Three of the organizations that filed a Notice of Intent did not submit a funding application.

Staff has invited the citizen members of the Allocations Subcommittee to join you for this orientation session on the Economic Development Funding Process. We look forward to having the citizen members, Jeff Barricks, Liz Foster, and Matt Johnen, join the Administrative Services Committee members. Staff will be providing the citizen members with the allocation history spreadsheet and Policy prior to the orientation session.

III. Recommendation/Action Requested
No action is required. This is for information only.

Review and Concur:

Nancy Brewer, Finance Director

Review and Concur:

Jon S. Nelson, City Manager

CITY OF CORVALLIS
FY 08-09 ECONOMIC DEVELOPMENT FUNDING REQUESTS

	FY 05-06			FY 06-07			FY 07-08			FY 08-09	
Total Economic Development Funds		**457,880**			**493,480**			**534,120**		**563,250**	
Less: Corvallis Tourism - Dedicated Funding		(274,730)	CT Operations Support		(296,090)	CT Operations Support		(320,470)	CT Operations Support	(337,950)	CT Operations Support
					5,000	Returned from BCHS&M**					
Non-Dedicated Funds Available		**183,150**	**Non-Dedicated Funds**		**202,390**	**Non-Dedicated Funds**		**213,650**	**Non-Dedicated Funds**	**225,300**	**Non-Dedicated Funds**
Agencies	Amount Requested	Amount Approved	Purpose	Amount Requested	Amount Approved	Purpose	Amount Requested	Amount Approved	Purpose	Amount Requested	Purpose
Benton County Fairgrounds	10,000	4,500	Event Promotion	10,000	5,000	Arena Expansion	15,000	-	Benton Oaks RV Campground Expansion	-	
Benton County Historic Society & Museum	15,000	5,000	**Amount later returned	-	-		-	-		-	
Business Enterprise Center	25,000	19,000	Interim Funding/Prog. Support	19,000	16,700	Educ. Prog./Oper. Support	35,000	17,000	Business Accelerator/ Education Program	56,000	Business accelerator facilities improvements and operating support
Corvallis-Benton Chamber Coalition (formerly Economic Development Partnership)	60,000	40,000	Operating Support	62,000	50,000	Operating Support	75,000	65,000	Operating Support	85,000	Traded sector retention and recruiting
Corvallis-Benton Chamber Coalition (formerly Economic Development Partnership)										47,500	Supplemental request for marketing activities
Corvallis Fall Festival	10,000	6,000	Event Support	10,000	6,900	Event Support	10,000	7,000	Event Support	10,000	Festival promotion and marketing
Corvallis Independent Business Alliance	-	-		-	-		12,500	5,500	Promotion/Support of Locally Owned Businsess	-	
Corvallis Multicultural Literacy Center	10,000	-	Startup Funds	-	-		-	-		-	
daVinci Days	20,000	11,000	Event Support	20,000	13,290	Event Support	20,000	14,500	Event Support	25,000	Marketing and promotion
Downtown Corvallis Association	30,000	withdrew	Downtown Strategic Vision	-							Proposed projects include:
	4,000	1,000	Signage	-							Technical Website Package
	15,000	13,000	Economic Enhancement	17,000	13,000	Economic Enhancement	17,500		Economic Enhancement		Economic Enhancement
	15,000	13,000	Image Marketing	17,000	13,000	Image Marketing	17,500		Image Marketing		Image Marketing
	15,000	13,000	Red, White, Blues Festival	17,000	14,000	Red, White, Blues Festival	17,500		Red, White & Blue Festival		Red, White & Blue Festival
	15,000	-	Downtown Tree Lighting	17,000	10,000	Holiday Decorations	17,500		Holiday Decorations		Holiday Decorations
	94,000	40,000	Total of DCA Programs	68,000	50,000	Total of DCA Programs	70,000	53,150	Total of DCA Programs	70,000	Total of DCA Programs
First Alternative Cooperative										45,000	To develop wholesale production of natural, locally made food to sell to other businesses in the community
Economic Vitality Partnership	32,160	-	Program Funds	9,500	-	Plan Completion	-	-		-	
Majestic Theatre Management	20,000	8,000	Operating Support	20,000	8,500	Surveys & Studies	-	-		-	
Oregon Natural Step Network, Corvallis Chapter	12,000	5,650	Operating Support	10,000	6,000	Operating Support	10,000	7,500	Operating Support	12,000	Support and promote sustainable economic development
Willamette Neighborhood Housing Services - Housing Services (formerly CNHS)	45,000	36,000	Operating Support	40,000	38,000	Operating Support	40,000	37,000	Operating Support	45,000	Operating support for affordable housing services
Willamette Neighborhood Housing Services - MicroBusiness Program (formerly CNHS)	10,000	8,000	Startup & Operating Support	10,000	8,000	Operating Support	10,000	7,000	Operating Support	10,000	To fund the Linn Benton MicroBusiness Program
Total Non-Dedicated	**363,160**	**183,150**		**278,500**	**202,390**		**297,500**	**213,650**		**405,500**	

2007 Calendar Year TRT Collections	1,126,494
Total Economic Development Funding - 50%	563,250
Corvallis Tourism Dedicated Funding - 30%	337,950
Non-Dedicated Funding - 20%	225,300

Attachment A

Economic Development Allocations Subcommittee
Orientation Session
May 8, 2008

1. Activities to Date
   - Notices of Intent were mailed to interested parties and advertised in late December
   - Notices of Intent were due from organizations by January 31st in order to apply for funding
   - Requests for Funding Proposals (RFPs) were mailed out February 8th
   - Applications were received by the due date of March 31st (10 proposals were submitted)
     - Finance Office reviewed the financial information submitted
     - Community Development Staff reviewed applications for format and completeness
   - Presentation schedule, copy of Staff memo and review were mailed to organizations by May 1

2. Policy Review
   - 50% of the Transient Room Tax (TRT) is made available for Economic Development
     - 30% of the TRT is dedicated to Corvallis Tourism
     - 20% of the TRT is the non-dedicated portion that is allocated through the competitive allocation process
   - Remaining 50% of the TRT is revenue to the General Fund

3. Preview of FY 08-09 Economic Development Allocations binders

4. Review of application from last year (BEC)

5. The Presentation/Deliberation Process

   Presentations on Tuesday, May 13th
   - Arrive between 5:00-5:30 pm for dinner and to finalize process
   - Time limits for oral presentations
   - Question/Answer opportunity
   - Opportunity to ask for additional information

   Deliberations on Thursday, May 15th
   - Deliberations will begin at 4:30 pm
   - Fill out Tabulation Table prior to meeting
   - Determine Average
   - Reach Consensus for Allocation Recommendation

6. Evaluation Survey (optional)

7. Council Action scheduled for June 2nd

Attachment B

The Business Enterprise Center, Inc.

March 30, 2007

RECEIVED

MAR 30 2007

Community Development
Planning Division

The Mid-Willamette Valley's Business Accelerator

"Success Starts Here"

City of Corvallis
Attention: Kathleen Matthews
PO Box 1083
Corvallis, OR 97339-1083

Dear Ms Matthews,

Thank you for the opportunity to apply for Corvallis City funding to help the BEC become an engine for business growth in the area. We are excited about the new possibilities and activities at the BEC as we move from our 4100A Research Way, Corvallis facility to a longer-term facility at 1965 Airport road (CAMIP).

We feel that the new facility will better serve both the city's, EVP's and the BEC's strategic objectives. In the new facility, we have the potential for a greater number of locked offices plus larger meeting and educational areas to enable larger audiences for our presentations and seminars. As we develop the rest of the facility, we will have room for roughly double the number of companies that we had at the Research Way facility.

Most of our current clients are relocating to other office space in or near the downtown area of Corvallis. However two of the ten current clients have indicated they will be relocating with us to the airport. We have strong interest in the BEC airport facility from seven other potential clients. Additionally we have seven affiliate clients signed up.

We are looking for FY08 city support to fund the following three activities:

1. Enabling us to effectively accomplish our mission in our new facility at the airport to run a business accelerator in Corvallis. The BEC is an extremely practical and effective business incubator that draws out and enables the success of technology and traded sector start ups, and facilitates sustainability efforts (such as bio-fuels and industrial and consumer bio-products).
2. Continue to develop and execute small business programs and seminars to support local businesses.
3. Raise funds necessary to build a permanent business accelerator facility as described in our business plan.

One last item: the BEC is a key organization in the EVP "Prosperity that Fits" plan. The BEC also supports the City's Vision 20/20 Statement by broadening the diverse economic base by developing small, locally owned, environmentally sound businesses.

Thank you for your support.

Sincerely,

Larry Plotkin
BEC BOD, President

Attachment 2

Application for Funding
FY 07-08 Request
Business Enterprise Center, Inc. (BEC)

a. List of Board of Members (attached)

Purpose of Organization
The Business Enterprise Center purpose is: To stimulate and support the development of emerging businesses resulting in the creation and retention of jobs in the region.

Names of Paid Staff – The BEC has no paid staff. See attachment for paid contractors.

b. Policy Goals Achieved:

a) Support retention, expansion, development of professional service, commercial & manufacturing firms which are compatible with the community and which provide for a diverse economic base.

The BEC is a key organization in the EVP "Prosperity that Fits" plan (3.1). The BEC also supports the City's Vision 20/20 Statement by broadening the diverse economic base by developing small, locally owned, environmentally sound businesses.

The BEC has continued operations at 4100A Research Way, Corvallis. As of February 2007, the BEC had nine clients, three recent graduates, many affiliates and several new applicants requesting entrance. These clients range from open source software companies to internet services to physical science technology. As of March, we started a relocation process to move into a facility at the airport industrial park. While we anticipate that two clients will be moving with us to our new airport facility, the rest will be relocating in or near the downtown area. We already have strong interest from several firms to apply as clients at the airport facility.

c) Develop Airport Industrial Park as an attractive business location which creates quality jobs, & provides resources necessary to support operation & expansion of the Airport.

As stated above, the BEC is moving into a facility at the airport (the SSSI building). As part of the move, we will be modestly upgrading the building's interior and exterior as to attract more client businesses to the airport.

g) Support education and training programs that enhance the availability and productivity of the local work force.

The BEC assists startup companies by using the "Teach me, show me, let me do it" model to help entrepreneurs strengthen their business practices in many aspects of their business from marketing to finance to delivery of products and services.

In addition to the above model to help businesses, the BEC has continued the "BEC After Hours" educational series to help both our clients and local people with presentations and discussions on business topics (marketing, business planning, legal, finance, etc.).

j) Facilitate partnerships with public, non-profit, educational, and private sector organization to maximize the effectiveness of economic development resources.

The BEC views its partnerships with other community organizations as critical to its success. This is evidenced by the diverse composition of the current board of directors (see the list of members of the board attachment). We continue to have members from the City of Corvallis, OSU, LBCC, Corvallis Chamber Coalition, Consumers Power, Korvis, Benton County Board of Commissioners, HP, IBM, local CPA' and attorneys, and local entrepreneurs. Creating this diversity was intentional as to not only maintain close ties to the represented organizations, but to ensure that the BEC fits needs in the community that are complementary to surrounding organizations not overlapping with them. Additionally, the BEC has over 20 professional partners who have written letters of support to volunteer their services in starting a new training program at the BEC.

k) Develop methods by which the success of the economic development program in addressing community livability and economic sustainability can be evaluated.

A measure of economic vitality is the diversity of the economy. Currently the local economy is reliant on two major employers, HP and OSU. The BEC provides an avenue for business and job creation which is not specifically tied to these two organizations. As stated above in section "a)", the BEC is attracting diverse businesses into its facility.

c. Work Plan Submitted for Funding Period

a) Support retention, expansion, development of professional service, commercial & manufacturing firms which are compatible with the community and which provide for a diverse economic base.

The BEC will continue to play an integral part of the EVP "Prosperity that Fits" plan and look forward to working with the "Prosperity that Fits" steering committee in meeting the City Council's 2007-08 Goal #4. The BEC will continue to support the City's Vision 20/20 Statement by broadening the diverse economic base by developing small, locally owned, environmentally sound businesses. The BEC will work towards attracting new clients to our airport facility. We anticipate two current clients and seven affiliates will follow us to the airport. Additionally we have strong interest from several other businesses to come out to the airport. Within six months of moving to the airport, the BEC will modestly upgrade the facility which will roughly double the space we have available for clients.

c) Develop Airport Industrial Park as an attractive business location which creates quality jobs, & provides resources necessary to support operation & expansion of the Airport.

As stated above, we will be working over the year to upgrade the facility to allow for more client businesses (roughly twice as many clients). We will be both upgrading the interior and exterior of the building to make it a more useable place for businesses. Our

presence at the airport will introduce new businesses and their visitors, as well as other BEC users to the airport as a viable business location.

i) Support financial and technical assistance programs that are available to business startups, small business development, local product development, and environmentally responsible modernization.

The BEC facilitates the interaction of our clients with Angel and Venture investors in our regional partner program. The BEC will also help clients find other sources of financial assistance (e.g. SBIR programs). We will continue to assist startup companies by using the "Teach me, show me, let me do it" model to help entrepreneurs strengthen their business practices. A critical element of the BEC's client support is the advisory committees that the BEC board forms for each client company. Also, the BEC continues to upgrade and offer its monthly educational series (After Hours) to both client and community businesses. Lastly, the BEC will work on expanding the educational opportunities to other locations to enhance business education for community businesses or start-ups. The BEC is partnering with LBCC's SBDC to put on a 10 part seminar series focused on business training for 10-15 technology companies. This series will start in May and is primarily funded by a grant to the BEC from the USDA.

j) Facilitate partnerships with public, non-profit, educational, and private sector organizations to maximize the effectiveness of economic development resources.

The BEC will continue to maintain its diverse board of director's membership, work with other organizations (OSU, LBCC, Chamber Coalition, HP, the City of Corvallis, EVP, local businesses, etc.) to be complimentary in serving the needs of the community, and partner with other professionals to attain economic development.

k) Develop methods by which the success of the economic development program in addressing community livability and economic sustainability can be evaluated.

The BEC will continue to evaluate its' success by tracking companies progress and jobs created. The BEC also promotes sustainable industries such as Bio-fuels and industrial and consumer bio-products in it's strategic direction. The BEC will strive to raise funds necessary to build a new self sustaining facility and turn it into a key economic engine that will continually create new diverse businesses and jobs in the area.

d. Indicators of Economic Health & Barriers to Employment

1b) Indicators of economic health - Business retention and expansion

Through the above described Educational Programs described in section "section b. part g)", unique training in Marketing, Finance, Legal, Administration, etc. will be made available to local businesses. This training is designed to enable local businesses to make better decisions in planning and implementation, and be more successful. Additionally, the BEC has seen strong interest from many potential clients for the airport facility. These business and other clients will benefit from the above described training and educational opportunities.

2e) Barriers to Employment - Lack of job skills

The BEC with it close ties to OSU, LBCC and local professionals will provide local workers with the skills they will need to be successful in business via the above described Educational Programs, seminars and client advisory committees at the airport facility.

e. Leverage

The following table shows the anticipated City support and non-City support for 07-08:

City Support	Non-City Support	Description
$35,000	$15,000	Subsidized facility (reduced lease rate)
	$11,000	Regional investment board
	1,950 hours	Board of directors, committees and other volunteers
	100-250 hours	SBDC advisors (these hours need to be finalized with

		the SBDC)
	$100,000	In kind services, support and equipment

The last entry in the above table relates to part of the anticipated support for its Educational Programs for clients, potential clients, pre-startups and community businesses. We already have in excess of 20 letters of support from local and regional professionals to provide a variety of services (sitting on client advisory boards, being available during office hours, to do training and presentations, etc.).

Given the above support, the City's funding of the BEC will meet the 3:1 leverage goals.

f. Objectives

Once the BEC has raised the necessary funds to build a new facility and is fully operational, it is anticipated that the BEC client graduates will be generating 57 jobs annually. At $40,000 per job created per year, the annual payroll impact will be ~$2.3million. This will provide a much larger impact than 10:1 in payroll to City funding. Additionally, since the majority of the BEC client graduate businesses are traded sector businesses, there should be additional opportunities for other community businesses to sell them goods and services.

The airport BEC facility is starting down the path of achieving the above desired results.

g. Start-up Organization
Not Applicable to the BEC

Thank you for your consideration of the Business Enterprise Center's $35,000 funding request from the City.

3.30.07

Larry Plotkin
President, BEC Board of Directors

Date

Purpose of request

The purpose of this request is to have the city fund the BEC with $35,000 that will be used for three things:

1. Enable us to effectively accomplish our regional economic development mission in our facility at the airport. Our mission is to "To stimulate and support the development of emerging businesses resulting in the creation and retention of jobs in the region". This mission is an integral part of the EVP "Prosperity that Fits" plan accepted by the City of Corvallis. The function we provide is critical to objectives 3.1 and 3.2 in the plan. In these smaller facilities, the BEC can not cover its costs with our Client leases. The BEC is an extremely practical and effective business accelerator that effectively accelerates the conversion of innovation into profitable traded-sector businesses. The BEC also facilitates sustainability efforts (such as bio-fuels and industrial and consumer bio-products).
2. Continue to develop and execute small business programs and seminars to support local businesses.
3. Raise funds necessary to build a permanent self-sustaining business accelerator facility and program.

Contingency Reserve

There are no contingency reserves budgeted for this funding request period nor were there any last year.

Attachment

Board of Directors

NAME	REPRESENTING
Bell, Chris	OSU, College of Engineering
Brown, Mike	HP
Carone, Rich	Korvis Automation
Crowe, Chuck	EDP Board President (ATCO America)
Down, Jon	OSU, College of Business
Ford, Bill	White's Electronics (retired)
Fudge, Alan	LBCC, Small Business Development Center
McGowan, Heather	Johnson, McGowan, Whitney & Associates
Modrell, Linda	Benton County Board of Commissioners
Persohn, David	OSU Instructor and Small Bus Consultant
Peterman, Jeff	IBM
Plotkin, Larry	Entrepreneur (retired ex-HP 25 years)
Ramseyer, James	Consumers Power
Sechrest, John	Corvallis / Benton Chamber Coalitlion
Smith, Jeanne	Attorney
Smith, Karen	Wells Fargo Bank, N.A.
Wall, Brian	OSU Director, Office of Technology Transfer
Whitaker, Dan	Entrepreneur
Witt, William	Witt Consulting
Wrensch, Tom	Entrepreneur and client representative

Ex Officio:	
Hamby, David	City of Corvallis

Board of Directors Officers

- Larry Plotkin – President
- Jeff Peterman – Vice President
- David Persohn – Secretary
- Heather McGowan – Treasurer

Paid Employees

- None

Paid Contractors

- Bill Ford – Executive Director ($500 monthly stipend)
- Tracy Mcalister – BEC Assistant (up to $1,000 per month)
- Chris Bates – Grant writer (up to $600 per month)

BUSINESS ENTERPRISE CENTER
FY 2007-2008 REQUEST FOR FUNDING
INCOME STATEMENT - ACCRUAL BASIS

	2005/2006 Actual	2006/2007 Budget*	YTD Actual 2/2007	YTD Actual/ Budget Percent Used	Proposed 2007/2008 Budget*	Difference in Percentage from FY06/07 Budget
Revenues						
Client lease income	11,672	27,894	25,686	92.08%	37,458	34.3%
Benton County grant	11,826	-	-	#DIV/0!	-	#DIV/0!
City of Corvallis	19,000	16,700	11,133	66.66%	35,000	109.6%
Other lease income	-	6,060	-	0.00%	24,240	300.0%
RIB & USDA grant	-	37,000	12,002	32.44%	11,000	-70.3%
Private donation match/sponsors	350	250	500	200.00%	1,000	300.0%
Interest income	711	1,433	1,071	0.00%	1,200	-16.3%
Other receivables/income	28	1,071	25	2.33%	-	-100.0%
Total Revenue	43,587	90,408	50,417	55.77%	109,898	21.6%
Expenditures						
Operating						
Lease & property tax	4,629	14,689	5,753	39.17%	31,440	114.0%
Director	3,500	6,000	3,980	66.33%	7,200	20.0%
Assistant director	1,620	17,945	9,828	54.77%	24,000	33.7%
Marketing plans	-	1,980	-	0.00%	1,200	-39.4%
BEC airport start up costs	-	20,000	-	0.00%		-100.0%
Telephone/T1	1,198	7,668	5,079	66.24%	8,400	9.5%
Utilities	-	960	193	20.10%	3,840	
Depreciation	1,080	-	-	#DIV/0!		#DIV/0!
Equipment	182	950	-	0.00%	3,000	215.8%
Maintenance	2,076	9,410	1,053	11.19%	17,400	84.9%
Moving expenses/shut down	700	-	-	#DIV/0!		#DIV/0!
Postage	85	90	-	0.00%	360	300.0%
Supplies	337	2,609	1,633	62.59%	2,400	-8.0%
Banking fees	29	69	59	85.51%	120	73.9%
Insurance	2,454	4,125	111	2.69%	4,125	0.0%
Advertising	1,877	-	1,479	#DIV/0!		#DIV/0!
Dues and subscriptions	300	300	-	0.00%	300	0.0%
Corporate filing	50	180	50	27.78%	180	0.0%
Legal and professional	-	-	400	#DIV/0!		#DIV/0!
Program expense	252	5,598	448	8.00%	600	-89.3%
Miscellaneous	35	2,197	1,310	59.63%	2,475	12.7%
	20,404	94,770	31,376	33.11%	107,040	12.9%
Fundraising						
Consulting/Grant writing	10,302	8,200	6,765	82.50%	12,000	46.3%
Marketing/advertising	-	250	-	0.00%	600	140.0%
Travel and meals	-	750	973	129.73%	1,800	140.0%
	10,302	9,200	7,738	84.11%	14,400	56.5%
Contingency reserve	-	-	-	#DIV/0!	-	#DIV/0!
Total Expenditures	30,706	103,970	39,114	37.62%	121,440	16.8%
NET INCOME (LOSS)	12,881	(13,562)	11,303	-83.34%	(11,542)	-14.9%

* ties to the revised budgets reviewed at the March 22, 2007 BEC BOD meeting

Business Enterprise Center, Inc.
Balance Sheet
As of June 30, 2006

	Jun 30, 06
ASSETS	
Current Assets	
Checking/Savings	
1101 · Money Market - Citizens	56,775.32
1102 · Checking - Citizens	2,171.08
Total Checking/Savings	58,946.40
Accounts Receivable	
1200 · Accounts Receivable	1,044.17
Total Accounts Receivable	1,044.17
Total Current Assets	59,990.57
Fixed Assets	
1600 · Fixed Assets	1,136.24
Total Fixed Assets	1,136.24
TOTAL ASSETS	61,126.81
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
2000 · Accounts Payable	5,000.00
Total Accounts Payable	5,000.00
Other Current Liabilities	
2250 · Rental Advances	1,750.00
2300 · Tenants' Security Deposits	3,625.00
Total Other Current Liabilities	5,375.00
Total Current Liabilities	10,375.00
Total Liabilities	10,375.00
Equity	
3900 · Retained Earnings	37,870.72
Net Income	12,881.09
Total Equity	50,751.81
TOTAL LIABILITIES & EQUITY	61,126.81

Business Enterprise Center, Inc.
Balance Sheet
As of February 28, 2007

	Feb 28, 07
ASSETS	
Current Assets	
Checking/Savings	
1101 · Money Market - Citizens	67,693.35
1102 · Checking - Citizens	2,154.22
Total Checking/Savings	69,847.57
Other Current Assets	
1400 · Prepaid Expenses	1,218.00
Total Other Current Assets	1,218.00
Total Current Assets	71,065.57
Fixed Assets	
1600 · Fixed Assets	1,136.24
Total Fixed Assets	1,136.24
TOTAL ASSETS	72,201.81
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
2000 · Accounts Payable	7,329.22
Total Accounts Payable	7,329.22
Other Current Liabilities	
2250 · Rental Advances	230.00
2300 · Tenants' Security Deposits	2,585.00
Total Other Current Liabilities	2,815.00
Total Current Liabilities	10,144.22
Total Liabilities	10,144.22
Equity	
3900 · Retained Earnings	50,751.81
Net Income	11,305.78
Total Equity	62,057.59
TOTAL LIABILITIES & EQUITY	72,201.81

City of Corvallis
Economic Development Funding
FY 07-08

CHECKLIST FOR APPLICATION FOR FUNDING

Organization Name: Business Enterprise Center, Inc.
Organization Address: 4001A Research Way, Corvallis OR 97331
Telephone: 758-4009 Fax: 758-7319 E-Mail: thebec@thebec.com
Contact Person: Larry Plotkin Signature:
Amount of Request: $35,000.00
Purpose of Request (be as specific as possible): See attachment

Application Requirements (CP 96-6.03.033):

Any items checked should either be attached or discussed in the organization's narrative.

Requirements	Check off	
	Attached	Narrative page #
a. List of Board Members	✓	
Statement about purpose of organization		1
Names of paid professional staff, if any		1
b. Success achieved in at least two (2) of the following economic development policy goals (as defined in CP 6.03.022):		
a) Support retention, expansion, development of professional service, commercial & manufacturing firms which are compatible with the community and which provide for a diverse economic base.		1
b) Support the role of Downtown Corvallis & the Riverfront District as a vital commercial, cultural, & social center of the community.		
c) Develop Airport Industrial Park as an attractive business location which creates quality jobs, & provides resources necessary to support operation & expansion of the Airport.		1
d) Support business development by planning for appropriate amounts and locations of industrial & commercial land and by planning for the necessary public infrastructure.		
e) Attract dollars to the local economy through the expansion of the convention and visitor industry, and community activities, such as regional sport events.		
f) Support programs, projects, and activities which encourage local spending, thereby sustaining the local economy.		
g) Support education and training programs that enhance the availability and productivity of the local work force.		2
h) Support the development of a supply of adequate housing which is affordable to employees of existing and future businesses.		
i) Support financial and technical assistance programs that are available to business startups, small business development, local product development, and environmentally responsible modernization.		
j) Facilitate partnerships with public, non-profit, educational, and private sector organizations to maximize the effectiveness of economic development resources.		2
k) Develop methods by which the success of the economic development program in addressing community livability and economic sustainability can be evaluated.		2

	Attached	Narrative Page #
c. Work Plan Submitted for Funding Period (see policy for specific requirements):	___	2
Meets at least two (2) goals (see above):		
Meets at least one (1) indicator of economic health or barriers to employment (see below):		
Proposed Budget that includes anticipated City funding (see Other Requirements below).	✓	___
d. Indicators of Economic Health & Barriers to Employment:		
1) Indicators of Economic Health		
a) Housing cost and availability	___	___
b) Business retention and expansion	___	5
c) Average family income levels	___	___
d) Commercial and retail vacancy rates	___	___
e) Unemployment rate	___	___
f) Percent of employees with health insurance	___	___
g) Percent of citizens underemployed	___	___
h) Visitor spending levels	___	___
i) Businesses embracing sustainability concepts	___	___
2) Barriers to Employment		
a) Lack of housing	___	___
b) Access to child care	___	___
c) Availability of transportation	___	___
d) Lack of health insurance	___	___
e) Lack of job skills	___	5
e. Leverage - Meets Requirements with discussion included in narrative (1:3 preferred).	___	5
f. Objectives - Meets Objectives with discussion included in narrative (1:10 is objective).	___	6
g. Start-Up Organization: If new or start-up, please see CP 6.03.033.g. for detail and discuss in narrative.	Yes___	No ✓

Other Requirements for Funding Request Packet

		Attached	Narrative Page #
1.	Budget Information (a sample budget format is attached):		
	Prior Year Actuals, Current Year Budget & Actuals (through a period); Proposed Budget (proposed as required under the Policy requirement "c" above can be detailed in same document):	✓	___
	Note: Budget dates for above and below need to be the same		
	Prior Year Balance Sheet and Current Year Balance Sheet (should include carryover/contingencies)	✓	___
2.	Identify your fiscal year: July 1 to June 30		
3.	Agency Proposed Reserves (state purpose in narrative): $ 0.00	___	___
4.	Address Council Goals & Objectives in Narrative (optional):	___	3
5.	Other policies you address in your narrative (optional):		
6.	Narrative pages (not including attachments) not to exceed six (6) double spaced pages		✓
7.	Thirteen (13) Signed Copies of Request Required (please do not bind)		✓

URBAN SERVICES COMMITTEE
MINUTES
May 8, 2008

Present
Patricia Daniels, Chair
David Hamby

Absent
George Grosch

Visitors
Lynn Nordhausen
Don Herbert
Larry Venell
Robert Wilson

Staff
Jon Nelson, City Manager
Steve Rogers, Public Works Director
Stephen DeGhetto, Parks Operations Supervisor
Ted Reese, Civil Engineer
Jeff McConnell, Engineer
Emely Day, City Manager's Office

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for Further Review	Recommendations
I. Council Policy Review: CP 95-7.12, "Integrated Vegetation Pest Management (IVPM) Program"			Affirm Council Policy CP 95-7.12, "Integrated Vegetation and Pest Management Program"
II. Rivergreen Avenue/Hwy 99 Intersection Improvements		See bracketed note at end of discussion	Direct staff to proceed with re-design of the intersection of SE Rivergreen Avenue and SE Third Street with a median and without on-street parking
III. Federal Earmark Alternatives (Cascade View Industrial Properties)	Yes	Staff will obtain additional information	
IV. Other Business			

CONTENT OF DISCUSSION

Councilor Daniels called the meeting to order at 4:00 pm.

I. Council Policy Review: CP 95-7.12, "Integrated Vegetation Pest Management (IVPM) Program" (Attachment)

Parks Operations Supervisor DeGhetto noted that the Policy, adopted during 1995, provides staff with decision-making guidelines. Staff did not recommend any revisions for this review and seeks the Committee's recommendation that the Council affirm the Policy.

Mr. DeGhetto provided background information regarding the Policy, explaining that citizens expressed concerns regarding how the City used pesticides on City-owned property, particularly parks and recreational-use properties. The City partners with Corvallis School District 509J, Oregon State University (OSU), and Benton County in controlling invasive vegetation. Staff has stayed informed of current trends involving chemical uses. The City has several programs that identify the importance of controlling invasive vegetation in a sustainable manner. The Policy serves as a foundation for the City's Endangered Species Act Response Plan regarding salmon in the local rivers and the Parks and Recreation Department's Operations Plan because it considers environmental protection and social sustainability while providing good use of City resources. Some chemicals are good tools for the City.

Mr. DeGhetto noted that the Citizens Advisory Commission on Civic Beautification and Urban Forestry (CBUF) met today and discussed possible alternatives to chemical uses. Some alternatives involve people providing labor, but they must be moved from one location to another. It is necessary to balance the environmental impacts of transporting workers with tools versus the community's aesthetic values and desires. Until service level delivery is changed, he believes the Policy is valuable. The CBUF also discussed that the City's Little Fields Park is maintained without pesticides. Pesticides are not used on playgrounds; and broadcast treatment is not typically used, except for turf quality maintenance on ball fields. Pesticides are primarily used in ornamental beds and to control invasive plants. This issue will be addressed through the Parks and Recreation Department's Operations Plan.

The Policy was developed with extensive public involvement. The National Coalition for Alternatives to Pesticides (NCAP) cites much of the City's Policy in its documentation.

In response to Councilor Daniels' inquiry, Mr. DeGhetto explained that the annual meeting to review chemical use and methodology involves staff and CBUF members; the meeting is advertised and open to the public, and citizen input is welcome. The IVPM Program should remain flexible to change as the community changes.

Based upon a motion moved and seconded by Councilors Hamby and Daniels, respectively, the Committee unanimously recommends that Council affirm Council Policy CP 95-7.12, "Integrated Vegetation and Pest Management Program."

Mr. DeGhetto confirmed for Councilor Daniels that the public information and education efforts outlined in the IVPM Plan are still utilized. The chemical hotline is most important, and citizens are encouraged to call the hotline. Staff posts areas where chemicals will be applied and clarifies for citizens terminology related to chemical usage. The City selects the least-toxic products to achieve the desired efficacy. Staff provides outreach through telephone conversations and explains alternatives and their potential outcomes. He explained that the area immediately surrounding tree trunks is sprayed to remain free of vegetation so lawnmowers need not mow next to tree trunks, possibly damaging trees, which represent investments of greater cost and time than grass.

Mr. DeGhetto added that NCAP cited Corvallis' procedures in its publication of alternative techniques for vegetation management.

II. Rivergreen Avenue/Hwy 99 Intersection Improvements (Attachment)

Public Works Director Rogers explained that the Council will be asked whether the City should modify the design of the intersection of SE Rivergreen Avenue (Rivergreen) and South Third Street (Third) to preserve on-street parking. Requirements for the intersection are based upon several City planning documents. The existing right-of-way (ROW) width constrains the intersection. Residents in the area would like to preserve existing on-street parking. Standards, existing street width, and neighbors' desires for parking do not mesh perfectly. Staff seeks Committee and Council direction.

The intersection was required to be re-built now by the developer of Willamette Landing (WL), and the developer is ready to proceed with the project. Rivergreen is classified as a neighborhood collector street, which can have on-street parking. The portion of Rivergreen farther east, near the WL development, does not have on-street parking. The older section of Rivergreen, except along the first seven lots on the south side of the street, has not been heavily used for parking because the subdivision has internal streets that accommodate on-street parking. Bicycle lanes were added to Rivergreen several years ago, and parking was restricted on the older portion of the street. Parking is now available on the north side of the street at the eastern end and on the south side of the street at the western end. Along the cited seven lots at the west end of Rivergreen, bicycle lanes were designed to fit around on-street parking. Lane widths on Rivergreen are substandard, as the street is 44 feet wide.

Proposed design plans for the intersection include a median, a bulbed intersection (which cannot be constructed without a parking lane), bicycle lanes, and 12-foot-wide park strips, per the Transportation Plan and the Land Development Code.

During 1999, the City purchased additional ROW land to allow the intersection to move northward to align with the future intersection on the west side of Third and to allow room for all the required intersection amenities. The additional ROW land was purchased to allow adequate street width without on-street parking.

Staff suggested two alternatives for the Committee's and Council's consideration:

Option 1: Narrow the park strip on the south side of Rivergreen to six feet and narrow the median by two feet. This design would allow enough space to maintain the parking on the south side of Rivergreen, bicycle lanes, travel lanes, median, and park strip on the north side of the street.

Option2: Eliminate the park strip on the north side of Rivergreen and use the additional width for parking on the south side of the street.

Staff believes six feet of park strip is better than no park strip, and the trade-off between 12 feet and six feet of park strip is not as bad an option as the trade-off between six feet of park strip and no park strip.

Mr. Rogers confirmed for Councilor Hamby that the intersection is planned to have a median without on-street parking. Civil Engineer Reese clarified that the vehicle depicted in the lower, right-hand corner of the diagram represents existing parking that would remain under the proposed design. On-street parking shifts from the south side of Rivergreen to the north side of the street at SE Villa Drive. Mr. Rogers added that parking was designed for the south side of the street in conjunction with the addition of bicycle lanes.

Mr. Rogers clarified for Councilor Hamby that on-street parking on Rivergreen is used by neighborhood residents.

In response to Councilor Hamby's request, Mr. Reese explained that a resident along Rivergreen near Third expressed concern that the proposed median in front of their house would make it difficult for them to maneuver a boat in and out of their driveway. The median feature is cited in several City plans and was approved through land use applications. If the parking lane is removed, residents will not have a location to put leaves for collection without blocking a bicycle lane; however, this situation occurs on many streets in the community. Mr. Rogers added that the residents would need to transport leaves several hundred feet to where the parking lane begins.

Mr. Rogers confirmed for Councilor Hamby that the median would add $25,000 to the intersection re-design project. The WL developer would be asked to pay the costs for the median. Mr. Reese added that the developer could be eligible for some systems development charge reimbursement for construction of extra-capacity features.

In response to Councilor Hamby's inquiry, Mr. Reese said all property owners affected by the intersection re-design were notified of the proposal to remove on-street parking. Only one property owner responded to the notice. Councilor Daniels noted that property owners were not aware of the design element involving removing park strip trees but retaining on-

street parking. Mr. Reese clarified that Option 2 would require removing park strip trees because of an existing utility line that would prohibit planting new trees.

Mr. Reese and Mr. Rogers expressed their understanding that the affected property owners were notified of today's Committee meeting.

Based upon a motion moved and seconded by Councilors Hamby and Daniels, respectively, the Committee unanimously recommends that Council direct staff to proceed with re-design of the intersection of SE Rivergreen Avenue and SE Third Street with a median and without on-street parking.

[Following the meeting, staff determined that the affected property owners were not notified of the Committee's meeting and did not have an opportunity to review the alternative in advance. Staff recommends the issue be returned to the Committee.]

III. Federal Earmark Alternatives (Cascade View Industrial Properties (Attachment)

City Manager Nelson reviewed that the Council, during its April 7th meeting, referred to the Committee the issue of Federal earmark alternatives. The City received approximately $800,000 in Federal funds for construction of an access road, including sidewalks, bicycle lanes, and railroad crossing, from Oregon State Highway 99 West (Hwy 99W) to the Cascade View Industrial Properties (CVIP). The project evolved from a community desire to diversify the local economy by making more industrial lands available for development; the project was supported by the property owners and the Corvallis-Benton County Economic Development Partnership (EDP), which existed at the time. A Memorandum of Understanding (MOU) was executed by the City and the CVIP owners, outlining a projected schedule of events. The schedule was not met for various reasons, and staff supported revising the schedule until the Council established a not-later-than April 1, 2008, wetland delineation and property value determination date. An update on the issue was presented at the April 7th Council meeting, during which Councilor Grosch requested some initial investigation by staff of alternative uses for the Federal earmark.

Mr. Nelson said he contacted Allison Dane, a representative for Congressman DeFazio, who serves on the Transportation Subcommittee and supported the Federal earmark. Ms. Dane indicated that technical corrections were being made to the earmark language to allow construction of transportation improvements for the Airport Industrial Park (AIP). The corrections were approved by the House of Representatives but not the Senate. Ms. Dane advised that the City was not prohibited from considering using the Federal earmark for another project.

Mr. Nelson said he spoke with Dan Whelan, who is Congressman DeFazio's regional representative in Eugene. Mr. Whelan viewed the CVIP and AIP sites and opined that, even with the language in the original Federal earmark, it may be possible to change the use of the funds from the CVIP to the AIP. The original request was a City earmark

request for the benefit of the entire community and not an individual earmark for the benefit of specific property owners.

Mr. Nelson said he spoke with Travis Brower, who is a liaison from the Oregon Department of Transportation (ODOT) to the Federal Highway Administration (FHA), which would need to approve any change of the earmark from an original intent to a secondary project. Mr. Brower opined that the existing earmark includes the key language "construction of access road." To the extent that the AIP improvements would include access road improvements, such as an internal AIP road, Mr. Brower was "cautiously optimistic" that the change could occur through the FHA. If the Council directed, Mr. Brower would investigate whether the change would be approved by ODOT and FHA.

Mr. Nelson said staff did not pursue the issue further, since the Council's preference was unknown. The staff report was shared with Congressman DeFazio's office, Mr. Brower, Lynn Nordhausen (a CVIP owner and contact for the other owners), and the Corvallis-Benton Chamber Coalition, which had previously advocated alternative uses of the Federal earmark.

Lynn Nordhausen, representing CVIP owners, particularly Caldwell South Farm, LLC, read a prepared statement (Attachment A) and submitted additional documents pertaining to the CVIP (Attachment B). She asserted that CVIP owners gave their best efforts to meet the event schedule outlined in the MOU and suggested that actions by CH2M Hill, which was contracted to perform the wetland delineation, may be the cause for activity delays.

In response to Councilor Hamby's inquiries, Ms. Nordhausen said CH2M Hill "promised" to deliver its wetland delineation report the end of this week. The report has been slowly modified several times. CVIP owners requested clear definition between contour lines. A preliminary report did not meet CVIP owners' expectations of work from CH2M Hill and was inconclusive.

Mr. Nelson commented that the application process initially involved consideration of whether to pursue a wetland delineation by the State using grant funds or allow the property owners to pursue a delineation. CVIP owners chose to obtain a delineation through a private contractor. A delineation by the State would have been given to the City, but the CVIP owners' delineation by a private contractor is proprietary information.

Ms. Nordhausen offered to give the City a copy of the final wetland delineation report. She acknowledged that the City would like to know the percentage of wetlands on the property to determine the amount of land that can be developed.

In response to Councilor Hamby's inquiry, Ms. Nordhausen explained that the City and the EDP requested the Federal earmark without the knowledge of CVIP owners. CVIP owners began a Conceptual Development Plan (CDP) during 2000 at the urging of the EDP under a mutual contract with Devco Engineering. The contract included preparation of a wetland

delineation and a CDP. She stressed that CVIP owners did not pursue the Federal earmark on their own but did not object to the application.

Mr. Nelson explained that communities were often encouraged to apply for Federal earmarks and often had several applications under consideration. Mr. Rogers added that EDP and staff presented the earmark application proposal.

Ms. Nordhausen continued, saying that, after the Federal earmark was granted, the City asked CVIP owners to sign a MOU. She acknowledged for Councilor Hamby that the MOU was not binding and said she did not regret signing the document. After signing the MOU during 2005, CVIP owners began searching for a consultant to perform the wetland delineation.

Mr. Nelson explained that the City did not require CVIP owners to sign the MOU. The City, the EDP, and CVIP owners wanted to recognize in a written agreement the first steps, sequence of procedural steps, and responsibilities involved in the Federal earmark process. The MOU allows any party to withdraw from the project.

In response to Councilor Hamby's inquiry, Mr. Nelson said staff waited through one rainy season for the wetland delineation and recommended waiting through another season for the delineation report. CVIP owners indicated to the Committee and staff that the report was not satisfactory and, therefore, was not given to the City. He interpreted that CVIP owners were working with CH2M Hill to obtain a satisfactory delineation report.

Larry Venell, representing Chintimini Land and Venell Farms, explained for Councilor Hamby that the wetland delineation was a large project. CH2M Hill wanted to try some new techniques to obtain generalities because of the scope of the project. CVIP owners questioned the validity of the delineation report because of the nature and timing of the wetland readings. CH2M Hill measured wetlands only after rain events, making it difficult to determine wetland reading averages. Rather than surveying the property, CH2M Hill used Lidar to overfly the area and attempt to prepare a topographical map. He said CVIP owners had difficulty determining from the report the locations of the elevation lines. The report map was to indicate one-foot elevation increments. CVIP owners considered the report inconclusive, filled with generalities, and lacking specificity. The report addressed the entire CVIP land and was not delineated by tax lot or ownership, so individual CVIP owners could not use the report for their respective lands. He expressed doubt that CH2M Hill could amend the report without re-surveying the property. CVIP owners and CH2M Hill have different data leading to different scenarios.

Mr. Nelson said staff understood that the value of the 600 acres, with developable acres dependent upon a wetland delineation, was a business decision. He added that $800,000 in a Federal earmark seems like a large sum of money, but it needs to be reviewed in the context of developable acres dependent upon a wetland delineation. The Council indicated a desire to make a decision regarding the earmark and either pursue the CVIP project or select another project.

Councilor Hamby inquired as to the deadline for the City to use the Federal earmark funding.

Mr. Rogers explained that the earmark is related to the last Federal highway bill. During the bill, the City receives a portion of the earmark funding each year; in one more year, the full value of the earmark will be available to the City. Staff took the steps necessary to secure the funding through ODOT. He was not aware of a deadline for using the funding. Mr. Nelson said staff will investigate this issue with ODOT and FHA.

Don Herbert said he spoke with Ms. Dane, who indicated that there was no deadline for utilizing the Federal earmark funding.

Mr. Herbert said the extension of SW Rivergreen Avenue would service the 50 acres of "shovel ready" Willamette Business Park land and Corvallis Industrial Park more than it would service CVIP land. His property is accessed by SW Herbert Avenue. He questioned why Lor-Rene Acres, FLP (a partner in CVIP) needs to give the City a land valuation, when the proposed street extension would not access the property.

Mr. Nelson responded that, during 2001 through 2003, City discussions with the EDP focused on the fact that 600 contiguous acres was the largest block of industrial land, albeit under different ownerships, in the Willamette Valley. The City and the EDP sought a location for an access road that would access the greatest proportion of the property to diversify the local economy.

Mr. Venell noted that some CVIP owners may not sell their properties, adding that no one is offering to purchase the properties. His property has access to City water and sewer services.

Councilor Daniels noted that the MOU cited the challenge of determining land sale prices without benefit of wetland delineation and construction cost information. Most of the challenges cited in the MOU cannot be addressed until the wetland delineation is completed.

Mr. Venell noted that ODOT Rail does not want any at-grade railroad crossings.

In response to Councilor Hamby's inquiries, Mr. Nelson reviewed that plans for use of the Federal earmark have not been developed. However, the earmark was intended to pay for construction of an access road, including sidewalks, bicycle lanes, and railroad crossing from Hwy 99W to the entire CVIP site. The project was intended to provide the best access to the properties that would provide the best return on the earmark investment. Without the earmark, the project would be paid for by a private developer. The earmark would reduce infrastructure construction costs for a developer.

Ms. Nordhausen added that extension of SW Rivergreen Avenue was included in the City's Transportation Plan and South Corvallis Area Refinement Plan, which prompted the City's purchase of the house at the location of the proposed street extension.

Mr. Rogers confirmed that City plans indicate the future street extension. The house was offered for sale, which created an opportunity for the City to obtain ROW for the street.

Mr. Nelson added that Federal earmark applications are often submitted with little notice and staff's best estimates of proposed projects and anticipated project costs. Staff is concerned about the extent of access that the earmark would fund, given the required street amenities.

Mr. Venell opined that, had he known the proposed project was uncertain, he would have pursued a smaller wetland delineation.

Mr. Nelson responded that the MOU was prepared to be sure all parties understood what actions were needed.

In response to Councilor Hamby's inquiry, Ms. Nordhausen said she intends to submit the wetland delineation for her property to the Oregon Department of State Lands for certification. She added that SW Rivergreen Avenue would service Willamette Business Park and her property.

Mr. Venell commented that CH2M Hill collected data from several wells in the northern portion of the CVIP site but extrapolated that information to the southern portion of the site using Lidar. He believes this technique produced inaccurate information and that data should be collected from more wells. He believes there is more diversity of land composition than is indicated in the wetland delineation report.

In response to Councilor Hamby's inquiry, Mr. Nelson said there was earlier discussion about applying the Federal earmark to other projects, such as the OSU Innovation Park or the AIP. If not used for cVIP, it was determined that transportation improvements at the AIP may be eligible.

Councilor Daniels summarized that the Committee needs from staff clarification regarding several issues, including:

- Whether the Federal earmark has a use deadline, and
- How the Federal earmark would be used for the AIP.

Mr. Nelson said staff will keep CVIP owners informed, via Ms. Nordhausen, of the Committee's next review of the issue.

IV. Other Business

A. The next regular Urban Services Committee meeting is scheduled for May 22, 2008, at 4:00 pm, in the Madison Avenue Meeting Room.

Councilor Daniels adjourned the meeting at 5:05 pm.

Respectfully submitted,

Patricia Daniels, Chair

Attachment A

Urban Services Committee
May 8, 2008

I appreciate the opportunity to further the discussion regarding CVIP's wetland delineation, the land values associated with and how this impacts the city's decision pertaining to the ear marked monies to develop SW Rivergreen.

- To begin, the City of Corvallis and Economic Development Partnership requested the Federal earmark, which would definitely benefit some of CVIP lands, without our knowledge. Once we were made aware we supported it completely and the city requested we sign a MOU.
- Secondly, and hopefully to give some explanation, we, the property owners feel that there is varying interpretation on the part of the city and the property owners with expectations and the MOU. We choose to have this delineation done with our private funds so that if the results were not satisfactory the report would not unilaterally be submitted to the DSL. It allowed for some ownerships/tax lots to submit to DSL if desired. It was not our understanding that we <u>must</u> submit the whole report to the city. Once complete, results will be shared with the city. We believe that it is in both the city's and our best interest to be sure that the final results maximize the developable land acreage. We anticipate that the northern 60 acres will be the only parcel submitted to the DSL for certification out of the roughly 540 acres of CVIP acres delineated. Altered historic flow patterns created by a neglected RR and adjacent development practices to the east have been identified that negatively impacted the potential for identifying maximum developable lands. Hopefully at some point in the future a new delineation can be done after corrections have been made which will return the land to standards that will meet governmental regulations.
- Without a conclusive wetland delineation we tried to meet the city's expectation prior to April 1, 2008 of determining land values. It had been <u>suggested</u> in December '07 that a certified appraisal be done on the lands but that it wasn't necessary to pay for or provide one. Again, it was not a requirement or even mentioned in the MOU. We explained in our cover letter that values were contingent on delineation and annexation. We were never asked to provide a list of comparables.
- Regardless of the outcome of the wetland delineation, the extension of SW Rivergreen would not be a street to nowhere. (See map) SW Rivergreen is listed as a "key road connection" in the South Corvallis Area Refinement Plan. Willamette Business Park (approximately 50 AC) west of 3rd St and north of the proposed SW Rivergreen extension is currently vacant and "shovel ready". The city purchased the house and property at the proposed intersection with South Third St. in 1999 for $171,400. in anticipation of extending this street. SW Rivergreen will eventually access and give "to and through" to the existing Corvallis Business Park. It will access the northern area (approx. 115 acres) of CVIP – all of which are annexed to the city. Kiger and Herbert (existing) Ave. will service the remaining 400+ acres.

Yes, the wetland delineation has been greatly delayed and regrettably the city was not pleased with our land values. The landowners of CVIP have wasted $25,000.+ on a conceptual development plan and wetland delineation instigated by the EDP that was to be complete in 2001 but fizzled. Now we have spent over $72,000. on another comprehensive wetland study. We moved forward with this expensive study at the request of the city and now, for the city manager to refer to our performance, as "slippage" is an insult. We are committed to, and we hope you will recommend this project. The original request of funding to Peter DeFazio from the Federal transportation bill had no strings attached. It was for the construction of SW Rivergreen Ave. with RR crossing. As I understand it there was no time limit. SW Rivergreen will service approximately 170 acres. 42 acres would be served if the monies were allotted to the Airport Industrial Park. To "pull the plug" on this appropriation and move it to another city priority would be very disappointing to citizens who have been committed to a difficult situation for many years.

Thank you, I will be glad to answer questions and hope other CVIP owners can assist.

Lynn Nordhausen
Caldwell South Farm LLC

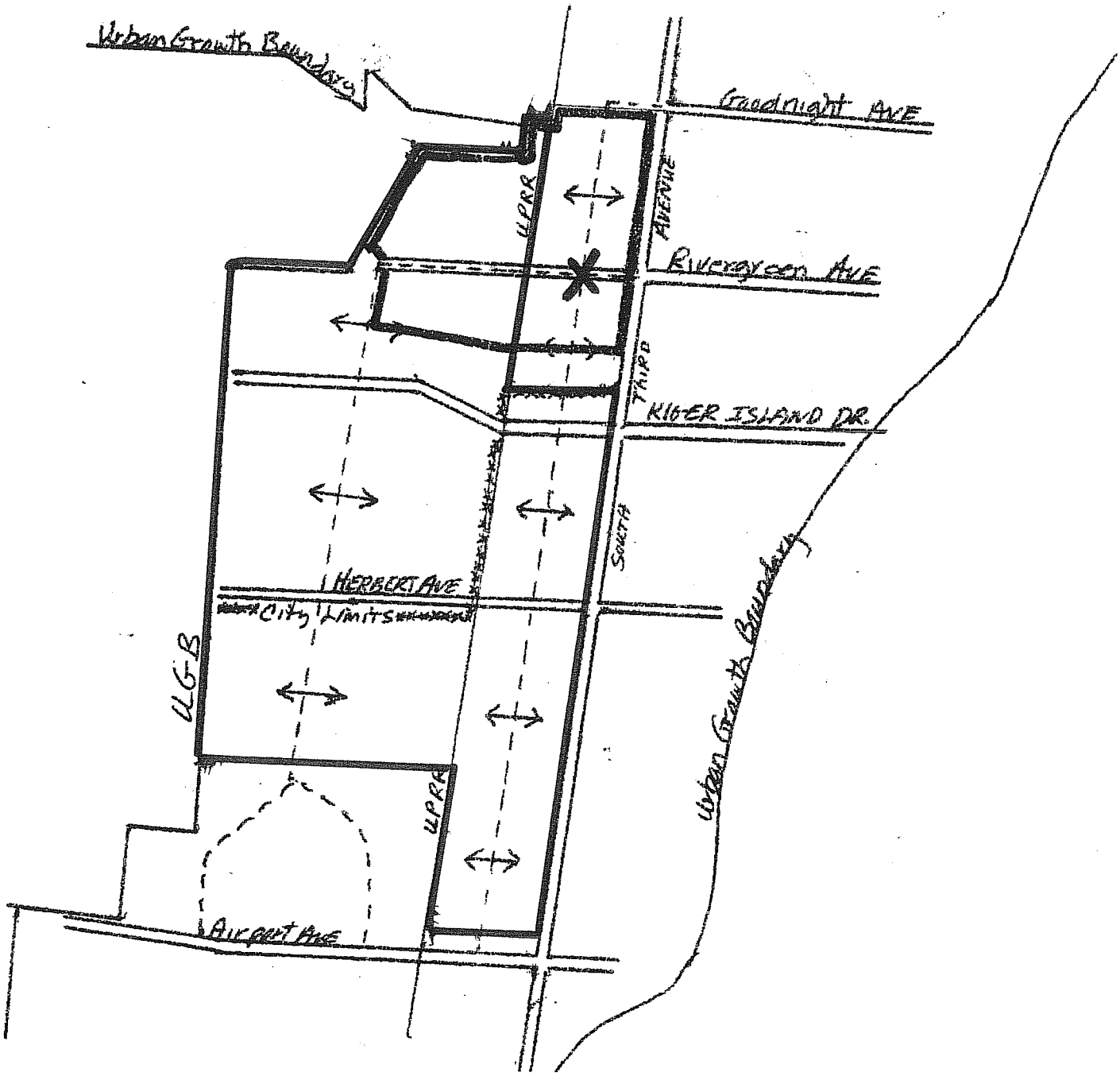
Attachment B

- - - - - - Key Road Connections (So. Corvallis Refinement Plan)

Cascade View Industrial Properties

Area accessed by proposed Rivergreen Extension

Section designated for construction funding



Benton County Assessor's Office

REAL PROPERTY

Account Information

		LAST CERTIFIED VALUES:	
Account #:	156566		
Map/Tax Lot:	12514BC00100	Market Land:	$ 86,000
Acreage:	0.25	Market Structure:	$ 0
Property Class:	100	Specially Assessed Land:	$ 0
Tax Code Area:	0901	Total Real Market Value:	$ 86,000
		Assessed:	$ 86,000
Situs Address:	3400 SW 3RD ST CORVALLIS, OR 97333	Exemption:	$ 86,000
		Net Taxable:	$ 0

Owner Information

Owner	CITY OF CORVALLIS P O BOX 1083 CORVALLIS, OR 97339 USA
Taxpayer	CITY OF CORVALLIS P O BOX 1083 CORVALLIS, OR 97339 USA

Improvement Information

No Improvement Information Located

Sales Information

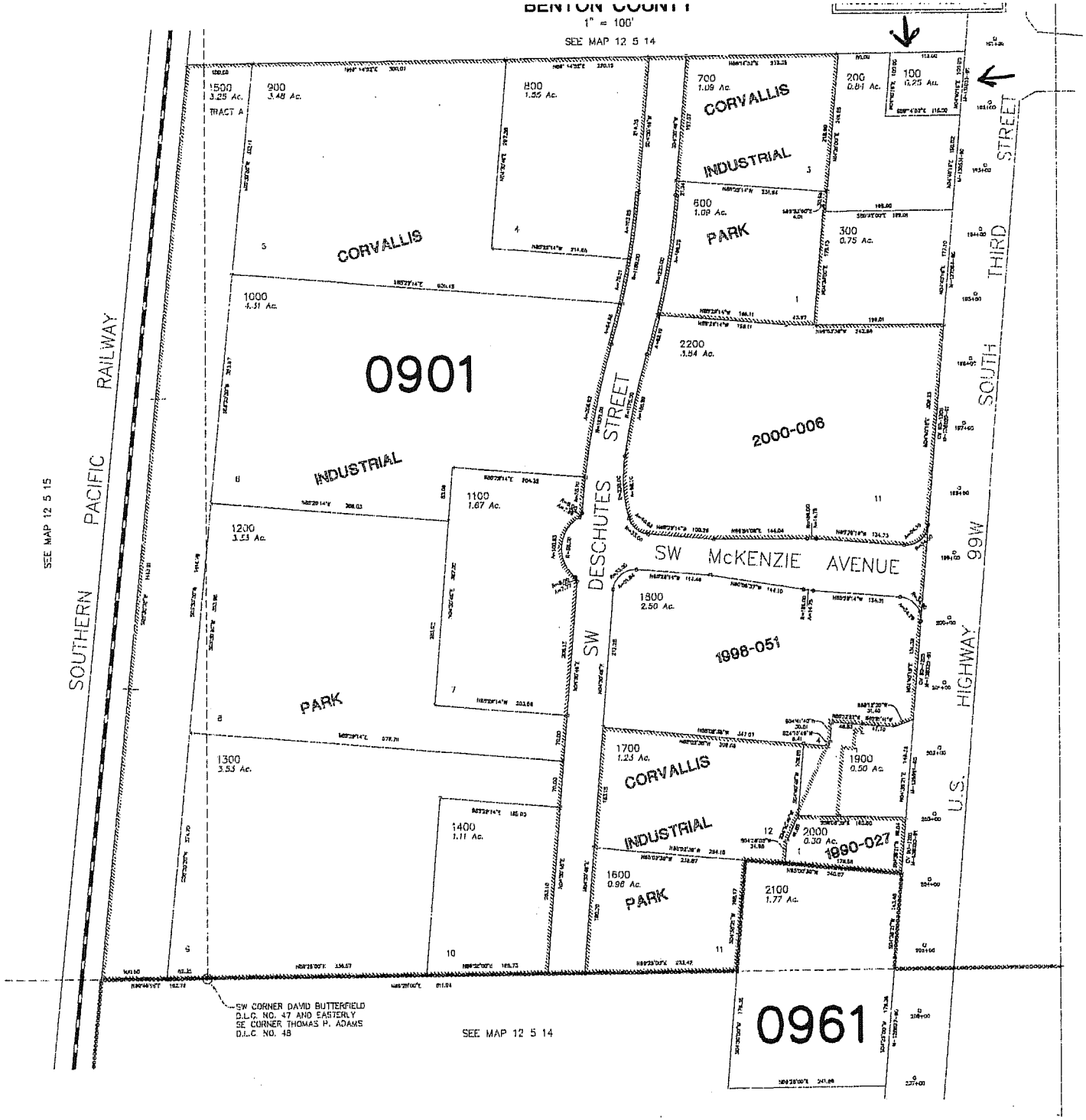
Deed Ref Number	Sales Date	Sale Price	Grantor
275371-99	10/11/1999	$ 171,400	MOORE NORMA JUNE

Benton County Assessor's Office • 205 NW 5th St. • Corvallis, OR 97300 • 541.766.6855

BENTON COUNTY
1" = 100'
SEE MAP 12 5 14

CORVALLIS

REV: 03-21-2002
SE Rivergreen Ave
400
500
601 thru 602
701
1701



12 5 14BC
CORVALLIS

M-275371-99
ODOT
File 6813-001

WARRANTY DEED

NORMA J. MOORE, who acquired title as Norma J. Thurber Reinier, Grantor, for the true and actual consideration of $171,400---------- does convey unto the **CITY OF CORVALLIS, Oregon, a municipal corporation,** Grantee, fee title to the property described on Exhibit "A" attached hereto and by this reference made a part hereof.

Grantor covenants to and with Grantee, its successors and assigns, that grantor is the owner of said property which is free from encumbrances, except for easements, conditions, and restrictions of record, and will warrant the same from all lawful claims whatsoever, except as stated herein.

Grantor agrees the consideration recited herein is just compensation for the property, including any and all damages to Grantor's remaining property, if any, which may result from the acquisition or use of said property and the construction or improvement of the public way.

In construing this document, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this document shall apply equally to corporations and to individuals.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

FATCO 243046-B ODOT/6813 001 Hollie E. Groves

7-8-99

RETURN TO AND TAX STATEMENT TO
OREGON DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY SECTION
355 CAPITOL STREET NE, ROOM 420
SALEM OR 97301-3871

Account No.: 156566

Property Address: 3400 SW Third St.
Corvallis, OR 97333

ORIGINAL

ODOT
File 6813-001

It is understood and agreed that the delivery of this document is hereby tendered and that terms and obligations hereof shall not become binding upon the City of Corvallis, unless and until accepted and approved by the recording of this document.

Dated this 11th day of October, 1999.

Norma J. Moore
Norma J. Moore

STATE OF OREGON, County of Benton
October 11th, 1999. Personally appeared the above named Norma J. Moore, who acquired title as Norma J. Thurber Reinier, who acknowledged the foregoing instrument to be her voluntary act. Before me:

Nancy K. Lorensen
Notary Public for Oregon
My Commission expires 9-2-02

OFFICIAL SEAL
NANCY K LORENSEN
NOTARY PUBLIC - OREGON
COMMISSION NO. 315562
MY COMMISSION EXPIRES SEP. 6, 2002

ACCEPTED BY:
CITY OF CORVALLIS, OREGON

Jon S. Nelson
JON S. NELSON, CITY MANAGER

STATE OF OREGON)
) ss.
County of Benton)

Personally appeared the above-named JON S. NELSON who acknowledged he is the City Manager of Corvallis and he accepted the foregoing instrument on behalf of the City of Corvallis by authority of its City Council. Before me this 20th day of October, 1999

M. Sue Mariner
NOTARY PUBLIC FOR OREGON
My commission expires 05-01-02

PROJECT/LOCATION
COUNCIL APPROVED
BY DATE
FORMAT APPROVED

OFFICIAL SEAL
M SUE MARINER
NOTARY PUBLIC - OREGON
COMMISSION NO. 311035
MY COMMISSION EXPIRES MAY 1, 2002

7-8-99
Page 2 – WD
tlh

Business Name Search

New Search Printer Friendly

Business Entity Data

05-01-2008
08:52

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Duration Date	Renewal Date
746653-82	ABN	ACT		04-07-2000		

Entity Name	CASCADE VIEW INDUSTRIAL PROPERTIES
Foreign Name	
Affidavit?	N

New Search Printer Friendly

Associated Names

Type	PPB	PRINCIPAL PLACE OF BUSINESS				
Addr 1	2773 SW TITLEIST CIR					
Addr 2						
CSZ	CORVALLIS	OR	97333		Country	UNITED STATES OF AMERICA

The Authorized Representative address is the mailing address for this business.

Type	REP	AUTHORIZED REPRESENTATIVE	Start Date	04-27-2006	Resign Date	
Name	LYNN		NORDHAUSEN			
Addr 1	2773 SW TITLEIST CIR					
Addr 2						
CSZ	CORVALLIS	OR	97333		Country	UNITED STATES OF AMERICA

Type	REG	REGISTRANT				
Name	LYNN		NORDHAUSEN			
Addr 1	2773 SW TITLEIST CIR					
Addr 2						
CSZ	CORVALLIS	OR	97333		Country	UNITED STATES OF AMERICA

New Search Printer Friendly

Name History

Business Entity Name	Name Type	Name Status	Start Date	End Date
CASCADE VIEW INDUSTRIAL PROPERTIES	EN	CUR	04-07-2000	

Please read before ordering Copies.

New Search Printer Friendly

Summary History

Image Date	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
03-25-2008	RENEWAL PAYMENT	03-25-2008		SYS		
04-27-2006	AMENDMENT OF REGISTRATION	04-27-2006		FI	Representative	
04-07-2006	RENEWAL OF REGISTRATION	04-07-2006		FI		
04-09-2004	RENEWAL PAYMENT	04-09-2004		SYS		
03-14-2002	RENEWAL PAYMENT	03-14-2002		SYS		
04-07-2000	NEW FILING	04-07-2000		FI		

New Search Printer Friendly

Counties

Counties Filed
Benton

Counties Not Filed (but not necessarily available)
Baker, Clackamas, Clatsop, Columbia, Coos, Crook, Curry, Deschutes, Douglas, Gilliam, Grant, Harney, Hood River, Jackson, Jefferson, Josephine, Klamath, Lake, Lane, Lincoln, Linn, Malheur, Marion, Morrow, Multnomah, Polk, Sherman, Tillamook, Umatilla, Union, Wallowa, Wasco, Washington, Wheeler, Yamhill

---

For comments or suggestions regarding the operation of this site, please contact : businessregistry.sos@state.or.us

© 2008 Oregon Secretary of State. All Rights Reserved.

MEMORANDUM

CORVALLIS
ENHANCING COMMUNITY LIVABILITY
PARKS & RECREATION

To: Urban Services Committee
From: Karen Emery, Acting Director KE
Steve Rogers, Public Works Director SR
Steve DeGhetto, Park Operations Supervisor SD
Date: April 3, 2008
Subject: Integrated Vegetation and Pest Management Plan Biennial Review

Issue:
The biennial review of the Integrated Vegetation and Pest Management (IVPM) Plan, as required by Council Policy CP 95-7.12, is scheduled.

Background:
On August 21, 1995 the City Council adopted the IVPM Plan, which provides guidelines for determining the need and timing of vegetation and pest management interventions. In September 2006, this plan was updated to include sustainability measures.

Agency participation in the IVPM program is cooperative. The Fire Department and Parks and Recreation are in partnership to reduce non-native vegetation and fuel load on forested lands. The Public Works and Parks and Recreation Departments are required to report to the Oregon Department of Agriculture (ODA) to remain in compliance with the Pesticide Use Reporting System (PURS). Records of application are compiled and kept on file for all applications on City property. The pesticide reports are valuable informational tools to operations staff, providing insight into insect, weed and disease trends.

The Pesticide Hot line, on-site posting plus posting at park kiosks are used to initiate and involve the public with vegetation management issues.

Discussion:
During this biennium, Parks and Recreation used controlled burns in Bald Hill Park and Marys River Natural Area to alleviate invasive noxious weed species. The City benefited by fostering native plant communities, while reducing fuel loads and noxious weeds, and state and local Fire Department personnel were trained in wild land fire control measures.

The Corvallis Parks And Natural Areas Sustainable Operations Plan is in its final draft stage. The integration of IVPM concepts into the operations plan will provide for the protection and conservation of resources while looking at sustainable efficiencies.

The Pesticide Hotline and IVPM committee meetings provide an opportunity for information sharing and industry issues. An annual meeting to review use and methodology is scheduled for July 2008.

Recommendation:

Staff recommends no changes at this time to the IVPM document. Therefore, it is recommended Council approve the IVPM document as written.

Review and Concur:

Jon Nelson, City Manager

Attachment:

Council Policy 95-7.12 – Integrated Vegetation and Pest Management Program

CITY OF CORVALLIS

COUNCIL POLICY MANUAL

POLICY AREA 7 COMMUNITY IMPROVEMENTS

CP 95-7.12 Integrated Vegetation and Pest Management (IVPM) Program

Adopted August 21, 1995
Revised November 17, 1997
Revised March 6, 2000
Affirmed May 6, 2002
Affirmed May 17, 2004
Revised October 16, 2006

7.12.010 Purpose

To establish guidelines to ensure an integrated approach to weed and pest control by the City of Corvallis.

7.12.020 Policy

To ensure that the City of Corvallis keeps on the cutting edge of environmentally responsible and cost-effective, sustainable vegetation and pest management techniques, the City shall:

- Adopt and implement an Integrated Vegetation and Pest Management Plan (IVPM).
- Encourage other agencies and organizations to incorporate the plan into their maintenance operations.
- Initiate a public process every two years to evaluate the effectiveness of the plan.
- Inform and educate the public about the City's IVPM activities.

7.12.030 Review and Update

The IVPM plan shall be reviewed and updated as appropriate every two years by the Parks and Recreation and Public Works Directors.

CITY OF CORVALLIS

INTEGRATED VEGETATION AND PEST MANAGEMENT PLAN

SEPTEMBER 2006

City of Corvallis
Parks and Recreation Department
1310 SW Avery Park Drive
Corvallis, OR 97333
(541) 766-6918

IVPM GUIDELINES

Introduction to the City of Corvallis Integrated Vegetation and Pest Management Plan

Goal: To keep Corvallis on the cutting edge of environmentally responsible, cost-effective sustainable vegetation and pest management techniques.

Elaboration of Goal:

This document establishes the principles of and guidelines for an integrated approach to weed and pest control by the City of Corvallis. Such an approach considers both the needs of the human-created systems and the needs of natural systems in which they occur. It is commonly referred to as integrated vegetation and pest management (IVPM) which can be defined as the following:

IVPM is a decision-making process for determining the need and timing for vegetation and pest management interventions and what strategy and mix of tactics to use. IVPM programs use current, comprehensive information on the life cycles of pests and their interactions with the environment. Interventions or treatments are not made according to a predetermined calendar schedule but are made when and where monitoring has indicated that the pest will cause unacceptable hazard to either people, property or the environment.

Offering a number of environmental and economic advantages, IVPM is being increasingly applied throughout the United States. For example, OVPM standards have been published for the federal park system and implementation of IVPM practices was, in fact, mandated for certain state agencies by the 66th Oregon Legislative Assembly in the 1991 regular session (Senate Bill 262-ORS 634.122 as described in a March 1993 pamphlet published by the Interagency Integrated Pest Management Coordinating Committee). While the City of Corvallis does not fall under the requirements of the Oregon legislature, ecological considerations have helped push several of its programs in the IVPM direction. Adoption by city agencies of the coordinated IVPM approach outlined herein is timely both to capitalize on this momentum and to proactively address environmental, aesthetic, and safety concerns before they result in community polarization.

Weed and pest controls, per se. are only part of an IVPM; the sustainable concept recognizes the interaction between the various plant care programs and environmental factors that can synergistically lead to the development of sustainable Best Management Practices. For example, pest biology and ecology include such factors as pest identification, the life cycle, and in what stages it causes damage (e.g., is there a natural predator for this pest ast some stage of its life?). As this IVPM approach is phased in over the next three years, it is expected that chemical pesticide and herbicide use will be minimized and the application of workable alternatives will increase without compromising the function of systems, maintenance standards, employee and public safety or cost efficiency. Alternatives include such things as competitive desirable vegetation, mulches, cultural practices such as irrigation, fertilization, and manipulation

of pest habitat, mechanical and manual controls, physical barriers, water blasting, soap solutions, traps, and lures. New alternatives are continually being developed and it is an essential characteristic of a successful IVPM plan that it allow for experimentation and adoption of improved methods that enhance sustainability objectives. In addition, the appropriateness of management actions is recognized to be context dependent and while the departments of the City of Corvallis share some similar management challenges, they also face unique ones. Accordingly, this document does not attempt to prescribe particular actions in the field but rather outline the IVPM principles and decision-making priorities that will promote achievement of our overall goal.

The success of an IVPM program depends strongly upon the individuals carrying it out. The commitment of the personnel involved and the adaptability of the IVPM program to new findings is to be facilitated by both a bottom-up as well as top-down education and communication protocol. Another essential component of the City of Corvallis IVPM plan is to coordinate the vegetation management efforts fo the Parks and Recreation, Public Works and Fire Departments to assure consistency and to help share advancements, minimize maintenance requirements, and eliminate duplication of effort. Because of the potential of mutual impact and learning, this document seeks to encourage the regular interaction of Corvallis city departments and other public agencies engaged in vegetation management such as Benton County Road and Parks Departments, schools (509-J) and OSU grounds maintenance. To assure that the Corvallis IVPM plan continues to evolve in a manner reflective of the values of this community, provisions have also been made for public education, regular review of public feedback, and annual assessment by an oversight committee composed of citizens and public employees.

The Decision Process

I. Set area categories based on:

A. Uses (soccer field or nature hiking)
B. Function (drainage or wetland)
C. Aesthetics/expectations (urban park or rural picnic area)
D. Special situations (For example: native wild flower areas, scenic areas, habitat preservation areas, sensitive plant communities, etc.)

II. Evaluate (for each category) which vegetation and pest situations should be considered problems requiring treatments.

Reasons for treatment

A. Public and employee safety and health (Examples: to prevent fire, maintain traffic visibility)
B. Potential for irreversible damage or injury (Examples: damage to shoulders on roadways, holes in turf)
C. Potential to increase or spread beyond tolerance levels (Examples: noxious weeds, poison plants)
D. Loss of function (Examples: unable to use facilities because of excessive weeds/pests)
E. Loss of investment (Examples: planting bed that is taken over by weeds or ruined by insects)
F. Loss of aesthetics
G. Sustainability

III. Set thresholds of acceptability for vegetation and pest problems within each area category by establishing the tolerable density of pest population, which may be set at zero, that can be correlated with a damage level sufficient to warrant treatment of the problem.

IV. Monitor for the presence of problem vegetation or pests.

V. Determine and rectify, if possible, the cause of the vegetation or pest problem (Example: poor plant health due to lack of nutrients or improper watering).

VI. Treat stubborn vegetation or pest problems to reduce populations below those levels established by damage thresholds using strategies that may include:

A. Mechanical Controls–e.g., hoeing, roguing, mowing, cultivation, mulches, grazing
B. Biological Controls–use of another living organism as a predator or parasite; e.g., BT (bacteria for larval control), Milky Spore, Cinnabar Moth for Tansy Ragwort, Parasitic Nematodes for Root Weevil.
C. Cultural Practices–manipulating of a standard practice (crop rotation, burning, mowing, mulching, use of certified seed) to achieve pest

population management; e.g., adjust mowing heights to reduce weed seed in lawns.

D. Chemical Controls–e.g., herbicides, insecticides, rodenticides, fumigants.

E. Redesign Methods–the right plants, soil and sub soil preparation and/or constructions for the correct settings for the desired function.

F. Alternative Methods shall be evaluated based on the following criteria:
   1. Lowest non-target impact
   2. Operationally feasible and safe
   3. Cost effective
   4. Proven efficiency
   5. The desire to minimize the use of chemicals

VII. Evaluate the effects and efficiency of vegetation and pest treatments. Keep accurate records. Modify as necessary.

VIII. Internal Coordination: It is important that all agencies involved maintain open lines of communication to:

A. Continually review effective management practices;

B. Listen to and act on issues, problems and concerns associated with management practices;

C. Ensure that agencies are maintaining two-way communication with the public concerning issues.

IX. Inter-department Communication

A. Each agency should agree to cooperate via a Memorandum of Understanding.

B. Each agency should designate an individual within the agency or each department as their IVPM Coordinator to:
   1. Ensure that there is ongoing sharing of vegetation and pest management activities and information within departments and agencies via:
      a. Email
      b. Hot topic flyers
      c. Phone calls
   2. Ensure that vegetation and pest management activities are shared through their departments and agencies to policy makers.

C. All members of the group listed below shall participate in IVPM meetings, twice annually, to be hosted by the City Fire Department to:
   1. Review guidelines and exchange information;
   2. Plan and ensure training for employees;
   3. Discuss IVPM issues
   4. Share highlights

D. Each agency/department should maintain records of chemicals and pest treatments applied in public areas.

E. Every two years, develop a public process to review the effects and effectiveness of the Integrated Vegetation and Pest Management

guidelines.

X. Members

A. City of Corvallis
   1. Public Works
   2. Parks and Recreation Department
   3. Fire Department

B. School District 509-J Landscape Maintenance Division

C. OSU Landscape Management

D. Benton County
   1. Parks
   2. Public Works

E. Citizen Members of IVPM Task Force

XI. Public Information/Education

To ensure that the public is adequately informed regarding the integrated vegetation and pest management activities. The following methods are available and should be utilized:

A. Periodic reports of management activities through agency or other organizational newsletter, news releases, etc.

B. Inform the public in multiple ways of pest treatments:
   1. Notification through the chemical application phone number so citizens may call for detailed information on areas scheduled for chemical application;
   2. Post and date areas that have been treated with chemicals;
   3. Utilize FYI section of Gazette Times, local cable channel, and Internet when available to notify citizens as to when chemical applications are being made.

C. Educational features such as alternative methods of pest control, and high lighting pros and cons, as well as briefs regarding specific chemicals (their uses, toxicities, residual effects) that agencies commonly use, will be shared with the public via newsletters and other media.

D. Encourage citizens to participate and/or become informed by contacting a designated person within each department or agency for information.

MEMORANDUM

TO: Urban Services Committee

FROM: Steve Rogers, Public Works Director

DATE: April 17, 2008

SUBJECT: Intersection Design at SE Rivergreen Avenue and South Third Street

I. ISSUE

Council direction is needed on whether the intersection design for SE Rivergreen Avenue at South Third Street should be modified to preserve on-street parking.

II. BACKGROUND

The South Corvallis Area Refinement Plan was adopted by the City Council in 1997. This Plan designates SE Rivergreen Avenue as a Neighborhood Collector Parkway and its intersection with South Third Street as a Pedestrian Node. The Plan requires landscape strips (between the curb and sidewalk) and landscaped medians at key intersections, including Rivergreen Avenue, Kiger Island Drive, and Airport Avenue to reinforce the importance of these streets for transportation needs, especially for pedestrian movement. The parkways are referenced as being on both the east and west sides of South Third Street (Highway 99W) for these streets.

The Plan acknowledges existing right-of-way (ROW) restrictions and other constraints as an impediment to the full vision of the Plan. For example, the Plan indicates that planted medians were considered for the neighborhood collector streets on the east side of South Third Street but were ruled out due to disadvantages such as increased ROW, increased overall street width, and turning movement difficulties. The Plan includes a typical Neighborhood Collector Parkway cross-section and a typical Pedestrian Node Diagram. Copies of each are attached to this report.

In 1999, after the South Corvallis Area Refinement Plan was adopted, additional ROW on the east and west sides of SW Rivergreen Avenue was purchased by the City to facilitate future alignment of Rivergreen Avenue across South Third Street. The intention at that time was to purchase sufficient ROW to fully comply with the Plan.

In 2001, the developer of the Willamette Landing subdivision was conditioned to realign SE Rivergreen Avenue's approach to State Highway 99W (South Third Street) and construct a missing piece of sidewalk. Although this work was conditioned to occur with Phase I of Willamette Landing, it has been delayed under financial security primarily due to the potential for completing the west leg of Rivergreen Avenue and signalizing the intersection as part of a planned Corvallis Home Improvement Center project. While the Willamette Landing project was conditioned to realign the intersection, those land use approval plans did not show intersection details or address on-street parking at the intersection.

The Rivergreen intersection was addressed again with the 2003 Corvallis Home Improvement Center proposal. The Corvallis Home Improvement Center proposal included an intersection design with no on-street parking on SE Rivergreen Drive at South Third Street. However, removal of on-street parking was not specifically cited in the application or staff report.

Now that Willamette Landing is on its last phases of residential development and it does not appear that Corvallis Home Improvement Center development is imminent, attention has been directed to completing the intersection work.

In anticipation of receiving intersection construction plans, public works staff drafted notice letters to affected adjacent property owners and residents in early September, 2007. The intention was to let local residents know of pending construction in their neighborhood. Unfortunately, these letters were never sent. On September 21, 2007, intersection plans were received and on October 15, 2007, these plans were authorized for construction. Construction is planned to begin this spring. During the week of January 21, 2008, staff became aware of the notice letter problem. The notice letters were sent on January 25, 2008.

Staff has had phone discussions with the resident at 122 SE Rivergreen Avenue who is concerned about the loss of on-street parking, ability to maneuver a boat into their driveway, and an area to place leaves for pickup. No other comments have been received from adjacent residents.

III. DISCUSSION

The Corvallis Transportation System Master Plan requires 12-foot landscape strips for neighborhood collector, full collector, and arterial streets. These landscape strips are a high priority pedestrian amenity and safety feature. The existing street conditions are shown on the attached drawing "Existing Conditions SE Rivergreen Avenue At Highway 99W."

The intersection design, as approved for construction, includes the westbound left turn lane, landscaped intersection medians, construction of missing sidewalk, and retention of the existing landscape strips on the south side of SE Rivergreen Avenue. This design results in the loss of approximately six, on-street parking spaces within the realignment area and limits directional access to four driveways. A copy of the approved design is attached to this report as "Landscaped Median Without On-Street Parking."

On the north side of SE Rivergreen, the approved design includes a substandard 6-foot landscape strip. This is consistent with designs approved for the Corvallis Home Improvement Center and is the result of ROW limits and the need to align travel lanes across South Third Street.

The south side of SE Rivergreen currently has standard 12-foot wide neighborhood collector landscape strips. The approved design retains these landscape strips. It is not uncommon for landscape strip widths to vary at major intersections to accommodate extra width features such as turn lanes. However, where existing landscape strips are present, the design priority is to preserve them.

In order to retain on-street parking, one alternative would be to relocate the existing curb and reduce the planter strip width on the south side of SE Rivergreen. This alternative is shown on the attached "Landscaped Median With On-Street Parking" design. The parking can be retained if the south curb is relocated approximately 6-feet to the south and the width of the landscaped median is reduced approximately 2-feet. An approximate 6-foot wide south side landscape strip would be retained. As

currently approved, the total intersection realignment project cost is estimated at $186,000. Staff estimate that modifying the south side of SE Rivergreen to retain on-street parking could add approximately $25,000 to the total project cost.

It could also be possible to prepare a design that shifted all lanes north 6-feet by eliminating the north side planter strip. Additional ROW to provide a future landscape strip and setback sidewalk might be acquired with development of the adjacent property. However, because this design eliminates a landscape strip and has repercussions with the westbound travel lane taper and lane alignment across South Third Street, it is not a recommended alternative. This intersection will eventually be signalized and the design will require approval from the Oregon Department of Transportation (ODOT). Therefore staff is very reluctant to consider a design that ODOT would likely view as "substandard".

On April 18, 2008, notices of this Urban Services Committee meeting were sent to adjacent residents and owners, Tom Powell as South Corvallis Neighbors representative, George Grosch as Ward 3 City Councilor, and Tony Howell as a Planning Commissioner and past City Council representative for the South Corvallis Area Refinement Plan.

On April 4, 2008, the designs attached to this report were reviewed by the Bicycle and Pedestrian Advisory Commission. No objections were cited.

IV. RECOMMENDATION

Staff request guidance on whether to require the developer to redesign and construct the intersection to retain on-street parking by relocating the existing curb and reducing an existing landscaped planter strip to substandard width for a Neighborhood Collector Parkway.

Review and Concur:

Jon S. Nelson, City Manager

Ken Gibb, Community Development Director

Attachments

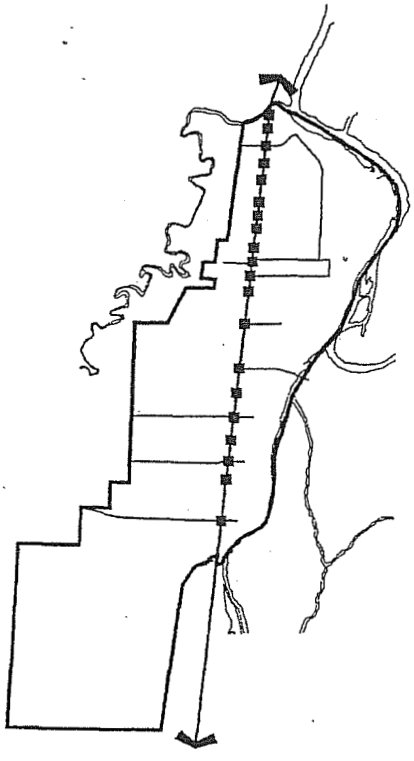
X:\Divisions\Engineering\Development Review\Projects - Development\Willamette Landing\Rivergreen Widening\Planning Commission_Council\usc staff report.wpd

Proposed Pedestrian Nodes

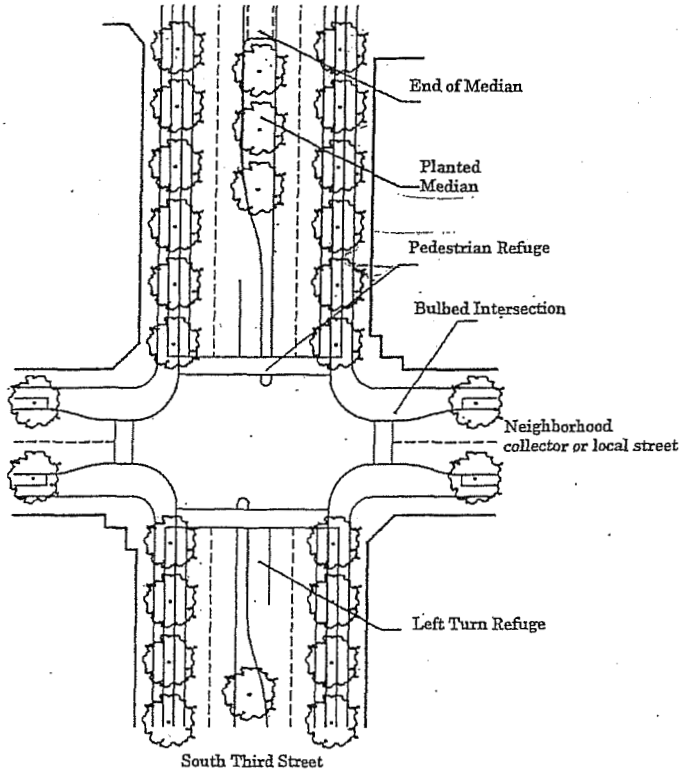
There are approximately 20 pedestrian nodes proposed for the South Corvallis area in the Circulation Plan, all situated on the South Third Street corridor. Each pedestrian node is located at a key pedestrian crossing location, providing access to one or more pedestrian generators near the node. The intended treatments for these pedestrian nodes will enhance pedestrian safety and movement, provide emphasis to this travel mode, and draw attention to the adjacent land uses as an area attractive to walking.

Pedestrian nodes that are associated with a signalized intersection on South Third Street provide the safest opportunity for crossings of the corridor. At unsignaled intersections, pedestrian nodes should include signage and markings to advise the motorists that pedestrian are present. Current City policy discourages crosswalks at unsignaled intersections. This policy should be re-evaluated for South Third Street.

Spacing of the pedestrian nodes should be taken into consideration. The land uses associated with these nodes are to be pedestrian oriented. The accepted average walking distance for pedestrians has been identified as approximately one-quarter mile. Therefore, the spacing of these nodes should be in the range of one-quarter mile to one-half mile. This spacing will ensure that for all land uses within one-quarter mile of the corridor there will be a pedestrian node that provides a safe crossing opportunity, pedestrian oriented land uses, and connections to transit.

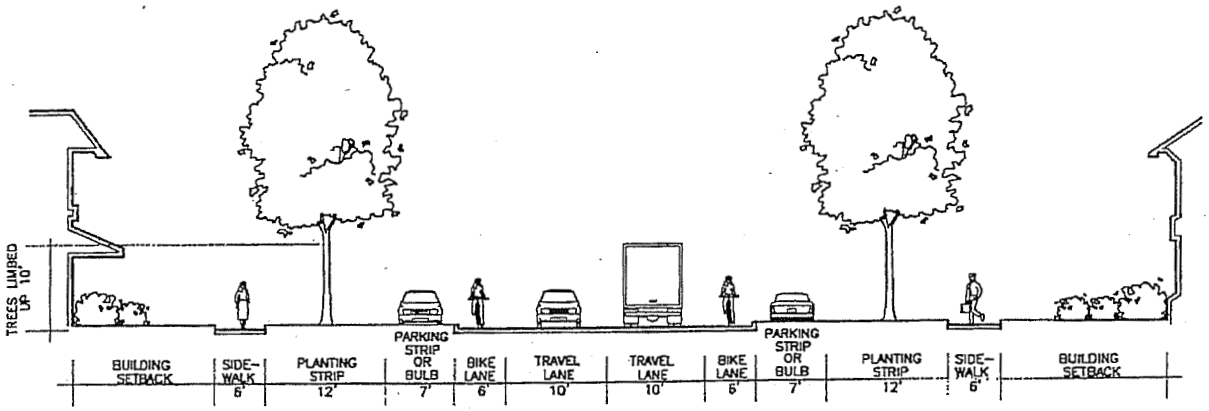


Pedestrian nodes



Pedestrian node diagram

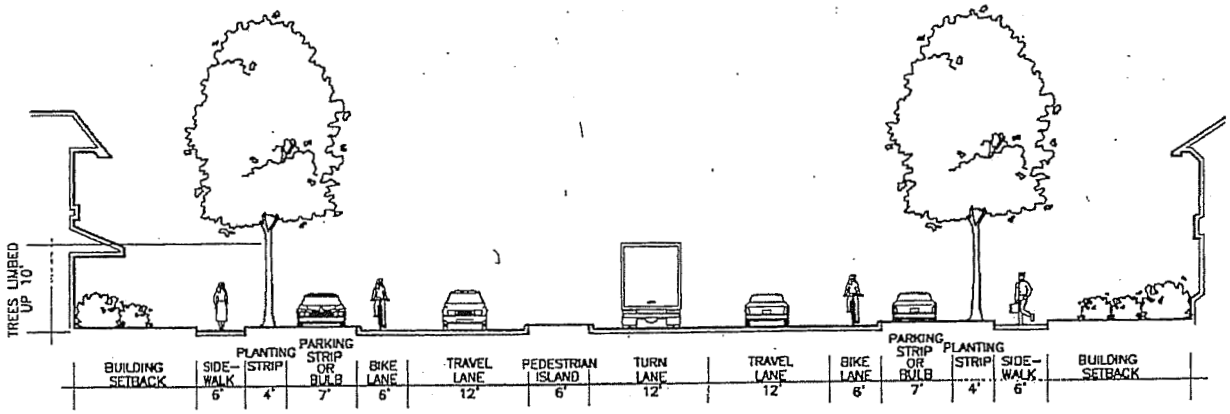
STREET CROSS SECTIONS



Curb to Curb = 46'
Bulb to Bulb = 32'
Right of Way = 62'

Neighborhood Collector Parkway

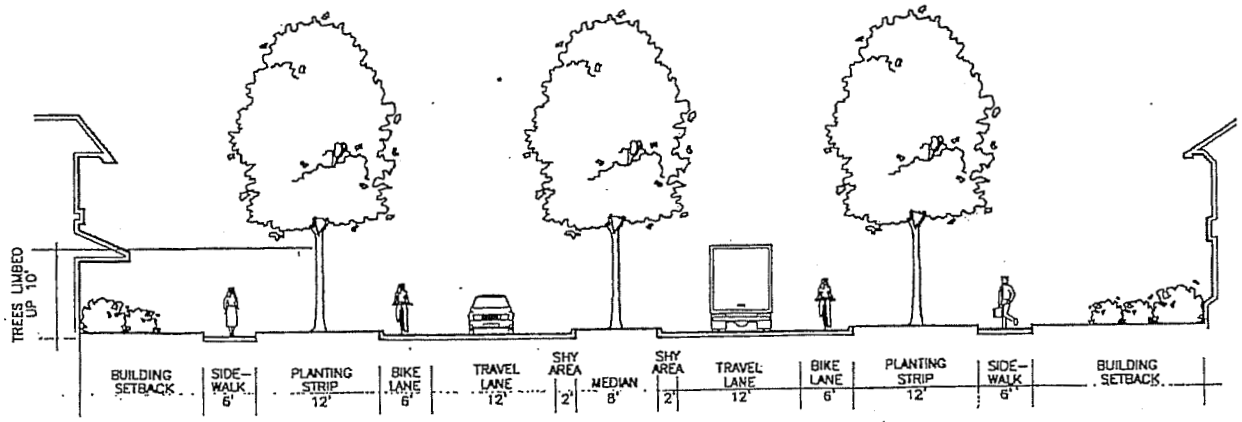
NOTE: USE CURB EXTENSIONS (BULBS) AT APPROPRIATE INTERSECTIONS



Curb to Curb = 88'
Bulb to Bulb = 54'
Right of Way = 88'

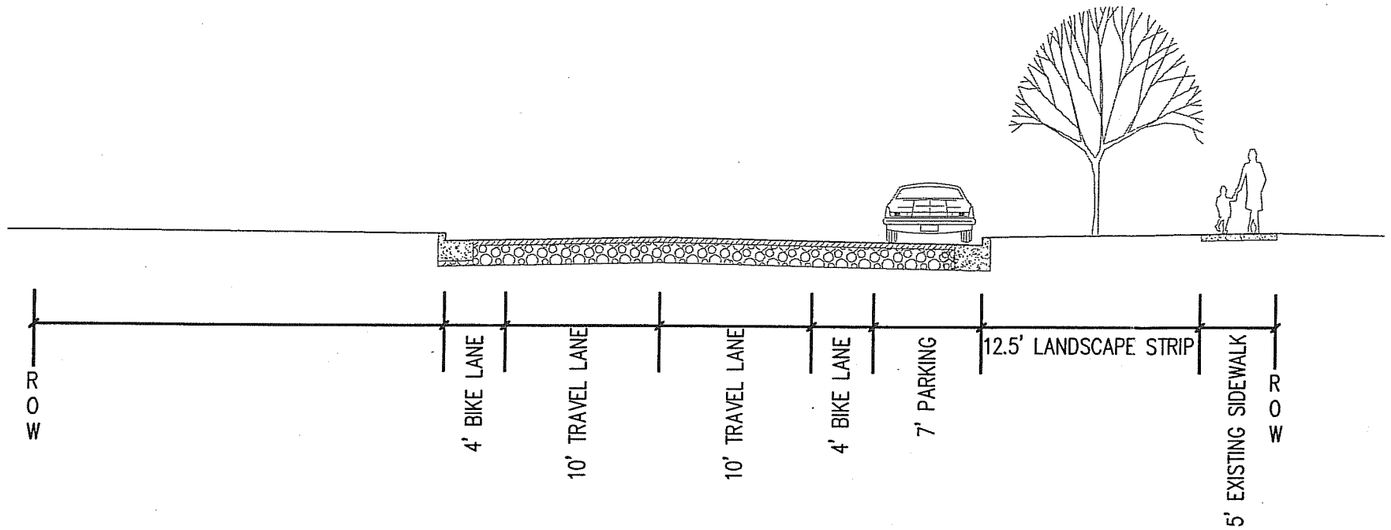
Arterial Parkway
at mixed use intersections

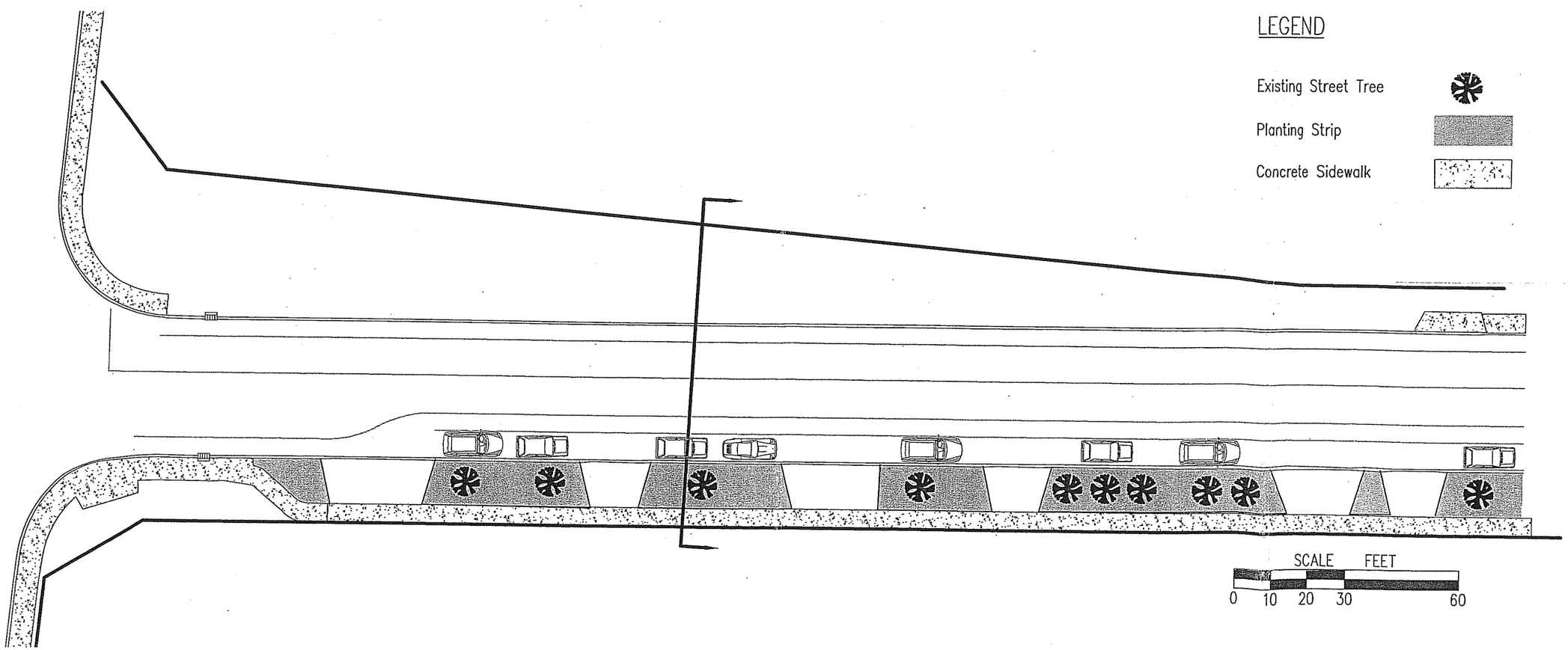
NOTE: USE CURB EXTENSIONS (BULBS) AT APPROPRIATE INTERSECTIONS



Curb to Curb = 48'
Curb to Median = 20'
Right of Way = 84'

Arterial Parkway
between intersections





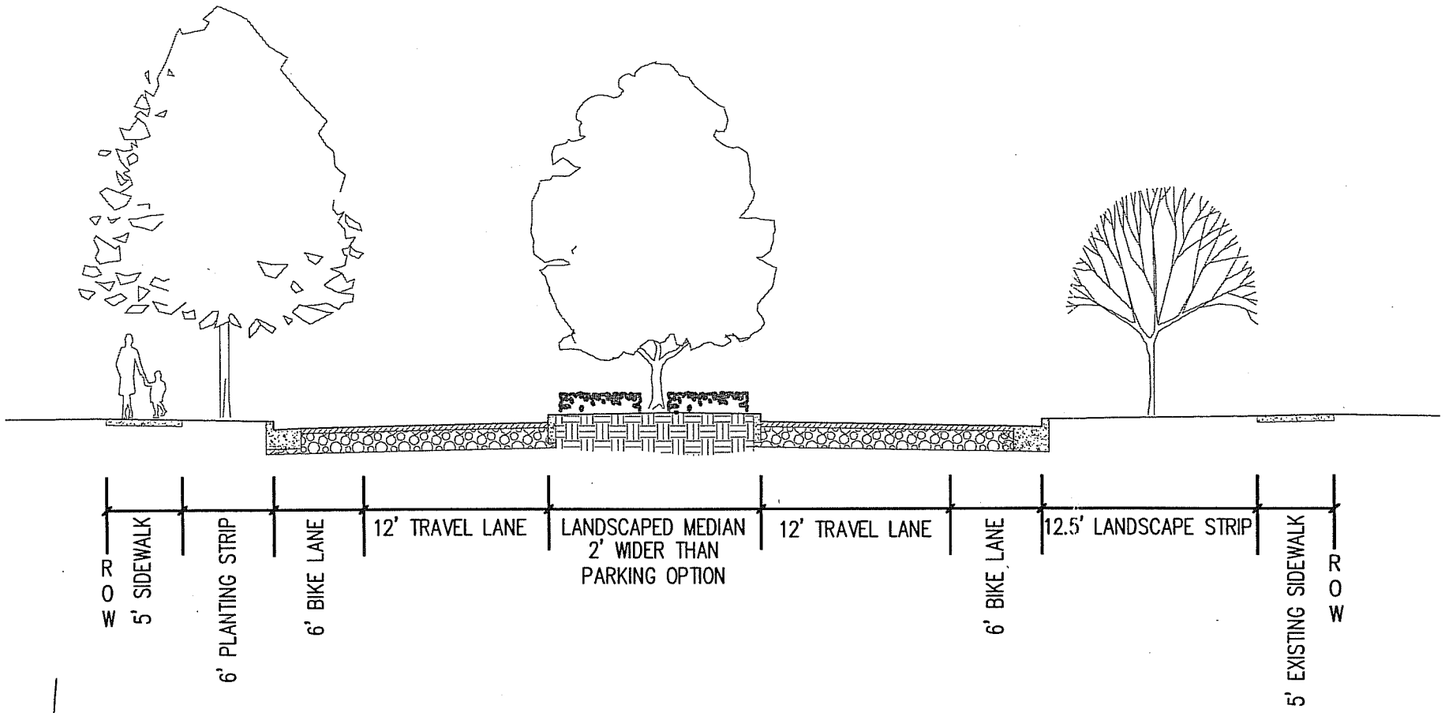
CORVALLIS
ENHANCING COMMUNITY LIVABILITY

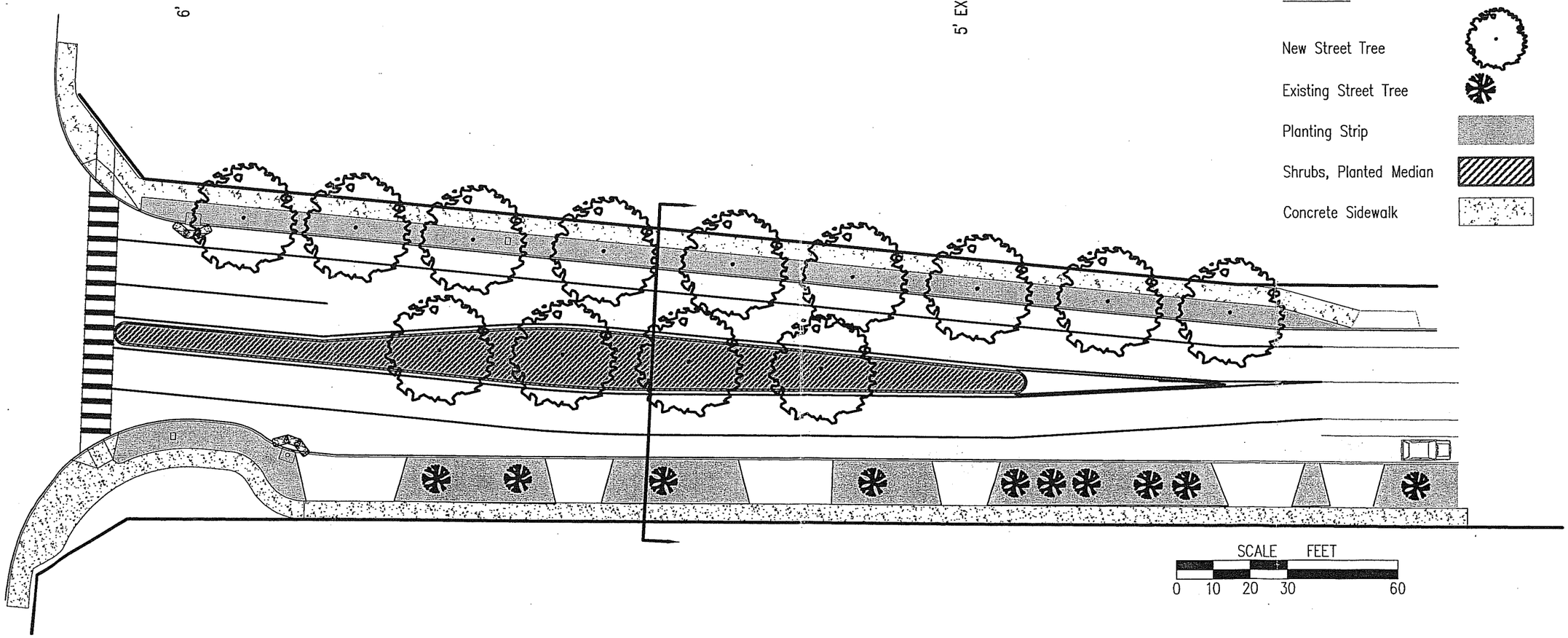
CITY OF CORVALLIS
Public Works Department

EXISTING SITE CONDITIONS
SE RIVERGREEN AVENUE
AT HIGHWAY 99W

NO.	DATE	DESCRIPTION OF REVISION	BY

DESIGNED:
DRAWN:
CHECKED:
DATE:
SCALE:
Sheet No.





CORVALLIS
ENHANCING COMMUNITY LIVABILITY

CITY OF CORVALLIS
Public Works Department

LANDSCAPED MEDIAN WITHOUT ON STREET PARKING

NO.	DATE	DESCRIPTION OF REVISION	BY

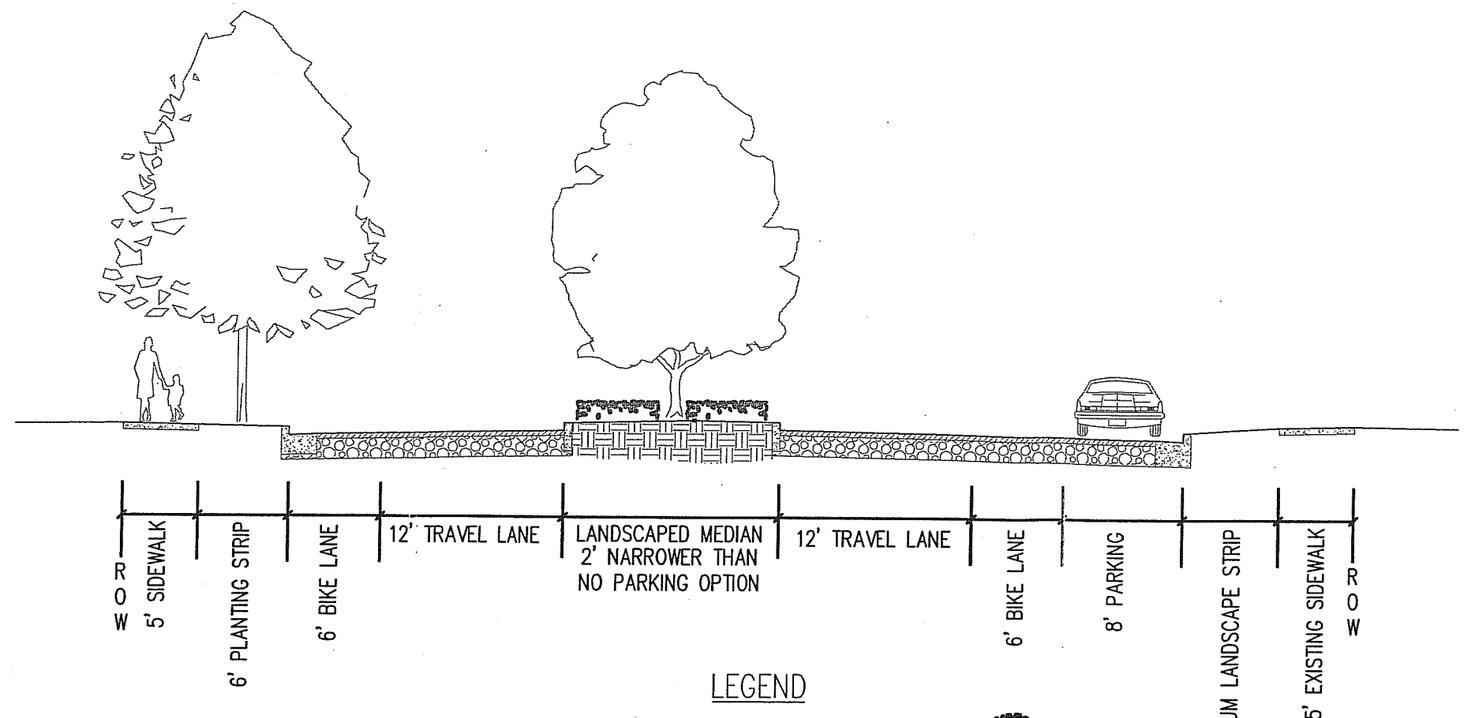
DESIGNED:
DRAWN:
CHECKED:
DATE:
SCALE:
Sheet No.

Notes:

1) In order to preserve parking along the south side of SE Rivergreen Avenue, the southern curb will need to be relocated south. The most the curb will move is 6'. This will reduce the 12.5' planting strip to 6.5' wide.

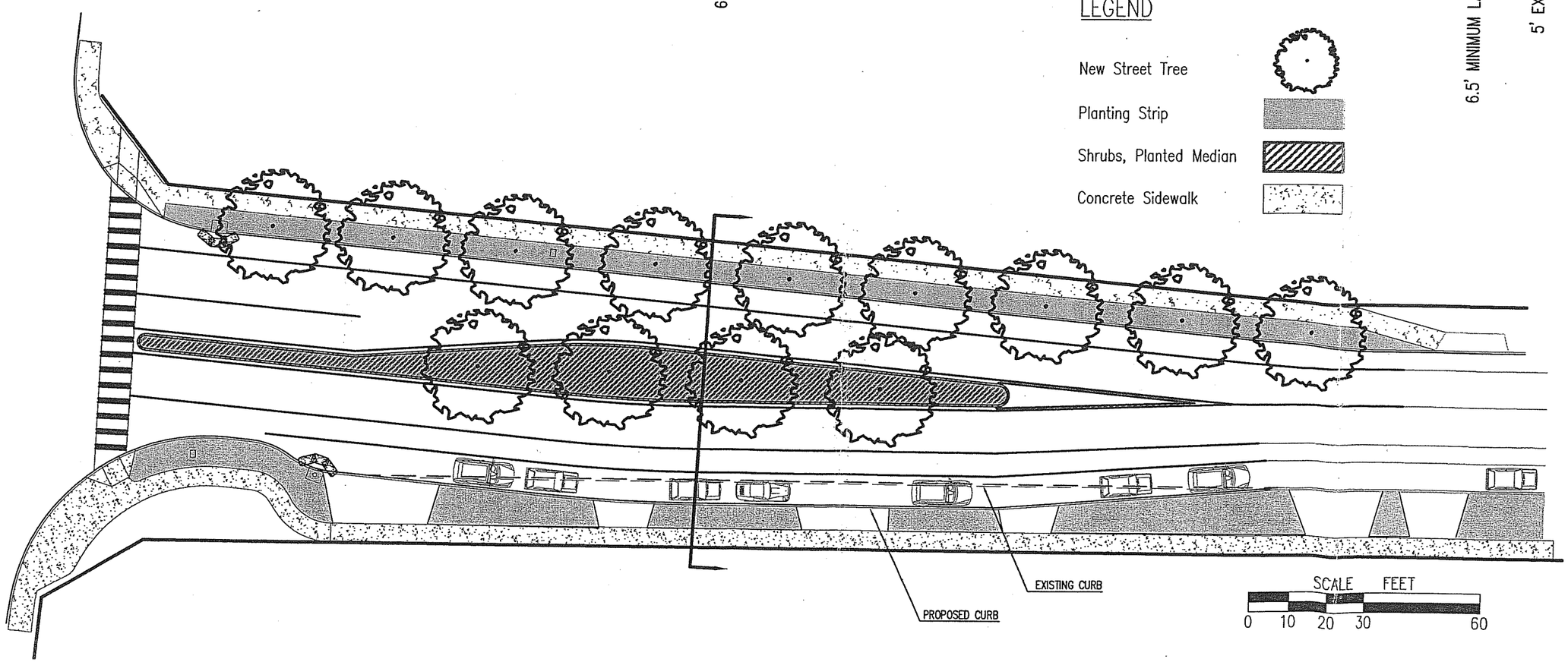
2) Existing driveways adjacent to the proposed curb relocation will need to be reconstructed to meet up with the new curb line.

3) Existing street trees adjacent to the proposed curb relocation will need to be removed. New street trees should not be at this location due to close proximity of sanitary and storm sewer systems.



LEGEND

- New Street Tree
- Planting Strip
- Shrubs, Planted Median
- Concrete Sidewalk



CORVALLIS
ENHANCING COMMUNITY LIVABILITY

CITY OF CORVALLIS
Public Works Department

LANDSCAPED MEDIAN WITH ON STREET PARKING

NO.	DATE	DESCRIPTION OF REVISION	BY

DESIGNED:
DRAWN:
CHECKED:
DATE:
SCALE:
Sheet No.

* * * MEMORANDUM * * *

APRIL 21, 2008

TO: URBAN SERVICES COMMITTEE

FROM: JON S. NELSON, CITY MANAGER for

SUBJECT: FEDERAL EARMARK RECOMMENDATION

BACKGROUND

At the April 7, 2008, meeting, City Council referred the Cascade View Industrial Properties Federal earmark to Urban Services Committee. The staff report and attachments, as well as the City Council discussion from the minutes, are attached.

Council asked that USC develop a recommendation for proceeding. Councilor Grosch also requested that staff conduct initial investigation of alternative uses of the earmark.

DISCUSSION

Staff exchanged e-mails and telephone calls with Representative DeFazio's Transportation and Infrastructure staff, Allison Dane. Area Representative DeFazio contact Dan Whelan, and Oregon Department of Transportation liaison Travis Brouwer were also involved.

Ms. Dane attempted to include a technical legislative correction by adding language making the Airport Industrial Park property eligible. The proposed language was "Construction of access road, including sidewalks, bike lanes, and railroad crossing from Highway 99 to Cascade View Industrial Properties and/or construction of transportation improvements for the Airport Industrial Park, Corvallis." As you see from the attached April 18, 2008 e-mail, the Senate declined additional changes.

Transportation infrastructure for South Corvallis industrial properties is the purpose agreed upon by local, State, and Federal staff. Ms. Dane notes in her e-mail the potential for approaching the Federal Highway Administration and Oregon Department of Transportation on using the existing earmark for the Airport Industrial Park.

NEXT STEPS

At your May 8, 2008, meeting, Cascade View Industrial Properties owners and representatives of the Corvallis-Benton Chamber Coalition (who have the marketing contract for the Airport Industrial Park) will receive a copy of this report and may have feedback for your consideration. Staff is anticipating the Committee having follow-up questions and will return to the Committee with additional information, prior to your recommendation to City Council.

Reviewed and concur:

Steve Rogers, Public Works Director

Attachments

Nelson, Jon

From: Dane, Allison [Allison.Dane@mail.house.gov]
Sent: Friday, April 18, 2008 9:26 AM
To: Nelson, Jon
Cc: BROUWER Travis; Whelan, Dan; Fore, Karmen
Subject: Technical Correction

Hi Jon –

Yesterday the Senate passed the SAFETEA-LU technical corrections bill without any additional project changes (i.e. our change for the Corvallis project was not included). The House now has to pass the bill as-is in order to send it to the President to be signed. There won't be anymore opportunities to change the project description until we begin to write a new highway bill next year. (It is not uncommon to change projects from an old highway bill, in this case SAFETEA-LU, in a new highway bill, but that is a ways away.) In the meantime, I would encourage the city to work with ODOT and FHWA to try and use the $800,000 for the AIP project, if that is the way the city decides it wants to use the funding. Based on the project description in SAFETEA-LU, it might be possible to work that out with FHWA. Please keep me posted on how that progresses and let me know how we can help. I'll also keep you posted on any opportunities that might present themselves out here to make the change.

Best,
Allison

Allison Dane
Professional Staff
Committee on Transportation and Infrastructure
Congressman Peter DeFazio (OR-4)
B-370A Rayburn House Office Building
(202) 225-9989 phone
(202) 226-0224 fax

* * * M E M O R A N D U M * * *

APRIL 1, 2008

TO: **MAYOR AND CITY COUNCIL**

FROM: **JON S. NELSON, CITY MANAGER** Jon

SUBJECT: **CASCADE VIEW INDUSTRIAL PROPERTIES AND FEDERAL EARMARK**

Attached is a letter from the property owners regarding land values and the status of wetland delineation efforts. This information was received by April 1, 2008.

Also attached are City Council minutes from your last discussion and the staff report which includes the memorandum of understanding.

City Council alternatives include referring the packet to Urban Services Committee (USC) for a recommendation on proceeding, Council decision to proceed with the next step being a project scope coming back to Council through USC, or Council decision not to proceed with the direction to investigate alternative uses of the earmark, understanding both State and Federal officials, including Representative DeFazio's office, would be involved.

Attachments

3023

March 31, 2008

To: Corvallis City Council
From: CVIP Landowners
Re: Land Pricing and Wetland Delineation Report

The attached land values are the result of a Comparable Market Analysis that encompassed over 20 comparable Industrial zoned parcels in western Oregon from Medford to Hillsboro. Lands in Central and Eastern Oregon were reviewed but not included in the analysis. Parcel size, existing infrastructure, wetlands and access to transportation routes were a consideration.

These values on the 662.53 acres of industrial zoned land in South Corvallis are not meant to reflect an expected sales value. They are a negotiable starting point and will be greatly influenced by the eventual determination of how many acres are truly developable and/or annexed to the city.

Unfortunately, the wetland delineation on this land, being done by CH2M-Hill, is still inconclusive. The preliminary report shared with the property owners was somewhat encouraging; however, additional data on precipitation events and hydrology continues to be analyzed. In addition, altered and blocked historic drainage flow patterns have been identified which may have influenced hydrology data.

We, the property owners, are disappointed by this delay, as is possibly the City of Corvallis. As in the past 15+ years, we remain a cohesive group of four ownerships interested in making our land available for development.

Respectfully,

Lynn Nordhausen, Caldwell South Farm LLC

Lynn Nordhausen

Don Herbert, Lor-Rene Acres, FLP

Don Herbert

Larry Venell, Venell Farms Inc. & Chintimini Lands Inc.

Larry Venell

Elwell Krause

Elwell Krause

CASCADE VIEW INDUSTRIAL PROPERTIES
LAND VALUES

Land values are assigned per acre according to city zoning as follows:

General Industrial	$85,000.00
Limited Industrial - Office	$175,000.00
Mixed Use Employment	$250,000.00

Caldwell South Farm LLC:
General Industrial
T.L 12-5-10 #700 & 12-5-15 # 100 = 60.1 AC @ $85,000.00 = $5,108,500.00
T.L. 12-5-15 #600 = 39.98 AC @ $85,000.00 = $3,398,300.00

Krause, Elwell:
General Industrial, Limited Industrial–Office & Mixed Use Employment
T.L. 12-5-14 #'s 801 & 800 = 64.45 AC
General Industrial-- approximately 33 AC @ $85,000.00 = $2,805,000.00
Limited Ind.-Office -- approximately 24AC @ $175,000.00 =$4,200,000.00
Mixed Use-Employ. -- approximately 7Ac @ $250,000.00 =$1,750,000.00

Lor-Rene Acres, FLP:
General Industrial, Limited Industrial-Office & Mixed Use Employment
T.L. 12-5-22 #1300 = 186 AC
General Industrial -- 157 AC @ $85,000.00 = $13,345,000.00
Limited Ind.-Office -- 22 AC @ $175,000.00 = $3,850,000.00
Mixed Use-Employ. -- 7AC @ $250,000.00 = $1,750,000.00

Venell Farms Inc.:
General Industrial
T.L. 12-5-15 #'s 200,501,500 = 258AC @ $85,000.00 = $21,930,000.00

Chintimini Lands Inc.:
General Industrial, Limited Industrial-Office & Mixed Use Employment
T.L. 12-5-22 # 400 = 54AC
General Industrial -- 30AC @ $85,000.00 = $2,550,000.00
Limited Ind.-Office -- 22AC @ $175,000.00 = $3,850,000.00
Mixed Use-Employ. – 2AC @ $250,000.00 = $500,000.00

Total Acreage -- 662.53 AC
Total Value -- $43,106,800.00

Contact persons:
Lynn Nordhausen, Caldwell South Farm LLC.
2773 SW Titleist Circle
Corvallis, OR 97333
541-757-8106
Fax 541-757-1972
Or
Larry Venell, Venell Farms, Inc.
3042 Venell Lane
Corvallis, OR 97333
541-752-2446
Fax 541-752-2875

Councilor Grosch explained for Councilor Hamby that the City's housing assistance programs are provided for citizens earning 50 to 80 percent of the local median income, which is a very small population segment.

Councilor Grosch referenced from the meeting packet his memorandum requesting information regarding the Police Department. He elaborated that he received consistent comments about Police Department practices before stop data was gathered a few years ago. He questioned how the Council would know that the Department's actions and policies are followed daily. He said his inquiry was not focused on the issue of driving under the influence of intoxicants and encompassed the broader issue of the Council knowing that the Police Department was carrying out the Council's policies in an appropriate manner.

C. Staff Reports

1. 2007 Citizen Attitude Survey

Mr. Nelson explained that Citizen Attitude Survey results are typically reviewed in depth during the first Budget Commission meeting each January.

Mr. Nelson noted that the Land Use Board of Appeals remand regarding the Whiteside Theater development proposal was included in the meeting packet. The January 22nd Council meeting will include a follow-up report from Community Development and the City Attorney's Office regarding analysis and options.

Mr. Nelson referenced from the meeting packet a letter from Amalgamated Transit Union International Vice President Heintzman inquiring as to the Council's intentions regarding the City's contract with Laidlaw's successor relative to a requirement that public transit negotiations be forwarded to binding arbitration, rather than a strike vote. Public Works, the City Attorney's Office, and Assistant City Manager Volmert will provide additional information to the Council.

2. Council Request Follow-up Report – January 3, 2008

Mr. Nelson reviewed issues addressed in the Report and provided additional information regarding the Cascade View Industrial Properties Federal earmark:

- 2002 – The program began with the Corvallis-Benton County Economic Development Partnership (EDP) working with South Corvallis property owners and the City to develop more economic diversification and resulting economic vitality.
- 2003-2004 – The City requested a Federal earmark for street and anticipated rail access for the Rivergreen Industrial site. The property evolved into Cascade View Industrial Properties. Five property owners, the City, and the EDP supported the Federal earmark of approximately $800,000.
- 2006 – To achieve economic diversification, a wetland delineation of the property was needed to determine property value. The delineation was delayed for various reasons.

- Current – Community discussions have addressed how $800,000 could assist economic diversification efforts for other industrial parks, such as Corvallis Municipal Airport Industrial Park and OSU Innovation Park.

Mr. Nelson said, barring Council direction otherwise, staff will continue anticipating receipt of the delineation report from the Cascade View property owners. Resulting land value should be known by April 1st. Staff will schedule for Urban Services Committee's April 10th meeting discussion, with the property owners, of 'next steps.' If the property owners are unable to present a single price or a range of prices for the property, staff will utilize the Committee meeting as an opportunity to discuss options to transfer the Federal earmark to another opportunity.

Councilor Brown requested the raw data from the Citizen Attitude Survey for his analysis.

Mr. Nelson clarified for Councilor Hamby that a State program allowed the State to provide wetland delineation for the Cascade View Industrial Properties, based upon pre-qualified contractors. The property owners hired CH2M Hill to conduct the delineation.

Councilor Daniels concurred with staff's proposal regarding the Cascade View Industrial Properties, noting that the City worked with the property owners toward achieving the community's economic diversification goals. Other properties could benefit from the Federal earmark.

Councilor Brauner noted that the Federal earmark was allocated specifically for the Cascade View Industrial Properties land. It may not be possible to transfer the funding to another property.

Councilor York added that changing the target property of a Federal earmark can be detrimental for future funding applications.

VIII. & IX. STANDING COMMITTEE REPORTS AND ORDINANCES, RESOLUTIONS, AND MOTIONS

A. Human Services Committee – December 18, 2007

1. Council Policy Review: CP 94-4.07, "City-Owned Art Objects on Private Property"

Councilor Beilstein reported that the Committee reviewed staff's suggested Policy amendments, including Council approval of acquisitions and the addition of language to comply with the Visual Artist Right Act of 1990, which ensures that the art creator retains some rights.

Councilors Beilstein and Brauner, respectively, moved and seconded to amend Council Policy CP 94-4.07, "City-Owned Art Objects on Public Property." The motion passed unanimously.

****

COUNCIL REQUESTS

FOLLOW-UP REPORT

JANUARY 3, 2008

****

1. Minor in Possession Legislation Change – Impacts on Police (Wershow)

House Bill 2147 – Youth Driving Privilege Denial for Alcohol: Expands the age range for courts to deny driving privileges for offenses involving alcohol from youths ages 13 through 17 years to youths ages 13 through 20 years.

House Bill HB 2148 – Class A Violation for Minor in Possession While Driving: Amends Oregon Revised Statutes 471.430 to make possession of alcohol while operating a motor vehicle a Class A violation for underage persons (under 21 years of age).

These Bills will have little or no enforcement impact. Under House Bill 2147, the Court will continue to be responsible for notification of Driver and Motor Vehicle Services Division (DMV) for offenses now impacting drivers ages 13 through 20 years; with House Bill 2148, Officers now will merely follow the bail schedule for a Class A violation, instead of a Class B violation.

2. Cascade View Industrial Properties Federal Earmark Update (Nelson)

Beginning in 2003, the City and Economic Development Partnership, in the interest of economic vitality, pursued Federal funding for transportation improvements into what were called Rivergreen Industrial Lands. The 2005 Federal Highway Bill provided for 25 percent (approximately $200,000) increments over the next four years (2006 through 2009) to fund access improvements. Congressman DeFazio championed the effort. A memorandum of understanding with the property owners was developed with a goal of wetland delineation and land sales price by Summer 2006. The project missed a delineation season, and Council did not object to a Spring 2007 delineation schedule.

The fieldwork delineation was completed in the Spring, but the formal report has been delayed and is not expected until mid-January 2008. (Jay Lorenz e-mail and background material attached.)

Following the delineation, the next step is determining a land sales price for all of the properties. Staff believes this should be accomplished by April 1, 2008. Unless directed otherwise, the issue will be placed on the Urban Services Committee agenda for April 10, 2008, to confirm land sales price and discuss next steps. Should the property owners be unable to meet the April 1st deadline, the Committee will be briefed on the steps involved with attempting to move the earmark to another project.

The purpose of this report is to update you on the status of the project and seek further direction.

Jon Nelson
City Manager

Nelson, Jon

From: Jay.Lorenz@ch2m.com
Sent: Thursday, December 20, 2007 12:08 PM
To: Nelson, Jon
Cc: lynnnord@msn.com
Subject: RE: <web>Web Request

Jon,

I need to explain our process to explain the delay in finalizing the report.

Our wetland delineation was conducted by a combination of field work and "desk top" mapping. The actual delineation or mapping of wetlands is being conducted in the office---"desk top".

We hired a contractor to provide topographic mapping with one foot contours. Contour mapping was conducted using LiDAR technology. Use of this technology is about one-half the cost of traditional ground survey.
For accurate topographic mapping the LiDAR needs to bounce signals off of the ground. Crops (ryegrass or ryegrass) obscures the ground. We had to wait until crops were harvested, providing good exposure to the ground. Our vendor conducted the aerial survey in the late summer after crops were harvested.

A lot of work goes into reducing and ground-truthing the LiDAR data. Our vendor provided the topographic survey to me only 3 weeks ago. We did extensive sampling of soils and hydrology in the spring of 2007. We are now in the process of relating breaks between wetland soils and wetland hydrology with topography. We then map the wetland boundaries in the office, following contours.

Due to scheduling with other high priority projects and holiday vacation schedules our staff will not be able to finalize the written report for several more weeks.

Please let me know if you need further explanation.

Jay

Jay R. Lorenz
CH2MHILL
2020 SW Fourth Ave.
Portland, OR 97201
503-235-5000 X4033 (office)
503-784-4748 (cell)
503-736-2000 (fax)
-----Original Message-----
From: Nelson, Jon [mailto:Jon.Nelson@ci.corvallis.or.us]
Sent: Thursday, December 20, 2007 10:48 AM
To: Lorenz, Jay/PDX
Subject: RE: <web>Web Request

Hi Jay,

I do need an explanation that can be shared with elected officials please.

The delineation work was originally targeted for 2006. City Council agreed with a staff recommendation allowing for the delineation to occur in 2007. The expectation was for field work in the Spring, report and topos completed by the summer, and land prices established soon thereafter.

So we need to know why the report is 9 months removed from the field work.

On the table is an $800,000 federal earmark secured by the City for street extension into this industrial site. There is sentiment in the community to attempt to move the earmark to another site because the owners have not met the extended time commitment. Hence the

detail I am asking for so the City Council has a complete picture.

Thank you.

Jon

-----Original Message-----
From: Mullens, Carrie On Behalf Of City Manager
Sent: Thursday, December 20, 2007 7:24 AM
To: Nelson, Jon
Subject: FW: <web>Web Request
Importance: Low

-----Original Message-----
From: Jay R. Lorenz [mailto:jlorenz@ch2m.com]
Sent: Wednesday, December 19, 2007 5:11 PM
To: City Manager
Subject: <web>Web Request
Importance: Low

This is an enquiry e-mail via %s from: Jay R. Lorenz (jlorenz@ch2m.com)

Jon,
This is a note to inform you of the status of the wetland delineation study for Cascade View Development, Venell Farms et al.

CH2MHILL has completed its field work and detailed topographic mapping of the subject property. The wetland delineation report writing is in progress. The wetland delineation report is expected to be completed shortly after the holidays--mid-January 2008.

Please do not hesitate to contact me if you have additional questions.

Jay

3. Cascade View Industrial Properties

Mr. Nelson reported that the City received a federal earmark of $840,000 via Representative DeFazio's office through an application filed by Public Works. The monies are to be distributed to the State of Oregon Department of Transportation over the next four years. Part of the Memorandum of Understanding (MOU) the City holds with the four property owners is that the monies will be used for infrastructure improvements to the industrial site, and that certain wetland delineation would be completed this year. The property owners were not able to accomplish the wetland delineation this year and are asking for an extension to complete the delineation in the spring of 2007. Staff is agreeable to carrying forward the criteria into next year. If the property owners are not able to complete the delineation next year, the City will bring the discussion back to committee with staff from Representative DeFazio's office to look for other resource needs.

Councilor Zimbrick said he supports moving the delineation forward into 2007 as long as the property owners understand the work must be accomplished in the spring of 2007.

Acting Mayor Griffiths added that if the delineation goes past the spring of 2007, the City may have difficulties keeping the monies or may be forced to apply the funds to another project.

4. City Manager's Report – July 2006

Councilors can contact Mr. Nelson if they have any questions or concerns about the report.

Mr. Nelson referred to a handout on Team Building and Goal Setting Services (Attachment B). The handout is consistent with recent Council discussions and includes contracting with Joseph Bailey to facilitate the sessions. Mr. Nelson reviewed the meeting dates and discussion topics.

In response to Councilor Gándara's inquiry, Mr. Nelson confirmed that the sessions with the new Councilors will capture current goals and major initiatives, including code enforcement, parks, and others.

VIII. & IX. STANDING COMMITTEE REPORTS AND ORDINANCES, RESOLUTIONS, AND MOTIONS

A. Human Services Committee – August 8, 2006

1. Social Services Policy Review

Mr. Nelson reported that the review of the Social Services Policy was postponed until after the needs assessment was completed. The Committee reviewed a process and time line for the policy review that includes the Committee sponsoring a meeting with social services providers to discuss policy; the definition of

RECEIVED

AUG 17 2006

CITY MANAGERS OFFICE

Jon

August 16, 2006

To: City Manager, Jon Nelson
From: Lynn Nordhausen
Re: Memorandum of Understanding
Cascade View Industrial Properties

Dear Jon:

This letter is to confirm that the property owners of CVIP intend to proceed with wetland delineations in the Spring of 2007. Subsequent evaluation of mitigation feasibility will allow for establishing development potential and land price. We regret that due to unfavorable conditions this work was not performed in the Spring of 2006 and that the objective of achieving "shovel ready" status slipped back a year. The property owners are aware that the Federal infrastructure investment is currently planned for calendar year 2008 and hope that the appropriation of those funds has not changed.

Sincerely,

Lynn Nordhausen

Lynn Nordhausen, representing CVIP
2773 SW Titleist Circle
Corvallis OR 97333
541-757-8106

MEMORANDUM*

JULY 25, 2005

TO: MAYOR AND CITY COUNCIL

FROM: JON S. NELSON, CITY MANAGER

SUBJECT: COUNCIL GOAL: PURSUE ECONOMIC VITALITY – SOUTH CORVALLIS INDUSTRIAL LANDS SHOVEL READY

Attached is a recently signed Memorandum of Understanding (MOU) between Economic Development Partnership, the City, and the Cascade View Industrial property owners.

The MOU captures the interests, challenges, opportunities, and timeline associated with this effort. We will keep you posted as the project components progress.

Attachment

2056

MEMORANDUM OF UNDERSTANDING

I. PARTIES

The parties to this Memorandum of Understanding are the Economic Development Partnership (EDP), City of Corvallis (City), and the owners of the property zoned General Industrial in South Corvallis known as Cascade View Industrial Properties. Cascade View Industrial Properties are owned and principally represented by Lynn Nordhausen, Caldwell South Farm, LLC; Don Herbert, Lor-Rene Acres, FLP; Elwell Krause; and Larry Venell, Venell Farms, Inc., and collectively referred to as the "Property Owners."

II. INTERESTS

The parties collectively support implementation actions that will make the Cascade View Industrial Properties shovel ready for economic development purposes. Property Owners are interested in a return on their land investment, and EDP and the City recognize the role the Cascade View Industrial Properties play in achieving Economic Vitality goals in the Corvallis 2020 Vision Statement.

III. CHALLENGES

The Cascade View Industrial Properties face significant challenges in making the property shovel ready including:

- Determining a land sales price when wetland delineation and mitigation, planning, and infrastructure costs are unknown,
- Impacts from wetlands,
- Annexation of property outside the present City limits,
- Transportation access including rail crossings and access to and from Highway 99W,
- Planned development zoning overlay requiring public review of any development plan, and
- Funding associated with developing the Lands, especially wetland delineation and infrastructure access.

IV. OPPORTUNITIES

The parties recognize that the challenges may be addressed by working together. To that end, the following immediate opportunities exist and require support from the parties:

- State of Oregon financial assistance in completing wetlands delineation,
- Establishing a land sales price which signals land availability, recognizing that land sales price may be updated at any time based upon market conditions,
- Federal funding (≈$800,000) towards infrastructure such as street, sidewalk, bike lane, signal controlled intersection, and a controlled railroad crossing,
- A comprehensive planned development (PD) overlay process using a refinement plan approach where a one-time public review process would establish development standards for future individual development projects, and
- Strategies for annexation of land outside the City limits.

The Property Owners recognize the State, Federal, and Local planning and infrastructure support significantly lower the development costs associated with the property, thus increasing profit margins. The EDP and City recognize the State, Federal, and Local planning and infrastructure support, and the availability of developable industrial land, positively impact Corvallis efforts towards economic vitality.

V. TIMELINE

The parties agree that accessing State funds for wetland delineation or performing this work without State assistance is the first step. The goal is to have wetland delineation completed by the Spring of 2006, so development feasibility and mitigation costs are known.

The parties agree that establishing a land sales price signals intent to develop. Property Owners will establish a land sales price by the Summer of 2006 after wetland mitigation, planning and infrastructure cost estimates are refined. Alternatively, Property Owners may communicate a land sales price range prior to the Summer of 2006 with the understanding that several factors (wetland mitigation, planning, infrastructure) may change the price as costs are refined.

The parties agreed that the City will track and be responsible for the Federal infrastructure investment currently planned for calendar year 2008. The parties agree that the planned development overlay refinement plan process is planned for Fiscal Year 2006-2007 (July 1, 2006 - June 30, 2007). The parties understand that State and Federal decisions may impact time frames.

VI. NATURE OF AGREEMENT

The parties recognize that this agreement is non-binding. As such, the Property Owners, individually or collectively, may choose to not participate in any State or Federal funding opportunity associated with wetlands or infrastructure, or in any local land use process designed to facilitate shovel ready status. EDP and the City, individually or collectively, may also choose to end their support of State or Federal funding requests, or facilitating the land use planned development overlay process, based upon actions of the Property Owners or higher prioritized economic development needs for the community.

VII. TERM

This Memorandum of Understanding may be terminated, individually or collectively, by the Property Owners, EDP, or City.

VIII. SIGNATURES

Don Herbert

Elwell Krause

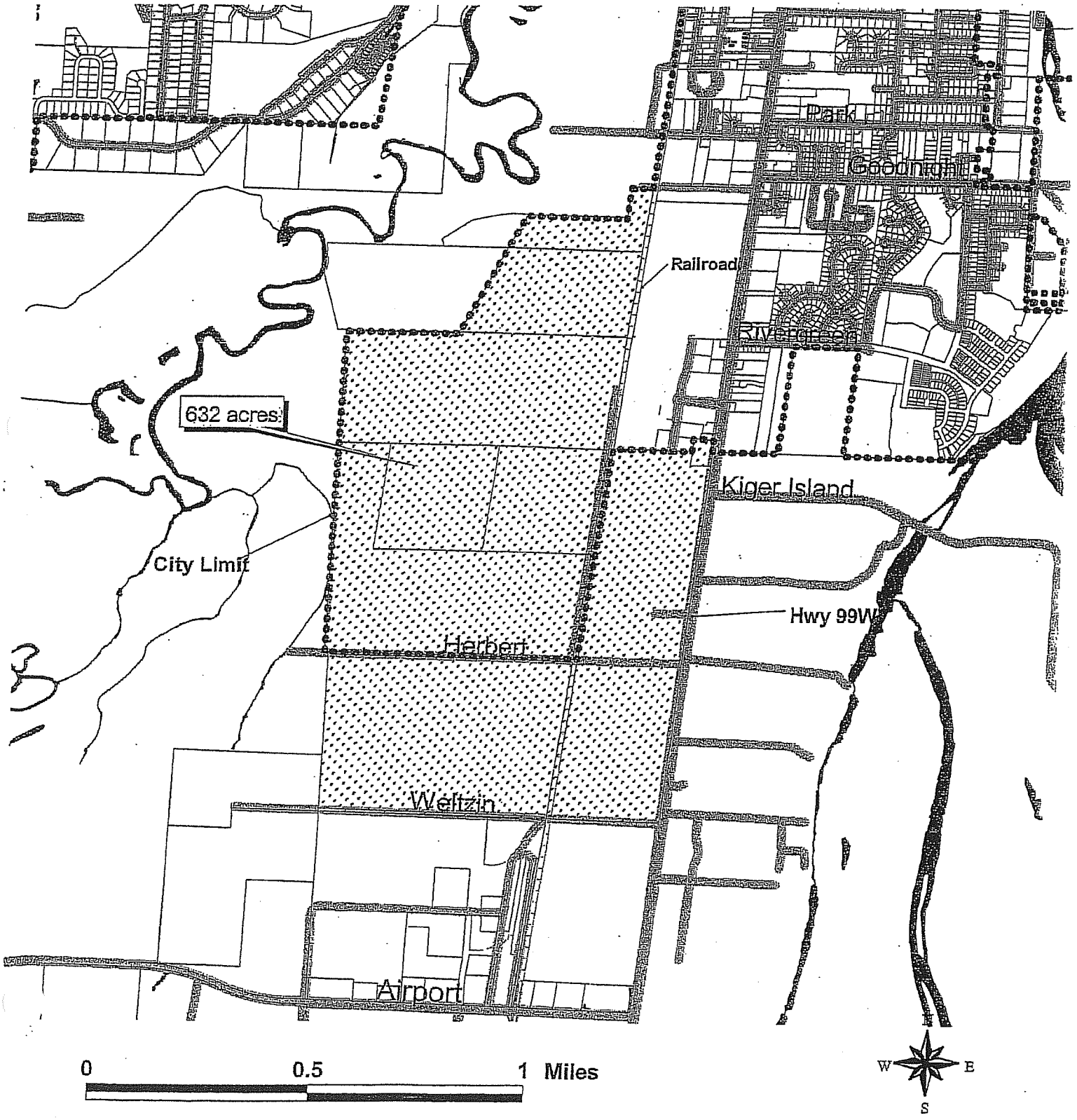
Lynn Nordhausen

Larry Venell

~~Rich Holdren~~, EDP
CHUCK CROWE, CHAIR

Jon S. Nelson, City of Corvallis

Cascade View Industrial Properties



2. Urban Renewal Plan update

Community Development Director Gibb reported that the Downtown Corvallis Strategic Planning Committee met at least twice since its last report to the Council and decided to not pursue an Urban Renewal District (URD) with the November 2008 election. The Committee determined that it would be better to refine the URD plan, including providing more specificity and identifying potential projects for the first few years of the URD program. The Committee expects to complete its work by June and submit a formal document to the Council during the Summer. The Planning Commission would conduct a public hearing this Summer, and the Council would take action this Fall. The plan might be ready for voter consideration during May 2009.

As Council Liaison to the Committee, Councilor Daniels reported that the Committee members are faced with the challenge of getting accurate, complicated, and technical information to the public. She encouraged everyone to contact Mr. Gibb regarding any groups that would like a presentation regarding the proposed URD.

3. Cascade View Industrial Properties

Mr. Nelson reported that the City received $800,000 in Federal "earmark" funding to extend infrastructure to properties known as Cascade View Industrial Properties (CVIP) in South Corvallis. The property owners were to have a wetland delineation completed and provide property valuation statements. The deadline for providing this information was extended until April 1st. The meeting packet includes extensive background information and a letter from the property owners outlining property values. He said he told the property owners' representative that he was disappointed with the information submitted to the City, as he expected to receive a wetland delineation report and an appraised value that took into consideration the wetland delineation and the fact that some of the property is outside the City Limits. His April 1st memorandum to the Council outlines the Council's three decision options.

Councilor Brauner concurred with Mr. Nelson's assessment of the material submitted. The wetland delineation is necessary to proceed with development of the property. The cited property values do not take into consideration the wetland delineation, so they may not be accurate. He would prefer referring the issue to Urban Services Committee for review and recommendation.

Councilor York concurred with Councilor Brauner. He was disappointed with the material submitted by the property owners and the lack of indication when a wetland delineation might be available. He concurred with Councilor Brauner's recommendation.

Councilor Grosch concurred with previous comments. He asked that the staff report to Urban Services Committee include indication of whether the Federal funds can be used in other ways, the alternative applications, and the potential impacts.

Councilor Wershow concurred with Councilor Grosch regarding the Council's need to know options regarding the Federal funding.

In response to Councilor Grosch's request, Mr. Nelson said the listing of property values for the various CVIP partners' properties constitutes the Comparable Market Analysis referenced in the property owners' March 31st letter.

VIII. & IX. STANDING COMMITTEE REPORTS AND ORDINANCES, RESOLUTIONS, AND MOTIONS

A. Human Services Committee – March 18, 2008

1. Anti-Smoking Ordinance

Councilor Wershow said the Committee received a report from Deputy City Attorney Brewer regarding the Oregon Indoor Clean Air Act, which will become effective January 1, 2009. He explained that the State was concerned about Corvallis' non-smoking regulations and requested that the local legislation be clarified to more closely match the State's regulations. The State law is more stringent in some respects and less stringent in other respects. The Committee discussed the options presented by Mr. Brewer and recommended that the City Attorney's Office draft an ordinance amending the Corvallis Municipal Code, repealing provisions regulated by the Oregon Indoor Clean Air Act and adding a provision allowing Corvallis to re-enact any provisions the State does not regulate in the future.

Mr. Fewel read an ordinance amending Corvallis Municipal Code Chapter 5.03, "Offenses," as amended, and stating an effective date.

Councilor Daniels summarized that City smoking regulations are duplicative of the Oregon Indoor Clean Air Act. The proposed ordinance would enforce the duplicative regulations under State guidelines. The State law would allow cigar bars under significant state regulations; the Corvallis law did not allow cigar bars.

Councilor Brauner added that the local legislation provisions not addressed in the State law would remain in effect. The City regulates tobacco retail sales and cigar bars differently from the State, and the State law will be followed. He was concerned that the State Legislature may reverse some of the Indoor Clean Air Act provisions, so he requested an ordinance provision allowing the City to automatically re-enact its previous provisions that were rescinded by the proposed ordinance.

Councilor York noted that the proposed ordinance would suspend enforcement of local regulations.

Councilor Brauner acknowledged that the proposed ordinance provisions were unusual in nature but would ensure that the City has enforceable legislation, should the State rescind portions of the new law.

MEMORANDUM

TO: Mayor and City Council

FROM: Steve Rogers, Public Works Director

DATE: May 8, 2008

SUBJECT: Corvallis Municipal Airport Facility Improvements, Project No. 658339

I. ISSUE

City Council's approval is required to accept a grant agreement between the U.S. Department of Transportation, Federal Aviation Administration (FAA) and the City for the Corvallis Municipal Airport Facility Improvements project.

II. BACKGROUND

This project is included in the adopted Capital Improvement Program for design this year with construction in FY 2008-09. Airport improvements include construction of aircraft ramp space on the west side of the main hangar, relocation of security fencing on the west side of the T-hangars and water line modifications.

The City submitted a project application to the FAA on May 2, 2008 requesting federal grant funding for this project. The amount of the grant application was $450,887 with a City match of $23,731. This fiscal year, the US Congress has only approved funding of Non-Primary Entitlement funds for each quarter. To date, Congress has approved approximately 75% ($334,379) of the grant for distribution by the FAA. Once bids are opened and the City can show the need for the remaining funding, the FAA will forwarded an amendment for execution after the remaining 25% is approved by Congress.

III. DISCUSSION

The FAA grant amount is sufficient to fund construction within the bid scope of work. The grant agreement provides approximately 95% reimbursement of qualified expenditures, with the remaining 5% from the Airport Fund.

IV. ACTION REQUESTED

Staff recommends City Council approval of this grant agreement, including adoption of a Resolution authorizing the City Manager to execute the agreement and any future amendments relating to this agreement.

Review and Concur:

Nancy Brewer, Finance Director Date

Jon S. Nelson, City Manager 5/9/08 Date

Jim Brewer, City Attorney 5/8/08 Date

Attachments

X:\Divisions\Engineering\Capital Planning&Projects\Projects\AIRPORT\07-08 Airport Ramp Fence 658339\Grant Related\FAA Grant Acceptance and resolution.wpd

U.S. Department
of Transportation
**Federal Aviation
Administration**

Federal Aviation Administration
Northwest Mountain Region

Seattle Airports District Office
1601 Lind Avenue, S.W., Suite 250
Renton, Washington 98057-3356

DRAFT

Mr. Daniel Mason
Airport Manager
Corvallis Municipal Airport
P.O. Box 1093
Corvallis, Oregon 97339

Dear Mr. Mason:

Grant Offer for
Corvallis Municipal Airport; Corvallis, Oregon
AIP Project Number 3-41-0014-013

Enclosed are two copies of the subject grant offer. Please note that:

a. The grant offer must be accepted by the sponsor on or before June __, 008.

b. The grant offer must be accepted by an official authorized by the governing agency to do so.

c. The "Certification of Sponsor's Attorney" relates to the acceptance and, therefore, must be made **after** the Sponsor's acceptance.

d. After execution is completed, please return an executed copy of the grant agreement to this office by mail.

All applicable project-related requirements pertaining to environmental analysis and approval for this grant have been met in accordance with the guidelines contained in FAA Order 5050.4B, Airport Environmental Handbook.

If you have any questions in regard to acceptance of the grant offer, please contact your project manager.

Sincerely,

Carol Key
Manager, Seattle Airports District Office

Enclosures

cc: Oregon Department of Aviation

Grant Agreement
Part 1 - Offer

Date of Offer:

Corvallis Municipal Airport
Corvallis, Oregon

Project Number: 3-41-0014-013

Contract Number:

To: City of Corvallis, Oregon(herein called the "Sponsor")

From: The United States of America (acting through the Federal Aviation Administration, herein called the "FAA")

WHEREAS, the Sponsor has submitted to the FAA a Project Application dated May 2, 2008, for a grant of Federal funds for a project at or associated with the Corvallis Municipal Airport which Project Application, as approved by the FAA, is hereby incorporated herein and made a part hereof; and

WHEREAS, the FAA has approved a project for the Airport (herein called the "Project") consisting of the following:

Construct west side apron, including revising as-built Airport Layout Plan (ALP);
Relocate/expand perimeter fence;

all as more particularly described in the Project Application.

'OW THEREFORE, pursuant to and for the purpose of carrying out the provisions of Title 49, United States ,ode, and in consideration of (a) the Sponsor's adoption and ratification of the representations and assurances contained in said Project Application and its acceptance of this Offer as hereinafter provided, and (b) the benefits to accrue to the United States and the public from the accomplishment of the Project and compliance with the assurances and conditions as herein provided, THE FEDERAL AVIATION ADMINISTRATION, FOR AND ON BEHALF OF THE UNITED STATES, HEREBY OFFERS AND AGREES to pay, as the United States share of the allowable costs incurred in accomplishing the Project, ninety-five (95) percentum of all allowable Project costs.

This Offer is made on and subject to the following terms and conditions:

Conditions

1. The maximum obligation of the United States payable under this Offer shall be $334,379.00. For the purposes of any future grant amendments which may increase the foregoing maximum obligation of the United States under the provisions of Section 47108(b) of the Act, the following amounts are being specified for this purpose:
   $ 0.00 for planning
   $334,379.00 for airport development or noise program implementation

2. The allowable costs of the project shall not include any costs determined by the FAA to be ineligible for consideration as to allowability under the provisions of the Act.

3. Payment of the United States' share of the allowable project costs will be made pursuant to and in accordance with the provisions of such regulations and procedures as the Secretary shall prescribe. Final determination of the United States' share will be based upon the final audit of the total amount of allowable project costs and settlement will be made for any upward or downward adjustments to the Federal share of costs.

4. The Sponsor shall carry out and complete the Project without undue delays and in accordance with the terms hereof, and such regulations and procedures as the Secretary shall prescribe, and agrees to comply with the assurances which were made part of the project application.

5. The FAA reserves the right to amend or withdraw this Offer at any time prior to its acceptance by the Sponsor.

6. This Offer shall expire and the United States shall not be obligated to pay any part of the costs of the project unless this Offer has been accepted by the Sponsor on or before _____, or such subsequent date as may be prescribed in writing by the FAA.

7. The Sponsor shall take all steps, including litigation if necessary, to recover Federal funds spent fraudulently, wastefully, or in violation of Federal antitrust statutes, or misused in any other manner in any project upon which Federal funds have been expended. For the purposes of this grant agreement the term "Federal funds" means funds however used or disbursed by the Sponsor that were originally paid pursuant to this or any other Federal grant agreement. It shall obtain the approval of the Secretary as to any determination of the amount of the Federal share of such funds. It shall return the recovered Federal share, including funds recovered by settlement, order, or judgment to the Secretary. It shall furnish upon request, all documents and records pertaining to the determination of the amount of the Federal share or to any settlement, litigation, negotiation, or other efforts taken to recover such funds. All settlements or other final positions of the Sponsor, in court or otherwise, involving the recovery of such Federal share shall be approved in advance by the Secretary.

8. The United States shall not be responsible or liable for damage to property or injury to persons which may arise from, or be incident to, compliance with this grant agreement.

9. Trafficking in persons:
   a. **Provisions applicable to a recipient that is a private entity.**
   1. You as the recipient, your employees, subrecipients under this award, and subrecipients' employees may not –

   i. Engage in severe forms of trafficking in persons during the period of time that the award is in effect;
   ii. Procure a commercial sex act during the period of time that the award is in effect; or
   iii. Use forced labor in the performance of the award or subawards under the award.

   2. We as the Federal awarding agency may unilaterally terminate this award, without penalty, if you or a subreceipient that is a private entity –

   i. Is determined to have violated a prohibition in paragraph a.1 of this award term; or
   ii. Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph a.1 of this award term through conduct that is either ---
   A. Associated with performance under this award; or

   B. Imputed to your or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, "OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)," as implemented by our agency at 49 CFR Part 29.

   b. **Provision applicable to a recipient other than a private entity.** We as the Federal awarding agency may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity –
      1. Is determined to have violated an applicable prohibition in paragraph a.1 of this award term; or

      2. Has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable prohibition in paragraph a.1 of this award term through conduct that is either –

      i. Associated with performance under this award; or
      ii. Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, "OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)," as implemented by our agency at *49 CFR Part 29.*

   c. **Provisions applicable to any recipient.**
      1. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in paragraph a.1 of this award term.

      2. Our right to terminate unilaterally that is described in paragraph a.2 or b of this section.

      i. Implements Section 106 (g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104 (g)), and
      ii. Is in addition to all other remedies for noncompliance that are available to us under this award.

3. You must include the requirements of paragraph a.1 of this award term in any subaward you make to a private entity.

d. **Definitions.** For purposes of this award term:

1. "Employee" means either:

i. An individual employed by you or a subrecipient who is engaged in the performance of the project or program under this award; or

ii. Another person engaged in the performance of the project or program under this award and not compensated by you including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.

2. "Forced labor" means labor obtained by any of the following methods: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

3. "Private entity":

i. Means any entity other than a State, local government, Indian tribe, or foreign public entity, as those terms are defined in 2 CFR 175.25.

ii. Includes:

A. A nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of Indian tribe at 2 CFR 175.25(b).

B. A for-profit organization.

4. "Severe forms of trafficking in persons," "commercial sex act," and "coercion" have the meanings given at section 103 of the TVPA, as amended (22 U.S.C. 7102).

Special Conditions

10. It is mutually understood and agreed that if, during the life of the project, the FAA determines that the maximum grant obligation of the United States exceeds the expected needs of the Sponsor the maximum obligation of the United States can be unilaterally reduced by letter from the FAA advising of the budget change. Conversely, if there is an overfund in the total actual eligible and allowable project costs, FAA may increase the maximum grant obligation of the United States to cover the amount of the overrun not to exceed the statutory percent limitation and will advise the sponsor by letter of the increase. It is further understood and agreed that if, during the life of the project, the FAA determines that a change in the grant description is advantageous and in the best interests of the United States, the change in grant description will be unilaterally amended by letter from the FAA. Upon issuance of the aforementioned letter, either the grant obligation of the united States is adjusted to the amount specified or the grant description is amended to the description specified.

11. The Sponsor agrees to perform the following:

a. Furnish a construction management program to FAA prior to the start of construction which shall detail the measures and procedures to be used to comply with the quality control provisions of the construction contract, including, but not limited to, all quality control provisions and tests required by the Federal specifications. The program shall include as a minimum:

1. The name of the person representing the Sponsor who has overall responsibility for contract administration for the project and the authority to take necessary actions to comply with the contract.

2. Names of testing laboratories and consulting engineer firms with quality control responsibilities on the project, together with a description of the services to be provided.

3. Procedures for determining that testing laboratories meet the requirements of the American Society of Testing and Materials standards on laboratory evaluation, referenced in the contract specifications (D 3666, C 1077).

4. Qualifications of engineering supervision and construction inspection personnel.

5. A listing of all tests required by the contract specifications, including the type and frequency of tests to be taken, the method of sampling, the applicable test standard, and the acceptance criteria or tolerances permitted for each type of test.

b. Submit at completion of the project, a final test and quality control report documenting the results of all tests performed, highlighting those tests that failed or did not meet the applicable test standard. The report shall include the pay reductions applied and reasons for accepting any out-of-tolerance material. An interim test and quality control report shall be submitted, if requested by the FAA.

c. Failure to provide a complete report as described in paragraph b, or failure to perform such tests, shall, absent any compelling justification, result in a reduction in Federal participation for costs incurred in connection with construction of the applicable pavement. Such reduction shall be at the discretion of the FAA and will be based on the type or types of required tests not performed or not documented and will be commensurate with the proportion of applicable pavement with respect to the total pavement constructed under the grant agreement.

d. The FAA, at its discretion, reserves the right to conduct independent tests and to reduce grant payments accordingly if such independent tests determine that sponsor test results are inaccurate.

12. Unless otherwise approved by the FAA, the Sponsor will not acquire or permit any contractor or subcontractor to acquire any steel or manufactured products produced outside the United States to be used for any project for airport development or noise compatibility for which funds are provided under this grant. The Sponsor will include in every contract a provision implementing this special condition.

The Sponsor's acceptance of this Offer and ratification and adoption of the Project Application incorporated herein shall be evidenced by execution of this instrument by the Sponsor, as hereinafter provided, and this Offer and Acceptance shall comprise a Grant Agreement, as provided by the Act constituting the contractual obligations and rights of the United States and the Sponsor with respect to the accomplishment of the Project and compliance with the assurances and conditions as provided herein. Such Grant Agreement shall become effective upon the Sponsor's acceptance of this Offer.

UNITED STATES OF AMERICA
FEDERAL AVIATION ADMINISTRATION

By. . . . . .
Carol Key, Manager, Seattle Airports District Office

Part II - Acceptance

The Sponsor does hereby ratify and adopt all assurances, statements, representations, warranties, covenants, and agreements contained in the Project Application and incorporated materials referred to in the foregoing Offer and does hereby accept this Offer and by such acceptance agrees to comply with all of the terms and conditions in this Offer and in the Project Application.

Executed this . . . . . day of . . . . . ., 2008.
City of Corvallis, Oregon

(SEAL)

By. . . . . .
Sponsor's Designated Official Representative
Title: . . . . . .

Attest: . . . . . .
Title:. . . . . .

CERTIFICATE OF SPONSOR'S ATTORNEY

I, ... , acting as Attorney for the Sponsor do hereby certify:

That in my opinion the Sponsor is empowered to enter into the foregoing Grant Agreement under the laws of the State of Oregon. Further, I have examined the foregoing Grant Agreement and the actions taken by said Sponsor and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said State and the Act. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Dated at . . . . . this . . . . . day of . . . . . ., 2008.

. . . . . .
Signature of Sponsor's Attorney

RESOLUTION 2008-_____

Minutes of the May19, 2008, Corvallis City Council meeting, continued.

A resolution submitted by Councilor _____.

WHEREAS, the City of Corvallis has been offered a grant from the Federal Aviation Administration in the amount of $334,379.00 for the purpose of constructing improvements associated with the Corvallis Municipal Airport; and

WHEREAS, the Airport Improvements and related grant have been included in the proposed FY 2008-09 budget; and

WHEREAS, the grant acceptance requires approval by the City Council;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CORVALLIS RESOLVES to accept the grant offered by the Federal Aviation Administration and authorizes the City Manager to execute the agreement accepting the grant and any future amendments relating to the agreement.

_____

Councilor

Upon motion duly made and seconded, the foregoing resolution was adopted and the Mayor thereupon declared said resolution to be adopted.

MEMORANDUM

TO: Mayor and City Council

FROM: Steve Rogers, Public Works Director

DATE: May 7, 2008

SUBJECT: 2008 Fund Exchange Agreement for Street Preservation Project on Highland Drive from Walnut Boulevard to City Limits

ISSUE

City Council authorization is needed to accept a grant from the Oregon Department of Transportation (ODOT) and allow the City Manager to execute the grant agreement and related amendments.

BACKGROUND

Highland Drive from Walnut Boulevard to the City limits, has been identified for Street Preservation and Maintenance Projects in the Corvallis Area Metropolitan Planning Organization Transportation Plan. The City section of Highland Drive from Walnut Boulevard to the City limits and the Benton County section between City limits to Lewisburg Road are scheduled for construction in FY 2008-09. The attached Fund Exchange Agreement was drafted by ODOT and is necessary to exchange federal dollars for state dollars under the Surface Transportation Program (STP).

FUNDING

ODOT has approved City funding through the STP Fund Exchange Program in the amount of $160,000 for Highland Drive from Walnut Boulevard to the City limits. An Agreement is necessary to exchange the total amount of $160,000 in STP federal dollars for $150,400 of state dollars. This funding exchange allows the project to be designed and constructed under state regulations rather than federal, which would add costs to the project.

STP project funding in the amount of $160,000 is anticipated in the FY 2008-09 budget as shown below:

	2008-09 Budget
STP Funds Exchange	$150,400
Street CR	$ 9,600
Total Budget	$160,000

RECOMMENDATION

Staff recommends City Council adopt the attached Resolution accepting the Fund Exchange Agreement with ODOT and authorize the City Manager to sign the grant agreement and related amendments.

Review and Concur:

Nancy Brewer, Finance Director — 5/8/08 Date

Jon S. Nelson, City Manager — 5/9/08 Date

SS/tf
Attachment

\\ci.corvallis.or.us\departments\PW\Divisions\Engineering\Capital Planning&Projects\Projects\TRAFFIC\ODOT\STPstaffmem08.wpd

Misc. Contracts & Agreements
No. 24,890

2008 FUND EXCHANGE AGREEMENT
Highland Drive: Walnut Boulevard – Corvallis City Limits
City of Corvallis

THIS AGREEMENT is made and entered into by and between the STATE OF OREGON, acting by and through its Department of Transportation, hereinafter referred to as "State"; and the CITY OF CORVALLIS, acting by and through its elected officials, hereinafter referred to as "Agency," hereinafter individually referred to as the "Party" and collectively referred to as the "Parties."

RECITALS

1. By the authority granted in Oregon Revised Statute (ORS) 190.110, 366.572 and 366.576, State may enter into cooperative agreements with counties, cities and units of local governments for the performance of work on certain types of improvement projects with the allocation of costs on terms and conditions mutually agreeable to the contracting parties.

NOW THEREFORE, the premises being in general as stated in the foregoing Recitals, it is agreed by and between the Parties hereto as follows:

TERMS OF AGREEMENT

1. Agency has submitted a completed and signed Part 1 of the Project Prospectus, or a similar document agreed to by State, outlining the schedule and costs associated with all phases of the Highland Drive: Walnut Boulevard – Corvallis City Limits, hereinafter referred to as "Project."

2. State has reviewed Agency's prospectus and considered Agency's request for the Fund Exchange. State has determined that Agency's Project is eligible for the exchange of funds.

3. To assist in funding the Project, Agency has requested State to exchange 2008 Surface Transportation Program (STP) Federal Funds, which have been allocated to Agency, for state funds based on the following ratio:

   $94 state for $100 federal

4. Based on this ratio, Agency wishes to trade $160,000 STP Federal Funds for $150,400 state funds.

5. The term of this Agreement will begin upon execution and will terminate on June 30, 2012 unless extended by an executed amendment.

6. The Parties agree that the exchange is subject to the following conditions:

   a. The federal funds transferred to State may be used by State at its discretion.

   b. State dollars transferred to Agency must be used for the Project. This Fund Exchange will provide funding for specific roadway projects and may also be used for the following maintenance purposes:

      i. Purchase or Production of Aggregate. Agency shall ensure the purchase or production of aggregate will be highway related and used exclusively for highway work.

      ii. Purchase of Equipment. Agency shall clearly describe how it plans to use said equipment on highways. Agency shall demonstrate that the equipment will only be used for highway purposes.

   c. State funds may be used for all phases of the Project, including preliminary engineering, right of way, utility relocations and construction. Said use shall be consistent with the Oregon Constitution and statutes (Section 3a of Article IX Oregon Constitution). Agency shall be responsible to account for expenditure of state funds.

   d. This Fund Exchange shall be on a reimbursement basis, with state funds limited to a maximum amount of $150,400. All costs incurred in excess of the Fund Exchange amount will be the sole responsibility of Agency.

   e. State certifies, at the time this Agreement is executed, that sufficient funds are available and authorized for expenditure to finance costs of this Agreement within State's current appropriation or limitation of the current biennial budget.

   f. Agency and any contractors shall perform the work as an independent contractor and will be exclusively responsible for all costs and expenses related to its employment of individuals to perform the work including, but not limited to, retirement contributions, workers compensation, unemployment taxes, and state and federal income tax withholdings.

g. Agency shall comply with all federal, state, and local laws, regulations, executive orders and ordinances applicable to the work under this Agreement, including, without limitation, the provisions of ORS 279C.505, 279C.515, 279C.520, 279C.530 and 279B.270 incorporated herein by reference and made a part hereof. Without limiting the generality of the foregoing, Agency expressly agrees to comply with (i) Title VI of Civil Rights Act of 1964; (ii) Title V and Section 504 of the Rehabilitation Act of 1973; (iii) the Americans with Disabilities Act of 1990 and ORS 659A.142; (iv) all regulations and administrative rules established pursuant to the foregoing laws; and (v) all other applicable requirements of federal and state civil rights and rehabilitation statutes, rules and regulations.

h. Agency, or its consultant, shall conduct the necessary preliminary engineering and design work required to produce final plans, specifications and cost estimates; purchase all necessary right of way in accordance with current state and federal laws and regulations; obtain all required permits; be responsible for all utility relocations; advertise for bid proposals; award all contracts; perform all construction engineering; and make all contractor payments required to complete the Project.

i. Agency shall submit invoices to State on a monthly basis, for actual costs incurred by Agency on behalf of the Project directly to State's Project Manager for review and approval. Such invoices will be in a form identifying the Project, the agreement number, the invoice number or account number or both, and will itemize all expenses for which reimbursement is claimed. Under no conditions shall State's obligations exceed $150,400, including all expenses. Travel expenses will not be reimbursed.

j. Agency shall, at its own expense, maintain and operate the Project upon completion at a minimum level that is consistent with normal depreciation and service demand.

k. All employers, including Agency, that employ subject workers in the State of Oregon shall comply with ORS 656.017 and provide the required Workers' Compensation coverage unless such employers are exempt under ORS 656.126. Agency shall ensure that each of its subcontractors complies with these requirements.

l. This Agreement may be terminated by either party upon thirty (30) days' notice, in writing and delivered by certified mail or in person.

1. State may terminate this Agreement effective upon delivery of written notice to Agency, or at such later date as may be established by State, under any of the following conditions:

   A. If Agency fails to provide services called for by this Agreement within the time specified herein or any extension thereof.

   B. If Agency fails to perform any of the other provisions of this Agreement, or so fails to pursue the work as to endanger performance of this Agreement in accordance with its terms, and after receipt of written notice from State fails to correct such failures within ten (10) days or such longer period as State may authorize.

2. Either Party may terminate this Agreement effective upon delivery of written notice to the other Party, or at such later date as may be established by the terminating Party, under any of the following conditions:

   A. If either Party fails to receive funding, appropriations, limitations or other expenditure authority sufficient to allow either Party, in the exercise of their reasonable administrative discretion, to continue to make payments for performance of this Agreement.

   B. If federal or state laws, regulations or guidelines are modified or interpreted in such a way that either the work under this Agreement is prohibited or either Party is prohibited from paying for such work from the planned funding source.

3. Any termination of this Agreement shall not prejudice any rights or obligations accrued to the Parties prior to termination.

m. State and Agency hereto agree that if any term or provision of this Agreement is declared by a court of competent jurisdiction to be invalid, unenforceable, illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected, and the rights and obligations of the Parties shall be construed and enforced as if the Agreement did not contain the particular term or provision held to be invalid.

7. Agency acknowledges and agrees that State, the Oregon Secretary of State's Office, the federal government, and their duly authorized representatives shall have access to the books, documents, papers, and

records of Agency which are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, and transcripts for a period of six (6) years after final payment. Copies of applicable records shall be made available upon request. Payment for costs of copies is reimbursable by State.

8. Agency certifies and represents that the individual(s) signing this Agreement has been authorized to enter into and execute this Agreement on behalf of Agency, under the direction or approval of its governing body, commission, board, officers, members or representatives, and to legally bind Agency.

9. This Agreement may be executed in several counterparts (facsimile or otherwise) all of which when taken together shall constitute one agreement binding on all Parties, notwithstanding that all Parties are not signatories to the same counterpart. Each copy of this Agreement so executed shall constitute an original.

10. This Agreement and attached exhibits constitute the entire agreement between the Parties on the subject matter hereof. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this Agreement. No waiver, consent, modification or change of terms of this Agreement shall bind either Party unless in writing and signed by both Parties and all necessary approvals have been obtained. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. The failure of State to enforce any provision of this Agreement shall not constitute a waiver by State of that or any other provision.

THE PARTIES, by execution of this Agreement, hereby acknowledge that each Party has read this Agreement, understands it, and agrees to be bound by its terms and conditions.

The funding for this Fund Exchange program was approved by the Oregon Transportation Commission on November 14, 2007, as a part of the 2008-2011 Statewide Transportation Improvement Program (STIP).

The Program and Funding Services Manager approved the Fund Exchange on March 29, 2008.

The Oregon Transportation Commission on June 18, 2003, approved Delegation Order No. 2, which authorizes the Director to approve and execute agreements for day-to-day operations. Day-to-day operations include those activities required to implement the

biennial budget approved by the Legislature, including activities to execute a project in the Statewide Transportation Improvement Program.

On August 2, 2005, the Director, Deputy Director, Highways and Chief Engineer approved Subdelegation Order No. 5, in which the Director, Deputy Director, Highways and Chief Engineer delegate authority to the Region Managers to approve and sign intergovernmental agreements over $75,000 up to a maximum of $500,000 when the work is related to a project included in the Statewide Transportation Improvement Program.

CITY OF CORVALLIS, by and through its designated officials

By _____

Date _____

By _____

Date _____

APPROVED AS TO LEGAL SUFFICIENCY

By _____
Counsel

Date 5/2/08

Agency Contact:
Som Sartnurak
Engineering Supervisor
City of Corvallis
PO Box 1083
Corvallis, Oregon 97339-1083

State Contact:
Michael Starnes
Region 2 Local Program Liaison
455 Airport Road SE, Bldg B
Salem, Oregon 97301-5395
Phone: (503) 986-6920
Email: Michael.S.Starnes@odot.state.or.us

STATE OF OREGON, by and through its Department of Transportation

By _____
Region 2 Manager

Date _____

APPROVAL RECOMMENDED

By _____
Region 2 Planning and Development Manager

Date _____

APPROVED AS TO LEGAL SUFFICIENCY
By_____
Assistant Attorney General

Date:_____

RESOLUTION 2008 - _____

Minutes of the May 19, 2008, Corvallis City Council Meeting, continued.

A resolution submitted by Councilor _____.

WHEREAS, the ORS 190.110, 366.572 and 366.576 allows the City Council to enter into a cooperative agreement with the State for performance of work on transportation improvement projects with allocation of costs according to terms and conditions mutually agreeable to the contracting parties; and

WHEREAS, the City of Corvallis has been allocated from the Oregon Department of Transportation through its Surface Transportation Program in the amount of $160,000 in Federal funds for the purpose of constructing improvements associated with the Street Presevation Project; and

WHEREAS, the City of Corvallis and State of Oregon mutually agree to enter into a Fund Exchange Agreement to exchange Federal funds in the amount of $160,000 for $150,400 in State funds to allow the project to be constructed under State regulations rather than Federal regulations; and

WHEREAS, the acceptance of an agreement requires approval by the City Council;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CORVALLIS RESOLVES to enter into a Fund Exchange Agreement with State of Oregon through the Oregon Department of Transportation and authorizes the City Manager to execute the agreement and any future amendments relating to the agreement.

_____
Councilor

Upon motion duly made and seconded, the foregoing resolution was adopted and the Mayor thereupon declared said resolution to be adopted.

From: Ken Gibb, Community Development Director

To: Mayor and City Council

Subject: Certified Local Government Grant for Historic Preservation Activities

Date: May 5, 2008

Issue

Each year the City of Corvallis applies for funding from the State Historic Preservation Office (SHPO) Certified Local Government grant program. This year the City was awarded $10,500 based on an equivalent match consisting of in-kind contributions (staff and volunteer time) and cash. As shown in more detail in the attached agreement, the grant will support a number of activities under four categories:

Administration	$1,296
Other Preservation Activities (Staff and HRC Training)	$2,827
Public Education	$1,006
Review and Compliance	$13,251
Total	$21,000

Requested Action

The Council is asked either to accept the grant award and enter into the attached agreement, or to decline the grant award. Staff recommends acceptance of the award.

Review and Concur

Jon S. Nelson
City Manager

Nancy Brewer
Finance Director

Enclosure: Copy of 2008 Grant Agreement and Cover letter

Oregon
Theodore R. Kulongoski, Governor

Parks and Recreation Department
State Historic Preservation Office
725 Summer St. NE, Suite C
Salem, OR 97301-1266
(503) 986-0707
FAX (503) 986-0793
www.hcd.state.or.us

Nature HISTORY Discovery

RECEIVED
MAY - 1 2008
Community Development
Planning Division

April 30, 2008

Robert Richardson
Corvallis
PO Box 1083
Corvallis, OR 97339

Dear Robert:

Congratulations! I am pleased to inform you that the City Of Corvallis application for a 2008 Certified Local Government Grant has been funded for the amount and purpose listed below.

Grant Amount:	**$10,500**
Start Date:	**7/1/2008**
End Date:	**9/30/2009**
Project Summary:	**Continued work on the Historic Preservation Work Plan, Public education, Commissioner training, Administration and design review.**
Heritage Grant #:	**OR-08-07**

Enclosed are two copies of the 2007 Grant Agreement to support your project. Please have the authorized signer sign both copies and return them. You will receive back a fully signed original for your files. The signed Agreement must be returned to our office within 30 days; if not returned in that period, it will be assumed that you are not accepting the grant award.

A "Grant Management Information Manual" is available online at http://www.oregon.gov/OPRD/HCD/SHPO/clg.shtml; it includes information and guidelines that must be followed as you adminster the grant. Please note that Agreement expenses may not be incurred until the signed contract is received.

I am looking forward to working with you. Please let me know if you have any questions, and, again, congratulations and best wishes for a successful project.

Sincerely,
Kimberly Dunn
Kimberly Dunn
Grants Coordinator
(503) 986-0670
Kimberly.Dunn@state.or.us

Grant Agreement

2008 Certified Local Government Grant (OR-08-07)

This Agreement is made and entered into on the date of final signature of this agreement by and between the State of Oregon, acting by and through Oregon Parks and Recreation Department, Heritage Programs, hereinafter referred to as the "State" and:

City of Corvallis
PO Box 1083
Corvallis, OR 97339-1083

hereinafter referred to as "Grant Recipient."

1. **GENERAL PURPOSE:** The general purpose of this agreement is: *to undertake the heritage-related project as detailed in Attachment A.*

2. **AGREEMENT PERIOD:** This agreement is for the period from **7/1/2008** to **9/30/2009** unless otherwise extended or terminated in accordance with the terms and conditions of this agreement.

3. **AGREEMENT COSTS:** STATE will pay GRANT RECIPIENT a maximum of **$10,500** for costs authorized by this agreement.

4. **ATTACHMENTS INCLUDED AS PART OF THIS AGREEMENT:**
   Attachment A: Scope of Work
   Attachment B: Standard Terms and Conditions

5. **SIGNATURES:**

IN WITNESS WHEREOF, the parties sign and cause this agreement to be executed.

GRANT RECIPIENT:

Signature, Authorized Representative — Date

Name and Title of Signer (Type or Print)

STATE:

Roger Roper, Assistant Director
OPRD Heritage Programs — Date

Attachment A -- Scope of Work

2008 Certified Local Government Grant

Grantee: **Corvallis**

Grant Amount: **$10,500** ***Match Amount:*** **$10,500**

The grant funds and matching local contributions will be used to accomplish the work items detailed in the Budget and Work Description sections that follow. OPRD Heritage Programs staff must approve any changes to this Scope of Work.

PROPOSED BUDGET

1	Administration		
	Employee, 20 hrs. @ $40/hr.	$800	
	Employee, 16 hrs. @ $31/hr.	$496	
	Total		$1,296
2	Other Preservation Activities		
	Training, travel	$291	
	Training, meals @ $37/day for 3 days	$1,221	
	Training, loding for 6 for 2 nights	$1,200	
	National Trust membership	$115	
	Total		$2,827
3	Public Education		
	Volunteers, 90 hrs. @ $11.18/hr.	$1,006	
	HP month plaques/certificates	$100	
	HP month keynote speaker	$500	
	HP month brochure printing and announcements	$100	
	HP month awards ceremony	$150	
	Historic Preservation month advertisements	$550	
	Employee, 20 hrs. @ $31/hr.	$620	
	Employee, 15 hrs. @ $40/hr.	$600	
	Total		$3,626
4	Review and Compliance		
	Staff, commission, notices, reports	$13,251	
	Total		$13,251
	Total Project Budget*		**$21,000**

**** Includes grant amount and local match. Note: This project may include overmatch of work activities and expenditures that exceed the requirements of this grant. The minimum match requirement is equal to the grant amount.***

WORK DESCRIPTION

1 · Administration $1,296

Products:

Monitoring, Progress Reports and Payment Requests.

Standards:

Project Standards:
· Allowable costs and services must be related to the administration of this grant: application/contract processing, project oversight, reimbursement requests, etc.

2 · Other Preservation Activities $2,827

Products:

Memberships, and training opportunities.

Standards:

Project Standards: Activities in this program area include any activity that is eligible for HPF assistance but that does not readily fall within one of the Program Areas described above, or involves Multiple Program Areas and the activity cannot reasonably be divided among the specific Program Areas. One example is HABS/HAER documentation projects.

3 · Public Education $3,626

Products:

Historic Preservation month activities - printing of additional walking tour brochures, preservation awards ceremony plaques, and a preservation speaker that is coordinated with Albany and Benton County.

Standards:

Project Standards:
· Prior to starting the public education project, the grant recipient must receive written approval from the SHPO on the final work plan.
· The grant recipient must follow appropriate procurement standards for these projects, including obtaining at least three bids for expenditures exceeding $500.
· Printed publications must include the following Statement of Equal Opportunity and Funding:

This publication has been funded with the assistance of a matching grant-in-aid from the Oregon State Historic Preservation Office and the National Park Service. Regulations of the U.S. Department of the Interior strictly prohibit unlawful discrimination on the basis of race, color, national origin, age or handicap. Any person who believes he or she has been discriminated against in any program, activity, or facility operated by a recipient of Federal assistance should write to: Office of Equal Opportunity, National Park Service, 1849 C Street, NW, Washington, D.C. 20240.

4 · Review and Compliance $13,251

Products:

Historic Preservation Advisory Board and City planning staff review of proposals for demolition, alterations, and new construction in two historic districts, and individual properties on the local and national registers of historic places.

Standards:

Project Standards:
· Eligible costs and activities include those related to local "design review" as well as to participation with the SHPO in state or federal compliance activities for properties within the local government's boundaries.
· Activities and products must be consistent with local, state, and federal preservation standards and guidelines, including the National Register bulletin "How to Apply the National Register Criteria for Evaluation" and the Secretary of the Interior's "Standards for Rehabilitation".
· The CLG must maintain records of cases it reviews and the decisions it make.

Attachment B
Standard Terms and Conditions – Historic Preservation Fund Grants

1. **Authority**: The National Historic Preservation Act of 1966 and Amendments, 16 U.S.C 470, authorizes the SHPO to provide grants to Certified Local Governments to carry out preservation projects authorized under the Act;
2. **Work Plan Approval:** Prior to commencing the project described in Attachment A, Grant Recipient shall receive approval on a final work plan from the State.
3. **Renegotiation or Modifications**: This agreement may be amended, modified, or supplemented only by written amendment to the agreement, executed by the same persons or by persons holding the same position as persons who signed the original agreement.
4. **Employment Practices Clause**: In carrying out its responsibilities under this agreement, the Grant Recipient shall not deny benefits to or discriminate against any person on the basis of race, color, creed, religion, national origin, sex, disability, or sexual preference, and shall comply with all requirements of federal and state civil rights statutes, rules and regulations including:
    - Title VI of the Civil Rights Act of 1964 (42 USC 200d et. seq.).
    - Section 504 of the Rehabilitation Act of 1973 (20 USC 794).
    - Title IX of the Education Amendments of 1972 (20 USC 1681 et. seq.).
    - Americans with Disabilities Act of 1990 (42 USC sections 12101 to 12213).
    - ORS 659.400 to 659.460 relating to civil rights of persons with disabilities.
5. **Statement of Support**: All publicity, visual or oral, and all publications for and related to this project shall be accompanied by the following statement: *"This project is supported in part by a grant from the Oregon State Historic Preservation Office, Oregon Parks and Recreation Department, funded by the National Park Service through the National Historic Preservation Act."* A sign to that effect, provided by the State, may be required on the project site as well.
6. **Reporting:** Grant Recipient shall submit written progress reports and a final report as described in the grants manual and on forms provided by State.
7. **Grant Payments:** Grant funds are awarded by State on a reimbursement basis. Reimbursement requests shall be in accordance with grant manual instructions and on forms provided by State.
8. **Records Administration**: Grant Recipient shall maintain, or supervise the maintenance of all records necessary to properly account for the payments made to the Grant Recipient for costs authorized by this contract. These records shall be retained by the Grant Recipient for at least four years after the contract terminates, or until all audits initiated within the four years, have been completed, whichever is later. The Grant Recipient agrees to allow State auditors, and State Agency Staff, access to all the records related to this contract, for audit and inspection, and monitoring of services. Such access will be during normal business hours, or by appointment.
9. **Tax Obligations**: Grant Recipient will be responsible for any federal or state taxes applicable to payments under this Agreement.
10. **Indemnity Clause**: Grant Recipient shall defend, save, and hold harmless the State of Oregon Parks and Recreation Department, its officers, agents, employees and members, from all claims, suits or actions of whatsoever nature resulting from or arising out of the activities of the Grant Recipient or its contractors, agents or employees under this Agreement.
11. **Laws and Regulations**: Grant Recipient agrees to comply with all state laws and regulations pertaining to this Agreement and the work to be carried out.
12. **Repayment**: In the event that Grant Recipient spends Cemetery Grant funds in any way prohibited by state or federal law, or for any purpose other than the completion of the project, Grant Recipient shall reimburse the OCHC for all such unlawfully or improperly expended funds.
13. **Termination**: This contract may be terminated by mutual consent of both parties, or by either party upon a 30-day notice in writing, delivered by certified mail or in person. On termination of this contract, all accounts and payments will be processed according to the financial arrangements set forth herein for approved services rendered to date of termination.
14. **Entire Agreement:** This Agreement constitutes the entire agreement between the parties. No waiver, consent, modification or change of terms of this agreement shall bind either party unless in writing and signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this agreement. Grant Recipient, by signature of its authorized representative on the agreement, acknowledges that the Grant Recipient has read this agreement, understands it, and agrees to be bound by its terms and conditions."

RESOLUTION 2008-___

Minutes of the _____, Corvallis City Council meeting, continued.

A Resolution submitted by Councilor _____.

WHEREAS, ORS 294-326 (2) allows City Council to accept grants after the Budget has been approved; and.

WHEREAS, the Community Development Department has been awarded a grant in the amount of $10,500.00 from the Oregon State Historic Preservation Office (SHPO) for support of on-going program work; and

WHEREAS, the grant acceptance requires approval by City Council;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CORVALLIS RESOLVES that the grant awarded by the Oregon State Historic Preservation Office be accepted; and

BE IT FURTHER RESOLVED that the City Manager is authorized to execute the agreement between SHPO and the City.

_____
Councilor

Upon motion duly made and seconded, the foregoing resolution was adopted and the Mayor thereupon declared said resolution to be adopted.

MEMORANDUM

From: Ken Gibb, Community Development Director

To: Mayor and City Council

Date: May 12, 2008

Re: Request to Initiate a Land Development Code Text Amendment

I. Issue

The Evanite Fiber Corporation (Evanite) has submitted a request for the City Council to initiate two Land Development Code Text Amendments affecting the Evanite campus within the Willamette River Greenway **(Attachment)**.

II. Background

The Land Development Code contains no specific provisions for an applicant to initiate a Text Amendment. Consequently, on January 22, 2008, the City Council reviewed a request submitted by Evanite to initiate a Land Development Code Text Amendment to *Chapter 3.30 - Willamette River Greenway (WRG) Overlay* for its property along the Willamette River, zoned MUT (Mixed Use Transitional). Evanite proposed to reduce the minimum building setback distance on the subject site from 100 feet to 32 feet. The City Council decided to initiate the Text Amendment request with the understanding that this action did not indicate support for the proposal prior to a full review of the request through processes outlined in the Land Development Code.

Concurrent with the Text Amendment request, Evanite submitted Comprehensive Plan Map and Zone Map Amendment applications, and a Conditional Development Permit application. Evanite has since withdrawn the Comprehensive Plan and Zone Map Amendment requests, and revised the Conditional Development Permit and Text Amendment requests. The revised proposal includes a Willamette River Greenway Conditional Development (to demolish nine buildings, reconstruct a pump house, and establish the location of a future multi-use trail), and two Land Development Code Text Amendments.

Evanite requests that the City Council initiate the LDC Text Amendments so that they may be considered separately but concurrently with the Conditional Development application. The proposed revised Amendments are:

1) Reduce the building setback within the WRG Overlay, for all non-industrial uses, from 100-feet from the top-of-bank to 32-feet from the top-of-bank. Setbacks and protections related to designated Natural Features / Hazards would continue to apply and industrial uses would continue to be subject to the current 100-foot setback from top-of-bank.

2) Introduce an exemption into LDC Section 3.30.30 that would exempt development that is 200-feet or more west of the Willamette River ordinary low-water-line from the need for WRG Conditional Development review process **(Attachment)**.

III. Requested Action

Staff request that the City Council initiate the two Land Development Code Text Amendments to *Chapter 3.30 - Willamette River Greenway (WRG) Overlay* as generally described above. Should the Council choose to do so, staff recommend the following motion:

Motion: **I move that the City Council initiate Land Development Code Text Amendments to *Chapter 3.30 - Willamette River Greenway (WRG) Overlay*. The initiation does not indicate support for the proposal prior to a full review of the requests through the processes established in the Land Development Code.**

Review and Concur:

Jon S. Nelson, City Manager

Scott Fewel, City Attorney

Attachment: Letter from David Dodson, Willamette Valley Planning, dated April 25, 2008, requesting LDC Text Amendment initiation on behalf of the Evanite Fiber Corporation.

WILLAMETTE VALLEY PLANNING

April 25, 2008

Corvallis Mayor and City Council
c/o Mr. Fred Towne
Planning Division Manager
Community Development Department
City of Corvallis
501 SW Madison Avenue
Covallis, Oregon 97330

Subject: Request to Consider Land Development Code Text Amendment – Willamette River Greenway Setback Standards

Dear Mayor and City Council:

The purpose of this letter is to request that the City Council consider two proposed Land Development Code Text Amendments pertaining to the current Willamette River Greenway (WRG) standards and their impacts on properties owned by Evanite Fiber Corporation and Cornerstone Associates, Incorporated. The amendments are described as follows.

First, Land Development Code (LDC) Section 3.30.50(f) and Table 3.30-1 set the minimum setback distances from the top-of-bank within the WRG. For the subject site, the setback is currently 100 feet. For all non-industrial uses permitted within the Mixed Use Transitional (MUT) zone, the applicant proposes to reduce this distance to 32 feet along portions of the site not affected by a Highly Protected Riparian Corridor. Industrial uses would continue to be subject to the current setback of 100-feet.

Second, the applicant proposes to introduce a new exemption to LDC Section 3.30.30 that would modify the manner in which the WRG boundary affects the subject site. This exemption would preclude the WRG Conditional Development Review process for all portions of the site 200 feet west of the ordinary low water line of the Willamette River, as delineated by a non-exempt boundary line, (see Exhibit N).

The request to introduce the proposed exemption is intended to refine the land use review process for the subject properties, consistent with the direction of the recently implemented 2006 revised Land Development Code. As of December 31, 2006, the subject properties are no longer zoned General Industrial (GI) and now carry the zoning designation of MUT. The MUT zone allows a broader range of uses than the GI zone, and is intended to foster the eventual transition from the historic industrial use of the site to a mixture of civic, commercial, and residential uses. The applicant contends that, in conjunction with the accompanying development standards, the uses permitted outright in the MUT zone do not represent the same use intensity as the GI zone, and, therefore, the overall compatibility of the potential development pattern no longer requires the entire site to be subject to a Willamette River Greenway Conditional Development review.

Consistent with that argument, the applicant also believes that the 100-foot setback from the top-of-bank along the Willamette River is a disproportionate standard given the stated intent of the MUT zone and the uses it allows. For example, all of the civic and commercial uses permitted outright in the MUT

311 S.W. Jefferson Avenue Corvallis, Oregon 97333 541-753-1987 davewvp@comcast.net

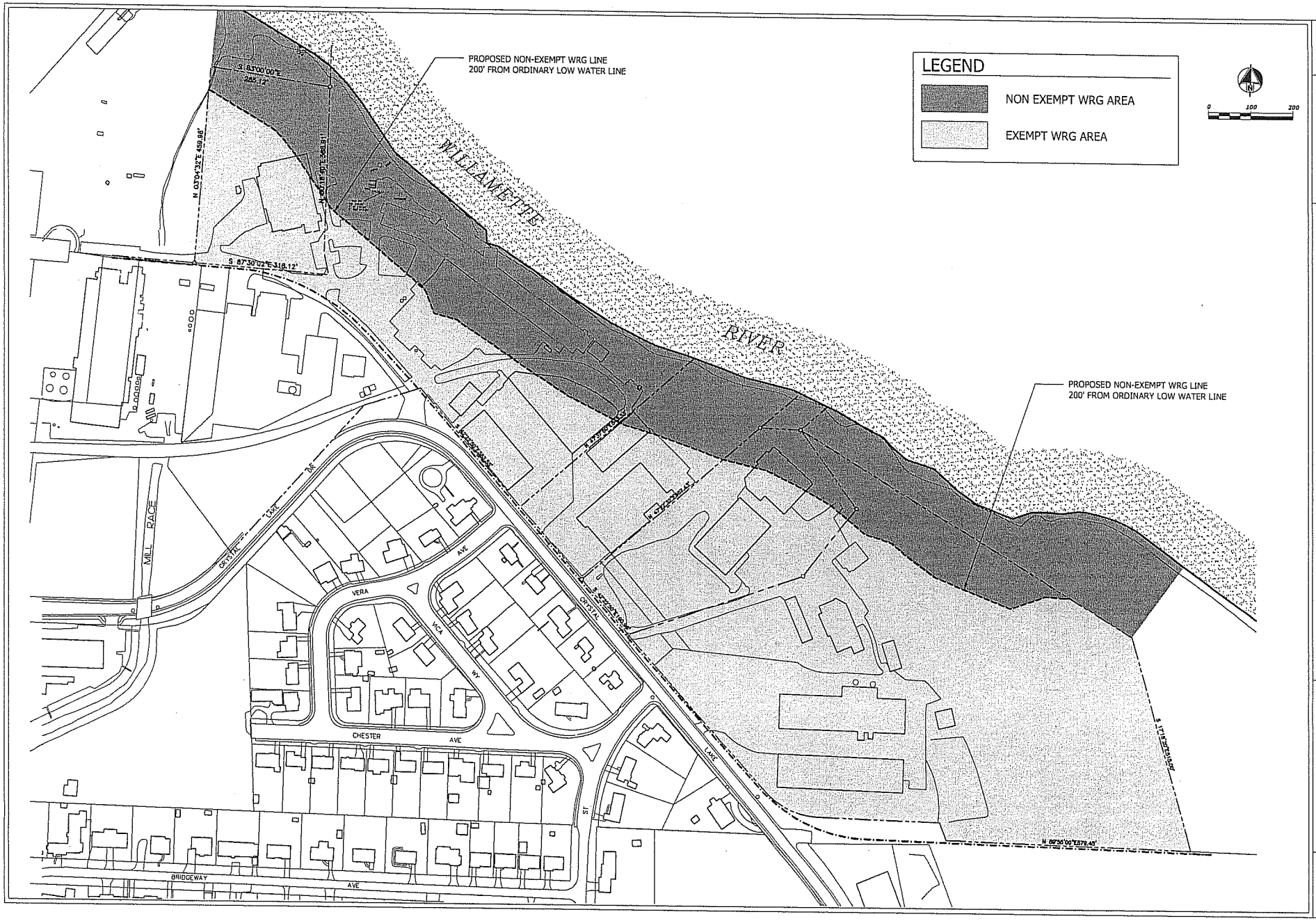
zone are also permitted outright in the Central Business, Central Business Fringe and Riverfront zones. Yet the top-of-bank setback required along portions of the WRG in these zones is a distance ranging between 15 and 50 feet, the average of which is approximately 32 feet.

Section 1.2.80.02 of the LDC requires that a Land Development Code Text Amendment be initiated by either the City Council or the Planning Commission. Pending a favorable resolution by either decision-making body, the applicant will submit a complete application for the subject request to demonstrate that the public necessity, convenience, and general welfare will be served through approval of the proposed Text Amendments.

Thank you for your consideration of this request.

Sincerely,

David J. Dodson, AICP
President



Exempt and Non Exempt WRG Area

Evanite Trail Plan

Designed: DD
Drafted: CR
Checked: DD
Date: March 11, 2008
Revision:

WILLAMETTE VALLEY PLANNING
350 N.W. POLK AVENUE
CORVALLIS, OR. 97330
541-753-1987

N

***** MEMORANDUM *****

May 12, 2008

TO: Jon Nelson, City Manager
Nancy Brewer, Finance Director

FROM: Roy Emery, Fire Chief

RE: Record Management System Budget Request

The fire department submitted a budget request for replacing our existing records management system (RMS) in February. Budget Commission voiced some concerns with regard to our estimate range, which was $50,000 to $250,000. Fire staff was directed to narrow this range if possible.

Staff has spent the intervening time investigating RMS systems available in the marketplace. Attached you will find a revised budget enhancement request. With your approval, we request this enhancement is brought forth during the Council budget hearing in early June.

Reviewed and concur:

Jon Nelson

Nancy Brewer

DEPARTMENT ENHANCEMENT REQUEST
FY 08-09

RECORDS MANAGEMENT SYSTEM (RMS)
Priority #1

Check one: xxx Increase to an Existing Service

Department/Divisions: **FIRE/ADMIN/FIRE RESCUE/EMS/PREVENTION/TRAINING**

This enhancement is a one time request for a system and ongoing cost related to maintenance.

Description of request: The Fire Department needs to replace its existing RMS. The current Fire RMS is a relatively simple Access database which was written by City staff members several years ago to meet a single need for data management. The database is no longer supported by MIS, and is prone to numerous errors which MIS has been unable to diagnose or correct. The current RMS is not compliant in three specific reporting areas which poses significant exposure to the City of Corvallis; non-compliance with National Fire Incidence Reporting System (NFIRS), National Emergency Medical Service Information System (NEMSIS), and Health Insurance Portability and Accountability Act (HIPAA). There is no security with-in the system; reports can continue to be modified after completion. The statutory requirements for records management require that the City keep fire reports for 10 years and Emergency Medical Service (EMS) reports for 27 years. Since the current system cannot lock the report the recommended "fix" was to print the report upon completion. This is a practice which contradicts the City's goals for sustainability. Other faults include: the "pick list" need refinement since it operates as a lengthy but complete list of all possibilities instead of progressive lists which allow the end user to refine data using several short lists; the ability to query the system for information is limited; the "AlarmDate" field is actually a Date/Time field which makes the system difficult to query, etc. Fire Department staff is hard pressed to maintain quality improvement practices because the system does not afford an effective means to query data and develop statistical trends on procedures/ conditions, etc. Finally, the existing RMS does not integrate with dispatch, scheduling, or billing software used by the Fire Department to capture the entire call, resulting in decreased efficiencies. Replacement of the Fire RMS is identified in the department's business plan.

Enhancement Financial Impact: The Fire Department conducted a Request for Information (RFI) process, receiving ten responses; different staff members are now viewing demonstrations of some of the software packages to allow development of a request for proposals to obtain formal pricing and implementation schedules. The RFI sought a system which handles fire and EMS response reports, personnel, prevention and training management functions. Purchasing an integrated suite ensures compatibility between the various sub-sections.

Based on the results of the RFI, it is clear that there are several software solutions that will better meet the needs of the Fire Department to meet national reporting standards, secure data, and implement efficiencies in operations. Staff estimates the cost of an RMS to be $200,000. This budget includes acquisition of the software, training and implementation assistance, annual maintenance costs, and approximately $50,000 to cover associated expenses such as acquisition of a dedicated server for the system, and costs to implement interfaces between varied applications currently in use (CAD (911), Telestaff (Staffing), and Ortivus (Ambulance Billing)).

Priority: The Fire Department ranks this number one since it has broad impacts on all functional areas of service delivery.

Council Goals: The Fire Department strives to maintain an efficient and sustainable workplace. Improving internal efficiency (billing and records management) would be a direct result of replacement of the existing RMS.

Customers Served: This enhancement would serve internal and external customers. It also brings the Fire Department into compliance with state and federal reporting and security requirements.

Performance Measures: If audited (HIPPA) the new system would not create the potential liability the existing system does. The Fire Department's ability to develop meaningful data for statistical reporting, quality improvement and assurance would be more accurate with an integrated RMS.

LWV Corvallis
PO Box 1679, Corvallis, OR 97339-1679
541-757-2276 • http://www.lwv.corvallis.or.us

May 19, 2008

The Honorable Charles Tomlinson, Mayor and
Members of the Corvallis City Council
501 SW Madison Ave
Corvallis, Oregon 97333

Subject: Removal of trees on 14th/15th Streets between Monroe and Jefferson Avenues

Dear Mayor and Members of the Council,

The League of Women Voters has a long-standing position regarding citizen participation and the citizen's right to know. It reads as follows:

"The League of Women Voters of the United States believes that democratic government depends upon informed and active participation at all levels of government. The League further believes that governmental bodies must protect the citizen's right to know by giving adequate notice of proposed actions, holding open meetings and making public records accessible."

The Board of the League of Women Voters of Corvallis is concerned that the City of Corvallis provided neither adequate notice nor an opportunity for public input regarding the removal of trees as part of a long-planned construction project on 14th/15th Streets between Monroe and Jefferson Avenues. Although there was more than ample time to notify the public of this proposed action and to conduct a public input process, citizens have learned of this planned tree removal just a few weeks before construction is to begin.

We urge you to delay this construction project and the associated tree removal until adequate public notification has been given, a thorough public input process has been conducted, and citizens' testimony has received the careful consideration that it deserves.

Sincerely,

Annette Mills

Annette Mills, Acting President
League of Women Voters of Corvallis

5-19-08
Could Bill York
Show w/ Mark

DRAFT 5.19.08

XYZ, Inc.
1 Place
Anywhere, Planet Earth

Dear XXX,

The City of Corvallis and Benton County have a deep sense of community and are committed to careful planning to enhance local wealth, resilience and competitiveness. We are proud of our natural and human assets and want to grow and attract businesses that encourage or demonstrate using resources in a manner that protects the environment while providing for a vigorous economy and meeting community needs now and in the future. Our Enterprise Zone tax abatements are a tool to grow and attract such businesses.

The attached tool will assist you in determining if your business fits these goals. To provide clarity and certainty we have included community values statements and a glossary of terms.

We hope that your goals are compatible with ours and will consider locating here.

We will probably have to flesh this out a little more. I suggest we use someone like Curtis Wright – for an appropriate marketing approach.

DRAFT 5.19.08

Enterprise Zone Tax Abatement Goals

Overarching goal: Businesses that encourage or demonstrate using resources in a manner that protects the environment while providing for a vigorous economy and meeting community needs now and in the future are desired.

New Businesses:

To receive a tax abatement for years 1-3 a business must fit into one of the categories in Section I and have (3) Yes's in Section II, III or IV. If a business does not fit into one of the categories in section I it must have (5) Yes's in Section I ,III or IV. The Year 4 and 5 optional tax credit would be awarded to those companies that have made progress over years 1-3 in meeting the goals listed below.

Existing or Start-up Business:

If a business already in the Enterprise Zone or a startup with no operational history does not meet the new business requirements to receive the tax abatement for years 1-3, it may submit a plan to move its organization toward becoming more sustainable based on items in the criteria. The plan will need approval and the business must report annually on its progress toward that plan. The Year 4 and 5 optional tax credit would be awarded to those companies that have made progress over years 1-3 in meeting the goals below.

Section I: Product / Services: Our company offers products or services that fit in the following business clusters, please check one that applies:

- _ Green Building: (e.g. businesses that provide products or services to the green building market - insulated concrete forms, non-toxic building products, consulting services that support green building, etc.)
- _ Energy: Alternative energy and/or efficiency (e.g. wind, wave, solar, hydro, biofuels, energy conservation services, software/hardware to reduce energy usage, etc)
- _ Local Food production and processing. (using sustainable agricultural practices to reduce chemicals, water and non-renewal energy)
- _ Green technology: (manufacturing processes that create no hazardous substances while reducing resource use - computerized controls that reduce resource use, such as for wood processing, soil remediation, environmental sensors).
- _ Recycled and/or Replacement Products: (e.g. flower pots made from waste paper pulp, plastic lumber, twine made from recycled plastics).
- _ Sustainable Forest and Wood Products
- _ Other sustainable business cluster_____

Section II: Business Practices: Our company focuses on protecting resources and meeting community needs while enhancing the economy. (Check all those that apply)

- _ We train our personnel to meet these goals in all business aspects.
- _ These goals are integrated into our business planning.
- _ We track our business performance with a sustainability management system. Please Identify (_____).
- _ We measure energy use and waste per unit of production
- _ Other sustainable business practices _____

Section III: Operations (Check all those that apply)

Design

Our company:

- _ Redesigns products so that they meet enterprise zone goals.
- _ Conduct Life Cycle Analyses on our product(s)/ services

_ Has reduced our product packaging by at least 20%
_ Encouraged and engaged suppliers to redesign their products and services to meet enterprise zone goals.
_ Other sustainable design practices: _____

Operations

Our company:

_ Is locally owned.
_ Routinely conducts process or facilities energy audits
_ Has reduced energy 10% per unit of production. (e.g. watts/widget)
_ Has reduced green house gases to 1990 levels
_ Routinely/Periodically conducts resource efficiency audits to reduce waste and raw materials
_ Routinely/Periodically conducts efficiency audits for water usage
_ Routinely/Periodically conducts employee satisfaction surveys with an action and implementation plan that follows.
_ Has completed a chemical inventory that ranks toxic and hazardous materials and developed a plan to eliminate all persistent bio toxins (PBT's)
_ Takes responsibly for our product at end of its useful life (e.g. takes back a computer to dissemble, recycle and or reuse components for a new product).
_ Other sustainable operational strategies:_____

Section IV: Facilities

Our company

_ Our company intends to build to LEED (Leadership in Energy and Environmental Design) U.S. Green Building Standards or other "green" building standards.
_ Our company's existing facilities can/will be retrofitted to LEED or LEED Existing Building standards or equivalent?

Defining terms:

Sustainability/sustainable:
1. Reduce and ultimately eliminate dependence on fossil fuels and wasteful use of scarce metals and minerals. Use renewable resources whenever possible.
2. Reduce and ultimately eliminate dependence on persistent chemicals harmful to human health and the environment; and wasteful use of synthetic substances. Use biologically safe products whenever possible.
3. Reduce and ultimately eliminate encroachment upon natural ecosystems (e.g., land, water, wildlife, forests, soil,). Protect natural ecosystems.
4. Support capacity of people to meet their basic needs fairly and efficiently.

Enterprise Zone: A defined geographical area where a business can locate to obtain a 3-5 year tax abatement. The business must meet a minimum number of enterprise zone criteria to be awarded the tax abatement

Tax abatement: Upon meeting the Enterprise Zone goals and approval by the EZ manager, a business will not be required to pay property taxes on new investments for the specified duration.

Green building: the practice of increasing the efficiency with which buildings use resources — energy, water, and materials — while reducing building impacts on human health and the environment, through better siting, design, construction, operation, maintenance, and removal — the complete building life cycle.

Green technology: Green technology (abbreviated as **GreenTech**) or **clean technology** (abbreviated as **CleanTech**) is the application of the environmental sciences to conserve the natural environment and resources, and to curb the negative impacts of human involvement. Sustainable development is the core of *environmental technologies*. When applying *sustainable development* as a solution for *environmental issues*, the solutions need to be socially equitable, economically viable, and environmentally sound.

Recycled/replacement products: the use of manufacturing waste and/or post consumer waste to create new consumer or industrial products. Products that provide the same function and form but are manufactured from different materials.

Sustainability Management System: (SMS, ISO 14001) ISO 14001 is the international specification for an environmental management system (EMS). It specifies requirements for establishing an environmental policy, determining environmental aspects and impacts of products/activities/services, planning environmental objectives and measurable targets, implementation and operation of programs to meet objectives and targets, checking and corrective action, and management review. A Sustainability Management System integrates sustainability into an EMS such as ISO 14001

Persistent Bio Toxins (PBT): chemicals that are toxic, persist in the environment and bioaccumulate in food chains and, thus, pose risks to human health and ecosystems.

LEED, The Leadership in Energy and Environmental Design (LEED) Green Building Rating System, developed by the U.S. Green Building Council (USGBC), provides a suite of standards for environmentally sustainable construction.

Community Values

I. Corvallis Sustainability Coalition – Guiding Principles

1. Reduce and ultimately eliminate dependence on fossil fuels and wasteful use of scarce metals and minerals. Use renewable resources whenever possible.
2. Reduce and ultimately eliminate dependence on persistent chemicals harmful to human health and the environment; and wasteful use of synthetic substances. Use biologically safe products whenever possible.
3. Reduce and ultimately eliminate encroachment upon natural ecosystems (e.g., land, water, wildlife, forests, soil,). Protect natural ecosystems.
4. Support capacity of people to meet their basic needs fairly and efficiently.

II. Benton County Sustainability Policy: See attached resolution

III. City of Corvallis Sustainability Policy: See attached policy

BENTON COUNTY, OREGON
ADMINISTRATIVE POLICIES MANUAL
ADMINISTRATIVE POLICY NO. 02-01

TITLE: **Benton County Sustainability Policy**

SECTION: **Organizational**

DATE ADOPTED BY BOARD: 6/18/02 **SUPERCEDES:** N/A

SIGNATURE OF BOARD CHAIR: _____

1.0 Purpose

A number of steps are needed to achieve a sustainable future and will require the participation of all residents. Benton County government, as an initial effort under this resolution, shall focus on improving its internal operations as a step toward meeting this goal.

Benton County adopts the following definitions, goals and guidelines to promote sustainability.

2.0 Definition of Sustainability:

Benton County government must simultaneously meet environmental, economic, and community needs throughout our county. We must use, develop and protect our resources at a rate and in a manner that enables people to meet their current needs and also preserve resources for future generations.

3.0 Goals:

a. Increase the economic prosperity and well being of all Benton County communities.

b. Increase the efficiency with which land, energy, water and other natural resources are used.

c. Reduce releases to air, water and land of substances harmful to human health.

d. Reduce adverse impacts on natural habitats and species.

4.0 Guidelines:

As Benton County works toward sustainability, the county shall:

a. Develop incentive-based mechanisms as possible alternatives to regulatory approaches;

b. Understand the full costs and benefits of actions to ensure that decisions are fully informed;

c. Measure resource use, environmental health, and costs to determine progress;

d. Establish clear, measurable goals to guide county efforts toward sustainability;

e. Employ the knowledge, expertise and creativity of county employees and residents to develop solutions;

f. Build upon existing private and public efforts throughout the county, region and state to ensure cooperative and efficient results;

g. Integrate strategies to enhance the effectiveness of new and existing efforts;

h. Collaborate and cooperate to remove barriers and find solutions; and

i. Emphasize on-going learning and adaptive management as techniques to continually inform and improve the process.

5.0 Summary:

All county agencies and employees will take actions to promote sustainable practices within county government. As an initial step, all departments shall focus on internal government operations. We will:

a. Adopt Sustainability Practices within Department Operations to Reduce Waste

b. Create a Sustainable Work Group

c. Assess Options for Sustainability Indicators and Targets

d. Conduct Business, Community and Public Outreach

e. Identify Further Efforts

CITY OF CORVALLIS

COUNCIL POLICY MANUAL

POLICY AREA 1 - GENERAL

CP 04-1.08 **Sustainability**

Adopted May 17, 2004
Affirmed October 17, 2005
Revised December 4, 2006

1.08.010 Purpose

The City recognizes its responsibility to
- protect the quality of the air, water, land and other natural resources, and to conserve these resources in its daily operations;
- minimize organizational impacts on local and worldwide ecosystems;
- use financial resources efficiently and purchase products that are durable, reusable, non-toxic and/or made of recycled materials; and
- treat employees in a fair and respectful manner, providing an inclusive work environment and helping staff develop their full potential.

The City Council has demonstrated its concern for a sustainable community through the Corvallis 2020 Vision Statement . The purpose of this policy is to ensure City departments develop practices that achieve a more sustainable workplace through plans and programs that promote a balance of environmental values with economic and social equity values in the expenditure of public funds. The City Council, in its leadership position, sets an example by adopting sustainable business practices in its activities and providing the resources necessary to allow the organization to be successful in its sustainability efforts.

1.08.020 Definitions

1.08.021 Sustainability means using natural, financial and human resources in a responsible manner that meets existing needs without compromising the ability of future generations to meet their own needs.

1.08.022 Life-cycle cost analysis examines the full life of a product and its impact on the environment including the resources used to acquire the raw material and to manufacture, process, transport and install the material; the accrued life-time maintenance costs; and the final disposal (including recycle or reuse) of the product .

1.08.023 'Triple bottom line' is a framework for measuring and reporting organizational performance against economic, social and environmental parameters. The term is used to capture the set of values, issues and processes that organizations must address to minimize harm and create economic, social and environmental value.

1.08.024 Greenhouse gas emissions include carbon dioxide, methane, nitrous oxide and fluorocarbon gases. These gases are released into the atmosphere through manufacturing, agricultural and industrial processes that commonly burn fossil fuels, solid waste or wood products. Motor vehicles also release large amounts of carbon dioxide into the atmosphere.

1.08.025 Backcasting is a process where a future desirable state or sustainable endpoint is determined and a strategy is set to achieve that future state through intermediate steps, usually at 1-, 5- and 10-year milestones. These intermediate objectives are then incorporated into the organization's planning efforts.

1.08.026 Employer of choice is an organization recognized for its leadership, culture, and best practices that attract, optimize, and hold top talent, achieving organization objectives.

1.08.030 Policy

The City uses a triple-bottom-line framework to enhance sustainability in all aspects of the organization's activities . City departments, through changes in daily operations, ongoing programs and long-range planning are able to simultaneously have a significant positive impact on the environment, the economic efficiency of municipal government and the social character of the workplace. Departments promote actions which are environmentally and socially beneficial while also being economically intelligent, and endeavor to assure that future generations have the resources needed to sustainably maintain healthy and productive societies. The City strives to make sufficient gains in enhancing its own sustainability practices to begin providing community-wide sustainability leadership in 2009.

1.08.040 Organizational Objectives

1.08.041 Encourage and develop connections between environmental quality, economic vitality and social equity. Promote organizational activities that reduce adverse effects on ecology and the natural resource capital base and support employment opportunities for all segments of the community.

1.08.042 Include long-term and cumulative impacts in decision making and ensure commitment to equity so economic impacts and the costs of protecting the environment do not unfairly burden any one geographic or socioeconomic sector of the city.

1.08.043 Use City resources efficiently and reduce demand for natural resources, such as energy, land, and water, as a first alternative to expanding supply.

1.08.044 Prevent additional pollution through planned, proactive measures rather than only corrective action, and focus on solutions rather than symptoms.

1.08.045 Act locally to reduce adverse global impacts of rapid growth of population and consumption, such as ozone depletion and global warming.

1.08.046 Attract and retain the best fit employee for each position and for the organization as a whole, and commit to staff's continued growth and learning, development of new skills and willingness to take on new challenges.

1.08.047 Increase diversity and diversity awareness in the workforce, and provide a positive, respectful work environment, with open and honest communications.

1.08.048 Be a model of sustainable operations for other public and private organizations, and support and implement innovative programs that maintain and promote Corvallis' leadership as a sustainable city.

1.08.050 Triple-Bottom-Line Framework

To the extent possible, sustainable initiatives will meet more than one of the triple-bottom-line components. For each component, a backcasting chart will be created to guide the organization's efforts (see Addendum). Goals will be reviewed and refined at least annually to reflect accomplishments of the organization and industry innovations in sustainable technologies.

1.08.051 Environmental sustainability

The City values actions that are beneficial for the environment and the natural resource capital base as well as for the health and safety of employees and the public, and that go beyond regulatory compliance to minimize the City's environmental impacts.

The organization seeks to enhance environmental sustainability through practices that promote clean air and water and reduce:

- solid and hazardous waste;
- use of toxins;
- emissions of greenhouse gases and other pollutants; and
- consumption of energy, water and natural resources.

Decisions take into consideration protection of open space, habitat protection and restoration, and preservation of natural biodiversity.

1.08.052 Economic sustainability

The City values wise use of public funds and considers the full cost implications of its efforts, including short and long-term purchase, operation and disposal costs, known as life-cycle costs.

The organization seeks to enhance economic sustainability through purchasing parameters and guidelines that ensure an analysis of sustainably preferable options occurs with each purchase. Decisions take into consideration the time frame within which any incremental initial costs will be paid back from the savings achieved by environmental or social investments and the need to maintain a fiscally healthy financial situation to ensure continued services to the community.

1.08.053 Social sustainability

The City values an open and friendly organization that is free from bigotry and intimidation, and exercises policies and programs that make it an employer of choice. The services provided to citizens does not burden or unfairly impact any one sector of the community.

The organization seeks to enhance social sustainability through a respectful work environment and a philosophy for staff of:

- equity in opportunity, recognition and reward;
- engagement in the workplace and organizational goals;
- lifelong learning and adaptability to change; and
- overall physical, emotional and financial health, fostered through a positive work/life balance.

1.08.060 Implementation

1.08.061 An organizational steering committee is established to adopt and implement sustainable strategies and practices in the departments. The committee creates goals, develops metrics, prioritizes projects, investigates new technologies, and measures success.

1.08.062 The City Manager promotes the objectives of the policy, adopts and implements sustainable strategies and practices in the departments, documents department progress towards sustainable development on an ongoing basis, and prepares an annual report on progress achieved, as well as objectives to achieve before the next annual review.

1.08.063 Departments inform, educate, encourage, and hold employees accountable for actively participating in programs and policies promoting sustainability; providing the organization with an opportunity to become a community leader.

1.08.064 Staff seeks to continually improve best management practices to make them more sustainable in each of the triple-bottom-line categories.

1.08.070 Review and Update

This policy shall be reviewed annually in October by the Public Works Department and updated as necessary.