



**CORVALLIS
CITY COUNCIL AGENDA**

**April 6, 2009
12:00 pm and 7:00 pm**

(Planning Commission Interviews at 4:00 pm)

**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 – March 16, 2009
 - 2. For Information and Filing (Draft minutes may return if changes are made by the Board or Commission)
 - a. Planning Commission – January 21 and February 4, 2009
 - b. Watershed Management Advisory Commission – February 18, 2009
- B. Announcement of appointment to Committee for Citizen Involvement (Folts)
- C. Confirmation of appointment to Committee for Citizen Involvement (Gomez)
- D. Approval of an application for a "Limited On-Premises Sales" liquor license for Elizabeth Van Duyn and John Rislov, Van Duyn-Rislov, LLC, dba The Vibe, 134 SW Fourth Street (New Outlet)
- E. Authorization to enter into and for the City Manager to sign an Intergovernmental Agreement with Monroe Rural Fire Protection District for facilities use
- F. Authorization to enter into and for the City Manager to sign an Intergovernmental Agreement with Corvallis School District 509J for Crescent Valley area transit operations

- G. Authorization to proceed with application for an Edward Byrne Memorial Justice Assistance Grant
- H. 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. Community Sustainability Action Plan discussion
- B. City Legislative Committee – March 25, 2009
- C. Potential homeless shelter locations (evening meeting)
ACTION: A resolution transferring appropriations within the General Fund from Contingencies to Non-Departmental to further address homelessness, to be read by the City Attorney

V. MAYOR, COUNCIL, AND STAFF REPORTS

- A. Mayor's Reports
 - 1. Proclamation of Arbor Month – April 2009
 - 2. Tree City USA and Growth awards presentation
 - 3. Proclamation of Fair Housing Month – April 2009
 - 4. Proclamation of National Library Week – April 12-18, 2009
 - 5. Appointments to Economic Development Allocations Subcommittee
- B. Council Reports
 - 1. Process for City Attorney contract review
- C. Staff Reports
 - 1. Council Request Follow-up Report – April 2, 2009
 - 2. Council agenda format changes (to be presented at meeting)
 - 3. Council direction on reconsideration of sidewalk café decision
 - 4. Planning Commission and Historic Resources Commission vacancies and proposed interview schedules

VI. VISITORS' PROPOSITIONS – 7:00 pm *(Note that Visitors' Propositions will continue following any scheduled public hearings, if necessary and if any are scheduled)*

- A. Uzhgorod Delegation

VII. PUBLIC HEARINGS – None.

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

- A. Human Services Committee – March 17, 2009
1. Public Art Selection Commission Annual Report
 2. Corvallis Arts Center Annual Report
 3. Indoor Furniture Placed Outdoors
 4. Council Policy Review: CP 97-4.09, "Guidelines for Free Use of Park Facilities"
- B. Administrative Services Committee – March 18, 2009
1. Downtown Corvallis Association Upper Floor Loan Program Guidelines Change Request
 2. Allied Waste Services Proposed Rate Increase Options
 3. Second Quarter Operating Report
 4. Council Policy Review: CP 10.01 through 10.08, "Financial Policies"
- C. Urban Services Committee – March 19, 2009
1. Wastewater Reclamation Plant Total Maximum Daily Load Alternatives
- D. Other Related Matters
1. *A resolution transferring appropriations in the Community Development Revolving Loan Fund to repay monies used to stabilize the City's Housing Assistance Loan Programs (\$150,000), to be read by the City Attorney*
 2. *A resolution accepting the Oregon Department of Transportation Local Agency Certification Program Agreement for the American Recovery and Reinvestment Act funded projects and authorizing the City Manager to sign the agreement and future amendments, to be read by the City Attorney*
 3. *A resolution accepting and appropriating federal stimulus highway funds (\$483,000) for construction of local transportation projects, to be read by the City Attorney*

X. NEW BUSINESS

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

APRIL 6 - 18, 2009

MONDAY, APRIL 6

- City Council - 12:00 pm and 7:00 pm - Downtown Fire Station, 400 NW Harrison Boulevard
- City Council - 4:00 pm - Downtown Fire Station, 400 NW Harrison Boulevard (Planning Commission interviews)

TUESDAY, APRIL 7

- Airport Commission - 7:00 am - Madison Avenue Meeting Room, 500 SW Madison Avenue
- Human Services Committee - 12:00 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue
- Board of Appeals - 4:30 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue (orientation)
- Downtown Parking Committee - 5:30 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue

WEDNESDAY, APRIL 8

- Citizens Advisory Commission on Transit - 8:20 am - Madison Avenue Meeting Room, 500 SW Madison Avenue
- City Legislative Committee - 9:00 am - City Hall Meeting Room A, 501 SW Madison Avenue
- Administrative Services Committee - 3:30 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue
- Downtown Commission - 5:30 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue

THURSDAY, APRIL 9

- Citizens Advisory Commission on Civic Beautification and Urban Forestry - 8:00 am - Parks and Recreation Conference Room, 1310 SW Avery Park Drive
- Urban Services Committee - 4:00 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue

SATURDAY, APRIL 11

- Government Comment Corner (host to be determined) - 10:00 am - Library Lobby, 645 NW Monroe Avenue

MONDAY, APRIL 13

- City Council - 7:00 pm - Downtown Fire Station, 400 NW Harrison Boulevard (work session)

TUESDAY, APRIL 14

- Historic Resources Commission - 7:00 pm - Downtown Fire Station, 400 NW Harrison Boulevard
- Ward 1 Meeting (Councilor Mark O'Brien) - 7:00 pm - Grand Oaks Summit Owners Association Clubhouse, 6050 SW Grand Oaks Drive

WEDNESDAY, APRIL 15

- Housing and Community Development Commission - 12:00 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue
- Urban Forestry Strategic Plan Stakeholders Committee - 4:00 pm - Osborn Aquatic Center, 1940 NW Highland Drive
- 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, APRIL 16

- Parks, Natural Areas, and Recreation Board - 6:30 pm - Downtown Fire Station, 400 NW Harrison Boulevard

SATURDAY, APRIL 18

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

**CITY OF CORVALLIS
COUNCIL ACTION MINUTES
March 16, 2009**

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for Further Review	Decisions/Recommendations
Consent Agenda Pages 199-200			
Unfinished Business 1. Deer Run Park Findings of Fact 2. First Presbyterian Church Findings of Fact 3. Legislative Committee – March 11, 2009 4. Council goal on homelessness 5. Sustainability Action Plan Pages 200-202; 206-211, 216-227	Yes	April 6 Council	<ul style="list-style-type: none"> • Adopted Findings; approved application; denied appeal <u>passed 6-1; 2 abstentions</u> • Adopted Findings; approved application; denied appeal <u>passed 8-0; 1 abstention</u> • Mayor communicate implications of SB581; opposition to SB915 <u>consensus</u> • Directed staff to assess three locations <u>passed U</u>
Mayor Reports 1. Ad hoc Council Goal committee 2. ARRA business opportunities 3. Enterprise Zone extension Page 202	Yes Yes Yes		<ul style="list-style-type: none"> • Evaluate H-P property <u>consensus</u>
Council Reports 1. CAMPO ARRA projects (Brauner) 2. Sustainability Action Plan (Brown) 3. City Council Goals (Hamby) 4. GCC issues (O'Brien) 5. DC update (O'Brien) 6. Ward 1 meeting – April 14 (O'Brien) 7. EVP/PTF Town Hall – May 7 (O'Brien) 8. Constituent contacts – homeless camp support and wild turkeys (Raymond) 9. Social service support (Raymond) 10. Ward 7 meeting – March 20 (Raymond) 11. GCC coverage – April 4 (Daniels) 12. OAC boiler replacement (Hervey) 13. 509J auditorium at CHS (Hervey) Pages 202-203, 211-212	Yes Yes Yes Yes Yes Yes Yes Yes Yes Yes Yes Yes Yes		
Visitors' Propositions 1. Uzhgorod Visit (Synyshyn, Bazilla) 2. Homeless Camp Proposal (Eversole, Hass-Holcombe, Bascombe, Ambrosius, Finn, Olson, Stebbins, Lambert, Ames, Schulze, Charboneau, Bloomenthal, Newman, Nesbitt) 3. Hilltop Village Project (Schempf) Pages 203-206	Yes Yes Yes		

Agenda Item	Information Only	Held for Further Review	Decisions/Recommendations
Staff Reports 1. City Manager's Report–February 2009 2. Council Request Follow-up Report – March 11, 2009 3. ISO rating 4. Ambulance rate review 5. Sustainability Annual Report Pages 212-214	Yes Yes Yes Yes Yes		
USC Meeting of March 5, 2009 1. City Hall Block Public Restroom Design 2. Systems Development Charge Annual Review Pages 214-215			<ul style="list-style-type: none"> • Approved CTX Cortez Flush Restroom installation; directed staff on location/historical designation investigation <u>passed U</u> • RESOLUTION 2009-10 <u>passed U</u>
Other Related Matters 1. Federal Stimulus highway funds Page 215			<ul style="list-style-type: none"> • RESOLUTION 2009-11 <u>passed U</u>
Executive Session 1. IAFF labor negotiations Page 216	Yes		

Glossary of Terms

509J	Corvallis School District 509J
ARRA	American Recovery and Reinvestment Act
CAMPO	Corvallis Area Metropolitan Planning Organization
DC	Downtown Commission
EVP/PTF	Economic Vitality Partnership/Prosperity That Fits
GCC	Government Comment Corner
H-P	Hewlett-Packard
IAFF	International Association of Fire Fighters
ISO	Insurance Services Office
OAC	Osborn Aquatic Center
SB	Senate Bill
U	Unanimous
USC	Urban Services Committee

**CITY OF CORVALLIS
COUNCIL ACTION MINUTES**

March 16, 2009

The regular meeting of the City Council of the City of Corvallis, Oregon, was called to order at 12:01 pm on March 16, 2009 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 Hirsch, Beilstein, Daniels, O'Brien, Hervey, Raymond, Brauner, Hamby, Brown

Mayor Tomlinson directed Councilors' attention to the items at their places, including a compilation of the Councilors' sustainability ideas (Attachment A) and related matrix (Attachment B) submitted by Councilor Brown, a copy of Corvallis Municipal Code Chapter 5.03.080.080, "Prohibited sleeping or lodging" (Attachment C), Council goals table submitted by Councilor Hamby (Attachment D), and a petition from the First Christian Church regarding a designated homeless camping area (Attachment E).

II. CONSENT AGENDA

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

- A. Reading of Minutes
1. City Council Meeting – March 2, 2009
 2. Local Contract Review Board – March 2, 2009
 3. City Council Work Session – March 9, 2009
 4. For Information and Filing (Draft minutes may return if changes are made by the Board or Commission)
 - a. Airport Commission – February 3, 2009
 - b. Bicycle and Pedestrian Advisory Commission – January 9 and February 6, 2009
 - c. Citizens Advisory Commission on Transit – February 11, 2009
 - d. Commission for Martin Luther King, Jr. – January 13, 2009
 - e. Committee for Citizen Involvement – February 5, 2009
 - f. Corvallis-Benton County Public Library Board – February 4, 2009
 - g. Downtown Commission and Downtown Parking Committee – February 11, 2009
 - h. Downtown Parking Committee – February 3, 2009
 - i. Historic Resources Commission – January 27 and February 10, 2009
 - j. Housing and Community Development Commission – February 17 and 18, 2009
- B. Announcement of appointment to Committee for Citizen Involvement (Gomez)

- C. Schedule a public hearing for April 20, 2009 to consider the Fiscal Year 2009-2010 Community Development Block Grant/HOME Investment Partnerships Program Action Plan
- D. Approval of an application for a "Limited On-Premises Sales" liquor license for Zheng's, Inc., dba New China Buffet, 1720 NW Ninth Street (New Outlet)
- E. Approval of a permit to occupy the public right-of-way (Verizon Wireless)
- F. 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. Adoption of Findings of Fact and Order relating to an appeal of a Planning Commission decision (PLD08-00013, SUB08-00007 – Deer Run Park Subdivision)

Declaration of Ex Parte Contacts Since February 17, 2009 Deliberations

Councilor O'Brien said Mr. Eckert thanked him for considering the case. He opined he could make a fair and impartial decision.

Councilor Daniels said she will abstain from voting since she did not participate in the public hearing or deliberations.

Councilor Hamby said he will abstain from voting since he did not participate in the deliberations.

Councilors Brauner and Hirsch, respectively, moved and seconded to adopt the draft Formal Findings and Conclusions from the March 12, 2009 memorandum from Community Development Director Gibb in support of Council's decision to deny the appeal and approve the Deer Run Park Subdivision application. The motion passed six to one with Councilor Raymond opposing and Councilors Daniels and Hamby abstaining.

Mayor Tomlinson announced that any participant not satisfied with Council's decision may appeal to the State Land Use Board of Appeals within 21 days of the date of Council's decision.

- B. Adoption of Findings of Fact and Order relating to an appeal of a Planning Commission decision (PLD08-00012, SUB08-00006 – First Presbyterian Church)

Mayor Tomlinson recused himself due to a conflict of interest. Acting Mayor Hamby continued the proceedings.

Declaration of Ex Parte Contacts Since March 2, 2009 Deliberations

Councilor Daniels said she was present during a meeting between staff and opposing sides required by a development-related concern. She opined she could make a fair and impartial decision.

Councilor Beilstein said he will abstain from voting since he did not participate in the public hearing or deliberations.

Councilors Brauner and Hirsch, respectively, moved and seconded to adopt the draft Formal Findings and Conclusions; approving the First Presbyterian Church Detailed Development Plan and Major Replat application with conditions of approval. The motion passed eight to zero with Councilor Beilstein abstaining.

Acting Mayor Hamby announced that any participant not satisfied with Council's decision may appeal to the State Land Use Board of Appeals within 21 days of the date of Council's decision.

Councilor Daniels reported that a meeting was held following the public hearing and directed by a development-related concern. Several possible parking solutions were discussed and staff will explore short- and long-term parking solutions including signage, alternative striping, and a parking district. Staff and interested parties will meet again at the end of March.

C. City Legislative Committee – March 11, 2009

City Manager Nelson reported on Senate Bill 581 (SB581) that moves existing non-critical funding sources back to the State's General Fund. Approval of this bill will impact the Corvallis Regional Communications Center (CRCC) by \$46,000 for this fiscal year and potentially \$90,000 in future years. The Finance Department will work with the Police and Fire Departments to determine ramifications to the budget. Approval may impact additional staffing recommended during the recent CRCC evaluation. The Committee recommended Mayor Tomlinson communicate the implications of this decision to Senator Morse and Representative Gelser. Council concurred.

Mr. Nelson reviewed Senate Bill 915 (SB915), related to building codes. The bill erodes local control and deletes existing advocacy that currently provides efficiencies in the Development Services Division. There are no funds to implement this bill and it appears to fix something that is not broken. Retroactivity applied to this bill will cause ramifications to the City, community, and other cities providing building code enforcement. Approval will impact the ability to enforce livability issues approved by current Municipal Code. The Committee recommended Mayor Tomlinson communicate opposition of this bill in conjunction with other groups such as the League of Oregon Cities, Building Officials Association, City Attorneys Association, and others. Council concurred.

In response to Councilor Beilstein's inquiry, Mr. Nelson said it appears the bill was designed to address harm perceived by someone in the development community. The bill is presented as a building code issue instead of what each community uses for development

guidelines, such as “conditions of approval.” If the bill is approved, it could impact past decisions a developer perceives as harm due to building code interpretations.

Councilor Daniels added that SB915 is not in the community’s best interest. It will have the ability to overturn land use decisions that the community has arrived at, retroactively. Decisions made years ago could be overturned with regard to conditions of approval. She urged citizens to express opposition of the proposal to State Legislators.

Mr. Nelson announced that City Hall Day is scheduled for April 1 at the State Capitol.

V. MAYOR, COUNCIL, AND STAFF REPORTS

A. Mayor's Reports

Mayor Tomlinson said Councilors Hamby, Brown, and Brauner have been appointed to the ad hoc committee to match Council goals with the 2020 Vision Statement.

Mayor Tomlinson announced that besides responding to City issues such as the Community Development Block Grant (CDBG) and City infrastructure, the American Recovery and Reinvestment Act (ARRA) is now responding to business issues. More information about the *Oregon Way* is available at <http://www.oregon.gov/recovery/>. Community business owners have expressed interest about how to advance competitive proposals to the Governor’s office for funding opportunities through ARRA. The proposals must be received in the Governor’s office by April 15. The Corvallis-Benton Chamber Coalition and the City will meet to discuss this further.

Mayor Tomlinson asked Council to consider the process of placing an Enterprise Zone on some or all of the Hewlett-Packard property, and/or adjacent land. If feasible, this would be an extension of the current South Corvallis Enterprise Zone. The process would include notice, public testimony, and decision-making between the City and Benton County Commissioners. Council agreed by consensus to begin the evaluation process.

B. Council Reports

Councilor Brauner announced that the Corvallis Area Metropolitan Planning Organization (CAMPO) approved spending ARRA funds for grind-inlay projects on the following streets:

- NW Circle Boulevard, between NW 9th Street and NW Highland Drive;
- NW 9th Street, between NW Reiman and NW Grant Avenues;
- NW Monroe Avenue, between NW 6th and NW 16th Streets;
- SW Jefferson Avenue, between SW 5th and SW 9th Streets; and
- NW Highland Avenue, between NW Circle and NW Walnut Boulevards.

CAMPO also approved transit projects in the amount of \$1.53 million for three bus replacements and for shelters and benches at some bus stops. An enhancement project for design and construction of median landscaping on Highway 20 in Philomath was approved.

CAMPO submitted transit-related funding requests to the Oregon Department of Transportation (ODOT) for State ARRA allocations. The application included projects for

transit shelters and benches, vehicle information systems, bicycle lockers at bus stops, and replacement of the transit radio system. Other projects include a median island and solar-powered pedestrian crossing on NW Walnut Boulevard at a transit stop between NW 13th and Garryanna Streets. Another solar-powered pedestrian crossing has been requested on NW Walnut Boulevard at Jack London Street. Sidewalk construction and solar-powered pedestrian crossings have been recommended on NW Highland Drive at Meadow Ridge Park with additional sidewalk and ramp improvements throughout the City.

Councilor Brown explained the sustainability compilation and matrix (Attachments A and B). He thanked Mayor Tomlinson and Sustainability Supervisor Lovett for helping to consolidate the Councilors' sustainability items and developing the matrix. Councilor Brown noted that Corvallis is a member of ICLEI-Local Governments for Sustainability, an international association of local, regional, and national government organizations making commitments to sustainable development. He encouraged Council to review the documents prior to the evening meeting discussion about sustainability actions and policies.

VI. VISITORS' PROPOSITIONS

Mayor Tomlinson introduced Anatolij Synyshyn and Katherine Bazilla from Uzhgorod, Ukraine. Mr. Synyshyn is the former Vice Mayor and Ms. Bazilla is an interpreter. Mayor Tomlinson acknowledged the good working relationship between Corvallis and Sister City Uzhgorod.

Through Ms. Bazilla, Mr. Synyshyn thanked Mayor Tomlinson, Corvallis, and the Sister City Association for the warm reception during his third visit here. The Sister City relationship is actively involved in Ukrainian regional administration and community services. Mr. Synyshyn said he directs the community alliance (a structure of their government) which includes ten organizations, members of community services, and teachers. Mr. Synyshyn presented Mayor Tomlinson with a picture book of Uzhgorod and a photograph of an Uzhgorod bicycle club.

Tom Eversole, Homeless Coalition, referred to the homeless camp proposition previously provided to Council. He requested Council to quickly address the proposal to designate municipal property, or other property, where homeless people can stay overnight without receiving tickets or be forced to move. He also requested Council direct staff to produce a joint report with options for homeless camping areas and Council assess the effort under the parameters identified in the proposal. Community advocates are willing to work with City staff to provide insight and guidance.

Aleita Hass-Holcombe, Homeless Coalition, said the proposal speaks to previous Council requests for information and supporting documentation. Several supporting petitions have been submitted to Council and the Beit Am faith community has indicated full support the proposal. Organizations that helped support the cold weather shelter also support this proposal. The community recognizes the significant problem of not giving individuals a place to exercise their basic human right of sleeping. Providing shelter reduces risk as proven by the cold weather shelter over the last four years. It is significant for people to have a safe place to sleep.

Councilor Raymond commended shelter volunteers.

In response to Councilor Hervey's inquiry, Mr. Eversole reiterated his points:

1. Designate a municipal site where homeless people may camp or stay overnight,
2. Take necessary steps so those staying at the site are not ticketed,
3. Direct staff to produce a report assessing a variety of potential sites,
4. Assess the trial project after three months, and
5. Respond to emergency calls in the designated area.

Wayne Bascomb said he arranged for sixty new sleeping bags and tents to be donated to the homeless. He requested Council designate a safe sleeping area where homeless individuals will not be ticketed. Mr. Bascomb said he and other homeless people are only trying to survive and are not asking for much. Providing portable toilets and garbage collection would also be appreciated.

Jennifer Ambrosius testified on behalf of homeless females and those who cannot utilize services due to animal ownership. Ms. Ambrosius said she has been homeless for more than five years even though she has a job. Every time she has saved almost enough money to rent a home, she is ticketed by the Police Department. The discrimination gets worse every year and many officers need retraining due to biased behaviors. One officer told her "all homeless are alcoholics and drug addicts." Ms. Ambrosius said she does not drink alcohol or use drugs. Homeless individuals need a safe place to stay so those who have jobs do not lose their income, can help others, and better themselves.

Finn said one of the best ways to judge society is by how they provide for their unfortunate. It is ironic that the meeting started with profit-driven items. There is no profit in cleaning up rivers or taking care of the homeless, but this is how Corvallis addresses the homelessness issue. He inquired whether Council had studied successful tent cities and how those cities take care of their homeless. The most unfortunate people are more important than the other items being discussed during this meeting.

Angela Olson said the City needs to do something for the homeless, no matter who they are or where they come from because they have nothing. The previous camps were demolished due to garbage and health hazards, but if dumpsters are donated and the community and law enforcement patrol the camp(s) for safety purposes, it could work. Homeless individuals are citizens who have a lot to give. Ms. Olson added that she could have been homeless if it was not for her family. She does not make a lot of money and struggles to support her child and attend school. In the current economy, working class individuals are also losing their homes.

Councilor Beilstein referred to Ms. Olson's comments about working class individuals losing their homes, causing more homelessness. Establishing a camp site today for 30 or 40 people may increase to 100 or 200 people within one year. That consideration may affect Council's decision. He thanked Ms. Olson for her comments.

Robert Stebbins said he has worked with people on probation and parole, and occasionally, the homeless. He has never seen so many homeless individuals before now, nor has he ever experienced the number of veterans currently living on the streets. These people honorably served this Country in Vietnam and the Middle East and some need help because they cannot cope with daily life. He expressed hope that Corvallis can do something meaningful.

Ryan Lambert, First Congregational Church and American Civil Liberties Union (ACLU) Board Member, said the ACLU Web site includes a report about the Ashland, Oregon camping ordinance. The report talks about “personhood” and how to respect basic and human rights of individuals. As a pastor, he has dealt with many people asking for help, especially for places to stay. For the last few months he has referred those people to the cold weather shelter. Since the shelter is now closed, he hopes the City and those wanting to help can find a way to recognize this community need and respond to the “personhood” of each individual. A disadvantage of the cold weather shelter is that the burden has largely fallen onto the faith communities who are not able to meet all of the needs of the homeless population in Corvallis. The opportunity to change an ordinance or enforce the camping ordinance is to study the need and not shift the responsibility onto one group.

Edward Ames read from his written testimony (Attachment F).

Councilor Beilstein said City government supports local social services with a budget of almost one-half million dollars. The majority of those funds go toward those who are in the most danger of becoming homeless. He agreed that not enough is being done for the chronic homeless, but citizens also need to understand that the City has been helping by supporting organizations such as Community Outreach, Inc. (COI). The social services allocation was recently increased specifically due to homeless issues.

Mr. Ames agreed that COI does a good job, but does not provide services to anyone with alcohol or drug issues. He thanked the City for their efforts.

Rob Schulze said volunteering to help homeless individuals has been one of the most fulfilling, rewarding, and enlightening experiences he has ever had. They all have wonderful stories and have taken many paths. He suggested Corvallis compare itself to a family that has many eccentrics, who come from different communities, that all take care of and accept one another. He thanked the City for their efforts and encouraged additional help for those who need a hand.

Bettina Schempf, Habitat for Humanity (HH), submitted a proposal (Attachment G) for a partnership between the City and HH to develop a sustainable neighborhood. The “Hilltop Village Project” is located in North Corvallis and was inspired by a David and Jean Kliewer land donation. The project has been worked on for the last four years and the Planning Commission unanimously approved the development plan in July 2008. The goals and criteria include guiding on-going research and planning for high and attainable levels of sustainability, affordability, and livability.

In response to Councilor Hirsch’s inquiry, Ms. Schempf said the site is located next to Forest Dell Park.

Becky Charboneau said the Corvallis Beit Am Jewish Community Board unanimously endorsed the proposal. More than 60 volunteers from the Jewish Community have assisted at the cold weather shelter during the past two years. The Jewish Community is happy and proud to be part of the Homeless Coalition and she encouraged Council to approve the proposal.

Kent Bloomenthal added that the proposal is thoughtful and comprehensive in responding to immediate needs and issues. It has great flexibility, creativity, and a required trial period. The immediate need is to stand-down on existing City ordinances to allow people to camp on certain properties. The trial period is important for the City to effectively review how other communities

have responded to similar issues. This is a logical and rationale approach for Council. Mr. Bloomenthal said to worry about issues such as tent cities is without bearing or standing. He encouraged Council to be flexible and creative, and use the proposal as a starting point.

Nancy Newman urged Council to provide a place for the homeless population to camp with portable toilets and, if possible, cooking space. She opined that it is the most compassionate thing this community can do.

Lester Nesbitt said Albuquerque, New Mexico has a population of 500,000 with services for 300 of approximately 2,000 homeless individuals. Albuquerque does not provide a shelter. The Corvallis homeless are asking for a change in the ordinance so they can camp without being cited and/or placed in jail. It is safer to group camp and watch out for each other than it is to camp by yourself while hiding from law enforcement.

In response to Councilor Hervey's inquiry, Mr. Nesbitt said security is needed to leave camp gear onsite during the day. He said potential employers know he is homeless due to the pack on his back. He added that he is homeless because he cannot find a job and he does not have a job because he is homeless. Mr. Nesbitt added that he does not like being homeless.

IV. UNFINISHED BUSINESS – continued

D. Council goal on homelessness

Mr. Nelson read the Fiscal Year 2009-2010 Council Goal related to homelessness:

“Work with public, private, and nonprofit entities to improve community resources available for combating homelessness, with the aim of providing paths to stability and self-sufficiency.”

Mr. Nelson listed current homelessness initiatives related to this Council Goal: participating in ending homelessness in ten years planning group, providing an estimated \$430,000 in emergency and transitional services through the social services allocation process, and review the social services allocation policy in late 2009. The policy has dedicated resources for homeless persons in programs versus help for the chronic homeless choosing not to participate in programs.

Councilor O'Brien left the meeting at 1:19 pm.

Mr. Nelson said the staff report includes zoning information and historical discussions related to homelessness. Orleans and Berg Parks are in Linn County. Approval of these parks for homeless camps requires an extensive public process and conditional use action by the Linn County Commissioners.

Councilor O'Brien returned to the meeting at 1:21 pm.

Mr. Nelson explained that the campground at Willamette Park has not been in existence for four years. A master plan initiative for the Park, and approved by a former Council, does not include camping. Land use, municipal code, and public policy decisions made by prior Councils removes opportunity for staff to offer a site without public process.

Camping citations have been complaint and behavior driven. Research of illegal camping citations for the last three years reveals the following:

- 2009 – 11 complaints, one citation;
- 2008 – 41 complaints, 29 citations; and
- 2007 – 58 complaints, 21 citations.

Camp costs are related to location and duration, and will include sanitation and health issues (restrooms, potable water, showers), camp supervision (similar to the cold weather shelter), camp coordination (referral to City departments, stakeholders, additional services), and liability exposure. Although there is no insurance policy rider to purchase for providing a camp, any community providing this type of service increases liability exposure.

Councilor Hirsch noted that the materials from 1993 indicate the City Attorney was researching how much the liability and/or exposure would increase by offering a homeless camp. Mr. Nelson reiterated that there are no up-front insurance policy or rider costs; however, the City's Insurance Agent of Record cautioned that basic services need to be provided if the City designates a location for a homeless camp. He opined that liability exposure should not be used as a reason to not do something.

City Attorney Fewel added that it is difficult to quantify the increase in potential exposure. The insurance agent confirmed that the City has coverage, but the City will be sued if something happens at the camp.

Councilor Hervey noted that the Corvallis Municipal Code (CMC) allows the City Manager to designate a special use area in a park for camping, and the Land Development Code (LDC) suggests that camping can only occur at Willamette Park. In response to his inquiry about precedence, Mr. Fewel said the CMC does not supersede the LDC. At one time, Willamette Park was zoned Agricultural-Open Space (AG-OS). AG-OS does not allow any residential activities. To make Willamette Park consistent with other parks, the City adopted in the AG-OS, a designation specific to Willamette Park for camping. The CMC addresses parks in general and allows for some temporary camping.

Mr. Nelson added that the intent of the authority to designate camping areas is for specified requests such as a swim meet or Cycle Oregon activities, limited in usage and time. He added that any designation he makes is appealable to Council.

Councilor Hervey said Council could direct staff to deviate from the intent of the prior authority. He noted that Avery Park is also designated AG-OS, but is not specifically identified as a suitable camping location.

Councilors Raymond and Daniels, respectively, moved and seconded to direct staff to provide information, identification, and assessment of two specific locations that can be designated for homeless camping for a three-month trial period. The report will include responses to items of concern noted in the citizen's proposition and any additional issues Councilors may have.

Councilor Daniels said she seconded the motion because it does not require a review of one specific designated area. Neither the motion or citizen's proposition is limited to a park location, and both are for a limited time-period.

Councilor Hamby requested the motion include three locations and inquired about the staff time involved. Mr. Nelson said the motion will require discussions with stakeholders and Council to address concerns. He prefers to broaden the stakeholders group to include some Councilors, members of the Homeless Coalition, COI, and others who can help Council support options.

Councilors Raymond and Daniels, respectively, accepted the friendly amendment for three specific locations.

Councilor Raymond requested a work session be scheduled to determine how to meet the Council Goal related to homelessness, including a long-term solution with input from staff, stakeholders, and the general public.

Councilor Hervey said he supports the motion. He expressed concern that without a timeline it could be months before a report is generated. He said Council will also receive theoretical testimony about why a camp should not be designated in a specific area. He suggested that once staff returns with alternative locations, Council choose a temporary camp location and respond to testimony based on that choice. A long-term solution and location discussion can begin after a temporary location is chosen.

Councilor O'Brien said he supports the motion, but is frustrated that Council is dealing with an issue that was extensively dealt with in 1993. He does not want another Council to have to deal with this issue. He expressed concern that when options are presented by staff, Council provide a special opportunity for citizens to express themselves through a town hall meeting or other venue.

Councilor Beilstein opined that it would have been better to start this process three months ago. There are many people who want an immediate solution and it appears as if Council will not be making a decision until September. He said he will support the motion, but believes Council should act now and study the problems later. There is an immediate need for this camp.

Councilor Daniels agreed that Council could process this for months before making a decision. The motion requests three potential camping sites for Council to choose from for use as a temporary measure. She wants to move as quickly as possible to meet this temporary need before Council focuses on the homeless related goal.

Councilors Hervey and Hirsh, respectively, moved and seconded to amend the motion to designate the community garden area of Avery Park as a three-month trial-period homeless camping area.

Councilor Hirsch inquired why the original motion is limited to two or three sites and whether Linn County needs to be notified immediately if Corvallis is considering Orleans or Berg Parks as options for a designated homeless camping area. Mr. Nelson said the parks

in Linn County will most likely drop off the list due to their conditional use designations and lengthy public hearing process for approval.

Mr. Nelson said he understood the main motion to mean that staff would organize a meeting with community representatives to brainstorm locations for Council consideration at the April 6 meeting. If Council requires detail and criteria about the decision making process, it will take longer for staff to return with options. In addition to providing site options, staff will forward budget implications and recommendations for Municipal Code amendments, if necessary.

Mr. Nelson clarified for Councilor Hirsch that the challenge designating Orleans or Berg Parks as a homeless camp is the idea of transferring the homeless population to Linn County to live in a flood plain where citizens are not allowed to build.

Councilor Daniels said she cannot support the amended motion. The intent of the original motion is to evaluate common-sense choices. After the last Council meeting, Parks and Recreation staff and homeless advocates visited Berg Park and discussed the limitations as described by Mr. Nelson. This is an example of why Council needs to review the options and limitations presented by staff.

Councilor Brown said he will not support the amended motion. The task is to provide a comprehensive solution to homelessness in Corvallis. It is multi-dimensional and the City must consider budget constraints and competing uses.

Councilor Raymond quoted excerpts from CMC Chapter 5.01.090, Special use areas, and Chapter 5.01.130 3), Hours of use; sleeping and camping:

“The City Manager is authorized and directed to set aside, establish, alter, and/or discontinue special use areas in one or more of the parks. These special use areas would include...camping activities....”

“The City manager may, in his...discretion, issue permits or designate areas for the use of tents, shelter-half, motor homes, vehicles, campers, or trailers as shelters for housing or sleeping in parks for any overnight sleeping in parks between the hours of 10:00 pm and 6:00 am.”

Councilor Raymond opined that the above language allows Mr. Nelson to designate one area exempt from the prohibition of camping for overnight sleeping and still allow other CMC language to be enforced.

In response to Councilor Hamby’s inquiry, Mr. Nelson said Council can designate Avery Park as a special use area for homeless camping, pending the followup information as requested in the main motion. He clarified that he interpreted the above CMC as a minimal number of days designated as special use camping. Council could agree to more than a few days. A more permanent designation would most likely require a change in the CMC.

Mr. Fewel said when Willamette Park was specifically named in the CMC as a possible camping area, Avery Park was not included. The CMC would need to be amended to allow camping in Avery Park. One issue for Council to consider when making this decision is the

impact to others, specifically surrounding property owners. The City could be sued for exercising a decision inappropriately and allowing this to occur in an area that negatively impacts the surrounding neighborhood.

Mr. Nelson added that the amended motion requires him to be responsible to ensure a site is responsive to liability exposure, sanitation, health, coordination, and supervision. He said he is not comfortable with that decision and would prefer staff bring back something more site specific for Council consideration.

Councilor Brauner identified three issues Council is attempting to work on within one issue: a long-term solution, a short-term solution (three-month trial period), and the period of time between this meeting and the next Council meeting. The issues have become convoluted and confusing. He stated support of the main motion and opposition the amendment because it is too early to establish a specific location.

Mayor Tomlinson recessed Council from 1:59 until 2:07 pm.

Councilor Beilstein said he will support the amended motion because some discussions have already occurred with the Homeless Coalition. There would be minimal neighborhood impact designating this section of Avery Park, the faith communities have offered to help with sanitation issues, and it is a logical solution Council could make immediately. The City may need to patrol the area once or twice each night and respond to any emergency calls in the area.

Based on the following roll call vote, the amended motion failed three to six:
Ayes: Beilstein, Hervey, Raymond
Nays: Hirsch, Daniels, O'Brien, Brauner, Hamby, Brown

Councilor Hamby said he voted against the amended motion due to the liability it places on Mr. Nelson. Councilor Hirsch concurred.

The amended main motion passed unanimously.

Councilor Brauner said homeless people will be looking for campsites tonight. He suggested Council direct staff not to cite homeless people from traditional homeless camps between now and the next Council meeting. This direction would be specific to camping citations and not related citations.

Councilor O'Brien said he can support what Councilor Brauner is suggesting, but he is comfortable with the professional staff of the City using their discretion to enforce the law.

Councilor Hirsch said not designating a camp will cause potential problems all over the City instead of in one centralized location. The statistics from the Police Department reveal that most of the citations for illegal camping were in conjunction with other problems.

Mr. Nelson said that many individuals Council is trying to accommodate will continue to use unauthorized locations because they are not comfortable in group situations.

In response to Councilor Brown's inquiries about jail time and citation fines, Mr. Nelson said Municipal Court worked with the Police Department and the corrections facility to keep the court working as efficiently as possible in dealing with citations given to this population.

Councilor Brauner said he believes staff has done a good job in dealing with the homeless population. His suggestion recognizes that while Council considers the proposal, staff will not issue illegal camping citations.

Councilor Beilstein thanked staff for providing the historical documents from 1993. He noted that Council and citizens are more willing to resolve this problem today than in 1993.

Councilor Daniels said if it was not for the COI shelter, there would be many more homeless individuals in the community. COI is struggling with current economic conditions and needs community support for their organization, programs, and people they serve.

Councilor Raymond reiterated a request to schedule a work session to determine how the Council will address the homeless Council Goal. The work session will include discussions about a long-term solution to homelessness and include information from COI, Housing and Community Development, Homeless Coalition, Benton County, faith organizations, and the public.

Councilor Daniels expressed support for a work session and noted that the Council goal related to homelessness focuses on improving community resources to provide paths to stability and self-sufficiency. Council needs to discuss how to improve current resources.

Council agreed by consensus to schedule a work session.

V. MAYOR, COUNCIL, AND STAFF REPORTS – continued

B. Council Reports – continued

Councilor Hamby said Attachment D is the result of his work with Councilors Brauner and Brown to tie the Council goals to the Vision 2020 Statement goals. The finalized version will be posted on the City's Web site.

Councilor O'Brien said he had six visitors during Government Comment Corner. Issues included bicycle lanes, chronic nuisance property ordinance, development, and homelessness. He requested a better location for the table.

Councilor O'Brien reported that the Downtown Commission reviewed a presentation about the Moose Lodge demolition and potential restroom design. The Commission agreed that restrooms would be a welcome addition. A subcommittee was formed to evaluate the proposed LDC changes related to downtown issues. Downtown Commissioner Mater was elected as the final representative on the Downtown Parking Committee.

Councilor O'Brien said a City-sponsored Ward 1 meeting will be held on April 14 at 7:00 pm at the Grand Oaks Club House, 6050 SW Grand Oaks Drive. City staff will be available to answer questions.

Councilor O'Brien read an invitation to the Economic Vitality Partnership/Prosperity That Fits town hall meeting scheduled for 6:00 pm on May 7 at the CH2M Hill Alumni Ballroom.

Councilor Raymond said she received eight telephone calls in support of the citizens camping proposal. She also received one call about the wild turkey issue. She has requested additional information from Officer Wendland about the turkey population and issues.

Councilor Raymond explained that the social services fund supports Benton Furniture Share, Boys and Girls Club, Community Outreach, Corvallis Day Time Drop-In Center, Jackson Street Youth Shelter, Old Mill Center Parent Enhancement Program, South Corvallis Food Bank, and Willamette Neighborhood Housing Services. She commended the community and volunteers who help support the programs of these agencies.

Councilor Raymond announced a Ward 7 meeting at 7:30 pm on March 20 at Corl House. Topics include Woodland Meadows Park.

Councilor Daniels announced that she will not be able to host Government Comment Corner on April 4 and volunteered to exchange dates with another Councilor.

Councilor Hervey commended staff for their sustainable initiative in replacing the boilers at the Osborn Aquatic Center and arranging for members to swim at Dixon Creek Recreational Facility during the replacement.

Councilor Hervey thanked Corvallis School District 509J for building the 600-seat auditorium at Corvallis High School. He recently attended a good presentation of *The Wiz* featuring students from both high schools.

C. Staff Reports

4. City Manager's Report – February, 2009

Mr. Nelson asked Councilors to contact him if they have questions about the report.

5. Council Request Follow-up Report – March 12, 2009

Mr. Nelson asked Councilors to contact him if they have questions about the report.

2. Insurance Services Office (ISO) rating

Mr. Nelson said the staff report provides information from Fire Chief Emery about the rating system and the current Class 4 rating. The Department will be appealing the proposed ISO rating.

3. Ambulance rate review

Mr. Nelson explained that this item typically comes forward as a rate increase request through the Administrative Services Committee (ASC). Staff recommends not increasing the rates this year; therefore, no Council action is needed.

In response to Councilor O'Brien, Mr. Nelson said staff will provide him with information on how actual service costs were factored into this decision.

1. Sustainability Annual Report

Mr. Nelson commended Sustainability Supervisor Lovett for her leadership, and thanked other City staff for developing the City into an award-winning sustainable organization.

Ms. Lovett reported that the planning phase of the Sustainability Management System (SMS) was completed in 2008 and is now used as the framework to manage all of the organization's sustainability efforts. As part of the SMS development, there was a strong emphasis on projects to maximize the amount of employee engagement and show quick results. As a result, 73 percent of projects are either in-progress or have been completed. In 2009, staff will concentrate on the infrastructure of the program, including process documentation, developing standard operating procedures, and other issues to ensure the SMS moves forward as envisioned. The goal is to integrate efforts with existing planning processes and business goals.

Several items in the Sustainability Report Card relate to building the infrastructure; e.g., training and communication plans. Progress has been made in some areas and some areas will be ongoing. To meet or exceed goals next year, those plans will need to be completed and implementation started. The final section of the report focuses on highlights and next steps. In September 2008, staff looked at impact areas individual departments chose to work on and determined which ones were the most important for the entire organization. Completion dates and interim milestones continue to be refined as the organization builds on previous successes. The overarching goal is for today's highlights to become tomorrow's best practices.

Councilor Beilstein commended staff for their hard work and thanked Ms. Lovett for presenting a report that is easy to read and understand. He noted that in the concluding section regarding social sustainability and employer of choice, there is a definite sense among City staff that they are overworked. Council needs to be sensitive to it. Council is happy with the work conducted by City staff, but must also recognize that 71 percent feel their work load is challenging and 21 percent feel overwhelmed.

Councilor Beilstein referred to the section about sustainable facilities and energy use. In response to his inquiry about the Library reducing their energy use by 44 percent, Ms. Lovett explained that a new energy management system was installed.

Library Director Rawles-Heiser added that the heating, venting, and air conditioning (HVAC) system was repaired.

Councilor Raymond commended Ms. Lovett and the dedication staff has toward making the City organization a sustainability model for the community and other cities in Oregon.

Councilor Daniels thanked staff and recognized the efforts of Ms. Lovett and Public Works Administrative Division Manager Steckel. She said Council is looking forward to setting priorities with community sustainability and can easily point to examples of what City staff has accomplished and is working toward for success.

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

- A. Human Services Committee – None.
- B. Administrative Services Committee – None.
- C. Urban Services Committee – March 5, 2009

1. City Hall Block Public Restroom Design

Councilor Daniels reported that staff provided options that included costs, maintenance costs, and other pros and cons.

Councilors Daniels and Hamby, respectively, moved and seconded to approve installation of a CTX Cortez Flush Restroom on the City Hall/Downtown Transit Center block.

In response to Councilor Beilstein's inquiry, Councilor Daniels clarified that if this model is chosen, the facility will be closed for a portion on the night. The Committee recognized that open hours would need to be decided by the full Council and if there were concerns, the design type may need to change.

Councilor Beilstein opined that the restroom needs to be open 24 hours, seven days per week (24/7). The Portland Loo model has louvers on the lower half so there is some privacy, but it could not be used for sleeping. The design might be less attractive, but the need for a 24/7 restroom is greater.

Councilor Hervey added that the Committee understood the recommended design would not be as easy for law enforcement to determine if it was being used as a sleeping facility. The Committee gave the City Manager some flexibility in the final product with the idea that the manufacturer might be able to louver a portion of the lower half. The Portland Loo has free-flow air space that could be fairly uncomfortable to use in the cold of winter and heat of summer. He said the intent was to find a compromise between privacy and security.

Councilor Raymond agreed that the restroom should be open 24/7 or, at least later hours when other public facilities are not open. She opined that it would be better to combine the two designs.

Mr. Nelson said the hours of operation were to be discussed later after staff determined the budget implications of a 24/7 restroom facility.

Councilor Hervey agreed that the Committee postponed a discussion about operation hours until staff could provide budget implications.

The motion passed unanimously.

Councilors Daniels and Hamby, respectively, moved and seconded to direct staff to locate the public restroom on the City Hall/Downtown Transit Center block, west of the northwest corner of the former Moose Lodge building, and investigate replatting the block to remove the historic designations for the current parking lot property. The motion passed unanimously.

2. Systems Development Charge Annual Review

Councilor Daniels said staff provided information about types of Systems Development Charges (SDCs), how they are calculated, and shared comparisons to other communities.

Mr. Fewel read a resolution adjusting certain Systems Development Charges and authorizing the City Manager to apply those rates, effective April 1, 2009.

Councilors Daniels and Hamby, respectively, moved and seconded to approve the resolution.

RESOLUTION 2009-10 passed unanimously.

D. Other Related Matters

1. Mr. Fewel read a resolution accepting a \$1,246,491 grant from the Federal Highway Administration and authorizing the necessary budget appropriations.

Councilors Hamby and Daniels, respectively, moved and seconded to approve the resolution.

RESOLUTION 2009-11 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 Council as a body and should

only be disclosed if 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.

Council entered Executive Session at 2:54 pm.

Assistant City Manager Volmert briefed Council on the International Association of Fire Fighters (IAFF) labor negotiations.

Mayor Tomlinson recessed Council at 3:09 pm and reconvened Council at 7:00 pm in the Downtown Fire Station, 400 NW Harrison Boulevard, Corvallis, Oregon.

I. ROLL CALL

PRESENT: Mayor Tomlinson, Councilors Hirsch, Beilstein, Daniels, O'Brien, Hervey, Raymond, Brauner, Hamby, Brown

IV. UNFINISHED BUSINESS – continued

E. Community Sustainability Action Plan

1. Public input

Anne Schuster, Corvallis Sustainability Coalition (CSC), commended City staff for the thorough and efficient evaluation of the Community Sustainability Action Plan (Plan) and thanked Council for their cooperation and prioritizing sustainability.

Betty Griffiths, CSC, introduced CSC members in the audience and commended staff for their internal sustainability work. She said it is apparent that Council is taking a leap into the community.

Ms. Griffiths highlighted items from the CSC suggested areas of focus:

- Community Inclusion – Create new ways to communicate with the community-at-large, especially minority populations.
- Education – Establish a sustainability center in partnership with Habitat for Humanity.
- Economic Vitality – Buy local is critical.
- Housing –
 - ▶ Develop alternative fire training to eliminate courtesy burns and encourage reuse/recycle/relocate.
 - ▶ Establish a no/low interest revolving loan fund for rehabilitation of historic homes.
 - ▶ Expand emergency assistance to help with deposits.
- Land Use –
 - ▶ Integrate diverse natural areas.
 - ▶ Adopt LEED for neighborhood standards, requiring extensive review of the Land Development Code (LDC).
- Food – Increase community gardens.

- Transportation –
 - ▶ Create regional map with links for efficient travel options throughout the region.
 - ▶ Expand frequency and range of City buses; reduce or eliminate fares.
 - ▶ Increase number of charging stations for electric vehicles.
 - ▶ Review Transportation Demand Management to determine if mandated programs for larger employers is warranted.
- Waste – Promote reusable bags and eliminate EPS foam containers.
- Water –
 - ▶ Establish residential and commercial pilot program to evaluate usage patterns to promote water-use reductions.
 - ▶ Install a sustainable water demonstration site.
 - ▶ Establish a demonstration project to measure stormwater outfall.

In response to Councilor Brown’s inquiry, Ms. Griffiths said Habitat for Humanity has space behind their building to establish a sustainability center. Ms. Schuster added that the center would include a demonstration site for solar, green roof, and other green projects.

Councilor Raymond said, although she is supportive of the Plan and most of the goals, it is an overwhelming document. She cautioned that the City will not be able to support every item.

Councilor Brauner commended the work by CSC and City staff. He noted that the efforts have spurred other actions in the community.

In response to Councilor Hervey’s inquiry about Housing Goal 3.2.3 (eco-housing), Ms. Griffiths said financial support the City might locate would be different than resources a non-profit organization might be able to utilize.

Councilor Hirsch stated appreciation for the inclusion and education goals. Education is the most fundamental goal that must occur to make progress on any of the other goals. The City is wasting time and energy if the community does not support the Plan, which is overwhelming and intimidating.

Councilor Daniels said she discussed with the Multicultural Literacy Center Director how to provide successful outreach to minority populations so they become a part of the community. Ms. Schuster added that the Corvallis School District 509J has an education team working on minority outreach.

In response to Councilor Brauner’s inquiry, Ms. Griffiths said she had been involved in discussions with Habitat for Humanity about the Hilltop Village Project. Council will hear more about this project after the CSC Executive Committee reviews the proposal and makes a recommendation to the CSC Steering Committee.

Ms. Griffiths concluded by stating that each CSC Action Team was asked to choose a quick win (something that can be accomplished in a short time period) and a big win (something that can be started and worked on for a number of years).

Theresa Gibney said the Energy Work Group/Action Team agrees that the City has a diverse culture and approach to solving problems with multiple levels of buy-in and focus of the Plan. The Energy Team's first goal of 50 percent energy reduction in buildings requires time to understand how different groups of the population might approach the goal.

Ms. Gibney thanked the City for the public process resulting in the Plan and the comprehensive explanation of staff focus during the evaluation. The Action Team agrees with the City's assessment of current feasibility. Staff's low-priority items are planned for later years when feasibility is more likely.

The Action Plan is fully aligned with City comments about renewable energy utility fees and localization of renewable energy programs. The Team hopes this process and other processes will ensure a win-win overlap of Plan and City focus. Ms. Gibney read the energy goals from page two of the CSC suggested areas for City focus.

In response to Councilor Hervey's inquiries, Brandon Trelstad (Energy Action Team) said the intent of surcharges for greenhouse gases is to leverage funding sources. The Public Utility Commission (PUC) allows municipalities a mechanism for surcharges on utilities. He confirmed that many alternative energy studies have been completed in the Willamette Valley and opined that conservation and a combination of alternative power (wind, solar, etc.) is the best solution.

2. City Council suggested action items

Councilor Brown said Council's goal is to develop policies and actions (related to the policies). He suggested Council identify action items prior to developing related policies. Councilors were provided with five dots each to be placed on the action item matrix.

Councilor Brown said the list of items on the bottom of page three of the matrix were removed from Council's recommendations because they are in progress or part of other programs; e.g., Capital Improvement. Councilors can choose to add those items back into the matrix for voting.

Councilor Brown noted six items on the matrix that need additional definition or explanation.

In response to Councilor Daniels' inquiry about developing policies after choosing action items, Councilor Brown said the result may be a cluster of action items that would only need one policy versus a policy for each action item.

Councilor Beilstein said he is not sure what is meant by “policy” since the City has committed to the Oregon Natural Step Network (ONSN) criteria.

Councilor Brown said Council is regulated by many different policies that are broad statements of how the City should behave in specific circumstances. He quoted sections of Council Policy 04-1.08, “Organizational Sustainability,” and said developing policies related to the action items could include expanding the purchasing policy, a statement of agreement, or something more comprehensive.

Councilor Hirsch clarified that when he spoke about education, he meant the community-at-large. The Plan does not include marketing to the community. He stressed the importance of including marketing to respond to needed community education.

In response to Councilor Hirsch’s request to add an action item to the matrix, Mayor Tomlinson said Councilors can advocate for additional items prior to voting.

Councilor Raymond agreed that the Plan is overwhelming and opined that the City can do better than what is listed on the matrix. She expressed concern that Councilors can only choose five items.

Mayor Tomlinson responded that the goal is to determine a workable number of action items for the next two years. Council can agree to have more than five choices.

3. City Council discussion and selection of action items

Councilor Brown explained the columns of the matrix:

- Goal/Strategy/Action – Action items suggested by at least one Councilor.
- Economic, Environmental, Social – Where each action item fits in the triple-bottom-line.
- Comp Plan Category – If/Where action items relate to the Corvallis Comprehensive Plan.
- 2020 Vision Category – If/Where action items relate to the 2020 Vision Statement.
- ICLEI Climate Action – If/Where items relate to ICLEI categories.
- City Org. Goal – Action items related to City organizational goals.

Councilor Brown explained the compilation of Councilors’ sustainability ideas he submitted (Attachment A) and the items he added.

The Councilors further defined and advocated for action items:

Support “Buy Local First”

Councilor Beilstein: The goal should include encouraging local options for purchasing; e.g., substitutes for imports. City sponsorship of the Business Enterprise Center (BEC) activities is an example of buy local strategies.

Councilor Brauner: This item relates environmentally as it avoids shipping around the world.

Councilor Raymond: The CSC focus includes a buy local goal, strategy, and action items. This goal is partially being met and support should include other partners such as the Chamber Coalition. The City's Web site could include information to promote buying locally.

Councilor O'Brien: The City supports this goal by recently approving a new location and time for the Wednesday Farmers' Market. Part of the action is to "support business retention" which was removed from the matrix. This is a piece of the economic puzzle that is not strongly asserted. "Local" should be better defined. Buying a vehicle from a local dealer is different than buying a hand-made rug.

Councilor Hervey suggested comments on each action item be limited to the Councilor requesting the action.

Create Agricultural BEC

Councilor Hervey: There is a growing movement for locally grown food. This is mostly provided by small organic farmers functioning on tight budgets to survive. A program similar to the BEC could help them develop more viable farms with a value added product. This item impacts the environment (reducing toxins) and social issues (linking local growers to local buyers). This is a long-term planning item. Ten Rivers Food Web has been discussing this idea with local farmers.

Localize Renewable Energy Revenue

Mayor Tomlinson: The Environmental Protection Agency (EPA) estimates Corvallis purchases 100,000,000 kilowatt hours of renewable energy each year. That represents a potential local revenue stream of more than \$1 million per year that flows out of Corvallis in the form of renewable energy purchasing. A portion of that revenue could be diverted locally to fund projects.

Green Construction Job Training

Councilor Daniels: The community has job training opportunities for weatherization. The organizations providing training calibrate opportunities with need. Other than laid-off Hewlett-Packard employees, the largest local unemployed population is from building trades; electricians, plumbers, carpenters, etc. All of these individuals would benefit themselves and the community by learning about residential solar installation and other green building trades. Goals the City should support include reducing the carbon footprint and encouraging alternative forms of energy. It is apparent that the community supports conservation. To promote green building practices in the community, local training must be available. As written, this item can be removed from the matrix because the City does not provide training. It was listed only as an example of why the City should support energy goals. The action item, Change LDC/LEED, relates to promoting green building practices in the community. Training organizations will respond if the City adopts actions and goals supporting conservation and alternative energy.

Convert Farmable Land and Encourage Low Income Community Gardens

Councilor Hervey: Current community gardens are located at Bruce Starker Arts and Avery Parks, and there are a number of residents in South Corvallis sharing produce from their own gardens. The idea is to expand the current program to include training and assistance by Master Gardeners and coordinate a link between those willing and skilled to develop gardens with private property owners willing to provide land (or City-owned land).

Councilor Beilstein: Gardens need to be located within neighborhoods throughout the City. Current gardens are located away from residential areas.

Councilor Hirsch: There could be a City-wide initiative encouraging the replacement of front lawns with local food production.

Use Bikes for Transportation and Bicycle Boulevards

Councilor Beilstein: The community cannot address sustainability unless dependence on petroleum is addressed. There is an obvious economic benefit. The community easily spends \$100,000,000 annually on petroleum products. A bicycle boulevard is a major initiative that could disrupt a lot of the community. It involves roadways specifically designated for bicycles only. Two north/south and east/west routes would promote the use of bicycles and provide a substitute for vehicle transportation.

Reduce Gas-Power Auto Trips

Councilor Hervey: Besides bicycles, other alternative transportation reduces petroleum usage, such as electric cars and transit. Any way to reduce automobile trips strongly supports economic and environment goals.

Free Transit

Councilor Brauner: Increasing the availability of transit is needed to support additional ridership. Free transit may be a long-term goal. Exploring ways to build better subsidies into the transit system to increase routes would decrease the use of automobiles and petroleum products.

Councilor Daniels: Support for more use of bicycles and transit could be consolidated into one action item.

Hybrid Cars

Mayor Tomlinson: Plug-in hybrid electric vehicles are in the near future. Charging stations and smart meters need to be provided.

Renewable Energy Utility Fee

Mayor Tomlinson: The PUC allows municipalities to place renewable energy fees on utility bills. Participation in renewable energy is 13 to 15 percent. A utility bill could be used as a renewable energy billing mechanism to create a revenue stream for other Plan items. Details could be worked out related to whether the fee would be required or have opt-out options.

Change LDC/LEED and Green Building Standards

Councilor Beilstein: To accomplish these items requires changes to the LDC. Although Council would most likely support these items, this would add to the current backlog of land use activities supported by the Planning Division.

Promote Alternative Sewer Technology (Gray Water)

Councilor Hervey: This includes gray water, composting toilets, and living machines. Reusing gray water is another way to conserve water and lower the load on the wastewater plant. Removing barriers to composting toilets, living machines, and reusing gray water are ecological benefits.

Progressive Waste Fees

Mayor Tomlinson: This item relates to curbside food waste. The City's organizational goal can be used as an example for community-wide waste pickup and fees.

Prohibit Styrofoam in Food Service

Mayor Tomlinson: The City's organizational goal can be translated to community goals for waste reduction.

Recycling Styrofoam

Councilor O'Brien: This item is based on non-consent incoming Styrofoam.

Turn Off Reser Lights

Councilor O'Brien: It is unclear how to address this issue. The lights appear to be used for extensive periods of time on a frequent basis and not related to events.

Free Farmers' Market Coupons

Councilor Hervey: This expands an existing program supported by the faith community (That's My Farmer). By adding the Wednesday evening market, it is likely attendance will increase. An easy way to expand the local program is to provide a write-off for voluntary contributions. This also helps nurture local farmers.

Children/Families Funding, Educational Programs, and Athletic Programs

Councilor Brown: These are all investments in the future and future generations. Support might include additional allocations through the Social Services program. Educational programs would most likely be from educational organizations, but could include investing in the education of children to carry the community into the future. Providing additional athletic programs responds to the last item.

Public Safety

Councilor Brown: Corvallis is a very safe City and citizens do not think about what it would be like to not have the excellent Police Department we currently have.

Communicate Who Lives Here

Mayor Tomlinson: The City organizational goal to be a better place to work can be translated into a community-wide goal of making Corvallis a better place to work. The item can coincide with inclusion.

Removed Items–West Hills Road Bike Path

Councilor O'Brien: Specific areas of Corvallis are under-served for safe bicycle travel, such as the Grand Oaks Subdivision. The item can be revised for a complete assessment of all Corvallis bicycle accessibility.

Councilor Daniels: More emphasis on bicycle infrastructure can be added.

Mayor Tomlinson: Is it important to acknowledge the West Hills Road Bicycle Path separate from the other bicycle transportation issues that are currently on the list?

Councilor O'Brien: West Hills Road does not need to be specifically identified. The Council is aware that there are areas in Corvallis that are dangerously under-served by bicycle routes.

Removed Items–Curbside Pickup Food Waste

Councilor Hirsch: If curbside food pickup is included in Progressive Waste Fees, this item does not need to be identified separately. There is a potential economic benefit for curbside food pickup that should be included (worm casting).

New Item–Energy Conservation Measures

Councilor Daniels: Support for commercial and residential building owners.

New Item–Restrict Plastic Bags

Councilor Hirsch: Prohibiting Styrofoam and restricting plastic bags and/or encouraging reusable food bags.

Mayor Tomlinson: Restricting plastic bags can be added to the “Prohibit Styrofoam in Food Service” action item.

New Item–Support Local Business, Green Industry, and Downtown Vitality

Councilor Raymond: By the end of 2012, establish procedures, criteria, and a schedule for redevelopment plans inside the City Limits. An assessment of current green areas would need to be completed first.

In response to Councilor Hervey’s inquiry, Councilor Brown confirmed that outreach is included in the “Educational Programs” action item.

New Item–Explore Comparable Sustainability Construction Incentives

Councilor Hervey: CSC Energy Goal 1, Strategy 3, Actions 1 and 3.

Policy Discussion

Mayor Tomlinson said Council needs to vote on action items and develop policies. Council can develop policies from the results of the vote or draft policies before voting. The City adopted an organizational sustainability policy several years ago and Council may want to consider drafting a community sustainability policy.

Councilor Daniels said she would prefer to have a discussion about policy areas that generate enough interest to begin working. For example, there are many action items related to a policy area of energy and transportation. Council could work on policy areas related to energy conservation, transportation, local food, and/or waste reduction.

Mayor Tomlinson asked for consensus that Council work on developing policies for energy conservation and local food generation. Council concurred.

Mayor Tomlinson asked for consensus that Council work on developing a transportation policy limiting the amount of single-occupancy gas-powered automobile trips.

Councilor Hervey said once Council votes on action items, obvious interest areas will surface. When work begins on those items, other similar actions may surface. He opined that the actions will evolve into policy areas and does not believe the policy discussion, item by item, needs to immediately occur. He suggested Council vote on action items and then develop policies as the items are worked on.

Mr. Nelson reminded Council that the February discussions included narrowing the action items and policies that resonated with Council so budget information could be developed. Council was asked to bring back favorite action items and policies for further discussion. What was received was an emphasis on action items. A vote on action items could result in trends and groupings that would determine a path for a policy discussion at a later date.

Councilor Brauner suggested Council start the process by voting for favorite action items which will naturally result in groupings. Council can then focus on action areas and policies that are deemed most important. That does not mean these are the only sustainability policies Council will ever address.

Councilor Raymond agreed with drafting a policy related to energy reduction and a goal to reduce the carbon footprint. She believes the City and the community should share sustainability knowledge through education and encouragement.

Council agreed by consensus to vote for their top five items using the colored dots provided.

In response to Councilor Brauner's suggestion, Council agreed to consolidate the following items:

Local Food:

- ▶ Create Agricultural BEC
- ▶ Convert Farmable Land
- ▶ Encourage Low Income Community Gardens
- ▶ Free Farmers' Market Coupons

Transportation:

- ▶ Use Bikes for Transportation
- ▶ Bicycle Boulevards
- ▶ Hybrid Cars
- ▶ Free Transit
- ▶ Reduce Gas Power Auto Trips

Waste:

- ▶ Progressive Waste Fees (includes food waste)
- ▶ Prohibit Styrofoam in Food Service
- ▶ Recycle Styrofoam/Plastic Bags

Energy:

- ▶ Localize Renewable Energy Revenue
- ▶ Renewable Energy Utility Fee

Mayor Tomlinson recessed Council from 8:50 until 9:03 pm.

Mayor Tomlinson briefed Council on the process preceding development of the matrix. Council agreed that the votes could be cast in any manner chosen by the individual Councilor.

Voting Results

Support "Buy Local First"	2 (dh, mo)
Localize Renewable Energy Revenue	3 (dh, pd, db)
Convert Farmable Land	5 (mb, rh, hb, jh, jr)
Use Bikes for Transportation	4 (mb, jr, dh, db)
Reduce Gas-Power Auto Trips	4 (rh, hb, pd, dh)
Hybrid Cars	2 (db, ct)
Free Transit	1 (hb)
Renewable Energy Utility Fee	3 (jh, ct, rh)
Change LDC/LEED	3 (mb, ct, pd)
Promote Alternative Sewer Technology	2 (rh, mb)
Progressive Waste Fees/Food Waste	0.5 (jh)
Prohibit Styrofoam in Food Service	3.5 (jh, hb, ct, db)
Recycle Styrofoam/Plastic Bags	2 (mo, mb)
Turn Off Reser Lights	2 (mo, mo)

Educational Programs	4 (jh, jh, jr, rh)
Communicate Who Lives Here	2 (ct, jr)
Support Energy Conservation and Generation	5 (dh, hb, pd, pd, db)
Support Local Business, Green Industry, Downtown Vitality	1 (jr)
Support Business Retention	1 (mo)

4. Next steps; budget/work plan; community survey

Mayor Tomlinson announced that results of action item consolidations, additions, reductions, and votes will be formulated into a written document.

Mr. Nelson confirmed that staff will provide a perspective of the results with the meeting minutes to be reviewed at the first meeting in April. Staff will then develop a work plan and resource implications for discussion at the second April Council meeting.

Councilor Hirsch commended City staff for their work on this important issue.

Councilor Daniels thanked Mayor Tomlinson, Councilor Brown, and Sustainability Supervisor Lovett for organizing the various Councilors' wishes.

Following a process discussion between Mayor Tomlinson and Councilor Daniels, Mr. Nelson clarified that Council can have a follow-up discussion on April 6 prior to staff developing a work plan and resource implications.

Councilor O'Brien said he did not understand how to express his interest of action items prior to this meeting. Other Councilors have expressed similar confusion. He said he will be cautious in reviewing the minutes and materials. He said the product is not what was expected at the beginning of the process, partly due to his failure to correctly follow the assignment.

Councilor Beilstein said he suspects Council will need to go through a winnowing process to compare resources with desires of accomplishment. Items with heavy support may not be pursued due to the lack of available resources. Part of the next steps will be to refine the list and reduce the number of initiatives.

Councilor Hervey acknowledged the work done to bring all of the various viewpoints together.

Mr. Nelson reiterated that this discussion will be captured in the minutes and on April 6 Council can discuss items they want staff to focus on for policy development and/or work plans.

Councilor Daniels said she assumed staff would bring back minutes and an idea of what policy area the action items fall under. Once a policy area is reviewed by Council, there are other strategies and actions that are not on the matrix that could be part of the process. A policy discussion needs to occur before other work is completed.

Mr. Nelson said the minutes will capture the outcome of the discussion and vote and then Council can discuss how to group the items under policies.

Councilor Hirsch said Council needs to start the process and get something done.

Councilor Hervey said it would be easier to cost out an action item before moving into a broad policy discussion. Once items are placed into policy groupings, it will be more difficult to capture resource information.

Councilor Raymond said she was also unclear how Council was going to proceed with respect to policy and action items. She believes there may be action items with minimal votes and negligible costs that the City could move forward on fairly quickly.

Councilor Brauner noted that the outcome does not have to be either actions or policies. The original concept was for staff to come back at the April 6 meeting with the results of this discussion and resource implications, followed by further Council discussion at the April 20 meeting. If staff brings back raw data for the April 6 meeting, Council can sort through next steps. Policies will evolve from the action items. At the next meeting, staff can help Council frame questions and direction for resource implication information.

Councilor Brown said he originally thought of this as a two-step process with policy development followed by a discussion of action items. Council can form clusters of identified policies and related actions, simultaneously.

Mr. Nelson confirmed that staff will return with raw data for the April 6 meeting.

Council agreed by consensus to postpone a discussion on a community survey until the policies/action items discussion is completed.

X. NEW BUSINESS – None.

XI. ADJOURNMENT

The meeting adjourned at 9:30 pm.

APPROVED:

ATTEST:

MAYOR

CITY RECORDER

To: Corvallis City Council
From: Dan Brown and Charlie Tomlinson

March 16, 2009

COMPILATION OF COUNCILORS' IDEAS ABOUT SUSTAINABILITY

City Council Sustainability Goal:

This year's sustainability goal has two parts:

"Develop community sustainability policies and implement selected actions."

Staff asked all Councilors and the Mayor to provide information about their preferred actions. You received copies of the various lists earlier.

We volunteered to try to organize the information; this document summarizes what we have done with all the responses. Hopefully, it will help facilitate the process of moving forward with the second half of this goal. With luck, it may also lead us to creating some community sustainability policies.

City Council Policy Definitions:

The City Council has adopted some relevant definitions which can be found in the *Council Policy Manual*. Councilors can use the first definition to verify that each item is or is not at the core of "sustainability." Since this would be a "values" exercise, we did not do this in the current document; that is, we included all Councilor ideas.

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.*

In the document, we used the idea of the "triple bottom line" to organize the Councilors' ideas. Thus, the discussion is divided into three parts.

1.08.023: *'Triple bottom line' is a framework for measuring and reporting organizational performance against environmental, economic, and social parameters. The term is used to capture the set of values, issues and processes that organizations must address.*

ECONOMIC SUSTAINABILITY

<u>Goals:</u>	<u>Strategies:</u>	<u>Actions:</u>
Economic Development mo	Support Business Retention mo Support “Buy Local First” mo Local Farms Profitable rh Encourage Business Diversity db Localize Renewable Energy Revenue	Create Agricultural BEC rh Use Blue Sky Revenue, etc. cct
Local Family Wage Jobs db	Develop Work Force Skills td db Support “Buy Local First” mo	Green Construction Training td Jobs in Local Businesses
Use Local Resources	Support “Buy Local First” mo Corvallis Regional Airport db Convert Farmable Land rh	EV 1.1.3 Institutions Buy Local rh LU 3.2.1 Incentives for Farming rh LU 3.2.1 Remove Restrictions rh
Self-Sufficiency: Food	Grow and Process Food Locally	Encourage Community Gardens mo LU 3.2.1 Encourage Urban Farms rh Canning Kitchen rh LU3.2.1 Local Food Growing Incentives rh
Less Oil Dependence	Use Bikes for Transportation mb	West Hills Rd. Bike Path mo

* Additions to *Final Action Plan*

Initials at the end of comments identify the source person: mb, hb, db, td, dh, rh, mo, jr, cct

Where utilized, numbers relate to Action Plan sections:

EV=econ. vitality; LU=land use; H = housing, T=transportation; We= waste; Wt=water

ENVIRONMENTAL SUSTAINABILITY

<u>Goals:</u>	<u>Strategies:</u>	<u>Actions:</u>
<p>Reduce: Emissions, Carbon Footprint mb cct Vehicle Emissions td Climate change</p>	<p>Reduce Gas-Power Auto Trips dh</p> <p>Mass Transit hb</p> <p>Bicycles</p> <p>Electronic Communication</p> <p>Conserve & Generate Energy</p> <p>Green Building Practices</p>	<p>Hybrid Cars cct T 2.3.2 Charge Stations cct rh T 2.3.2 Priority Hybrid Parking rh T 2.3.2 Hybrid Tax Credits rh</p> <p>T 2.1.1, 3.1.2 Free Transit mb cct</p> <p>Bicycle Boulevards mb jr Install West Hills Rd. Bike Path mo</p> <p>T 3.1.3 City-Wide Wi-Fi rh</p> <p>Renewable Energy Utility Fee cct Reduce Reser Stadium Lights mo</p> <p>H 3.4.1/LU4.1.1 Change LDC / LEED cct</p>
<p>Reduce Water Consumption</p>	<p>Water Education Water Research</p> <p>Reduce Sewer Water Flow</p>	<p>Wt1.3.1 Demonstration Site rh Wt1.1.3 Study Usage Patterns cct</p> <p>Wt1.2.2 Promote Alternate Tech. rh</p>
<p>Reduce Waste to Zero</p>	<p>Waste Demand Management</p> <p>Hazardous Waste</p> <p>Styrofoam Waste</p>	<p>We 2.3.3 Progressive Waste Fees cct We1.1.1 Curbside P/U Food Waste cct</p> <p>We3.2.2 Pharmaceutical Take Back rh</p> <p>We1.1.1 Prohibit in Food Service cct Recycle Styrofoam mo</p>
<p>Reduce Light Pollution</p>		<p>Turn Off Reser Lights mo</p>
<p>Protect Riparian Zones jr</p>	<p>Codes Honored jr</p>	

* Additions to Final Action Plan

Initials at the end of comments identify the source person: mb, hb, db, td, dh, rh, mo, jr, cct

Where utilized, numbers relate to Action Plan sections:

EV=econ. vitality; LU=land use; H = housing, T=transportation; We= waste; Wt=water

SOCIAL SUSTAINABILITY

<u>Goals:</u>	<u>Strategies:</u>	<u>Actions:</u>
Support Low-Income People rh	Community Gardens rh Voluntary Contributions Coordinate Homeless Efforts Support for Children/ Families	City Management & Support rh Farmers Market Coupons rh Commission for Homeless mo Children / Families Funding db
Life-Long Learning – Not just “Sustainability Education”	Cultural Activities Educational Programs	Library db Arts Center db K-12 schools db Higher Education db
Better Health	Reduced Emissions Reduced Toxins Exercise: Bike / Walk Nutrition Athletic Programs db Public Safety db	We3.2.2Pharmaceutical Take Back rh Community Gardens rh
Describe Who’s Here	Communicate Who Lives Here	CI 1.3.1 Online Comm. Calendar cct CI 1.3.2 Activity Marketing Guide cct
More Involvement	Participation	

* Additions to Final Action Plan

Initials at the end of comments identify the source person: mb, hb, db, td, dh, rh, mo, jr, cct

Where utilized, numbers relate to Action Plan sections:

.EV=econ. vitality; LU=land use; H = housing, T=transportation; We= waste; Wt=water; CI=community inclusion

Screening of Community Sustainability Initiatives
March 16, 2009

Goal/Strategy/Action	Economic	Environmental	Social	Comp Plan Category	2020 Vision Category	ICLEI Climate Action	City Org. Goal	Councilor Vote
Support "Buy Local First" EV 1.1.3	X			Economy	Economy	Businesses	X	
Create Agricultural BEC New	X			Economy	Economy	Businesses		
Localize Renewable Energy Revenue New	X	X		Energy	Economy Environmental	Sustainable Energy		
Green Construction Job Training New	X	X		Economy	Economy Environmental	Businesses	X	
Convert Farmable Land LU 3.2.1		X		Economy	Economy	Agriculture		
Encourage Lo Income Community Gardens F 2.3.2		X	X			Agriculture	X	
Use Bikes for Transportation New	X	X	X	Bicycle	Where People Live Environmental	Residential Trans	X	
Bicycle Boulevards New		X	X			Residential Transportation	X	
Reduce Gas-Power Auto Trips Various Energy, Trans G/S/As		X		Trans Energy	Environmental	Transition to alternative fuels	X	

Goal/Strategy/Action	Economic	Environmental	Social	Comp Plan Category	2020 Vision Category	ICLEI Climate Action	City Org. Goal	Councilor Vote
Hybrid Cars T 2.3.2		X		Transportation	Environment	Transition to alternative fuels	X	
Free Transit T 2.1.1 T 3.1.2	X	X	X	Transit	Environment	Municipal Transportation	X	
Renewable Energy Utility Fee New		X		Energy	Environment	Sustainable Energy		
Change LDC / LEED H 3.4.1 LU 4.1.1		X		Energy	Environment	Urban Planning	X	
Promote Alternate Sewer Technology (Gray Water) Wt 1.1.3, Wt 1.2.2, Wt 1.1.1		X		Waste Water	Environment	Utilities	X	
Progressive Waste Fees We 2.3.3 We 1.1.1		X		Franchise Utilities	Environment	Utilities	X	
Prohibit Styrofoam in Food Service We 1.1.1		X		Franchise Utilities	Environment	Waste Reduction Recycling	X	
Recycle Styrofoam We 1.1.1		X		Franchise Utilities	Environment	Waste Reduction Recycling	X	
Turn Off Reser Lights New		X		Energy	Energy	Sustainable Energy	X	
Free Farmers Market Coupons New	X		X			Agriculture		

Goal/Strategy/Action	Economic	Environmental	Social	Comp Plan Category	2020 Vision Category	ICLEI Climate Action	City Org. Goal	Councilor Vote
Children / Families Funding New			X	Health Services Childcare	Education Human Services			
Educational Programs New			X	Oregon State University	Education Human Services	Education		
Athletic Programs New			X	Parks & Rec.	Cultural Enrichment Recreation			
Public Safety New			X	Police Protection	Where People Live			
Communicate Who Lives Here CI 1.3.1 CI 1.3.2			X		Governing, Civic Involvement		X	

Note: The following initiatives were removed from the list for the reasons indicated.

- City-Wide Wi-Fi – City action already in progress
- Curbside Pickup Food Waste - City action already in progress
- Pharmaceutical Take Back - City action already in progress
- Support Business Retention (falls under Council goal #5)
- Encourage Business Diversity (falls under Council goal #5)
- Commission for Homeless (falls under Council goal #2)
- Cultural Activities (falls under Council goal #4)
- Protect Riparian Zones (Goal Council goal #6)
- West Hills Road Bike Path (potential CIP)

in/ attachment # 7

1) No person shall intentionally harass or annoy another person by subjecting such other person to offensive physical contact.

2) A violation of this Section is a Class B Misdemeanor.
(Ord. 82-77 § 107.03, 1982)

Section 5.03.080.040 Human waste.

1) No person shall deposit or discharge any human waste on property open to or visible by the public.

2) A violation of this Section is a Class A Infraction.
(Ord. 82-77 § 107.04, 1982)

Section 5.03.080.050 Disturbance of lawful assemblies.

1) No person shall knowingly interrupt, disturb, or annoy any lawful assembly of persons, public or private, without lawful authority.

2) A violation of this Section is a Class C Misdemeanor.
(Ord. 82-77 § 107.05, 1982)

Section 5.03.080.060 Sexual conduct.

1) No person shall, while in a public place or in view of a public place engage in any sexual conduct.

2) A violation of this Section is a Class A Misdemeanor.
(Ord. 82-77 § 107.06, 1982)

Section 5.03.080.070 Nudity.

1) No person shall, while in a public place or in view of a public place, appear in a state of nudity.

2) A violation of this Section is a Class C Misdemeanor.
(Ord. 82-77 § 107.07, 1982)

Section 5.03.080.080 Prohibited sleeping or lodging.

5.03.080.080.01 Definitions.

For purposes of this Section, the following definitions shall apply:

1) Lodge - To provide with a temporary place of residence, whether or not any such lodging incorporates the use of any tent, lean-to, or any other structure, or any vehicle or part thereof. To lodge includes the use or maintaining of a stove or fire.

2) Vehicle - Any device in, upon, or by which any person or property is or may be transported or drawn upon a public highway and includes vehicles that are propelled or powered by any means.

(Ord. 82-77 §107.08, 1982)

5.03.080.080.02 Sleeping or lodging in prohibited public places.

1) No person shall sleep or lodge in or upon any sidewalk, street, alley, public right-of-way, park, or any property owned by the City of Corvallis, or under any bridge, except as provided in Section 5.03.080.080.04 below, or Chapter 5.01, as amended.

2) A violation of this section is a Class C Misdemeanor.

5.03.080.080.03 Sleeping or lodging on private property without consent.

1) No person shall sleep or lodge on private property in a vehicle or in places not intended for that

purpose, without permission of the owner or person entitled to the possession thereof and without a permit as provided in Section 5.03.080.080.04.

2) A violation of this section is a Class C Misdemeanor.
(Ord. 83-72 §1, 1983; Ord. 82-77 §107.07, 1982)

5.03.080.080.04 Permits.

1) The City Manager is authorized to issue permits to groups or organizations for the use of a designated area, for the parking and use of vehicles for lodging on a temporary basis, provided the group or organization has the written permission of the owner of the property or person in charge of the property where the vehicles will be located. The application for the permit shall be accompanied by a non-refundable application fee as designated in the Fees Chapter (8.03). The permit shall be issued for no more than 7 days. The permit is revokable if any of the conditions are not met or if it is necessary for the peace, safety, health, or welfare of the City.

2) To reasonably accommodate cases of personal hardship related to the treatment of a serious medical condition at a medical facility, the City Manager is authorized to issue a permit to the property owner of a medical facility for the use of up to 3 off-street parking spaces for use by recreational vehicles for lodging of patients undergoing medical treatment. The permit may be issued to the property owner for up to 1 year, and may be renewed upon request by the property owner. Any property owner granted a permit under this provision shall not be entitled to any other permit pursuant to this section of the Corvallis Municipal Code.

(Ord. 95-32 §1, 1995; Ord. 82-77 §107.08, 1982)

3) For those cases involving recreational vehicles on private residential property under review by the Building Official and without an official resolution as of September 1, 2001, and to reasonably accommodate cases of personal hardship related to the treatment of a serious medical condition, the City Manager is authorized to issue a permit to the property owner of residential property to allow for the lodging of a medical care giver, in a recreational vehicle parked in the driveway of the owner's residential property. For a person to be eligible for the permit: (a) the medical care giver must be a member of the property owner's immediate family; (b) the person who requires treatment of a serious medical condition must be a member of the property owner's immediate family; and (c) the recreational vehicle must meet Building Official requirements for sanitary sewer, water, and any other utility connections. The permit may be issued to the property owner for up to one year, and may be renewed upon request of the property owner, so long as the person with the serious medical condition lives on the residential property. Any property owner granted a permit under this provision shall not be entitled to any other permit pursuant to this section of the Corvallis Municipal Code.

(Ord. 2001-14 § 1, 09/17/2001)

4) The City Manager is authorized to issue permits to groups or organizations for the use of a designated area for temporary lodging, provided the group or organization has the written permission of the owner of the property or the person in charge of the property. The temporary lodging must meet a demonstrated community need and may not be located in a residential area. The City Manager may issue the permit subject to reasonable conditions. The City Manager may issue the permit for no more than 30 days. The City Council may extend the permit an additional 60 days. The permit is revokable if any of the conditions are not met or if the City Manager determines it is necessary to revoke the permit for the peace, safety, health, or welfare of the City.

(Ord. 2008-13 §1, 08/18/2008)

Section 5.03.080.090 Resisting arrest.

1) No person shall intentionally resist a person known by her or him to be a police officer in making an arrest.

2) A violation of this Section is a Class A Misdemeanor.

3) It is no defense to a prosecution under this Section that a police officer lacked legal authority to

3/14 From Council's Handbook. K

GOAL	DESCRIPTION	CULTURE RECREATION	CENTRAL CITY	ECONOMIC VITALITY	EDUCATION & HUMAN SERVICES	GOVERNING & CIVIC INVOLVEMENT	PROTECTING ENVIRONMENT	WHERE WE LIVE
1	Develop community sustainability policies and implement selected actions.		X	X	X	X	X	X
2	Work with public, private, and nonprofit entities to improve community resources available for combating homelessness, with the aim of providing paths to stability and self-sufficiency.		X		X	X		X
3	Develop an integrated 10 year development plan for the AIP utilizing such tools as the Enterprise Zone.			X		X		
4	Establish a commission for arts and culture.	X			X	X		X
5	Continue to implement PTF/EVP/Economic Development and refine as necessary.		X	X				
6	Work with RC&D and others to seek funding for acquisition or restoration of, and improvements to, publicly owned or protected wetlands, riparian, and natural areas.	X					X	

First Christian Church
602 SW Madison
Corvallis, OR 97333

March 15, 2009

Corvallis Mayor Charlie Tomlinson
City Councilors Mark O'Brien-1, Patricia Daniels-2, Richard Hervery-3,
Dan Brown-4, Mike Beilstein-5, Joel Hirsch-6, Jeanne Raymond-7,
David Hamby-8, Hal Brauner-9
City Manager Jon Nelson

Dear Mayor, City Councilors, and City Manager,

As friends and members of First Christian Church in Corvallis, OR, we are writing to express our concern about the terrible situation for the homeless people in our city. As Christians we feel that we must care for the homeless and needy, and we strongly feel our city must step in and help immediately the serious situation for the homeless men living in Corvallis.

We understand that:

! Harm reduction happens when people know they have a secure place to sleep each night,

! The Men's Cold Weather Shelter has served as such a place of security for them,

! However, the Cold Weather Shelter for men is closing on March 15 but the cold weather will continue.

! We know that Community Outreach Inc. does a terrific job and meets the needs of a significant number of the homeless in our community. We are thankful for their service. But COI does not serve the needs of the many chronic homeless who may not be drug-free; they must be served, too.

Therefore we are very concerned that there is no alternative place of security for these people.

We strongly urge the City Mayor, City Councilors and City Manager to work together to designate a camping area in the city where homeless men can go to sleep in security, without fear of being ticketed after March 15, 2009. Even in warmer weather this policy should remain in place. We would be willing to join with other faith communities to help in providing some assistance, such as porta-potties.

As caring Christians concerned about the well being and safety for all our residents, we ask you to quickly respond to this situation in a thoughtful way to provide for these people. We believe all people are worthy of care. We expect our city leaders to respond positively.

We look forward to hearing soon about your positive action on this situation.

Sincerely,

Members and friends of First Christian Church, Corvallis

SIGNATURE

PRINTED name

Address (street, city, zip)

1. Eugenia Miller Eugenia Miller

2. Teresa A. Morgan Teresa A. Morgan

3. Coralee Spence CORALEE SPENCE

4. Mary Jo Wise MARY JO WISE

5. Kathy Wheeler KATHY WHEELER

6. E. Ross Parkerson E. ROSS PARKERSON

Corvallis City Officials -

By 3-15-09 establish a designated camping area in Corvallis where homeless can sleep without being ticketed.

	<u>SIGNATURE</u>	<u>PRINTED name</u>	<u>Address (street, city, zip)</u>
7.		Scott Perry	
8.		STEVE C. HOVANEC	
9.		Jeannette MAIER	
10.		FORREST RUTLEDGE	
11.		PRILL Zobel	
12.		Don Zobel	
13.		Neil Reynolds	
14.		Cherie Reynolds	
15.		Carolyn Dyer	
16.		Dale Dyer	
17.		BILL THAYER	
18.		PATRICIA Martin	
19.		Lannie Pierce	
20.		_____	
21.		Kenneth R. LUSK	
22.		JARVIS SAMS	
23.		RON SHAFER	
24.		CAROL GARBAEK	
25.		ALICE KELLING	
26.		Joyce Willcox	
27.	_____	_____	
28.	_____	_____	
29.	_____	_____	
30.	_____	_____	
31.	_____	_____	
32.	_____	_____	
33.	_____	_____	
34.	_____	_____	
35.	_____	_____	

May 16, 2009

To: The City Council, Corvallis, Oregon
From: Dr. Edward Ames
Subject: A Safe and Legal Location for Homeless Camping

I endorse and recommend approval of the Citizens Proposition for Designating municipal property for use by homeless residents seeking shelter.

I have served as a volunteer at the Corvallis homeless shelter for each of the last three years. Prior to that time I served in homeless shelters in Oak Park, Illinois, where we had shelters available for men, women and children during the entire year.

Other large cities, such as Portland, Oregon with Dignity Village, and the municipal campground in Sacramento, California have found ways to respond to this need. I know that we can too. Once the homeless can have a settled place to live it will be much easier and more efficient to link them to other services to restore their health and economic viability.

many who have shelter are subsequently able to turn their lives around. what they need most is opportunity, I am a member of one of the faith organizations.

Edward R. Ames

Corvallis 97330

ate: 3/12/2009
emo To: Corvallis City Council
om: Carolyn Miller
Hilltop Village Project Development Manager, Benton Habitat for Humanity
egarding: A Partnership for Sustainability

ver the past four years, Benton Habitat for Humanity has been planning an inclusive and sustainable neighborhood in North Corvallis, Hilltop Village. This effort as inspired by the land donation, values, and vision of David and Jean Kliewer. With input from neighbors and Corvallis residents from all walks-of-life, a group of oughtful and generous planning and site design professionals wove the Kliewer's vision into a development plan that received unanimous approval by the orvallis Planning Commission in July of 2008. Furthermore, Hilltop Village goals and criteria are now guiding ongoing research and planning for high *and* tainable levels of sustainability, affordability, and livability.

atched to this Memorandum are two documents:

1. An Overview of Hilltop Village (2 pages with photos, maps, and a site drawing)
2. An Analysis of Hilltop Village based on Corvallis Sustainability Coalition Topic Areas

ese two documents reveal how the Hilltop Village development plan **is a blueprint** for sustainable residential development. For this reason, and because we believe that Hilltop Village will prove to be beneficial for the whole community, we would like to explore ways that Benton Habitat for Humanity can partner with e City of Corvallis and the Corvallis Sustainability Coalition. Our combined resources can inform, improve, and help demonstrate many features of sustainability to e Corvallis community, and beyond.

: Hilltop Village, exciting opportunities exist in every topic area of sustainability identified by the Sustainability Coalition. For example, in the area of ENERGY, utual research on geothermal, solar, and insulation opportunities could result in demonstration projects that otherwise would be cost prohibitive or overlooked. mpler sustainable efforts in this area might include finding affordable programmable thermostats or windows with improved ratings for Habitat homes. In the ea of WATER, existing stormwater calculations and geotechnical studies can provide basic data for investigating various retention methods. This would be a rticularly interesting opportunity given the slopes, soils, and bedrock in the Hilltop Village area.

roundbreaking for Hilltop Village infrastructure is currently scheduled for the summer of 2010 and may be extended to 2011, depending on funding. This neframe is both ample and motivating for identifying and creating innovative and doable sustainable opportunities at Hilltop Village.

partnership between Benton Habitat for Humanity, the Corvallis Sustainability Coalition and the City of Corvallis (1) provides an ideal "action" opportunity for the alition; (2) creates the possibility of grants, demonstration projects, and a wider network of private and public support for Hilltop Village; and (3) benefits the ole community through real-world implementation of sustainable practices. This is a Win-Win-Win opportunity for all.

im eager to discuss with you how the City of Corvallis and Benton Habitat for Humanity can work together on the Hilltop Village project.



Carolyn AH Miller, Hilltop Village Development Manager
Phone: (541) 752-4537/231-7864 FAX: 541.752.3175



A Benton Habitat for Humanity Development

EMAIL: hilltop@bentonhabitat.org

ATTACHMENT G Page 227-n

A Brief Analysis of HILLTOP VILLAGE: an inclusive and sustainable 18 home neighborhood being developed in north Corvallis.

- Twelve Hilltop Village lots are reserved for *long-term* affordable Benton Habitat for Humanity (BHfH) homes; six lots will be sold at market rates.
- Analysis focuses on the development's goals, general site plan, and BHfH homes.
- Headings follow the Corvallis Sustainability Coalition Topic Areas.

COMMUNITY INCLUSION	ECONOMIC VITALITY	EDUCATION	ENERGY
<p>1. A range of homeowner incomes, ages, family sizes, abilities, races.</p> <p>2. Universal Design for aging-in-place and accessibility.</p> <p>3. Site designed to maximize handicapped accessible options.</p> <p>4. Green areas and paths laid out for neighborly interaction.</p>	<p>Contributes to vital economy via:</p> <ol style="list-style-type: none"> 1. Affordable home ownership for employees in a variety of jobs. 2. Fewer workers forced to live outside of Corvallis due to housing costs. (Also see TRANSPORTATION #3) 3. Diverse housing type & price range meets a variety of housing needs. 	<ol style="list-style-type: none"> 1. Prospective home buyer orientation introduces Hilltop Village sustainability goals. 2. BHfH is designing a series of "Affordable Green Living" classes for all Habitat Partner families. (Also see FOOD #3; H&HS #3; W&R #2) 3. HOA & CCRs include green guidelines and responsibilities. 	<ol style="list-style-type: none"> 1. Lay-out utilizes natural slopes and southeast solar orientation. 2. Super insulated homes are designed for passive solar heat; use low energy appliances/HVAC; and are pre-wired/plumbed for optional solar/thermal systems. 3. Future HOA solar panels may provide power for street lights.
FOOD	HEALTH & HUMAN SERVICES	HOUSING	LAND USE
<ol style="list-style-type: none"> 1. Terraced, south facing community garden area available to homeowners. 2. Thoughtful design of efficient, affordable homes permits more \$ in budget for healthy food since <ul style="list-style-type: none"> ▪ housing is $\leq 1/3^{\text{rd}}$ of income, ▪ utility costs are low, and ▪ there is adequate storage for cost-effective bulk purchases. 3. Gardening and "Affordable Nutrition" classes for Habitat families. 	<ol style="list-style-type: none"> 1. Neighborhood walkways connect to Forest Dell Park path for free, healthy exercise. 2. The Osborne Aquatic Center and the Boys and Girls Club are less than 1 mile away. 3. Ongoing volunteer opportunities, particularly for green activities and neighborhood maintenance, will be available through the neighborhood's HOA and BHfH. 	<ol style="list-style-type: none"> 1. Long-term affordability: initial & successive sale of 12 Habitat homes will be affordably priced. 2. Resource efficient site design, development activities, & building practices minimize cost, energy use and ongoing maintenance. 3. Materials from regional and recycled sources. 4. Attached and detached housing designed to meet a variety of needs. 	<ol style="list-style-type: none"> 1. Land use pattern intended to minimize impact on environment: <ul style="list-style-type: none"> ▪ 6.4 acres of protected open space shared by neighborhoods; ▪ 3.1 acres for compact residential lay out that is based on natural topography, soils, solar orientation and existing vegetation. 2. Clustered housing allows: <ol style="list-style-type: none"> a) more common green area; and b) compact infrastructure layout.
NATURAL AREAS & WILDLIFE	TRANSPORTATION	WASTE & RECYCLING	WATER
<ol style="list-style-type: none"> 1. Adjacent to 6.4 acre open space. 2. Oak Reserve for mature oak and new oak plantings. 3. Plentiful, low-water landscaped areas provide habitat for wildlife. 4. No noxious/invasive landscaping allowed in neighborhood. 	<ol style="list-style-type: none"> 1. Internal pedestrian/bicycle paths connect to nearby shops, medical services, schools, parks, activity centers, bus service. 2. Bicycle parking areas designed within each home. 3. Reduces commuter travel from out-of-town. (see Economic #2) 	<ol style="list-style-type: none"> 1. Resource efficiencies by <ul style="list-style-type: none"> ▪ careful home sizing and ▪ simultaneous home building. 2. Homeowner training in green lifestyle includes composting, reduce, reuse, and recycle. 3. BHfH ReStore pick-up service and discounts. 	<ol style="list-style-type: none"> 1. Storm water detention vault meets slope, soil, City, and neighborhood requirements. 2. Low-water appliances, fixtures, and landscaping. 3. Researching retention options: pervious surfaces, infusion, water gardens/swales in common areas.

Analysis prepared by Carolyn Miller, Hilltop Village Project Manager. Contact: hilltop@bentonhabitat.org/ (541) 231-7864

HILLTOP VILLAGE:

An inclusive and sustainable neighborhood being developed in north Corvallis



HISTORY

Unanimous approval for the Hilltop Village development plan was given by the Corvallis Planning Commission on July 18, 2008. This approval follows four years of thoughtful planning and design work by community-wide volunteers and moves Benton Habitat for Humanity (BHfH) one step closer to development of its largest project ever.

The concept and property for Hilltop Village were gifts from David and Jean Kliewer. They dreamed that their property would benefit the whole community. It was their dream that:

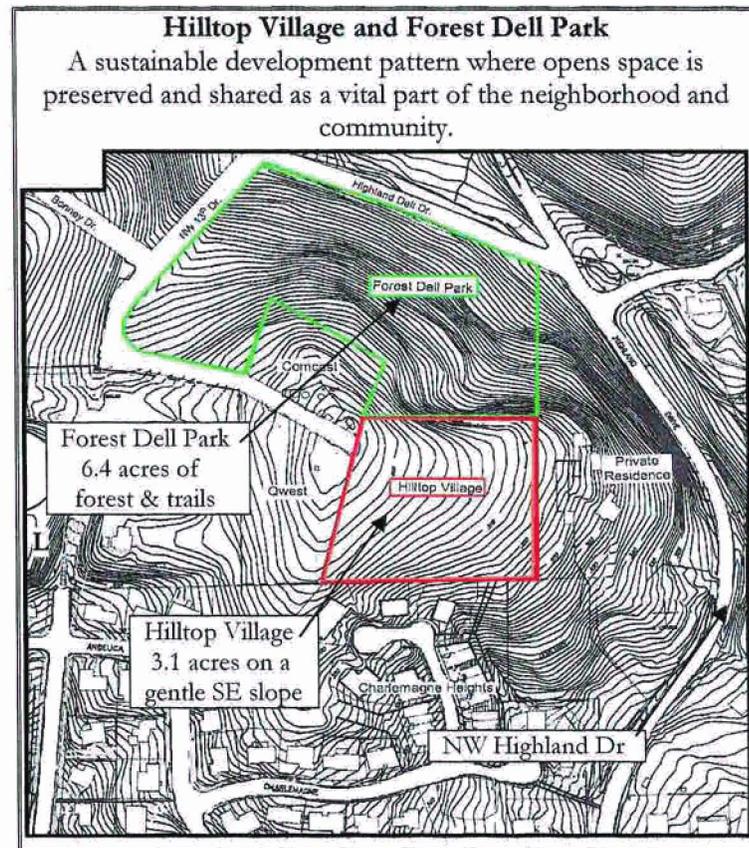
- limited natural resources be preserved and tolerance and diversity promoted;
- generations of children delight in the forested hillside, as their children had;
- affordable home ownership is available for the working people of Corvallis; and
- open space be sustained and shared among neighborhoods.

To make their dream a reality, David and Jean donated 6.47 acres to the people of Corvallis in 1997. Covered by a diverse and beautiful stand of trees, this area is now known as Forest Dell Park. In December of 2005, the Kliewers donated 3.13 acres adjacent to the park to Benton Habitat for Humanity for development of Hilltop Village.

From BHfH's mission "to make decent shelter a matter of action and conscience" and the Kliewer's dream, three fundamental goals for the property quickly emerged.

1. To establish long-term, affordable home ownership opportunities for hardworking Corvallis residents.
2. To design a development where long-term impacts on the environment are minimized and natural resources are preserved.
3. To form a neighborhood where tolerance and diversity are promoted.

Professional volunteers in the fields of planning, development, architecture, and engineering were inspired by the possibilities of Hilltop Village. Neighbors were quickly involved in the planning process which ultimately included nine neighborhood meetings and two community wide meetings. Once Corvallis voters approved annexation of the property in November 2005, community involvement exploded! To date, nearly 250 volunteers have taken part in some aspect of Hilltop Village!

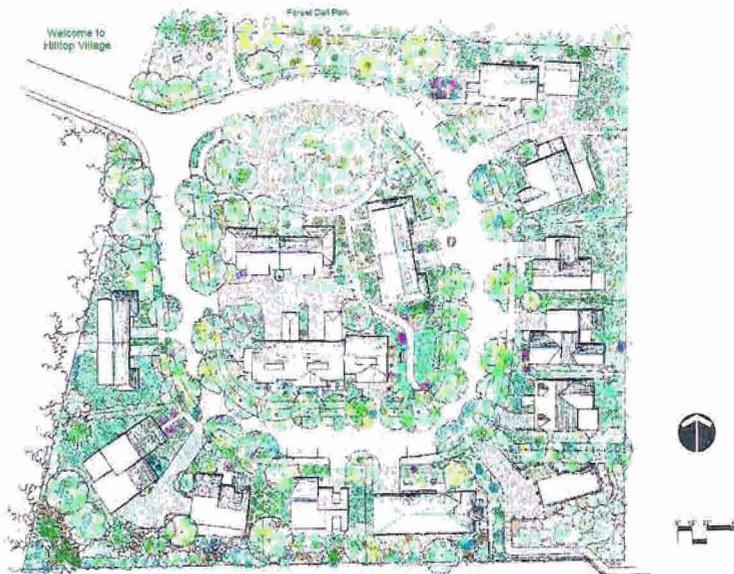


David and Jean visiting Forest Dell Park in 2006 and looking over Hilltop Village plans in March 2007. David passed away in April of 2007.

PRESENT AND FUTURE

HILLTOP VILLAGE CRITERIA AND CONCEPTS – Every aspect of planning, design and development is guided by the following criteria.

1. *EFFICIENT & RESPECTFUL USE OF TOPOGRAPHY AND NATURAL FEATURES (LOW-WATER; HIGH-SOLAR; MINIMIZE CUTS AND FILLS; DEVELOP AWAY FROM STEEPER SLOPES.)*
2. *TRANSITION AREAS, LINKAGES AND COMPATIBILITY WITH ADJACENT NEIGHBORHOODS AND PARKS.*
3. *A NATURAL, RELAXED, SAFE PEDESTRIAN-FRIENDLY SETTING WHERE COMPACT AND ENERGY EFFICIENT HOMES ARE CLUSTERED AMONG COMMON OPEN SPACES.*
4. *SUSTAINABLE PRACTICES IN DESIGN, DEVELOPMENT, AND BUILDING TO MINIMIZE LONG-TERM COST, ENERGY & RESORCE USE, AND ONGOING MAINTENANCE.*
5. *AN INCLUSIVE & EQUITABLE NEIGHBORHOOD THAT PROVIDES A RANGE OF LOT SIZES, HOME TYPES AND OPPORTUNITIES FOR RESIDENT INTERACTION; A GREENER LIFESTYLE; ALTERNATIVE TRANSPORTATION; A HEALTHY LIFESTYLE; AND NEARBY, EASILY ACCESSIBLE OUTDOOR ENJOYMENT.*
6. *INCREASINGLY PARTICIPATE WITHIN THE ECOLOGICAL CYCLE BY: (1) APPLYING THOUGHTFUL AND EFFICIENT DESIGN AND PRACTICES; (2) USING, RE-USING, AND RECYCLING SUSTAINABLE MATERIALS FROM REGIONAL SOURCES; AND (3) CONTINUING EDUCATION AND ACTION.*



HILLTOP VILLAGE DEVELOPMENT PLAN – Hilltop Village is designed to become a green, diverse neighborhood with 18 low-density (RS-6) lots on a gently terraced south-eastern slope. This provides many passive and active solar opportunities for homeowners. BHfH will build twelve long-term affordable homes and six lots will be sold to help finance infrastructure construction and create greater diversity within the neighborhood. All homes – nine detached and nine attached (2 two-home units and 1 three-home unit) – will be designed according to guidelines that encourage: 1) a range of exterior house characteristics that are well-suited for an inclusive and equitable neighborhood, 2) use of green materials, 3) energy efficiency, and 4) universal design features. Dispersed throughout the neighborhood, four common areas provide a variety of amenities such as lawns and gardens, an oak reserve, and natural hillside plantings. Walkways lead to the soft path and tree canopy of Forest Dell Park. Streets and bicycle/pedestrian paths connect with nearby neighborhoods, shopping, schools, medical facilities, activity centers, and City bus service. “Affordable Green Living” classes are being developed by BHfH for their Partner Families and will be available to all Hilltop Village homeowners.

WHAT'S NEXT? – Benton Habitat for Humanity is seeking *Investors and Partners* in the Hilltop Village campaign for infrastructure (the underlying system of roads, walkways, utilities, paths, and community green areas). Together, *Investors and Partners* will produce a long-term mix of housing options and a well-planned green neighborhood that improves opportunities for hardworking residents and families and creates a healthier community for everyone

- **INVESTORS** - Community members, businesses, and organizations *who donate* money, equipment, or materials to Hilltop Village are investing in immediate and future affordable homes in Corvallis. Tax write-offs are available since BHfH is a private 501C3 organization. *Investors and Partners* will also receive special recognition for their contribution.
- **PARTNERS** – Volunteers, professionals, and skilled workers *who directly participate* in developing the infrastructure for Hilltop Village are meeting particular **NEEDS** by contributing their particular **INTEREST-SKILL-ABILITY**. This results in very rewarding experiences and special public recognition.

WHAT'S THE DEVELOPMENT TIMELINE? – The following timeline is dependant on assembling adequate funds and partnerships.

<u>2008- 2009</u>	Final engineering and permitting process
<u>Spring 2010</u>	Ground breaking for Hilltop Village infrastructure.
<u>Early 2011</u>	Habitat home building begins.

For more information: [www.bentonhabitat.org/\(541\) 752-3354](http://www.bentonhabitat.org/(541)752-3354) or contact Carolyn Miller, Project Manager: [hilltop@bentonhabitat.org/\(541\)231-7864](mailto:hilltop@bentonhabitat.org/(541)231-7864)



Community Development
 Planning Division
 501 SW Madison Avenue
 Corvallis, OR 97333

Approved as submitted, March 18, 2009.

**CITY OF CORVALLIS
 PLANNING COMMISSION MINUTES
 January 21, 2009**

Present

Karyn Bird, *Chair*
 Frank Hann
 Tony Howell
 Steve Reese
 Jim Ridlington
 Denise Saunders
 Patricia Weber
 Joel Hirsch, *Council Liaison*

Staff

David Coulombe, Deputy City Attorney
 Ken Gibb, Community Development Director
 Fred Towne, Planning Division Manager
 Matt Grassel, Development Review Engineer
 Bob Richardson, Associate Planner
 Kelly Schlesener, Senior Planner
 Jacqueline Rochefort, Parks Planner
 Greg Gescher, Public Works Engineering Sup.
 Mark Lindgren, Recorder

Excused

Jennifer Gervais

SUMMARY OF DISCUSSION

	Agenda Item	Information Only	Held for Further Review	Recommendations
I.	Visitors' Propositions			None.
II.	Deliberations First Presbyterian Church, (PLD08-00012, SUB08-00006)			Motion passed unanimously to approve the application as conditioned by the staff report, with new Condition #4. Motion passed unanimously to approve the major replat application.
III.	Annual Discussion Annual Capital Improvement Program (CIP) Review			Motion passed unanimously to send the Planning Commission recommendations to the CIP Commission and the City Council, with the amendments to the two assumptions placed in the record.

IV.	Planning Commission Minutes A. October 8, 2008 B. October 15, 2008 C. October 29, 2008 D. November 5, 2008 E. November 19, 2008 F. December 3, 2008			Frank Hann moved and Patricia Weber seconded to approve the minutes of October 8, 2008; October 15, 2008; and November 19, 2008, as corrected; and the October 29, 2008; November 5, 2008; and December 3, 2008, minutes as presented. Motion passed unanimously.
V.	Old Business			None.
VI.	New Business A. Planning Division Update			A draft Planning Division work task list will be forwarded to the commission. Citing work demands, Commission Saunders resigned.
VII.	Adjournment			Meeting adjourned at 9:53 p.m.

CONTENT OF DISCUSSION

The Corvallis Planning Commission was called to order by Chair Karyn Bird at 7:02 p.m. in the Downtown Fire Station Meeting Room, 400 NW Harrison Boulevard.

I. **VISITOR'S PROPOSITIONS:** There were no propositions brought forward.

II. **DELIBERATIONS – First Presbyterian Church (PLD08-00012, SUB08-00006):**

Chair Karyn Bird welcomed citizens and stated that the Public Hearing on this item was held on January 7, 2009. By request, the record was held open for 7 days for additional written public testimony. The applicant's final written comments were received on January 20, 2009. Planning Commissioners have received both the additional testimony (**Attachment A**) and the applicant's final written comments (**Attachment B**). Deliberations will proceed this evening.

A. **Discussion and Action by the Commission:**

Chair Bird asked whether Commissioners had any declarations to make since the previous meeting. Commissioners expressed no conflicts of interest, ex parte contacts, or site visits, and no members of the public rebutted the declarations.

Commissioner Bird highlighted a letter from Mary Beth Hughes (**Attachment A-35**), saying it brought up some issues that have recurred over the years. One of these is that the public didn't have adequate time to respond. Commissioner Bird stated that even though the full staff report may not be available until a week before the public hearing, as soon as the public is notified of the public hearing (usually about twenty days), the application is available from Planning Division staff and thus the public can be fully aware of what the applicant has proposed to do.

Another issue cited was the request to have a continuance. Ms. Hughes contended that leaving the record open didn't give her time to respond. Commissioner Bird responded that leaving the written record open is an accepted method of having the public respond to issues that may have come up during the public hearing that they would like further time to respond to, and also gives the applicant time to develop a final response to those issues.

Regarding Ms. Hughes' request for the continuance's length to be "as long as it takes", Commissioner Bird noted that continuances are always to a time certain. She noted that participants unhappy with a Commission decision can always appeal a decision to the City Council and have additional time to make their case there.

Commissioner Bird highlighted Ms. Hughes' contention that staff advocated for the applicant; she said that staff does not do so, it advocates for the Land Development Code. Staff works with the applicant, looks at how the Code applies to that application, and makes sure that if the applicant wants to vary from the Code, that the applicant has made some offer of benefit to the public to make that variance worthwhile. Staff works for the public, not the applicant, seeks to make the best compromise for everyone concerned, and tries to give their best advice on the interpretation of the Code.

Regarding Ms. Hughes' claim that the Historic Resources Commission (HRC) decision affected that of the Planning Commission, Commissioner Bird stated that it was a completely separate hearing. The HRC strictly operates from Land Development Code Chapter 2.9; it does not work from the entire Code, which is why the application had to then come to the Planning Commission for further consideration. The HRC's granting of a Historic Preservation Overlay to the parking lot was contingent on the Planning Commission's passing everything else in order to make it a unified property, with the same Overlay.

Regarding Ms. Hughes' reference to the Planning Commission having made decisions on this case, Commissioner Bird stated that the Commission only decided to hold the record open, not to grant the continuance, and to close the public hearing. Any other decisions will be made tonight. All the questions the Commissioners asked at the public hearing were regarding clarifications of the Land Development Code and the applicant's process.

Questions from the Commission:

MOTION: Commissioner Saunders moved to approve the First Presbyterian Church's Conceptual and Detailed Development Plan (PLD08-00012) as conditioned in the December 31, 2008, staff report to the Planning Commission. This motion is based on findings in support of the application presented in the December 31, 2008, staff report and on findings in support of the application that will be made by the Commission in support of the request. Commissioner Howell seconded the motion.

In discussion, Commissioner Ridlington asked how the issue regarding the swifts in the chimney cracks had been resolved. Planner Richardson replied that he understood the chimney is not proposed to be impacted by the development.

Commissioner Howell highlighted the testimony of Mr. Knapp regarding adding bicycle spaces as a substitute for the loss of some parking spaces, since the proposal is for less than the Land Development Code requirement in terms of the number of parking spaces. Manager Towne replied that a substitution could work. There is an opportunity to provide additional parking in some location; the issue would be figuring out the site for the parking. The Planning Commission would need to do that as a response to a review criterion of some sort. Deputy Attorney Coulombe cautioned that any additional structures built would likely have issues with the HRC and could force the applicant to go back before the HRC to ensure compatibility with those review criteria. Commissioner Howell noted that there is a requirement for a certain number of parking spaces, and there is a request for variance for reduction, with on-street parking substituting for off-street parking (the different parking studies dispute whether the full capacity is there). Attorney Coulombe said that it would not be unusual for the Commission to consider figuring in alternate modes of transportation.

Commissioner Howell asked whether staff had figured in a typical reduction for location near transit. Planner Richardson replied that that was considered to a degree; the applicant's proposal discussed reductions in parking as a result of proximity to transit, as well as providing more bicycle parking than required by the Land Development Code. However, the applicant used different numbers than staff used. The staff analysis found that if uses were occurring at different times and they were incidental uses, then the real parking issue is based on the displacement of parking. Therefore, staff did not do an evaluation of the reduction of parking from transit or biking.

Commissioner Howell asked whether the tables comparing the Land Development Code requirements with the parking study was the applicants' analysis; He wondered if staff looked just at the 23-space reduction in regard to Code requirements in relation to estimates of 112 spaces on Sunday, 190 on Tuesday evening, and 188 on Wednesday morning. Planner Richardson replied that staff did look at Code standards, but didn't include a reduction in parking as a result of proximity to transit or extra bicycle spaces; the number is simply the Code minimum. Commissioner Howell related that staff believes the capacity of on-street parking can absorb the difference between that and the provided off-street parking.

In response to Commissioner Howell's query, Planner Richardson answered that if a site is within 300 feet of transit, parking can be reduced by 10%. He recollected that parking can also be reduced to up to 10% for every eight extra bicycle spaces provided. He said the applicants' number of 222 parking spaces is based on the premise of all religious uses occurring at the same time, which is probably an inflated number. If that number is used, 22 bicycle spaces would have to be provided, with half covered. Since 16 covered bicycle parking spaces are proposed, the required number is exceeded by five.

Commissioner Howell stated that 190 was the highest number. He asked whether the bicycle numbers were typically calculated before any transit reductions were figured in. Manager Towne replied that each was calculated in regard to the total number, without any fractions. He stated that for every four bicycle spaces over the minimum requirement, vehicle parking may be reduced by one space, up to the maximum of a

10% vehicle parking reduction, and added that 50% of these additional bicycle parking spaces shall be covered, consistent with 4.1.70.d.1.

Commissioner Howell noted Mr. Knapp's suggestion that the applicant provide an additional 20 bicycle parking spaces, which would reduce the number of required car parking spaces by five. He asked whether, given the conflicting testimony regarding capacity, if the potential of improving off-street capacity by another five spaces was warranted and if there was enough in the record to require Planner Richardson to relate that the applicant had proposed locating the new bicycle spaces just south of the new addition in a covered area; Attachment 71 shows what the structure would look like. Commissioner Howell noted that the structure as proposed might accommodate another five covered spaces.

Commissioner Howell noted that if the number of bicycle spaces was increased to 32, half (16) would be covered, as proposed. The additional spaces could be placed near entrances. He noted the application would still be relying on on-street parking, with the Planning Commission varying from the Land Development Code requirement to request an additional amount of uncovered bike parking. Manager Towne concurred that it was a possibility.

Commissioner Saunders asked staff if existing bike parking spaces were fully utilized. Planner Richardson replied that staff has no information about that.

Commissioner Hann stated that the new structure proposed to replace activities of the 1928 addition, which had most of its activities on the second floor. This should allow some flexibility for the applicant to shift some internal uses in order to allow additional bike parking. He asked staff to address Mr. Knapp's assertion that the bicycle parking is already required, so that the Planning Commission should not consider that parking as a compensating benefit to offset the motor vehicle parking. Planner Richardson replied that the staff's rationale in the staff report was that the new structure, on its own, did not require new parking, since it didn't represent an intensification or expansion of use. Therefore, if no vehicle parking was required, then no new bicycle parking was required. The displacement of existing parking will have an impact, and one way to offset the impact would be to make it easier for people to bike.

Commissioner Saunders stated she would be willing to hear an amendment for additional bicycle parking as an offset to the negative impact on car parking. Manager Towne clarified that adding eight hoops would generate 32 total bike parking spaces, half of which are covered. Commissioner Ridlington noted that he prefers to use the covered spaces when biking, but availability of covered parking never determines whether he bikes or not. He believes covered parking spaces are overrated.

Commissioner Ridlington asked whether church members could be asked to pledge to walk, bicycle or take transit in order to compensate for the lost spots. Manager Towne replied that such a pledge would be difficult to enforce. He related that previously, a religious assembly had agreed to manage its parking lot in a manner that would not require its members to park in adjoining neighborhoods; however, there were subsequent complaints about such parking, and staff was able to monitor and enforce that.

Commissioner Howell **moved** to add a new Condition of Approval #4:

Standards for Bicycle Parking Access- Prior to issuance of building permits, the applicants shall submit construction details of the bicycle parking facility, for review and approval of Development Services Division staff. No less than 32 bike parking spaces shall be provided, with no less than 16 covered spaces, consistent with standards of bicycle access and parking in LDC section 4.1.70.

Commissioner Reese **seconded** the motion. Commissioner Saunders asked whether this would require that the application go back to the HRC. Planner Richardson replied that it could be done as a Director-level decision. Commissioner Bird added that if the application did have to go back before the HRC, it would be at no cost for the applicant, though it would take additional time. Motion **passed** unanimously.

Commissioner Saunders noted the applicant had testified that they were exploring whether they could expand their use of their shuttle van service, and asked if that could be conditioned. Manager Towne replied that he didn't see any way to monitor the situation.

Commissioner Howell, citing the main motion, commented that the addition was nicely designed and that the goal of putting more of the activities on ground level was good for an aging population. The site is part of the larger downtown district, so it is not eligible for in-lieu-of fees; however, it is in a location that the community has decided that, for a successful mixed use area, should make primary use of on-street parking; and have enough off-street parking to serve customers, but not an excessive amount, in order to make the downtown compact and walkable. Over the long term, the area should look to parking structures and other designs, transit, and making it bicycle and pedestrian friendly in order to maintain a compact form.

Commissioner Howell related that the church, in evaluating its needs for long-term expansion, purchased two properties, moved the structures off-site, and donated them for low-income housing. Temporary off-street parking was created, but with the long-term goal of adding a new structure. The Planning Commission must evaluate the temporary long-term parking area that is now being proposed as the site for their initial building goal. The church is faced with being told that the building plan results in a reduction of their off-street parking. Commissioner Howell said that it could be argued that the church acquired half a block for an additional structure and any parking that comes along with it is new parking.

Commissioner Howell also said that the current on-street parking situation is impacted as much by many of the other businesses that testified as it is by the applicant. Many other businesses and institutions in the area must decide whether to designate parking spaces for employees or customers. Professional businesses in residences on 8th Streets are probably even more impacted; they clearly don't have enough on-site parking to serve their customers, prompting their letters of concern regarding access. All businesses downtown don't have parking capacity on-site by design. This situation surrounding the church is an extension of the downtown, where that is allowed and strategies are struggled with to deal with it. Long-term, the city could be required to place restrictions on where city employees park, or for the university, under a new master plan, to provide free parking on campus for those who are registered. The

area's parking problems are not the problem of any one applicant. This applicant is providing the standard of parking set for the area, and it is legitimate to approve their request.

Commissioner Hann agreed that the building plan was beautiful, but said he regretted that there was apparently no consideration given to placing some parking under the new addition, or of pulling back the footprint in order to put some of the uses into a basement under the addition. He concurred that the onus of the problems created by everyone in the neighborhood should not be placed only on the applicant. He suggested that in the future, an impact fee could be charged on such projects (or even existing businesses) to offset the costs of building parking structures.

Commissioner Ridlington related he had observed trash cans being placed in parking areas, blocking parking on the street, and he suggested the cans be placed within yellow zones instead. Manager Towne replied that a permit is required to place the garbage bins in the street; where a bin is placed depends on how a permit is being used.

Commissioner Ridlington suggested that with growing pressure for parking, perhaps the Planning Commission should ask the city to take another look at parking in this neighborhood (maybe including neighborhood parking permits). Manager Towne replied that it would not be helpful during this Planned Development hearing, but Commissioners will be hearing a discussion on the Capital Improvements Program later in this meeting. Also, the Planning Division's Work Program discussion on February 4 could be another opportunity to look at whether the concept fits into identified projects, or whether to suggest another work task for staff.

Chair Bird thanked Mr. Nudelman for coming forward and being a great advocate for parking in the area.

The main motion **passed** unanimously.

Commissioner Saunders moved to approve the First Presbyterian Church Major Replat application (SUB08-00006) as conditioned in the December 31, 2008, staff report to the Planning Commission. This motion is based on findings in support of the application presented in the December 31, 2008, staff report and findings in support of the application made by the Planning Commission during deliberations on the request. The motion was seconded by Commissioner Howell and **passed** unanimously.

B. Appeal Period:

The Chair explained that the decision will be effective 12 days from when the Notice of Disposition is signed, unless an appeal is filed with the City Recorder.

III. Annual Capital Improvement Program (CIP) Review

Commissioner Weber joined the Commission, having recused herself during the First Presbyterian Church deliberations. Manager Towne introduced Greg Gescher, Public Works Engineering Supervisor, stating that Mr. Gescher has worked on a series of meetings to develop the CIP and will request that the Commission recommend approval of the CIP to

the CIP Commission and the City Council. Senior Planner Kelly Schlesener introduced Jacqueline Rochefort, Parks Planner, who was present to answer question relating to Parks and Recreation facilities.

Supervisor Gescher stated that the Planning Commission has already reviewed the majority of the projects in the draft five-year plan for the CIP document, so he would focus on the additions since the Commission's last review.

Supervisor Gescher highlighted proposed Airport Industrial Park Improvements. The Law Enforcement Fenced/Paved Compound project is proposed because the Police Department needs additional space for evidence, especially large evidence. The proposal is to pave an area of about 125 feet by 85 feet in the Public Works compound, fence it, and install security cameras. Commissioner Ridlington asked why gravel would not work as well as paving, since it is a low-traffic area and would add additional impervious surface. Manager Towne replied that gravel is not considered to be pervious since, once it reaches its compaction, it no longer percolates. Commissioner Bird added that a paved surface is probably easier to maintain.

Supervisor Gescher highlighted projects to rehabilitate municipal buildings (in the fourth and fifth years of the plan), including a solar power project for the Corvallis-Benton County Public Library, seismic improvements for the Municipal Court, and the replacement of the City Hall cooling tower (part of the air conditioning system).

The Parks and Recreation Department added the purchase of property for softball fields as an Acquisition of Parks project for FY 10-11. At the Osborn Aquatic Center, a picnic shelter is proposed.

Under Park Facility Renovations, there are five new elements, including reconstruction of the Arts Center Plaza. There have been problems with settling and with tree roots causing heaving of pavers, resulting in a very uneven surface and increased maintenance to keep it safe for pedestrians. The project would include landscaping and electrical upgrades. Supervisor Gescher listed other Park Facility Renovations and Improvements to Existing Parks.

Supervisor Gescher highlighted 9th Street and Circle Boulevard Intersection Improvements. Last year, the Commission reviewed the proposed right turn from northbound 9th Street onto eastbound Circle Boulevard. This year, a right turn lane is proposed for eastbound traffic on Circle turning right onto southbound 9th Street; the property is owned by Rite Aid, and currently in permits for redevelopment. The development is conditioned to construct 12-foot landscaped park strips and setback sidewalks along the Circle Boulevard and 9th Street frontages, with the provision that the park strip in the future could be utilized for a right turn lane when needed. Supervisor Gescher said that City traffic engineers have determined that now is the time (as improvements are made to the intersection) to construct the right turn lane. In order to avoid having the developer make improvements that are soon ripped out, the City has approached the developer and the Planning Division regarding making an agreement that would allow the developers to forgo their obligation of building the parking strip (at least where the turn lane is proposed) and the City would construct the turn lane, at least in the short term, and developers would construct the landscape park strip outside the turn lane area.

Supervisor Gescher related that the City received a grant to fund the Advanced Transportation Management System, which would coordinate operation of traffic signals in eight intersections in the downtown area. The City received a grant to construct and renovate Pedestrian Activated Crossings on Circle Boulevard. The City also received a grant for the Corvallis to Albany Rails with Trails Project; it is a cooperative project with Benton County, with ODOT providing funding for a portion within City limits. The 12-foot multiuse path would start at Circle Boulevard and extend to about NE Dorchester Way.

Supervisor Gescher highlighted a project to identify appropriate locations for installation of five Electric Vehicle Charging Stations. A Street Reconstruction Project on 9th Street, between Jefferson and Monroe Avenues, would add bike lanes; it is proposed to be designed in FY 10-11. A Traffic Signal at the intersection of 26th Street and Western Boulevard would be designed next year and constructed the following year, as requested and as fully funded by Oregon State University.

Under Utility and Street Improvement Projects, Supervisor Gescher related that, during development of the CIP, there was an annexation application for an area off Nash Boulevard under review; it is no longer being processed. At the time the application was made, the elevation of the site would have required a pump station to be built for drinking water and emergency water. The facility is identified in the Water Master Plan, so the City has budgeted for it in the next fiscal year. That may move out, depending on the developer's request for an annexation.

An existing Biosolids Storage Tank is used to store products of the wastewater treatment process. The biosolids are then trucked away for use in agricultural operations. Valley Landfill currently trucks excess winter landfill leachate to temporary tanks near the City's Biosolids Tank and pays the City to treat that water. Valley Landfill has proposed a cooperative venture with the City to build joint use permanent tanks there; \$20,000 is proposed for pre-design work.

Funding for design of a South Corvallis Interceptor is proposed for next year. It is identified in the Master Plan to serve south Corvallis as it grows in the future. A pipe would be needed when the population reaches roughly 80,000. It would start around Kiger Island Drive and extend to the river, crossing a lot of property and natural features. Staff felt it would be prudent to design the pipe and determine its location now, so property owners are aware, as they develop properties, that there is the right-of-way need for the facility.

Supervisor Gescher stated that the City is reviewing comments and will incorporate them in the final printing of the CIP document in June.

Commissioner Howell recalled that a Trails Master Plan had indicated a pedestrian and bicycle facility near the railroad tracks to connect South Corvallis northward, away from 3rd Street. He suggested that the facility should be included in the design process and asked that staff determine whether or not it is part of the Transportation, South Corvallis, or Trails Plans and whether or not the two projects should share a right-of-way. Planner Rochefort stated that she couldn't recall the alignment. She said discussion during the Home Improvement Center project related to a conceptual need for a multi-use path that wouldn't be too remote but would be far enough off 3rd Street to be comfortable for bicyclists. Manager Towne suggested staff review plans and determine whether the two projects could conceivably be coordinated, and then coordinate language with Supervisor Gescher, if so

directed by the Commission. Commissioner Howell concurred with taking that tack, so that it could be part of land use approvals as they come forward.

Commissioner Hann asked for clarification on the project. Supervisor Gescher replied that the idea was to avoid losing the opportunity to build the project before development occurs in South Corvallis. Commissioner Hann asked if the project would be a barrier to commercial development; Supervisor Gescher replied that the current system is adequate to handle development for some time to come; the proposal to do the design is intended to get ahead of needed improvements as development approaches the 80,000 threshold.

Commissioner Weber declared that she was concerned about having a potential conflict of interest regarding the Nash Avenue pump station project, since the Nash Avenue developer is a client of her firm, which may or may not be involved in its design. Manager Towne replied that, since it is a recommendation and not a quasi-judicial land use decision, she didn't need to be concerned. Commissioner Bird added that the recommendation involves multiple projects.

Commissioner Hann asked what would replace the pavers in the Arts Center Plaza, and what would happen to the replaced pavers. Planner Rochefort related that the initial plan was to replace the pavers, but there was concern that the same situation could occur, so staff is now looking at concrete paving for the plaza surface instead. Commissioner Hann replied that the pavers contribute to the remarkable aesthetic in the area and that concrete would be a bad idea. Planner Rochefort replied that the Historic Resources Commission would review the project and they may recommend using pavers. The initial plan was only to replace damaged pavers, but now the expectation is for all new pavers to be used.

Commissioner Hann asked whether there was scope of work in Parks and Recreation work orders for provisions for reuse or salvage of materials, or for materials to be made available to groups like Habitat for Humanity, in order to avoid materials ending up in the landfill. Planner Rochefort replied that there was not, but the Department tried to act sustainably whenever it could. In the case of the proposed restroom renovations, the materials are so old that nothing is really salvageable. She added that demolitions are fairly rare, and said the suggestion was a good one. Supervisor Gescher related that the Public Works Department is involved in reusing old asphalt in new projects, with a certain percentage of recycled asphalt required in the new asphalt mix. The Public Works Department is also using the Moose Hall demolition as a pilot project regarding recycling and reuse.

Commissioner Hann asked about acquisition of park land. Planner Rochefort replied that there is a one-time project to acquire roughly five acres for a neighborhood park; however, that would be funded by Systems Development Charges (SDCs), though currently that fund has a low balance. She said \$50,000 is added annually for park or natural area acquisition, in order to get an option on land or an easement. Commissioner Hann noted that, with the state of the economy, this could be an opportune time to purchase land. Planner Rochefort responded that the Parks and Recreation Department looks for opportunities.

Commissioner Howell noted that he didn't recall a playground listed in the 2002 Willamette River Greenway Permit for the Riverfront Commemorative Park. Planner Rochefort replied that it was not part of the permit; the permit would need to be studied to determine whether or not a playground could be built within the boundaries of the Greenway Permit, whether the existing permit could be modified, or whether another permit would be required.

Commissioner Howell asked whether landscaped medians on 9th Street would be impacted by the 9th Street and Circle Boulevard Improvements; Supervisor Gescher replied that they would not be impacted.

Commissioner Howell highlighted the Brooklane Drive Improvements, and asked, given the lack of sidewalks south of that, whether there were any alternatives that could make it into the CIP. Supervisor Gescher replied that the City was continuing with its existing evaluation.

Commissioner Howell asked how the rail crossing would be accomplished with the Rails with Trails project. Supervisor Gescher replied that it would utilize the existing crossing below the tracks, which the railroad and ODOT would permit.

Commissioner Howell asked about the Highland Drive sidewalk. Supervisor Gescher replied that it was pushed out to FY 11-12, with the City making another application for an ODOT grant to construct it in the next grant cycle.

Commissioner Weber noted that, while staff and Commissioners have tried to reassure her, she declared a potential conflict of interest regarding the 9th Street and Circle Boulevard turn lane, which she has worked on and which her firm is involved in. She asked whether it would impact the Rite Aid building. Supervisor Gescher said that though the alignment at 9th Street and Circle Boulevard makes it difficult to align the right turn there, Rite Aid is proposing a plaza out front, and the sidewalk would skirt that. However, the lane would impact the landscape area. Manager Towne added that acquisition of the right-of-way would require a willing seller, as well.

Commissioner Saunders related that she was the Planning Commission Liaison to the CIP Commission and she had difficulty with the project and voted against it. She stated that the project would essentially produce a six-lane road on 9th Street and Circle Boulevard with no landscape strip and no median; she has safety concerns and believes the plan wouldn't comply with the Land Development Code.

Commissioner Bird expressed concern regarding the bicycle lanes. She said motorists turning right off 9th Street could strike cyclists who thought they had the right-of-way. Supervisor Gescher agreed that bicyclists would have to converge with traffic to make the right hand turn, but the design is standard and it is a difficult situation.

Commissioner Bird asked whether the outcome of the two right turn lanes would result in no planting on either of the corners. Supervisor Gescher replied that there would be some planting in the Rite Aid plaza. He anticipates that there will likely be none on the Bi-Mart corner. He added that Bi-Mart is concerned about losing parking. The City is relying on the cooperation of both Bi-Mart and Rite Aid to make the project happen. Commissioner Hann asked whether a traffic circle would work at the intersection; Mr. Gescher replied that it wouldn't due to the number of lanes and the area needed to retrofit it.

Commissioner Ridlington asked how the City prioritizes projects, given the impact of the economic downturn on the amount of available funds. Supervisor Gescher replied that the 9th Street & Circle Boulevard project was funded by Street SDCs, since it was 100% extra capacity-related. As for other projects, the ones with grant funds or other sources of funding

will go forward. Manager Towne added that the CIP and Budget Commissions and the City Council will make those decisions.

Commissioner Howell asked whether the 9th Street and Circle Boulevard design has been finalized; Supervisor Gescher replied it has not. He said staff has not done any design on the Bi-Mart side; it has concentrated on the Rite Aid side, trying to work out an agreement with the developers. Only preliminary data collection has occurred so far. Commissioner Howell stated that previous efforts there saw the City offering to purchase additional right-of-way on the Bi-Mart property, with replacement landscaping, but the owners refused. He noted the Bi-Mart park strip, site landscaping, and buffering is not in conformity with street and parking lot standards; removal of parking and the remaining landscaping makes Bi-Mart even more non-conforming, which is in violation of the Land Development Code. Commissioner Howell noted that the parking lot is never full, and the area is one of the worst pedestrian experiences in the City.

Commissioner Howell asked whether there was a way for the Commission to express its concern with the current design, its impact on the pedestrian environment, and the loss of the remaining landscaping. Manager Towne said that these minutes will be forwarded, so people will be aware of the discussion. Commissioner Howell suggested adding language regarding the lack of conformity of the parking lot landscaping and the lack of sufficient park strips. Commissioner Saunders suggested the Commission's recommendation be forwarded with an additional concern expressed by the Commission regarding the project; Chair Bird stated that the concern could be added to the motion. Manager Towne related that the project recommended amendments to the assumptions state that the parking lot is non-conforming in a number of ways, including parking lot landscaping, so the issue is already identified.

Planner Schlesener said that each year Planning staff review the new or changed scope projects, mostly on the Comprehensive Plan level. She highlighted page 2 of the staff report and stated that staff did an overall Comprehensive Plan review for all the projects on that page. She stated that the discussion in the staff report referenced the applicable Comprehensive Plan policies and recommended a number of assumption changes to be added into the CIP, to be considered as projects are designed.

Planner Schlesener stated that the Airport Industrial Park Improvements and the Rails with Trails projects as proposed now are inconsistent with aspects of the current Comprehensive Plan. Comprehensive Plan Amendments would be required before the projects could move forward, though the policies cited by staff in the analysis show general support for the projects and could assist with such Comprehensive Plan Amendment processes.

Planner Schlesener highlighted page 15 of the staff report, which is a recommendation to the Planning Commission to add to the assumptions for the South Corvallis Interceptor project. Given the earlier discussion, she proposed adding a sentence based on Commissioner Howell's comments: "Additionally, facility master plans shall be further evaluated to see if a north-south multi-use path could be incorporated into this project design."

Regarding the 9th Street & Circle Boulevard project, Planner Schlesener highlighted the Assumptions on page 22 of the staff report. She suggested modifying the second sentence of the second bullet to read, "the landscape strips are nonconforming and the parking lot is

nonconforming in a number of ways..". She added that if the Commission directed, a third bullet could be added to the effect that the Planning Commission strongly suggests incorporating landscaping along the rights-of-way. She stated that she could work on specific language for the Commission to consider.

Planner Schlesener summarized by stating that staff found that the projects were consistent with the Comprehensive Plan, with the additional assumption recommendations. She cautioned that there were many unknowns related to the specifics of the projects, but that the recommended assumptions would ensure that adequate land use review would be occur in conjunction with them.

Commissioner Howell stated that, in regard to the South Corvallis Interceptor project, he would suggest looking for design options that would maintain industrial property access to the railroad, such as with setbacks that could allow sidings to be built. He noted that such sidings were more likely to be used on the west side of the tracks, so a better place for the multi-use path would be on the east side; also, that way, users wouldn't have to cross railroad tracks.

Commissioner Weber highlighted the second sentence in *Assumptions* on page 26 of the staff report, asking why "Land Development Code standards for the functional classification of the involved streets need to be checked..." in regards to a 2nd Level Pump Station. Supervisor Gescher responded that the language may refer to potential reimbursements for the facilities, since SDCs are involved. Commissioner Weber suggested clarifying the language; Planner Schlesener noted that the phrase, "... involved streets" clarified the text's intent and Commissioner Weber accepted that.

Chair Bird asked for public comment; there was none.

Commissioner Reese **moved** and Commissioner Howell seconded that the Planning Commission concurs with all the addition/modification of assumptions and other recommended changes in the staff report memo and with the conclusion of consistency with the criteria. The Commission recommends that these determinations of consistency for the 2010-2014 Capital Improvement Program be forwarded to the CIP Commission and the City Council, with staff-recommended additional/modified assumptions and other recommended changes.

Commissioner Howell **moved** and Commissioner Hann seconded to add a sentence at the end of the recommended assumptions related to the South Corvallis Interceptor Project on page 15 of the staff report: "Additionally, facility master plans shall be further evaluated to see if a north-south multi-use path could be incorporated into this project design." The motion **passed** unanimously.

Commissioner Howell **moved** and Commissioner Saunders seconded that the second sentence of the second bullet of the Assumptions on page 22 of the staff report, regarding the 9th Street & Circle Boulevard Intersection Improvements, be modified to read, "The landscape strips are nonconforming and the parking lot is nonconforming in a number of ways.." The motion **passed** unanimously.

Planning Schlesener provided more specific text for the Commission to consider regarding the landscaping for the 9th Street & Circle Boulevard Intersection Improvements, which could

be made into a third bullet on page 22 in the Assumptions section: "The Planning Commission strongly suggests incorporating landscaping into this project to reduce the magnitude of the intersection's hardscape and maximize pedestrian safety." Commissioner Howell **moved** and Commissioner Saunders seconded this language. Commissioner Hann asked the sentence be expanded to include , "...or design elements." Commissioner Howell replied he didn't want to weaken the statement, and that hardscaping would likely be the backup anyway if landscaping does not happen. Motion **passed** unanimously.

In response to Supervisor Gescher's question regarding the intent of the motion on the second bullet, Planner Schlesener clarified that it referred to landscape strips in the public right-of-way. Supervisor Gescher noted that the turn lane project, as shown, eliminates some landscaping in the public right-of-way and some in the parking lot. He asked whether eliminating existing landscaped park strips in the public right-of-way increases the nonconformity of the parking lot. Manager Towne replied that they are individual nonconformities. Commissioner Howell added that sometimes projects are allowed though they don't increase the nonconformity of a project.

On the vote on the main motion to send the Planning Commission recommendations to the CIP Commission and the City Council, with the amendments to the two assumptions placed in the record, motion **passed** unanimously.

IV. PLANNING COMMISSION MINUTES:

Commissioner Hann moved and Commissioner Weber seconded to approve the minutes of October 8, 2008; October 15, 2008; and November 19, 2008 as corrected; and the October 29, 2008; November 5, 2008; and December 3, 2008 minutes as presented. Motion passed unanimously.

In the minutes of October 8, 2008, Commissioner Howell asked to modify several sentences in paragraph 7, page 12, to read: "The proposal is in conflict with Section 3.30.40.c and would allow.."; "The proposal is in conflict with Section 3.30.40.d and would allow.."; "The section is in conflict with Section 3.30.40.e and would.."; and "The proposal is in conflict with Sections 3.30.40.j and k and would allow..". He also asked that the second bullet on page 13 be modified to replace the word "within" with, "...with similar or greater setbacks..". Chair Bird asked that the word "for" be deleted in the first paragraph on page 9 to read, "...should be budgeted outright".

In the minutes of October 15, 2008, Commissioner Bird asked that in the last paragraph on page 9 (Staff Overview), the phrase "The .64 acre site" should be changed to "The 0.64 acre site". Similarly, in the fourth paragraph from the bottom on page 5, beginning with "Commissioner Howell said another concept..", the phrase "...a .4 acre lot" should be changed to "...a 0.4 acre lot..".

Commissioner Bird asked that in the second paragraph of page 5 of the November 19, 2008 minutes, the word "in" should be removed from "About twelve people attended". On page 10, third paragraph, beginning "Commissioner Weber..", in the fifth line, the word "innovative" is misspelled. On page 14, under J: Rebuttal by Applicant, first bullet, the fourth sentence should read, "The side setbacks between units 3 and 4 and 6 and 7 are compliant..".

V. **OLD BUSINESS:** None

VI. **NEW BUSINESS:**

A. Planning Division Update:

Planning Division Manager Fred Towne related that the February meeting will discuss the Planning Division's work program prioritization; this is scheduled to allow the City Council to prioritize the Division's work tasks over Councilor's terms. Staff has been compiling issues over the last year and will get the list to Commissioners next week; it will include the previous Council's comments and their minutes regarding the issues. The city will ask for public comment on the work prioritization at the February 4 meeting.

He related that he and Director Gibb discussed staff having a teambuilding exercise with the Commission in the near future, with an opportunity for socializing.

Commissioner Howell asked about the Council's meeting regarding Brooklane; Manager Towne related that the Land Development text amendment was appealed to LUBA, as was the Walnut Professional Center; staff is assembling the records for those two cases. Last night's hearing was a continued hearing from the January 5 meeting; the public hearing was closed, the record was held open for a week, and the applicant did not choose to submit an additional written comment. There will be deliberation on February 2, and the city will offer written findings on February 17.

Manager Towne related that the Deer Run Subdivision appeal was postponed due to the lateness of the hour; the hearing will be held February 2.

Commissioner Howell related that due to concerns expressed by the public about not getting access to the staff report in enough time, he had discussions with Manager Towne regarding posting on the city website all staff report materials on an application available at a listed date, with additional materials posted as available. He discussed the matter with the CCI and related they liked the proposal.

Commissioner Howell related that the Corvallis Sustainability Coalition is forming action teams to prioritize action items. He and former Councilor Bill York will be facilitators of the land use action team.

Commissioner Weber related that on February 17 and 18 the HCDC will hold its annual hearings for the CDBG grant money; she will attend.

Manager Towne relayed that Commissioner Gervais' work load will make it difficult to attend meetings for awhile, and that she'd asked whether she should take a leave rather than resigning. He noted the Commission was already short by one member, and the quorum is five members. A recruitment will be initiated for the vacancies that exist at the time of the recruitment; he cautioned that there were no applications during the previous two recruitments.

Commission Saunders related that she had discussed with Manager Towne this week that she had recently undertaken a new, demanding job and so this would be her last

meeting; she stated she has enjoyed working with the staff and Commissioners. Commissioner Howell thanked her for her work and cited her contributions to the Comp Plan update. He said that given the vacancies, it would argue for Commissioner Gervais being given a leave of absence.

Commissioner Hann suggested holding an open house to help demystify service on all boards and commissions and make the process more available to citizens. Councilor Hirsch said it was a great idea and he would bring the idea to the Council. Commissioner Bird added that many citizens are not aware what the various boards and commissions do.

Chair Bird related that the mayor recently held a meeting of all the chairs of city boards and commissions; she relayed the mayor's thanks for the commissioners' work.

Commissioner Reese suggested eliminating *de novo* hearings. Manager Towne replied that a Councilor had raised the issue, so Director Gibb's 2004 memo on the issue will be distributed to the Council for discussion.

VII. ADJOURNMENT: The meeting was adjourned at 9:53 p.m.

MEMORANDUM

From: Bob Richardson, Associate Planner *RAR*
To: Planning Commission
Date: January 14, 2009
Subject: Written Testimony regarding the First Presbyterian Church (PLD08-00012, SUB08-00006)

On January 7, 2009, the Planning Commission opened the public hearing regarding the above referenced case. The hearing was closed on January 7, 2009, but the record was held open until January 14, 2009, at 5:00 PM to provide the opportunity for citizens to submit additional written testimony. Enclosed with this memorandum are three pieces of written testimony received after the close of the public hearing and before 5:00 PM on January 14, 2009. The testimony from Stan Nudleman contains copies of previously submitted testimony, and photographs of streets/parking surrounding the First Presbyterian Church.

RECEIVED

JAN 14 2009

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PLANNING COMMISSION REGARDS PARKING

Community Development
Planning Division

My name is Stanley Nudelman and I testified last week against the proposal of the First Presbyterian Church because of the tremendous burden that giving up 23 on-site parking places during the weekdays puts on the local businesses, local residents, users of Central Park and the Art Museum, and possibly the Library (all referred to as the "neighborhood", specifically the area between 6th and 9th and Jefferson and Monroe.)

GENERAL CONSIDERATIONS:

I feel the planning commission must consider the "Corvallis Vision 2020 Statement." That statement mentions the importance of "an economically strong and well-integrated city, fostering local businesses, regional cooperation and clean industry." The statement especially emphasizes locally owned businesses and livability. I feel the staff has not adequately addressed the major impact losing 23 on-site parking spaces will have on our neighborhood. As an example businesses located at 760 Madison and 223 SW 8th provide jobs of all skill levels for Corvallis residents. The tenants and their clients in these building already complain of difficulty in finding parking. The major tenant in 760 Madison (a building also on the historic registry) is Strands Labs, Inc. They have considered leaving for another location if parking gets any worse (1). Residents and the Art Museum have also sent in their concerns (2). Tenants in our neighborhood are also concerned about the parking problem in our neighborhood (3). I as a building owner have expressed my concerns (4).

The First Presbyterian Church is asking to decrease their onsite parking by over 50% (from 44 to 21 spaces.) Normal LDC code would have required an increase in parking for the building they wish to construct. On 5/29/06 I wrote a letter to Deb Weitzman, Church Administrator of the First Presbyterian Church asking for use of their gravel parking area during day hours during the weekdays (5). The response from the Church to this letter said that with their childcare, preschool, and many church activities that occur on an every day basis the church could not grant me any spaces (6). In addition to these church activities Reverend Dennis said the church had 40-50 community events. As an aside the First Christian Church also would not allow me the use of any of their spaces sighting similar reasons (verbal only). It seems strange that all of a sudden over half of the First Presbyterian Churches on-site parking is no longer needed when all of it was needed less than three years ago and church activities were not greater then than now.

I've reviewed the church's proposal and noted that they felt the new facility was "not for new services but to relocate present services." So it seems to me that for no new services to the community we are possibly sacrificing local businesses [see letter from Strands CEO (1)] and clearly making inconvenient the important cultural attributes of Corvallis [see letters of concern from the Art Center (2) as well as some of my communications with them (7)], and making less inviting the use of our Central Park and making our neighborhood less inviting [see also letter from residents (2).] These latter four functions are clearly of major importance to Corvallis and should not be jeopardized for a project that by the church's admission is not adding any new benefits to our city but merely "to relocate activities from an existing space to the new building" (see page 28 of the application.) In medicine one talks about risks and benefits when suggesting new treatments. The risks here are enormous and the benefits questionable.

The subject site does not presently contain the minimum amount of LDC required vehicle parking (this is understandable in light of historical factors and knowledge that many older

buildings do not contain modern LDC parking numbers.) However, decreasing on-site parking at the church further than the already lower than acceptable standards from 44 to 21 is clearly in violation of the Land Development Code and is not compensated for by overall benefits to the city of Corvallis and in particular the neighborhood, park, and businesses involved. Furthermore six more off-site parking will be lost on SW 9th street abutting the church if plans for 9th street bicycle lanes go foreword. So in fact we will be losing 29 parking places around the church if the violation of the LDC for parking is ignored.

THE PARKING STUDY BY DEVCO:

As all the neighborhood knows by 8 AM on weekdays the influx of cars begins from the downtown tenants and their employees and from OSU students (when students are present). This influx of cars utilizes most of the all day parking available unless the neighborhood workers get there first (8). This problem may get worse if parking costs go up at the university and if enrollment continues to increase. The Devco parking study only looked at one weekday morning (Wednesday) in November and did not consider the ecological impact of drivers riding continuously around the blocks looking for a space. In addition it included 2 hour spaces in their category of "available parking spaces" which may not be a problem on Sunday but is a major problem during the week when tenants and their employees and clients are looking for all or half day parking, not just 2 hour parking.. In particular, of the total of Devco's count of 176 on street parking spaces 3 did not exist (2 for a bus stop and one just not there) and 26 were 2 hour spaces (personal walk and count of the neighborhood reviewing Devco's map.) So 29 spaces could not be used during the week for local business tenants and their employees. So now the number of on street parking spaces has gone from 176 to 147. November Wednesday mornings are also slow times (word of mouth only) at OSU because of people leaving pre-holiday (Thanksgiving) although classes are still being held. When the 6 spaces on 9th street are removed for the proposed bicycle path these numbers would in fact be 141. The LDC parking standards generate a need for 188 parking spaces on Wednesday morning (a day of concern to the neighborhood as well as a busy day for the church.) So we can see a deficiency of 47 spaces (Devco, 188 minus 141) as compared to their acknowledged 3 space deficits they found on two occasions on the Wednesday morning they checked. In 2003 a more substantial parking survey was done by the Downtown Parking Commission which showed parking essentially at capacity from the hours of 8 AM to 5 PM on weekdays (8) which in my opinion contradicts the Devco study. Furthermore I feel the parking study done by Devco should be invalidated and a new and more inclusive study be done. Devco is involved in the engineering, drainage, etc. on the church project and thereby represents a clear conflict of interest and should never have undertaken this study in light of this conflict.

THE PARKING STUDY BY PTV:

In the PTV America study only 134 on-street plus the 21 on-site parking spaces were included. I found no map of their study included in the material available but if they too counted 2 hour spaces then in their study a more realistic figure would be a total of 105 spaces. In addition their study was done on June 1, 2008 and June 8, 2008. Anyone doing a proper study would have known that this was "Dead Week" on OSU campus, the week prior to finals week when most of the students take off and traffic is at a minimum. When the 6 spaces on 9th street are removed for the proposed bicycle path these numbers would in fact be 99. A deficiency of 89 spaces should have been noted by PTV in their Sunday study (188 minus 99.) I'm not sure this

would pose a major problem on Sundays or even Tuesday evening but would present an impossible situation on weekdays from 8AM to 5PM.

PERSONAL SURVEY AND PICTURES:

Unfortunately I was only able to take pictures and counts on two Tuesdays, 1/6/09 and 1/13/09 (my afternoons off), at between 3:00 and 3:30 PMs. However please review these pictures to get a sense of how crowded parking is on these days, even though some full day parkers had already left. These pictures should give a brief glimpse of the crowded parking situation present in our neighborhood.

NOTIFICATION OF INVOLVED CITIZENS:

It is possible that notification was given as to the First Presbyterian Church proposal but it was not until the "Notice of Land Use Public Hearing" which arrived around the Christmas holidays, 2008, that mention was made of the gravity of the parking problem. Even then it was merely stated that "the applicant requests to vary from certain LDC standards, including reducing on-site vehicle parking to less than the LDC minimum standard." This in no way reflects the significance of major parking deviations from standard that was being requested and it was only because I called Bob Richardson that I was made aware of the seriousness of the parking issue. Neither the time was appropriate for notification if citizens are expected to do due diligence nor was it made clear the implications and numbers of parking spaces lost so citizens could respond.

RECOMMENDATIONS:

1) The parking study by Devco is flawed by conflict of interest, inappropriate timing, and poor counting and inappropriate use of 2 hour spaces (in the Wednesday study), and conclusions are different from the 2003 survey done by the Downtown Parking Commission. Therefore I feel if the church wishes to pursue their project a new parking study be done using an unbiased group that addresses the above mentioned issues. In addition that study must address the effect of losing 23 on-site and 6 potential on-street (9th street for bike path) parking spaces will have on local businesses, local residence, the Art Museum, the Library, and utilization of Central Park (all city of Corvallis priorities.) It should especially concern itself with weekdays though weekend consideration for the non-business parts of the neighborhood are also important.

2) If the planning commission approves this project as presently proposed without resolving the parking issues mentioned I request this issue be referred to the City Council so that more consideration can be given to the neighborhood overall and the above mentioned citizens and organizations in particular. In the meantime I will continue my discussions with the church in hopes of working out some sort of compromise for the concerned groups mentioned above (I met with them last week.)

3) Separate from the above, the city in cooperation with concerned citizens should get together and devise solutions for the parking situation in the area between 6th and 9th and between Jefferson and Monroe.

Thank you for your consideration.

Sincerely,



Stanley Nudelman

#1

Richardson, Robert

From: Francisco J Martin [martin@strands.com]
Sent: Tuesday, December 23, 2008 9:20 PM
To: Richardson, Robert
Cc: David Silverman; legal@strands.com; Lauri Morris
Subject: Reduction of Parking Spaces

Mr. Robert Richardson
City of Corvallis

Dear Bob,

I am the CEO of Strands Labs, Inc., headquartered at 760 SW Madison Ave. in Corvallis. I write to express my opposition to the proposed reduction of parking spaces in and around the company's headquarters at the intersection of Madison and 8th. The parking situation around our offices is already critical, especially now that the university is in session. There is a shortage, at times a severe shortage, of parking in the blocks around our offices, negatively affecting our employees and business visitors. Passage of the proposed reduction would make a bad situation worse. If the proposed reduction is enacted, I would have no choice but to seriously consider moving the company headquarters out of downtown Corvallis. I urge that the reduction proposed by the First Presbyterian Church be rejected.

Yours, Francisco

Francisco J Martin, Ph.D. | CEO | Strands, Inc
760 SW Madison Avenue, Suite 106 | Corvallis | OR 97333
#o 541 753 4426 | #m 541 829 0205 | martin@strands.com

If you are not an intended recipient of this email, please notify the sender, delete it and do not read, act upon, print, disclose, copy, retain or redistribute it

Attachment A - 7

12/24/2008

~~#1~~ #2

Richardson, Robert

From: Sara Swanberg [sara@theartscenter.net]
Sent: Tuesday, December 23, 2008 4:47 PM
To: Richardson, Robert
Cc: Hester Coucke
Subject: Parking issues and First Presbyterian Church

Dear Bob,

I am writing in reference to the recent First Presbyterian Church planning proposal. Since The Arts Center is located within a block of the parking spaces referenced in the proposal, I am concerned as to the overall effect of the loss of 23 parking places to the neighborhood. Can you tell me if there has been a study done by the City to estimate the effect? Parking is always at a premium here surrounding Central Park, and at The Arts Center. *This proposal should not be granted without adequate research into current parking issues.*

Thank you for your consideration of this concern.

Sara Swanberg
Director
The Arts Center

Attachment A - 8

12/24/2008

Shoemaker, Lee

#2

From: Victoria Fridley [victoria@cacibca.org]
Sent: Tuesday, February 11, 2003 8:59 AM
To: Shoemaker, Lee
Subject: Re: Madison Avenue Parking

Lee,
Thank you for phoning me and for emailing me. We are two weeks out from our annual fundraiser, so I have been in and out a great deal.

Our problem is that City employees have been parking all day in the parking spaces on 7th, in front of Central Park, and in the parking lot adjoining the Arts Center and the Municipal Building. In addition, now that there are multiple businesses in the municipal building, their parking needs have grown. For us, parking is critical: we have 7 employees, 2 front desk volunteers per day, and many people coming to exhibitions, classes, our shop, and cultural events (these are primarily in the evening). With the work we are doing, we hope to increase attendance at the Center. Anything you can do to reserve spaces in the back of the building for staff parking and turn other spaces into 2-hour spaces would be deeply appreciated.

I would be happy to appear before the Commission or to help in any way you might need. Thank you for your openness to our input and needs.

Victoria Fridley
Executive Director

"Shoemaker, Lee" wrote:

- > Mark Button asked me to get in touch with you regarding the request to
- > change the parking control on Madison Avenue between 8th Street and the
- > alley into the Art Center parking lot into 2-hour spaces. This would affect
- > seven parking spaces.
- >
- > I am the City's Parking Manager and staff to the Downtown Parking
- > Commission. I am currently doing parking surveys in the nearby area,
- > Madison, 7th, 8th, and Monroe. I am also doing some public involvement with
- > the neighborhood association, Madison Avenue Task Force and other interested
- > stakeholders. If you know of others that may be interested, please have
- > them contact me and I can let them know about the proposal. I have received
- > some comments in support and one against this proposal.
- >
- > You can provide written comments or e-mail comments to me at the address
- > below. I can also add you to a mailing list to be notified when the Parking
- > Commission will consider this proposal. Please call or reply to me via
- > e-mail for additional information or for answers to any questions that you
- > may have. Thanks, Lee.
- >
- > Lee Shoemaker
- > City of Corvallis
- > Transportation Program Specialist
- > 1245 NE 3rd St
- > P.O. Box 1083
- > Corvallis, OR 97339-1083
- > Phone: 541-754-1730
- > FAX: 541-766-6920
- > e-mail: Lee.Shoemaker@ci.corvallis.or.us
- > <http://www.ci.corvallis.or.us/pw/transport/index.html>

#2

Shoemaker, Lee

From: Ann Staley [annellen@cmug.com]
Sent: Monday, March 17, 2003 2:56 PM
To: lee.shoemaker@ci.corvallis.or.us
Subject: parking proposal, Madison & 8th Streets

As residents of 8th Street and members of the neighborhood association we very much see a need for a "parking discussion." It's a difficult issue, always, but most especially when OSU is in session. Rather than attend to this issue one parking space at a time, we'd like to see our council representative and the appropriate city officials work together with all facets of our neighborhood toward a plan that accommodates those who live here as well as those who do business here.

Ann E. Staley
James Courtney Cloyd
227 SW 8th Street
757-0135

1/10/08

#2

To: Dylan
From: Stan
Re: Parking and space

Enclosed is the letter I sent to the Art Center (formerly called ArtCentric) on 11/6/07 regards one of my many attempts at securing more parking for MyStrands. Since then I have personally communicated with the director on two occasions and she finally agreed to take my proposition to her board of directors. They met last week and I spoke with her this morning. As I expected the results were negative. They are unwilling to change the parking situation as it now exists.

I will continue my efforts at obtaining more parking by again contacting the two nearby churches to see if they might change their minds regarding us using their parking lots during the day. In the past they were vehemently opposed but it is always worth another try.

I will also contact Joe Winery who as I told you yesterday is the staff head of the downtown parking commission but he may feel this is out of his jurisdiction (not downtown.) The configuration of the parking commission is in the process of changing and I may not be involved in the near future so I may become even less connected. I certainly encourage you to contact him from your perspective. I will also try to see if they can turn over the parking on the east side of the ArtCenter (the west side of seventh street) for our use but again I am not very optimistic.

I know you appreciate that I continue to try hard to provide additional parking for the use of MyStrands.

Also I wish to thank you and Kevin and Laurie for your time yesterday in reviewing some of my ideas for additional office space. Before I proceed with any of the alternatives I will wait to hear from you.

Sincerely,

Stan Nudelman

C: Francisco

#2

Richardson, Robert

From: Gregg Ferry [greggferry@earthlink.net]
Sent: Saturday, December 27, 2008 8:58 AM
To: Richardson, Robert
Cc: 'Robert Hearn'
Subject: First Presbyterian Church (PLD08
Attachments: Notice of Land Use Public Hearing 2 of 2.jpg; Notice of Land Use Public Hearing 1 of 2.jpg

Dear Mr. Richardson,

I would like to provide the following written testimony to the Planning Commission for the Hearing to be held 7 January 2009 at 7:00 PM. Since you are the only contact given, I submit this testimony to you.

I own the property at 147 NW 11th Street. I have serious concerns about the "reducing ... of vehicle parking areas." Every Sunday morning, there is no parking available near my house. The parking is so much at a premium, the owners of the two houses at the SW corner of 10th and Jackson, The First Baptist Church, is giving serious consideration of tearing down these houses in order to build a parking lot.

At the very least, don't make the parking concerns worse, but use this opportunity to alleviate them.

Thank you

Gregg Ferry

#3

Richardson, Robert

From: Craig.Huntsman@securitasinc.com
Sent: Monday, December 29, 2008 3:35 PM
To: Richardson, Robert

Dear Mr. Richardson,

I am a tenant at 760 SW Madison and it is my understanding that the First Presbyterian Church has requested a variance to reduce on-site parking. I personally have a concern with reducing any parking in the this general vicinity due to the shortage of available parking spaces. As it stands now, a lot of the open parking spaces are taken by OSU students and downtown business employees leaving the tenants of our building and their customers with limited or no parking. During the summer time various events as well as visitors to the public park take up parking spaces as well.

I am requesting that you not reduce available parking in this area. I would appreciate your consideration regarding this matter.

Thanks,

Craig Huntsman
National Account Manager - HP Account
Securitas Security Services USA, Inc.
760 SW Madison Suite 207
Corvallis, Oregon 97333
Office Phone: 541-752-3280
Cell Phone 541-230-0163
Fax: 541-752-3281
E-Mail: craig.huntsman@securitasinc.com

=====
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#3

Richardson, Robert

From: Erica Prince [ericaprince@comcast.net]
Sent: Friday, December 26, 2008 10:14 PM
To: Richardson, Robert
Cc: nudelm@comcast.net
Subject: Parking concerns related to First Presbyterian Church

Dear Mr. Richardson:

I understand that you are considering granting a variance to the First Presbyterian Church that would reduce their on-site vehicle parking to less than the LDC minimum standard. I am a licensed psychologist with an independent practice at 223 SW 8th Street, and I am writing to object to this proposal.

LDC standards for on-site parking were established for good reason, otherwise such standards would not have been created. I think adding a 23 car burden to a neighborhood already over-stretched for parking by students, downtown employees, residents, those coming to use the park and art center, and those doing business in the immediate area.

In my psychology practice I serve many individuals with limited mobility. If they have trouble parking more than a block or two from my office, they are stressed, and my business suffers.

Please consider the Church's parking proposal in light of what is fair to all residents and professionals in the immediate area.

Thank you for your consideration.

Sincerely,

Erica D. Prince, Ph. D
Licensed Psychologist
223 SW 8th St.

Attachment A - 14

12/30/2008

#4

Richardson, Robert

From: Stan Nudleman [nudelm@comcast.net]
Sent: Friday, December 19, 2008 10:56 AM
To: Richardson, Robert
Subject: Parking concerns related to First Presbyterian Church requests

Dear Bob,

As per our conversation yesterday, I am writing to express my concern about parking in the area around 7th and 8th street between Jefferson and Monroe and Madison between 7th and 9th. I have been trying for years to find more parking for my tenants at 760 Madison and 223 8th street and am constantly bombarded with complaints from the tenants and clients of those tenants. I was able to create a few more private parking areas in cooperation with the Art Museum but they were unwilling to sacrifice any more. Prior to being a member of the downtown parking commission I was able to get barely enough 2 hour spaces to at least service some of the clients of those tenants. As a member of the parking commission and with the cooperation of the First Presbyterian Church the city agreed to stripe 8th street between Madison and Monroe which helped improve the parking situation somewhat (by creating more efficient parking on that street.)

Despite these few improvements parking has remained a major issue in our community. It is especially bad when the university is in session as students use available spaces to park. In addition downtown employees utilize many of the parking places for all day parking. In the past I have asked both the First Presbyterian Church and the First Christian Church if I could use some of their daytime parking and even suggested I pay for the usage and I was turned down by both churches as they felt they needed all the parking they had, even during weekdays. So as you can see I've tried over the years to solve the major parking issues in our community and the churches have noticed an issue as well or, in my opinion, they would have been more willing to open up some of their spaces.

The First Presbyterian Church apparently provided a study justifying their request to decrease their onsite parking by 23 spaces. I don't know when they did this study, and this seems important: for example, was the university in session? Was it during the work week? What hours of the day was it done? In my opinion, there is no way our community with its combined professional and residential usage can tolerate 23 less parking places. This could conceivably cause many of my tenants to leave the area. Further studies need be done at times most relevant to our community.

With the time limits imposed I will not be able to contact others in the community today but will do so as soon as possible and get them to also write of their concerns.

Thank you for your consideration and for taking the time to reevaluate the First Presbyterian Church's parking proposal, which I believe will have an extremely negative impact on the local community.

Sincerely, Stanley Nudelman, owner of 760 Madison and 219 and 223 8th Street.

#5

5/29/06

PresChur

Deb Weitzman
First Presbyterian Church
114 SW 8th Street
Corvallis, Or. 97333

S. Nudelman Rentals, LLC
By Stanley Nudelman, Member
2842 NW Larkspur Place
Corvallis, Or. 97330

Dear Ms Weitzman,

A number of months ago I spoke with you about the possibility of your church allowing MusicStrands to use four or five spaces that you have on the gravel part of the northwest portion of your parking lot. They may never use it but would like the potential of using it ideally from 8 AM to 5 PM, only Monday through Friday. Obviously if on any given day you need these spaces we could figure out a way to block it from their use.

The MusicStrands employees are reliable and respectful and I'm sure would not in any way cause a problem for you. I'm not sure if they are financially able to pay for the use of these spaces or in any other way repay you for your potential generosity. I would provide at my expense any signage needed. Perhaps the benefit to you would be the opening up of more "on street" parking near the church.

As you know I have worked hard to improve our local parking situation. I wish I could accommodate all the parking needs for our local area of Corvallis. Perhaps this would help alleviate some of the congestion and would certainly help me maintain the viability of the Central Park South building.

Thank you for your consideration. Let me know if I can meet with you to further iron out details of my request.

Sincerely,



Stanley Nudelman
(Cell) 602-3441
(Voice) 768-5029
(Pager) 967-5144

C: Francisco Martin, CEO, MusicStrands
Sue Foldom, Comptroller, MusicStrands



#6

FIRST PRESBYTERIAN CHURCH

114 SW Eighth Street, Corvallis, OR 97333-4596

TELEPHONE (541) 753-2228 • FAX (541) 754-5324

EMAIL: church@1stpres.org

June 1, 2006

Dear Dr. Nudelman,

I received your letter regarding the parking spaces for MusicStrands in our lot. I do remember our conversation about this topic several months ago.

While there are days during the week that our lot seems to have empty spaces, with our childcare, preschool and the many church activities that occur on an everyday basis, I am sorry to say that it's just impossible for me to promise any spaces to an outside group. I wish I could help, really I do, but after careful consideration I have to say no. The church has been approached many times over the years with similar requests. Our Trustees appreciate the parking issues in the downtown area, but must reserve our lot for church business.

Thank you so much for the thoughtful request and for understanding my response.

Sincerely,

Debra Weitzman
Church Administrator
deb-w@1stpres.org
753-2228 ext 201

11/6/07

~~#3~~
#7

To: Hester, ArtCentric
From : Stan Nudelman
Re: Parking proposal

About four (?) years ago the city put six additional two hour spaces in the area near the 760 Madison Building (three on the northeast corner of 8th and Madison and three on the northwest corner of 8th and Madison.) These extra two hour spaces have been well utilized for both the 760 Madison (Central Park South) building and the visitors to Art Centric, and well as to central park.

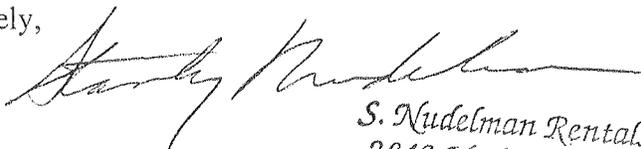
Presently there are nine 2 hour parking spaces on Madison just west of the ArtCentric building. ArtCentric has 4 dedicated spaces for staff on the south side of the ArtCentric building. ArtCentric needs at least three of the 2 hour spaces to remain as is for use of volunteers who come and go.

At present the tenants at 760 Madison are in great need of more dedicated parking spaces. The six remaining spaces on the west side of the ArtCentric could in my opinion be better served as dedicated spaces for the 760 Madison building during the hours of 8AM to 5PM, Monday through Friday. To my observation these spaces are rarely occupied during the above hours unless there is an event at ArtCentric. Those events are usually held after 5PM or on weekends but in case an event falls during the daytime Mon - Fri hours mentioned above I would put signage up reserving those six spaces for ArtCentric use. Dedicating these six spaces to the 760 Madison building would open up more on street parking which is sorely lacking during weekdays in our area and would help the 760 Madison building remain viable.

In the past and hopefully in the future I have donated all my dedicated parking spaces (east side of the 760 Building) for use for the Spring Garden Festival, the Corvallis Fall Festival, and Da Vinci days in addition to donating space in my building for the storage of chairs for use of the "community band" that plays in central park. In addition I have allowed ArtCentric to use my dedicated parking (east side of 760 building) for the attendees at events that they have and hope to continue to do so.

In summary changing six of the two hour parking spaces (as above mentioned) for the dedicated use of the 760 building as specified above would be very helpful and greatly appreciated. If ArtCentric is comfortable with the above proposal and puts their consent in writing then I will present the proposal to the appropriate city officials for their approval. I will help to pay at least some of the costs in making this change and will guarantee there will be no costs to ArtCentric if approved.

Sincerely,



S. Nudelman Rentals, LLC
2842 NW Larkspur Place
Corvallis, Oregon 97330

Attachment A - 18

2003 DOWNTOWN PARKING COMMISSION SURVEY

Surveys - ~~1~~ 2/2003

Staff conducted a parking utilization survey in the area of 8th Street and Madison Avenue (see Table 1- Madison Avenue and 8th Street Area Parking Utilization Survey). The survey was conducted on a variety of dates and times of the day.

- Madison Avenue
 - 8th to 9th - At capacity during all checks, as early as 6:00 a.m. and as late as 6:20 p.m. Additional evening and weekend checks indicate high utilization on this block.
 - 8th to Art Center - At capacity from 8 a.m. to 5 p.m. Parking available before 8 a.m. and after 5 p.m.
 - 6th to 7th 2-hour parking spaces - Busy 8 a.m. to 5 p.m. and available other hours.
 - 6th to 7th no parking control spaces - At capacity 8 a.m. to 5 p.m. but available other hours.
- Monroe Avenue - 2-hour parking well utilized 10 a.m. to 3 p.m. Available spaces other hours. Serves library and Central Park.
- 6th Street - At capacity 8 a.m. to 5 p.m.
- 7th Street - At or near capacity from 8 a.m. to 5 p.m. Available other hours.
- 8th Street
 - Jefferson to Madison - Busy 10 a.m. to 5 p.m. with some spaces available. Available other hours.
 - Madison to Monroe - Busy 8 a.m. to 5 p.m. with a few spaces available.
- Off-Street Parking
 - Art Center Parking - Busy 10 a.m. to 5 p.m. with some spaces available.
 - Art Center 2-Hour Spaces - Varies with spaces available at many checks.
 - 760 Madison Avenue - Busy with some spaces available.

A duration survey was conducted hourly from 7 a.m. to 5 p.m. on Madison Avenue, 7th Street and 8th Street to gauge parking turnover in uncontrolled areas. Previous surveys indicated there is little to no parking turnover on 6th Street due to employee parking so that area was not surveyed.

Madison - 8th to 9th

A total of 15 different vehicles parked on this block during the duration survey. Nine vehicles parked entire time, 11 of 15 for at least 9 checks with the remaining parking for shorter periods.

A subsequent check at 7:30 a.m. the next morning showed that 10 of the 11 vehicles parked that morning were parked the previous day.

Madison - 8th to Art Center

A total of 20 different vehicles parked on this block during the survey. Three vehicles parked for at least 8 checks, 8 vehicles for 4 or more checks, and 12 vehicles for 1-2 checks.

Madison - 6th to 7th

A total of 20 different vehicles parked on this block during the duration survey. Five of the vehicles parked for at least 8 checks, eight for at least 5 of the checks, and three for one check.

PAGE (1)

7th - Jefferson to Madison

2/03 SURVEY (CONT)

A total of 22 different vehicles parked on this block during the duration survey. Thirteen of the vehicles parked for at least 8 of the checks, two for 4 of the checks, and seven for 1-2 checks.

8th - Jefferson to Madison

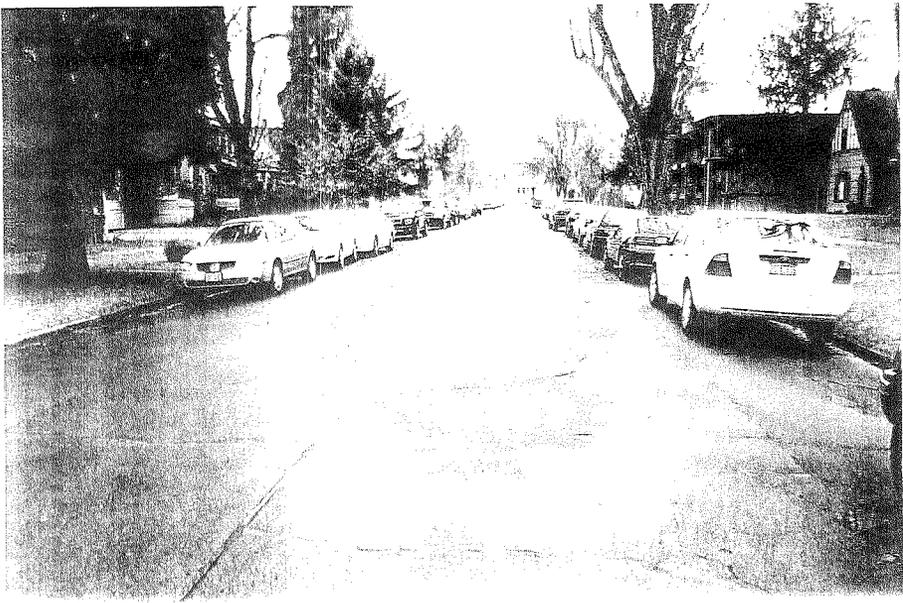
A total of 20 different vehicles parked on this block during the duration survey. Five of the vehicles parked for 6 or more checks, nine for 3-4 checks, and eighteen for 1-2 checks.

8th - Madison to Monroe

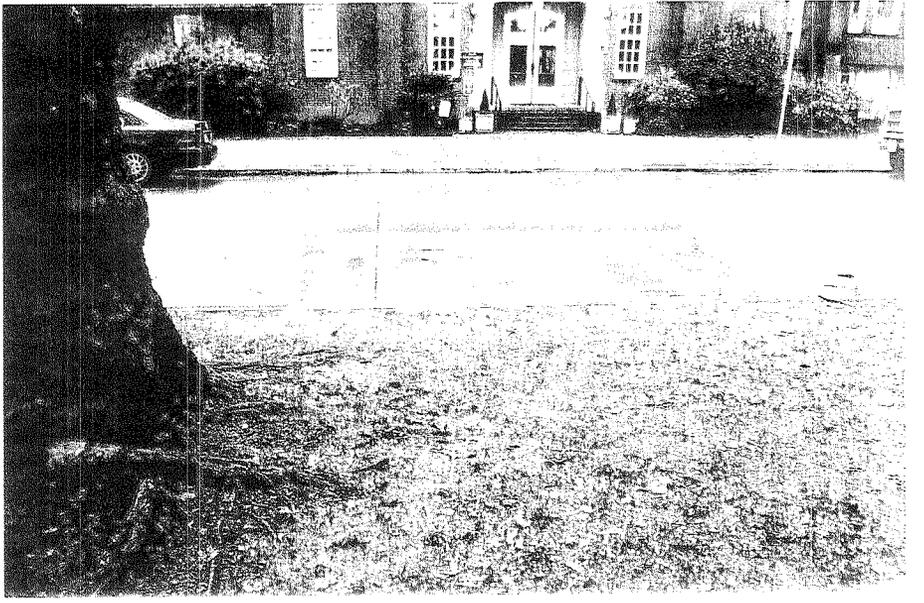
A total of 46 different vehicles parked on this block during the duration survey. Eight of the vehicles parked for at least 8 of the checks, 14 of the 46 vehicles parked for at least 5 of the checks, and 26 for 1-2 checks.

PAGE (2)

Pictures taken on
January 6, 2009,
between 3:00 pm and 3:30 pm



→ 1



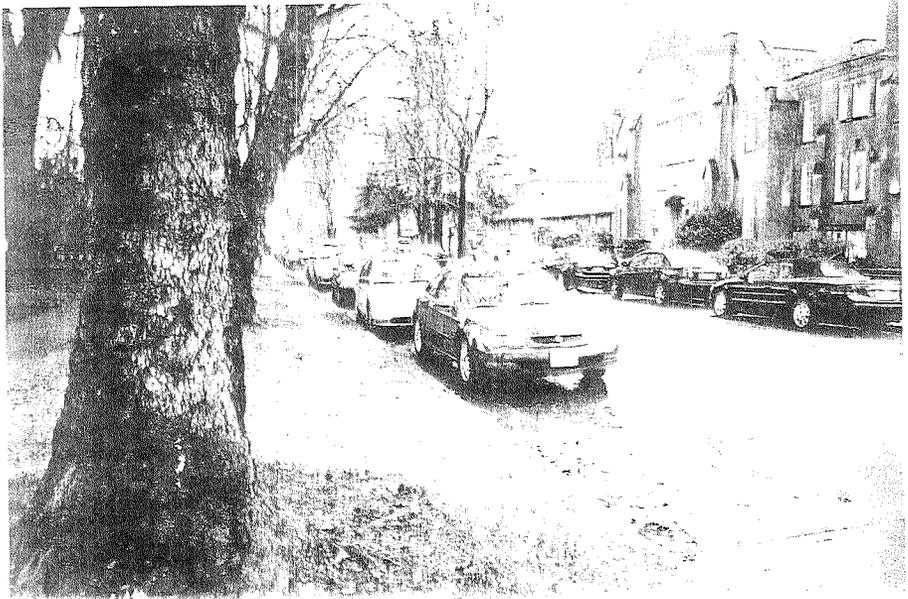
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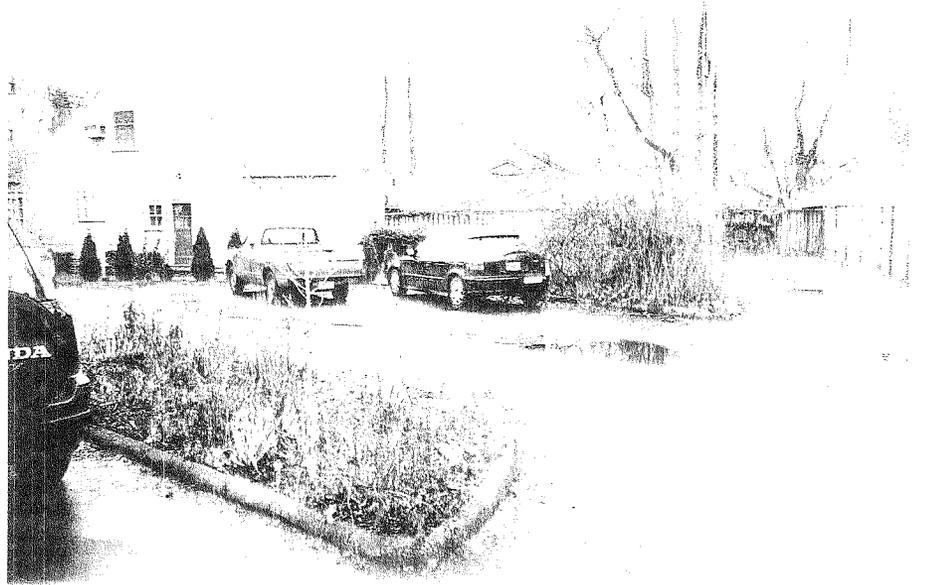
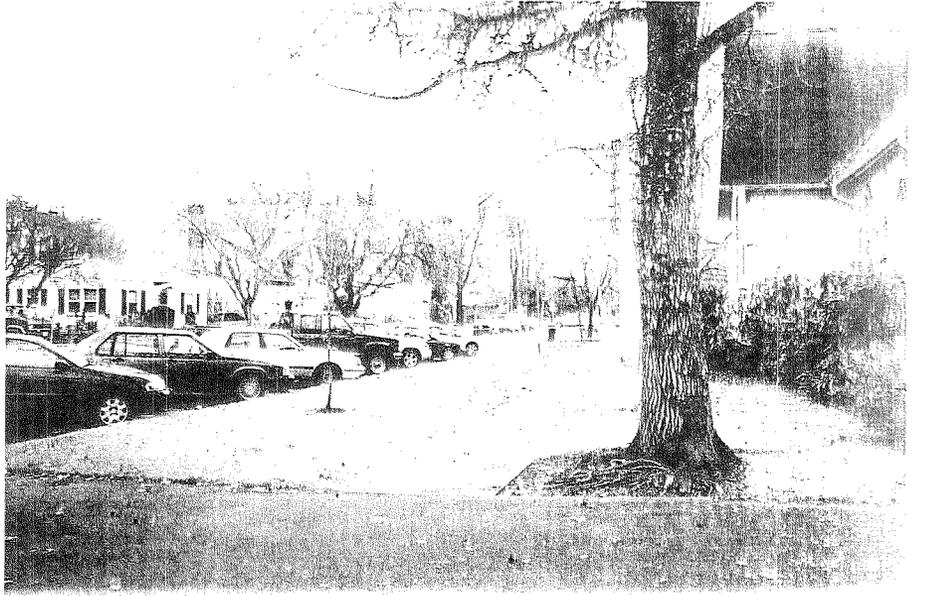
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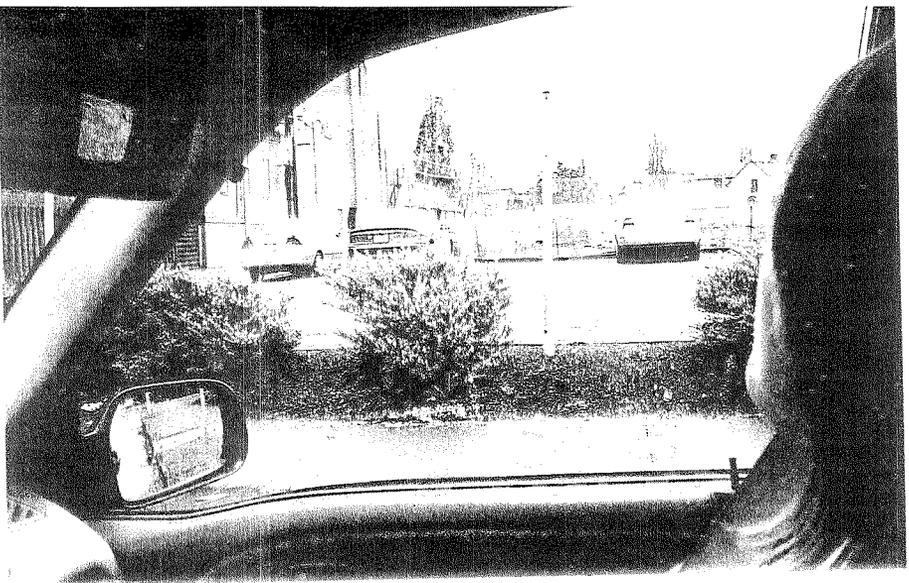




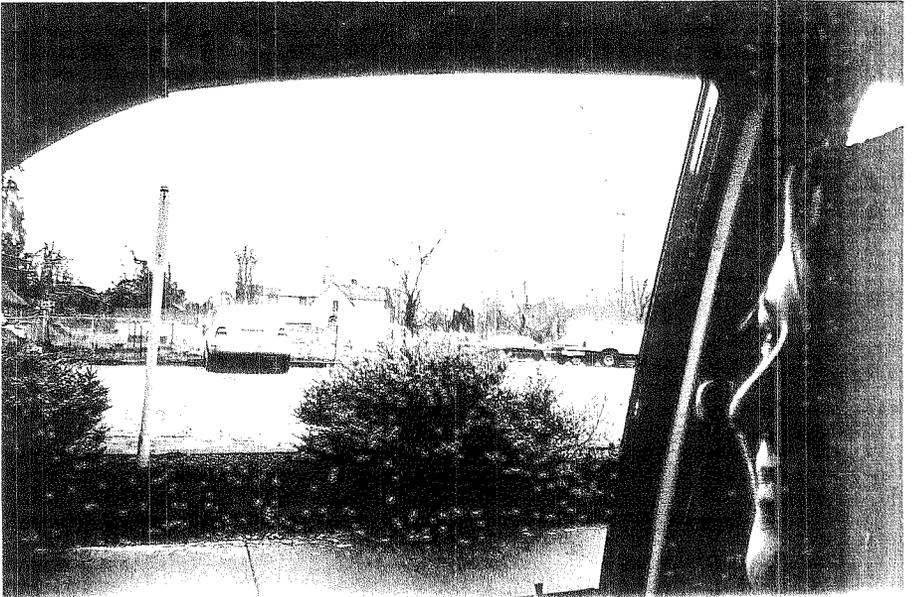




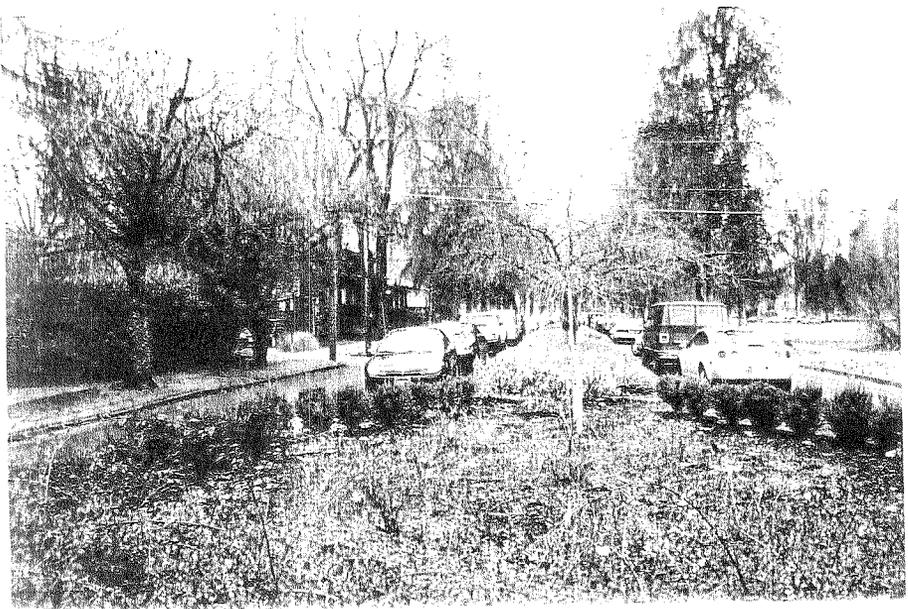


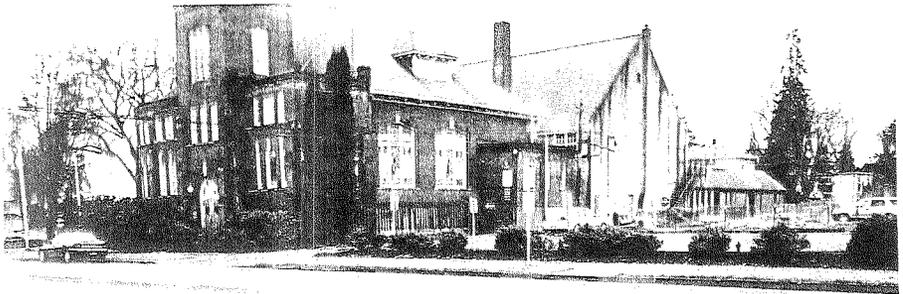


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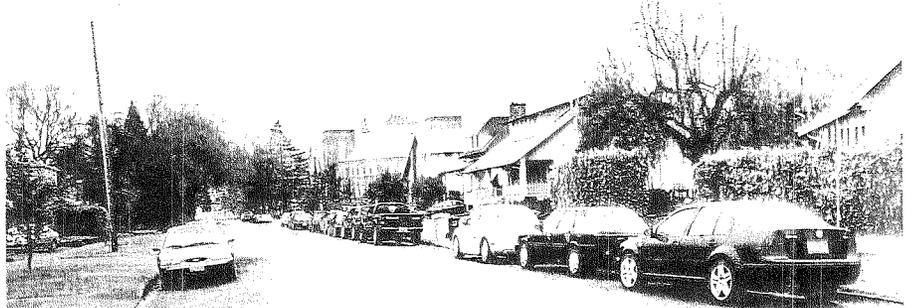


Pictures taken on
January 13, 2009,
between 3:00 pm and 3:30 pm





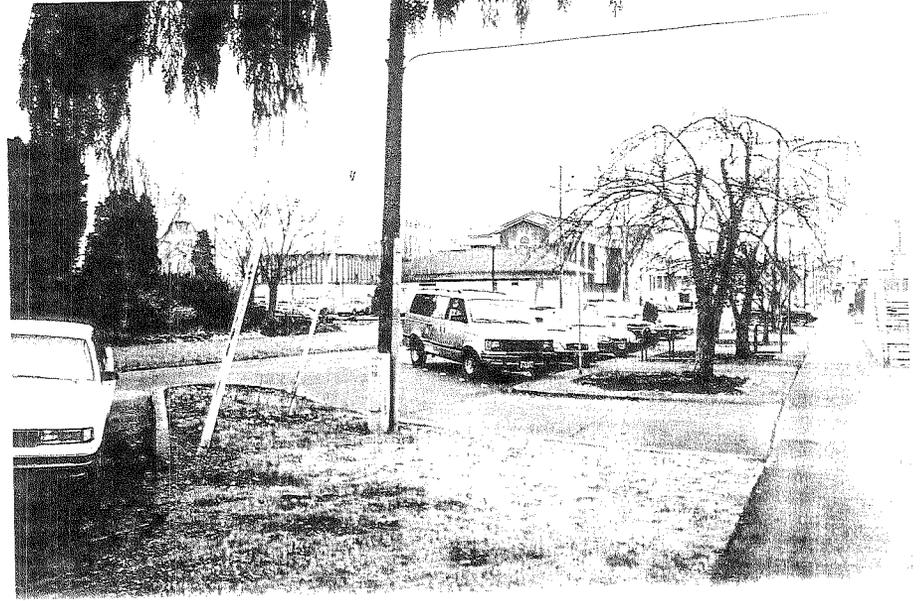
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To the Members of the Planning Commission:

Thank you for this opportunity to provide this additional statement in the matter of PLD08-00012 and SUB08-00006 first heard by Planning Commission on January 7, 2009. We have previously submitted a statement to the Planning Commission on January 7, 2009.

I. Lack of Adequate Notice

In our previous statement we explained that the Staff Report was not published on the City's website until sometime after 4:00PM Wednesday, December 31, 2008 (New Year's Eve). Despite our diligence to request any additional documents from the City that might address deficiencies in the staff report, City offices were closed on Thursday January 1, 2009 and no one was available on January 2, 2009 so we were not able to secure additional documents relevant to our concerns until mid-day Monday.

We and the rest of the public were not been provided adequate time to review these documents and prepare for the hearing. Since our request for a continuance was not granted, we were not afforded sufficient time to examine the staff report and address our factual and procedural concerns to the Planning Commission for proper consideration.

II. Lack of Time to Respond to Issues Raised at Hearing

The Planning Commission granted our request to hold the record open. However, the Commission did not grant our request that the record be held open until any party wishing to address deficiencies in the staff report or in the January 7, 2009 has sufficient time to review the record. Instead the Planning Commission held the record open only until 5:00PM January 14, 2009.

We made requests to the City for a copy of the written minutes of the January 7, 2009 meeting on Friday, January 9, 2009 and again on Tuesday, January 13, 2009 so we could respond to issues raised in the hearing. We were told that an un-approved draft won't be ready until Tuesday, January 20, 2009 at the earliest. We did purchase a copy of the audio tape of the hearing. The unavailability of the written minutes and the excessive time required to listen the audio tapes and take notes did not afford us a sufficient time to respond to issues raised at the hearing.

III. Request for Continuance

Previously we requested that the Planning Commission continue the hearing on matter PLD08-00012/ SUB08-00006, and keep the record open until such time as all interested members of the public, and in particular all parties that would be negatively affected by the Applicant's request for a waiver of the LDC parking regulations to reduce its on-site parking, have had adequate time to respond to the Staff Report and the rest of the Application. We argued that the Planning Commission should grant the continuance because the final Staff Report was not made available to the public in sufficient time before the hearing on January 7, 2009, the Staff Report as published contains numerous factual errors and omissions, and the Applicant's request raises significant legal questions that are not adequately addressed in the Staff Report.

The Planning Commission did not grant the request. The document "Order of Proceedings, City of Corvallis, Quasi-Judicial Public Hearings (Revised July 20, 2007)" requested from the City provides in the text of section "III. Continuance or Close Public Hearing" only that:

- 1) there has been a request for a continuance, either in written or oral testimony;
- 2) the request is based on new documents or evidence that have been submitted;

RECEIVED

JAN 14 2009

CC

as conditions for granting a hearing. We maintain that statement we submitted documenting factual omissions in the staff report, including citations to the Corvallis Comprehensive Plan, was new evidence and that the Planning Commission's decision to grant our request should only have turned on whether the Planning Commission's determination on that issue, not whether we were the applicant. We renew our request for a continuance.

IV. Factual Deficiencies in the Staff Report

In our original statement we documented factual omissions in the staff report that the Planning Commission has not addressed to the best of our knowledge, and with the current unavailability of written minutes.

We again request that the hearing be continued because the substantive issues we have raised in our previous comment and here have not been properly addressed.

V. New Procedural Question

The staff report only presents arguments in support of the recommendation that the Planning Commission approve the application. We have requested any records the City has that specify the nature of the contents of staff reports and also made inquiries to the City. Specifically we seek an answer to question whether the role of staff is to advocate for approval of the application, or to present in a neutral fashion all information from the Land Use Code and the Comprehensive Plan that would support a decision by the Planning Commission to grant an application or to reject an application. We were not provided with any responsive records or definitive answers to our direct queries.

We request that the Planning Commission either grant a continuance or hold the record open until the Planning Commission places an answer to this question in the record.

VI. Other Questions

The Historic Resources Commission has conditionally approved the Applicant's plan to expand the original historic area, which was designated in 1989, to include the area west of the church. As the Staff Report states, "The HRC also approved a Zone Change request to expand the existing HPO to include the area west of the Church buildings." The area west of the church buildings is the current parking lot. There is no historic structure requiring preservation in the area west of the church. The expansion of the HRO appears to have been done purely for the purposes of avoiding the violation of the parking requirement. Moreover, although the Staff Report concludes that the Applicant is currently in compliance with the parking requirements because its uses have evolved in a "legally nonconforming manner," it is unclear why past violations by the Applicant would justify ongoing violations. LDC 4.1.20(d), cited by the Staff Report as supposedly supporting the idea that the past violations are excusable, does not provide any support for that proposition.

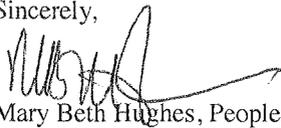
VII. Conclusion

The issues we have raised are germane to the decision making process. For the reasons stated, the Planning Commission should grant our request for continuation and hold the record open until these issues have been properly resolved.

The Commission should be aware that the Historic Resource Overlay previously granted to the Applicant is contingent on its approval of this application. That HRO would place constraints on the flexibility the City has for

approving the architectural form of any on-site parking options, regardless of whether the Planning Commission grants a waiver to parking requirements in the LDC. Interested members of the public including Strands might want to address the question of alternate on-site parking options the City could require of the Applicant, and this is another reason the public should be afforded more time to review this application. The Planning Commission should keep the record open as long as it takes for the record to be completed.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mary Beth Hughes', with a long, sweeping horizontal stroke extending to the right.

Mary Beth Hughes, People Operations Director
On Behalf of Strands, Inc.

Date: January 14, 2009
From: Mark Knapp
To: Corvallis Planning Commission
Subject: First Presbyterian Church (PLD08-00012, SUB08-00006)

I strongly support the application, but approval requires compensating public benefit for the lost parking spaces for motor vehicles.

I heard the word "unconscionable" used in oral testimony against the application about the loss of parking. I say it would be truly unconscionable if the lack of incentives for more **carbon emissions** were to stop this project.

As you know, a principle of a Planned Development is that strict compliance with development codes can be negotiated, but only if there are compensating public benefits for noncompliance. This application provides the applicant and the City with an **opportunity** to do the right thing for future generations.

The loss of parking is a potential public traffic burden. That cost can be directly mitigated by providing parking for alternative modes of transit. In particular, accommodating more bicycle use is a nearly perfect solution.

I proposed the following additional condition of approval:

Condition 17

Traffic – Prior to issuance of building permits, the applicant shall submit construction details for 45 bicycle parking spaces -- at least 20 of which shall be covered, and at least 25 of which shall be located within 20 feet of a public right-of-way.

According to pages 8-15 of the Planning Division Report, the application would reduce the available parking for motor vehicles by 23 spaces. Page 20 of that same report states that LDC 4.0.30 requires the applicant to provide 22 bicycle parking spaces. Since these spaces are already required by the code, they cannot be applied as compensation for the loss of motor vehicle (MV) parking.

At a minimum, the loss of parking allows 23 fewer people to drive motor vehicles to destinations in the neighborhood of the First Presbyterian Church. That number would increase if there were more than one occupant per motor vehicle.

So the proposed Condition of Approval is conservative. It would replace each lost MV parking space with a bicycle parking space -- above what it already required by code.

The requirement for proximity to streets and sidewalks would ensure that the spaces are seen and used by the public. My suggestion is to removed one more MV parking space in the northwest corner of the property, and build a large sheltered area on the corner that would accommodate at least 25 bicycles.

Such bicycle parking would be near the entrance of the new building, and it would be highly visible for public use.

Finally, I acknowledge that not everyone is capable of riding a bicycle. But my proposed Condition of Approval would not eliminate motor vehicle use in the neighborhood. Far from such a scenario, motor vehicles would still outnumber bicycles and pedestrians.

According to the 2000 Census (attached), the median age of Corvallis was 27, and 89 percent of the population was younger than 62 years. So I think it's reasonable to expect that at least 75 percent of the population is physically capable of bicycling through a small city like Corvallis on a regular basis.

U.S. Census 2000

Corvallis Population:	49,322	100.00%
Sex and Age		
Male	24,564	49.8%
Female	24,758	50.2%
Under 5 years	2,396	4.86%
5 to 9 years	2,337	4.74%
10 to 14 years	2,455	4.98%
15 to 19 years	5,662	11.48%
20 to 24 years	9,896	20.06%
25 to 34 years	7,317	14.84%
35 to 44 years	5,991	12.15%
45 to 54 years	5,570	11.29%
55 to 59 years	1,603	3.25%
60 to 64 years	1,125	2.28%
65 to 74 years	2,194	4.45%
75 to 84 years	1,947	3.95%
85 years and over	829	1.68%
Median age (years)	27	
18 years and over	40,596	82.31%
21 years and over	33,758	68.44%
62 years and over	5,597	11.35%
65 years and over	4,970	10.08%

Source: <http://corvallis.areaconnect.com/statistics.htm>

January 20, 2009

Bob Richardson, Associate Planner
c/o City of Corvallis Planning Commission
501 SW Madison Avenue
Corvallis, OR 97333

RECEIVED

JAN 20 2009

Community Development
Planning Division

**Subject: Additional Written Response from the Applicant
(First Presbyterian Church, PLD08-00012, SUB08-00006)**

Dear Mr. Richardson and Members of the Planning Commission:

We have reviewed the additional written testimony and would like to provide you with the following written responses.

City's 2003 Parking Survey

Written testimony was submitted implying the City conducted a more substantial parking survey in the same vicinity that showed parking at capacity from the hours of 8:00 am to 5:00 pm on weekdays.

The parking utilization survey conducted by the City in 2003 was done on a variety of dates and times of the day in February of 2003. Although we believe the City's intentions were to assess parking availability, there are no inventory dates, times, or frequency of the visual inspections. The survey concluded that Madison Avenue between the Art Center and 9th Street was "at capacity" from 8:00 am to 5:00 pm, and sometimes at capacity as early as 6:00 am and as late at 6:20 pm. From our observations, we have found this stretch of Madison to be at or near capacity, especially from late morning through the afternoon, however we've never found it to be at capacity throughout the day, as some spaces are limited to 2 hour parking. At the same time, parking along 8th Street between Madison and Monroe has always had considerably more parking than Madison. The limited amount of parking along Madison throughout the day and into the evening is likely a result of nearby residents who park on the street and has nothing to do with the church.

Credibility of Devco's Parking Study

Written testimony was submitted questioning why Devco Engineering's Parking Study only looked at one weekday morning and questioned the actual number of on-street parking spaces.

Devco Engineering conducted their parking survey on four separate days (Tuesday Nov. 4th and 11th & Wednesday Nov. 5th and 12th) over a two week period and not on one weekday morning as alluded to in the testimony. The Parking Plan (Attachment H.86) shows two on-street parking spaces on Monroe Avenue (#36, #37) adjacent to a transit stop. This transit stop was recently modified by the City and a new paved waiting area was installed midblock. Therefore, the bus now stops along the south side of Monroe, close to 9th Street. The two existing on-street parking spaces should be moved to the east where the bus previously stopped. Therefore, these two on-street parking spaces do exist. Testimony alluded to an additional parking space that is "just not there". We are unable to address this, as we don't know which space was referenced. However we can verify that one additional space will be added that was not part of the study. If the addition is constructed, the driveway exiting onto Monroe will be removed and replaced with a curb that will accommodate the additional on-street parking space.

Attachment B-1

Credibility of PTV Americas Parking Study

Written testimony was submitted discrediting PTV Americas parking study because it lacked a map of the study area, included 2 hour parking spaces, and was conducted during OSU's dead week.

PTV America is a transportation engineering firm that has conducted a number of traffic and parking surveys throughout the state. The first page of their parking study (Attachment H.83) includes a map identifying the parking study area. All on-street parking was considered, including 2-hour spaces. The study was conducted the weekend before OSU's dead week (June 1st) and the weekend after (June 8th). All students are in town during these times as finals took place the following week. Since the study only considered parking impacts on Sunday morning, the parking impacts from students was considered to be consistent with any other Sunday when school was in session. Had the study occurred during a weekday, then the results may have been different.

Mr. Nudelman's Personal Survey & Pictures

Mr. Nudelman submitted photographs and parking counts on two separate Tuesday's in early January between 3:00 and 3:30 pm to document the limited number of on-street parking spaces during that time.

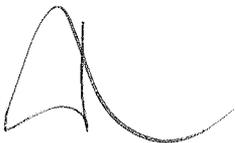
We commend Mr. Nudelman's interest and efforts to find additional parking opportunities within the immediate neighborhood. We also concur with Mr. Nudelman that weekday afternoons are when the least amount of parking spaces can be found on the street. That is why the church intentionally schedules weekday activities during the mornings and evenings. If you look at the church parking demand (Attachment H.82) you'll find that during the time Mr. Nudelman conducted his survey, there were 13 staff at the church. The existing on-site parking lot is and will be more than adequate to accommodate the church's parking demands during these times.

We are sorry Dr. Nudelman has been threatened by his tenant Strands Inc. to move if he doesn't solve their parking problem. Unfortunately those kind of actions just lend fuel to anti-business feelings. If you look at Mr. Nudelman's pictures, pick out those cars that belong to Presbyterians, OSU students, city employees, residents, and any Lutherans who sneaked in. There in lies the real difficulty in evaluating on-street parking and determining which group is creating an undue impact. Given the fact that the church occupies almost the entire block, their weekday parking needs are generally quite minimal, while their peak demands usually occur during the evenings or on the weekend. We feel this results in an optimum shared parking arrangement for Mr. Nudelman and the church.

In conclusion we would like to share one final point. We have attached several photographs of the sequoia tree that was recently removed from the gravel parking lot next to the church. If you look closely you'll notice the lower branches extended to the ground onto the gravel lot and kept 6 to 8 cars from being parked there. Our two parking surveys included those spaces after the tree was removed which means the real loss of spaces is between 15 and 17.

We hope this additional information is helpful and appreciate your thoughtful consideration.

Sincerely,



David J. Dodson, AICP
President







Community Development
 Planning Division
 501 SW Madison Avenue
 Corvallis, OR 97333

Approved as submitted, March 18, 2009
CITY OF CORVALLIS
PLANNING COMMISSION MINUTES
February 4, 2009

Present

Karyn Bird, *Chair*
 Frank Hann
 Tony Howell
 Steve Reese
 Jim Ridlington
 Patricia Weber
 Joel Hirsch, *Council Liaison*
 (arrived at 8:15 p.m.)

Staff

Fred Towne, Planning Division Manager
 Terry Nix, Recorder

Excused

Jennifer Gervais

SUMMARY OF DISCUSSION

	Agenda Item	Information Only	Held for Further Review	Recommendations
I.	Visitors' Propositions	X		
II.	Planning Division Work Program A. Public input B. Recommendation to City Council on priorities	X		
III.	Planning Commission Minutes A. January 7, 2009			Approved as revised.
IV.	Old Business	X		
V.	New Business A. Planning Division Update	X		
VI.	Adjournment – 9:00 p.m.			

CONTENT OF DISCUSSION

The Corvallis Planning Commission was called to order by Chair Karyn Bird at 7:00 p.m. in the Downtown Fire Station Meeting Room, 400 NW Harrison Boulevard.

I. **VISITORS' PROPOSITIONS:** There were no propositions brought forward.

II. **PLANNING DIVISION WORK PROGRAM:**

A. Public Input

Chair Bird drew attention to written testimony at Commissioners' places from seven business owners on Monroe Avenue between 25th and 26th Streets, requesting that consideration be given to using the new downtown parking requirements (1:1000) for their commercial district. There was no additional public input brought forward.

B. Recommendation to City Council Regarding Planning Division Work Program Priorities

Planning Division Manager Fred Towne drew attention to the written staff report. He stated that this is the Planning Commission's opportunity to make recommendations regarding the Planning Division Work Program for FY 2009-10. He briefly reviewed Table 1: 2008-09 City Council Goals with Planning Division Responsibility, Table 2: Top Priority Work Items, and Table 3: 2nd Priority Work Items, as detailed in the written materials. He then drew attention to the attachments: Land Development Code Text Amendments Revised Package #2; Land Development Code Text Amendments Revised Package #3; and the Complete List of Unresolved Planning Issues to be Considered as Opportunity Arises. He noted that the full work program includes 68 work items, and that prioritization is very important.

Commissioner Reese referred to the written testimony from business owners on Monroe Avenue and previous testimony regarding parking in the area of the First Presbyterian Church. Following discussion, it was agreed to recommend that Issue 7 be revised to include consideration of the "fee-in-lieu of parking" concept, as well as consideration of other areas outside of the Central Business District where parking is an issue.

Commissioner Weber referred to Issue 17 related to solar energy. She agreed with the staff recommendation that the effectiveness of the new solar access provisions be evaluated prior to embarking on additional efforts. There was general agreement to recommend that this issue be removed from the priority list.

Commissioner Reese requested additional information regarding the issues related to vegetation. Manager Towne said a vegetation management plan is required prior to development in a highly-protected significant vegetation area. It is recognized that protection of individual trees is an emotional issue and that significant effort will be needed to refine the regulations and to establish a tree ordinance. Commissioner Weber said that the maps of the inventoried areas are confusing. Manager Towne agreed to make a staff note that the maps need to be clearer.

Commissioner Howell suggested that clarification of maximum block perimeter rules and MADA proportions be added to the list.

The Chair noted that several issues are related to parking, including 7, 69, 48, 42, 39, and 22. Planning Manager Towne said a recommendation could be made to include all of these issues under parking standards and to identify parking standards as a

priority. Commissioner Hann said the parking issue goes deeper than just lumping the items together. He stated that, in some cases, parking requirements prevent redevelopment of blighted properties. He said if the intent of the Land Development Code is to maintain the viability of existing businesses, it is important to consider at what point additional parking will be needed.

Commissioner Hann commented that he supports including underdeveloped property in the inventory of developable land. He said he realizes that this is a difficult undertaking, but he believes it is an important consideration. Manager Towne reviewed methods that could be used to attempt to accomplish an analysis that identifies underdeveloped land as well as vacant land.

Commissioner Howell initiated discussion regarding Construction Sales and Service which, he said, was ranked high last year but is not included in the tables. He referred to previous comments that it might be appropriate to have a separate use type for home improvement center. Brief discussion followed.

Discussion followed regarding Attachment A, Land Development Code Text Amendments. Chair Bird noted a minor typographical error under item 7 (change *swimming poor* to *swimming pool*). Commissioner Weber suggested that item 1 include a discussion of revisions as they pertain to attached units. Manager Towne agreed.

III. PLANNING COMMISSION MINUTES:

A. January 7, 2009:

Commissioner Bird requested that clarifying language be added to the end of the last sentence under New Business (page 16) as follows: "...to aid Commissioners and the public in locating specifically referenced materials in the attachments."

MOTION: Commissioner Hann moved to approve the minutes as revised. Commissioner Weber seconded the motion and it **passed** unanimously.

IV. OLD BUSINESS:

Commissioner Ridlington initiated discussion about parking in the area of the First Presbyterian Church. It was noted that those parking in the area include City employees, Benton County employees, employees of downtown businesses, and OSU students and employees. Several Commissioners expressed concern that the cost of parking on campus may be causing overflow into the surrounding neighborhoods. Commissioner Hann suggested that it might be appropriate to review parking districts requirements and to make that information easier to find on the City's website. He stated that small parking districts might be appropriate in some circumstances.

V. NEW BUSINESS:

A. Planning Division Update:

Planning Division Manager Fred Towne called attention to a memorandum from Community Development Director Ken Gibb to the Mayor and City Council regarding Planning Commission vacancies. He noted that the Planning Commission and the Committee for Citizen Involvement (CCI) each have two to three vacancies. In response to a proposal from staff, the Commissioners present agreed to hold an Open House/pizza party on March 4, at 5:30 p.m. in the Madison Avenue Meeting Room, to include the Planning Commission, the CCI, and community members who may be interested in serving on either body. Staff will request that the Gazette Times publish information on the event. Commissioner Hann asked if it would be appropriate for a Commissioner to write a letter to the editor encouraging people to apply. Manager Towne said it would.

Manager Towne reported on recent appeals of Planning Commission decisions. Eighteen decisions have been appealed to the City Council since January of 2006. Of those, six have been appealed to LUBA. Discussion followed regarding the process by which appeals to the City Council are considered in a de novo hearing, which allows applicants to present a revised application or new information. Towne said the City Council will likely be addressing this issue in the near future.

Commissioner Weber advised that she will recuse herself from the Regent Court Addition hearing, scheduled for April 1.

Commissioners Bird, Ridlington, and Weber indicated that they will not be in attendance at the April 15 meeting. There was general agreement by those present to meet on April 22, if needed.

VI. ADJOURNMENT: The meeting was adjourned at 9:00 p.m.

**WATERSHED MANAGEMENT ADVISORY COMMISSION
MINUTES
February 18, 2009**

Present

Jennie Cramer, Chair
 Matt Fehrenbacher, Vice Chair
 Jacque Schreck
 Paul Berg
 Michael Campana
 Charlie Bruce
 Jeff McDonnell
 Richard Hervey, Council Liaison

Absent**Staff**

Tom Penpraze, Public Works
 Steve Rogers, Public Works
 Jon Boyd, Public Works
 Ken McCall, Public Works
 Mike Hinton, Public Works

Visitors

Frank Davis, US Forest Service
 Carolyn Menke, Institute for Applied Ecology
 Jim Fairchild

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for Further Review	Recommendations
I. Introductions	X		
II. Approve January 21, 2009 Minutes			Approved, as corrected
III. Staff Reports <ul style="list-style-type: none"> • Wyden Retained Receipts Stewardship Project • Carbon Sequestration 	X X		
IV. Public Comment Period	X		
V. Benton County Habitat Conservation Plan Presentation	X		
VI. Commission Reports/Requests			None
VII. Public Comment Period	X		

CONTENT OF DISCUSSION

I. Introductions

Chair Cramer called the meeting to order. Commissioners, staff and guests introduced themselves.

II. Approve January 21, 2009 Minutes

Mr. Penpraze reported that one paragraph from the January 21 minutes needed to be moved from the section titled "Forest Types and Inventory Project" to the "Public Comment" section.

Commissioner Schreck moved to approve the minutes as corrected; the corrected minutes were approved unanimously.

III. Staff Reports

Mr. Penpraze introduced Ken McCall, Public Works' new 0.25 FTE Watershed Program Specialist, to the Commission. He reported that Mr. McCall will transition to being the main point of staff contact for the Commission.

Wyden Retained Receipts Stewardship Project

Mr. McCall reported that he saw a letter from the Forest Service that the Wyden Retained Receipts Stewardship Project in the watershed, which came through the Siuslaw Stewardship, and was applied for through the Marys Peak Stewardship Group at the City's request, was approved for \$39,000. It is a three-tiered project, including riparian planting, tree topping, and diversity thinning in young stands. Trout Mountain Forestry will take the lead on the project, along with Mr. McCall, with the Forest Service providing support.

Mr. Penpraze reported that the so-named Wyden projects were started by the actions of US Senator Ron Wyden, which allows the Forest Service to retain timber harvest receipts on the Forest to be used on projects that benefit the landscape, including use on adjacent non-Forest Service lands, as opposed to the revenue going to the US Treasury. Commissioner Fehrenbacher asked if those receipts have already been generated and if they are available for use on City property. Mr. McCall reported that they have been generated, adding that there is an annual process for applications. Mr. Penpraze reported that the \$60,000 the City recently received for the fish passage projects came from this funding source. Commissioner Fehrenbacher asked if there is an operational plan or project design for the use of these funds that the Commission could review. Mr. McCall agreed to bring that information to an upcoming meeting.

Carbon Sequestration

Mr. Penpraze reported that staff met with two firms regarding carbon sequestration—EcoTrust and Pacific Forest Trust. The purpose of the meetings was to determine which firm could best help the City to explore possibilities for obtaining carbon credits from the watershed property. Mr. Rogers reported that staff determined that Pacific Forest Trust (PFT) was the more experienced of the two companies and asked PFT and Trout Mountain to work together to develop a proposal to do this work.

Commissioner Fehrenbacher provided a briefing on what carbon sequestration is and how the City can use this concept to generate some revenue and seek other environmental gains based on how it manages the Corvallis Forest. Forests have a tremendous capacity to store carbon, in both living and dead biomass. Using a forest for carbon sequestration (to offset carbon emissions generated elsewhere) requires a baseline to be established to show the current forest inventory and changes that take place over time. Currently, the carbon market is voluntary but will soon become regulated. The State of California has developed protocols that define how to quantify carbon, etc., and also pulls in third-party verifiers to track carbon volumes over time. California's protocols are undergoing a revision and an evaluation to transition them to national standards.

Commissioner Fehrenbacher stated that the forest inventory project discussed at the last Commission meeting will be helpful in this process for developing the City's baseline. Going forward will entail looking at how management actions accrue carbon inventory on the site. Commissioner Fehrenbacher believes that, if a project goes forward, the City could produce significant quantities of carbon credits. Chair Cramer asked how much revenue something like this would generate. Prices per metric ton of CO₂ equivalent have been between \$7 and \$14. Commissioner Fehrenbacher estimates that a Douglas fir forest would accrue about 1.8-2 metric tons per acre per year.

Commissioner Bruce asked if soil carbon increases in a more mature forest and if a soils inventory would be needed as well. Commissioner Fehrenbacher stated that he believes soil carbon levels change very slowly and that the current protocols dealing with soil carbon include below-ground biomass (roots); soil carbon does not need to be recorded, but you must justify why not. He also said that soil carbon changes so slowly that there would be no significant change over the 100 year commitment period required by the protocols. The protocols will not be approved for use outside of California until July 2009, and Corvallis will likely lead the way upon implementation.

Commissioner Berg asked if the City organization will have CO₂ emission caps that it will have to meet, to which Mr. Penpraze said that the only area of City operation known so far has to do with emissions from the wastewater treatment plant and the carbon emissions from the processes there. Mr. Penpraze also stated that the City has the potential to create carbon credits by using the excess methane from the wastewater treatment plant to produce energy.

Commissioner Berg asked if the City can get credits if harvesting is limited due to the presence of endangered species on City lands, such as spotted owls. Commissioner Fehrenbacher said that all applicable laws at the local, state, and federal level must be reviewed, which could limit possible credits.

IV. Public Comment Period

Chair Cramer asked for comments to be made at the microphone to insure inclusion in the minutes.

Jim Fairchild passed around written comments to the Commission (attached). He pointed out that Mark Harmon, from OSU, is an expert that could be asked about soil carbon accumulation. He then raised a concern regarding the subdivision of categories of middle- and older-age forests in the Forest Types and Inventory Project discussed at the last Commission meeting. He commented that, because of the way the Forest Stewardship Council defines these areas, Trout Mountain decided to label the stands that are 110-200 years old as a separate category. He would suggest, for clarity and to comply with the current plan, that this category, which is called Mature Plus, be considered as older forest, at least until there is a review, because that is where they are listed in the current Corvallis Forest Stewardship Plan.

Chair Cramer asked Commissioner Fehrenbacher how using different age class categories would impact the carbon project. Commissioner Fehrenbacher stated that the reason they were split out in the first place was to get higher accuracy from the inventory. Chair Cramer asked if it would be satisfactory to Mr. Fairchild to put the plan through a public review following the proposed modifications to the forest age classes. Mr. Fairchild said that would be acceptable to him.

Frank Davis asked how many acres is a break-even point for the carbon process. Commissioner Fehrenbacher stated that the smallest property his company has dealt with was 400 acres, but that a break-even point is speculative based on what the carbon market is going to do.

V. Benton County Prairie Species Habitat Conservation Plan Presentation

Carolyn Menke, from the Institute for Applied Ecology, provided a broad overview of the Benton County Prairie Species Habitat Conservation Plan (HCP). Chair Cramer encouraged Commission members to go online at the Benton County website and read the plan for additional details. An HCP addresses impacts on habitat and species from human activities and how to mitigate for those impacts. Maintenance to the Rock Creek roadway would be an example of a project that could impact peacock larkspur habitat and would need to be addressed. Additionally, the replacement of the Rock Creek bridge could impact some nectar plants that butterflies need for food. Mitigation involves restoring habitat in another location when a project destroys some habitat, usually three to five times the amount destroyed. The HCP tries to estimate how many impacts are going to take place over the 50-year term of the HCP and sets forth plans for mitigation in advance.

Ms. Menke stated that most prairies in Benton County are located in the central, northwest and northeast parts of the County. She said that, in these areas of Benton County, one species of butterfly and four species of plants are listed as threatened or endangered, one butterfly species is a candidate for listing, and one plant is listed as endangered only in Oregon. The HCP will help private landowners and the County comply with the federal Endangered Species Act and State requirements.

Ms. Menke stated that the HCP is not a recovery plan, but it does contribute to the recovery of covered prairie species. She also stated that the HCP is not set in stone and can be modified and updated over its 50-year term. She added that the HCP was informed and shaped by findings from local and global scientific studies. For example, Fender's Blue butterfly, which is listed as endangered and has habitat in Benton County prairies, needs specific plants not only for reproduction, but also for food.

Ms. Menke stated that Benton County is the heart of the peacock larkspur's distribution. The watershed, which has one of the largest populations of larkspur, is very important for this species, which is not protected on private land unless there is a conservation easement purchased over those lands.

VI. Commission Reports/Requests

None.

VII. Public Comment Period

Mr. Davis encouraged the Commission to participate in applying for Stewardship funds for watershed projects.

NEXT MEETING: March 18, 2009 5:30 p.m., Madison Avenue Meeting Room

MEMORANDUM

To: City Council Members
From: Charles C. Tomlinson, Mayor CCT
Date: March 31, 2009
Subject: Appointment to Committee for Citizen Involvement

I am appointing the following person to the Committee for Citizen Involvement for the term of office stated:

Pam Folts
Term Expires: June 30, 2010

Pam served on the Downtown and Economic Vitality Partnership Implementation Plan Committee.

I will ask for confirmation of this appointment at our next Council meeting, April 20, 2009.

1029

MEMORANDUM

To: City Council Members
From: Charles C. Tomlinson, Mayor ^{cc}
Date: March 30, 2009
Subject: Confirmation of Appointment to Committee for Citizen Involvement

As you know, at our last regular meeting I appointed the following person to the Committee for Citizen Involvement for the term of office stated:

Josue Gomez
Term Expires: June 30, 2009

I ask that you confirm this appointment at our next Council meeting, April 6, 2009

1027

MEMORANDUM

To: Mayor and City Council

From: Tony Krieg, Customer Services Manager 

Subject: LIQUOR LICENSE INVESTIGATION - **The Vibe**

Date: March 31, 2009

The City has received an application from **Elizabeth Van Duyn and John Rislov**, as **Van Duyn-Rislov, LLC** doing business as, **The Vibe** located at **134 SW 4th Street Corvallis, OR 97330**. This application is for a New Outlet for a Limited On-Premises sales liquor license.

An affirmative recommendation has been received from the Police, Fire, and Community Development Departments. No citizen comments or input were received regarding this application for endorsement.

Staff recommends the City Council authorize endorsement of this application.

Limited On-Premises Sales License

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.

MEMORANDUM

TO: City Council
FROM: Carolyn Rawles-Heiser, Library Director *CRH*
DATE: 3/30/2009

Issue:

Intergovernmental Agreement with the Monroe Rural Fire Protection District for library use of fire department facilities for programs.

Background:

Because there is not enough room in the present Monroe Community Library, library programs must be held off site. The fire station next door to the library has agreed to let us use their facilities free of charge.

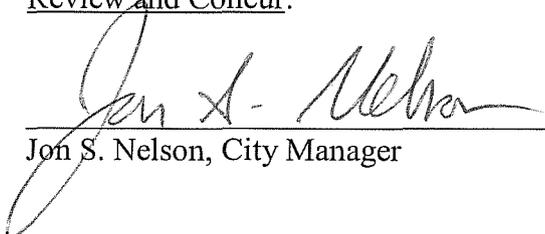
Discussion:

Because the agreement is between two governmental entities, an Intergovernmental Agreement is required. There is no charge for library use of the fire facilities. The agreement runs for five years. It is anticipated that a new Monroe library will be built within that time frame which will have meeting facilities.

Recommended Action:

Approve agreement.

Review and Concur:



Jon S. Nelson, City Manager

4/1/09
Date

**City of Corvallis/Monroe Rural Fire Protection District
Intergovernmental Agreement
for Use of Facilities for Programs**

The CITY OF CORVALLIS, a municipal corporation of the State of Oregon, hereinafter referred to as CORVALLIS, and the MONROE RURAL FIRE PROTECTION DISTRICT, a rural fire protection district of the State of Oregon, hereinafter referred to as MONROE FIRE and jointly referred to as PARTIES, or individually as a PARTY, mutually agree as follows:

All notifications necessary under this contract shall be addressed to:

City of Corvallis
Attention: Teresa Landers
PO Box 1083
Corvallis, OR 97339-1083
541-766-6995

Monroe Rural Fire Protection District
Attention: Rick Smith
680 Commercial Street
Monroe, OR 97456
541-847-5170

1 TERM:

1.1 CORVALLIS and MONROE FIRE agree that this intergovernmental agreement is entered into pursuant to ORS 190.010. It is the intent of the PARTIES that this agreement be effective as of the date it is fully executed and that it continue until 3/3/2014

1.2 If this contract crosses fiscal years, funding for future years is contingent upon the Corvallis City Council adopting appropriations.

2 SCOPE:

2.1 This agreement is to facilitate the Corvallis-Benton County Public Library (hereinafter referred to as the Library) to use the facilities under the jurisdiction of Monroe Fire, to hold library sponsored programs and events.

3 COMPENSATION

3.1 The use of these facilities is provided at no charge to the Library by Monroe Fire.

4 CORVALLIS agrees as follows:

4.1 The Library agrees to adhere to any policies and procedures established by Monroe related to rental and use of facilities.

5 MONROE agrees as follows:

5.1 Terms of the agreement as set forth such as payment and scope of service.

6 PARTIES agree as follows:

- 6.1 The PARTIES intend that, in performing this agreement, each shall act as an independent contractor and shall have the control of the work and the manner in which it is performed. Neither CORVALLIS or MONROE is to be considered an agent or employee of the other.
- 6.2 Subject to the limitations and conditions of the Oregon Tort Claims Act ORS 30.260-30.300, each party agrees to hold the other harmless, to indemnify and to defend the other, its officers, agents, volunteers and employees from any and all liability, actions, claims, losses, damages or other costs including attorneys fees and witness costs that may be asserted by any person or entity arising from, during, or in connection with the performance of the work described in this agreement, when such liability, action, claim, loss, damage or other cost results from the actions of that party in the course of this agreement. Nothing in this agreement shall be deemed to create a liability for any party in excess of the Oregon Tort claims limits for either party.
- 6.3 CORVALLIS and/or MONROE shall provide insurance as indicated:
 - 6.3.1 Workers' compensation insurance in compliance with ORS 656.017, which requires subject employers to provide Oregon workers' compensation coverage for all their subject workers, paid or volunteer. (Both CORVALLIS and MONROE)
 - 6.3.2 General Liability insurance with a combined single limit, or the equivalent, of not less than \$500,000 each claim, incident, or occurrence for Bodily Injury and Property Damage. It shall include contractual liability coverage for the indemnity provided under this contract, and shall be in a form at least as broad as Commercial General Liability ISO form CG 0001. (CORVALLIS and MONROE)
- 6.4 Each insurance endorsement shall state that coverage shall not be suspended, voided, or canceled by either party, reduced in coverage or in material limits except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to either municipal corporation.
- 6.5 CORVALLIS and MONROE shall furnish applicable certificates to each other with original endorsements for each insurance policy signed by a person authorized by that insurer to bind coverage on its behalf. Certificates will be received and approved by the respective cities prior to the first Monroe facility use by Corvallis. The certificates shall specify that each city; its officers, agents, employees and volunteers are Additional Insureds as respect to work under the agreement. Insuring companies or entities are subject to each city's acceptance. Each city shall be financially responsible for all-pertinent deductibles, self-insurance retention and/or self-insurance.
- 7 This agreement shall not be assigned, nor shall duties under this agreement be delegated, and no assignment or delegation shall be of any force or effect without the written approval of the contracting officers of MONROE and CORVALLIS.

- 8 Either PARTY may terminate this agreement effective (ie: June 30) of any year, provided that the terminating PARTY provides the non-terminating PARTY with a thirty (30) day written notice of the date and year in which the termination will be effective. PARTIES may, by mutual written consent only, agree to terminate this agreement effective on another date.
- 9 PARTIES shall comply with all applicable federal, state and local laws, rules and regulations on nondiscrimination in employment. The parties agree not to discriminate on the basis of race, religion, sex, color, national origin, family status, marital status, sexual orientation, age, source of income, or mental or physical disability in the performance of this agreement.
- 10 PARTIES shall comply with the Americans with Disabilities Act of 1990 (Pub. Law No. 101-336), ORS 30.670 to ORS 30.685, ORS 659.425, ORS 659.430, and all regulations and administrative rules established pursuant to those laws.
- 11 This writing is intended both as the final expression of the agreement between the PARTIES with respect to the included terms and as a complete and exclusive statement of the terms of the agreement. No modification of this agreement shall be effective unless and until it is made in writing and signed by both PARTIES.

Dated this _____ day of _____, 2009.

Monroe Rural Fire Protection District

City of Corvallis

City Manager

Approved as to form:

Approved as to form:

Monroe Fire Attorney

Corvallis City Attorney

MEMORANDUM

March 17, 2009

To: Mayor and City Council

From: Steve Rogers, Public Works Director 

Subject: 509J Transit Service Agreement

Issue:

City Council authorization is necessary for the City Manager to sign an intergovernmental agreement (IGA) with the 509J School District for transit services.

Background:

City and District staff have developed a plan to provide transit service to the Crescent Valley area that includes four commuter runs per day and free transit service on the entire system for all district students. The Budget Commission directed that expenditure appropriations to fund the service be included in the FY 09-10 budget. On March 2, 2009, the City Council authorized the service provided the District was in agreement.

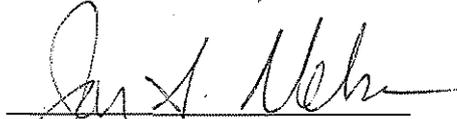
Discussion:

The IGA captures the service parameters and stipulates the funding responsibilities of the City and District as previously proposed. The term of the agreement runs from September 1, 2009 until June 30, 2009. In concept, the service is expected to be for a two-year trial period and so it is anticipated that this agreement will be extended for a second school year if funds are appropriated by both the City and the District. The District Board will consider the IGA during their April 2009 meeting.

Recommendation:

That the City Council authorize the City Manager to sign the agreement.

Review and concur,



Jon Nelson, City Manager

INTERGOVERNMENTAL SERVICE AGREEMENT

THIS AGREEMENT is entered into this 11th day of March, 2009 by and between the CITY OF CORVALLIS, OREGON, a municipal corporation of the State of Oregon, hereinafter referred to as "City", and 509J School District, a non-profit corporation of the State of Oregon, hereinafter referred to as "District."

WHEREAS, ORS 190.110 permits units of local government and state agencies to enter into agreements for the performance of required duties or the exercise of permitted powers;

WHEREAS, the City is able to assist District in its efforts to reduce parking and vehicle congestion on and around District facilities by providing bus service through or adjacent to its campuses; and

WHEREAS, the District and City desire to provide transit services to the Crescent Valley area including to the Crescent Valley High School campus; and

WHEREAS, District has proposed to provide a transit group pass program to its students to promote its transportation demand management objectives;

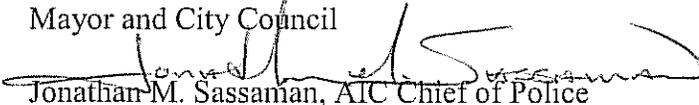
NOW, THEREFORE, the parties agree as follows:

1. Crescent Valley Area Service and Student Group Pass Program
 - A. Scope of Service. City will provide bus service through or adjacent to District facilities within the city limits and Crescent Valley area. Service to the Crescent Valley area will include four runs per day on school days and route will be designed by City.
 - B. Consideration: District shall pay to City a sum of \$ 48,000.00 for this Agreement, for the 10-month effective period of September 1, 2009 through June 30, 2010. Payment shall be made to City in three equal payments, with the first payment due on or before September 1, 2009 and subsequent payments due on or before December 1, 2009 and March 1, 2010.
 - C. Access. City shall allow any District student on all Corvallis Transit System and Philomath Connection fixed-route bus routes beginning September 1, 2009 and continuing through June 30, 2010 without any fare payment (cash, coupon or pass).
 - D. This service is available to the general public with the same fare structure as the rest of Corvallis Transit System's service.
 - E. District shall make available area in its west parking lot for a public park and ride, and provide signage directing traffic to and identifying spaces available for this use.

MEMORANDUM

March 23, 2009

TO: Mayor and City Council

FROM: 
Jonathan M. Sassaman, AIC Chief of Police

SUBJECT: Recovery Act: 2009 Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program – Local Solicitation

ISSUE:

The Corvallis Police Department has been notified of a US Department of Justice, Edward Byrne JAG formula grant opportunity funded through the American Recovery and Reinvestment Act of 2009. City Council's recommendation in support of this grant application is required by the grant regulations.

BACKGROUND:

The Corvallis Police Department has received similar grants since 1996 for a variety of purposes under the Local Law Enforcement Block Grants Program and the Bureau of Justice Assistance JAG program. Past grant funding has been spent on technologies such as computer upgrades, computer software, emergency mitigation equipment, radios and in-car video cameras.

DISCUSSION:

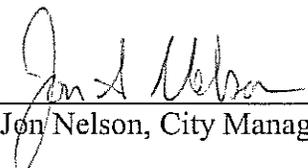
Funding through the grant is provided through a formula allocation process for Cities and Counties. City of Corvallis and Benton County must make a joint application for the total County/City eligible formula funding in the amount of \$80,052. The City allocation of this funding is \$60,471 and the County allocation is \$19,581. The City will act as the fiscal agent for this grant and upon receipt of funds, will pay the County their \$19,581 allocation. The Police Department intends to submit an application to fund the purchase of additional in-car digital video cameras to complete the patrol vehicle fleet. Benton County intends to utilize their allocation to purchase radio equipment for the office of Benton County Emergency Management. The grant will not be approved by the Department of Justice without the review/approval of the City Council.

RECOMMENDATION:

Staff recommends that the City Council authorize application for the 2009 Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program – Local Solicitation by the Police Department.

Review and concur:


Nancy Brewer, Finance Director


Jon Nelson, City Manager

To: Corvallis City Council
From: Dan Brown

April 2, 2009

SUBJECT: Tabulating the results of the March 16 evening Council discussion

As a follow up to the March 16 evening community sustainability discussion, I tabulated the Council choice data (where Councilors put dots on the posters on the wall). In terms of overall council support, as you can see, some items (or bundles of items) got lots of dot support and others got less.

I hope we can use these data as the basis for moving ahead to select those sustainability issues the Council will actually work on for the next two years. Using a process of elimination like Joseph did in our Council goal setting session, I think we can come up with a manageable final list.

City staff will be sending you a similar document in the April 6, 2009 Council packet. This document is an alternative which can be compared side-by-side. You will see two substantive differences:

First, the groupings of items are slightly different;

Second, for each grouping, there is a stated a policy goal as an umbrella for the group.

Hopefully, these additions will complement the staff document in our discussion and help the Council move forward toward our 2009 Council community sustainability goal.

<p><u>POLICY GOAL:</u> Support conservation and local generation of energy to reduce our City's contribution to global warming.</p>	<p># Dots</p>
<p>Support Energy Conservation and Generation</p>	<p>•••••</p>
<p>Investigate putting a renewable energy charge on city utility bills and using the proceeds for local energy conservation and generation projects;</p> <p>Localize the current renewable energy revenue stream (from Blue Sky and others) in conservation and/or generation projects.</p>	<p>••••••</p>
<p>Change LCD to implement "green building" practices H3.4.1; LU4.1.1</p>	<p>•••</p>
<p>Plan and install community Sustainable water Demonstration Site in a high traffic and accessible existing enterprise that will demonstrate large-scale usage of alternative water sources, such as rainwater and gray water. Wr 1.3.1</p> <p>Alternate Sewer Technologies – Promote state-sanctioned alternative sewer technologies that safely reduce municipal sewer flow for all existing buildings and require reductions for all relevant building permits. These technologies could include gray-water reuse, composting toilets, and Living Machines. WR 1.2.2; WR1.1.3</p>	<p>••</p>
<p>Ask OSU to reduce extraneous use of Reser Stadium lights</p>	<p>••</p>
<p>Become more knowledgeable about energy in other cities</p>	<p></p>

<p><u>POLICY GOAL:</u> Reduce auto trips in the Corvallis community to reduce use of fuel and its associated drain of resources (\$100 mil. per year) from Corvallis, and to reduce carbon dioxide emissions into the atmosphere.</p>	<p># Dots</p>
<p>Encourage citizens to reduce gas power auto trips</p> <p>Promote and encourage neighborhood electric vehicle (HEV) use by tax credits, priority parking and availability of charging stations. T2.3.2</p> <p>Provide free transit T2.1.1; T3.1.2</p> <p>Encourage the use of bikes for transportation in the Corvallis community.</p>	<p>●●●●●●●●●●</p>
<p>Create bicycle boulevards in Corvallis</p>	

<p><u>POLICY GOAL:</u> Encourage citizens to decrease waste and increase recycling in Corvallis.</p>	<p># Dots ●●●●●</p>
<p>Prohibit styrofoam in food service WE1.1.1</p> <p>Encourage citizens to recycle styrofoam</p> <p>Encourage reduced use of plastic bags</p> <p>Utilize Waste Demand Management - Progressive waste fees and food waste We2.3.3; WE1.1.1</p>	

<p><u>POLICY GOAL:</u> Encourage production, processing, distribution, and consumption of local Food.</p>	<p># Dots ●●●●●</p>
<p>Expand current and start new low income community gardens F 2.3.2</p> <p>Identify farmable land within the Urban Growth Boundary to convert to community gardens and/or urban farms, remove and modify government and private restrictions that are a barrier, and provide education and incentives for organic and sustainable food production. LU 3.2.1</p> <p>Sponsor a Voluntary Funded Farmers Market Coupons -- Citizens use a <i>voluntary funding mechanism</i> such as a check off box on their utility bill to provide funding to provide coupon books to folks on food stamps to purchase fresh produce at farmers markets.</p> <p>Encourage creation of agricultural BEC — This center would have a small industrial scale canning kitchen and include space for business start ups. By providing a space where local growers could produce value added products, we would make small scale farming more profitable.</p>	

<u>POLICY GOAL:</u> Increase public knowledge and understanding about sustainability	# Dots
Provide educational programs	••••

<u>POLICY GOAL:</u> Sustain our local economy by supporting local businesses.	# Dots
Support “Buy Local First” EV1.1.3	••
By 2012 Develop Coordinate Land Use Strategies that Support Local Business, Green Industry and Downtown Vitality LU1.1	•
Provide increased support for economic development and support for business retention (falls under 2009 Council goal #5)	•

<u>POLICY GOAL:</u> Support community inclusion	# Dots
Communicate Who Lives Here CI 1.3.1; 1.3.2	••

<u>POLICY GOAL:</u> Support local social programs	# Dots
Encourage contributions and provide funding for children and families	
Continue to provide athletic programs	
Maintain public safety	

March 29, 2009

TO: MAYOR & CITY COUNCILORS

FROM: COUNCILORS HAMBY AND BROWN

Our March 17 dotting exercise revealed that the majority of preferred action items fell into two topic areas, with two other topic areas at a lower level and a final three areas lower still. Those topic areas were as follows:

Energy—18 dots (includes Water)

Transportation—11 dots

Waste—6 dots

Food—5 dots

Local Business—4 dots

Sustainability Education—4 dots

Community Inclusion—2 dots

The following four pages lay out a summary of topic area and potential action items for each of the first four preferred topics. We'd like to use this information as a starting point for our discussion at Monday's (April 6th) Council meeting. This, in no way, is meant to be all inclusive, but simply background for attacking the issue and getting action items underway; once we have a process in place, we can add additional items to the mix as staff time permits.

Thanks, very much, for all your thought and hard work on the sustainability initiatives thus far.

TOPIC: Energy

OUR ACTION ITEMS:

Support energy conservation and generation (5 dots)

Localize current renewable energy revenue stream (from Blue Sky and others) in conservation and/or generation projects;
together with (6 dots)
Investigate use of renewable energy surcharge on utility bills, with proceeds to be directed to local energy conservation and generation;

Housing 3.4.1 and
Land Use 4.1.1 change LDC to implement “green building” practices, (3 dots)

Dim Reser Stadium lights (2 dots)

Water 1.3.1 sustainable water demonstration site,
together with (2 dots)

Water 1.2.2, 1.1.3 alternate sewer technologies,

(NOTE: *Water items included in the Energy topic because of the significant electrical requirements of city water treatment and processing.*)

STAFF ACTION ITEMS (most promising):

City in lead position

0-2 years to accomplish

- Housing 3.4.1 change LDC to adopt green
- Land Use 4.1.1 building standards
- Water 1.1.3 programs for water use reduction (all 3 types)

3-5 years to accomplish

- Energy 1.3.1 adopt Portland Sustainability Department proposals for construction incentives [to meet net zero energy criteria].

COMMENT: This set of action items aligns with the city organizational goal of sustainable facilities.

TOPIC AREA: Transportation

OUR ACTION ITEMS:

Encourage citizens to reduce gas power auto trips (11 dots)

2.3.2 encourage neighborhood electric vehicles

2.1.1 increased hours, frequency, cost, & range of transit system

3.1.2 free transit

Encourage more bike use

STAFF ACTION ITEMS (most promising):

City in lead position

0-2 years to accomplish

1.1.1 transit ads

1.3.3 transit link for Parks & Rec outings

2.3.2 elec vehicle stations and parking

3.1.2 free expanded transit

3-5 years to accomplish

2.1.1 increased hours & reduced transit costs

City in support position

1.1.2 transit links maps

2.1.3 free transportation-use audits

3.2.3 incentives for higher density development per CP & LDC

COMMENT: This set of action items aligns with the city organizational goal of vehicle carbon footprint.

TOPIC AREA: Waste

OUR ACTION ITEMS:

Decrease waste, increase recycling (6 dots)

1.1.1 Curbside food waste

Prohibit styrofoam in food waste

Encourage citizens to recycle styrofoam

2.3.1 Encourage reduced use of plastic bags

2.3.2/ Waste demand management—progressive waste fees

2.3.3

STAFF ACTION ITEMS (most promising):

City in lead position

2.3.1 Promote reduced use of plastic bags

City in support position

3.1.1. Publicize hazardous waste collection events

COMMENT: This set of action items aligns with the city organizational goal of zero solid waste.

TOPIC AREA: Food

OUR ACTION ITEMS:

Encourage production, processing, distribution, and consumption of local food. (5 dots)

2.3.2 Expand current and start new low-income community gardens.

LU 3.2.1 Convert UGB land to community gardens and farms, and provide education and incentives for organic and sustainable food production.

Sponsor voluntary funded farmers market coupons

Encourage creation of agricultural BEC

STAFF ACTION ITEMS (most promising):

No role envisioned.

Staff Summary
 City Council Sustainability Discussion
 March 16, 2009

Policy Area	City Council Goal	City Council Action (CSC action)
Transportation	Reduce gas-power auto trips (11 dots)	Free transit (T 2.1.1 & T 3.1.2)
		Expand transit service (T 2.1.1 & T 3.1.2)
		Create bike boulevards
		Various transportation actions including hybrid cars (T 2.3.2), charge stations (T2.3.2), hybrid parking (T2.3.2)
Energy	Fund renewable energy (6 dots) <i>Reduce building energy</i>	Renewable energy utility fee
		Localize renewable energy revenue
		Change LDC/LEED (H3.4.1, LU 4.1.1) (3 dots)
		Turn off Reser lights (2 dots)
		Support energy reductions through tax incentives (En 1.3.3) (5 dots)
Water	Promote reduced water use (2 dots)	Promote alternative sewer tech (Wt 1.2.2)
		Adopt individual plans to reduce water use (Wt 1.1.1)
		Evaluate use patterns & develop new conservation programs (Wt 1.1.3)
Waste	Reduce waste & increase recycling. (6 dots)	Prohibit styrofoam in food service (We 1.1.1)
		Recycle styrofoam (We 1.1.1)
		Reduce use of plastic bags
		Waste demand management (We 2.3.3, We 1.1.1)

Food	Increase food produced locally (5 dots)	Farmers Market coupon program
		Create agriculture BEC
		Convert farmable land (Lu 3.2.1)
		Encourage community gardens (F2.3.2)
Community Education	<i>Educate/Inform Public</i>	Education programs (4 dots)
		Communicate who lives here (CI 1.3.1, CI 1.3.2) (2 dots)
Economic Vitality	<i>Support Local Business</i>	Support “Buy Local First” (EV 1.1.3) (2 dots)
		Coordinate land use strategies for local business, green industry & downtown vitality (Lu 1.1) (1 dot)
		Increase support for economic development & business retention (1 dot)

Note - *Italics* indicate staff generated goal description.

only be disclosed if 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.

Council entered Executive Session at 2:54 pm.

Assistant City Manager Volmert briefed Council on the International Association of Fire Fighters (IAFF) labor negotiations.

Mayor Tomlinson recessed Council at 3:09 pm and reconvened Council at 7:00 pm in the Downtown Fire Station, 400 NW Harrison Boulevard, Corvallis, Oregon.

I. ROLL CALL

PRESENT: Mayor Tomlinson, Councilors Hirsch, Beilstein, Daniels, O'Brien, Hervey, Raymond, Brauner, Hamby, Brown

IV. UNFINISHED BUSINESS – continued

E. Community Sustainability Action Plan

1. Public input

Anne Schuster, Corvallis Sustainability Coalition (CSC), commended City staff for the thorough and efficient evaluation of the Community Sustainability Action Plan (Plan) and thanked Council for their cooperation and prioritizing sustainability.

Betty Griffiths, CSC, introduced CSC members in the audience and commended staff for their internal sustainability work. She said it is apparent that Council is taking a leap into the community.

Ms. Griffiths highlighted items from the CSC suggested areas of focus:

- Community Inclusion – Create new ways to communicate with the community-at-large, especially minority populations.
- Education – Establish a sustainability center in partnership with Habitat for Humanity.
- Economic Vitality – Buy local is critical.
- Housing –
 - ▶ Develop alternative fire training to eliminate courtesy burns and encourage reuse/recycle/relocate.
 - ▶ Establish a no/low interest revolving loan fund for rehabilitation of historic homes.
 - ▶ Expand emergency assistance to help with deposits.
- Land Use –
 - ▶ Integrate diverse natural areas.
 - ▶ Adopt LEED for neighborhood standards, requiring extensive review of the Land Development Code (LDC).
- Food – Increase community gardens.

- Transportation –
 - ▶ Create regional map with links for efficient travel options throughout the region.
 - ▶ Expand frequency and range of City buses; reduce or eliminate fares.
 - ▶ Increase number of charging stations for electric vehicles.
 - ▶ Review Transportation Demand Management to determine if mandated programs for larger employers is warranted.
- Waste – Promote reusable bags and eliminate EPS foam containers.
- Water –
 - ▶ Establish residential and commercial pilot program to evaluate usage patterns to promote water-use reductions.
 - ▶ Install a sustainable water demonstration site.
 - ▶ Establish a demonstration project to measure stormwater outfall.

In response to Councilor Brown’s inquiry, Ms. Griffiths said Habitat for Humanity has space behind their building to establish a sustainability center. Ms. Schuster added that the center would include a demonstration site for solar, green roof, and other green projects.

Councilor Raymond said, although she is supportive of the Plan and most of the goals, it is an overwhelming document. She cautioned that the City will not be able to support every item.

Councilor Brauner commended the work by CSC and City staff. He noted that the efforts have spurred other actions in the community.

In response to Councilor Hervey’s inquiry about Housing Goal 3.2.3 (eco-housing), Ms. Griffiths said financial support the City might locate would be different than resources a non-profit organization might be able to utilize.

Councilor Hirsch stated appreciation for the inclusion and education goals. Education is the most fundamental goal that must occur to make progress on any of the other goals. The City is wasting time and energy if the community does not support the Plan, which is overwhelming and intimidating.

Councilor Daniels said she discussed with the Multicultural Literacy Center Director how to provide successful outreach to minority populations so they become a part of the community. Ms. Schuster added that the Corvallis School District 509J has an education team working on minority outreach.

In response to Councilor Brauner’s inquiry, Ms. Griffiths said she had been involved in discussions with Habitat for Humanity about the Hilltop Village Project. Council will hear more about this project after the CSC Executive Committee reviews the proposal and makes a recommendation to the CSC Steering Committee.

Ms. Griffiths concluded by stating that each CSC Action Team was asked to choose a quick win (something that can be accomplished in a short time period) and a big win (something that can be started and worked on for a number of years).

Theresa Gibney said the Energy Work Group/Action Team agrees that the City has a diverse culture and approach to solving problems with multiple levels of buy-in and focus of the Plan. The Energy Team's first goal of 50 percent energy reduction in buildings requires time to understand how different groups of the population might approach the goal.

Ms. Gibney thanked the City for the public process resulting in the Plan and the comprehensive explanation of staff focus during the evaluation. The Action Team agrees with the City's assessment of current feasibility. Staff's low-priority items are planned for later years when feasibility is more likely.

The Action Plan is fully aligned with City comments about renewable energy utility fees and localization of renewable energy programs. The Team hopes this process and other processes will ensure a win-win overlap of Plan and City focus. Ms. Gibney read the energy goals from page two of the CSC suggested areas for City focus.

In response to Councilor Hervey's inquiries, Brandon Trelstad (Energy Action Team) said the intent of surcharges for greenhouse gases is to leverage funding sources. The Public Utility Commission (PUC) allows municipalities a mechanism for surcharges on utilities. He confirmed that many alternative energy studies have been completed in the Willamette Valley and opined that conservation and a combination of alternative power (wind, solar, etc.) is the best solution.

2. City Council suggested action items

Councilor Brown said Council's goal is to develop policies and actions (related to the policies). He suggested Council identify action items prior to developing related policies. Councilors were provided with five dots each to be placed on the action item matrix.

Councilor Brown said the list of items on the bottom of page three of the matrix were removed from Council's recommendations because they are in progress or part of other programs; e.g., Capital Improvement. Councilors can choose to add those items back into the matrix for voting.

Councilor Brown noted six items on the matrix that need additional definition or explanation.

In response to Councilor Daniels' inquiry about developing policies after choosing action items, Councilor Brown said the result may be a cluster of action items that would only need one policy versus a policy for each action item.

Councilor Beilstein said he is not sure what is meant by “policy” since the City has committed to the Oregon Natural Step Network (ONSN) criteria.

Councilor Brown said Council is regulated by many different policies that are broad statements of how the City should behave in specific circumstances. He quoted sections of Council Policy 04-1.08, “Organizational Sustainability,” and said developing policies related to the action items could include expanding the purchasing policy, a statement of agreement, or something more comprehensive.

Councilor Hirsch clarified that when he spoke about education, he meant the community-at-large. The Plan does not include marketing to the community. He stressed the importance of including marketing to respond to needed community education.

In response to Councilor Hirsch’s request to add an action item to the matrix, Mayor Tomlinson said Councilors can advocate for additional items prior to voting.

Councilor Raymond agreed that the Plan is overwhelming and opined that the City can do better than what is listed on the matrix. She expressed concern that Councilors can only choose five items.

Mayor Tomlinson responded that the goal is to determine a workable number of action items for the next two years. Council can agree to have more than five choices.

3. City Council discussion and selection of action items

Councilor Brown explained the columns of the matrix:

- Goal/Strategy/Action – Action items suggested by at least one Councilor.
- Economic, Environmental, Social – Where each action item fits in the triple-bottom-line.
- Comp Plan Category – If/Where action items relate to the Corvallis Comprehensive Plan.
- 2020 Vision Category – If/Where action items relate to the 2020 Vision Statement.
- ICLEI Climate Action – If/Where items relate to ICLEI categories.
- City Org. Goal – Action items related to City organizational goals.

Councilor Brown explained the compilation of Councilors’ sustainability ideas he submitted (Attachment A) and the items he added.

The Councilors further defined and advocated for action items:

Support “Buy Local First”

Councilor Beilstein: The goal should include encouraging local options for purchasing; e.g., substitutes for imports. City sponsorship of the Business Enterprise Center (BEC) activities is an example of buy local strategies.

Councilor Brauner: This item relates environmentally as it avoids shipping around the world.

Councilor Raymond: The CSC focus includes a buy local goal, strategy, and action items. This goal is partially being met and support should include other partners such as the Chamber Coalition. The City's Web site could include information to promote buying locally.

Councilor O'Brien: The City supports this goal by recently approving a new location and time for the Wednesday Farmers' Market. Part of the action is to "support business retention" which was removed from the matrix. This is a piece of the economic puzzle that is not strongly asserted. "Local" should be better defined. Buying a vehicle from a local dealer is different than buying a hand-made rug.

Councilor Hervey suggested comments on each action item be limited to the Councilor requesting the action.

Create Agricultural BEC

Councilor Hervey: There is a growing movement for locally grown food. This is mostly provided by small organic farmers functioning on tight budgets to survive. A program similar to the BEC could help them develop more viable farms with a value added product. This item impacts the environment (reducing toxins) and social issues (linking local growers to local buyers). This is a long-term planning item. Ten Rivers Food Web has been discussing this idea with local farmers.

Localize Renewable Energy Revenue

Mayor Tomlinson: The Environmental Protection Agency (EPA) estimates Corvallis purchases 100,000,000 kilowatt hours of renewable energy each year. That represents a potential local revenue stream of more than \$1 million per year that flows out of Corvallis in the form of renewable energy purchasing. A portion of that revenue could be diverted locally to fund projects.

Green Construction Job Training

Councilor Daniels: The community has job training opportunities for weatherization. The organizations providing training calibrate opportunities with need. Other than laid-off Hewlett-Packard employees, the largest local unemployed population is from building trades; electricians, plumbers, carpenters, etc. All of these individuals would benefit themselves and the community by learning about residential solar installation and other green building trades. Goals the City should support include reducing the carbon footprint and encouraging alternative forms of energy. It is apparent that the community supports conservation. To promote green building practices in the community, local training must be available. As written, this item can be removed from the matrix because the City does not provide training. It was listed only as an example of why the City should support energy goals. The action item, Change LDC/LEED, relates to promoting green building practices in the community. Training organizations will respond if the City adopts actions and goals supporting conservation and alternative energy.

Convert Farmable Land and Encourage Low Income Community Gardens

Councilor Hervey: Current community gardens are located at Bruce Starker Arts and Avery Parks, and there are a number of residents in South Corvallis sharing produce from their own gardens. The idea is to expand the current program to include training and assistance by Master Gardeners and coordinate a link between those willing and skilled to develop gardens with private property owners willing to provide land (or City-owned land).

Councilor Beilstein: Gardens need to be located within neighborhoods throughout the City. Current gardens are located away from residential areas.

Councilor Hirsch: There could be a City-wide initiative encouraging the replacement of front lawns with local food production.

Use Bikes for Transportation and Bicycle Boulevards

Councilor Beilstein: The community cannot address sustainability unless dependence on petroleum is addressed. There is an obvious economic benefit. The community easily spends \$100,000,000 annually on petroleum products. A bicycle boulevard is a major initiative that could disrupt a lot of the community. It involves roadways specifically designated for bicycles only. Two north/south and east/west routes would promote the use of bicycles and provide a substitute for vehicle transportation.

Reduce Gas-Power Auto Trips

Councilor Hervey: Besides bicycles, other alternative transportation reduces petroleum usage, such as electric cars and transit. Any way to reduce automobile trips strongly supports economic and environment goals.

Free Transit

Councilor Brauner: Increasing the availability of transit is needed to support additional ridership. Free transit may be a long-term goal. Exploring ways to build better subsidies into the transit system to increase routes would decrease the use of automobiles and petroleum products.

Councilor Daniels: Support for more use of bicycles and transit could be consolidated into one action item.

Hybrid Cars

Mayor Tomlinson: Plug-in hybrid electric vehicles are in the near future. Charging stations and smart meters need to be provided.

Renewable Energy Utility Fee

Mayor Tomlinson: The PUC allows municipalities to place renewable energy fees on utility bills. Participation in renewable energy is 13 to 15 percent. A utility bill could be used as a renewable energy billing mechanism to create a revenue stream for other Plan items. Details could be worked out related to whether the fee would be required or have opt-out options.

Change LDC/LEED and Green Building Standards

Councilor Beilstein: To accomplish these items requires changes to the LDC. Although Council would most likely support these items, this would add to the current backlog of land use activities supported by the Planning Division.

Promote Alternative Sewer Technology (Gray Water)

Councilor Hervey: This includes gray water, composting toilets, and living machines. Reusing gray water is another way to conserve water and lower the load on the wastewater plant. Removing barriers to composting toilets, living machines, and reusing gray water are ecological benefits.

Progressive Waste Fees

Mayor Tomlinson: This item relates to curbside food waste. The City's organizational goal can be used as an example for community-wide waste pickup and fees.

Prohibit Styrofoam in Food Service

Mayor Tomlinson: The City's organizational goal can be translated to community goals for waste reduction.

Recycling Styrofoam

Councilor O'Brien: This item is based on non-consent incoming Styrofoam.

Turn Off Reser Lights

Councilor O'Brien: It is unclear how to address this issue. The lights appear to be used for extensive periods of time on a frequent basis and not related to events.

Free Farmers' Market Coupons

Councilor Hervey: This expands an existing program supported by the faith community (That's My Farmer). By adding the Wednesday evening market, it is likely attendance will increase. An easy way to expand the local program is to provide a write-off for voluntary contributions. This also helps nurture local farmers.

Children/Families Funding, Educational Programs, and Athletic Programs

Councilor Brown: These are all investments in the future and future generations. Support might include additional allocations through the Social Services program. Educational programs would most likely be from educational organizations, but could include investing in the education of children to carry the community into the future. Providing additional athletic programs responds to the last item.

Public Safety

Councilor Brown: Corvallis is a very safe City and citizens do not think about what it would be like to not have the excellent Police Department we currently have.

Communicate Who Lives Here

Mayor Tomlinson: The City organizational goal to be a better place to work can be translated into a community-wide goal of making Corvallis a better place to work. The item can coincide with inclusion.

Removed Items–West Hills Road Bike Path

Councilor O'Brien: Specific areas of Corvallis are under-served for safe bicycle travel, such as the Grand Oaks Subdivision. The item can be revised for a complete assessment of all Corvallis bicycle accessibility.

Councilor Daniels: More emphasis on bicycle infrastructure can be added.

Mayor Tomlinson: Is it important to acknowledge the West Hills Road Bicycle Path separate from the other bicycle transportation issues that are currently on the list?

Councilor O'Brien: West Hills Road does not need to be specifically identified. The Council is aware that there are areas in Corvallis that are dangerously under-served by bicycle routes.

Removed Items–Curbside Pickup Food Waste

Councilor Hirsch: If curbside food pickup is included in Progressive Waste Fees, this item does not need to be identified separately. There is a potential economic benefit for curbside food pickup that should be included (worm casting).

New Item–Energy Conservation Measures

Councilor Daniels: Support for commercial and residential building owners.

New Item–Restrict Plastic Bags

Councilor Hirsch: Prohibiting Styrofoam and restricting plastic bags and/or encouraging reusable food bags.

Mayor Tomlinson: Restricting plastic bags can be added to the “Prohibit Styrofoam in Food Service” action item.

New Item–Support Local Business, Green Industry, and Downtown Vitality

Councilor Raymond: By the end of 2012, establish procedures, criteria, and a schedule for redevelopment plans inside the City Limits. An assessment of current green areas would need to be completed first.

In response to Councilor Hervey’s inquiry, Councilor Brown confirmed that outreach is included in the “Educational Programs” action item.

New Item–Explore Comparable Sustainability Construction Incentives

Councilor Hervey: CSC Energy Goal 1, Strategy 3, Actions 1 and 3.

Policy Discussion

Mayor Tomlinson said Council needs to vote on action items and develop policies. Council can develop policies from the results of the vote or draft policies before voting. The City adopted an organizational sustainability policy several years ago and Council may want to consider drafting a community sustainability policy.

Councilor Daniels said she would prefer to have a discussion about policy areas that generate enough interest to begin working. For example, there are many action items related to a policy area of energy and transportation. Council could work on policy areas related to energy conservation, transportation, local food, and/or waste reduction.

Mayor Tomlinson asked for consensus that Council work on developing policies for energy conservation and local food generation. Council concurred.

Mayor Tomlinson asked for consensus that Council work on developing a transportation policy limiting the amount of single-occupancy gas-powered automobile trips.

Councilor Hervey said once Council votes on action items, obvious interest areas will surface. When work begins on those items, other similar actions may surface. He opined that the actions will evolve into policy areas and does not believe the policy discussion, item by item, needs to immediately occur. He suggested Council vote on action items and then develop policies as the items are worked on.

Mr. Nelson reminded Council that the February discussions included narrowing the action items and policies that resonated with Council so budget information could be developed. Council was asked to bring back favorite action items and policies for further discussion. What was received was an emphasis on action items. A vote on action items could result in trends and groupings that would determine a path for a policy discussion at a later date.

Councilor Brauner suggested Council start the process by voting for favorite action items which will naturally result in groupings. Council can then focus on action areas and policies that are deemed most important. That does not mean these are the only sustainability policies Council will ever address.

Councilor Raymond agreed with drafting a policy related to energy reduction and a goal to reduce the carbon footprint. She believes the City and the community should share sustainability knowledge through education and encouragement.

Council agreed by consensus to vote for their top five items using the colored dots provided.

In response to Councilor Brauner's suggestion, Council agreed to consolidate the following items:

Local Food:

- ▶ Create Agricultural BEC
- ▶ Convert Farmable Land
- ▶ Encourage Low Income Community Gardens
- ▶ Free Farmers' Market Coupons

Transportation:

- ▶ Use Bikes for Transportation
- ▶ Bicycle Boulevards
- ▶ Hybrid Cars
- ▶ Free Transit
- ▶ Reduce Gas Power Auto Trips

Waste:

- ▶ Progressive Waste Fees (includes food waste)
- ▶ Prohibit Styrofoam in Food Service
- ▶ Recycle Styrofoam/Plastic Bags

Energy:

- ▶ Localize Renewable Energy Revenue
- ▶ Renewable Energy Utility Fee

Mayor Tomlinson recessed Council from 8:50 until 9:03 pm.

Mayor Tomlinson briefed Council on the process preceding development of the matrix. Council agreed that the votes could be cast in any manner chosen by the individual Councilor.

Voting Results

Support "Buy Local First"	2 (dh, mo)
Localize Renewable Energy Revenue	3 (dh, pd, db)
Convert Farmable Land	5 (mb, rh, hb, jh, jr)
Use Bikes for Transportation	4 (mb, jr, dh, db)
Reduce Gas-Power Auto Trips	4 (rh, hb, pd, dh)
Hybrid Cars	2 (db, ct)
Free Transit	1 (hb)
Renewable Energy Utility Fee	3 (jh, ct, rh)
Change LDC/LEED	3 (mb, ct, pd)
Promote Alternative Sewer Technology	2 (rh, mb)
Progressive Waste Fees/Food Waste	0.5 (jh)
Prohibit Styrofoam in Food Service	3.5 (jh, hb, ct, db)
Recycle Styrofoam/Plastic Bags	2 (mo, mb)
Turn Off Reser Lights	2 (mo, mo)

Educational Programs	4 (jh, jh, jr, rh)
Communicate Who Lives Here	2 (ct, jr)
Support Energy Conservation and Generation	5 (dh, hb, pd, pd, db)
Support Local Business, Green Industry, Downtown Vitality	1 (jr)
Support Business Retention	1 (mo)

4. Next steps; budget/work plan; community survey

Mayor Tomlinson announced that results of action item consolidations, additions, reductions, and votes will be formulated into a written document.

Mr. Nelson confirmed that staff will provide a perspective of the results with the meeting minutes to be reviewed at the first meeting in April. Staff will then develop a work plan and resource implications for discussion at the second April Council meeting.

Councilor Hirsch commended City staff for their work on this important issue.

Councilor Daniels thanked Mayor Tomlinson, Councilor Brown, and Sustainability Supervisor Lovett for organizing the various Councilors' wishes.

Following a process discussion between Mayor Tomlinson and Councilor Daniels, Mr. Nelson clarified that Council can have a follow-up discussion on April 6 prior to staff developing a work plan and resource implications.

Councilor O'Brien said he did not understand how to express his interest of action items prior to this meeting. Other Councilors have expressed similar confusion. He said he will be cautious in reviewing the minutes and materials. He said the product is not what was expected at the beginning of the process, partly due to his failure to correctly follow the assignment.

Councilor Beilstein said he suspects Council will need to go through a winnowing process to compare resources with desires of accomplishment. Items with heavy support may not be pursued due to the lack of available resources. Part of the next steps will be to refine the list and reduce the number of initiatives.

Councilor Hervey acknowledged the work done to bring all of the various viewpoints together.

Mr. Nelson reiterated that this discussion will be captured in the minutes and on April 6 Council can discuss items they want staff to focus on for policy development and/or work plans.

Councilor Daniels said she assumed staff would bring back minutes and an idea of what policy area the action items fall under. Once a policy area is reviewed by Council, there are other strategies and actions that are not on the matrix that could be part of the process. A policy discussion needs to occur before other work is completed.

Mr. Nelson said the minutes will capture the outcome of the discussion and vote and then Council can discuss how to group the items under policies.

Councilor Hirsch said Council needs to start the process and get something done.

Councilor Hervey said it would be easier to cost out an action item before moving into a broad policy discussion. Once items are placed into policy groupings, it will be more difficult to capture resource information.

Councilor Raymond said she was also unclear how Council was going to proceed with respect to policy and action items. She believes there may be action items with minimal votes and negligible costs that the City could move forward on fairly quickly.

Councilor Brauner noted that the outcome does not have to be either actions or policies. The original concept was for staff to come back at the April 6 meeting with the results of this discussion and resource implications, followed by further Council discussion at the April 20 meeting. If staff brings back raw data for the April 6 meeting, Council can sort through next steps. Policies will evolve from the action items. At the next meeting, staff can help Council frame questions and direction for resource implication information.

Councilor Brown said he originally thought of this as a two-step process with policy development followed by a discussion of action items. Council can form clusters of identified policies and related actions, simultaneously.

Mr. Nelson confirmed that staff will return with raw data for the April 6 meeting.

Council agreed by consensus to postpone a discussion on a community survey until the policies/action items discussion is completed.

X. NEW BUSINESS – None.

XI. ADJOURNMENT

The meeting adjourned at 9:30 pm.

APPROVED:

ATTEST:

MAYOR

CITY RECORDER

* * * MEMORANDUM * * *

MARCH 25, 2009

TO: MAYOR AND CITY COUNCIL
FROM: JON S. NELSON, CITY MANAGER *Jon*
SUBJECT: MARCH 25, 2009 CITY LEGISLATIVE COMMITTEE WORKING NOTES

1. Call to Order

Mayor Tomlinson called the meeting to order at 9:00 am, with Councilors Brauner and Daniels in attendance. Staff present during the meeting included Utilities Division Manager Penpraze and City Manager Nelson. Councilor Brown was excused.

2. Review of Pending Legislative Proposals

a. Senate Bill 598 – Drug Take Back Program –

Mr. Penpraze briefed the Committee on the bill included in their packet. His staff report included the attached explanation on the problem, proposal, and stakeholders. Additionally, Councilor Daniels noted the bill's relevancy to the Corvallis 2020 Vision Statement on public health and clean water. It was noted that there is significant opposition to the bill from PHARMA (Pharmaceutical Research and Manufacturers of America). By consensus, the Committee recommends City Council authorize the Mayor to write a letter in support of SB 598.

b. HB 2080 Gray Water –

Mr. Penpraze noted that the A-Engrossed version attached addresses many City concerns. Still of concern to cities are public health implications by not requiring back flow prevention devices, and city liability for waste discharge of which the municipality has no control over. By consensus, the Committee agreed to further monitor HB 2080 A-Engrossed. Staff will forward liability and back flow prevention device concerns to LOC staff.

3. Other

- a. HB 3442 Water Consumption Reduction by 20% per Capita by 2020 - Mr. Penpraze noted that while this is a good goal, there are implementation concerns specifically related to large industrial users' impacts on the per capita formula. By consensus, the Committee agreed to monitor HB 3442.
- b. Mayor Tomlinson updated the Committee on SB 915 and the public hearing scheduled for March 30. SB 915 routes land use regulations enforcement through the State Building Board of Appeals and also provides for unlimited look back in time for appellants.
- c. The Committee also discussed instant voter run off, urban renewal, and inclusionary zoning legislative proposals and concepts. Staff will bring forward information to the Committee and Council should the issues generate broader legislative interest.
- d. The Committee discussed approaching Secretary of State Kate Brown and Attorney General John Kroger asking for their intervention and direction in reconciling election laws, rules, and regulations with public access to records and government transparency.

4. Next Meeting – April 8, 2009

5. Adjournment

The meeting adjourned at 10:05 am.

MEMORANDUM

TO: City Council Legislative Committee

FROM: Steve Rogers, Public Works Director 

DATE: March 3, 2009

SUBJECT: Pending Legislation

Attached are two water related pieces of legislation for your consideration:

- ⁵⁹⁸SB0589: Drug Take Back Program

Requires drug manufacturers to establish pharmaceutical take-back programs to reduce accidental poisoning, illicit diversion, and reduce water pollution.

- HB2080: Gray Water

Modifies public policy regarding sewage disposal by allowing some untreated wastewater use for beneficial purposes.

C: Jon S. Nelson

Attachments

Senate Bill 598

Sponsored by COMMITTEE ON HUMAN SERVICES AND RURAL HEALTH POLICY

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Requires drug manufacturers to establish pharmaceutical take-back programs approved and regulated by Department of Human Services. Creates Advisory Committee on Pharmaceutical Take-Back Programs.

Establishes Pharmaceutical Take-Back Program Fund in State Treasury. Continuously appropriates moneys in fund to department for purpose of regulating pharmaceutical take-back programs.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to pharmaceutical take-back programs; appropriating money; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** As used in sections 1 to 9 of this 2009 Act:

5 (1) "Drug" has the meaning given that term in ORS 689.005.

6 (2) "Manufacturer" has the meaning given that term in ORS 689.005.

7 (3) "Nonprescription drugs" has the meaning given that term in ORS 689.005.

8 (4) "Pharmaceutical take-back program" means a service that collects and disposes of a
9 consumer's drugs.

10 (5) "Prescription drug" has the meaning given that term in ORS 689.005.

11 (6) "Retail drug outlet" has the meaning given that term in ORS 689.005.

12 **SECTION 2.** (1) A manufacturer of a drug may not sell the drug or allow the drug to be
13 sold in this state unless the manufacturer operates a pharmaceutical take-back program
14 approved by the Department of Human Services. The pharmaceutical take-back program
15 must:

16 (a) Accept prescription and nonprescription drugs presented to the program by consum-
17 ers, including residents of long term care facilities and persons enrolled in hospice, palliative
18 care and home health programs;

19 (b) Accept all prescription and nonprescription drugs sold in this state regardless of
20 manufacturer;

21 (c) Offer pharmaceutical take-back services at no cost to the consumer, either at the
22 time of sale of the drug or at the time of collection of the drug;

23 (d) Be convenient and adequate to serve consumers in urban and rural areas;

24 (e) Dispose of collected drugs by incineration or hazardous waste disposal;

25 (f) Include an education and outreach program to inform consumers, retail drug outlets,
26 health practitioners, county health departments, hospitals, hospice care providers and long
27 term care facilities of the availability of the program; and

28 (g) Include a method for evaluation and improvement of the program.

29 (2) A manufacturer may operate its pharmaceutical take-back program individually or

NOTE: Matter in boldfaced type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in boldfaced type.

1 collectively with other manufacturers.

2 **SECTION 3.** (1) A manufacturer that sells drugs in this state shall submit a plan de-
3 scribing the manufacturer's proposed pharmaceutical take-back program to the Department
4 of Human Services for approval. The plan must:

5 (a) Describe how the program meets the requirements of section 2 of this 2009 Act;

6 (b) Include recovery goals for the first, second and third years of the program, expressed
7 as pounds per capita, and a plan for action if the recovery goals are not met;

8 (c) Describe the proposed method for disposal of the collected drugs;

9 (d) Describe how the manufacturer will coordinate with other manufacturers to minimize
10 consumer confusion about different pharmaceutical take-back programs;

11 (e) Meet other requirements established by rule by the Department of Human Services;
12 and

13 (f) Be accompanied by a fee determined by the department under section 8 of this 2009
14 Act.

15 (2) The Department of Human Services shall review the disposal proposal in the plan in
16 consultation with the Department of Environmental Quality.

17 (3) Within 60 days after a manufacturer submits a plan under subsection (1) of this sec-
18 tion, the Department of Human Services shall approve or reject the plan. If the plan is re-
19 jected, the department shall provide the manufacturer with a written statement of the
20 reasons for the rejection, and the manufacturer may submit a revised plan within 60 days
21 of the date of the written statement of rejection. The department shall approve or reject the
22 revised plan within 60 days of its submission.

23 (4) A manufacturer shall submit an updated plan to the department annually, on or be-
24 fore the anniversary of the approval of the original plan. The Department of Human Services
25 shall review the disposal proposal in the updated plan in consultation with the Department
26 of Environmental Quality, and shall approve or reject the updated plan as provided in sub-
27 section (3) of this section.

28 (5) If at the time the plan is due for submission to the Department of Human Services
29 there is no legal method for a manufacturer to accept all prescription and nonprescription
30 drugs through the pharmaceutical take-back program, a manufacturer may apply to the de-
31 partment for an extension of the time to submit the plan. The department may grant an
32 extension not to exceed one year.

33 (6) The department may withdraw approval of a plan if a manufacturer does not operate
34 the manufacturer's pharmaceutical take-back program in accordance with the approved plan.
35 The department shall comply with ORS chapter 183 in withdrawing approval of a plan.

36 **SECTION 4.** The Department of Human Services shall adopt rules requiring retail drug
37 outlets to post a sign to inform consumers of the availability of pharmaceutical take-back
38 programs. The department shall make an example of the sign available on the Internet.

39 **SECTION 5.** The Department of Human Services shall establish a full-time position to
40 oversee pharmaceutical take-back programs described in section 2 of this 2009 Act.

41 **SECTION 6.** In addition to any other liability or penalty provided by law, the Director of
42 Human Services may impose a civil penalty on a person for violation of sections 2 to 4 of this
43 2009 Act or of the rules adopted under sections 2 to 4 of this 2009 Act. The director may
44 impose a penalty of up to \$250 for each violation. Civil penalties under this section shall be
45 imposed as provided in ORS 183.745.

1 **SECTION 7.** The Pharmaceutical Take-Back Program Fund is established in the State
2 Treasury, separate and distinct from the General Fund. Interest earned by the Pharmaceu-
3 tical Take-Back Program Fund shall be credited to the fund. Moneys in the fund are con-
4 tinuously appropriated to the Department of Human Services for the purpose of regulating
5 pharmaceutical take-back programs.

6 **SECTION 8.** The Department of Human Services shall adopt rules establishing the appli-
7 cation fee for submission of a pharmaceutical take-back program plan under section 3 of this
8 2009 Act. The application fee must be designed to recover the cost to the department of
9 regulating pharmaceutical take-back programs, including the cost of funding the position
10 established under section 5 of this 2009 Act.

11 **SECTION 9.** Moneys received under sections 3 and 6 of this 2009 Act shall be paid into
12 the State Treasury and credited to the Pharmaceutical Take-Back Program Fund.

13 **SECTION 10.** (1) There is created the Advisory Committee on Pharmaceutical Take-Back
14 Programs, consisting of 11 members appointed by the Director of Human Services.

15 (2) The term of office of each member is three years, but a member serves at the pleas-
16 ure of the director. Before the expiration of the term of a member, the director shall appoint
17 a successor whose term begins immediately upon the expiration of the term of the current
18 member. A member is eligible for reappointment for one additional term.

19 (3) The advisory committee shall advise the Department of Human Services on issues
20 relating to pharmaceutical take-back programs.

21 (4) A majority of the members of the advisory committee constitutes a quorum for the
22 transaction of business.

23 (5) Official action by the advisory committee requires the approval of a majority of the
24 members of the advisory committee.

25 (6) The advisory committee shall elect one of its members to serve as chairperson.

26 (7) If there is a vacancy for any cause, the director shall make an appointment to become
27 immediately effective.

28 (8) The advisory committee shall meet at least four times per year, at times and places
29 specified by the call of the chairperson or of a majority of the members of the advisory
30 committee.

31 (9) The advisory committee may adopt rules necessary for the operation of the advisory
32 committee.

33 (10) A member of the advisory committee is not entitled to compensation, but in the
34 discretion of the department may be reimbursed from funds available to the department for
35 actual and necessary travel and other expenses incurred by the member in the performance
36 of the member's official duties in the manner and amount provided in ORS 292.495.

37 (11) All agencies of state government, as defined in ORS 174.111, are directed to assist
38 the advisory committee in the performance of its duties and, to the extent permitted by laws
39 relating to confidentiality, to furnish such information and advice as the members of the
40 advisory committee consider necessary to perform their duties.

41 **SECTION 11.** Notwithstanding the term of office specified by section 10 (2) of this 2009
42 Act, of the members first appointed to the advisory committee:

43 (1) Three shall serve for a term ending June 30, 2011.

44 (2) Four shall serve for a term ending June 30, 2012.

45 (3) Four shall serve for a term ending June 30, 2013.

1 **SECTION 12.** Section 2 of this 2009 Act applies to manufacturers whose drugs are sold
2 in this state on or after July 1, 2011.

3 **SECTION 13.** (1) Section 3 of this 2009 Act becomes operative January 1, 2010.

4 (2) The Department of Human Services may take any action before January 1, 2010, that
5 is necessary to enable the department to exercise, on and after January 1, 2010, all the du-
6 ties, functions and powers conferred on the department by section 3 of this 2009 Act.

7 **SECTION 14.** This 2009 Act being necessary for the immediate preservation of the public
8 peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect
9 on its passage.

10

Hand-engrossed
2080-1
2/19

House Bill 2080

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of House Interim Committee on Energy and the Environment)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Modifies public policy regarding waters of state and subsurface sewage disposal systems. Requires Environmental Quality Commission to adopt rules regarding gray water. Allows commission to appoint advisory committee. Allows permit to be issued for subsurface or alternative sewage disposal system that reuses or discharges gray water even if community or area-wide sewerage system is available.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to gray water; amending ORS 454.605, 454.607, 454.610, 454.615, ~~454.655~~ and 468B.015; and
3 declaring an emergency. X

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 468B.015 is amended to read:

6 468B.015. Whereas pollution of the waters of the state constitutes a menace to public health and
7 welfare, creates public nuisances, is harmful to wildlife, fish and aquatic life and impairs domestic,
8 agricultural, industrial, recreational and other legitimate beneficial uses of water, and whereas the
9 problem of water pollution in this state is closely related to the problem of water pollution in ad-
10 joining states, it is hereby declared to be the public policy of the state:

11 (1) To conserve the waters of the state through innovative approaches, including but not
12 limited to the appropriate reuse of water and wastes;

13 (2) To protect, maintain and improve the quality of the waters of the state for public water
14 supplies, for the propagation of wildlife, fish and aquatic life and for domestic, agricultural, indus-
15 trial, municipal, recreational and other legitimate beneficial uses;

16 (3) To provide that no waste be discharged into any waters of this state without first receiving
17 the necessary treatment or other corrective action to protect the legitimate beneficial uses of such
18 waters;

19 (4) To provide for the prevention, abatement and control of new or existing water pollution; and

20 (5) To cooperate with other agencies of the state, agencies of other states and the federal gov-
21 ernment in carrying out these objectives.

22 **SECTION 2.** ORS 454.607 is amended to read:

23 454.607. It is the public policy of the State of Oregon to encourage:

24 (1) Improvements to, maintenance of and innovative technology for subsurface and alternative
25 sewage disposal systems and nonwater-carried sewage disposal facilities consistent with the pro-
26 tection of the public health and safety and the quality of the waters of this state; and

27 (2) **The appropriate reuse of gray water for beneficial uses.**

28 **SECTION 3.** ORS 454.605 is amended to read:

NOTE: Matter in boldfaced type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in boldfaced type.

1 454.605. As used in ORS 454.605 to 454.755, unless the context requires otherwise:

2 (1) "Absorption facility" means a system of open-jointed or perforated piping, alternate distrib-
3 ution units or other seepage systems for receiving the flow from septic tanks or other treatment
4 units and designed to distribute effluent for oxidation and absorption by the soil within the zone of
5 aeration.

6 (2) "Alternative sewage disposal system" means a system incorporating all of the following:

7 (a) Septic tank or other sewage treatment or storage unit; and

8 (b) Disposal facility or method consisting of other than an absorption facility but not including
9 discharge to public waters of the State of Oregon.

10 (3) "Construction" includes installation, alteration or repair.

11 (4) "Contract agent" means a local unit of government that has entered into an agreement with
12 the Department of Environmental Quality pursuant to ORS 454.725.

13 (5) "Effluent sewer" means that part of the system of drainage piping that conveys treated
14 sewage from a septic tank or other treatment unit into an absorption facility.

15 (6) "Governmental unit" means the state or any county, municipality or other political subdivi-
16 sion, or any agency thereof.

17 ~~(7)(a) "Gray water" means shower and bath waste water, kitchen waste water, laundry~~
18 ~~wastes and any other domestic sewage.~~

3 "(7)(a) 'Gray water' means shower and bath waste water, bathroom sink
4 waste water, kitchen sink waste water and laundry wastes uncontaminated
5 by soiled diapers."

19 (b) "Gray water" does not mean toilet and garbage wastes.

20 [(7)] (8) "Local unit of government" means any county or municipality.

21 [(8)] (9) "Nonwater-carried sewage disposal facility" includes, but is not limited to, pit privies,
22 vault privies and chemical toilets.

23 [(9)] (10) "Public health hazard" means a condition whereby there are sufficient types and
24 amounts of biological, chemical or physical, including radiological, agents relating to water or sew-
25 age which are likely to cause human illness, disorders or disability. These include, but are not lim-
26 ited to, pathogenic viruses, bacteria, parasites, toxic chemicals and radioactive isotopes.

27 [(10)] (11) "Septic tank" means a watertight receptacle which receives the discharge of sewage
28 from a sanitary drainage system and which is so designed and constructed as to separate solids from
29 liquids, digest organic matter during a period of detention and allow the liquids to discharge to an-
30 other treatment unit or into the soil outside of the tank through an absorption facility.

31 [(11)] (12) "Sewage" means domestic water-carried human and animal wastes, including kitchen,
32 bath and laundry wastes from residences, buildings, industrial establishments or other places, to-
33 gether with such ground water infiltration, surface waters or industrial waste as may be present.

34 [(12)] (13) "Sewage disposal service" means:

35 (a) The construction of subsurface sewage disposal systems, alternative sewage disposal systems
36 or any part thereof.

37 (b) The pumping out or cleaning of subsurface sewage disposal systems, alternative sewage dis-
38 posal systems or nonwater-carried sewage disposal facilities.

39 (c) The disposal of materials derived from the pumping out or cleaning of subsurface sewage
40 disposal systems, alternative sewage disposal systems or nonwater-carried sewage disposal facilities.

41 (d) Grading, excavating and earth-moving work connected with the operations described in par-
42 agraph (a) of this subsection.

43 [(13)] (14) "Subsurface sewage disposal system" means a cesspool or the combination of a septic
44 tank or other treatment unit and effluent sewer and absorption facility.

45 [(14)] (15) "Zone of aeration" means the unsaturated zone that occurs below the ground surface

1 and the point at which the upper limit of the water table exists.

2 SECTION 4. ORS 454.610 is amended to read:

3 454.610. *[(1) As used in this section "gray water" means any domestic sewage other than toilet and*
 4 *garbage wastes, including shower and bath waste water, kitchen waste water and laundry wastes.]*

5 ~~*(1) The Environmental Quality Commission shall adopt rules exempting gray water reuse*~~
 6 ~~*and disposal systems from the permitting requirements of ORS 454.605 to 454.755 or estab-*~~
 7 ~~*lishing separate permitting requirements for gray water reuse and disposal systems, or both.*~~
 8 ~~*In adopting the rules, the commission shall consider the recommendations of an advisory*~~
 9 ~~*committee appointed by the Department of Environmental Quality pursuant to ORS 183.333.*~~

7 *"(1) A person may not construct, install or operate a gray water reuse and*
 8 *disposal system without first obtaining a permit from the Department of*
 9 *Environmental Quality. If properly permitted, a gray water reuse and dis-*
 10 *posal system is exempt from the requirements of ORS 454.655. The Environ-*
 11 *mental Quality Commission shall adopt rules for permits issued under this*
 12 *section. In adopting the rules, the commission shall:*

13 *"(a) Consider the recommendations of an advisory committee appointed*
 14 *by the department pursuant to ORS 183.333; and*

15 *"(b) Minimize the burden of any separate permitting requirements on*
 16 *property owners."*

10 (2) *[Nothing in ORS 454.605 to 454.755 except] Subject to ORS 454.645, [shall] the rules adopted*
 11 *by the commission under this section may not prohibit the discharge of gray water if:*

12 (a) *Soil and site conditions for such gray water conform to the rules of the department [of En-*
 13 *vironmental Quality] regarding standard subsurface sewage disposal systems or alternative sewage*
 14 *disposal systems, except that such systems may use two-thirds the normal size surface area for a*
 15 *drainfield and shall be preceded by a treatment facility such as, but not limited to, a septic tank;*
 16 *or*

17 (b) *Such gray water is discharged into an existing subsurface sewage disposal system or alter-*
 18 *native sewage disposal system [which] that is functioning satisfactorily, or a public sewage system*
 19 *[which] that serves the dwelling from which such gray water is derived.*

20 SECTION 5. ORS 454.615 is amended to read:

21 454.615. The Environmental Quality Commission shall *[by September 1, 1975,] adopt [by rule*
 22 *standards which] rules that:*

23 (1) *Prescribe minimum requirements for the design and construction of subsurface sewage dis-*
 24 *posal systems, alternative sewage disposal systems and nonwater-carried sewage disposal facilities*
 25 *or parts thereof including grading, excavating and earth-moving work connected therewith, and al-*
 26 *low for use of alternative systems and component materials consistent with the minimum require-*
 27 *ments. Requirements prescribed under this section may vary in different areas or regions of the*
 28 *state.*

29 (2) *Prescribe minimum requirements for the operation and maintenance of subsurface sewage*
 30 *disposal systems, alternative sewage disposal systems and nonwater-carried sewage disposal facili-*
 31 *ties or parts thereof.*

-3-

32 (3) Prescribe requirements for the pumping out or cleaning of subsurface sewage disposal sys-
33 tems, alternative sewage disposal systems and nonwater-carried sewage disposal facilities or parts
34 thereof, for the disposal of material derived from such pumping out or cleaning, for sewage pumping
35 equipment, for sewage tank trucks and for the identification of sewage tank trucks and workers.

~~36 (4) Prescribe optional requirements for [handling kitchen, bath and laundry wastes as opposed
37 to human and animal wastes which] disposal or reuse of gray water that recognize the possibility
38 for separate treatment of different types of waste.~~

39 **SECTION 6.** ORS 454.655 is amended to read:

40 454.655. (1) Except as otherwise provided in ORS 454.675, without first obtaining a permit from
41 the Department of Environmental Quality, no person shall construct or install a subsurface sewage
42 disposal system, alternative sewage disposal system or part thereof. However, a person may under-
43 take emergency repairs limited to replacing minor broken components of the system without first
44 obtaining a permit.

~~45 (2) A permit required by subsection (1) of this section shall be issued only in the name of an~~

18 “(4) Prescribe requirements that allow for separate systems for the treat-
19 ment, disposal or reuse of gray water. These requirements must ensure the
20 protection of:

21 “(a) Public health, safety and welfare;

22 “(b) Public water supplies; and

1 “(c) Waters of the state, as that term is defined in ORS 468B.005.”.

1 owner or contract purchaser in possession of the land. However, a permit issued to an owner or
 2 contract purchaser carries the condition that the owner or purchaser or regular employees or a
 3 person licensed under ORS 454.695 perform all labor in connection with the construction of the
 4 subsurface or alternative sewage disposal system.

5 (3) The applications for a permit required by this section must be accompanied by the permit
 6 fees prescribed in ORS 454.745.

7 (4) After receipt of an application and all requisite fees, subject to ORS 454.685, the department
 8 shall issue a permit if it finds that the proposed construction will be in accordance with the rules
 9 of the Environmental Quality Commission. **Except for a subsurface sewage disposal system, al-**
 10 **ternative sewage disposal system or part thereof that reuses or discharges only gray water,**
 11 a permit may not be issued if a community or area-wide sewerage system is available which will
 12 satisfactorily accommodate the proposed sewage discharge. The prohibition on the issuance of a
 13 permit in this subsection does not apply to a public agency as defined in ORS 454.430.

14 (5)(a) Unless weather conditions or distance and unavailability of transportation prevent the is-
 15 suance of a permit within 20 days of the receipt of the application and fees by the department, the
 16 department shall issue or deny the permit within 20 days after such date. If such conditions prevent
 17 issuance or denial within 20 days, the department shall notify the applicant in writing of the reason
 18 for the delay and shall issue or deny the permit within 60 days after such notification.

19 (b) If within 20 days of the date of the application the department fails to issue or deny the
 20 permit or to give notice of conditions preventing such issuance or denial, the permit shall be con-
 21 sidered to have been issued.

22 (c) If within 60 days of the date of the notification referred to in paragraph (a) of this subsection,
 23 the department fails to issue or deny the permit, the permit shall be considered to have been issued.

24 (6) Upon request of any person, the department may issue a report, described in ORS 454.755 (1),
 25 of evaluation of site suitability for installation of a subsurface or alternative sewage disposal system
 26 or nonwater-carried sewage disposal facility. The application for such report must be accompanied
 27 by the fees prescribed in ORS 454.755.

28 (7) With respect to an application for a permit for the construction and installation of a septic
 29 tank and necessary effluent sewer and absorption facility for a single family residence or for a farm
 30 related activity on a parcel of 10 acres or more described in the application by the owner or con-
 31 tract purchaser of the parcel, the Department of Environmental Quality:

32 (a) Within the period allowed by subsection (5)(a) of this section after receipt by it of the ap-
 33 plication, shall issue the permit or deliver to the applicant a notice of intent to deny the issuance
 34 of the permit;

35 (b) In any notice of intent to deny an application, shall specify the reasons for the intended de-
 36 nial based upon the rules of the Environmental Quality Commission for the construction and in-
 37 stallation of a septic tank and necessary effluent sewer and absorption facility or based upon the
 38 factors included in ORS 454.685 (2)(a) to (j);

39 (c) Upon request of the applicant, shall conduct a hearing in the manner provided in ORS
 40 454.635 (4) and (5) on the reasons specified in a notice of intent to deny the application with the
 41 burden of proof upon the department to justify the reasons specified; and

42 (d) In the case of issuance of a permit, may include as a condition of the permit that no other
 43 permit for a subsurface sewage disposal system or alternative sewage disposal system shall be issued
 44 for use on the described parcel while the approved septic tank, effluent sewer and absorption facility
 45 are in use on the described parcel.

4
1 SECTION 7. This 2009 Act being necessary for the immediate preservation of the public
2 peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect
3 on its passage.
4

**PROPOSED AMENDMENTS TO
HOUSE BILL 2080**

1 On page 1 of the printed bill, line 2, delete “, 454.655”.

2 On page 2, delete lines 17 and 18 and insert:

3 “(7)(a) ‘Gray water’ means shower and bath waste water, bathroom sink
4 waste water, kitchen sink waste water and laundry wastes uncontaminated
5 by soiled diapers.”.

6 On page 3, delete lines 5 through 9 and insert:

7 “(1) A person may not construct, install or operate a gray water reuse and
8 disposal system without first obtaining a permit from the Department of
9 Environmental Quality. If properly permitted, a gray water reuse and dis-
10 posal system is exempt from the requirements of ORS 454.655. The Environ-
11 mental Quality Commission shall adopt rules for permits issued under this
12 section. In adopting the rules, the commission shall:

13 “(a) Consider the recommendations of an advisory committee appointed
14 by the department pursuant to ORS 183.333; and

15 “(b) Minimize the burden of any separate permitting requirements on
16 property owners.”.

17 Delete lines 36 through 45 and insert:

18 “(4) Prescribe requirements that allow for separate systems for the treat-
19 ment, disposal or reuse of gray water. These requirements must ensure the
20 protection of:

21 “(a) Public health, safety and welfare;

22 “(b) Public water supplies; and

1 “(c) Waters of the state, as that term is defined in ORS 468B.005.”.

2 Delete page 4.

3 On page 5, line 1, delete “7” and insert “6”.

4

3/25/09

Oregon Drug Take Back Program – SB 598 Product Stewardship Model for Unwanted and Unused Drugs

WHAT IS THE PROBLEM?

- Avoidable Poisonings

- For the Oregon Poison Center, pharmaceuticals represent the most common category of exposure, resulting in 48% of calls, and represent the most serious poisoning incidents.
- Between 2000 and 2006, the hospitalization rate for Oregon children from unintended poisonings by drugs, medicines and plants increased 60%; much can be attributed to prescription medications .

- Prescription drug abuse, especially in teens

- The number of teens abusing prescription drugs exceeds the number of teens using all other drugs combined, except marijuana and alcohol.
- Compared to the rest of the nation, Oregon ranks among the top ten states for:
 - Annual abuse of prescription drugs for all ages (228,000 persons per year);
 - Past year abuse of prescription drugs by youth 12 to 17 (34,000 persons per year); and,
 - Past year abuse of prescription stimulants (55,000 persons per year).
- Teens get their drugs from friends and family – not the street corner and not the Internet.

- Water quality issues

- US Geological Survey and Oregon DEQ water quality sampling indicates that trace amounts of various pharmaceuticals are found in Oregon’s surface water; focused studies have found pharmaceuticals in groundwater.
- The majority of drugs reach water through excretion. However, a 2007 study by the Teleosis Institute in California reported that consumers did not use nearly 45 percent of what they were prescribed.
- Standard wastewater treatment methods are not designed to remove pharmaceuticals or other emerging compounds.
- About one-third of the unwanted drugs are from hospice and long term care; these facilities generally flush unwanted medicines since no effective alternatives exist.

WHAT IS BEING PROPOSED?

- Drug manufacturers and distributors that serve Oregon would be required to plan, implement, and pay for a convenient way for Oregonians to dispose of unwanted and unused medicines in an environmentally safe manner. *Best Practices ⇒ incineration*

WHO DEVELOPED THE PROPOSAL?

- A broad stakeholder group: started meeting in the fall of 2006 to examine the problem, including: State agencies (DEQ, Health Division, Oregon State Police, Board of Pharmacy), pharmacy owners, hospital pharmacists, local health officials, environmental public interest groups, local governments, pharmaceutical manufacturers, chain drug store owners, drinking water and wastewater utilities
- Convening meeting: held in June, 2008 – over 125 attendees; product stewardship concept endorsed.
- Recommendations:
 - No additional cost to consumers.
 - Use a product stewardship model: manufacturers and distributors that supply drugs in Oregon craft system to recover and properly dispose of unwanted and unused drugs - consistent with past actions by Oregon Legislature.
 - Continues product stewardship type model similar to electronic waste recycling requirements of SB 737.
 - Drug take back programs are specifically mentioned as one toxic reduction tool that local governments should evaluate
 - Need a convenient system for both rural and urban Oregon.

3/25/09
leg com

A-Engrossed
House Bill 2080

Ordered by the House March 10
Including House Amendments dated March 10

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of House Interim Committee on Energy and the Environment)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Modifies public policy regarding waters of state and subsurface sewage disposal systems. [*Requires Environmental Quality Commission to adopt rules regarding gray water. Allows commission to appoint advisory committee. Allows permit to be issued for subsurface or alternative sewage disposal system that reuses or discharges gray water even if community or area-wide sewerage system is available.*] **Requires person to obtain permit to construct, install or operate gray water reuse and disposal system. Directs Environmental Quality Commission to adopt rules for issuing permits. Directs commission to consider certain information before adopting rules.**

Declares emergency, effective on passage.

A BILL FOR AN ACT

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Relating to gray water; amending ORS 454.605, 454.607, 454.610, 454.615 and 468B.015; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 468B.015 is amended to read:

468B.015. Whereas pollution of the waters of the state constitutes a menace to public health and welfare, creates public nuisances, is harmful to wildlife, fish and aquatic life and impairs domestic, agricultural, industrial, recreational and other legitimate beneficial uses of water, and whereas the problem of water pollution in this state is closely related to the problem of water pollution in adjoining states, it is hereby declared to be the public policy of the state:

(1) To conserve the waters of the state **through innovative approaches, including but not limited to the appropriate reuse of water and wastes;**

(2) To protect, maintain and improve the quality of the waters of the state for public water supplies, for the propagation of wildlife, fish and aquatic life and for domestic, agricultural, industrial, municipal, recreational and other legitimate beneficial uses;

(3) To provide that no waste be discharged into any waters of this state without first receiving the necessary treatment or other corrective action to protect the legitimate beneficial uses of such waters;

(4) To provide for the prevention, abatement and control of new or existing water pollution; and

(5) To cooperate with other agencies of the state, agencies of other states and the federal government in carrying out these objectives.

SECTION 2. ORS 454.607 is amended to read:

454.607. It is the public policy of the State of Oregon to encourage:

(1) Improvements to, maintenance of and innovative technology for subsurface and alternative

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 sewage disposal systems and nonwater-carried sewage disposal facilities consistent with the pro-
2 tection of the public health and safety and the quality of the waters of this state; and

3 **(2) The appropriate reuse of gray water for beneficial uses.**

4 **SECTION 3.** ORS 454.605 is amended to read:

5 454.605. As used in ORS 454.605 to 454.755, unless the context requires otherwise:

6 (1) "Absorption facility" means a system of open-jointed or perforated piping, alternate distrib-
7 ution units or other seepage systems for receiving the flow from septic tanks or other treatment
8 units and designed to distribute effluent for oxidation and absorption by the soil within the zone of
9 aeration.

10 (2) "Alternative sewage disposal system" means a system incorporating all of the following:

11 (a) Septic tank or other sewage treatment or storage unit; and

12 (b) Disposal facility or method consisting of other than an absorption facility but not including
13 discharge to public waters of the State of Oregon.

14 (3) "Construction" includes installation, alteration or repair.

15 (4) "Contract agent" means a local unit of government that has entered into an agreement with
16 the Department of Environmental Quality pursuant to ORS 454.725.

17 (5) "Effluent sewer" means that part of the system of drainage piping that conveys treated
18 sewage from a septic tank or other treatment unit into an absorption facility.

19 (6) "Governmental unit" means the state or any county, municipality or other political subdivi-
20 sion, or any agency thereof.

21 **(7)(a) "Gray water" means shower and bath waste water, bathroom sink waste water,
22 kitchen sink waste water and laundry waste water.**

23 **(b) "Gray water" does not mean toilet or garbage wastes or waste water contaminated
24 by soiled diapers.**

25 [(7)] (8) "Local unit of government" means any county or municipality.

26 [(8)] (9) "Nonwater-carried sewage disposal facility" includes, but is not limited to, pit privies,
27 vault privies and chemical toilets.

28 [(9)] (10) "Public health hazard" means a condition whereby there are sufficient types and
29 amounts of biological, chemical or physical, including radiological, agents relating to water or sew-
30 age which are likely to cause human illness, disorders or disability. These include, but are not lim-
31 ited to, pathogenic viruses, bacteria, parasites, toxic chemicals and radioactive isotopes.

32 [(10)] (11) "Septic tank" means a watertight receptacle which receives the discharge of sewage
33 from a sanitary drainage system and which is so designed and constructed as to separate solids from
34 liquids, digest organic matter during a period of detention and allow the liquids to discharge to an-
35 other treatment unit or into the soil outside of the tank through an absorption facility.

36 [(11)] (12) "Sewage" means domestic water-carried human and animal wastes, including kitchen,
37 bath and laundry wastes from residences, buildings, industrial establishments or other places, to-
38 gether with such ground water infiltration, surface waters or industrial waste as may be present.

39 [(12)] (13) "Sewage disposal service" means:

40 (a) The construction of subsurface sewage disposal systems, alternative sewage disposal systems
41 or any part thereof.

42 (b) The pumping out or cleaning of subsurface sewage disposal systems, alternative sewage dis-
43 posal systems or nonwater-carried sewage disposal facilities.

44 (c) The disposal of materials derived from the pumping out or cleaning of subsurface sewage
45 disposal systems, alternative sewage disposal systems or nonwater-carried sewage disposal facilities.

1 (d) Grading, excavating and earth-moving work connected with the operations described in par-
2 agraph (a) of this subsection.

3 [(13)] (14) "Subsurface sewage disposal system" means a cesspool or the combination of a septic
4 tank or other treatment unit and effluent sewer and absorption facility.

5 [(14)] (15) "Zone of aeration" means the unsaturated zone that occurs below the ground surface
6 and the point at which the upper limit of the water table exists.

7 **SECTION 4.** ORS 454.610 is amended to read:

8 454.610. [(1) As used in this section "gray water" means any domestic sewage other than toilet and
9 garbage wastes, including shower and bath waste water, kitchen waste water and laundry wastes.]

10 (1) A person may not construct, install or operate a gray water reuse and disposal system
11 without first obtaining a permit from the Department of Environmental Quality. A gray
12 water reuse and disposal system for which a permit has been issued under this section is
13 exempt from the requirements of ORS 454.655. The Environmental Quality Commission shall
14 adopt rules for permits issued under this section. In adopting the rules, the commission
15 shall:

16 (a) Consider the recommendations of an advisory committee appointed by the department
17 pursuant to ORS 183.333;

18 (b) Minimize the burden of permit requirements on property owners; and

19 (c) Prescribe requirements that allow for separate systems for the treatment, disposal
20 or reuse of gray water. These requirements must ensure the protection of:

21 (A) Public health, safety and welfare;

22 (B) Public water supplies; and

23 (C) Waters of the state, as that term is defined in ORS 468B.005.

24 (2) [Nothing in ORS 454.605 to 454.755 except] Subject to ORS 454.645, [shall] the rules adopted
25 by the commission under this section may not prohibit the discharge of gray water if:

26 (a) Soil and site conditions for such gray water conform to the rules of the department [of En-
27 vironmental Quality] regarding standard subsurface sewage disposal systems or alternative sewage
28 disposal systems, except that such systems may use two-thirds the normal size surface area for a
29 drainfield and shall be preceded by a treatment facility such as, but not limited to, a septic tank;
30 or

31 (b) Such gray water is discharged into an existing subsurface sewage disposal system or alter-
32 native sewage disposal system [which] that is functioning satisfactorily, or a public sewage system
33 [which] that serves the dwelling from which such gray water is derived.

34 **SECTION 5.** ORS 454.615 is amended to read:

35 454.615. The Environmental Quality Commission shall [by September 1, 1975,] adopt [by rule
36 standards which] rules that:

37 (1) Prescribe minimum requirements for the design and construction of subsurface sewage dis-
38 posal systems, alternative sewage disposal systems and nonwater-carried sewage disposal facilities
39 or parts thereof including grading, excavating and earth-moving work connected therewith, and al-
40 low for use of alternative systems and component materials consistent with the minimum require-
41 ments. Requirements prescribed under this section may vary in different areas or regions of the
42 state.

43 (2) Prescribe minimum requirements for the operation and maintenance of subsurface sewage
44 disposal systems, alternative sewage disposal systems and nonwater-carried sewage disposal facili-
45 ties or parts thereof.

1 (3) Prescribe requirements for the pumping out or cleaning of subsurface sewage disposal sys-
2 tems, alternative sewage disposal systems and nonwater-carried sewage disposal facilities or parts
3 thereof, for the disposal of material derived from such pumping out or cleaning, for sewage pumping
4 equipment, for sewage tank trucks and for the identification of sewage tank trucks and workers.

5 *[(4) Prescribe requirements for handling kitchen, bath and laundry wastes as opposed to human
6 and animal wastes which recognize the possibility for separate treatment of different types of waste.]*

7 **SECTION 6. This 2009 Act being necessary for the immediate preservation of the public
8 peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect
9 on its passage.**

10

*OR 190
water
conservation
requirements
for municipalities*

House Bill 3442

Sponsored by COMMITTEE ON RULES

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Requires municipal water use providers to reduce annual per capita consumption of water 20 percent by December 31, 2020. Sets interim benchmarks. Requires municipal water use providers to report to Water Resources Department at certain times on progress. Requires municipal water use provider to show to satisfaction of department that municipal water use provider has met benchmarks or reduction in annual per capita water consumption before applying for certain grants, loans, permits and licenses.

Requires agricultural water users to submit report with certain information to Water Resources Department. Requires agricultural water user to show to satisfaction of department that agricultural water user has measured water and submitted report before applying for certain grants, loans, permits and licenses.

A BILL FOR AN ACT

1 Relating to water conservation.

2 **Be It Enacted by the People of the State of Oregon:**

3 **SECTION 1. The Legislative Assembly finds and declares that:**

4 **(1) Responsible management of Oregon's waters requires that Oregon conserve water and**
5 **use existing water supplies efficiently.**

6 **(2) Conservation is the least expensive method to provide new water supplies and is far**
7 **cheaper and less environmentally damaging than creating new storage projects.**

8 **(3) Conserving water also conserves energy and may reduce greenhouse gas emissions**
9 **by reducing the amount of water that must be pumped, cleaned and moved.**

10 **(4) Oregon needs to ensure that its water management strategies are capable of adapting**
11 **to climate change. To provide the flexibility needed to adapt to climate change, Oregon needs**
12 **to ensure that responsible water conservation measures are fully utilized.**

13 **SECTION 2. As used in sections 2 to 5 of this 2009 Act, "municipal water use provider"**
14 **means any entity that provides water that is used for ordinary municipal uses.**

15 **SECTION 3. (1) Each municipal water use provider, and each entity that purchases water**
16 **pursuant to a wholesale contract from a municipal water use provider, shall:**

17 **(a) Achieve a 20 percent reduction in its annual per capita consumption of water by De-**
18 **cember 31, 2020, aggregated across all sectors of use and measured from a baseline calculated**
19 **as the average per capita consumption during January 1, 2000, through December 31, 2008.**

20 **(b) Meet the following benchmarks to achieve the 20 percent reduction in its annual per**
21 **capita consumption of water by December 31, 2020:**

22 **(A) Five percent reduction by December 31, 2012;**

23 **(B) 10 percent reduction by December 31, 2015; and**

24 **(C) 20 percent reduction by December 31, 2020.**

25 **(2)(a) For water that is sold or delivered pursuant to a contract, an agreement under**
26 **ORS chapter 190 or any other type of water sharing agreement, the 20 percent reduction in**
27

NOTE: Matter in boldfaced type in an amended section is new; matter [italic and bracketed] is existing law to be omitted. New sections are in boldfaced type.

1 annual per capita consumption of water by December 31, 2020, specified in subsection (1) of
 2 this section applies to each retailer purchaser and not the municipal water use provider or
 3 other entity specified in subsection (1) of this section.

4 (b) For entities that purchase water pursuant to a wholesale contract from a municipal
 5 water use provider and that have a calendar year 2009 per capita consumption of 100 gallons
 6 per day or less, the 20 percent reduction in annual per capita consumption of water by De-
 7 cember 31, 2020, is changed to a five percent reduction by December 31, 2020, with the fol-
 8 lowing benchmarks:

9 (A) Zero percent reduction by December 31, 2012;

10 (B) Two percent reduction by December 31, 2015; and

11 (C) Five percent reduction by December 31, 2020.

12 (3) A municipal water use provider may, based on special circumstances including but
 13 not limited to unreasonable impacts to a commercial, industrial or institutional customer,
 14 petition the Water Resources Department for a reduced percentage in the municipal water
 15 use provider's annual per capita consumption of water established under subsection (1) of
 16 this section.

17 **SECTION 4.** (1) By February 1 of calendar years 2013, 2016 and 2021, municipal water use
 18 providers shall submit a report to the Water Resources Department that describes:

19 (a) Annual per capita consumption of water;

20 (b) Status of meeting the benchmarks and reduction in annual per capita consumption
 21 of water;

22 (c) Daily per capita water consumption by season;

23 (d) Implementation of any applicable rules of the Water Resources Commission related
 24 to municipal water management and conservation plans;

25 (e) Any water conservation or efficiency measures implemented or scheduled to be im-
 26 plemented; and

27 (f) The acre-foot savings of water to be achieved if the benchmarks and annual per capita
 28 consumption of water are met.

29 (2) After the Water Resources Department receives the reports described in subsection
 30 (1) of this section, the department shall provide public notice of the reports in the manner
 31 the department determines to be most appropriate, and allow 45 days for public comment
 32 before determining whether each individual municipal water use provider has met the ap-
 33 propriate benchmark or reduction in annual per capita consumption of water.

34 (3) After reviewing the reports provided by the municipal water use providers, the Water
 35 Resources Department shall prepare a report on the amount of water conserved and present
 36 the report to the Legislative Assembly, in the manner provided in ORS 192.245, within 30 days
 37 of the end of the public comment period described in subsection (2) of this section, and may
 38 include recommendations to improve water conservation and efficiency by municipal water
 39 use providers.

40 **SECTION 5.** A municipal water use provider must show to the satisfaction of the Water
 41 Resources Department that it has met the appropriate benchmarks or reduction in annual
 42 per capita consumption of water described in section 3 of this 2009 Act before it may:

43 (1) Apply for a grant or loan for a new water supply development project pursuant to
 44 sections 1 to 4, chapter 13, Oregon Laws 2008.

45 (2) Submit an application to appropriate surface water under ORS 537.130.

1 (3) Submit an application to appropriate ground water under ORS 537.615.

2 (4) Submit an application for a reservoir permit under ORS 537.400.

3 (5) Submit an application for a limited license, or permit, for aquifer storage and recovery
4 under ORS 537.534.

5 SECTION 6. As used in sections 6 to 9 of this 2009 Act, "agricultural water user" means
6 any entity that uses or supplies water for irrigating crops or watering livestock.

7 SECTION 7. By December 31, 2011, each agricultural water user, except those irrigating
8 less than 50 acres on an annual basis, shall submit a report to the Water Resources Department that describes:
9

10 (1) The amount of water used by the agricultural water user, including average and peak
11 daily use for each month;

12 (2) Any water conservation or efficiency measures implemented or scheduled to be implemented;
13

14 (3) Any barriers to, or opportunities for, improving the conservation and efficiency of
15 water use by agricultural water users; and

16 (4) Any other information required by the department.

17 SECTION 8. The Water Resources Department shall review the reports of each agricultural
18 water user required by section 7 of this 2009 Act and by December 31, 2012, report to
19 the Legislative Assembly, in the manner provided in ORS 192.245, with recommendations for
20 a three-year plan to improve agricultural water conservation and efficiency.

21 SECTION 9. (1) An agricultural water user must show to the satisfaction of the Water
22 Resources Department that it is measuring water and has submitted the report required by
23 section 7 of this 2009 Act before it may:

24 (a) Apply for a grant or loan for a new water supply development project pursuant to
25 sections 1 to 4, chapter 13, Oregon Laws 2008.

26 (b) Submit an application to appropriate surface water under ORS 537.130.

27 (c) Submit an application to appropriate ground water under ORS 537.615.

28 (d) Submit an application for a reservoir permit under ORS 537.400.

29 (e) Submit an application for a limited license, or permit, for aquifer storage and recovery
30 under ORS 537.534.

31 (2) An agricultural water user that first uses or supplies water for irrigating crops or
32 watering livestock on or after January 1, 2012, must only show to the satisfaction of the
33 Water Resources Department that it is measuring water.

34 SECTION 10. Sections 2 to 5 of this 2009 Act apply to municipal water use providers that
35 provided water that was used for ordinary municipal uses during the period of January 1,
36 2000, through December 31, 2008.

37 SECTION 11. Sections 3 and 4 of this 2009 Act are repealed on January 2, 2024.

38 SECTION 12. Section 5 of this 2009 Act becomes operative January 1, 2013.

39 SECTION 13. Section 7 of this 2009 Act is repealed on January 2, 2014.

40 SECTION 14. Section 9 of this 2009 Act becomes operative January 1, 2012.

41

***** MEMORANDUM *****

APRIL 2, 2009

TO: MAYOR AND CITY COUNCIL
FROM: JON S. NELSON, CITY MANAGER
SUBJECT: HOMELESS CAMP DIRECTION



I. ISSUE AND BACKGROUND

Consistent with City Council direction from your March 16, 2009 meeting (minutes attached), this report suggests a timeframe for a work session on combating homelessness, and provides City Council with three homeless camp site options, including their implications. Additionally, I have taken the liberty of making a City Manager recommendation.

To recap Corvallis' commitment to homelessness, and in addition to departmental, HOME, and CDBG investments, the City's social service policy provides for approximately \$400,000 in annual agency support to providers of emergency and transitional services. When last surveyed, this commitment was greater than all of our comparator cities (7) combined as, historically, social services are within the purview of State and County governments. The City's social service policy, which guides the \$400,000 allocations, strongly encourages all funds be distributed through the annual social service program funding process. Historically, this has occurred so that the citizen-based allocation committee may best prioritize the funding with needs and projected outcomes. This process also provides the expertise in social service provision oversight that does not exist within any other City service area. Funding for the chronic homelessness priorities have either not been requested or have not received significant funding because of the tendency of this population's aversion, based upon personal choice, mental health, or substance abuse, to participate in a program ending their homelessness. Each case is individual.

II. DISCUSSION

A. Work Session on Council Goal

“Work with public, private, and non-profit entities to improve community resources available for combating homelessness, with the aim of providing paths to stability and self-sufficiency.”

Staff will schedule a June work session unless you direct otherwise. Agenda refinements will occur as we get closer to the work session, but elements include:

- Background information,
- Identification of alternatives and their costs, and
- Council selection and direction.

It may be necessary to conduct multiple work sessions to reach Council direction.

Background material will include:

- Benton County ten year plan to end homelessness (a draft is due in late May),
- City information on combating homelessness including social service policy driven investments and other operating departments investments (Parks, Police, Community Development),
- A report on how any Council directed interim initiatives from this discussion are working,
- Results of the Fiscal Year 2009-2010 social service allocations, and
- Partner efforts to combat homelessness.

The United Way Needs Assessment will not be completed until fall, but it is hoped there will be preliminary information available at the June meeting.

B. Three Homeless Camp Sites

1. Background

Authority for the siting of a homeless camp is being made under Corvallis Municipal Code 5.01.090 and 5.01.130; City Park Regulations, Special Use Areas, Camping activities between 10pm and 6am.

Providing for a homeless camp beyond 90 days, in staff's opinion, requires conditional use, master plan amendments, Municipal Code amendments and/or flood plain compliance depending upon the selected site.

Providing for a homeless camp on an interim 90-day basis is a significant undertaking that cannot be done without City Council's active role in balancing stakeholder interests and community values. The effort will impact all City departments and Council/staff existing goals and initiatives. Not establishing appropriate and clear expectations for an interim homeless camp may result in conflict between advocates, camp users, City staff, park users, and community interests.

2. Site Identification Process

A Department Director meeting was held on March 26, 2009 for the purpose of discussing potential sites. Also invited to provide input were representatives of Community Outreach, Incorporated; Parks, Natural Areas and Recreation Board; Homeless Coalition advocates; United Way; and the City Council.

Four areas of discussion were covered:

1. Potential sites for an interim homeless camp,
2. Camp user needs,
3. Camp issues, and
4. Camp impacts.

The sites included City-owned property; park and non-park. The outcomes and recommendations from this meeting that are contained in this report represents my distillation of the discussion versus a consensus direction.

3. Non-Park Options

Two sites were discussed and not considered further.

The solar field site adjacent to Public Works has safety concerns (bordered by railroad tracks), in addition to hopeful solar field construction in the near term. The Public Works acreage in front of the Taylor Treatment Plant is adjacent to a residential area.

Both sites also have zoning issues if used long-term, and do not have the associated Corvallis Municipal Code "Park Camping" exception interpretation we are proceeding under.

4. Park Options

City Park categories and an example(s) follow:

Mini-Parks	–	Peanut
Neighborhood	–	Chepenefa Springs, Central
Special use	–	Woodland Meadows, Pioneer Park (BMX)
Linear	–	Riverfront
Community	–	Village Green, Dr. Martin Luther King, Jr.
Open Space	–	Chip Ross

These categories were not considered further, with one exception, because they are too small, adjacent to residential areas or not in close proximity to services.

Three parks remain under the “large urban” park category:

Avery Park 75 acres
 Willamette Park 286 acres
 Orleans/Berg Parks 73 acres

The Orleans/Berg Parks have jurisdictional, zoning, and flood plain issues outside of Corvallis’ short-term interim-use authority. To meet the City Council direction of three sites, “Pioneer Boat Basin Park” (BMX site) is added.

Recommended sites for further City Council consideration are therefore:

- ◆ Avery Park
- ◆ Willamette Park
- ◆ Pioneer Boat Basin Park (BMX) (approximately six acres)

Councilors are encouraged to make a site visit. Parks graphics are attached.

5. Site Selection

What follows is not a detailed analysis as much as an example of criteria for Council to consider in making a site selection decision.

Criteria	Avery Park	Willamette Park	Pioneer Park (BMX)
Landuse/Master Plan conflicts if used long term			
Proximity to Services			
Floodplain issues if used long term			
Parking availability			
Adjacent to neighborhood area or subject of past concerns			
Displace existing citizen uses			

Council may want to consider additional criteria, plus citizen feedback on the sites, prior to making a selection.

6. Camp User Needs

A non-exhaustive homeless camp user needs list from the March 26, 2009 meeting includes:

- ▶ Garbage/refuse arrangements
- ▶ Restrooms, washing, showers
- ▶ Personal safety
- ▶ Camp security
- ▶ Personal belongings storage
- ▶ Potable water
- ▶ Access to services (Project Impact, COI, Stone Soup)
- ▶ Health services
- ▶ Parking
- ▶ Camp supervision and rules enforcement

7. Camp Issues

A non-exhaustive homeless camp issues list that should be addressed includes:

- ▶ Signage/area designation
- ▶ Supervision: on-site and coordination with resource partners
- ▶ Role of volunteers
- ▶ Hours (24/7?)
- ▶ Media
- ▶ Camp Rules:

Camp upkeep	Drugs	Pets
Behavior	Alcohol	Fires
Theft	Noise	Food
Language	Medications	Registration
Weapons	Smoking	

8. Camp Impacts

Impacts identified during the brain-storming session include adjacent and peripheral residential areas, City operations, and the Corvallis community.

- Supervision and enforcement responsibilities; not only the rules, but requirement with a larger group, for multiple officer response; opening and closing.

- Organizational efforts to adequately provide for an interim homeless camp while also addressing liability concerns and being responsive to concerned citizens, neighbors, and partners.
- Unknown additional chronic homeless population increases and subsequent impact on City and partner resources.
- Non-exhaustive site specific user concerns; sites may have arguable proximity to playground and events concerns, as well as turf, irrigation, and other property impacts.

<u>Avery</u>	<u>Pioneer (BMX)</u>	<u>Willamette</u>
Community garden reservations (9)	Boat basin users	General Park users
Horse shoe competition	Farmers' Market parking	Day camp users
Park shelter rentals	BMX users	
General Park users		
Day camp users		

III. ILLEGAL CAMPING CITATIONS

City Council requested information on the number of illegal camping citations not issued as a result of the March 16, 2009 direction. As of this writing, eight specific complaints of illegal camping have not been responded to. Corvallis Police continue to respond to behavior-based complaints (smoking, drinking, assaultive behavior) and citations are issued. Without the illegal camping enforcement tool, the participants do not change location. Equal protection and application of the law means campers, if the current direction continues, will inhabit neighborhood, special use and other Parks. An example is the eight homeless persons currently camping in the Central Park gazebo. Police have responded to assault, smoking, and open container violations. The Fire Department has responded to one fire complaint and explained the recreation burn rules to the campers and complaining party.

IV. FINANCIAL IMPACT

A resolution is attached which transfers General Fund contingency to Non-Departmental. From Non-Departmental, funds will be expended consistent with Council direction on the homeless camp. An initial contingency authorization of \$25,000 is recommended. The local faith community offers of potable water, dumpsters, and restrooms are appreciated. But City Council should understand that this offer represents a small fraction of City expenses that will be necessary to make the interim camp successful without exposing the City to liability.

In addition to existing staff lending their expertise, resources for appropriate camp supervision, coordination, and monitoring will be essential.

V. ALTERNATIVES TO AN INTERIM HOMELESS CAMP

1. Continue the existing social service allocation process where needs and outcomes are approved by City Council following a citizen based review and recommendation process.
2. Enhance existing homelessness service providers by contributing to a “miscellaneous” fund (transportation, medications, housing deposits), and a part-time outreach worker to assist in helping the chronic homeless move toward stability and self-sufficiency, including utilizing existing services. This could be arranged on a contract basis with an existing provider(s).
3. Continue the current practice of not enforcing illegal camping until after the City Council June work session and further direction is provided.
4. Any combination of the above or other alternatives identified by City Council.

VI. COUNCIL DIRECTION REQUESTED

Council consideration of a homeless camp site. Following Council selection of a site, additional necessary City Council meetings will be scheduled.

While I recommend a combination of alternatives #1 and #2, the organization will responsively pursue the City Council direction chosen.

transit shelters and benches, vehicle information systems, bicycle lockers at bus stops, and replacement of the transit radio system. Other projects include a median island and solar-powered pedestrian crossing on NW Walnut Boulevard at a transit stop between NW 13th and Garryanna Streets. Another solar-powered pedestrian crossing has been requested on NW Walnut Boulevard at Jack London Street. Sidewalk construction and solar-powered pedestrian crossings have been recommended on NW Highland Drive at Meadow Ridge Park with additional sidewalk and ramp improvements throughout the City.

Councilor Brown explained the sustainability compilation and matrix (Attachments A and B). He thanked Mayor Tomlinson and Sustainability Supervisor Lovett for helping to consolidate the Councilors' sustainability items and developing the matrix. Councilor Brown noted that Corvallis is a member of ICLEI-Local Governments for Sustainability, an international association of local, regional, and national government organizations making commitments to sustainable development. He encouraged Council to review the documents prior to the evening meeting discussion about sustainability actions and policies.

VI. VISITORS' PROPOSITIONS

Mayor Tomlinson introduced Anatolij Synyshyn and Katherine Bazilla from Uzhgorod, Ukraine. Mr. Synyshyn is the former Vice Mayor and Ms. Bazilla is an interpreter. Mayor Tomlinson acknowledged the good working relationship between Corvallis and Sister City Uzhgorod.

Through Ms. Bazilla, Mr. Synyshyn thanked Mayor Tomlinson, Corvallis, and the Sister City Association for the warm reception during his third visit here. The Sister City relationship is actively involved in Ukrainian regional administration and community services. Mr. Synyshyn said he directs the community alliance (a structure of their government) which includes ten organizations, members of community services, and teachers. Mr. Synyshyn presented Mayor Tomlinson with a picture book of Uzhgorod and a photograph of an Uzhgorod bicycle club.

Tom Eversole, Homeless Coalition, referred to the homeless camp proposition previously provided to Council. He requested Council to quickly address the proposal to designate municipal property, or other property, where homeless people can stay overnight without receiving tickets or be forced to move. He also requested Council direct staff to produce a joint report with options for homeless camping areas and Council assess the effort under the parameters identified in the proposal. Community advocates are willing to work with City staff to provide insight and guidance.

Aleita Hass-Holcombe, Homeless Coalition, said the proposal speaks to previous Council requests for information and supporting documentation. Several supporting petitions have been submitted to Council and the Beit Am faith community has indicated full support the proposal. Organizations that helped support the cold weather shelter also support this proposal. The community recognizes the significant problem of not giving individuals a place to exercise their basic human right of sleeping. Providing shelter reduces risk as proven by the cold weather shelter over the last four years. It is significant for people to have a safe place to sleep.

Councilor Raymond commended shelter volunteers.

In response to Councilor Hervey's inquiry, Mr. Eversole reiterated his points:

1. Designate a municipal site where homeless people may camp or stay overnight,
2. Take necessary steps so those staying at the site are not ticketed,
3. Direct staff to produce a report assessing a variety of potential sites,
4. Assess the trial project after three months, and
5. Respond to emergency calls in the designated area.

Wayne Bascomb said he arranged for sixty new sleeping bags and tents to be donated to the homeless. He requested Council designate a safe sleeping area where homeless individuals will not be ticketed. Mr. Bascomb said he and other homeless people are only trying to survive and are not asking for much. Providing portable toilets and garbage collection would also be appreciated.

Jennifer Ambrosius testified on behalf of homeless females and those who cannot utilize services due to animal ownership. Ms. Ambrosius said she has been homeless for more than five years even though she has a job. Every time she has saved almost enough money to rent a home, she is ticketed by the Police Department. The discrimination gets worse every year and many officers need retraining due to biased behaviors. One officer told her "all homeless are alcoholics and drug addicts." Ms. Ambrosius said she does not drink alcohol or use drugs. Homeless individuals need a safe place to stay so those who have jobs do not lose their income, can help others, and better themselves.

Finn said one of the best ways to judge society is by how they provide for their unfortunate. It is ironic that the meeting started with profit-driven items. There is no profit in cleaning up rivers or taking care of the homeless, but this is how Corvallis addresses the homelessness issue. He inquired whether Council had studied successful tent cities and how those cities take care of their homeless. The most unfortunate people are more important than the other items being discussed during this meeting.

Angela Olson said the City needs to do something for the homeless, no matter who they are or where they come from because they have nothing. The previous camps were demolished due to garbage and health hazards, but if dumpsters are donated and the community and law enforcement patrol the camp(s) for safety purposes, it could work. Homeless individuals are citizens who have a lot to give. Ms. Olson added that she could have been homeless if it was not for her family. She does not make a lot of money and struggles to support her child and attend school. In the current economy, working class individuals are also losing their homes.

Councilor Beilstein referred to Ms. Olson's comments about working class individuals losing their homes, causing more homelessness. Establishing a camp site today for 30 or 40 people may increase to 100 or 200 people within one year. That consideration may affect Council's decision. He thanked Ms. Olson for her comments.

Robert Stebbins said he has worked with people on probation and parole, and occasionally, the homeless. He has never seen so many homeless individuals before now, nor has he ever experienced the number of veterans currently living on the streets. These people honorably served this Country in Vietnam and the Middle East and some need help because they cannot cope with daily life. He expressed hope that Corvallis can do something meaningful.

Ryan Lambert, First Congregational Church and American Civil Liberties Union (ACLU) Board Member, said the ACLU Web site includes a report about the Ashland, Oregon camping ordinance. The report talks about “personhood” and how to respect basic and human rights of individuals. As a pastor, he has dealt with many people asking for help, especially for places to stay. For the last few months he has referred those people to the cold weather shelter. Since the shelter is now closed, he hopes the City and those wanting to help can find a way to recognize this community need and respond to the “personhood” of each individual. A disadvantage of the cold weather shelter is that the burden has largely fallen onto the faith communities who are not able to meet all of the needs of the homeless population in Corvallis. The opportunity to change an ordinance or enforce the camping ordinance is to study the need and not shift the responsibility onto one group.

Edward Ames read from his written testimony (Attachment F).

Councilor Beilstein said City government supports local social services with a budget of almost one-half million dollars. The majority of those funds go toward those who are in the most danger of becoming homeless. He agreed that not enough is being done for the chronic homeless, but citizens also need to understand that the City has been helping by supporting organizations such as Community Outreach, Inc. (COI). The social services allocation was recently increased specifically due to homeless issues.

Mr. Ames agreed that COI does a good job, but does not provide services to anyone with alcohol or drug issues. He thanked the City for their efforts.

Rob Schulze said volunteering to help homeless individuals has been one of the most fulfilling, rewarding, and enlightening experiences he has ever had. They all have wonderful stories and have taken many paths. He suggested Corvallis compare itself to a family that has many eccentrics, who come from different communities, that all take care of and accept one another. He thanked the City for their efforts and encouraged additional help for those who need a hand.

Bettina Schempf, Habitat for Humanity (HH), submitted a proposal (Attachment G) for a partnership between the City and HH to develop a sustainable neighborhood. The “Hilltop Village Project” is located in North Corvallis and was inspired by a David and Jean Kliever land donation. The project has been worked on for the last four years and the Planning Commission unanimously approved the development plan in July 2008. The goals and criteria include guiding on-going research and planning for high and attainable levels of sustainability, affordability, and livability.

In response to Councilor Hirsch’s inquiry, Ms. Schempf said the site is located next to Forest Dell Park.

Becky Charboneau said the Corvallis Beit Am Jewish Community Board unanimously endorsed the proposal. More than 60 volunteers from the Jewish Community have assisted at the cold weather shelter during the past two years. The Jewish Community is happy and proud to be part of the Homeless Coalition and she encouraged Council to approve the proposal.

Kent Bloomenthal added that the proposal is thoughtful and comprehensive in responding to immediate needs and issues. It has great flexibility, creativity, and a required trial period. The immediate need is to stand-down on existing City ordinances to allow people to camp on certain properties. The trial period is important for the City to effectively review how other communities

have responded to similar issues. This is a logical and rationale approach for Council. Mr. Bloomenthal said to worry about issues such as tent cities is without bearing or standing. He encouraged Council to be flexible and creative, and use the proposal as a starting point.

Nancy Newman urged Council to provide a place for the homeless population to camp with portable toilets and, if possible, cooking space. She opined that it is the most compassionate thing this community can do.

Lester Nesbitt said Albuquerque, New Mexico has a population of 500,000 with services for 300 of approximately 2,000 homeless individuals. Albuquerque does not provide a shelter. The Corvallis homeless are asking for a change in the ordinance so they can camp without being cited and/or placed in jail. It is safer to group camp and watch out for each other than it is to camp by yourself while hiding from law enforcement.

In response to Councilor Hervey's inquiry, Mr. Nesbitt said security is needed to leave camp gear onsite during the day. He said potential employers know he is homeless due to the pack on his back. He added that he is homeless because he cannot find a job and he does not have a job because he is homeless. Mr. Nesbitt added that he does not like being homeless.

IV. UNFINISHED BUSINESS – continued

D. Council goal on homelessness

Mr. Nelson read the Fiscal Year 2009-2010 Council Goal related to homelessness:

“Work with public, private, and nonprofit entities to improve community resources available for combating homelessness, with the aim of providing paths to stability and self-sufficiency.”

Mr. Nelson listed current homelessness initiatives related to this Council Goal: participating in ending homelessness in ten years planning group, providing an estimated \$430,000 in emergency and transitional services through the social services allocation process, and review the social services allocation policy in late 2009. The policy has dedicated resources for homeless persons in programs versus help for the chronic homeless choosing not to participate in programs.

Councilor O'Brien left the meeting at 1:19 pm.

Mr. Nelson said the staff report includes zoning information and historical discussions related to homelessness. Orleans and Berg Parks are in Linn County. Approval of these parks for homeless camps requires an extensive public process and conditional use action by the Linn County Commissioners.

Councilor O'Brien returned to the meeting at 1:21 pm.

Mr. Nelson explained that the campground at Willamette Park has not been in existence for four years. A master plan initiative for the Park, and approved by a former Council, does not include camping. Land use, municipal code, and public policy decisions made by prior Councils removes opportunity for staff to offer a site without public process.

Camping citations have been complaint and behavior driven. Research of illegal camping citations for the last three years reveals the following:

- 2009 – 11 complaints, one citation;
- 2008 – 41 complaints, 29 citations; and
- 2007 – 58 complaints, 21 citations.

Camp costs are related to location and duration, and will include sanitation and health issues (restrooms, potable water, showers), camp supervision (similar to the cold weather shelter), camp coordination (referral to City departments, stakeholders, additional services), and liability exposure. Although there is no insurance policy rider to purchase for providing a camp, any community providing this type of service increases liability exposure.

Councilor Hirsch noted that the materials from 1993 indicate the City Attorney was researching how much the liability and/or exposure would increase by offering a homeless camp. Mr. Nelson reiterated that there are no up-front insurance policy or rider costs; however, the City's Insurance Agent of Record cautioned that basic services need to be provided if the City designates a location for a homeless camp. He opined that liability exposure should not be used as a reason to not do something.

City Attorney Fewel added that it is difficult to quantify the increase in potential exposure. The insurance agent confirmed that the City has coverage, but the City will be sued if something happens at the camp.

Councilor Hervey noted that the Corvallis Municipal Code (CMC) allows the City Manager to designate a special use area in a park for camping, and the Land Development Code (LDC) suggests that camping can only occur at Willamette Park. In response to his inquiry about precedence, Mr. Fewel said the CMC does not supersede the LDC. At one time, Willamette Park was zoned Agricultural-Open Space (AG-OS). AG-OS does not allow any residential activities. To make Willamette Park consistent with other parks, the City adopted in the AG-OS, a designation specific to Willamette Park for camping. The CMC addresses parks in general and allows for some temporary camping.

Mr. Nelson added that the intent of the authority to designate camping areas is for specified requests such as a swim meet or Cycle Oregon activities, limited in usage and time. He added that any designation he makes is appealable to Council.

Councilor Hervey said Council could direct staff to deviate from the intent of the prior authority. He noted that Avery Park is also designated AG-OS, but is not specifically identified as a suitable camping location.

Councilors Raymond and Daniels, respectively, moved and seconded to direct staff to provide information, identification, and assessment of two specific locations that can be designated for homeless camping for a three-month trial period. The report will include responses to items of concern noted in the citizen's proposition and any additional issues Councilors may have.

Councilor Daniels said she seconded the motion because it does not require a review of one specific designated area. Neither the motion or citizen's proposition is limited to a park location, and both are for a limited time-period.

Councilor Hamby requested the motion include three locations and inquired about the staff time involved. Mr. Nelson said the motion will require discussions with stakeholders and Council to address concerns. He prefers to broaden the stakeholders group to include some Councilors, members of the Homeless Coalition, COI, and others who can help Council support options.

Councilors Raymond and Daniels, respectively, accepted the friendly amendment for three specific locations.

Councilor Raymond requested a work session be scheduled to determine how to meet the Council Goal related to homelessness, including a long-term solution with input from staff, stakeholders, and the general public.

Councilor Hervey said he supports the motion. He expressed concern that without a timeline it could be months before a report is generated. He said Council will also receive theoretical testimony about why a camp should not be designated in a specific area. He suggested that once staff returns with alternative locations, Council choose a temporary camp location and respond to testimony based on that choice. A long-term solution and location discussion can begin after a temporary location is chosen.

Councilor O'Brien said he supports the motion, but is frustrated that Council is dealing with an issue that was extensively dealt with in 1993. He does not want another Council to have to deal with this issue. He expressed concern that when options are presented by staff, Council provide a special opportunity for citizens to express themselves through a town hall meeting or other venue.

Councilor Beilstein opined that it would have been better to start this process three months ago. There are many people who want an immediate solution and it appears as if Council will not be making a decision until September. He said he will support the motion, but believes Council should act now and study the problems later. There is an immediate need for this camp.

Councilor Daniels agreed that Council could process this for months before making a decision. The motion requests three potential camping sites for Council to choose from for use as a temporary measure. She wants to move as quickly as possible to meet this temporary need before Council focuses on the homeless related goal.

Councilors Hervey and Hirsh, respectively, moved and seconded to amend the motion to designate the community garden area of Avery Park as a three-month trial-period homeless camping area.

Councilor Hirsch inquired why the original motion is limited to two or three sites and whether Linn County needs to be notified immediately if Corvallis is considering Orleans or Berg Parks as options for a designated homeless camping area. Mr. Nelson said the parks

in Linn County will most likely drop off the list due to their conditional use designations and lengthy public hearing process for approval.

Mr. Nelson said he understood the main motion to mean that staff would organize a meeting with community representatives to brainstorm locations for Council consideration at the April 6 meeting. If Council requires detail and criteria about the decision making process, it will take longer for staff to return with options. In addition to providing site options, staff will forward budget implications and recommendations for Municipal Code amendments, if necessary.

Mr. Nelson clarified for Councilor Hirsch that the challenge designating Orleans or Berg Parks as a homeless camp is the idea of transferring the homeless population to Linn County to live in a flood plain where citizens are not allowed to build.

Councilor Daniels said she cannot support the amended motion. The intent of the original motion is to evaluate common-sense choices. After the last Council meeting, Parks and Recreation staff and homeless advocates visited Berg Park and discussed the limitations as described by Mr. Nelson. This is an example of why Council needs to review the options and limitations presented by staff.

Councilor Brown said he will not support the amended motion. The task is to provide a comprehensive solution to homelessness in Corvallis. It is multi-dimensional and the City must consider budget constraints and competing uses.

Councilor Raymond quoted excerpts from CMC Chapter 5.01.090, Special use areas, and Chapter 5.01.130 3), Hours of use; sleeping and camping:

“The City Manager is authorized and directed to set aside, establish, alter, and/or discontinue special use areas in one or more of the parks. These special use areas would include...camping activities...”

“The City manager may, in his...discretion, issue permits or designate areas for the use of tents, shelter-half, motor homes, vehicles, campers, or trailers as shelters for housing or sleeping in parks for any overnight sleeping in parks between the hours of 10:00 pm and 6:00 am.”

Councilor Raymond opined that the above language allows Mr. Nelson to designate one area exempt from the prohibition of camping for overnight sleeping and still allow other CMC language to be enforced.

In response to Councilor Hamby’s inquiry, Mr. Nelson said Council can designate Avery Park as a special use area for homeless camping, pending the followup information as requested in the main motion. He clarified that he interpreted the above CMC as a minimal number of days designated as special use camping. Council could agree to more than a few days. A more permanent designation would most likely require a change in the CMC.

Mr. Fewel said when Willamette Park was specifically named in the CMC as a possible camping area, Avery Park was not included. The CMC would need to be amended to allow camping in Avery Park. One issue for Council to consider when making this decision is the

impact to others, specifically surrounding property owners. The City could be sued for exercising a decision inappropriately and allowing this to occur in an area that negatively impacts the surrounding neighborhood.

Mr. Nelson added that the amended motion requires him to be responsible to ensure a site is responsive to liability exposure, sanitation, health, coordination, and supervision. He said he is not comfortable with that decision and would prefer staff bring back something more site specific for Council consideration.

Councilor Brauner identified three issues Council is attempting to work on within one issue: a long-term solution, a short-term solution (three-month trial period), and the period of time between this meeting and the next Council meeting. The issues have become convoluted and confusing. He stated support of the main motion and opposition the amendment because it is too early to establish a specific location.

Mayor Tomlinson recessed Council from 1:59 until 2:07 pm.

Councilor Beilstein said he will support the amended motion because some discussions have already occurred with the Homeless Coalition. There would be minimal neighborhood impact designating this section of Avery Park, the faith communities have offered to help with sanitation issues, and it is a logical solution Council could make immediately. The City may need to patrol the area once or twice each night and respond to any emergency calls in the area.

Based on the following roll call vote, the amended motion failed three to six:

Ayes: Beilstein, Hervey, Raymond

Nays: Hirsch, Daniels, O'Brien, Brauner, Hamby, Brown

Councilor Hamby said he voted against the amended motion due to the liability it places on Mr. Nelson. Councilor Hirsch concurred.

The amended main motion passed unanimously.

Councilor Brauner said homeless people will be looking for campsites tonight. He suggested Council direct staff not to cite homeless people from traditional homeless camps between now and the next Council meeting. This direction would be specific to camping citations and not related citations.

Councilor O'Brien said he can support what Councilor Brauner is suggesting, but he is comfortable with the professional staff of the City using their discretion to enforce the law.

Councilor Hirsch said not designating a camp will cause potential problems all over the City instead of in one centralized location. The statistics from the Police Department reveal that most of the citations for illegal camping were in conjunction with other problems.

Mr. Nelson said that many individuals Council is trying to accommodate will continue to use unauthorized locations because they are not comfortable in group situations.

In response to Councilor Brown's inquiries about jail time and citation fines, Mr. Nelson said Municipal Court worked with the Police Department and the corrections facility to keep the court working as efficiently as possible in dealing with citations given to this population.

Councilor Brauner said he believes staff has done a good job in dealing with the homeless population. His suggestion recognizes that while Council considers the proposal, staff will not issue illegal camping citations.

Councilor Beilstein thanked staff for providing the historical documents from 1993. He noted that Council and citizens are more willing to resolve this problem today than in 1993.

Councilor Daniels said if it was not for the COI shelter, there would be many more homeless individuals in the community. COI is struggling with current economic conditions and needs community support for their organization, programs, and people they serve.

Councilor Raymond reiterated a request to schedule a work session to determine how the Council will address the homeless Council Goal. The work session will include discussions about a long-term solution to homelessness and include information from COI, Housing and Community Development, Homeless Coalition, Benton County, faith organizations, and the public.

Councilor Daniels expressed support for a work session and noted that the Council goal related to homelessness focuses on improving community resources to provide paths to stability and self-sufficiency. Council needs to discuss how to improve current resources.

Council agreed by consensus to schedule a work session.

V. MAYOR, COUNCIL, AND STAFF REPORTS – continued

B. Council Reports – continued

Councilor Hamby said Attachment D is the result of his work with Councilors Brauner and Brown to tie the Council goals to the Vision 2020 Statement goals. The finalized version will be posted on the City's Web site.

Councilor O'Brien said he had six visitors during Government Comment Corner. Issues included bicycle lanes, chronic nuisance property ordinance, development, and homelessness. He requested a better location for the table.

Councilor O'Brien reported that the Downtown Commission reviewed a presentation about the Moose Lodge demolition and potential restroom design. The Commission agreed that restrooms would be a welcome addition. A subcommittee was formed to evaluate the proposed LDC changes related to downtown issues. Downtown Commissioner Mater was elected as the final representative on the Downtown Parking Committee.

Councilor O'Brien said a City-sponsored Ward 1 meeting will be held on April 14 at 7:00 pm at the Grand Oaks Club House, 6050 SW Grand Oaks Drive. City staff will be available to answer questions.

Avery Park



Rec
+
Park
offices

Community Garden

Approx. 1 1/2 acres

Willamette Park



Approx 1 1/2 acres

BMX Track



Total approx 6 acres

RESOLUTION 2009-__

A RESOLUTION TRANSFERRING APPROPRIATIONS WITHIN THE GENERAL FUND FROM CONTINGENCIES TO NON-DEPARTMENTAL FOR THE PURPOSE OF FURTHER ADDRESSING HOMELESSNESS.

Minutes of the meeting of April 6, 2009, continued.

A resolution submitted by Councilor _____.

WHEREAS, ORS 294.450 allows appropriations to be transferred within a fund after the budget has been adopted; and

WHEREAS, the General Fund has an appropriated contingency to address emergencies that arise after the budget has been adopted but which require immediate funding; and

WHEREAS, the City Council has found that it is in the community's best interest to further address homelessness issues; and

WHEREAS, the FY 08-09 budget did not anticipate funding the additional homelessness initiative, and the City Council has determined that action needs to be taken before the next fiscal year begins;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CORVALLIS RESOLVES that appropriations in the 2008-2009 budget be transferred as shown below; and

BE IT FURTHER RESOLVED that the Finance Director be authorized to make the proper adjustments in the budget appropriations.

<u>FUND</u>	<u>FROM</u>	<u>TO</u>
GENERAL FUND		
Contingencies		
Non-Departmental		

Upon motion duly made and seconded, the foregoing resolution was adopted and the Mayor thereupon declared said resolution to be adopted.



Office of the Mayor
501 SW Madison Avenue
P.O. Box 1083
Corvallis, OR 97339-1083
(541) 757-6985
FAX: (541) 757-6780
e-mail: mayor@ci.corvallis.or.us

PROCLAMATION

ARBOR MONTH

APRIL 2009

WHEREAS, Arbor Day is a national observance which, for more than a century, has called public attention to the importance of tree planting and tree care as a means of sustaining one of our most precious natural resources; and

WHEREAS, As one of the most basic living things, trees have long been cherished symbols of endurance, longevity, and the propagation of life; and

WHEREAS, Out of respect for our environmental heritage, we plant trees as a symbol of our confidence in and commitment to the future; and

WHEREAS, Trees touch the lives of people within the community who benefit daily from cleaner air, shadier streets, and aesthetic beauty that healthy, well managed urban forests provide; and

WHEREAS, Trees are vital year 'round to our economy as the source of countless products, and thousands of species enhance our landscapes – in urban and rural areas – attracting tourists to parks, historic sites, and other outdoor resources; and

NOW, THEREFORE, I, Charles C. Tomlinson, Mayor of the City of Corvallis, Oregon, do hereby proclaim **April 2009** as **Arbor Month** in the City and encourage citizens to enjoy the beauty of our trees and woodlands. Further, I urge all citizens to plant trees to gladden the hearts and promote the well-being of this and future generations.

Charles C. Tomlinson, Mayor

Date

1020



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**PROCLAMATION
FAIR HOUSING MONTH
APRIL 2009**

- WHEREAS, April 2009 marks the 41st anniversary of the passage of Title VIII of the Civil Rights Act of 1968, commonly known as the Federal Fair Housing Act; and
- WHEREAS, Equal opportunity for all – regardless of race, color, religion, sex, disability, marital status, familial status, source of income, national origin, sexual orientation, or gender identity – is a fundamental goal of our nation and our state; and
- WHEREAS, In Corvallis this equal opportunity protection extends further to prevent discrimination based on an individual's citizenship status, level of income, religious observance, gender expression, or their age if eighteen or older; and
- WHEREAS, Housing is a critical component of family and community health and stability; and
- WHEREAS, Housing choice impacts our children's access to education, our ability to seek and retain employment, the cultural benefits we enjoy, and the safe conduct of our daily lives; and
- WHEREAS, The laws of this nation, our state, and the City of Corvallis seek to ensure equality of choice for all transactions involving housing; and
- WHEREAS, Ongoing education, outreach, and monitoring are critical to raising awareness of fair housing principles, practices, rights, and responsibilities; and
- WHEREAS, Only through the continued cooperation, commitment, and support of all citizens can the occurrence of barriers to fair housing in Corvallis be prevented;
- NOW, THEREFORE, I, Charles C. Tomlinson, Mayor of the City of Corvallis, Oregon, do hereby proclaim **April 2009** to be **Fair Housing Month** in the City of Corvallis, and call upon citizens to share in the responsibility of ensuring fair housing choice for all members of our community.

Charles C. Tomlinson, Mayor

Date

1025



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FAX: (541) 757-6780
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PROCLAMATION

National Library Week

April 12 - 18, 2009

WHEREAS, Our nation's school, academic, public, and special libraries make a difference in the lives of millions of Americans, today, more than ever; and

WHEREAS, Librarians are trained professionals, helping people of all ages and backgrounds find and interpret the information they need to live, learn, and work in a challenging economy; and

WHEREAS, Libraries are part of the American Dream – places for opportunity, education, self-help, and lifelong learning; and

WHEREAS, Library use is up nationwide among all types of library users, continuing a decade-long trend; and

WHEREAS, Libraries play a vital role in supporting the quality of life in their communities; and

WHEREAS, Libraries can help you discover a world of knowledge, both in person and online, as well as personal service and assistance in finding what you need, when you need it; and

WHEREAS, Libraries are a key player in the national discourse on intellectual freedom, equity of access, and narrowing the "digital divide"; and

WHEREAS, Libraries, librarians, library workers and supporters across America are celebrating National Library Week with The Campaign for America's Libraries.

NOW, THEREFORE, I, Charles C. Tomlinson, Mayor of Corvallis, Oregon, do hereby proclaim **April 12 - 18, 2009**, as **National Library Week** in the City, and I encourage all residents to visit the Library this week to take advantage of the wonderful library resources available and to thank their librarians and library workers for making information accessible to all who walk through the Library's doors. Join the circle of knowledge at your Library.

Charles C. Tomlinson, Mayor

Date

1028

Corvallis Sustainability Coalition
SUMMARY OF APPROVED & PENDING ACTION REVIEW FORMS
March 24, 2009

Action Team	G/S/A	Summary of Action Item(s)	Proposed Project	Date Approved	Team Leaders	Help Needed
Energy	1.1.1	Increase energy conservation in buildings through energy audits & assistance	Provide energy audits & assistance to residents & businesses	1/27/2009	Jim Phelps, Theresa Gibney, Brandon Trelstad, Dave Dickson	
Energy	3.2.2	Track greenhouse gases	Develop process for carbon tracking	2/9/2009	Jim Phelps, Theresa Gibney, Brandon Trelstad, Dave Dickson	May need City help on GIS
Energy	3.3.1&2	Establish Corvallis surcharges on energy utilization to pay for GHG elimination Establish grant programs for GHG projects	Get information on local funding methods and sources for GHG reduction projects; develop list of options for funding and GHG reduction projects & explore feasibility of printing CO ₂ released on city utility bill.	3/18/09	Jim Phelps, Theresa Gibney, Brandon Trelstad, Dave Dickson	City staff support for questions Council & staff support as the project moves along.
Food	1.2.3	Increase amount of local land used for food production	Survey residents re. garden use; match mentors with new gardeners	2/6/2009	Anna Cates, Barbara Grant	
Food	2.1.2&3 2.2.1&2	Support emergency food programs; increase access to nutritious, sustainably produced food	Develop a "Southtown Family Dinner" soup kitchen	2/11/2009	Anna Cates, Barbara Grant	
Food	1.1.1,2, &3	Create a local food ad campaign, including labeling of local food products and linking food purchasers with food producers.	Develop a local food ad campaign in 3 phases: 1) restaurants, 2) institutions, 3) retailers	3/3/09	Anna Cates, Barbara Grant	
Natural Areas & Wildlife	2.3.1&2	Establish and coordinate a network/web presence for natural areas activities	Set up a "button" on the Coalition website for Natural Areas (event calendar & volunteer opportunities)	3/4/09	Vince Adams, Jarod Jabousek, Molly Monroe	
Natural Areas & Wildlife	3.1.1&2	Outdoor classroom sites and natural history education at all K-12 schools	Survey school staffs to determine current status	2/9/2009	Vince Adams, Jarod Jabousek, Molly Monroe	
Natural Areas & Wildlife	1.1.1	County wide Conservation Plan	Survey selected agencies re their current plans	3/16/09	Vince, Adams, Jarod Jabousek, Molly Monroe	
Transportation	1.1.1&2	Regional map showing connections between transit systems & links to all maps	Begin development and marketing of new enhanced revised regional transit system and schedule	Pending	Steve Rogers. John Ross	Staff & financial support from city.

Tomlinson, Charles

From: Tomlinson, Charles
Sent: Wednesday, March 18, 2009 12:32 PM
To: Andy Olson; Frank Morse; Sara Gelser
Subject: Impacts of SB581

Dear Senator Morse, Representatives Gelser and Olson,

The Corvallis City Council has asked me to convey the local impacts of SB581. For this biennium, the Fire and Police Department's budget will be impacted by \$70,000 and we are anticipating, based on the governor's budget, an impact of \$90,000 in the next biennium .

Thank you for your service to the citizens of Oregon.

Charlie Tomlinson

*** * * MEMORANDUM * * ***

MARCH 31, 2009

TO: MAYOR AND CITY COUNCIL

FROM: JON S. NELSON, CITY MANAGER 
KATHY LOUIE, ASSISTANT TO CITY MANAGER/CITY RECORDER

SUBJECT: CITY ATTORNEY EVALUATION FORMS

The agreement between the City and Fewel & Brewer provide for a performance review and any related compensation changes effective April 1, 2009.

Attached for your information are the current employment agreement and addendum, and the current evaluation form.

The following approach is consistent with past years. Council concurrence or directed changes are requested.

1. April 6 Council meeting – Agree on process and evaluation form.
2. April 15 or sooner – Return completed evaluation forms to Kathy Louie for compilation.
3. April 20 Council meeting – Executive Session review of compiled evaluation forms.
4. April 20 Council meeting – Executive Session discussion and direction to Council President and Vice President concerning compensation.
5. Week of May 25 – Discussion between Council President, Vice President, and City Attorney Fewel on evaluation outcomes, including compensation (Scott is on vacation through Memorial Day weekend.)
6. June 1 Council meeting – Executive Session review of outcomes from meeting in #4. Action as appropriate outside of Executive Session.

c: Scott Fewel, City Attorney

Attachment

2035

CITY OF CORVALLIS, OREGON

CITY ATTORNEY EMPLOYMENT AGREEMENT ADDENDUM

This agreement addendum, dated April 9, 2008, amends the employment agreement entered into on March 22, 2006, by and between the City of Corvallis, Oregon, a municipal corporation of the State of Oregon (hereinafter referred to as "CITY"), and the law firm of Fewel & Brewer (hereinafter referred to as "LAW FIRM").

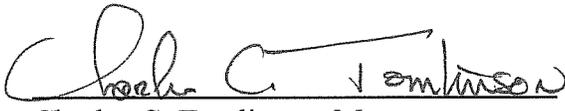
- 1 The City and Law Firm agree to modify the original employment agreement as follows:
 - 1.1 Compensation for Services. As compensation for services included in the retainer, the City shall pay the Law Firm \$20,360.39 per month effective April 1, 2008. This monthly payment is to be paid on or before the 10th day of each month. This monthly payment will be adjusted effective July 1, 2008 in the same amount as inflationary adjustments to the City Manager and Department Director salaries.

2 All other terms and conditions in the original agreement remain as originally identified.

IN WITNESS WHEREOF, the parties have herewith executed their signatures.

CITY OF CORVALLIS

FEWEL & BREWER



Charles C. Tomlinson, Mayor



Scott A. Fewel

ATTESTING AS TO THE MAYOR



Assistant to City Manager/City Recorder

**CITY OF CORVALLIS, OREGON
CITY ATTORNEY EMPLOYMENT AGREEMENT**

This agreement is made and entered into by and between the City of Corvallis, Oregon (hereinafter referred to as "City"), and the law firm of Fewel & Brewer (hereinafter referred to as "Law Firm").

Personnel. Scott A. Fewel is contracted as chief city attorney and general counsel and shall be designated "City Attorney." Other attorneys in the Law Firm are authorized to assist the City Attorney in carrying out the responsibilities of the position. Each person acting on behalf of the City Attorney is designated "Deputy City Attorney."

Law clerks employed by the Law Firm are authorized to perform direct municipal prosecution functions. Law clerks must be qualified under the Supreme Court's Student Appearance Rule to prosecute cases in Municipal Court and will be supervised by the City Attorney or a Deputy City Attorney.

Relationship to City Manager's Office. Unless otherwise directed by motion or resolution of the City Council of the City of Corvallis, the City Manager shall be the primary liaison between the City Attorney and the City Council. In this capacity, the City Manager shall have general responsibility for administering the Employment Agreement of the City Attorney and shall assist the City Council in conducting such reviews and evaluations as they may deem appropriate to encourage the provision of prompt, professional and cost-effective legal representation.

Scope of Services/Retainer. The Law Firm is responsible for City legal representation as authorized by the City Manager. Such services included in the retainer include:

1. Attendance at all regularly scheduled City Council meetings.
2. Attendance at Planning Commission meetings.
3. Attendance at City Council work sessions as needed, department head meetings, committee meetings, and other meetings as directed by the City Manager or his/her designee when items under consideration warrant attorney input concerning City business.
4. Provision of written and oral legal advice to City Manager and department personnel, including advising staff on election and lobbying activities.
5. Provision of general legal advice on municipal matters to the Mayor, City Council and City Council members.
6. Assist or lead staff in the preparation and/or review of ordinances, resolutions, contracts, correspondence and other documents as requested. This may include involvement in the preparation and negotiation of franchise agreements.

7. Preparation of written legal opinions at the request of the City Manager or his/her designee.
8. Prosecution of all matters before the Corvallis Municipal Court.
9. Provision of counsel for all personnel-related issues, including representing the City as necessary in grievances and employee/union related litigation, but excluding labor negotiations, arbitration, and internal investigations.
10. Advice to department personnel on compliance with local and state purchasing procedures and public contracting statutes.
11. Review of newly enacted laws, administrative rules, and case law, and advice to department personnel for appropriate compliance measures.
12. Provision of staff assistance and legal counsel relating to real property.
13. Responses to citizens' requests for information regarding ordinances, processes and other matters of a legal nature. It is not intended that this would include providing legal advice.
14. Assistance to the Personnel Division in the interaction between the insurance companies representatives, including attorneys and adjusters, with regards to all claims made against the City.
15. Work with all City departments to provide alternate dispute resolution where appropriate, including helping to resolve disputes prior to having them prosecuted in Municipal Court and directing disputes to appropriate forums other than the Municipal Court, such as mediation or the City ombudsperson, etc.

As long as the City Manager is designated as the primary liaison between the City Attorney and the City Council, the City Attorney shall keep the City Manager informed of legal issues which come to the City Attorney's attention, and shall keep no confidences from the City Manager concerning City business.

Work Performed Outside of the Retainer. The City Manager or his/her designee may authorize work to be performed by the City Attorney outside of the retainer. Failure of the City Attorney to obtain approval prior to performing work outside of the retainer may result in the waiver of compensation for services performed. If the parties mutually agree that additional counsel or separate counsel for certain services is in the City's best interests, taking into account the expertise required and the complexity of the issues, the City may hire counsel outside of this agreement and may pay for the cost of the outside counsel.

Examples of services that are considered outside of the retainer, for which the City may use outside counsel and/or the City Attorney include:

1. Preparation for anticipated, and conduct of, all civil litigation and appeals beyond City hearings bodies (i.e., Land Use Board of Appeals).
2. Preparation for the issuance and sale of City bonds.
3. Preparation of business development loan/guarantee documentation.
4. Assignments mutually agreed as outside of the retainer by the City Manager and City Attorney and not specifically listed as included in the retainer.
5. Labor negotiations.
6. Internal investigations.
7. Labor arbitrations.

Compensation for Services. As compensation for services included in the retainer, the City shall pay the Law Firm \$18,869.14 per month effective April 1, 2006. This monthly payment is to be paid on or before the 10th day of each month. This monthly payment will be adjusted effective July 1, 2006 in the same amount as inflationary adjustments to the City Manager and Department Director salaries.

Compensation for Services Performed Outside of the Retainer. As compensation for services performed outside of the retainer, the City will pay the Law Firm for the services of the City Attorney and Deputy City Attorneys at a rate of \$110.00 per hour effective April 1, 2006. Charges for work performed outside of the retainer in a given month will be invoiced the following month and will be paid to the Law Firm with the next regular monthly retainer payment.

Annual Adjustments. The parties acknowledge that this agreement is intended to be a 60-month agreement. The parties agree that the compensation may be revised on April 1, 2007, April 1, 2008, April 1, 2009 and April 1, 2010 following performance reviews, and on July 1, 2006, July 1, 2007, July 1, 2008, July 1, 2009 and July 1, 2010 based on an inflationary adjustment to the agreement.

Additional Costs. Expenses related with lawsuits, such as filing fees and deposition charges, shall be reimbursed by City as they are incurred. City also agrees to pay expenses as outlined in Attachment A, which is by this reference incorporated herein. City and Law Firm agree to open the contract for further discussions if living wage ordinance implementation requirements materially affect Law Firm Compensation.

Workers' Compensation Insurance. As a contractor of the City of Corvallis, the Law Firm will provide annually to the City's Personnel Director a statement certifying that the Law Firm is in compliance with Oregon's workers' compensation insurance laws. The statement will include the name of the workers' compensation insurance provider, policy number and policy expiration date.

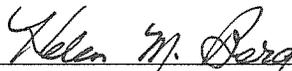
Criminal Background Check. The Law Firm will be required to certify that criminal background checks have been performed and approved in accordance with the City's policy for any employees, volunteers, or other representatives who will have contact with City clients in carrying out the City's contract. Employees of the Law Firm must have the ability to meet LEADS certification requirements.

Term of Employment. This agreement shall commence on the 1st day of April, 2006, and shall terminate on the 31st day of March, 2011. This agreement may be terminated by either party with written notice of intent to terminate provided to the other party at least 180 days prior to such termination. This agreement may also be terminated without notice in the event that City Attorney or any Deputy City Attorney is indicted of any illegal act.

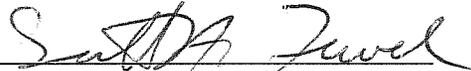
AGREED AND ACCEPTED this 22nd day of March, 2006.

CITY OF CORVALLIS

FEWEL & BREWER



Helen M. Berg, Mayor



Scott A. Fewel

ATTESTING AS TO THE MAYOR



City Recorder

ATTACHMENT A

COSTS OF CAO TO BE CARRIED BY CITY OF CORVALLIS

Unless otherwise agreed by the parties, the following items will be paid for by the City Attorney's Office. The City Attorney's Office will be reimbursed by the City along with the regular monthly payments in the month following the City's receipt of the invoice for these expenses.

1. One telephone line and the monthly charges for said line (including long distance charges) to be used solely for City business.
2. Annual dues for Scott Fewel's membership in the Oregon City Attorneys' Association.
3. Registration for one attorney yearly at the League of Oregon Cities Annual Conference.
4. One set of Oregon Revised Statutes and the annual updates.
5. One set of McQuillan's Municipal Legal Forms and updates as required.
6. One set of Thompson West Oregon State and Federal Rules of Court and updates as required.
7. One set of Public Employer's Collective Bargaining Reporter and updates as required.

Mayor/Councilor Name

Date

CITY ATTORNEY EVALUATION

Consider each standard and express your rating by marking the appropriate column:

3 = Exceeds Council expectations

2 = Meets Council expectations

1 = Less than Council expectations – needs improvement

X = Not observed

APPROACH	1 Less Than	2 Meets	3 Exceeds	Not Observed
Supports Council policy objectives				
Presents options and advice in a positive fashion and with a practical outlook				
Works well with City executive staff				
Approaches role from a preventative rather than corrective view of legal services				
Has a “can do” attitude – provides Council and staff legal alternatives to accomplish policy objectives				

Comments –

•

ADMINISTRATION	1 Less Than	2 Meets	3 Exceeds	Not Observed
Provides periodic report of activities				
Accomplishes workload to meet Council and staff priorities				
Provides adequate assistance to Committees, Boards and Commissions				

Comments –

•

COMMUNICATION	1 Less Than	2 Meets	3 Exceeds	Not Observed
Responds to inquiries from Councilors, staff, and citizens in a timely and understandable manner				
Keeps Council and staff advised of significant development in municipal law that may impact City activities				
Communicates with City staff to provide necessary input at early stages of decision-making process				
Provides helpful and responsive advice during Council meetings				

Comments –

•

OFFICE ACTIVITIES	1 Less Than	2 Meets	3 Exceeds	Not Observed
Provides timely and effective representation of the City's interest in litigation				
Prosecutes Municipal Court matters effectively				
Assists staff in the implementation of policy by reviewing legal instruments, providing opinions, and other support				

Comments –

•

PROFESSIONALISM	1 Less Than	2 Meets	3 Exceeds	Not Observed
Opinions, legislation, briefs, and other work is of high quality				
Has respect of legal community and municipal law profession				
Actively involved in the community				
Keeps abreast of new legislation and case law developments				

Comments –

•

COUNCIL OBSERVATIONS

Actions the City Attorney does now that the Council would most like to continue include:

- 1.
- 2.
- 3.

Actions the City Attorney does now that the Council would most like to discontinue include:

- 1.
- 2.
- 3.

Two things that the City Attorney does not do now that the Council would like to see happen:

- 1.
- 2.

OVERALL ASSESSMENT

COUNCIL REQUESTS

FOLLOW-UP REPORT

APRIL 2, 2009

1. Underground Gasoline Storage Tank Update (Nelson)

In 1990, the City removed underground gasoline storage tanks from the property currently occupied by Fire Station #1 at NW Fourth Street and NW Harrison Boulevard. Soil contamination was encountered in the tank pit, and the affected soil was removed from the property.

The investigation, however, was never completed to the satisfaction of the Oregon Department of Environmental Quality (DEQ). DEQ is requesting additional investigation of the site to verify that the soil removal undertaken in 1990 adequately addressed the contamination issue. City staff, with the assistance of a qualified consultant, is in the process of developing a field sampling plan for approval by DEQ. With an approved plan, samples of soil and water will be collected using a small drill rig. Site work is expected to occur during June.

2. NW Circle Boulevard Traffic Calming Update (Nelson)

On May 5, 2008, the City Council approved a traffic calming project to construct three speed humps on NW Circle Boulevard between NW Lantana Drive and NW Dogwood Drive. At the time of the approval, it was expected that the majority of the funding for the project would be provided by Matrix Corporation, due to a condition of the development of Witham Oaks subdivision.

Because the subdivision has not moved forward, the Circle Boulevard neighborhood is currently attempting to raise all of the necessary project funding. If the neighbors are successful, construction of the speed humps will move forward this summer.


Jon Nelson
City Manager

**CITY OF CORVALLIS – COUNCIL REQUESTS – TRACKING REPORT
PENDING REQUESTS**

Council Request Item	Requested By	Date of Request	CM Report Due Date	Assigned to	Response in CM Rpt No.	Comments
Underground Gasoline Storage Tank Update	Nelson		03-31-09	Rogers	CCR 04-02-09	
NW Circle Boulevard Traffic Calming Update	Nelson		03-31-09	Rogers	CCR 04-02-09	
Wi-Fi Update	Nelson	04-01-09	04-14-09	Brewer, N.		

MEMORANDUM

Date: April 1, 2009
To: Mayor and City Council
From: Ken Gibb, Community Development Director 
Re: Council Direction on Reconsidering Sidewalk Café Decision

Issue:

Request for Council Direction regarding the interpretation of the sidewalk café regulations

Background:

Recently, the Urban Services Committee conducted a one year review of the new sidewalk café standards that were applied during 2008. The primary concern raised by the public and discussed at the meeting was Staff's application of the setback clearance standards for the Enoteca sidewalk café.

As an alternative to conducting a full scale review after only one year's worth of experience in implementing the new code, Staff suggested an administrative solution that would result in an interpretation that the minimum 6 foot setback be required from all curbs not just the street curb that is called out in Section 8.08.070 1) b) of the Code. After a full discussion, USC agreed with this approach. Attachment A includes the staff report and Committee and City Council minutes related to this matter.

Discussion:

In contacting 2008 sidewalk café permittees regarding renewal of permits for 2009, Staff discussed the administrative interpretation with Enoteca. Part owner Catherine Mater followed up with Staff regarding her concerns about this approach. Communication between Staff and Ms. Mater is included in Attachment B.

In her March 22 e-mail, Ms. Mater indicates that she believes that an administrative ruling is not appropriate and that a code amendment process should be conducted if the application of the setback standards is to be changed. In a subsequent e-mail, she indicates that her preference is to not change the code and interpretation of the code.

Requested Action:

Staff is seeking direction from the Council on how to proceed. Options include referring the matter back to the Urban Services Committee for consideration of a code amendment with the associated stakeholder and general public involvement, or reconsidering the recent discussion and direction and applying the standards as was done in 2008.

Review and Concur:



Jon S. Nelson, City Manager

**URBAN SERVICES COMMITTEE
MINUTES
February 5, 2009**

Present

David Hamby, Acting Chair
Richard Hervey

Absent

Patricia Daniels (excused)

Visitors

Laura Duncan Allen
Brad Upton

Staff

Jon Nelson, City Manager
Ken Gibb, Community Development
Director
Dan Carlson, Development Services
Division Manager
Mike Fegels, Assistant Building Official
Chris Westfall, Code Enforcement
Supervisor
Emely Day, City Manager's Office

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for Further Review	Recommendations
I. Council Policy Review: CP 91-7.04, "Building Permits"			Amend Policy as recommended by staff
II. Council Policy Review: CP 91-9.05 "Street Naming and Addressing Policies and Procedures"			Amend Policy as recommended by staff
III. Sidewalk Café Regulations Review	Yes		Staff administratively address situation of Enoteca Wine Bar sidewalk café fence and pedestrian clearance; full sidewalk café regulation review during 2009
IV. Other Business			

CONTENT OF DISCUSSION

Councilor Hamby called the meeting to order at 4:14 pm.

I. Council Policy Review: CP 91-7.04, "Building Permits" (Attachment)

Development Services Division Manager Carlson noted that the Policy was scheduled for a periodic review. The Policy allows issuance of building permits in developments where public improvements are not yet accepted by the City. The Policy facilitates approved development projects by allowing exceptions for early construction and provides specific direction for staff in these situations.

Staff sought Policy review input from Public Works, Community Development, and Fire staffs. This input prompted suggested minor amendments for clarification, as indicated in the draft Policy revision. The amendments would clarify issues of excavation and grading permits and references to the City Engineer as the approving authority.

Mr. Carlson noted that the Policy has been beneficial to staff.

In response to Councilor Hamby's inquiry regarding Policy provision 7.04.020.d.5), which allows for "a reasonable amount of time" for required corrections, Mr. Carlson explained that staff previously considered the magnitude of the required correction in determining the allowable time limit. The City Engineer must approve the requested corrections, so it seemed appropriate for the Engineer to determine the correction timeframe.

Based upon a motion moved and seconded by Councilors Hervey and Hamby, respectively, the Committee unanimously recommends that Council amend Council Policy CP 91-7.04, "Building Permits Where Public Improvements are not Completed and Accepted by the City of Corvallis," as recommended by staff.

II. Council Policy Review: CP 91-9.05, "Street Naming and Addressing Policies and Procedures" (Attachment)

Mr. Carlson reported that the Policy has served staff well since its 1975 adoption and has been updated as necessary. The Policy provides a process for street naming and address changing.

Staff sought Policy review input from Public Works, Community Development, Fire, and Benton County staffs. This input prompted suggested minor amendments for clarification, as indicated in the draft Policy revision. Suggested amendments included:

- Indication that the Policy applies to public and private streets.
- Correcting names of businesses and agencies to be notified of street name and address changes (e.g., Corvallis Disposal Company is now Allied Waste Services and AT&T Cable is now Comcast Cable).
- Revising section headings for subject clarification.

Mr. Carlson explained for Councilor Hervey that Policy Section 9.05.021 was re-titled to indicate that it involves street numbering, as street naming is addressed in Policy section 9.05.023.

Mr. Carlson confirmed for Councilor Hamby that the City has authority to control the names of private streets.

Based upon a motion moved and seconded by Councilors Hervey and Hamby, respectively, the Committee unanimously recommends that Council amend Council Policy CP 91-9.05, "Street Naming and Addressing Policies and Procedures," as recommended by staff.

III. Sidewalk Café Regulations Review (Attachment)

Community Development Director Gibb reviewed that the Committee conducted an extensive review and revision of the sidewalk café regulations last year and approved conducting another review one year after the new regulations were implemented. He noted the considerable amount of community interest in the regulations last year, which was incorporated into the revised standards applied to the 2008 sidewalk café permit season. Staff issued 19 permits last year. Staff worked with permit holders and conducted outreach to facilitate implementation of the new standards and permit application requirements. The permits were in compliance by November 2008. The greatest issue in revising the regulations involved increasing the clearance width from three to four feet and requiring that fencing be anchored to the sidewalks. Fences were deemed optional, unless they were required as part of an Oregon Liquor Control Commission (OLCC) license.

Mr. Gibb opined that implementation of the revised sidewalk café regulations was fairly successful. Several cafes used painted delineation lines, as allowed under the regulations. Concerns and complaints related to cafés with fences.

Mr. Gibb referenced from his January 19th memorandum some minor administrative issues staff would like to resolve through a possible legislative amendment. The existing regulations can be applied for the 2009 sidewalk café season.

Mr. Gibb said the greatest concern expressed to staff involved the sidewalk café fencing at Enoteca Wine Bar (EWB) outside the Renaissance on the Riverfront building at SW Washington Avenue and the riverfront. The café area is large and must be fenced, per OLCC. Much of the café fencing is adjacent to green space or planter islands that are part of the streetscape. As indicated in his memorandum, staff identified a possible solution to this and similar situations of no adjacent street curbs. The revised sidewalk café regulations require six feet of clearance from street curbs and four feet from all sidewalk obstructions; the two-foot clearance difference would allow for cars overhanging street curbs and curbside parking meters, sign and light poles, and tree wells. During the 2008 sidewalk café season, staff applied the four-foot clearance at the Enoteca site. Staff recommended requiring the full six-foot clearance from the landscaping curbs at Enoteca to provide a greater sense of pedestrian passage.

Mr. Gibb said staff would like more experience with the revised regulations before the Committee conducts a full review of the regulations. Sidewalk café permits expire December 31st each year; however, staff would like to extend the 2008 permits for the 2009 sidewalk café season, to allow further review of the regulations and permitting process at a staff level.

Brad Upton, Chair of the Bicycle and Pedestrian Advisory Commission (BPAC), noted that the Commission was extensively involved in the sidewalk café regulation revisions two years ago. He opined that the revised regulations were working well. The Commission received comments regarding the sidewalk café at EWB. He distributed and reviewed a

summary of his June 16, 2008, testimony to the City Council and photographs taken last June of the EWB sidewalk café (Attachment A). He viewed the Enoteca sidewalk café recently, and the situation had not changed from last June. He said, from a distance, it appeared as though the sidewalk around Enoteca was closed because of the café fencing across the sidewalks, leaving only the landscaping pavers uncovered. The sidewalk café regulations allow vertical obstructions of up to one-half inch. While pavers might be displaced by less than one-half inch, they create an uneven surface that is difficult for people with mobility challenges to cross.

Mr. Upton said he was not offering suggestions for regulation revisions; however, he wanted to express the opinion of the BPAC and bring to the Committee's attention the situation at EWB, which did not meet the intent of the revised sidewalk café regulations. He suggested that staff implement administrative changes to specify that four feet of clear sidewalk must remain around sidewalk cafés or amend the regulations.

Councilor Hervey inquired as to the differing references to sidewalks and pavers.

Mr. Upton said he spoke with people, some of whom have mobility challenges, who indicated difficulty traversing across pavers. Additionally, pavers appear to be a decorative zone, rather than a pedestrian zone. He was not aware of a definition for sidewalks.

Councilor Hervey surmised that a paver section of concrete at the same level as the sidewalk would not create a problem.

Mr. Upton responded that he would consider the described scenario an improvement; however, a pedestrian, from a distance, might interpret by the fencing around EWB that the sidewalk was closed to pedestrians because the fencing extends to the tree wells. Mobility access would be improved by a full concrete surface. The four-foot minimum clearance is maintained for approximately ten to 15 feet, creating a narrow corridor, rather than merely clearance around an obstacle.

Mr. Upton confirmed for Councilor Hervey that a building entrance is just south of the fencing. One resident of the building uses a wheelchair and must travel south from the building entrance approximately 75 feet to access a sidewalk to the multi-modal path along the river in order to then travel north; he is unable to cross the pavers in his wheelchair.

Laura Duncan Allen would like staff to administratively resolve the situation of the sidewalk café fence at EWB, which she considered the primary area of concern. She recalled that sidewalk café regulation discussions involved six feet of clearance from fencing to street curbs. She said the plans for Riverfront Commemorative Park referenced curbing at the edge of landscape areas, although they were not considered street curbs. She said four feet of clearance for an extended period creates a situation where people, particularly with strollers, walkers, or wheelchairs, cannot pass one another. She urged Committee members to visit the Enoteca site to understand the impression to pedestrians of the

sidewalk surrounding the café. She said the fenced café appears to be private space and is not pedestrian friendly.

Ms. Allen requested additional opportunity for public comment. She works with disabled individuals in the Downtown area, who are unable to maneuver a pushcart through a narrow, winding area, such as the pedestrian passageway around the EWB sidewalk café fence. She would like to be able to notify people when they could comment to the Committee.

Code Enforcement Supervisor Westfall distributed the approved diagram for the EWB sidewalk café and a photograph staff took earlier this week of the café area along the north side of the building. (Attachment B).

Mr. Gibb said staff's photograph demonstrated the difference between six feet of clearance from curbs and four feet of clearance from obstructions. He said staff suggested moving the EWB sidewalk café fence back to six feet from curbs, whether the curbs are adjacent to the street and parking or landscaping areas. This would also impact the café area depicted in Mr. Upton's photographs by moving the fence two feet closer to the building. The pavers would still be considered a pedestrian travel area, as allowed in the café regulations, provided the pavers were within the one-half-inch vertical obstruction allowance. The regulations allow surfaces other than flat concrete to be considered pedestrian passageways, provided they meet the standards for accessibility, as defined in the City's sidewalk regulations. Staff's recommendation would require Enoteca to move portions of its fence two feet closer to the building to allow a full six feet of clearance from all curbs.

Mr. Gibb said the issue of pavers in pedestrian passageways is important in areas where tree wells are within the paver area. It would be difficult to prohibit pavers as an acceptable pedestrian surface. Some sidewalk cafés would not be allowed because they cannot provide the required clearance width without considering pavers as pedestrian passageways.

Mr. Westfall read the definition of "adjacent sidewalk area" from Municipal Code Chapter 8.08, "Sidewalk Cafés." The definition prompted staff's determination that the pavers could be included in the pedestrian passageway area.

In response to Councilor Hervey's inquiry, Mr. Westfall read the definition of "clearances" from Municipal Code Chapter 8.08, "Sidewalk Cafés."

Councilor Hervey opined that the grass along the east side of the Renaissance on the Riverfront building would be considered an obstruction, warranting six feet of clearance outside the EWB sidewalk café.

Mr. Westfall responded that staff reviewed the EWB sidewalk café permit application in terms of what would constitute a curb. Standard street section curbs are adjacent to

streets. Concrete edges adjacent to grass and landscape areas are not considered curbs. The six-foot clearance requirement applies to areas bordered by street curbs; the four-foot clearance requirement applies to other obstructions. The paver area did not exceed the vertical obstruction limit; therefore, staff considered it an allowed, unobstructed area, subject to the four-foot clearance requirement. The café fence alongside SW Washington Avenue parking spaces is six feet from the street curb. When the sidewalk no longer abuts the street (east of the parking spaces), the clearance decreases to four feet, since pedestrians would not need to deal with cars overhanging the curb in that area.

Mr. Gibb added that the six-foot clearance along the parking spaces provides a sense of greater pedestrian clearance. He confirmed for Councilor Hamby that the EWB sidewalk café meets the existing regulations for pedestrian clearance. Staff suggested issuing an administrative interpretation that the fence must be six feet from any curb, whether it abuts a street or a landscape area. Under this proposal, the pavers along the east side of the building could be used as an acceptable pedestrian passageway, provided they do not exceed the allowed vertical obstruction limit.

City Manager Nelson commented that, during discussions regarding design of Riverfront Commemorative Park, citizens expressed a desire for pavers to "break up" the use of pavement. This involved balancing the values of a rougher surface and pedestrian accessibility.

Councilor Hamby said he did not like the appearance of the EWB sidewalk café but said it seemed inappropriate to require the café fence to be six feet from all curbs. The two-foot clearance difference was intended to allow for cars overhanging curbs, which would not exist along a curb abutting a landscape area. He said he was not overly concerned about the pavers because many sidewalks in Corvallis have pavers. The pavers should be maintained as a level surface.

Mr. Westfall explained that tree wells are considered separate review criteria. Any surface in the tree well is considered differently from pavers.

Mr. Gibb added that the two-foot clearance difference was intended to allow obstructions in addition to overhanging cars and provide a sense that a sidewalk café did not occupy an entire sidewalk width. He was not aware of another sidewalk café with a long section not adjacent to a street; therefore, an administrative interpretation applied to the EWB sidewalk café would not apply to other locations.

Councilor Hamby noted that the Committee was to discuss today whether to conduct a sidewalk café regulation review. He questioned whether the EWB sidewalk café situation could be addressed without a full review of the sidewalk café regulations.

Mr. Gibb responded that staff could address the EWB situation administratively for the 2009 sidewalk café season. If the Committee wanted to conduct an extensive regulation review this year, staff would need to begin the notification process soon.

Councilor Hamby expressed support for staff administratively resolving the EWB sidewalk café situation and the Committee conducting a full review of the sidewalk café regulations next year, after staff has been able to gather more data and determine whether other regulation amendments are needed.

Councilor Hervey concurred, saying he would need to visit the EWB site before deciding on another solution. He admitted that crossing pavers via bicycle was uncomfortable, but he believed the short distance someone would need to travel over pavers to pass the EWB sidewalk café would be an acceptable interim solution.

IV. Other Business

- A. Committee members and staff agreed to postpone discussion of the City Hall Block Public Restroom Design issue until the Committee's March 5th meeting, so Councilor Daniels would be able to participate.
- B. The next regular Urban Services Committee meeting is scheduled for February 19, 2009, at 4:00 pm, in the Madison Avenue Meeting Room.

Councilor Hamby adjourned the meeting at 4:55 pm.

Respectfully submitted,

David Hamby, Acting Chair

MEMORANDUM

DATE: January 19, 2009
TO: Urban Services Committee
FROM: Ken Gibb, Community Development Director 
SUBJECT: Sidewalk Café Permit Process, One-Year Check-in

I. Issue

During the 2007 Sidewalk Café Permit review process, the Committee requested a one-year check-in regarding the revised standards and the overall program implementation.

II. Discussion

The 2008 Sidewalk Café season was busy with 19 Sidewalk Café permits issued. Once the new standards were adopted in November 2007, staff conducted extensive outreach in cooperation with stakeholders, such as the Chamber and DCA, in effort to facilitate code compliance in a reasonable time frame. Of the 19 Sidewalk Café permits, 5 were approved with fence delineations. The remaining 14 approved installations predominately utilized a painted line for delineation. While staff fielded a number of questions about the code compliance and size of one or two fenced installations, no formal complaints were lodged regarding sidewalk café installations or clearances for non-fenced locations.

The main issue during the café review in 2007 was the previous code allowance of a 3 foot walkway clearance and the tendency for fences to creep into the required clear area. The committee addressed this issue by increasing the 3 foot clearance to 4 feet and by requiring fences to be anchored. Also, for those café's with a fence, there has been concern expressed that in some instances, particularly with very large café's, the 4 foot clearance is not enough for pedestrian passing space, however, by most accounts this clearance has worked well for those cafes with a painted delineation line.

In the process of administering the revised code language, Staff identified some relatively minor administrative changes that could be considered should the Committee choose to move forward with a review process. Changes in the following areas would clarify or improve the administration of the current code provisions:

- Clarify that a café permit holder is a food service business abutting the right-of-way

- Clarifying a definition so it reflects that dining furniture in the right-of-way which is adjacent to a food service business is included in the definition of "Operate a sidewalk café", whether intended for patrons or general public
- Modifying the vision clearance definition to align with Land Development Code and City Engineer's Standards
- Streamline the public notice as still being provided, but not as a wait period; runs concurrent with application review
- Modifying the language relating to operating without a permit to include a the requirement to obtain a permit within 45 days of notice to make application, or cease operation

Staff notes that during the first year of applying the revised standards, a stakeholder group expressed interest in the Council revisiting several of the café standards. Most of this interest seemed to center around a large sidewalk café that is required to be fenced by OLCC and has a portion of its fencing located adjacent to a public green space rather than a street. Staff has identified an administrative action that may address this concern.

III. Action Requested

Staff does not recommend a wholesale review of the sidewalk café regulations at this time as the current standards have been in place less than a year. The Committee is asked to review this report and determine whether a review process is warranted and if so, the scope and public process associated with this review. As noted above, the administrative fine tuning items could wait if the Committee decides to review the sidewalk café standards at a future date.

Review and Concur:



Jon S. Nelson
City Manager

Attachment A

Summary of June 16 2008 testimony to City Council by Brad Upton, BPAC Chair

The Corvallis Municipal Code (Chapter 8.08 – Sidewalk Cafés) specifies that an accessible route with clearances must be maintained along a sidewalk café in Corvallis.

However, neither the “clearance” nor the “accessible route” definition include that they be on a sidewalk (Section 8.08.030). Clearance is only defined relative to obstructions, and accessible route is only defined as a “path of travel.”

Therefore, a sidewalk café in Corvallis can occupy the entire sidewalk as long as clearance from obstacles is maintained.

In the case of the café at Enoteca, for example, because of the difference in pavement materials it looks like the pedestrian is relegated to the “furniture zone.” The accessible route, in this example, is the minimum width for a long distance rather than just a short distance to provide clearance around obstacles.

Clearly, this is not within the City’s stated purpose of implementing sidewalk cafés (Section 8.08.010), which includes that sidewalk cafés “encourage a pedestrian-oriented environment [and] help to create a visually attractive atmosphere and streetscape.”

I am not here today to submit specific recommendations on the city’s sidewalk café code. I anticipate that BPAC will formally submit recommendations in the near future.

However, I do recommend that councilors evaluate the sidewalk café at Enoteca, as it is obvious that this implementation does not provide adequate sidewalk access.









06.13.2008

Final Submittal

Tables = 32" (7 tables)
 Chairs = 19" x 18" (14 chairs)

1/4" = 1'

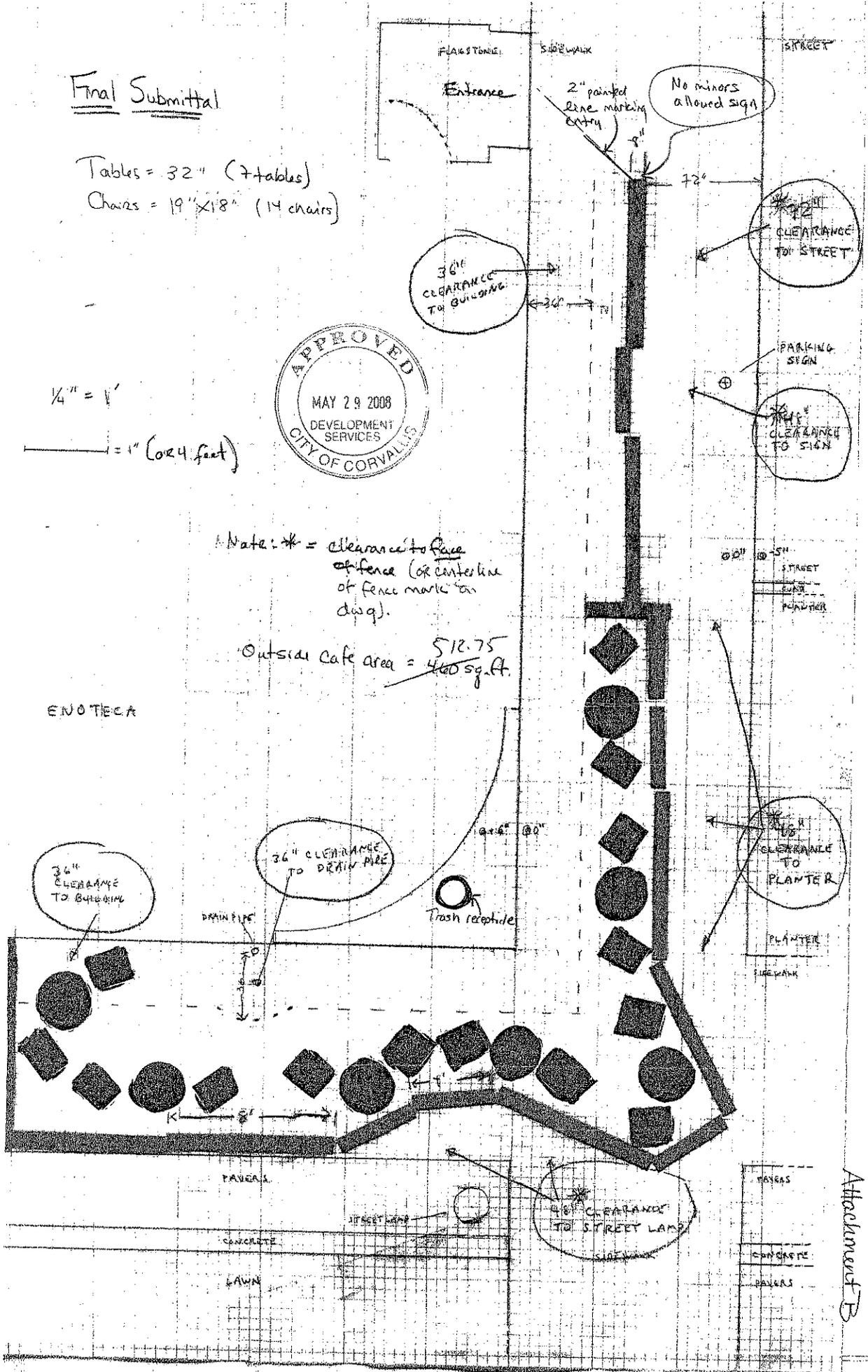
1" = 4 feet



Note: * = clearance to face of fence (or centerline of fence marking on dsq).

Outside cafe area = $\frac{512.75}{400}$ sq.ft.

ENOTECA



Attachment B

City of Corvallis Archives

Browse

Search



Template: Community Development

Permit Number

VIO09-00032

Project Name

Planning - Old Case Number

Associated Permit Numbers

Project Number

Doc Type

Doc Description

2-3-09 SITE VISIT PICS

Order #

Correspondence

Correspondence Date In

Correspondence Date Out

Assessor Parcel Number

Ref Street Number

136

Ref Street Direction

SW

Ref Street Name

WASHINGTON

Ref Street Suffix

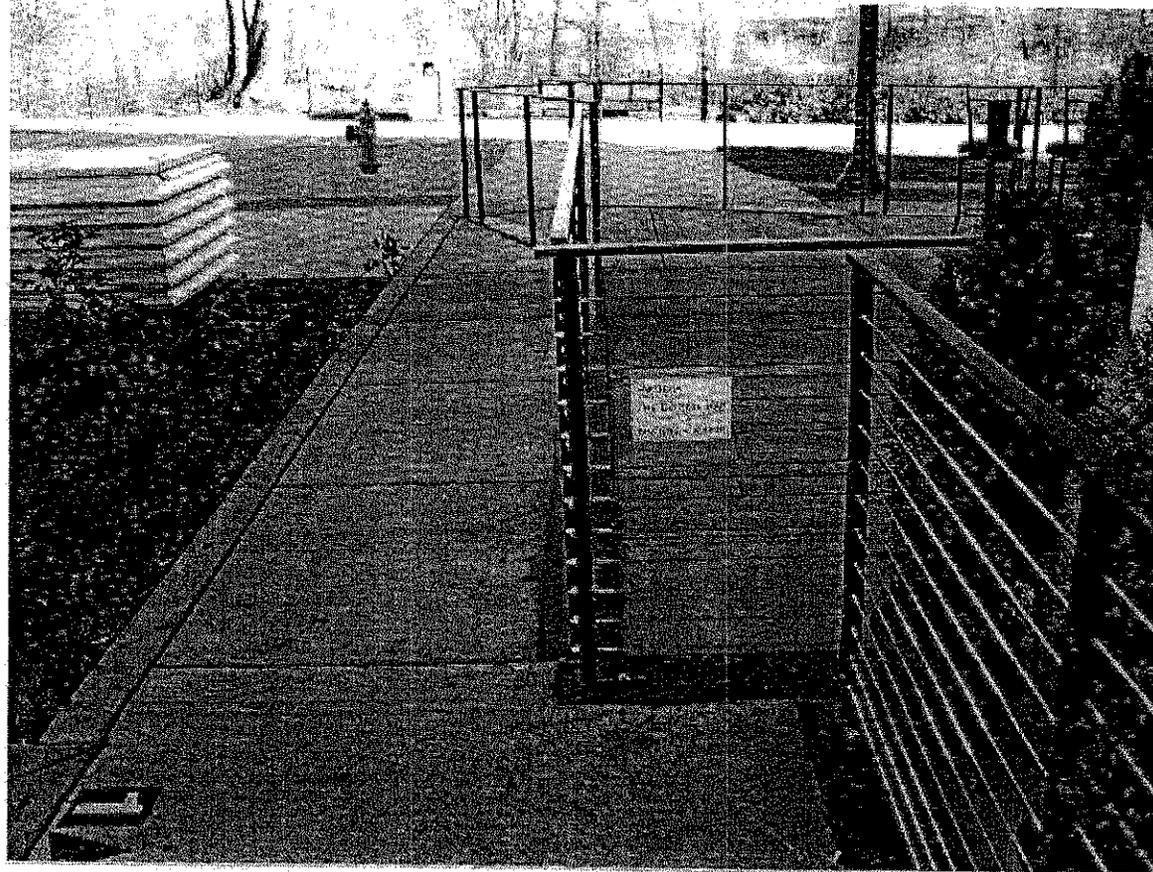
Applicant Name

Help | Logout | My WebLink

Page 1 of 3 Go

29.83% Pages 1 to 3

Corvallis > Community Development > Development Services > Permit Plan Documents > CASES > VIO Violations > 2009 > VIO09-00032 > 2-3-09 SITE VISIT PICS



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Attachment A-16

://archive.ci.corvallis.or.us/DocView.aspx?id=244568&searchhandle=21083&dbid=0

2/5/2009

**CITY OF CORVALLIS
COUNCIL ACTION MINUTES**

February 17, 2009

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for Further Review	Decisions/Recommendations
Consent Agenda Pages 123-124			
Unfinished Business			
1. Dear Run Park Subdivision – Deliberations			<ul style="list-style-type: none"> • Approved Conceptual and Detailed Development Plan <u>passed 6-1</u> (1 abstention) • Approved Tentative Subdivision Plat <u>passed 6-1</u> (1 abstention)
2. City Legislative Committee – February 11, 2009	Yes		
3. Community Sustainability Action Plan Pages 124-127, 140-147	Yes		
Mayor's Report			
1. Van Buren Bridge Project Status Report	Yes		
2. Council Liaison Appointment Changes	Yes		
3. Climate Change Panel/Sustainability	Yes		
4. Monthly Science Pubs	Yes		
5. City/509J Facilities Usage	Yes		
6. Absence from City Pages 127-129	Yes		
Council Reports			
1. Pending Transportation Projects (Brauner)	Yes		
2. CHS Girls' Basketball Team (Beilstein)	Yes		
3. Benton County Teen Summit (Beilstein)	Yes		
4. COI Fund-Raising Event (Raymond)	Yes		
5. Mecca Fund-Raising Event (Raymond)	Yes		
6. Woodland Park Work Session (Raymond) Pages 129-130	Yes		
Staff Reports			
1. Western Station Appeal to LUBA	Yes		<ul style="list-style-type: none"> • Consensus to sponsor Pamphlet
2. FEMA Grant Withdrawal Appeal	Yes		
3. May 2009 Election Voters' Pamphlet	Yes		
4. City Manager's Report – January 2009	Yes		
5. Council Request Follow-Up Report – February 12, 2009	Yes		
6. Quarterly Work Session	Yes		
7. Community Sustainability Action Plan Discussions Page 130	Yes		
Items of HSC Meeting of February 3, 2009			
1. Project Action Request – Barbara Ross Page 131			<ul style="list-style-type: none"> • Distribute transit passes for Project Action participants <u>passed U</u>

Agenda Item	Information Only	Held for Further Review	Decisions/Recommendations
Items of ASC Meeting of February 4, 2009 1. Urban Renewal Plan Voters' Pamphlet Review 2. Council Policy Review: CP 91-2.01, "Meeting Procedures" 3. Election Guidelines Pages 131-135	Yes		<ul style="list-style-type: none"> Accept amended Explanatory Statement <u>passed U</u> Amend Policy <u>passed U</u>
Items of USC Meeting of February 5, 2009 1. Council Policy Review: CP 91-7.04, "Building Permits" 2. Council Policy Review: CP 91-9.05, "Street Naming and Addressing Policies and Procedures" 3. Sidewalk Café Regulations Review Pages 135-136	Yes		<ul style="list-style-type: none"> Amend Policy <u>passed U</u> Amend Policy <u>passed U</u>
Other Related Matters 1. Ordinance – Municipal Code Chapter 1.25, "Living Wage" Page 136			<ul style="list-style-type: none"> ORDINANCE 2009-03 <u>passed 6-2</u>
New Business 1. Seavey Meadows Easement – Northwest Natural Pages 136-137			<ul style="list-style-type: none"> Approve easement <u>passed U</u>
Executive Session 1. Pending Litigation – LDC Amendments Appeal Page 137	Yes		
Visitors' Propositions 1. COI (Donovan, Krebsbach) 2. French Exchange Students (Huddleston, Childers, five French students) 3. Overnight Homeless Shelter (Eversole, Miller, Hulbertson, Olson) Pages 137-140	Yes Yes Yes		

Glossary of Terms

509J Corvallis School District 509J
 ASC Administrative Services Committee
 CHS Corvallis High School
 COI Community Outreach, Inc.
 FEMA Federal Emergency Management Agency
 HSC Human Services Committee
 LDC Land Development Code
 LUBA Land Use Board of Appeals
 U Unanimous
 USC Urban Services Committee

3. Sidewalk Café Regulations Review

Councilor Hamby reported that the Council requested a review of sidewalk café regulations one year after the revised regulations were implemented. The Committee decided that more data was needed for a thorough review and concurred with staff's suggestion that the regulations be applied for another year, while additional data is gathered. Staff issued 19 permits during 2008; and only one sidewalk café prompted complaints, which staff believes can be addressed administratively. The existing permits will be extended through December 31, 2009; and businesses will pay the annual fee for the 2009 sidewalk café season.

Councilor Hamby said the Committee supported staff administratively responding to one sidewalk café permit holder for which complaints were received and gathering additional data during the 2009 sidewalk café season in preparation for a full review next year, when regulation amendments can be considered.

This issue was presented for information only.

Councilor Beilstein inquired whether staff anticipated any additional sidewalk café permit applications for the 2009 season.

Mr. Gibb said staff determined at the end of 2008 that permits were issued for all businesses requiring permits. The permits must be renewed for 2009, and there may be some changes in which businesses will have sidewalk cafés. He confirmed that all businesses with sidewalk cafés had permits.

D. Other Related Matters

1. Second reading of an ordinance amending Corvallis Municipal Code Chapter 1.25, "Living Wage," as amended

Mr. Brewer read an ordinance amending Corvallis Municipal Code Chapter 1.25, "Living Wage," as amended, noting that the ordinance would add a new exception.

Councilor Beilstein urged Councilors to oppose the proposed ordinance.

Councilor Hirsch discussed an e-mail he sent February 16th to Mayor Tomlinson and Council members.

Councilor Brown acknowledged that the decision before the Council was difficult.

ORDINANCE 2009-03 passed six to two, with Councilors Hervey and Beilstein opposing.

X. NEW BUSINESS

A. Seavey Meadows easement – Northwest Natural

Gibb, Ken

From: Gibb, Ken
Sent: Friday, March 20, 2009 12:54 PM
To: Catherine Mater
Subject: Follow-up re: 2009 Sidewalk Café regulations

Attachments: USC Minutes-Staff Report-Attachments.pdf; Council Minutes Excerpt.pdf

Hi Catherine,

I am following up your conversations with Chris Westfall and Jon Nelson regarding the sidewalk café regulations and how they affect the Enoteca sidewalk café. Attached is the staff report to the Urban Services Committee, Committee minutes that include public testimony and the Council minutes related to this matter. I would like to highlight the following:

- The Council had requested a one year review of the new standards that were applied for the 2008 season.
- During 2008, Community Development Staff received some general complaints about the lack of accessibility for the public and specific concerns from the City's Bicycle Pedestrian Advisory Committee (BPAC) about how the regulations were being applied to Enoteca.
- I would note that the purpose of the USC agenda item was to seek direction on whether to proceed with a full review of the outdoor café regulations with a public process, or not. Therefore, there was no specific public outreach conducted prior to the Committee meeting.
- As you will see, Staff did not recommend a full scale review of the regulations after just one year. However, in the Staff report we identified a possible administrative solution to the concerns being raised.
- This solution was discussed at USC and involved the interpretation that the 6 foot setback called for in Section 8.08.070 1) b) of the Code was intended to apply to all curbs and not just street curbs.
- This would mean that the Enoteca café fences that were adjacent to curbs associated with green areas would need to set back 6' rather than 4'.
- As noted in the USC minutes, while the administrative interpretation would apply to all similar situations, the Enoteca was the only situation identified at that time as being affected by this interpretation.
- There was also discussion at USC about whether concrete pavers should be considered an acceptable surface for the required pedestrian clearance. Staff pointed out that pavers were acceptable as long as ADA standards were met and the Committee concurred with this determination (a different outcome would have further impacted Enoteca's setback requirements).
- In the end, USC agreed that an administrative interpretation was preferred over a wholesale review of this and other aspects of the sidewalk care' regulations.
- The City Council reviewed the USC direction at the February 17th meeting. At that time, Staff noted that the existing 2008 permits would be extended until permit renewal notices were sent out in the late winter/early spring of 2009. The administrative interpretation would apply to the 2009 permit renewals.

Please let me know if you have any questions regarding this information.

Ken



USC
as-Staff Report-AExcerpt.pdf (2...



Council Minutes

Gibb, Ken

From: Mullens, Carrie on behalf of City Manager
Sent: Monday, March 23, 2009 6:03 AM
To: Nelson, Jon; Gibb, Ken; Westfall, Chris
Subject: FW: <web>Sidewalk Cafe - USC interpretation

Importance: Low

-----Original Message-----

From: Catherine Mater [mailto:catherine@mater.com]
Sent: Sunday, March 22, 2009 1:23 PM
To: City Manager
Subject: <web>Sidewalk Cafe - USC interpretation
Importance: Low

This is an inquiry e-mail via %s from: Catherine Mater
(catherine@mater.com)

Jon, Ken, Chris: Thanks so much for getting back to me so quickly regarding the matter referenced below. While I understand what the USC attempted to do, and staff's subsequent suggestion that an administrative ruling might be the way to insert added interpretation on this item, I need to point out that the code is very clear regarding set-backs. Section 8.08.090 Sec. 1.e. clearly states: "The operation of a sidewalk cafe shall be located such that there is at least six (6) feet from the outermost edge of a sidewalk cafe to the street curb, that also includes a minimum of four (4) feet of clear and unobstructed route between the cafe delineation and tree wells, tree limbs, bike racks, lamp posts and any other fixtures or obstructions, to a height of seven (7) feet measured vertically from grade. Radiuses along an accessible route shall be no less than four (4) feet in width."

I will point out that Enboteca meets all determinants of the code, as our four foot setback on Washington St happens at a tree well, and the frontage on the riverfront is not a street and therefore only subject to the 4' setback. All clearances around other obstacles such as lamposts etc. also clearly meet code. Further - I need to underscore that the layout of the current fencing line on both Washington and along the riverfront were measured and set with City staff present at all times and participating in the fencing location as you now see it to ensure compliance to code. As such, we comply with all aspects of the code and will expect a renewal of our outdoor cafe permit to follow what is required in the code. The suggested interpretation revisions of the USC (and subsequent administrative rule suggestions from staff) simply do not hold as the changes suggested contradict what is required in the code. Should the city elect to pursue the suggested interpretation chang!

e - it must do so as an official code change (not as an administrative ruling) with all the attendant public hearings required.

Please note we are not wishing to be difficult here and understand the

delicate position you have been placed in. Nonetheless - we have worked very hard to bring Corvallis the type of business it has deemed desirable and appropriate within the city's master plan, and have made a commitment to continue to offer these desired services in the downtown district - even though other businesses in the same district are folding up and closing. It would seem that the success of the proposed urban renewal district might well depend on the public seeing that the downtown district remains a vibrant part of the community - a condition in peril given the extent of business closures in the last few months.

Please call should you have any questions, and thanks again for all your help on this.

Catherine Mater
Part owner - Enoteca

Gibb, Ken

From: Catherine Mater [mater@mater.com]
Sent: Monday, March 23, 2009 2:01 PM
To: Gibb, Ken; Catherine Mater
Cc: Nelson, Jon; Westfall, Chris; Carlson, Dan; Rich_Carone; griffobros2@proaxis.com; mark@griffobros.com
Subject: RE: <web>Sidewalk Cafe - USC interpretation

Thanks Ken. Of course, our preference is to leave things as they are and follow the same approved code criteria used last year. Please keep us informed.

Catherine

At 01:21 PM 3/23/2009, Gibb, Ken wrote:

>Hi Catherine,

>

>We will plan to share your perspective with the City Council and ask
>them for direction on whether they want to consider the code amendment
>that you believe is necessary to implement the USC direction or not. Of
>course another option is to leave things as they are without applying
>an administrative interpretation or approving a code change that
>addresses the concerns that have been raised.

>

>Will keep you posted.

>

>Ken

>

MEMORANDUM

TO: Mayor and City Council
FROM: Ken Gibb, Community Development Director 
DATE: April 1, 2009
RE: UPCOMING HISTORIC RESOURCES COMMISSION AND PLANNING COMMISSION APPOINTMENTS

I. ISSUE:

Three Historic Resources Commission and three Planning Commission terms end on June 30, 2009. The City Council will need to make appointments to fill these terms prior to July 1, 2009.

II. DISCUSSION:

Vacant and expiring Historic Resources Commission and Planning Commission positions are filled by the City Council through a recruitment and selection process in which the positions are advertised, and interested citizens are invited to apply. The selection process involves completing an application and being interviewed by the City Council (with pre-selected questions). When all candidates are interviewed, the Council makes the selections.

Recently, the City Council conducted a recruitment to fill two vacancies on the Planning Commission, one of which is a term that will expire on June 30, 2009. Seven persons applied and will have been interviewed for the two positions. Staff assume that the upcoming appointment to fill the remaining portion of this term will be an appointment that extends to the expiring term as well (in essence, slightly over three years). Consequently, only the two remaining Planning Commission terms will need to be filled. With respect to the Planning Commission appointments, staff request that the Council reopen the recruitment, which will allow the two incumbent Planning Commissioners to apply if they so wish. These two persons could be interviewed on the same date as the Historic Resources Commission applicants. Once interviewed, the Council would have the five previously-interviewed Planning Commission applicants and the incumbents (and any others) to choose from for appointment to these two expiring positions on the Planning Commission.

Once new Commissioners are selected, staff provides basic orientation and an overview of the historic review process. Staff also provides copies of necessary documents including the Land Development Code, and the Vision 2020 Statement. As needed, additional training is also available for the Historic Resources Commission and Planning Commission members.

III. PROPOSED SCHEDULE:

The recruitment schedule is tentatively proposed as follows:

Advertisement	Wednesday, April 8, 2009, and Sunday, April 12, 2009
Receive applications	Through 5 p.m. on Friday, May 1, 2009
Schedule interviews	Week of May 25-29, 2009
Council interviews	Monday, June 8 and Tuesday, June 9, @ 5:00 p.m.
Appointments	Monday, June 15, 2009

IV. ACTION REQUESTED:

City Council is asked to accept the schedule for the Historic Resources Commission appointments and advise as to recommended changes to the application packet that is attached.

Review and Concur:



Jon S. Nelson, City Manager



THE CITY OF CORVALLIS
INVITES APPLICATIONS
FOR HISTORIC RESOURCES COMMISSION VACANCIES
(3 Openings for 3-year Terms running July 1, 2009 to June 30, 2012)

The Corvallis City Council invites interested persons to apply for a position on the Corvallis Historic Resources Commission (HRC). The City Council will interview applicants and make selections at a time and place to be announced.

- The HRC advises the City Council on matters pertaining to historic and cultural resource preservation, and reviews Historic Preservation Permit applications for compliance with applicable land use regulations.
- The HRC consists of nine members appointed by the City Council. Three positions will be filled with three-year terms beginning on July 1, 2009. Qualified applicants will demonstrate a positive interest, competence, or knowledge in historic preservation; prior experience in quasi-judicial decision making; and/or a community-wide perspective on balancing multiple objectives associated with community planning. Preferably, applicants will have a background in one of the following fields:

Archeology	Curation	Historic Landscape Architecture
Architectural History	Engineering	Historic Preservation Planning
Conservation	Folklore	Historic Preservation
Cultural Anthropology	Historic Architecture	History

Members of the HRC receive no compensation and attend 1-2 regular evening meetings each month. Review of materials for meetings averages 1-2 hours per meeting, although in some complex cases review can take up to 3 hours.

An application packet may be obtained from the Community Development Department, Planning Division, 501 SW Madison Avenue, or by calling the Community Development Department, Planning Division, at (541)766-6908. An application is also available on the City's web site at: www.ci.corvallis.or.us (select "What's New"). Completed forms must be returned to this office by 5:00 p.m. Friday, May 1, 2009.

Kathy Louie
Assistant to City Manager/City Recorder



Community Development Planning Division
P. O. Box 1083
Corvallis, OR 97339
(541) 766-6908 Fax 754-1792

2009

Historic Resources Commission

Application

Packet

Deadline: Return by 5:00 p.m. Friday, May 1, 2009

THE CITY OF CORVALLIS

Historic Resources Commissioner

The City of Corvallis has been designated a Certified Local Government by the State of Oregon for the purpose of implementing a Historic Preservation program that is consistent with the Comprehensive Plan, the Statewide Planning Goals, and other state and federal guidelines. This program is implemented locally by *Corvallis Municipal Code Section 1.16.325- Historic Resources Commission (CMC)* and the Corvallis Land Development Code (LDC), primarily *Chapter 2.9 - Historic Preservation Provisions* and *Chapter 2.2 - Development District Changes*. Among other actions, these provisions establish the Historic Resources Commission as the decision-making authority for discretionary decisions affecting historic resources. The job of Commissioner on the Historic Resources Commission (HRC) is described below.

I. JOB SUMMARY

- Review and make quasi-judicial decisions on Historic Preservation Permit requests submitted under the provisions of LDC *Chapter 2.9- Historic Preservation Provisions*, Section 2.9.100.04, 2.9.110, and 2.9.120. Such reviews are for situations where a public hearing is required for Alteration and New Construction, Demolition, and/or Moving activities to be carried out on a Designated Historic Resource and/or in a Historic District within the Corvallis city limits. Reviews are processed through a public hearing consistent with state-mandated open meeting requirements and LDC *Chapter 2.0 - Public Hearings*.
- Review and make quasi-judicial decisions in situations where a public hearing is required for Development District Changes that involve either the placement or removal of a Historic Preservation Overlay on a property, consistent with the provisions of LDC *Chapter 2.2- Development District Changes*. Reviews are processed through a public hearing consistent with state-mandated open meeting requirements and LDC *Chapter 2.0- Public Hearings*.
- Review and make quasi-judicial decisions on appeals of the Director's decision on Director-level Historic Preservation Permit requests submitted under the provisions of LDC *Chapter 2.9- Historic Preservation Provisions*, Section 2.9.100.03. Appeals are processed through a public hearing consistent with state-mandated open meeting requirements and LDC *Chapter 2.0 - Public Hearings*.
- Assist in the development and dissemination of training and other informational materials regarding historic resources, historic districts, and application of the City's Historic Preservation provisions. Such materials may include guidelines to assist owners of Designated Historic Resources in discovering options to consider for repair, maintenance, or construction of other improvements to these resources.
- Assist in decisions regarding completion of additional historic resource inventories.
- Assist in planning and implementing activities for Historic Preservation Month each year.

- Periodically attend conferences and other training or information-sharing activities as funding and time commitments allow.

II. DECISION-MAKING AUTHORITY

The HRC is a quasi-judicial decision-making body. Quasi-judicial decisions are similar to court proceedings in which affected parties are afforded procedural safeguards. The quasi-judicial process is characteristic of most meetings of the HRC. Personal notice must be mailed to property owners and occupants living within a prescribed distance from the affected area. Unlike legislative cases, the HRC members are expected to avoid outside discussion of the business at hand and must declare any such contacts. The decisions are discretionary.

Although quasi-judicial decisions of the Historic Resources Commission (HRC) are land use decisions, they are focused on the criteria specifically related to Designated Historic Resources. Thus, permit requests from an owner of a Designated Historic Resource that fall within the applicable parameters of LDC *Chapter 2.9 - Historic Preservation Provisions* and some decisions regarding placement or removal of a Historic Preservation Overlay are the purview of the HRC, but decisions regarding other land use issues (e.g., Conditional Development Permits, etc.) are not. Actions meeting the descriptions in Section 2.9.100.03 are reviewed by the Community Development Director administratively, but these may be appealed to the HRC. These types of decisions of the HRC are final decisions unless appealed to the City Council.

As indicated, decisions will be made based on a review of the development proposal against specific criteria. To assist in the decision-making, a staff report will be prepared and presented that provides the analysis needed to make the decision. The staff report will be available one week in advance of the public hearing. It will generally contain a recommended decision to approve, approve with conditions, or deny the requested Historic Preservation Permit. It will also contain findings and conclusions in support of that recommendation. Based on the Commissioners' review of the proposal against the appropriate criteria, the HRC may support the recommendation in the staff report or may arrive at another decision. If a different decision from that recommended in the staff report is arrived at by the HRC, the Commission will need to provide findings and conclusions in support of that decision based on the facts presented during the hearing and the appropriate criteria.

Consistent with this decision-making authority, the City Attorney's Office will provide legal advice as needed. This advice may be provided via staff reports and memoranda or the presence of an attorney at some public hearings.

III. TIME COMMITMENT

It is expected that the HRC will meet once every month to review and make decisions on Historic Preservation Permits. The length of each meeting will vary depending on the number of permits to be handled. Assume a minimum of one hour.

As indicated, the staff report will be available one week in advance of the hearing. This will allow some time for preparation. If questions or concerns arise during this review, please contact staff in advance of the hearing to allow time to fully address the issue.

Additional assignments or duties (preparation for Historic Preservation Month, development of guidelines, etc.) may require additional time commitments. Generally, the HRC will have control over the number and frequency of such efforts.

IV. QUALIFICATIONS

Qualifications for the HRC are fully articulated in CMC Section 1.16.325. Members shall be appointed by the City Council as follows:

- All Commission members shall fulfill at least one of the following three Primary Attributes:
 - > A demonstrated positive interest, competence, or knowledge in historic preservation;
 - > Prior experience in a quasi-judicial decision-making capacity; and/or
 - > A community-wide perspective on balancing multiple objectives associated with community planning.
- One member of the HRC shall be appointed from each Historic District, and each such member shall reside in and own property in that district.
- One member of the HRC shall be appointed as a representative of Oregon State University.
- To the extent available in the community, five members of the HRC shall meet the qualifications pertaining to the various types and levels of historic resource expertise described in CMC Section 1.16.350. Otherwise, members will be appointed from the general populace.
- The remaining members may be appointed from the general populace.
- Individual members may fulfill multiple categories, though not all combinations are allowed (see CMC).



2009 Historic Resources Commission Application

Interview dates: Monday, June 8, and Tuesday, June 9, 2009 @ 5:20 p.m.

Please answer the questions that are attached.

Please return to the Planning Division by 5 p.m. Friday, May 1, 2009

Name: _____ Date: _____

Address (home) _____ Phone(h) _____

Address (work) _____ Phone (w) _____

E-mail (work) _____ E-mail(home) _____

Occupation/Profession: _____

Please list each source of income that is 10% or more of your total household income: _____

Please identify your community/civic activities including business or professional organizations:

Please list all financial interests in real property located in Benton County:

Please indicate your interests, qualifications and/or philosophical attitudes toward the responsibilities of a Historic Resources Commissioner: _____

Please indicate any familiarity you might have with historic preservation planning, Corvallis land use regulations, and/or the Oregon State Historic Preservation Office programs.

Certification: I certify the foregoing information to be true and exact to the best of my knowledge.

Candidate's Signature

Date

This application provides general biographical information to assist the City Council in making their appointments to the Historic Resources Commission. If you wish to elaborate on any of the above items, please attach additional pages.

***Pursuant to State law (ORS 244.050), persons appointed to the PC/HRC are required to file an annual verified statement of economic interest and a quarterly public official disclosure form with the Oregon Government Ethics Commission.**

**City Council Interviews
Historic Resources Commission**

3 Commissioners - term expires June 30, 2012

Questions

Please answer the following questions and return with your application.

1. Why would you like to be on the Historic Resources Commission, and what do you think is the role of the Historic Resources Commission?

2. Explain your understanding of Historic Preservation in Corvallis.

3. Briefly, tell us about a Historic Preservation decision that interested you and share your observations about the process and the decision.

4. Describe how you meet at least one of the following criteria:
 - > A demonstrated positive interest, competence, or knowledge in historic preservation;

 - > Prior experience in a quasi-judicial decision-making capacity; and/or

 - > A community-wide perspective on balancing multiple objectives associated with community planning.

5. Indicate if you meet at least one of the criteria identified on the following pages:
(Note: It is not required that you meet one of these qualifications to be appointed):

1. **Archaeology:** (a) Prehistoric Archaeology - Graduate degree in Anthropology or Prehistoric Archaeology, plus 2.5 years full-time professional experience; or (b) Historic Archaeology - Graduate degree in Anthropology or Historic Archaeology, plus 2.5 years full-time professional experience;
2. **Architectural History:** (a) Graduate degree in Architectural History or a closely related field, plus 2 years full-time professional experience; or (b) an undergraduate degree in Architectural History or a closely related field, plus 4 years full-time professional experience;
3. **Conservation:** (a) Graduate degree in Conservation or a closely related field, plus 3 years full-time professional experience; or (b) an undergraduate degree in Conservation or a closely related field, plus 3 years full-time apprenticeship in the field;
4. **Cultural Anthropology:** (a) Graduate degree in Anthropology with specialization in Applied Cultural Anthropology, plus 2 years full-time professional experience; or (b) an undergraduate degree in anthropology with specialization in applied cultural anthropology, plus 4 years full-time professional experience;
5. **Curation:** (a) Graduate degree in Museum Studies or a closely related field, plus 2 years full-time professional experience; or (b) an undergraduate degree in Museum Studies or a closely related field, plus 4 years full-time professional experience;
6. **Engineering:** (a) State Government-recognized license to practice Civil or Structural Engineering plus 2 years full-time professional experience; or (b) a Masters of Civil Engineering degree with course work in Historic Preservation or a closely related field, plus 2 years full-time professional experience; or © a Bachelor's of Civil Engineering degree with one year of graduate study in Historic Preservation or a closely related field, plus 2 years full-time professional experience;
7. **Folklore:** (a) Graduate degree in Folklore or a closely related field, plus 2 years full-time professional experience; or (b) an undergraduate degree in Folklore or a closely related field, plus 4 years full-time professional experience;
8. **Historic Architecture:** (a) State Government-recognized license to practice Architecture plus 2 years full-time professional experience; or (b) a Masters of Architecture degree with course work in Historic Preservation or a closely related field, plus 2 years full-time professional experience; or © a Bachelor's of Architecture with one year of graduate study in Historic Preservation or a closely related field plus 2 years full-time professional experience;
9. **Historic Landscape Architecture:** (a) a State Government-recognized license to practice Landscape Architecture plus 2 years full-time professional

experience; or (b) a Masters degree in Landscape Architecture with course work in Historic Preservation or a closely related field, plus 2 years full-time professional experience; or © a four or five year Bachelor's degree in Landscape Architecture plus 3 years full-time professional experience;

10. **Historic Preservation Planning:** (a) State Government-recognized certification or license in Land Use Planning, plus 2 years full-time professional experience; or (b) a graduate degree in Planning with course work in Historic Preservation or a closely related field, plus 2 years full-time professional experience; or © an undergraduate degree in Planning with course work in Historic Preservation or a closely related field, plus 4 years full-time professional experience;
11. **Historic Preservation:** (a) Graduate degree in Historic Preservation or a closely related field, plus 2 years full-time professional experience; or (b) an undergraduate degree in Historic Preservation or a closely related field, plus 4 years full-time professional experience; or
12. **History:** (a) Graduate degree in History or a closely related field, plus 2 years full-time professional experience; or (b) an undergraduate degree in History or a closely related field, plus 4 years full-time professional experience.

CORVALLIS CITY COUNCIL GOALS 2009-2010

Preface:

Overarching Council goals and values throughout the Corvallis 2020 Vision Statement and within the goals listed below include:

★Diversity

★Citizen Involvement

★ Sustainability

★Cost Efficiency

Goals:

GOALS	Corvallis' 2020 Vision Statement Categories*						
	CR	C	EV	EH	GC	E	L
Develop community sustainability policies and implement selected actions		✓	✓	✓	✓	✓	✓
Work with public, private, and nonprofit entities to improve community resources available for combating homelessness, with the aim of providing paths to stability and self-sufficiency		✓		✓	✓		✓
Develop an integrated 10-year development plan for the Airport Industrial Park utilizing such tools as the Enterprise Zone			✓		✓		
Establish a commission for arts and culture	✓			✓	✓		✓
Continue to implement Prosperity That Fits/Economic Vitality Partnership/Economic Development and refine as necessary		✓	✓				
Work with Cascade Pacific Resource Conservation and Development and others to seek funding for acquisition or restoration of, and improvements to, publicly owned or protected wetlands, riparian, and natural areas	✓					✓	

*** Key: City of Corvallis' 2020 Vision Statement Categories**

CR = Culture and Recreation

C = Central City

EV = Economic Vitality

EH = Education and Human Services

GC = Governing and Civic Involvement

E = Protecting the Environment

L = Where we Live



RECEIVED

MAR 26 2009

CITY MANAGERS
OFFICE

BEFORE THE LAND USE BOARD OF APPEALS
OF THE STATE OF OREGON

COPY

Arthur and Barbara Boucot, Lance Caddy,)
 Sheryl Oakes Caddy, Joe and Pam Casprowiak,)
 Laurie Childers, Balz and Simone Frei,)
 Mark Hommer, Mark Knapp, William Koenitzer,)
 Susan and Jeffrey Morr , John Selker,)
 Robert Smythe, Justin and Lina Soares,)
 George and Lucinda Taylor, Carolyn Ver Linden,)
 and Elizabeth Waldron)
 Petitioners,)
 v.)
 City of Corvallis,)
 Respondent.)

LUBA No. 2009-_____

NOTICE OF INTENT TO APPEAL

I.

Notice is hereby given that petitioner intends to appeal the City of Corvallis' land use decision approving the Brooklane Heights Conceptual and Detailed Development Plan / Tentative Subdivision Plat (PLD06-00018/SUB06-00006). The notice of disposition is attached as Exhibit 1. The decision became final on March 2, 2009 and involves the hearing of the LUBA Remand of a prior City of Corvallis land use decision to reverse the Planning Commission's unanimous decision to deny the application.

II.

Lead petitioner is Susan Morr , 2775 SW Fairmont Drive, Corvallis, Oregon, 97333; telephone 541-753-4234.

III.

Respondent City of Corvallis has as its mailing address and telephone number: City of Corvallis, 501 SW Madison Ave., PO Box 1083, Corvallis, OR 97339-1083 and telephone number (541) 766-6900. Respondent has as its legal counsel Scott Fewel or Tim Brewer, Corvallis City Attorney, 456 SW Monroe, Suite #101, Corvallis, OR 97333; telephone (541) 766-6909.

MAR 24 2009

IV.

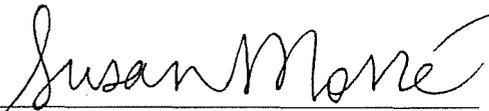
The applicant/owner Stephen Schaberg has as his address Stephen Schaberg, 2535 SW Whiteside Drive, Corvallis, Oregon, 97333. The applicant was represented in the proceeding below by land use planning consultant Scott Wright of Metolius Consulting, 2690 SW Fairmont Drive, Corvallis, Oregon, 97333; and by David Dodson of Willamette Valley Planning, 311 SW Jefferson Avenue, Corvallis, Oregon, 97333; telephone (541) 753-1987.

Other persons mailed written notice of the land use decision by the City of Corvallis, as indicated in its records in this matter, include those persons listed on Attachment A, pages 1 – 2, hereto attached.

NOTICE

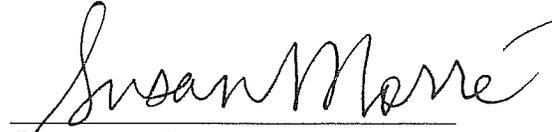
Anyone who desires to participate as a party in this case before the Land Use Board of Appeals must file with the Board a Motion to Intervene in this proceeding pursuant to OAR 661-010-0050.

Dated this 23rd day of March 2009.


Susan Morr , Lead Petitioner

CERTIFICATE OF FILING

I hereby certify that on March 23, 2009, I filed the original and two copies of this **Notice of Intent to Appeal**, together with a check for the filing fee and deposit for costs in the amount of \$325, by hand to the Land Use Board of Appeals, at 550 Capitol Street NE, Suite 235, Salem, OR 97301.



Susan Morré
Lead Petitioner

CERTIFICATE OF SERVICE

I hereby certify that on March 23, 2009, I caused to be served true and correct copies of this **Notice of Intent to Appeal** on all persons and entities listed in paragraphs III and IV of this notice, pursuant to OAR 661-010-0015(2), by first-class mail to the mailing addresses listed.



Susan Morré
Lead Petitioner

**ADMINISTRATIVE SERVICES COMMITTEE
SCHEDULED ITEMS**

April 2, 2009

MEETING DATE	AGENDA ITEM
April 8	<ul style="list-style-type: none"> • Allied Waste Annual Report • Allied Waste Rate Adjustment Request • Public Works Property Valuation and Lease • Economic Development Allocations Second Quarter Reports • daVinci Days Loan Agreement Status and Annual Report
April 22	<ul style="list-style-type: none"> • Council Policy Review: CP 08-1.11, "Identity Theft Prevention and Red Flag Alerts"
May 6	<ul style="list-style-type: none"> • Economic Development Allocations Orientation
May 11 (special)	<ul style="list-style-type: none"> • Economic Development Allocations Presentations
May 14 (special)	<ul style="list-style-type: none"> • Economic Development Allocations Deliberations
May 20	
June 3	<ul style="list-style-type: none"> • Third Quarter Operating Report
June 17	<ul style="list-style-type: none"> • Land Development Code Fee Review
July 8	<ul style="list-style-type: none"> • Economic Development Allocations Third Quarter Reports
July 22	
August 5	
August 19	
September 9	<ul style="list-style-type: none"> • Fourth Quarter Operating Report
September 23	<ul style="list-style-type: none"> • Council Policy Review: CP 96-6.03, "Economic Development Policies"
October 7	<ul style="list-style-type: none"> • Council Policy Reviews: <ul style="list-style-type: none"> • CP 94-2.08, "Council Liaison Roles" • CP 94-2.09, "Council Orientation" • CP 98-2.10, "Use of E-Mail by Mayor and City Council" • CP 91-3.04, "Separation Policy"
October 21	<ul style="list-style-type: none"> • Economic Development Allocations Fourth Quarter Reports
November 4	<ul style="list-style-type: none"> • Utility Rate Annual Review • Economic Development Application Process and Calendar • Funding Agreement Annual Report – Corvallis Environmental Center
November 18	<ul style="list-style-type: none"> • Comprehensive Annual Financial Report
December 9	

MEETING DATE	AGENDA ITEM
December 23	<ul style="list-style-type: none"> • Economic Development Allocations First Quarter Reports • First Quarter Operating Report

ASC PENDING ITEMS

- Benton County Fair Annual Report – Fiscal Year 2008-2009 Community Development
- Council Policy Review: CP 08-1.11, "Identity Theft Prevention and Red Flag Alerts" Finance
- Utility Rate Structure Review Public Works
- Wild Turkey Enforcement Ordinance Police

Regular Meeting Date and Location:

Wednesday following Council, 3:30 pm – Madison Avenue Meeting Room

**HUMAN SERVICES COMMITTEE
SCHEDULED ITEMS**

April 2, 2009

MEETING DATE	AGENDA ITEM
April 7	<ul style="list-style-type: none"> • Willamette Neighborhood Housing Services Second Quarter Report
April 21	<ul style="list-style-type: none"> • Majestic Theatre Annual Report • Boys and Girls Club Annual Report
May 5	<ul style="list-style-type: none"> • Liquor License Annual Renewals
May 19	<ul style="list-style-type: none"> • Corvallis Fall Festival Annual Report
June 2	<ul style="list-style-type: none"> • Boards and Commissions Sunset Review: <ul style="list-style-type: none"> • Commission for Martin Luther King, Jr. • Corvallis-Benton County Public Library Board • Library 2010 Legal Reserve Allocation Board • Corvallis Farmers Markets Annual Report
June 16	<ul style="list-style-type: none"> • Social Services Allocations – Fiscal Year 2009-2010
July 7	
July 21	<ul style="list-style-type: none"> • Willamette Neighborhood Housing Services Third Quarter Report
August 4	<ul style="list-style-type: none"> • Parks and Recreation Annual Fee Review
August 18	<ul style="list-style-type: none"> • Social Services Semi-Annual Report • Council Policy Review: CP 00-6.05, "Social Service Funding Policy"
September 9	
September 22	<ul style="list-style-type: none"> • Rental Housing Program Annual Report
October 6	<ul style="list-style-type: none"> • Council Policy Reviews: <ul style="list-style-type: none"> • CP 91-4.03, "Senior Citizens' Center Operational Policies" • CP 92-4.04, "Park Utility Donations" • CP 92-4.05, "Library Meeting Rooms Policy" • CP 92-4.06, "Library Displays, Exhibits, and Bulletin Boards" • CP 95-4.08, "Code of Conduct on Library Premises"
October 20	<ul style="list-style-type: none"> • Council Policy Review: <ul style="list-style-type: none"> • CP 92-5.04, "Hate/Bias Violence"
November 3	<ul style="list-style-type: none"> • Willamette Neighborhood Housing Services Fourth Quarter Report
November 17	
December 8	<ul style="list-style-type: none"> • Chronic Nuisance Property Ordinance Review
December 22	

HSC PENDING ITEMS

- Bicycle Taxi/Pedicab Licensing Police
- Council Policy Review: CP 00-6.05, "Social Service Funding
Policy" Community Development
- Municipal Code Revision to Chapter 5.01, "City Park Regulations"
(Alcoholic Beverages in Parks) Parks & Recreation
- Reducing Potential for Fire Spread Involving Natural Resources Fire
- Smoking Hiatus Ordinance Review (CMC 5.03.080.160.13)
(January 2011) CAO/Police
- Social Service Allocations Administration Contract Community Development

Regular Meeting Date and Location:

Tuesday following Council, 12:00 pm – Madison Avenue Meeting Room

**URBAN SERVICES COMMITTEE
SCHEDULED ITEMS**

April 2, 2009

MEETING DATE	AGENDA ITEM
April 9	<ul style="list-style-type: none"> • Bicycle Lanes – NW Garfield Avenue from NW Highland Drive to NW Ninth Street • Wednesday Farmers' Market Lease of City-Owned Parking Lot – SW Second Street and SW B Avenue • Fire Records Management System
April 23	
May 7	<ul style="list-style-type: none"> • Council Policy Review: <ul style="list-style-type: none"> • CP 02-7.15, "Fee-in-Lieu Parking Program"
May 21	
June 4	<ul style="list-style-type: none"> • Boards and Commissions Sunset Review: <ul style="list-style-type: none"> • Capital Improvement Program Commission
June 18	
July 9	
July 23	
August 6	
August 20	
September 10	<ul style="list-style-type: none"> • Council Policy Review: <ul style="list-style-type: none"> • CP 03-7.16, "Guidelines for Donations of Land and/or Improvements for Parks as an Offset to Systems Development Charges for Parks"
September 24	
October 8	<ul style="list-style-type: none"> • Council Policy Review: <ul style="list-style-type: none"> • Cp 91-7.07, "Sanitary Sewers; Responsibility For" • CP 05-7.17, "Utility/Transportation Facility Extensions through Public Areas"
October 22	
November 5	
November 19	
December 10	
December 24	

USC PENDING ITEMS

- Council Policy Reviews: CP 91-7.08, "Sidewalk Policy"
- Fire Protection Services in Health Hazard Residential Areas
- Habitat Conservation Plan
- Protected Wetlands, Riparian, and Natural Areas

Public Works
Fire
Parks and Recreation
Parks and Recreation/
Public Works

Regular Meeting Date and Location:

Thursday following Council, 4:00 pm – Madison Avenue Meeting Room

UPCOMING MEETINGS OF INTEREST



City of Corvallis

APRIL - AUGUST 2009
(Updated April 2, 2009)

APRIL 2009

Date	Time	Group	Location	Subject/Note
2	7:15 pm	Committee for Citizen Involvement	Madison Avenue Mtg Rm	
3	7:00 am	Bicycle and Pedestrian Adv Cmsn	Madison Avenue Mtg Rm	
4	10:00 am	Government Comment Corner	Library Lobby - Patricia Daniels Joel Hirsch	
6	12:00 pm	City Council	Downtown Fire Station	
6	4:00 pm	City Council	Downtown Fire Station	Plng Cmsn int'vws
6	7:00 pm	City Council	Downtown Fire Station	
7	7:00 am	Airport Commission	Madison Avenue Mtg Rm	
7	12:00 pm	Human Services Committee	Madison Avenue Mtg Rm	
7	4:30 pm	Board of Appeals	Madison Avenue Mtg Rm	orientation
7	5:30 pm	Downtown Parking Committee	Madison Avenue Mtg Rm	
8	8:20 am	Citizens Adv Cmsn on Transit	Madison Avenue Mtg Rm	
8	9:00 am	City Legislative Committee	City Hall Meeting Room A	
8	3:30 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
8	5:30 pm	Downtown Commission	Madison Avenue Mtg Rm	
9	8:00 am	Citizens Adv Cmsn on Civic Beautification and Urban Forestry	Parks and Rec Conf Rm	
9	4:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	
9	7:00 pm	Budget Commission	Downtown Fire Station	
11	10:00 am	Government Comment Corner	Library Lobby - TBD	
13	7:00 pm	City Council	Downtown Fire Station	work session
14	7:00 pm	Historic Resources Commission	Downtown Fire Station	
14	7:00 pm	Ward 1 meeting (O'Brien)	Grand Oaks Summit	City-sponsored
			Owners Assn Clubhouse	
15	12:00 pm	Housing and Community Dev Cmsn	Madison Avenue Mtg Rm	
15	4:00 pm	Urban Forestry Strategic Plan Stakeholders Committee	Osborn Aquatic Center	
15	5:30 pm	Watershed Mgmt Adv Cmsn	Madison Avenue Mtg Rm	
15	7:00 pm	Planning Commission	Downtown Fire Station	
16	6:30 pm	Parks, Natural Areas, and Rec Brd	Downtown Fire Station	
18	10:00 am	Government Comment Corner	Library Lobby - Richard Hervey	
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	
22	9:00 am	City Legislative Committee	City Hall Meeting Room A	
22	3:30 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 - Joel Hirsch	
28	12:00 pm	Cmsn for Martin Luther King, Jr.	City Hall Meeting Room A	

MAY 2009

Date	Time	Group	Location	Subject/Note
1	7:00 am	Bicycle and Pedestrian Adv Cmsn	Madison Avenue Mtg Rm	
2	10:00 am	Government Comment Corner	Library Lobby - TBD	

Date	Time	Group	Location	Subject/Note
4	12:00 pm	City Council	Downtown Fire Station	
4	7:00 pm	City Council	Downtown Fire Station	
5	7:00 am	Airport Commission	Madison Avenue Mtg Rm	
5	12:00 pm	Human Services Committee	Madison Avenue Mtg Rm	
5	5:30 pm	Downtown Parking Committee	Madison Avenue Mtg Rm	
5	7:00 pm	Budget Commission	Downtown Fire Station	
6	3:30 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
6	7:15 pm	Committee for Citizen Involvement	Madison Avenue Mtg Rm	
6	7:30 pm	Library Board	Library Board Room	
7	4:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	
7	7:00 pm	Planning Commission	Downtown Fire Station	
9	10:00 am	Government Comment Corner	Library Lobby - Joel Hirsch	
11	5:30 pm	Economic Development Committee	Madison Avenue Mtg Rm	
12	7:00 pm	Historic Resources Commission	Madison Avenue Mtg Rm	
12	7:00 pm	Budget Commission	Downtown Fire Station	
13	8:20 am	Citizens Adv Cmsn on Transit	Madison Avenue Mtg Rm	
13	9:00 am	City Legislative Committee	City Hall Meeting Room A	
13	3:00 pm	Community Policing Forum	Police Conference Room	
13	5:30 pm	Downtown Commission	Madison Avenue Mtg Rm	
14	8:00 am	Citizens Adv Cmsn on Civic Beautification and Urban Forestry	Parks and Rec Conf Rm	
14	4:30 pm	Economic Development Committee	Madison Avenue Mtg Rm	
16	10:00 am	Government Comment Corner	Library Lobby - David Hamby	
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	
19	7:00 pm	Ward 5 meeting (Beilstein)	United Pentecostal (444 NW 15th Street)	City-Sponsored
20	12:00 pm	Housing and Community Dev Cmsn	Madison Avenue Mtg Rm	
20	3:30 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
20	5:30 pm	Watershed Mgmt Adv Cmsn	Madison Avenue Mtg Rm	
20	7:00 pm	Planning Commission	Downtown Fire Station	
21	4:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	
21	6:30 pm	Parks, Natural Areas, and Rec Brd	Downtown Fire Station	
23		No Government Comment Corner		
25		City Holiday - all offices closed		
26	12:00 pm	Cmsn for Martin Luther King, Jr.	City Hall Meeting Room A	
27	9:00 am	City Legislative Committee	City Hall Meeting Room A	
30	10:00 am	Government Comment Corner	Library Lobby - TBD	

JUNE 2009

Date	Time	Group	Location	Subject/Note
1	12:00 pm	City Council	Downtown Fire Station	
1	7:00 pm	City Council	Downtown Fire Station	
2	7:00 am	Airport Commission	Madison Avenue Mtg Rm	
2	12:00 pm	Human Services Committee	Madison Avenue Mtg Rm	
2	5:30 pm	Downtown Parking Committee	Madison Avenue Mtg Rm	
3	3:30 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
3	7:00 pm	Planning Commission	Downtown Fire Station	
3	7:30 pm	Library Board	Library Board Room	
4	4:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	
4	7:15 pm	Committee for Citizen Involvement	Madison Avenue Mtg Rm	
5	7:00 am	Bicycle and Pedestrian Adv Cmsn	Madison Avenue Mtg Rm	

Date	Time	Group	Location	Subject/Note
6	10:00 am	Government Comment Corner	Library Lobby - Joel Hirsch	
8	5:00 pm	City Council	Downtown Fire Station	Plng Cmsn and Historic Res Cmsn int'views - tentative
8	7:00 pm	Mayor/City Council/City Manager Quarterly Work Session	Madison Avenue Mtg Rm	tentative
9	5:00 pm	City Council	Downtown Fire Station	Plng Cmsn and Historic Res Cmsn int'views - tentative
9	7:00 pm	Historic Resources Commission	Downtown Fire Station	
10	8:20 am	Citizens Adv Cmsn on Transit	Madison Avenue Mtg Rm	
10	9:00 am	City Legislative Committee	City Hall Meeting Room A	tentative
10	5:30 pm	Downtown Commission	Madison Avenue Mtg Rm	
11	8:00 am	Citizens Adv Cmsn on Civic Beautification and Urban Forestry	Parks and Rec Conf Rm	
13	10:00 am	Government Comment Corner	Library Lobby - TBD	
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	
17	12:00 pm	Housing and Community Dev Cmsn	Madison Avenue Mtg Rm	
17	3:30 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
17	5:30 pm	Watershed Mgmt Adv Cmsn	Madison Avenue Mtg Rm	
17	7:00 pm	Planning Commission	Downtown Fire Station	
18	4:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	
18	6:30 pm	Parks, Natural Areas, and Rec Brd	Downtown Fire Station	
20	10:00 am	Government Comment Corner	Library Lobby - Charles Tomlinson	
23	12:00 pm	Cmsn for Martin Luther King, Jr.	City Hall Meeting Room A	
23	7:00 pm	Historic Resources Commission	Madison Avenue mtg Rm	
24	9:00 am	City Legislative Committee	City Hall Meeting Room A	tentative
27	10:00 am	Government Comment Corner	Library Lobby - TBD	

JULY 2009

Date	Time	Group	Location	Subject/Note
1	7:30 pm	Library Board	Library Board Room	
3		City Holiday - all offices closed		
4		No Government Comment Corner		
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	
8	3:30 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
9	8:00 am	Citizens Adv Cmsn on Civic Beautification and Urban Forestry	Parks and Rec Conf Room	
9	4:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	
11	10:00 am	Government Comment Corner	Library Lobby - Patricia Daniels	
16	6:30 pm	Parks, Natural Areas, and Rec Brd	Downtown Fire Station	
18	10:00 am	Government Comment Corner	Library Lobby - TBD	
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	
22	3:30 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
23	4:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	

Date	Time	Group	Location	Subject/Note
25	10:00 am	Government Comment Corner	Library Lobby - TBD	
28	12:00 pm	Cmsn for Martin Luther King, Jr.	City Hall Meeting Room A	

AUGUST 2009

Date	Time	Group	Location	Subject/Note
1	10:00 am	<i>Government Comment Corner</i>	<i>Library Lobby - TBD</i>	
3	12:00 pm	City Council	Downtown Fire Station	
3	7:00 pm	City Council	Downtown Fire Station	
4	12:00 pm	<i>Human Services Committee</i>	<i>Madison Avenue Mtg Rm</i>	
5	3:30 pm	<i>Administrative Services Committee</i>	<i>Madison Avenue Mtg Rm</i>	
5	7:30 pm	<i>Library Board</i>	<i>Library Board Room</i>	
6	4:00 pm	<i>Urban Services Committee</i>	<i>Madison Avenue Mtg Rm</i>	
8	10:00 am	<i>Government Comment Corner</i>	<i>Library Lobby - David Hamby</i>	
13	8:00 am	<i>Citizens Adv Cmsn on Civic Beautification and Urban Forestry</i>	<i>Parks and Rec Conf Room</i>	
15	10:00 am	<i>Government Comment Corner</i>	<i>Library Lobby - TBD</i>	
17	12:00 pm	City Council	Downtown Fire Station	
17	7:00 pm	City Council	Downtown Fire Station	
18	12:00 pm	<i>Human Services Committee</i>	<i>Madison Avenue Mtg Rm</i>	
19	3:30 pm	<i>Administrative Services Committee</i>	<i>Madison Avenue Mtg Rm</i>	
20	4:00 pm	<i>Urban Services Committee</i>	<i>Madison Avenue Mtg Rm</i>	
20	6:30 pm	<i>Parks, Natural Areas, and Rec Brd</i>	<i>Downtown Fire Station</i>	
22	10:00 am	<i>Government Comment Corner</i>	<i>Library Lobby - TBD</i>	
25	12:00 pm	<i>Cmsn for Martin Luther King, Jr.</i>	<i>City Hall Meeting Room A</i>	
29	10:00 am	<i>Government Comment Corner</i>	<i>Library Lobby - TBD</i>	

Bold type – involves the Council ~~Strikeout~~ type – meeting canceled *Italics* type – new meeting

TBD To be Determined

RECEIVED

MAR 16 2009

CITY MANAGERS
OFFICE

**Minutes of Access Benton County
Meeting of February 19, 2009**

**Present: Cyndy Sonick, Mike Mullett, Todd Allen, Pat Shermer,
Mary Marsh King, Judy Heath, Edith Yang, 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.

Meeting Opened at 12:00 Noon. Introductions.

A. Minutes of January 15 approved as submitted.

B. Treasurer's Report: \$536.67 in Petty Cash Fund.

C. Correspondence: Contacts pertaining to Keith's Award.

D. Old Business:

- 1. Keith's Award. We will coordinate the presentation of the Award with Corvallis School District and Garfield School. We are preparing a plaque for presentation, a proclamation to the community, and list of principal volunteers to the Playground Project. We will notify our readers of the date and time for the presentation when it is finalized.**
- 2. OSU Contacts for ABC to Develop.
Tracy Bentley-Townlin, OSU Associate Dean, has forwarded our request for information about campus organizations related to handicapped advocacy. The contacts are: ASOSU Accessibility Affairs Coordinator and an administrative group, Commission on the Status of Individuals with Disabilities (COSID).**

E. New Business:

- 1. Future ABC Guests: Lisa Namba, Corvallis Transportation Services Supervisor is scheduled to join us for our April 16th meeting.**
- 2. Handicapped Parking at Good Samaritan Hospital and Nearby Medical Facilities.**

Linda and Jim met with Mr. Scott Carroll who is the Director of Facility Services at the Regional Medical Center. We learned a lot about the rapid growth occurring on "the hill". The new constructions and remodeling do create challenges for persons needing handicapped parking access. If our readers experience any problems with the parking, Mr. Carroll asks that you share your concerns or recommendations with him. His phone number is (541) 768-5050. We were very impressed with his experience, engineering background, and desire to help the public with accessibility.
- 3. Cyndy Sonick came to inform us about Sycamore Homesteads.**

This organization is working to "ensure a permanent home for active adults needing special assistance, not supervision." The plan is to remodel two apartment buildings with 5 to 6 apartments each. The buildings are owned by the Willamette Neighborhood Housing Services. Affordable, Accessible housing is the goal for individuals with disabilities.

Projected opening for these units is Fall 2009.
If you are interested to know more about this, please contact homestead@alyrica.net The next meeting for the group is March 14th at Conifer House.
- 4. Mary noted that there was an article in the Gazette-Times the morning of this meeting (February 19th) concerning possible "Stimulus Package" money that might be spent on street improvement and transportation (sidewalks ramps, etc.). We will want to know how this might be used to benefit accessibility improvements!**

5. **Judy informed us about the passing of Clay Freeman. Mr. Freeman sustained a high-level spinal cord injury that left him vent-dependent and requiring 24 hour personal care when he was age 22. He subsequently became an advocate and activist for disability rights, particularly pertaining to those persons needing PCAs (Personal Care Attendants). On September 29, 2008 Clay reached a settlement with Oregon's Department of Health Services that is considered a landmark for access to state-funded PCA services by vent users and others with severe disabilities. Clay passed away suddenly on February 1, 2009. He was 34 years of age.**

**Meeting Adjourned at 1 p.m. Next ABC Meeting is March 19, 2009
Noon to 1 p.m., Benton Plaza, Commissioner's Meeting Room.
Please join us!**

Transitional Camping and Potential Alternatives as they pertain to Corvallis

Amy-Rose Simpson
541-758-2604
ArSimpson@csc.gen.or.us

4-6-09
V.C. Proj
Amy-Rose Simpson
w/ with Community
Services Consortium
Addressing U.S.
market
10 yr
Plan
after
Jan

Introduction:

Based on decisions made at the March 16th Corvallis city council meeting to return on April 6th with 3 possible locations for potential legal campsites for the homeless population of Corvallis; I have gathered research on already existing tent cities/transitional campgrounds as well as feasible alternatives. I will also include some statistics on who the homeless population in Corvallis is.

What is transitional camping (AKA, legal camping for homeless)?

Transitional Camping was outlined in a state statute in 1996 (446.265). The statute states that when there is a lack of shelter space and affordable housing, a municipality has the option of providing what is called transitional camping. This campsite is in no way meant to become permanent shelter or space for those people who use it; it should provide the basic essentials of water, trash pick up and toilet.

(<http://www.statelawyers.com/Statutes/Index.cfm/StateID:37/ID:61473>)

The statutes also provides information on where the campsites can be placed and what kind of structures can be placed on the property.

This statute has been used to start campgrounds in places in Portland and Eugene with varying degrees of success.

Why have transitional campgrounds?

The need for a transitional campground arises when there is an overpopulation of homeless in an area due to a lack of affordable housing or a lack of shelter space. This can often times causes a larger proportion of people sleeping on the streets, camping, and living in cars which leads to a demand on the City and community to do something.

Evidence shows that the campsites that have been established were done so by private organizations and not city funded.

Dignity Village in Portland:

This is perhaps the most well-known and talked about Transitional Campground that was able to begin operation under 446.265 and operates independently as a 501(c)3 in Portland. There is no maximum length of stay; and the group is self-governed with internal security and a board of directors. Officer Sims of the Portland Police Bureau reports an increase in crime, specifically theft, although there is no way to directly tie the crime rates to the installation of the tent city. After the Dignity Village designated their own security team, the crime rates began to decrease.

(http://www.dignityvillage.org/content/index.php?option=com_content&task=view&id=36)

Tent City 3 in Seattle

Seattle is on their third tent city. They work on a system of roving tent cities supported by local charities and non profits. It is estimated by Share/Wheel Of Seattle who helps with the process that it costs 4,000\$ a month to operate the tent cities at a cost of approximately 48,000 to 50,000 a year.

(<http://www.sharewheel.org/Home/tent-cities>)

This money allows for the tent cities to float around to different church parking lots where they found they were unable to operate without a full time security guard and staff for their population of between 87 and 95.

Eugene , Oregon:

In dealing with massive protests Eugene has had perhaps more public outcry than most local areas. In 1993, Eugene developed a program in which local churches and agencies allowed for the “mobile homeless”, or those with cars to park in their parking lots over night and the city provided security allowing for a safe place for the homeless to be overnight where they wouldn’t be ticketed. This program ran off and on through 1995 until the funding was discontinued. The program has since been revived by Saint Vincent De Paul and is currently operating throughout Eugene.

(<http://www.svdps.us/overnight-parking.php5>)

What are some Alternatives?

There are some obvious costs that come along with operating a tent city. When a municipality is investigating taking on such an endeavor , there are even more costs involved i.e. legal liability. Taking all these things into account, it is wise to consider all the options, in a sort of cost benefit of what the best option is for the population at hand, the community, and the city.

1-Change the ticketing laws

When investigating camping laws, there are many cities across the states dealing with this same problem. Cities across the nation are getting very creative with how they deal with this situation; there are a number of states and cities who have changed their camping laws to something along the following lines.

A person can only be ticketed for camping if there is no available shelter space for them. That is to say, if they are unable to stay anywhere else, then it should be illegal to ticket them. However, these cities don’t designate places in which it is legal to sleep as much as appoint places in which it is illegal. Example being, parks are closed from 6p.m. to 6 a.m.

Many cities have taken this into practice as a law or ordinance with large success including, Richmond, St. Augustine, Victoria, and Atlanta to name just a few. This pushes people to seek services knowing that it will be illegal for them to be on the streets if the services are available for them. It also pushes for the City and service providers to make more spots available.

2- Support already existing programs with a strong track record

The best results in decreasing the homeless population are supporting the existing programs with a strong track record. With the economy in its current position and many of these programs losing funding and unable to receive the funds they count on, they have to cut programs and staff salary. The idea of creating a new program is admirable, but if the community is at risk of losing strong programs that rehabilitate the homeless population then this may not be the best use of resources.

An example of this would be Community Outreach Incorporated which does a lot for the community. Even in a time of extensive cuts, they have absorbed programs such as Mid Valley Housing Plus which are essential to the community to keep people from being displaced.

Not to understate the support to City currently gives Community Outreach, however, if there are funds available to go towards the social service and homeless population, then the community would likely be better suited having them spent on programs that are proven to work and rehabilitate people in the long term.

Community Outreach Inc. (fiscal year 2006-2007)

268 people sought housing due to homelessness

- 114 men, 67 women, 32 families (adult), 55 families (children)
- 82 total adult clients from Benton County
- 38 total adult clients from Benton County
- 17 total children from Benton County
- 20 total children from Benton County

Emergency housing only

- 84 adults
- Housing nights: 390 for men, 269 for women, 295 for families

Transitional housing program

- 129 adults
- Monthly averages: 21 men, 13 women, 8 families

3- Addressing Mental Health and Dual Diagnosis

A study done in 1999 by the substance abuse and mental health administration found that 25% of the adult homeless population suffers mental illness. This is likely to be made of mostly of the chronically homeless population, who often suffer from mental illness, addiction and dual diagnosis. This number is on the rise as the number of homeless veterans grows. Today, 1 in 4 adult homeless are veterans though this number grows as many returning veterans suffer mental illness.

(http://www.samhsa.gov/Matrix/matrix_homelessness.aspx)

(http://www.usatoday.com/news/nation/2007-11-07-homeless-veterans_N.htm)

According to the National Alliance to end Homelessness, the average stint of homelessness is between 30 days, to 6 months. This is likely the same for many of the homeless in Corvallis who cyle through Community Outreach, Center against Rape and Domestic Violence, and who couch surf and live with relatives as they get back on their feet. However, those with chronically homelessness often need extra assistance getting tied into medical care for their special needs.

(<http://www.endhomelessness.org/>)

Having even a part-time outreach worker who knows the system and the streets would do a lot to transition the chronic population out of homelessness. This person would tie them into services that already exist and help to make the best of what the City of Corvallis already has to offer.

Summary-

Throughout the research I conducted I was unable to find a single instance in which city-funded transitional camping was a success. In the instances in which it was privately funded and ran as a nonprofit, there was a need for independent staff and security on site full time. I am of the opinion this wouldn't be any different in Corvallis. This is simply because the population being served will be largely the chronic homeless who are suffering mental illness, and dual diagnosis.

This in no way suggests that further action shouldn't be taken by the City. I listed only a few alternatives. The aforementioned three alternatives could easily be implemented in accordance with each other at the same cost as designating a legal campground.

The first step would be creating an ordinance which allows people to camp when they have no other legal alternative and instead of creating legal areas, create illegal areas. This eliminates the City's liability in having a legal area, and having to offer amenities. This would create a push in the community, and social service field to create more affordable housing, shelter space and rehabilitation. The money saved could be put towards a trial period for a half-time street outreach worker to connect people living in chronic homelessness to services.

While working on the 10 year plan to end homelessness, I have had the opportunity to ask social service providers what they see as the number one gap in the services we provide and what the most important service is we could provide to this community. Many of these providers have responded with the answer of a street outreach worker to connect with the mentally ill; no one has replied with transitional camping.

It is important that in a community in which we have such a focus on sustainability we really think of that in all facets. I am concerned that if we withdrawal money from existing services, or money that could go towards those services they will really take a hit. I foresee creating this transitional campground, without accurate research and data collection as a mistake. Although I don't think there is a cure, I think that Corvallis can do better than a Band-Aid.

Benton County Gap Analysis: Serving The Mental Health Needs Of Homeless Persons With Mental Illness

February 9, 2009

Top Priorities:

1. Hire a Mental Health Outreach Worker. This position will work with homeless individuals who have mental health and often alcohol and drug problems and also coordinate with Peer Wellness Supports.
2. Create a linkage agreement to coordinate services between agencies who serve this population.
3. Increase capacity for transitional supported housing on several fronts, e.g., adult foster care, short term transition beds, Housing First.
4. Establish a flexible fund that can be used for medications, nominal fees (required to access medication services), supplies, etc.
5. Establish a *permanent* shelter for persons who have both mental health and/or alcohol and drug problems. It should be integrated with a day time drop in center.

Future State	Current State	Gap (including funding, if applicable)	Strategies To Fill Gap (including funding, if applicable)	Workgroup Recommendations/ Additional Considerations
Services and Infrastructure				
Medication management at least monthly with clinically appropriate medications available to client.	Medication services offered through COI. Some GSH physicians work at COI. They prescribe at COI. Scripts get filled at GSH pharmacy. A psych clinic is held once a month. Three new clients can be seen, plus returning clients at this time. Limited availability of sample medications – not on formulary. There is no dollar limit, but not all drugs available through drug makers’ special assistance programs. Costs for meds are often absorbed by general, caring, staff using their personal funds.	Older, “typical”, generic, meds. \$5-30 per person per month. Annual estimate: 130 homeless with 40 needing these meds. \$10,000 Atypical anti-psychotics \$200-400 per person per month. 130 homeless with 40 needing atypical meds. \$8000 - \$16000	Develop a local fund for ongoing support. Drug manufacturer patient assistance programs with case manager to meet program requirements and enhance collaboration.	Supports needed to help clients deal with medication side effects, for example regularly scheduled medical appointments. (80% of clients stop taking their meds due to side effects.)

Future State	Current State	Gap (including funding, if applicable)	Strategies To Fill Gap (including funding, if applicable)	Workgroup Recommendations/ Additional Considerations
	Both the community health center and mental health department require nominal fees for uninsured clients. This is required by law. A private fund is providing the \$20 per visit nominal fee for a limited number of folks each month. For purposes of this gap analysis, we will assume that this funding will continue.	Funding for clinic BCHD fee: \$20 per visit for <u>physical</u> health appointments \$1 per visit for MH appointments \$5 per visit at COI	Develop a local fund for ongoing support. Develop a local fund for ongoing support.	
Safe, clean and supportive crisis shelter	GSH links homeless clients to shelter services. Crisis housing options have limitations. Many of the homeless have dual diagnoses, i.e., mental health and alcohol/drug problems. People can't go to COI if using drugs & alcohol: it is a 100% "dry" facility. Some regional overnight shelters are perceived to have safety issues, and beds are in short supply	All year shelter available for people who are still using drugs and alcohol. More short term shelter beds A "damp" facility. A women's facility All of the above need to be year-round, not seasonal	Reliable funding streams needed so the facilities and services can be developed which can be relied on. Behavioral Health Beds/Total Beds Men: 25/50 Cost TBD Women: 10/20 Cost TBD	

Future State	Current State	Gap (including funding, if applicable)	Strategies To Fill Gap (including funding, if applicable)	Workgroup Recommendations/ Additional Considerations
	<p>Janus House has 12 bed capacity. Transitional housing with MH services provided by BCMH. Supposed to be transitional, but functioning more as a long term placement.</p> <p>CARDV: 14 beds in the shelter. Use additional resources if full, up to limit of budget. Capacity is reserved for residents of Linn and Benton County. Refer out for people from other counties.</p> <p>Limited family shelter at COI; 8 family units.</p> <p>Mari's Place is providing treatment and day care for children of homeless parents who are COI clients. They serve COI parents first, then, community parents may apply, but they must be active TANF recipients. Their capacity is up to ten, age 3-6 and up to 4 for ages 1 1/2 -3.</p> <p>A number of school age children are living with homeless parents in vehicles or other inappropriate and/or unsafe spaces.</p>	<p>Janus to return core mission of providing transitional services.</p> <p>Additional family shelter</p>	<p>10 family units for post-CARDV residents (already funded)</p> <p>Family: 10 family units</p>	

Future State	Current State	Gap (including funding, if applicable)	Strategies To Fill Gap (including funding, if applicable)	Workgroup Recommendations/ Additional Considerations
<p>Safe, clean and supported long term, permanent housing, i.e. assisted and subsidized local housing</p>	<p>COI Permanent Supported Housing is an excellent program, but funding is in jeopardy. Services do not fully meet needs of the community. Primarily, only those who are officially 'disabled' covered.</p> <p>Disability benefits and other government benefits really do not cover basic human needs.</p> <p>Section 8 housing is inadequate and/or unreliable. Units not always safe; housing stock limited.</p> <p>Although it may appear that few families are currently living in their cars or in the streets, there are significant numbers crammed into small apartments with many other adults and kids. They do not have the financial means to afford first and last month's rent.</p>	<p>Stable and adequate funding for COI Permanent Supported Housing to double capacity for the program. Provide services to people without disability benefits.</p> <p>More alternatives to homelessness, e.g., group housing appropriate for mentally ill; adult foster care.</p> <p>More extensive supported housing services. Fill gaps in Section 8 (medium term housing)</p>	<p>Identify stable, base funding. \$100,000 per year in addition to current level of funding.</p> <p>More Section 8 and targeted vouchers. Establish a pool of targeted vouchers for the homeless.</p> <p>Housing First Model. \$5,000 for start-up of a revolving loan fund to assist the homeless with deposits to get into inexpensive housing.</p> <p>More landlords willing to take vouchers.</p>	<p>Attempting to work on both short and long term housing needs will be a challenge but this is critical.</p>

Future State	Current State	Gap (including funding, if applicable)	Strategies To Fill Gap (including funding, if applicable)	Workgroup Recommendations/ Additional Considerations
Case management services to insure access to full array of trauma-informed services	No dedicated staff providing this service to the homeless population with mental illness.	Need position that specializes in outreach to this population.	\$50k per year	<p>Local RFP. Build on success of local resources.</p> <p>Need a flexible pot of money that can be used to access services when no other means are possible, i.e. the reality of working with the homeless is that no grid, set of protocols, etc, will ever address the full reality of what is practically needed to be helpful to this population day to day.</p>
Day time drop in center	<p>We have volunteer staff interested in running such a program, but no site. Minimal funding available from City block grants. There has been a large campaign to get support from faith based groups with pretty good success.</p> <p>Circle of Hope had been successful for a time, and self-sustaining</p>	Permanent site with a hygiene center; consistency of funding and trained staff. Some paid needed to complement volunteer staff.	Collaboration with the City to find a site or relax codes.	A consistent day time center is critical to building trust with this population so that over time, they are amenable to receiving services. This center would be a hub for all outreach activities.

Future State	Current State	Gap (including funding, if applicable)	Strategies To Fill Gap (including funding, if applicable)	Workgroup Recommendations/ Additional Considerations
Outpatient services of sufficient depth and diversity to support recovery	<p>Staffing levels at BCMH can provide crisis services only. Pts with Medicare only benefits are excluded from being BC clients.</p> <p>Often client not wanting outpt services and/or is resistant to receiving them.</p>	<p>Peer Wellness Supports: 2 FTE \$60k per FTE, fully loaded</p> <p>More COI psychiatric hours at their clinic. 12 hours per month + 3 consulting hours = 15. All volunteer staff.</p>	Reliable funding streams needed so services can be developed which can be relied on. Most likely new funding from the State.	Chemical dependency issues are directly related to MH illness issues. Another workgroup is addressing detox resources. There is a need to consider how to provide A & D services following detox.
Communication				
Coordinated continuum of services.	Disparate agencies, well intentioned, but not coordinating well. Protocols not clear or do not exist. Limited knowledge of services that are available outside the agencies in which we each work.	We are missing a lead agency to take on the development of a linkage protocol.	Create a single Benton County Master Plan for serving the homeless. Linkage agreements between agencies, establishing protocols for making referrals, defining responsibilities, and detailing expected outcomes.	

Nelson, Jon

From: Amy-Rose Simpson [arsimpson@csc.gen.or.us]
Sent: Thursday, March 26, 2009 9:23 AM
To: Nelson, Jon
Cc: Joann Zimmer
Subject: Goals
Attachments: Goal 1 Benton Revision.doc; Goal 2 benton revised.doc; Goal 3 benton revision.docx; Goal 4 benton revision.doc; Goal 5 Benton revision.doc; stakeholders-benton.doc

Jon,

We didn't get completely through editing the goals/strategies yesterday at the ten year plan meeting. I feel like I should explain a little bit about the process, so forgive me if this is something you already know.

The goals are devised by the steering committee. The members of the committee can put forth anything they want into the goals. Then we together as a group go through them item by item and work through it and decide how reasonable the goal is, or if it is a good idea. Often times the items stay, and often times they go. These goals have only been edited through item 2.1 G so they are very likely to change and grow. However it will give you a sense of what service providers and people in the community have said were important and priorities.

I included a list of the steering committee members, just so you would be aware of who this information was coming from.

Let me know if you have any more questions, or if there is anything else I can provide you with.

Thanks,

Amy-Rose Simpson

Americorp*Vista
Community Service Consortium, Corvallis
Direct (541) 758-2604
Fax (541)752-2348
ArSimpson@csc.gen.or.us

"You begin saving the world by saving one person at a time; all else is grandiose romanticism or politics." -Charles Bukowski

Goal 1: Prevent people from becoming homeless by supplying services that allow people to obtain housing or maintain their current housing status.

It is more cost effective to keep a family or individual in their home than to place them back in housing after a period of homelessness. This goal offers strategies that will address barriers that put families and individuals at risk of losing their homes. This can take the form of removing boundaries, addressing medical issues, as well as food banks and emergency food boxes.

Strategy One (1.1): Medical- It is said that many of the community’s low-income persons are at-risk of becoming homeless—often a paycheck away from falling into homelessness. While economic problems and evictions are often the final event leading to homelessness, it is important to understand what is causing this financial strain. For many individuals and families this event can be extenuating medical costs.

	Strategy	Time Frame	Proposed Partner	Cost	Funding Status
1.1 A	Increase the capacity of already existing organizations to provide low and no cost dental assistance		Love inc of Benton County Boys and Girls Club of Corvallis COI Benton County Health Department Oregon Oral Health Coalition Good Samaritan Health Services Assistance League of Corvallis Oregon Dental Association		

1.1 B	Create a communication between Community Outreach Incorporated and Benton County Health Clinic to best utilize already existing resources		COI Benton County Health Good Samaritan Health Services Corvallis Clinic Independent Physicians		
1.1 C	Expand on Community Based Outpatient Mental Health		Benton County Mental Health Good Samaritan Health Services COI		
1.1 D	Create a referral process in the community that outlines the difference between services provided between COI, and Benton County Health Clinic				
1.1 E	Create a pool of funds to support homeless in accessing healthcare, specialists, or medication through the health department clinic and/or COI		CDDC		

Goal 2: Expand, develop, and coordinate the supply of affordable housing for the homeless and those at risk.

With the noted lack of affordable housing in Benton County it is essential to not only work to expand on new units but to preserve those which already exist. This plan intends to address those who are homeless as well those who are at risk of losing their homes. This is done by adapting a Housing First approach. It is the intention of the plan to address fair and affordable rental stock, emergency/transitional housing, as well as permanent supportive housing.

Strategy Three (2.1): Emergency and Transitional -Emergency housing is intended for short-term stays. Transitional is a type of supportive housing used to facilitate the movement of homeless individuals and families into services and living independently.					
	Strategy	Time Frame	Proposed Partner	Cost	Funding Status
2.1 A	Create transitional housing for homeless and runaway youth		Jackson Street Youth Shelter		
2.1 B	Expand the transitional living programs offered for those suffering mental illness		Janus House Adult Probation and Parole Benton County Mental Health		
2.1 C	Create housing for sex offenders		Adult Parole and Probation		
2.1 D	Preserve existing low income manufactured housing through cooperative ownership models of residential home parks		Linn Benton Mediation Services CSC		

	Strategy	Time Frame	Proposed Partner	Cost	Funding Status
2.1 E	Maintain our existing system of emergency shelters for families, survivors of domestic violence, and people receiving treatment services.		COI Center Against Rape and Domestic Violence McKinney Vento Liaison Jackson Street Youth Shelter		
2.1 F	Establish new shelter systems for individuals that cannot be served in treatment-oriented setting				
2.1 G	Develop ## units of Permanent Supportive Housing that links permanent, affordable housing to supportive services, with a focus on the following populations: <ul style="list-style-type: none"> - homeless families (## units) - domestic violence (10 units) - alcohol &/or drug addicted (## units) - mentally ill (## units) - veterans (## units) - multiple diagnosis (## units) 		Willamette Neighborhood Housing Services Linn Benton Housing Authority City of Corvallis Housing Division Benton County		

Strategy Four (2.2): Supportive Services- that assist homeless participants in the transition from the streets or shelters into permanent supportive housing and that also assist persons already living successfully in housing.

	Strategy	Time Frame	Proposed Partner	Cost	Funding Status
2.2 A	Expand the availability of temporary rent through discretionary funding assistance that bridges the gap between the time permanent housing is available and the time the tenant secures long term means to pay the rent (ie., Section 8 or other rent assistance and/or self-supports). Link these resources with "Second Chance" and "Ready to Rent" education.		Linn Benton Housing Authority Community Services Consortium		
	Strategy	Time Frame	Proposed Partner	Cost	Funding Status
	Support existing and develop new transitional housing and supportive services for people moving out of institutional settings (hospital, jail, detox program, etc.) and needing a temporary stay in supervised, community-based setting.		COI Center Against Rape and Domestic Violence Good Samaritan Hospital Sheriff's Dept. Benton County Mental Health		
2.2 B	Continue efforts to create additional units of new, affordable housing that serves very low income individuals and families.		Willamette Neighborhood Housing Services Linn Benton Housing Authority City of Corvallis Housing Division		

2.2 C	Preserve existing affordable housing, especially existing rent-assisted housing.		Willamette Neighborhood Housing Services Linn Benton Housing Authority City of Corvallis Housing Division		
2.2 D	Advocate for the maintenance and expansion of ongoing sources of rent supports, especially Section 8 vouchers		Linn Benton Housing Authority 10 Year Plan Committee		

Goal 3: Increase the capacity of homeless persons for self-support through strategies that identify their risk of homelessness, their needs, and access to appropriate housing with suitable supportive services.

This goal intends to identify and assist individuals at the greatest risk of becoming homeless and those groups that are over-represented in the homeless population. By identifying the needs and goals of these at-risk populations service providers can remove barriers to make services more accessible and in return create a more self sufficient population. By becoming more self-sufficient this population will become more sustainable and have a quicker turn over through the social services agencies.

<p>Strategy One (3.1): Re-entry- Many people face homelessness upon release from hospitals, prisons, as well as the foster care system. It has been shown that a healthy re-entry into housing without a lapse in shelter and services will keep many people from re-offending as well as end the cycle of homelessness.</p>					
	Strategy	Time Frame	Proposed Partner	Cost	Funding Status
3.1 A	Long-term support network for youth being released from foster care		Jackson Street Youth Shelter DHS		
<p>Strategy Three (3.2): Job Training – Job training programs are essential to not only transitioning people out of homelessness but keeping people in their homes. Although there are services being provided, many of them are overburdened and leave out specialized populations.</p>					
3.2 A	Specialized training to help the chronic homeless re-enter the job training field		Project Action		

	Strategy	Time Frame	Proposed Partner	Cost	Funding Status
3.2 C	Establish a job bank; Labor Ready				
<p>Strategy Three (3.3): Daytime Drop-in Centers– Drop-in centers create street-level points of service or referral to services. Often times serving as warming stations during cold weather these centers provide a great opportunity for service providers to outreach to a population in a place in which they are comfortable.</p>					
	Strategy	Time Frame	Proposed Partner	Cost	Funding Status
3.3 A	Establish a permanent site for the Corvallis Daytime Drop in Center		Corvallis Daytime Drop in Center Coalition Jackson Street Youth Shelter		
<p>Strategy Three (3.4): Address Financial Issues- By appropriating discretionary funds that allow people to catch up on during a financial shortfall addressing financial issues at their root causes before they become out of control can prevent homelessness, as well as cure it.</p>					
	Strategy	Time Frame	Proposed Partner	Cost	Funding Status
3.4 B	Create a Compressive Discretionary Financial Assistance Program; one time assistance for financial shortfall in the form of a revolving door fund		Love Inc FISH		
<p>Strategy Three (3.5): Street outreach worker- There has been an outcry from various service organizations for a street outreach worker that will work directly on the streets connecting homeless who are mentally ill, addicted, and those who are unaware of already existing services in the community that are available to them.</p>					
	Strategy	Time Frame	Proposed Partner	Cost	Funding Status
3.5 A	Create a trial position for street outreach worker that will have experience with mental health				

	Strategy	Time Frame	Proposed Partner	Cost	Funding Status
3.5 B	Create a linkage agreement to coordinate services between agencies who service this population				

Goal 4: Create an education and awareness program to remove societal stigma about homelessness; as well as advocate for answers.

This goal calls to remove boundaries through the education of the general public, service providers, as well as those in positions of power. Through education campaigns on who the homeless population is in the area, and how they have found themselves there, the community will be better prepared to offer services.

Strategy One (4.1): Advocates- Advocates can take many forms. From reaching out on a street level, to making phone calls and connections that may be hard for someone to do in situation of homelessness. Advocates are essential of connecting people to services and giving each individual a voice.					
	Strategy	Time Frame	Proposed Partner	Cost	Funding Status
4.1 A	Assistance in navigating through SSI, SSDI, Payee and other Social Services		PayE INC Adult Probation and Parole		
4.1 B	Personal Coaches: Life, Spiritual, Financial, Mentor, Advocate		Project Action Love Inc of Benton County CDDC		
4.1 E	Street Level Outreach; to bring people off the streets and initiate the continuum of care		Project Action		
4.1 F	Veterans Awareness and outreach		Project Action CDDC Veterans Services		

Strategy Two (4.2): Education- An education campaign can't be successful unless everyone involved is willing to learn. This strategy plans to outreach to citizens, service providers, and those in positions of power all equally. With a better understanding of the problem, we are better equipped to find the answer.

	Strategy	Time Frame	Proposed Partner	Cost	Funding Status
4.2 A	Education on employee rights and disclosures		CSC Workforce		
4.3 B	Centralize the information and referral services		United Way		

Goal 5: Create a system of collection technology and methodology to better account for homeless program outcomes.

It is important that all of our goals and strategies have measurable outcomes that make it possible for service providers to know if a solution is being met. By applying a standard for collecting data the information brought in would be more comprehensive and credible.

Strategy One (5.1): Information Collection- It is imperative to collect information about those who are receiving services in order to better serve them and others in the future. This is done by implementing a comprehensive system accessible by even those with lower level technological capabilities to collect data in order for the county to produce measurable outcomes and track the results of their social service programs.					
	Strategy	Time Frame	Proposed Partner	Cost	Funding Status
5.1 A	Create a local system with detailed intake and assessments for those entering shelters and social services (This also includes semi-regular sharing of information to create a comprehensive database)		HMIS Homeless Management Information System CSC		
5.2 B	Implement an oversight committee that will take part in making sure that the ten year plan is followed through with in a timely fashion with measurable outcomes that the community can count on.		Ten year plan committee Community Partners		

Benton County
Stakeholders

Name	Organization/Agency	E-Mail	Agency Website	Phone Number
Steering Committee Chair: Jay Dixon	Benton County Commissioner	jay.dixon@co.benton.or.us	http://www.co.benton.or.us/	766-6800
Jennifer Ambrosius	Corvallis Daytime Drop- in Center, Homeless Resident	jenniferambrosius@yahoo.com	http://www.peak.org/~center	738-7500
Mitch Anderson	Benton County Health Department, Interim Director		http://www.co.benton.or.us/health/	766-6835
Ben Atchley	Albany Police Department/HEART	ben.atchley@cityofalbany.net	http://www.cityofalbany.net/police/	917-3207
Hundley Bergstad	Homeless Resident			
Gary Boldizar	Chief of Police, Corvallis Police Department	gary.boldizar@ci.corvallis.or.us	http://www.ci.corvallis.or.us/	766-6788
Ann Craig	Jackson Street Youth Shelter	anncraig@jsysi.org	http://www.jsysi.org/	754-2404
Angie Dahlke	Community Outreach INC, Americorp*Vista	Adahlke@communityoutreachinc.org	http://www.communityoutreachinc.org	758-3000
Sherlyn Dahl	Benton County Health Department, Health Clinics Director		http://www.co.benton.or.us/healthcenter/index.php	766-6034
Jamie Ernst	AmeriCorps*VISTA	jernst@csc.gen.or.us	http://www.csc.gen.or.us/	758-2780
Scott Gentry	Corvallis Homeless Shelter Coalition	moiraism@peak.org		753-0377

Mark Greenfeld	Samaritan Health Services, Mental Health Division	markg@samhealth.org	http://www.samhealth.org/shs_facilities/gsrhc/hospital_services/mentalhealth.html	768-5235
Jerry Groesz	Mid Valley Housing Plus	ggroesz@firstam.com		
James Hackett	Linn-Benton Housing Authority	james@l-bha.org	http://www.l-bha.org/	926-4497
David Hamby	Corvallis City Council	david.hamby@comcast.net	http://www.ci.corvallis.or.us/	766-6901
Aleita Hass-Holcombe	Corvallis Homeless Shelter Coalition	aleita@cmug.com		740-3235
Dan Hendrickson	Corvallis Police Department, Captain	Daniel.Hendrickson@ci.corvallis.or.us	http://www.ci.corvallis.or.us/	766-6788
Julie Manning	Samaritan Health Services	juliem@samhealth.org	http://www.samhealth.org/	768-5172
Mike Mitchell	Samaritan Health Plans	MMitchell@samhealth.org	www.samhealth.org	768-5961
Jennifer Moore	United Way	moorej@peak.org	http://unitedwayblc.org/	757-7717
Jim Moorefield	Willamette Neighborhood Housing Services	jim.moorefield@w-nhs.org	http://www.w-nhs.org/	752-7220
Gail Newman	Division Commander of Parole and Probation	gail.newman@co.benton.or.us	http://www.co.benton.or.us/sheriff/community/	766-6229
Irisha Niles-Flamez	Community Outreach, Inc	iniles-flamez@communityoutreachinc.org	http://www.communityoutreachinc.org/	758-3000
Kristin Osbourne	Medical Detox Committee	KristinOSB@peak.org		
Cindy Pratt	Community Services Consortium	cpratt@csc.gen.or.us	http://www.csc.gen.or.us/	758-2632
Barbara Ross	Corvallis Independent Business Association	bröss@exchangenet.net		752-3605
Wilma Van Schelven	Love INC	director@yourloveinc.org	http://www.yourloveinc.org/	757-8111
Amy-Rose Simpson	Community Services Consortium	ArSimpson@csc.gen.or.us	http://www.csc.gen.or.us/	758-2780

Kent Weiss	City of Corvallis Housing Division Manager	kent.weiss@ci.corvallis.or.us	http://www.ci.corvallis.or.us/index.php?option=content&task=view&id=296&Itemid=247	766-6944
Sheryl White	Title 1 Coordinator, Corvallis School District	sheryl.white@corvallis.k12.or.us	http://www.csd509j.net/	757-5863
Mary Zelinka	CARDV	maryzcardv@yahoo.com	http://www.cardv.peak.org/	758-0219
Joann Zimmer	Community Services Consortium	jzimmer@csc.gen.or.us	http://www.csc.gen.or.us/	758-2647

Chair

Jay Dixon, Benton County Commissioner

Education

Community-Based Organizations/Neighborhoods

Aleita Hass-Holcombe, Corvallis Homeless Shelter Coalition
 Scott Gentry, Corvallis Homeless Shelter Coalition
 Barbara Ross, Corvallis Independent Business Association

Faith Community

Wilma VanShelvan, Love Inc

Health Care

Mitch Anderson, Interim Director of Benton County Mental Health
 Sherlyn Dahl, Benton County Health Department Clinics Director
 Julie Manning, Samaritan Health Services
 Kristin Osbourne, Medical Detox Committee

Homeless and formerly homeless Residents

Jennifer Ambrosius, Homeless resident
 Hundley Bergstad, Homeless resident

Public Safety

Ben Atchley, Albany Police Department
 Dan Hendrickson, Corvallis Police Captain
 Gary Boldizar, Corvallis Chief of Police
 Gail Newman, Probation and Parole

Social Service Providers

Ann Craig, Jackson Street Youth Shelter
Angie Dahlke, Community Outreach Incorporated: Americorp Vista
Irisha Niles-Flamez, Community Outreach Incorporated
James Hackett, Linn Benton Housing Authority
Mary Zelinka, Center Against Rape and Domestic Violence (CARDV)
Cindy Pratt, Community Services Consortium
Jim Moorefield, Willamette Neighborhood Housing Services

State and Local Government

Kent Weiss, City of Corvallis Housing Division Manager

Staff

Joann Zimmer, Community Services Consortium
Amy-Rose Simpson, Community Services Consortium; Americorp Vista
Jamie Ernst, Community Services Consortium; Americorp Vista

From: "Marianne Vydra" <
Subject: <web>Lights
Date: Wed, March 18, 2009 9:48 pm
To: mayor@council.ci.corvallis.or.us

This is an inquiry e-mail via %s from: Marianne Vydra (

Hi Charlie-

Thanks for coming to our Sustainability class Tuesday night.... I meant to ask you this question but the opportunity escaped me... A couple of us were wondering if you (City Council) is talking about asking businesses to TURN OFF THEIR SIGN LIGHTS (Not security lights) between 12am and 5am - lets start out - Sunday thru Thurs? Unless you are a 24 hr business like Taco Bell or McDonalds (ugh but I get it - our college students drive that business I think)...

Thanks for all of your work!
Marianne J. Vydra

[Download this as a file](#)

RECEIVED

MAR 27 2009

CITY MANAGERS
OFFICE

Dear, City Council of Corvallis, Oregon

I am writing to you today with idea on how to help the growing population of the elderly in Corvallis Oregon. I have been reading a lot of articles through my human services class at Oregon state university and one problem that I see continually is the lack of transportation for the elderly and their overall care. One solution that I would like to propose is having a transportation system just for the elderly. There should be a number they can call and one of the transportation vehicles will come pick them up at there house free of charge and take them where they need to go let it be the store or doctors appointments and many others. I feel that this service will relive a lot of pressure from the family members and others who may be caring for the individual. Also we will see a huge increase in the elderly staying active in not only there lives but the community they will be able to participate in community events and will also help to keep them healthier by being more independent. I appreciate your time and consideration

Sincerely,
Courtney

W. J. (Jim) Mills

Corvallis, OR 97333

Home Phone 541

Fax: 541-

Work Phone 541-9

Email j

March 31, 2009

Corvallis City Council
c/o Jon Nelson, City Manager
P.O. Box 1083
Corvallis, Oregon 97339

Reference: City Ordinance 2003-16

Sirs:

This letter is written to ask the City Council to consider changes regarding the above-referenced city ordinance which, among other things, prohibits "busking" in any city public location other than the Riverfront Commemorative Park.

After researching this subject extensively, it has come to my attention that there are many legal precedents which would indicate that your ordinance, as written, is unconstitutional.

In the US, free speech is considered an essential and absolute civil right of every individual. The only exceptions to this are sedition, as defined by the Smith Act, public displays of pornography & obscenity and criminal behavior such as fraud or defamation. If two or more persons conspire to violate a persons civil rights they are violating federal law. It is also a violation of federal law if an officer of the law violates a persons civil rights under the color of the law. It is the duty of all police officers to protect and preserve the constitution and these civil rights.

In the United States there have been numerous legal cases about regulations and laws that have decided the rights of buskers to perform in public. Most of these laws and regulations have been found to be unconstitutional when challenged. In the USA about the only reasons that can be used to regulate or ban busking behavior are public safety issues and noise issues in certain areas that require silence like hospital zones, around churches, funeral homes, cemeteries and transport terminals where announcements need to be heard. Such laws must be narrowly tailored to eliminate only the perceived evils by limiting the time, place and manner that busking may be practiced. They must also leave open reasonable alternative venues.

RECEIVED

APR 02 2009

CITY MANAGERS
OFFICE

In the US, laws regulating or banning busking must be applied evenly to all forms of free speech. Busking cannot be prohibited in an area where other forms of free speech are not prohibited. For example if busking is regulated or banned but people are allowed to conduct free speech behavior for pickets, protests, religious, political, educational, sports, commercial or other purposes then the law is illegal. In the USA any form of regulation on artistic free speech must not be judgmental, and permits must not be so restrictive, complex, difficult or expensive to obtain that they inhibit free speech.

In the late 1920s and early 1930s, busking had grown to be quite a controversial enterprise in New York. The country was in the midst of a horrible economic depression and many people had turned to busking as a source of income. Buskers were everywhere and fights over pitches were alarmingly common between the buskers themselves and the buskers, merchants, and vendors. Out of frustration over the complaining, fighting, and violence, Mayor Fiorello La Guardia banned busking in New York on the grounds of safety issues regarding the escalating conflicts. Busking went on, but on a much smaller scale. If anybody complained about a busker, at their discretion the police could order the busker to move on or could even arrest him or her. In 1970 poet Allen Ginsburg challenged the constitutionality of this ban. The ban was lifted in 1970 after being found to be unconstitutional by NY Mayor Lindsay.

In 1979, in *Goldstein v. Town of Nantucket*, the Town of Nantucket tried to regulate buskers as vendors, which the court did not accept as valid. Local businesses had complained about the competition from street artists.

In 1983, in *Davenport v. City of Alexandria, Virginia*, a judge ruled that a ban on busking and other business-related activities on the streets of the central city area was unconstitutional. Several courts found that there was no legitimacy to the cities allegations of safety issues that were alleged to be related to busking.

In 1985, in *Friedrich v. Chicago* 619 F. Supp., 1129. D.C. Ill, a Chicago court ruled in favor of allowing buskers in the city. In Chicago busking was restricted in certain areas. In the decision, buskers won injunctive relief from the cities enforcement of the ban in some of the contested areas. They also obtained relief from a permit scheme on the use of amplifiers because the scheme was judgmental and at the discretion of the issuers.

In 1996, in *Bery v. New York*, 97 F. 3d 684, 2d Cir., Local businesses had complained about the competition from street artists, visual artists won the right to sell their art.

In 1997, in *Harry Perry and Robert "Jingles" Newman v. Los Angeles Police Department*, buskers won the right to perform and sell their original music CDs and tapes on the street. Local businesses had complained about the competition from street artists and tried to prohibit busking.

In 1999, in *Turley v. NYC*, US 2nd Cir Appeal 98-7114 (1999), the judge ruled that New York City busking permit schemes were too complex and difficult to obtain, and that the costs were unreasonably high.

In 2001 street Performers won a lawsuit in Waikiki, Hawaii, after local businesses had complained about the competition from buskers, they got the city to push through an ordinance to ban busking on a very popular area, allegedly for safety reasons. Buskers prevailed in court by proving the safety concerns were not founded.

In 2003 District Judge Henry Lee Adams Jr. issued an injunction barring the city of St. Augustine, Florida from enforcing a recent ordinance banning street performances on St. George Street. Local businesses had complained about the competition from buskers. Judge Adams' order states, "Street performances are a form of expression protected by the First and Fourteenth Amendments of the United States Constitution." Merchants got the city to ban busking for alleged safety issues. After public outcry, and a lawsuit with Judge Adams decision, St. Augustine acceded and as of March 2003 allows busking.

In 2004 a San Francisco busker known as the World Famous Bushman was charged with four public nuisance misdemeanors. A jury cleared him of the first complaint and the district attorney subsequently dropped the remaining complaints.

In 2005 a judge rejected Seattle Center rules on buskers. "Magic Mike" Berger, a magician and balloon-twisting busker, took the Seattle Center to court and won injunctive relief and a court ordered settlement of over US \$47,000. Seattle Center had some of the most liberal rules regarding busking but even they could not pass constitutional muster. The Business Improvement District formed to manage Seattle Center claimed that they had the right to manage 62 square blocks in the center of the city like private property. They wanted to limit competition from buskers by regulating the time, places and numbers of buskers performing. The judge rejected the regulations, pointing out that... "while a street performer cannot offer a meek oral request for a donation from passers by, a beggar who does not perform can solicit Seattle Center visitors with relative impunity, subject only to general criminal prohibitions on aggressive panhandling."

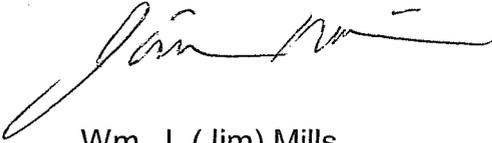
Corvallis City Council
March 31, 2009
Page 4

Please note that in the last case cited, a substantial monetary award was granted by the court to the aggrieved party.

For the reasons cited above, it would seem prudent for the Council to consider a moratorium on any enforcement of Ordinance 2003-16, and to ask the City's legal counsel to redraft the ordinance to comply with the U.S. Constitution.

I would appreciate notification when this matter is put before the council for consideration. Notification may be made by phone, e-mail or letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Mills", with a long horizontal flourish extending to the right.

Wm. J. (Jim) Mills

**HUMAN SERVICES COMMITTEE
MINUTES
March 17, 2009**

Present

Councilor Mike Beilstein, Chair
Councilor Jeanne Raymond
Councilor Dan Brown

Staff

Jon Nelson, City Manager
Ken Gibb, Community Development Director
Karen Emery, Parks and Recreation Director
Dan Carlson, Development Services Division Manager
Steve Deghetto, Parks and Recreation Assistant Director
Alice Renner, Parks and Recreation Management Assistant
Chris Westfall, Code Enforcement Supervisor
Carrie Mullens, City Manager's Office

Visitors

Herb Heublein, Citizen
Doug Eaton, Citizen
Tina Empol, Citizen
Gerry Langstraat, Citizen
Patricia Daniels, Citizen
Sara Swanberg, The Arts Center Executive Director
Hester Coucke, Public Art Selection Commission Liaison/The Arts Center Assistant Director/Curator

SUMMARY OF DISCUSSION

<u>Agenda Item</u>	<u>Information Only</u>	<u>Held for Further Review</u>	<u>Recommendations</u>
I. Public Art Selection Commission Annual Report			Accept the Public Art Selection Commission annual report for Fiscal Year 2007-2008, direct staff to compose language redefining "public space" as it relates to displaying art work, and endorse continued assistance from the Commission
II. The Arts Center Annual Report			Accept The Arts Center annual report for Fiscal Year 2007-2008
III. Indoor Furniture Placed Outdoors			Do not make additional code changes, conduct outreach with student/community organizations as resources permit, and provide a report to Council in one year
IV. Council Policy Review: 97-4.09, "Guidelines for Free Use of Park Facilities"			Amend Council Policy 97-4.09, "Guidelines for Free Use of Park Facilities" as recommended by staff
V. Other Business	***		

Chair Beilstein called the meeting to order at 12:02 pm.

CONTENT OF DISCUSSION

I. Public Art Selection Commission (PASC) Annual Report (Attachment)

Mr. Deghetto explained that PASC is comprised of seven voting members and a Council liaison to provide expertise and oversight for community values supporting public art. The City contracts with The Arts Center to staff and oversee PASC meetings and activities, facilitated and coordinated by Ms. Coucke. Highlights from last fiscal year include relocating the Breathing Post sculpture, installing the mosaic mural at the Library, approving a quilt design and installation for the Library, and initiating the development of guidelines for noncommissioned art selection.

Ms. Coucke said the guidelines will help people seeking information on how to donate art projects to the City. Ms. Coucke noted that the annual report submitted by PASC refers to "staff" activities. In this case, "staff" refers to herself as the PASC liaison.

Ms. Coucke said the Library mosaic mural was installed in the fall of 2007 and the quilt was installed near the public computers. The Library is receiving the most requests for art placement and the Library Director has expressed some concern about unsolicited art. PASC works closely with Library staff to ensure their needs are met.

Councilors Brown and Raymond thanked Ms. Coucke and PASC members for their dedicated service, time, and expertise.

In response to Chair Beilstein's inquiry, Ms. Coucke said the Library accepts temporary artwork displays (displayed less than one year) without PASC involvement. PASC oversees selection and installation of permanent projects and has declined donation pieces considered for the Library.

Chair Beilstein suggested other City space where public artwork could be displayed. Ms. Coucke explained that the donated artwork must be displayed in a space that is public-accessible during normal work hours. Because the Madison Avenue Meeting Room is only open to the public during scheduled meetings, the guidelines limit its use for donated artwork.

Mr. Nelson said common areas of City Hall could be utilized; however, the Council Chambers at the Downtown Fire Station could not be used as it is also a Fire Training Room and not always open to the public.

In response to Chair Beilstein's suggestion to revise the ordinance definition of public space to include public meeting rooms not always accessible to the public, Ms. Coucke said PASC has never refused artwork due to a lack of space.

Mr. Deghetto offered that an inventory of usable space could be conducted as part of the PASC work plan and guidelines.

Councilor Raymond noted that the City recently received gifts from Uzhgorod, Ukraine, including a photograph of a Ukrainian bicycle club. Mayor Tomlinson requested the photograph be considered for display in the Madison Avenue Meeting Room where the Bicycle and Pedestrian Advisory Commission regularly meets.

The Committee unanimously recommends that Council accept the Public Art Selection Commission annual report for Fiscal Year 2007-2008, direct staff to compose language redefining “public space” as it relates to displaying art work, and endorse continued assistance from the Commission.

II. The Arts Center Annual Report (Attachment)

Mr. Deghetto said The Arts Center organizes and promotes arts on a community-wide basis, providing a wide-range of services and venue to learn about the arts and develop skills. The Arts Center has continued to foster growth through partnerships and revenue streams.

Ms. Swanberg read from her written testimony (Attachment A) and noted revenue increases between 2006 and 2008:

- Gallery and Shop sales – \$72,000 to \$93,000;
- Education and ArtsCare Program – \$25,000 to \$44,000;
- Other fund raising; e.g., Chocolate Fantasy – \$60,000 to \$82,000;
- Memberships and contributions – \$34,000 (2007) to \$42,000; and
- Grant approvals – \$122,000 to \$168,000.

Ms. Swanberg added that increased funding translates to increased hours, additional staff, and larger payrolls.

Other highlights from her testimony included:

- Changed name back to The Arts Center (previously ArtCentric) and re-signed the building,
- Developed a marketing plan with assistance from Councilor Brown,
- Increased the Globetrotters Arts and Cultural Camp to six weeks,
- Developed a new budget format,
- Provided programming for the Oregon Youth Authority Oak Creek facility, and
- Hosted the annual Chocolate Fantasy and Art Auction fund raiser.

Ms. Swanberg said arts and culture in Corvallis provide a perfect intellectual and social balance to a well-educated community that is strong in computer science and engineering. She thanked the City for their continued support.

Councilor Beilstein explained that a tax base helped support The Arts Center prior to the approval of Measure 47/50, requiring the City to combine tax bases. At that time, the City dedicated a proportional amount of the General Fund to The Arts Center. The City was not required to dedicate those funds; however, the City and the community benefits from the programs and venue for performance music, art, and drama.

Councilor Brown added that the original tax base was approved by the voters and continued City funding has the support of the community.

The Committee unanimously recommends that Council accept The Arts Center annual report for Fiscal Year 2007-2008.

Ms. Swanberg provided the Committee with copies of *The Arts Center* newsletter (Attachment B), Globetrotter and ArtsCare program brochures (Attachment C), and an announcement of the Cascade Print Exchange IV exhibit (Attachment D).

III. Indoor Furniture Placed Outdoors (Attachment)

Mr. Gibb said, for the past several years, Council has discussed the use of indoor furniture outdoors. Prior to establishing the Code Enforcement Program, complaints of abandoned furniture were responded to by the building inspection staff as they had time. Without specific standards or Corvallis Municipal Code (CMC) language addressing indoor furniture left outdoors, this method was not effective.

In 2008, of the 375 Code Enforcement Program (CEP) complaints, 13 specifically referred to indoor furniture left outdoors. This number relates to private property complaints only; furniture abandoned in the public right-of-way (ROW) is responded to by Public Works staff. Recently, the CMC solid waste ordinance was amended to include definitions that staff believes will provide a more effective manner to address this issue. The method of response will continue to be complaint generated and CEP staff will provide outreach to student organizations and other groups regarding this and other related issues as time permits.

Mr. Gibb said another option for consideration is to direct staff to draft an ordinance specifically prohibiting placement of indoor furniture outdoors. The staff report includes sample ordinance language obtained from Lincoln, Nebraska and Oxford, Ohio. He added that more restrictive language will impact staffing levels and generate additional complaints.

Councilor Brown said this is an important livability issue and great concern to Ward 4 residents. Keeping a complaint-based system is consistent with meeting the needs of residents. A couch in good condition temporarily sitting on a lawn is not the issue; however, it becomes an issue when the couch is left outside, gets rained on, and is no longer usable indoors.

Herb Heublein said he has been actively involved in this issue and previously presented photograph evidence to Council. Within a 12-block area of his neighborhood, there are 28 upholstered couches/chairs sitting outside at 21 locations. Homes along NW 14th and 15th Streets are the biggest offenders as noted in the diagram (Attachment E). Many of the homes are rentals with tenants who do not care about the neighborhood. Property owners who live in their homes are the citizens making complaints. Mr. Heublein opined that one-half mile in any direction of the Oregon State University (OSU) campus would reveal the same furniture issues. He encouraged the Committee to recommend enforcement of not allowing indoor furniture to be used outdoors. He noted that once furniture moves outside, or off a porch to the lawn, it is not returned to the house or porch. The furniture remains on the lawn until the school year is over when it migrates to the park strip.

In response to Councilor Brown's inquiries, Mr. Heublein said it is impractical to use indoor furniture outside and residents can use lawn furniture to sit in the sunshine. He added that it is a cultural thing for students to put a couch on their front porch as soon as they move in. The couches and chairs noted on his diagram have been outside "forever," and some have been replaced with new ones. Mr. Heublein noted that the outside furniture issues on NW 12th Street between Van Buren and Jackson Avenues have improved.

In response to Councilor Raymond's inquiry, Mr. Heublein said indoor furniture should not be outdoors, anywhere, including a porch. The indoor furniture being used outdoors is in bad shape and attracts rodents. Some of the couches identified on the diagram had towels draped over them.

Mr. Heublein added that the alley between NW 11th and 12th Streets, and Van Buren and Harrison Avenues has become a dumping area for discarded couches.

Doug Eaton testified that his neighborhood, near SW 7th Street and Adams Avenue, has recently improved related to this issue. His neighbors have expressed concern that free items piled near the curb are left for long periods of time and frequently have potential health contaminants, such as toilet brushes. He inquired about time limits for placing free items outside.

Mr. Eaton said he does not approve of couches on lawns or front porches. He understands the difficulties out-of-state landlords have with this issue since they do not visit their property often. The latest issue of *Sunset Magazine* that recognized Corvallis as one of the most livable, green, and sustainable communities, makes residents want improvement for the community. Outreach conducted with college students helps.

In response to Councilor Raymond's inquiry, Mr. Eaton opined that free items should not be left for more than one or two days. Councilor Raymond noted that the CEP

In response to Councilor Brown's inquiry about which option would be more effective, Mr. Gibb said staff believes the recently amended solid waste ordinance will provide an effective manner to address this issue. Based on the number of complaints related to furniture on private property, staff have been able to respond within one week.

In response to Councilor Brown's inquiry about drafting new language, Mr. Westfall said the recently revised solid waste ordinance should provide staff with the tools to address solid waste complaints, such as furniture that has deteriorated to the point of garbage and is no longer useful for its original function. The sample language from Ohio strictly prohibits any furniture use outdoors of furniture manufactured for indoor use. If Council adopts similar prohibitive language, it is anticipated that staff would continue to respond on a complaint basis under the current CEP.

In response to Councilor Raymond's inquiry, Mr. Westfall said complaints about solid waste on private property (yard, driveway, roof) are responded to by CEP staff. Complaints about solid waste on the public ROW (street, alley, park strip) are responded to by Public Works staff.

In response to Chair Beilstein's inquiry, Mr. Westfall said he is not aware of any of the 13 complaints received in 2008 that were not closed. The CEP recently initiated a process that includes follow-up contact with the party making the complaint. The lack of more prohibitive language has not prevented a satisfactory resolution to a complaint.

Mr. Gibb explained that the revised solid waste language provides staff with a tool to deal with complaints about indoor furniture left outside until it is no longer usable as intended. More prohibitive language could limit the use of indoor furniture being used outdoors for any period of time.

Councilor Brown noted that furniture migrates from private to public property. In response to his inquiry about identifying the owner of the furniture, Mr. Westfall provided the following scenarios:

- Damaged or decomposing furniture on private property – staff attempt to locate owner and provide instruction for removal.
- Furniture on private property (not damaged) – staff locate owner; determine intent; and, if advised the item is considered waste, request it be removed or placed indoors until proper disposal can be accomplished.
- Furniture on private property with no apparent [furniture] owner – staff notify the property owner of their responsibility to remove the solid waste.
- Furniture migrating to the public ROW – staff attempt to locate owner; determine intent; and provide removal instruction for solid waste. Public Works staff responds if the furniture migrates into the ROW.

averages a three-day response to initiate contact for solid waste complaints. Mr. Eaton confirmed that three days would be sufficient.

Mr. Gibb clarified that it is a violation to place solid waste in the park strip or any other public ROW for any period of time. Complaints about items left in the public ROW would be responded to by Public Works staff.

Chair Beilstein opined that it may be worth a small violation to place free items out for one day. Most likely the item will disappear before a complaint can be processed.

Councilor Raymond said good-neighbor outreach with OSU administration and students should include rules, guidelines, and consequences of placing items outside on private and/or public property.

Tina Empol said the current system does not deal with the furniture issue in an optimum manner and she does not believe her complaints have been adequately addressed. The City needs an ordinance to empower neighbors in the most troublesome areas to quickly stop the behavior. Neighbors need the ability to tell violators they are breaking the law and that their indoor furniture needs to be moved back indoors. Neighbors should not have to wait until the furniture migrates to the public ROW when the ability to determine ownership is more difficult. Indoor furniture placed outdoors is a public hazard. It attracts vermin, which is a huge issue in Ward 2 and near OSU. Ms. Empol said it is difficult for her to keep vermin off of her property if the neighbors are allowed to place indoor furniture outdoors.

Ms. Empol said, besides the health hazard, furniture is a perfect place for fire. Last year, she contacted the Fire Department about furniture burning in the public ROW. Three years ago she contacted the City about a chair that was left in the public ROW. The City could not determine who owned the chair and before she had opportunity to dispose of the chair properly, someone placed it underneath her bedroom window and burned it. It is expensive for the City to respond to these types of fire calls.

The furniture is often broken up and used as weapons or in other inappropriate manners, usually by inebriated individuals. Three years ago, a chair leg was thrown through her bathroom window. The chair had previously sat in a nearby driveway for at least two weeks.

Ms. Empol added that these issues need to be dealt with in a more timely manner as it is a livability issue for the owner-occupied homes. This is a constant problem that the City is not addressing. When owners begin to move out of their homes because of this issue, there are less people available for neighborhood watch and neighborhood associations begin to fail. This is a good example of urban blight.

In response to Councilor Brown's inquiry, Ms. Empol said she has not reviewed the sample code language from Nebraska or Ohio.

Gerry Langstraat said, as a property manager, he either takes the furniture back inside or transports it to the landfill. Not all property managers or landlords are as concerned or care about what their tenants are doing. He supports keeping indoor furniture off lawns, but would not oppose furniture used outside for one day. The furniture should never become unsightly. He inquired about where in the process landlords are included, especially since they must give notice before entering property.

Councilor Brown said some couches in Ward 4 have been left outside for years. When someone in the public is offended and makes a complaint, the City begins the enforcement process. If the owner of the furniture does not move the furniture at the City's request (indoors or arrange for removal), they receive a violation and fine. The City makes every attempt to locate the owner of the furniture; ultimately, it is the property owner's responsibility to remove the furniture.

Tom Eversole submitted written testimony read by Patricia Daniels (Attachment F).

Patricia Daniels said citizens have been complaining for years about furniture on lawns. She suspects the low number of complaints in 2008 is due to people understanding that the City has not had the tools to deal with this issue. It should not matter whether this issue affects one or two City Wards, people invest in their homes and neighborhood livability. As OSU enrollment increases, neighborhood livability will continue to have a broader reach and the City needs to help people who continue to live here, vote, pay taxes, and contribute to that livability.

Ms. Daniels prefers to have something adopted as soon as possible without an enormously involved process. If the tools currently in place allow staff to determine that abandoned furniture is trash, it should be adequate; however, some residents are requesting more strict laws. She opined that, of the two example ordinances, the Ohio language is more concise.

If a new ordinance is drafted, completely describing the enforcement process is important along with obtaining a correct address and clear description of what the caller is observing. By the time staff arrive, the item may have moved into the ROW or onto another property. This can put the cost of removal onto the appropriate party instead of using tax dollars for Public Works staff to remove the item. Additionally, the ordinance needs to address a removal time frame and consequences. A public education piece is warranted; however, staff need to spend their time getting the issue under control first. She volunteered to help draft the ordinance.

Ms. Daniels concluded by stating that citizens have requested help on this issue for more than four years. She encouraged the Committee to help neighborhoods with

livability issues and provide staff with the tools they need. She added that the neighborhoods want to partner with the City to resolve this issue.

Phil Histan submitted e-mail testimony (Attachment G).

Mr. Westfall clarified the process staff uses for complaint response:

1. City receives complaint about solid waste.
2. Staff determines location via caller, digital mapping systems, and/or site visit.
3. Complaint is referred to Public Works if the waste is in the public ROW.
4. If the waste is on private property, CEP staff:
 - a. make site visit,
 - b. take photograph(s),
 - c. identify owner of waste, if possible
 - d. determine if condition of waste is significantly deteriorated,
 - e. determine intent of waste, or personal furniture, being used outside,
 - f. give direction to owner for removal or containment, and
 - g. give notice to owner about liable offenses.

Mr. Westfall explained that it is sometimes difficult to determine who owns the waste if it is a multi-family location. Staff look at where the waste is located, such as near a door or parking area. Staff follow-up with the landlord or property owner when necessary and if the owner of the item cannot be identified. Contacts always provide an educational opportunity. Staff attempt to respond to the complaint within three days, explain the violation, and give the owner another three days to remove the waste. Staff returns to the site to confirm compliance.

In response to Chair Beilstein's inquiries, Mr. Westfall said removal of a sofa from a front lawn could be disputed depending on the condition of the sofa. This time of year furniture is compromised quickly. Residents have stated that the furniture is their personal possession and they choose to store it outside. The City does not have any outdoor storage restrictions or property maintenance code, so unless the item is determined to be solid waste, the owner does not have to remove it. If the resident has been instructed by CEP staff to remove solid waste from their property and they do not comply within three days, a formal written violation is issued and the resident is notified that staff will return in three days to confirm compliance. If the resident does not comply with the written violation they could be fined.

Mr. Westfall believes Public Works staff also attempts to identify the owner of solid waste left in the ROW and uses the opportunity to educate the public.

In response to Councilor Raymond's inquires, Mr. Westfall said fines vary up to \$2,500. The Municipal Court Judge would decide an appropriate fine. Prior to issuing a citation, staff would involve the City Attorney's Office. The Police Department would serve the citation.

Councilor Raymond said students use sofas because they are less costly, easy to find, and comfortable. Her neighbors are not students and can afford to purchase comfortable outdoor furniture. Residents of her Ward living closer to OSU complain about indoor furniture being used outdoors. At the end of each term, Public Works staff, and others, collect the trash students leave behind and sort out the reusable items. There is some cooperation and coordination with OSU, but more can be done to resolve this issue. Landlords need specific guidelines about placing free items on the curb. She noted that residents of Europe place free items on the street once per week and if it is not picked up during that day, it is brought back inside. She opined that a new ordinance may not be the easiest way to solve this issue and not allowing any upholstered furniture on porches may be too strict.

Councilor Brown announced that he received several e-mails from Ward 4 residents regarding this issue (Attachment H).

Chair Beilstein said Wards 2, 4, and 5 all have problems with indoor furniture being used outdoors. He opined that some of what the citizens are asking for is unreasonable. Indoor furniture used in an outdoor protected area (e.g., covered porch) is a matter of choice for the person owning the home. He will not support an ordinance limiting the ability to manage personal belongings on personal property, unless it deteriorates to the point of becoming a health hazard and/or unusable. There are cultural differences that need to be accepted. Staff have been provided with additional enforcement tools via the solid waste ordinance that can help address neighborhood livability. He would prefer not to make any code changes at this time.

Councilor Brown agreed that part of this issue is cultural. Mr. Heublein testified to 28 upholstered couches/chairs that have been outside "forever." That is an indication the community does not care. It is an enabling mechanism for students to make bad decisions. Removing the backlog of complaints will make spring a better opportunity for the community when non-residents arrive for graduation and parent weekends.

Councilor Raymond said several solid waste complaints have been identified during testimony. She requested those complaints be made officially through the CEP. Mr. Gibb confirmed that staff will follow-up on the complaints made during the meeting.

In response to Councilor Raymond's inquiry, Mr. Westfall confirmed that staff ask about the intent of the indoor property being used outdoors. If the owner of the item desires to keep the indoor furniture outdoors, they are advised that if further complaints are received about the furniture deteriorating and being considered solid waste, they will need to remove the furniture.

Mr. Carlson confirmed for Councilor Raymond that staff will follow-up to ensure the Public Works staff is also educating citizens when they respond to complaints about solid waste in the public ROW.

Councilor Brown added that the intent of the program is not to generate fines or confrontations. Of the 13 incidents responded to in 2008, none went beyond notification of the problem. He does not believe this program will cause bad public relations for the City and said there is an advantage to having enforcement tools for staff to utilize.

The Committee unanimously recommends that Council not make any additional code changes at this time, conduct outreach with student and community organizations as resources permit, and monitor the progress through a report to Council in one year.

IV. Council Policy Review: 97-4.09, "Guidelines for Free Use of Park Facilities"
(Attachment)

Ms. Renner reported that this policy is reviewed every two years. In 2007, substantial changes were made to the policy for clarification purposes. Staff recommends removing the word "non-refundable" from the policy. The Department refunds an event fee, minus a \$10 processing fee, if cancelled five days prior to the event.

In response to Councilor Beilstein's inquiry about City-sponsored event fee exemptions, specifically the Race Unity Picnic that is cosponsored by the Commission for Martin Luther King, Jr., Ms. Renner said the organizers of the picnic have never requested free use. Other than making a request for free use, organizers would need to present proof of the City partnership.

In response to Chair Beilstein's inquiry, Ms. Renner said examples of organizations that have separate use agreements include Little League and the Corvallis School District 509J (509J).

Councilor Brown said he received a complaint from a constituent about the 2007 changes removing school classrooms from free uses. Ms. Emery clarified that the use agreement between the City and 509J states that 509J will provide access to schools for youth and adult recreation programs for a prescribed fee. In return, the City provides 509J with specified Parks for youth recreation and education at no charge. Ms. Emery clarified that the free use extended to 509J is for educational programs, not end of the year parties. Ms. Renner added that Section 4.09.025 b. addresses this issue by stating free use for business related purposes only.

The Committee unanimously recommends that Council amend Council Policy 97-4.09, "Guidelines for Free Use of Park Facilities" as recommended by staff.

Human Services Committee
March 17, 2009
Page 12

V. Other Business

The next Human Services Committee meeting is scheduled for 12:00 pm on Tuesday, April 7, 2009 in the Madison Avenue Meeting Room.

Respectfully submitted,

Mike Beilstein, Chair

MEMORANDUM



To: Human Services Committee
From: Stephen DeGhetto, Assistant Director 
Date: January 30, 2009
Subject: Public Arts Selection Commission Annual Report

Issue: The Commission is scheduled for its annual review before the Human Services Committee.

Background: The Public Arts Selection Commission was established by Council in 1998 to oversee the selection, acceptance and placement of public art in the City of Corvallis, consistent with Council policy. The Commission comprises seven citizen voting members and Councilor Jeanne Raymond as Council liaison. To facilitate the coordinated effort of the City's public artwork projects, the City contracts with The Arts Center to staff and oversee the Commission's meetings and activities. The Commission and its work are spearheaded by Hester Coucke, The Arts Center Assistant Director/Curator and City liaison to the Public Arts Selection Commission. The contractual amount given to The Arts Center to perform this work is \$5,000 per year, funded and appropriated in the Parks and Recreation Department budget. The Parks and Recreation Department provides staff support to The Arts Center to coordinate projects within the City.

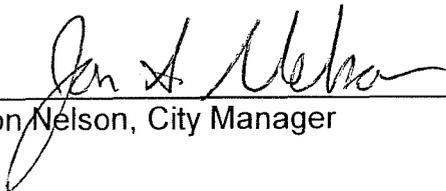
Discussion: Citizen volunteers of the Commission continue to provide invaluable expertise and oversight to forward the community's values supporting public art. The Commission met five (5) times between July 2007 and June 2008 and continued to meet, at a minimum, on a quarterly basis. Draft minutes from the last meeting are attached. Cy Stadvold is the current chair of the Commission. Two new members of the commission, Paul Rickey and Doug Russell, started July 7, 2008. There is currently one vacancy.

The Commission has been involved with a number of projects this past year, including the temporary relocation of the Breathing Post, a kinetic sculpture by Pete Beeman. The Fall Festival donated a mosaic mural that was installed and a quilt design was approved for the Corvallis Benton County Library. Staff has started a data base for art along Madison Ave and the commission is looking at developing a plan or guidelines for non-commissioned art selection.

Recommendation:

Staff recommends the Human Services Committee endorse the continued assistance from the Public Art Selection Commission.

Review and Concur:



Jon Nelson, City Manager



Nancy Brewer, Finance Director

Attachments:

PASC minutes 11/17/2008



The Arts Center

700 SW Madison Avenue • Corvallis, Oregon 97333
541.754.1551 • www.theartscenter.net

1/23/09

Human Services Committee
Corvallis City Council
PO Box 1536
Corvallis OR 97339

Human Services Committee:

Enclosed you will find a report on the projects the Public Art Selection Commission and liaison staff worked on from July 1, 2007 to June 31, 2008.

The mosaic mural was installed, and a quilt design approved, both for the Corvallis Benton County Library.

A new location for Breathing Post, a kinetic sculpture by Pete Beeman was approved, and the sculpture moved.

Commissioners reviewed City policy; the Council approved changes.

I have made a start of a comprehensive inventory on public art along Madison Avenue.

Sincerely,

Hester Coucke
City liaison Public Art Selection Commission
The Arts Center

Annual Report
Public Art Selection Commission, City of Corvallis
July 1, 2007 - June 31, 2008

The Public Art Selection Commission (PASC) met five times during July 1, 2007 - June 31, 2008.

- A number of inquiries for donations or commissions were made; not all of these projects came to fruition, but potential donors were informed on the process of art donations to the City. By giving information before a project gets to the Commission, the City saves unnecessary procedures since some of the suggested projects are not viable.
- Commissioners reviewed Policy 94.4.07. Staff did further research for policy review for changes in Policy 94.4.07 on request of Parks, Natural Areas & Recreation Director Julee Conway. Changes were approved by City Council January 7, 2008. Changes concerned monetary responsibilities.
- Staff did research on request of director Julee Conway concerning a person or company to do maintenance work on bronze sculptures. No selection was made, since a bid procedure was undermined by lack of local people doing this kind of work.
- Staff started a data base on public art along Madison Avenue which included detailed information on location, ownership, ownership of the buildings involved etc.
- The PASC approved the installation mosaic mural in the Corvallis Benton County Library parking garage donated by Fall Festival. A plaque was installed as well as 4 handmade tiles from CVHS students.
- The Commissioners selected a new, most likely temporary location for *Breathing Post*, a kinetic sculpture by Pete Beeman. Current location is on 7th Street close to The Arts Center.
- Staff worked with Corvallis Benton County Library employees on a Request for Proposals for a quilt to be donated by the Friends of the Library, and helped with the selection of a location for the quilt.
- The PASC reviewed proposals for a quilt for the Corvallis Benton County Library, funded by the Friends of the Library. The design proposal of a loosely organized group called "Friends" was selected; their subject matter was Oregon weather: fog, rain and some sunbursts. The finished three panel quilt titled *Morning Fog*, *Scattered Showers* and *Sunbreaks* have been installed in December of 2008.
- The Commissioners reviewed and unanimously declined the donation of paintings by Wes Bainey from Newport, OR, intended for the Corvallis Benton County Library.
- The Corvallis Benton County Library director Carolyn Rawles-Heiser expressed concern on being able to place uncollected donated art in the Library. It is a challenge to find good locations especially for art which was not commissioned for a particular location or reason. The Commissioners offered help in developing a plan or policy.
- Two new members of the Commission starting 7/7/08 were introduced: Paul Rickey, retired artist and member at large replacing Doug Russell, and City Council member Jeanne Raymond who replaced Stewart Wershaw. There is currently one vacancy.

City of Corvallis
Public Art Selection Commission
 Date: 11/17/2008

Attendance:

Ross E. Parkerson
 Cy Stadvold, chair
 Christine Stillger
 Paul Rickey Jr.

Absent:

Megha Shyam
 Sara Krainik, excused
 Jeanne Raymond, City Council

Visitors:

Nena Bement, artist
 Carolyn Rawles-Heiser, Library
 director
 Mary Finnegan, Library staff
 Mary Norman, Library staff

Staff:

Hester Coucke

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for further review	Action/ Recommendations
II. Approval of Minutes		x	To be presented on next meeting
III. Visitors' Propositions			NA
IV. Staff Reports	X		Commissioners accepted quilt for the Library and determined exact location. Commissioners declined a painting offered to the Library, but suggested alternative recipient. Commissioners accepted a mandala painting about Corvallis for the City.
V. Adjournments	X		The meeting was adjourned at 10:00 AM

CONTENT OF DISCUSSION

1. CALL TO ORDER

Called the meeting to order at 9:00 am by Hester Coucke, liaison. The meeting was held in the Library, upstairs next to the public computer stations. This is the future location for the quilt (see Staff reports), and not lending itself for a regular meeting structure.

2. APPROVAL OF MINUTES

The minutes of the January 2008 meeting were not reviewed or approved. They have been sent to the Commissioners in January, and will be reviewed for approval on the next meeting.

4. STAFF REPORTS

A short history:

The Friends of the Library made \$2000 available for a quilt to be hung in second floor of the Library, above computer stations. The medium of a quilt was chosen to soften the space after the installation of so much technologic hardware. A group of quilters identified as the "Group of Friends" was selected to make the quilt. They proposed a triptych with Oregon weather as subject matter, in a free form style. An interim review was held with the liaison and staff from the Library. The "Group of Friends" visited the space several times to make the execution of the quilt work optimally with the location.

The Commissioners unanimously accepted the finalized quilt presented by the "Group of Friends". The Commissioners determined a very precise location: measuring 16" from the corner column, with 4" in between, and the top lining up with the top of the fire alarm, which is installed more to the left on the wall. The library will hang the signage for the computers a little higher.

There will be one plaque installed with the titles and an explanation of the concept of the three pieces.

A painting of a girl (in a wheelchair) and an Easter bunny by an unknown artist was presented by unnamed donors to the Library. The Commissioners felt that perhaps the hospital (Good Samaritan Health Services) Pediatrics Department or the Mario Pastega House would be better suited for this particular piece. Liaison will make contacts. The Commissioners unanimously declined the painting as a gift for the Library.

A framed painted mandala (circular motif) with imagery from Corvallis was presented to the City as a donation in a joined effort of the late Jim Howland, Susanna Cohen and Bill Shumway. The commissioners accepted the painting for the City with the provision it should be hung where people can approach it up close. The painting is very detailed and can only be fully appreciated when seen up-close. A suggestion of a location would be the City Council meeting room in the Fire Station. Liaison will notify the City of the gift.

5. ADJOURNMENT

Meeting adjourned at 10:00 AM

Next meeting TBA



MEMORANDUM

To: Human Services Committee
From: Karen Emery, Director ✓
Steve DeGhetto, Assistant Director SD
Date: February 1, 2009
Subject: The Arts Center Annual Report

Issue: The Arts Center is scheduled for its annual review before the Human Services Committee.

Background: The City Council allocates funds to The Arts Center for its operations through the annual appropriation of tax revenues (\$80,952 in FY 07-08). As per the current agreement between the City and The Arts Center, dated July 1, 2004 and amended September 7, 2007, a report describing The Arts Center's effectiveness in organization and promotion is to be submitted on an annual basis. In addition, The Arts Center staffs the regional Linn-Benton Arts Council.

Discussion: The Arts Center continues its commitment to addressing the arts and cultural needs of the community. To improve visibility and strategic marketing, the organizational name has been returned to The Arts Center. The Arts Center has fostered its own growth by diversifying its revenue stream and developing new partnerships.

The Arts Center offered fifty-one (51) on site classes, serving over 300 children. In addition, many partnerships were refined:

- Samaritan Health Services--continued the ArtsCare program which brings art and artists into the health-care and hospice environment.
- School Districts--The Arts In Education program offered 47 weeks of residencies in Linn and Benton County, serving over 4,300 children.
- The Multicultural Literacy Center, Oregon State University, the Corvallis-Benton County Public Library, and the Corvallis Environmental Center--offered Globetrotters Arts and Culture Camp
- Corvallis Parks and Recreation Department, Corvallis School District, Corvallis Public Library, the Corvallis Environmental

Center, FASIS (East Indian cultural organization, a regional home school group), Corvallis Fall Festival and daVinci days--offered a variety of art focused programs.

In addition The Arts Center Exhibition Program offered ten (10) local, regional and national exhibitions in the Main Gallery and ten (10) exhibitions featuring the work of community art guilds and guest artists in the smaller gallery.

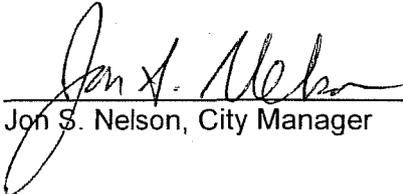
The community continues to demonstrate support by volunteering over 4,300 hours to support The Arts Center programs.

The ArtsShop supports over 160 local and regional artists offering a professional marketing place to show and sell their work.

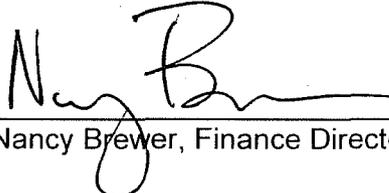
The Arts Center has continued to maintain diverse revenue streams which include funding from the City of Corvallis, the Oregon Arts Commission, Oregon Community Foundation, Oregon Cultural Trust, grants, endowment funds, memberships, sponsorships, donations, class fees, ArtShop and gallery sales.

Recommendation: Staff recommends that the Human Services Committee accept The Arts Center Annual Report.

Review and Concur:



Jon S. Nelson, City Manager



Nancy Brewer, Finance Director

Attachments:

1. The Arts Center Annual Report
2. The Arts Center/City of Corvallis Agreement
3. Finance Department Financial Review Memo



The Arts Center

700 SW Madison Avenue • Corvallis, Oregon 97333
541.754.1551 • www.theartscenter.net

November 25, 2008

Human Services Committee
Karen Emery, Director
Corvallis Parks & Recreation
1310 SW Avery Park Drive
Corvallis, OR 97333

Dear Karen and the Human Services Committee:

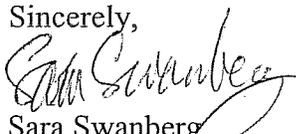
Thank you for your continued and generous support of The Arts Center. Without your support, the organization could not operate within the community in anywhere near its current capacity.

Securing additional funding offers ongoing and increasing challenges due to the economic climate and the needs of and competition with the many non-profits statewide. At the same time, The Arts Center has moved into a position of leadership in the community with new partners, expanded programs and increased membership.

The support granted to The Arts Center by the City of Corvallis is not only imperative for the operation of the organization, but it offers the valuable match-funding required by private foundations to receive additional funds for programs. It is time to renew the financial agreement with the City of Corvallis, and we look forward to accomplishing that in order to assure the future of the arts in our community.

Thank you again for your continued support of The Arts Center. Enclosed you will find the 2007-2008 Annual Report for The Arts Center as well as the relevant financials just completed by Anderson's Accounting Firm.

Sincerely,


Sara Swanberg
Executive Director

The Arts Center Annual Report to the City of Corvallis 2007-2008

Submitted by Sara Swanberg, Executive Director

This annual report provides highlights from The Arts Center's fiscal year, July 1, 2007 through June 30, 2008. Significant growth has taken place within the organization and important new partnerships have been developed as The Arts Center continues its strong commitment to addressing the arts and cultural needs of the community. To improve visibility and strategic marketing potential, the name of the organization has been returned to "The Arts Center" and helpful new exterior signage has been installed on the historic building.

FISCAL

The Arts Center is grateful for the support of the City of Corvallis and definitely would not be able to operate at current levels without that support. The fact that the City of Corvallis supports The Arts Center encourages granting agencies to do the same. It is in this coming year that The Arts Center will need to renew the financial agreement with the City in order to be able to continue its service to the community and to not lose its pace with successful growth.

Oregon Community Foundation has just announced that it will continue to fund growth and development at The Arts Center for a second year with a \$13,000 grant. Oregon Cultural Trust has recently granted The Arts Center \$10,000 for a much needed redesign of the organizational web site.

The Arts Center has continued to secure funding from the Oregon Arts Commission through granting programs for Community Arts Services and Arts Education. Funding levels increased again in 2007 as the OAC itself secured additional state funding to re-grant to regional constituencies who submit worthy proposals. However, because of the economic downturn, there are real concerns about funding levels for the 2008-9 year. The Arts Center works to diversify revenue streams through grants, sponsorships, fundraisers, memberships, donations, partnerships, class and camp tuitions, sales in the ArtShop and galleries, and admission to cultural events.

The Endowment Board of Directors continues oversight of five funds: a General Fund, the Howland Fund to support public art in Corvallis and awards for the Howland Community Open exhibition, the Elizabeth Starker Cameron Arts Education Fund, the Bob & Kitty Bunn Fund for the growing ArtsCare Program, and the new Steele Family Fund designated for the Exhibits Program. The funds have suffered during this economic downturn and the best policy will be to leave them untouched until the economic crisis has lifted.

Over 4,300 volunteer hours were donated to The Arts Center with services ranging from daily front desk receptionist hours to office organization skills to consulting time to fundraising.

The Arts Center's membership program entitled Making Friends—Building Community saw good results in its second fiscal year due to well received cultural events. Those events included a Family Series and a Readers Series, and a much expanded 6-week children's summer camp program entitled *Globetrotters*. Sponsorships as well as memberships are on the rise. A grant of \$12,000 was received from The Collins Foundation for at-risk programming at the Oak Creek Oregon Youth Authority Facility. The Arts Center ended its year well in the black.

PROGRAMS & SERVICES

In this fiscal year The Arts Center Exhibition Program offered to the general public at no charge 10 local, regional and national exhibitions in the Main Gallery, each with an opening

event to meet the artists, and several with a complementary cultural event such as related music and/or gallery talks. An additional 10 exhibitions in the smaller galleries featured the work of local art guilds and guest artists and also featured children's art from the summer camp, *Globetrotters*.

Through Arts Education programming, The Arts Center offered 51 on site classes in ceramics, dance, painting and drawing serving over 300 children. Also offered were all-day programs on no-school days serving another 200 children. This year the children's summer camp (*Globetrotters Arts & Culture Camp*) added two weeks to offer six full weeks of 8:30 a.m. to 5:15 p.m. programming. Additional camp classes and space were made possible by working with our partners (Multicultural Literacy Center, OSU, the Library, the Environmental Center). In the coming year The Arts Center is looking at the possibility of opening a pre-school arts and culture class for ages 4-6 three mornings per week.

The Arts In Education program offered 47 weeks of residencies in schools in both Linn and Benton Counties serving 4,300 children.

The ArtsCare Program is growing with \$50,000 in artist-salary funding support received from Samaritan Health Services. Fourteen local artists work with patient groups in cancer and dialysis treatment areas, as well as expanding into mental health units and Hospice situations. Additional artists work with patient families who are staying short term at the Pastega House.

The ArtShop supports over 160 local and regional artists offering a professional marketing place to show and sell their work.

COLLABORATION AND LEADERSHIP

In an effort to serve the needs of our community and to effectively maximize community resources, The Arts Center collaborates with many individuals and organizations. We continue to be the fiscal sponsors for Tcha Tee Man Wi, a regional storytelling festival that promotes oral traditions, strengthens community and honors diversity. This year The Arts Center partnered with the Corvallis School District, Parks & Recreation, the Corvallis Public Library, Leadership Corvallis, the Multicultural Literacy Center, the Environmental Center, FASIS (an East Indian cultural organization), a regional home-school group, Corvallis Fall Festival and daVinci Days Festival.

The Arts Center again hosted the April meeting of the Leadership Corvallis class. The Director takes part in monthly Regional Arts Council conference calls, serves on the Boards of Corvallis Tourism, the OSU Art Department Advisory, Benton County Cultural Coalition and the Regional ArtsCare Advisory. The Exhibits Coordinator serves on the Madison Avenue Task Force and the Public Art Selection Committee. The ArtsCare Coordinator serves on the Regional ArtsCare Advisory Board, and the Arts Education Coordinator attends Regional Arts Education conferences coordinated at the state level by the Oregon Arts Commission and the Oregon Alliance for Arts Education. Our Development Coordinator serves on the Leadership Corvallis Curriculum Committee, and is a member of Rotary.

Through intensive work with City liaison Dan Brown, The Arts Center created a strategic marketing plan for the organization. In the coming year The Arts Center will develop a new web site as well as a business plan.

The Arts Center is fortunate to have a hard-working and supportive Board of Directors; 16 individuals who offer the organization a diversified perspective.

For any questions concerning this report, please contact Sara Swanberg, Executive Director at The Arts Center, 754-1551.

AGREEMENT ADDENDUM No. 1

This contract addendum, dated September 7, 2007, amends the contract entered into on July 1, 2004 between the City of Corvallis, a municipal corporation of the State of Oregon, hereinafter called "CITY" and ArtCentric, a not for profit organization.

The ArtCentric representative for this contract is Sara Swanberg, Executive Director. Any reference in the original contract to Victoria Fridley should be read as applying fully to Sara Swanberg.

The City and ArtCentric agree to modify the original contract as follows:

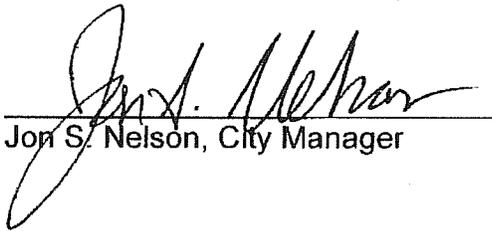
- 3.4 Payment will be made to ARTCENTRIC in the amount of \$32,000 by July 31 of each year. The payment made in December of each year will be the net amount of total ARTCENTRIC property taxes as identified in section 3.3, less the \$32,000 paid to ARTCENTRIC in July of each year.

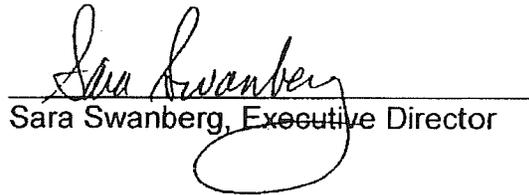
All other terms and conditions in the original agreement remain as originally identified.

IN WITNESS WHEREOF, the parties have herewith executed their signatures.

City of Corvallis:

ArtCentric:


Jon S. Nelson, City Manager


Sara Swanberg, Executive Director

Approved as to Form:


City Attorney

**CITY OF CORVALLIS AND ARTCENTRIC
AGREEMENT**

THIS AGREEMENT, is entered into this 1st day of July, 2004, by and between the CITY OF CORVALLIS, a municipal corporation of the State of Oregon, hereinafter referred to as the "CITY" and ArtCentric, a non-profit corporation, formerly known as the Art Center, hereinafter referred to as "ARTCENTRIC."

All notifications necessary under this contract shall be addressed to:

City of Corvallis
Attention: Julee Conway
1310 SW Avery Park Dr.
Corvallis, OR 97333
Telephone 541-766-6918

ArtCentric
Attention: Victoria Fridley
700 SW Madison
Corvallis, OR 97333
Telephone 541-754-1551

RECITALS

- A. Voters, in May, 1995, approved the passage of a special levy to support the activities of the Arts Center in the amount of \$65,000 per year. The CITY supports cultural arts in the community and serves as a pass through for revenue collected from the Arts Center levy.
- B. In 1997, a citizen sponsored initiative changed property tax law statewide, and the Arts Center's levy was included in the City's total tax rate of \$5.1067 per \$1,000 of assessed value.
- C. The City Council, in keeping with Corvallis voters' direction via approval of the Arts Center's levy in 1995, has allocated 0.45% of the City's total property tax levy for operations to the Arts Center; this allocation represents the Arts Center's 1997 proportion of the City's total levy.

NOW, THEREFORE, in consideration of the following promises, covenants, and conditions, the parties hereto agree as follows:

1. TERM

- 1.1 This agreement shall be effective from July 1, 2004 through June 30, 2009.
- 1.2 If this agreement crosses fiscal years, funding for future years is contingent upon the City Council adopting appropriations.

2. ARTCENTRIC AGREES TO:

- 2.1 Offer cultural arts programs including art exhibits, art classes, and other related art activities at ARTCENTRIC.
- 2.2 Maintain a listing of art organizations in the community.
- 2.3 Conduct an Arts-in-Education Program in the community.
- 2.4 Inform the public about the arts in the community.
- 2.5 Cooperate with the CITY in putting on events and activities which promote the use of the ARTCENTRIC facility and CITY facilities.
- 2.6 Publish a quarterly newsletter and calendar distributed to members of ARTCENTRIC and the media and available to citizens, informing them about the activities at ARTCENTRIC and CITY facilities.
- 2.7 All accounting records and evidence pertaining to all costs of ARTCENTRIC and all documents related to this agreement shall be kept available at the ARTCENTRIC office or place of business for the duration of the agreement and thereafter for three (3) years after completion of any audit. Records which relate to (a) complaints, claims, administrative proceedings or litigation arising out of the performance of this agreement, or (b) costs and expenses of this agreement to which the CITY or any other governmental agency takes exception, shall be retained beyond the three (3) years until resolution of disposition of such appeals, litigation, claims, or exceptions.
- 2.8 ARTCENTRIC shall provide for an independent financial and compliance audit or financial review annually for any fiscal year in which CITY funds are received under this Agreement. The results of the independent audit or financial review must be submitted to the CITY within thirty (30) days of completion. Within thirty (30) days of the submittal of such audit report, ARTCENTRIC shall provide a written response to all conditions or findings reported in such audit report. The response must discuss each condition or finding and set forth a proposed resolution, including a schedule for correcting any deficiency. All conditions or corrective actions shall take place within six (6) months after receipt of the audit report unless the City Manager or his/her designee authorizes an extension of time to complete such actions. Two copies of this review shall be forwarded to the CITY'S Parks and Recreation Director as part of the annual report.

In the event ARTCENTRIC does not make the above-referenced documents available to the CITY, ARTCENTRIC agrees to pay all necessary and reasonable expenses incurred by the CITY in conducting any audit at the location where said records and books of account are maintained.

2.9 Submit a report annually by October 31, to the City, documenting the revenues and expenditures, activities, problems, and achievements of ARTCENTRIC'S programs for the previous fiscal year ending June 30. The ARTCENTRIC annual report shall include, but not be limited to, a description of its effectiveness in the following program areas:

2.9.1 Organization: Progress the ARTCENTRIC has made to involve the arts and the public in its activities.

2.9.2 Promotion: Progress of ARTCENTRIC in promoting the Center as a community arts facility.

3. THE CITY AGREES TO:

3.1 Budget the City Council approved proportion of the CITY'S property tax levy to be paid to ARTCENTRIC each fiscal year that this agreement is in effect. The CITY will levy property taxes in compliance with Constitutional and statutory requirements each fiscal year during this agreement. The City Council determines, by policy, the proportion of the CITY'S total levy to be allocated to ARTCENTRIC each year. In the event that a reduction or the elimination of the appropriation for this agreement is being considered by the CITY'S Budget Commission or City Council during annual budget deliberations, the CITY shall provide notice to ARTCENTRIC on or before May 15 of such contemplated action. If the appropriation is eliminated ARTCENTRIC shall be relieved of all obligations described in this Agreement effective the beginning of the fiscal year in which the funds are not appropriated.

3.2 The CITY'S Finance Department will notify ARTCENTRIC'S Executive Director by April 1st each year of ARTCENTRIC'S portion of the CITY'S estimated property tax levy for the following fiscal year, beginning July 1.

3.3 The CITY'S Finance Department will provide ARTCENTRIC'S Executive Director with the actual revenue figure when the actual amount of taxes levied for the year is known (around mid-November).

3.4 Payments will be made to ARTCENTRIC on the tenth (10th) of each month for July through November in the amount of \$5,200. The payment made on December 10th will be the net amount of total ARTCENTRIC property taxes as identified in Section 3.3, less the \$26,000 paid to ARTCENTRIC prior to December 10th.

All appropriations are subject to recommendation by the City Budget Commission and approval by the City Council as a part of annual CITY budget process.

3.5 Include the ARTCENTRIC facility under the City's property and general liability policies.

4. LIABILITY

- 4.1 ARTCENTRIC shall indemnify, protect, defend, and hold CITY, its officers, agents, volunteers, and employees harmless against any actions, claim for injury or damage and all loss, liability, cost or expense, including court costs and attorneys fees, growing out of or resulting directly or indirectly from the performance of this contract, except for that resulting from the sole negligence of the CITY.
- 4.2 ARTCENTRIC shall purchase and maintain fire damage to property owned by ARTCENTRIC of \$50,000 and General Liability insurance with a combined single limit, or the equivalent, of not less than \$500,000 each claim, incident, or occurrence for Bodily Injury and Property Damage. It shall include contractual liability coverage for the indemnity provided under this contract, and shall be in a form at least as broad as Commercial General Liability ISO form CG 0001. It shall provide that City and its officers and employees are Additional Insureds, but only with respect to the Contractor's services to be provided under this contract

Each insurance endorsement shall state that coverage shall not be suspended, voided, or canceled by either party, reduced in coverage or in material limits except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to CITY.

ARTCENTRIC shall furnish acceptable insurance certificates to CITY with original endorsements for each insurance policy signed by a person authorized by that insurer to bind coverage on its behalf. The certificate shall specify the CITY and its officers, agents, employees and volunteers are Additional Insured in respect to the work under this agreement. Insuring companies or entities are subject to CITY acceptance.

5. Termination

- 5.1 The CITY may terminate this Agreement upon sixty (60) days written notice to ARTCENTRIC for failure of ARTCENTRIC to fulfill its obligations under this Agreement, if such violation remains uncured after 60 (60) days from ARTCENTRIC'S receipt of such written notice.
- 5.2 In the event that ARTCENTRIC, by majority vote of its members, decides to discontinue this Agreement, then its action, and this Agreement shall be deemed canceled sixty (60) days after the date of the notice is received by the CITY and each party shall be relieved of its obligations described herein. In no event shall ARTCENTRIC be obligated by this Agreement for any period of time for which the funds outlined in 3.1 and 3.2 above have not been disbursed to its account.

6. Independence

ARTCENTRIC is an independent organization and entity pursuant to this Agreement and shall not, in any way, be considered to be an affiliate, subsidiary, officer, agent or employee of the CITY. ARTCENTRIC agrees that the CITY shall not be liable or responsible for any benefits, including, but not limited to, worker's compensation, disability insurance, retirement benefits, life insurance, unemployment insurance, health insurance or any other benefits which ARTCENTRIC may be required by law or contract to provide to its employees, officers, agents, or contractors. ARTCENTRIC agrees that it shall not sue or file a claim, petition or application therefore against the CITY or any of their officers, employees, agents, representatives or sureties with respect to such benefits. ARTCENTRIC shall not have any authority to bind the CITY or to make any representations or warranties to accept service of process, to receive notice, or to perform any act or thing on behalf of the CITY except as authorized in writing by the CITY.

7. Authority of Signatories

ARTCENTRIC and ARTCENTRIC'S signatories represent that the signatories hold the positions set forth below their signatures and that the signatories are authorized to execute this Agreement on behalf of ARTCENTRIC and to bind ARTCENTRIC hereto.

8. Attorney's Fees

If any action or proceeding is brought by either party against the other under this Agreement, the prevailing party shall be entitled to be reimbursed by the losing party for its reasonable attorney's fees and costs.

9. Assignability

If ARTCENTRIC attempts to assign or transfer any interest in this agreement, whether by assignment, delegation, or novation, without the prior written consent of the CITY, this agreement shall be void.

10. Prevailing Law

This agreement is to be governed by, and construed in accordance with, the laws of the State of Oregon.

11. Venue

Any disputes about the terms of this agreement will be brought before the Benton County Circuit Court.

12. Waiver

Waiver of any breach of any provision of this contract by either party shall not operate as a waiver of any subsequent breach of the same or any other provision of this contract. If any portion of this Agreement is held to be invalid under any applicable statute or rule of law, then such portion only shall be deemed invalid.

13. Compliance with federal and state laws

ARTCENTRIC shall have sole responsibility to comply with all applicable federal and state laws, rules and regulations concerning environmental issues in carrying out activities funded under this agreement. If any acts or omissions of ARTCENTRIC should lead to liability or government enforcement action against the CITY, ARTCENTRIC shall be required to defend such action and to indemnify the CITY for all costs incurred including without limitation any costs of required response actions and attorney fees. The CITY will not assume responsibility for compliance with federal or state environmental requirements relating to ARTCENTRIC performance under this contract, but will cooperate to the extent practical and consistent with City Council Policy.

14. Discrimination

The parties agree not to discriminate on the basis of race, religion, sex, color, national origin, family status, marital status, sexual orientation, age, source of income, or mental or physical disability in the performance of this contract.

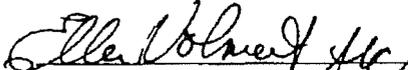
15. Extent of Contract

This contract supersedes any prior or contemporaneous oral or written agreements or understandings entered into by the parties. No modification of this Agreement shall be valid unless set forth in writing and signed and dated by both of the parties to this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the dates hereinafter respectively set forth.

AGREED:

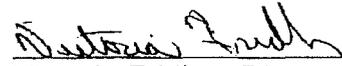
CITY OF CORVALLIS



Jon S. Nelson, City Manager

Dated: 7/16/04

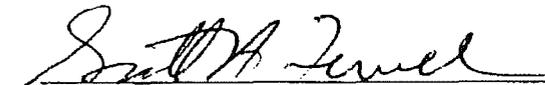
ARTCENTRIC



Victoria Fridley, Director

Dated: 08/17/04

APPROVED AS TO FORM:



City Attorney



Finance Department
500 SW Madison Avenue
Corvallis, OR 97333
541-766-6990
541-754-1729

MEMORANDUM

January 22, 2009

TO: Karen Emery, Parks and Recreation Director

CC: Alice Renner, Park and Recreation Management Assistant
Nancy Brewer, Finance Director
Bob Wrightson, Assistant Finance Director

FROM: Cynthia Chavez, Accountant

SUBJECT: The Corvallis Arts Center, Inc. Annual Financial Review, Fiscal Year 2008

This review consists of inquiries and analytical procedures and is limited in its nature. The Statement of Financial Position, Statement of Activities, Statement of Cash Flows, and the related Notes to the Financial Statements are unaudited financial reports that are the representation of the management of the Corvallis Arts Center, Inc. (CAC). The June 30, 2008 financial reports were compiled by Anderson Group, Certified Public Accountants, LLC. Anderson Group has not audited the financial statements and does not express an opinion or any form of assurance on the financial statements.

This review is based on CAC's fiscal year, July 1, 2007 through June 30, 2008. CAC records transactions using the accrual basis of accounting. During the year ended June 30, 2008 CAC reported revenues of \$437,177. Included in the total revenue are property taxes of \$80,952 turned over by the City to CAC. This amount makes up 18.5% of CAC's total revenues. CAC has accounted for all the revenue received from the City. CAC reported fiscal year expenses of \$471,795, resulting in a net decrease of net assets of \$34,618. However, due to a positive net asset balance of \$63,395 at July 1, 2007, the Corvallis Art Center was able to report a positive year end net asset balance of \$28,777. Of this net asset balance, \$9,565 is reported as restricted.

During the fiscal year, CAC reported total assets of \$52,649, a decrease of 18% from the prior fiscal year and total liabilities of \$23,872, which represents a significant increase from the prior fiscal year's liability of \$764. The increase in liabilities is due to an increase in accounts payable and accrued vacation.

Based on this review, acceptance of the Corvallis Arts Center's annual report is recommended.

THE CORVALLIS ARTS CENTER, INC.

Compiled Financial Statements
For the Year Ended June 30, 2008

ANDERSON GROUP
CERTIFIED PUBLIC ACCOUNTANTS, LLC
2165 NW Professional Drive, Suite 101
Corvallis, Oregon 97330
(541) 757-2070

THE CORVALLIS ARTS CENTER, INC.
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ANDERSON GROUP

CERTIFIED PUBLIC ACCOUNTANTS, LLC

Janet K. Magedanz, CPA
Kristen P. Gose, CPA
Jamie S. Hughes, CPA

Mary C. Vedaa, CPA

Tracy Byers
Office Manager

To the Board of Directors
The Corvallis Arts Center, Inc.
Corvallis, Oregon

We have compiled the accompanying statement of financial position of The Corvallis Arts Center, Inc. (an Oregon nonprofit corporation) as of June 30, 2008 and the related statements of activities and cash flows for the year then ended, in accordance with Statements on Standards for Accounting and Review Services issued by the American Institute of Certified Public Accountants.

A compilation is limited to presenting in the form of financial statements information that is the representation of management. We have not audited or reviewed the accompanying financial statements and, accordingly, do not express an opinion or any other form of assurance on them.

Anderson Group, CPAs, LLC

November 20, 2008

THE CORVALLIS ARTS CENTER, INC
Statement of Financial Position
As of June 30, 2008

ASSETS

Current Assets		
Cash	\$	33,177
Accounts receivable		4,699
Inventory		1,608
Total Current Assets		39,484
Property and Equipment		
Equipment		72,177
Leasehold improvements		22,438
Accumulated depreciation		(81,450)
Net Property and Equipment		13,165
TOTAL ASSETS	\$	52,649

LIABILITIES AND NET ASSETS

Current Liabilities		
Accounts payable	\$	18,053
Accrued vacation		5,819
Total Current Liabilities		23,872
TOTAL LIABILITIES		23,872
Net Assets		
Unrestricted		19,212
Temporarily restricted		9,565
TOTAL NET ASSETS		28,777
TOTAL LIABILITIES AND NET ASSETS	\$	52,649

See accompanying notes and accountant's report.

THE CORVALLIS ARTS CENTER, INC
Statement of Activities
For The Year Ended June 30, 2008

	Unrestricted	Temporarily Restricted	Total
REVENUES			
Education and Programs			
Class tuition	\$ 43,638	\$ -	\$ 43,638
ArtsCare	158	-	158
Total Education and Programs	43,796	-	43,796
Gallery and Exhibit			
Gift shop and gallery sales	86,053	-	86,053
Other	7,336	-	7,336
Total Gallery and Exhibit	93,389	-	93,389
Linn Benton Arts Council			
AIE school fees	6,880	-	6,880
Total Linn Benton Arts Council	6,880	-	6,880
Grants			
Arts in education	-	10,700	10,700
ArtsCare	-	31,945	31,945
City of Corvallis	80,952	-	80,952
Oregon Economic and Community Development	25,000	-	25,000
Oregon Community Foundation	17,000	-	17,000
Other	2,350	-	2,350
Satisfaction of program restrictions	42,645	(42,645)	-
Total Grants	167,947	-	167,947
Membership and Contributions			
Contributions	15,411	760	16,171
Membership fees	26,807	-	26,807
Satisfaction of support restrictions	760	(760)	-
Total Membership and Contributions	42,978	-	42,978
Other Revenues			
Chocolate Fantasy	48,529	-	48,529
Endowment fund support	-	21,279	21,279
Story tellers	-	9,140	9,140
Facility rental	3,239	-	3,239
Satisfaction of program restrictions	30,104	(30,104)	-
Total Other Revenues	81,872	315	82,187
TOTAL REVENUES	436,862	315	437,178

See accompanying notes and accountant's report.

THE CORVALLIS ARTS CENTER, INC
Statement of Activities
For The Year Ended June 30, 2008

	Unrestricted	Temporarily Restricted	Total
EXPENSES			
PROGRAM EXPENSES			
Education			
On site classes	40,118	-	40,118
Supplies	4,028	-	4,028
Total Education	44,146	-	44,146
Gallery and Exhibit			
Main gallery	36,608	-	36,608
Winterlight	20,359	-	20,359
Exhibition program	18,267	-	18,267
Total Gallery and Exhibit	75,234	-	75,234
Linn Benton Arts Council			
AIE payment to artists	10,412	-	10,412
Total Linn Benton Arts Council	10,412	-	10,412
Other Program Expenses			
Story tellers	8,825	-	8,825
ArtsCare	30,982	-	30,982
Total Other Program Expenses	39,807	-	39,807
TOTAL PROGRAM EXPENSES	169,599	-	169,599
FUNDRAISING			
Chocolate Fantasy	15,030	-	15,030
Other	4,199	-	4,199
TOTAL FUNDRAISING	19,229	-	19,229
GENERAL AND ADMINISTRATIVE			
Payroll, taxes and employee benefits	207,261	-	207,261
Contract services	21,866	-	21,866
Office expense	13,935	-	13,935
Advertising	4,898	-	4,898
Postage	4,722	-	4,722
Printing and copies	477	-	477
Utilities	13,912	-	13,912
Interest expense	5,115	-	5,115
Depreciation	3,350	-	3,350

See accompanying notes and accountant's report.

THE CORVALLIS ARTS CENTER, INC
Statement of Activities
For The Year Ended June 30, 2008

	Unrestricted	Temporarily Restricted	Total
GENERAL AND ADMINISTRATIVE (CONTINUED)			
Building maintenance	3,365	-	3,365
Insurance	3,718	-	3,718
Other	348	-	348
TOTAL GENERAL AND ADMINISTRATIVE	<u>282,967</u>	<u>-</u>	<u>282,967</u>
TOTAL EXPENSES	<u>471,795</u>	<u>-</u>	<u>471,795</u>
INCREASE (DECREASE) IN NET ASSETS	(34,933)	315	(34,618)
NET ASSETS AT BEGINNING OF YEAR	<u>54,145</u>	<u>9,250</u>	<u>63,395</u>
NET ASSETS AT END OF YEAR	<u>\$ 19,212</u>	<u>\$ 9,565</u>	<u>\$ 28,777</u>

See accompanying notes and accountant's report.

THE CORVALLIS ARTS CENTER, INC
Statement of Cash Flows
For The Year Ended June 30, 2008

CASH FLOWS FROM OPERATING ACTIVITIES	
Decrease in net assets	\$ (34,618)
Adjustments to reconcile change in assets to net cash provided by operating activities:	
Depreciation and amortization	3,350
Decrease in accounts receivable	1,334
Increase in inventories	(52)
Increase in accounts payable	17,291
Increase in accrued expenses	5,819
Net cash used by operating activities	<u>(6,876)</u>
CASH FLOWS FROM INVESTING ACTIVITIES	
Payments for the purchase of property	<u>(6,278)</u>
Net cash used in investing activities	<u>(6,278)</u>
Net Decrease in Cash	(13,154)
CASH AT BEGINNING OF YEAR	46,331
CASH AT END OF YEAR	<u><u>\$ 33,177</u></u>

See accompanying notes and accountant's report.

THE CORVALLIS ARTS CENTER, INC.
Notes to Financial Statements
For the Year Ended June 30, 2008

NOTE 1 – NATURE OF ACTIVITIES AND SIGNIFICANT ACCOUNTING POLICIES

Nature of Activities

The Corvallis Arts Center is a non-profit organization with a mission to nurture artistic expression and to enhance the creative life of our community. This mission is carried out through such programs as exhibitions, performances, extensive on-site arts and culture programming for children, an Artist in Residence program serving schools and at-risk youth, an ArtsCare program serving health care facilities, and the promotion and sale of artists' work through exhibitions and the ArtShop. Sources of income include a tax levy, grants, memberships, sponsorships, fees for classes and events, and commissions from the sale of artwork.

Basis of Accounting

The Organization uses the accrual method of accounting to record transactions, which matches revenues against the appropriate expenses.

Accounts Receivable

Management considers accounts receivable to be fully collectible; accordingly, no allowance for doubtful accounts has been established.

Property and Equipment

Property and equipment acquisitions are capitalized at purchase price or estimated fair market value if donated. Depreciation is computed using the straight-line method over lives varying from three to twenty years.

Inventory

Inventory consists of items purchased and held for resale and is valued at cost. A physical inventory is taken annually. Consigned goods are not included in inventory.

Advertising Costs

Advertising costs are expensed as incurred.

Income Taxes

The Corvallis Arts Center, Inc. is a not-for-profit organization exempt from income taxes under Section 501(c)(3) of the Internal Revenue Code. The Organization has minimal income from unrelated business activities, which creates an insignificant amount of income taxes, if any.

Financial Statement Presentation

Under Statement of Financial Accounting Standards (SFAS) No. 117, *Financial Statements of Not-for-Profit Organizations*, the Organization is required to report information regarding its financial position and activities according to three classes of net assets: unrestricted net assets, temporarily restricted net assets, and permanently restricted net assets.

Contributions

Under SFAS No. 116, *Accounting for Contributions Received and Contributions Made*, contributions received are recorded as unrestricted, temporarily restricted, or permanently restricted net assets depending on the absence or existence and nature of any donor restrictions.

Use of Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

THE CORVALLIS ARTS CENTER, INC.
Notes to Financial Statements
For the Year Ended June 30, 2008

NOTE 2 – TEMPORARILY RESTRICTED FUNDS

The Organization received \$10,700 in temporarily restricted funds for the year ended June 30, 2008. These funds were provided to fund educational activities. Donor restrictions required that these funds be spent on educational programs and activities. These requirements were met and restrictions were satisfied during the fiscal year.

The Organization received \$31,945 in temporarily restricted funds for the year ended June 30, 2008. These funds were provided to fund the ArtsCare program. Donor restrictions required that these funds be spent on the ArtsCare programs and activities. These requirements were met and restrictions were satisfied during the fiscal year.

The Henderson Memorial funds are to be used for art work and memorial flags. During the year, funds were not spent, leaving a balance of temporarily restricted funds at June 30, 2008 of \$528.

The Co-sponsored fund is used to account for unspent balances for events including the Story Tellers. These events have their own volunteers, purpose, and direction. The Corvallis Arts Center, Inc. maintains their accounting records and reports on their activities. If these groups were to dissolve, any unspent monies would remain with The Corvallis Arts Center, Inc. The Story Tellers temporarily restricted balance at June 30, 2008 was \$9,037.

NOTE 3 – ECONOMIC DEPENDENCE

The City of Corvallis provided support totaling \$80,952 for the year ended June 30, 2008. The amount of such support is determined annually within the City budget. Future support from the City is planned by the City but remains uncertain, depending on other budget considerations.

NOTE 4 – ENDOWMENT FUND

In February 2001 a separate supporting organization known as ArtCentric Endowment, Inc. was formed to separately manage the endowed funds. Net transfers of \$136,593 were made from the Corvallis Arts Center, Inc. to ArtCentric Endowment, Inc at the time of separation. The ArtCentric Endowment provides fiscal support to the Corvallis Arts Center, Inc. During the fiscal year ended June 30, 2008, the organization received \$21,279.

MEMORANDUM

TO: Human Services Committee

FROM: Ken Gibb, Community Development Director 

DATE: March 10, 2009

SUBJECT: Indoor Furniture Placed Outdoors

ISSUE

City Council and community concerns relating to indoor furniture outdoors being left outdoors.

BACKGROUND

The City Council recently requested that staff provide information relating to a community livability issue involving indoor furniture such as couches, recliners or mattresses, which are left outdoors and are often abandoned. Indoor furniture that is left outdoors may create unsightly conditions for the rest of the community and can provide harborage for rodents creating an unsanitary condition.

Prior to the establishment of a formal Code Enforcement Program, the Development Services Division responded to complaints of abandoned furniture through investigation and resolution by building inspection staff as they had time. This method was not very effective, particularly without any specific standards or municipal code language which addressed indoor furniture being left outdoors. Citizens were simply requested to remove the furniture in an agreed upon timeframe. If the furniture was not removed and became harborage for rodents, direction could then be ordered for removal as public health concern. This provision was rarely used.

In 2008, under the current Code Enforcement program, there were 375 citizen complaint cases of which, 13 complaints specifically related to indoor furniture being placed outdoors. Of the total number of complaints for the year this equates to approximately 3.4% of the case load (there may have been some additional cases where abandoned furniture was part of a case with multiple issues). Having staff dedicated to the Code Enforcement Program has assisted in the City responding to complaints in a more timely and effective manner.

DISCUSSION

The issue relating to indoor furniture being left outdoors and adverse impacts to community livability has been a concern expressed by Council for some time. Attachment 1 includes an excerpt of the October 20, 2008 City Council minutes where the issue was discussed.

Recently in December 2008, Council approved several staff initiated changes to the definitions in the solid waste ordinance that Staff believes will provide the needed code backing for staff to address the issue in a more effective manner. In summary, the solid waste ordinance now defines solid waste to include, "discarded home and industrial appliances and furnishings." The restrictions section makes it unlawful for a person to dump, collect, accumulate, or dispose of solid waste on public or private property within the City. Accumulating or storing waste that is unsightly is also prohibited.

The current method of response is still reactive based on when a complaint is received. As the Code Enforcement program continues to become more established, staff plans to reach out proactively to student organizations and other groups regarding this and other related issues. It is anticipated that this will be one of the program objectives in the next year.

Another approach is to develop a specific ordinance that would prohibit the placement of indoor furniture outdoors. This type of ordinance has been enacted by some communities and would allow the City to address the issue before it became an identifiable health or solid waste problem. Examples of such measures are included in Attachment 2 which includes a recently passed ordinance from Lincoln, Nebraska and code language from Oxford, Ohio where Code Enforcement Supervisor Chris Westfall previously worked.

The impact of such a code provision is difficult to project relative to Code Enforcement Program staffing resources. Having a specific ordinance will likely generate more complaints that Staff will need to address but amount of increase is unknown. It is not clear if this would result in more expeditious results given the recent changes to the sanitation ordinance.

Staff has identified the following options for the Committee to consider:

- Not make any additional code changes at this time (with the understanding that recent code changes will be of benefit) and conduct outreach with student and community organizations as resources permit. Monitor progress through a report to the City Council in a year's time.
- Provide direction to Staff to bring an ordinance that would specifically regulate indoor furniture placed outdoors.

REQUESTED ACTION

Staff requests that the Human Services Committee review this report and make a recommendation to the City Council regarding one of the Staff identified options or another option that the Committee identifies and recommends.

Review and Concur:



Jon S. Nelson, City Manager

- The code enforcement program is funded for a .2 full-time-equivalent (FTE) position. Staff was able to shift funding to support a .5 FTE position. This has allowed staff to keep pace with new cases and resolve some older cases. It will be difficult to maintain the .5 FTE position with existing resources.

Mr. Gibb opined that staff did a good job of implementing the program.

Code Enforcement Supervisor Westfall said staff agreed to review existing processes and present to the Council potential improvements. Approximately one-third of new cases involve garbage or sanitation involving property condition. Approximately one-fifth of new cases involve zoning or land use. Almost one-fifth of new cases involve work without permits, which may overlap with zoning issues. These statistics indicate a need for extensive work regarding property condition and issues under the control of the property owner or manager. During the current calendar quarter, he is identifying professional organizations to which he can explain the code enforcement program and how the City can serve as a resource, rather than merely an enforcement service. He is working with property maintenance professionals to determine how the City can give them information regarding the City's objectives and what the companies should know regarding uses that may not be allowed under the current laws. He has worked with Franchise Utility Specialist Steele to review the City's garbage laws to streamline staff's response to code enforcement complaints and to clarify responsibilities.

Mr. Gibb referenced the issue of indoor furniture on lawns. The Council and staff previously discussed that the City does not have sufficient staffing to enforce a property maintenance code. Staff discussed minor legislative amendments to improve the current system and ease development of the code enforcement program. More issues and more case backlog cannot be addressed with the existing staffing without impacting the current service level.

In response to Councilor Wershow's inquiry, Mr. Gibb said Mr. Westfall developed a chart indicating which City department or division was responsible for which type of issue; the chart was shared among departments.

Councilor Brown inquired whether the level of new complaints was adding to the backlog of unresolved complaints, whether the existing level of resources would enable reduction of the backlog over time, and when the reduction would be completed. He also inquired as to the nature of unresolved complaints.

Mr. Westfall referenced the Activity Summary of his report. New complaints are evaluated and referred to the appropriate departments. Some cases in the backlog one year ago were resolved during the first eight months of this year. He does not anticipate accumulating more unresolved cases and foresees the new Development Services Division land use workgroup assisting in resolving land use-related complaints in a timely manner. Some cases will need time to resolve, including cases involving a long-term building permit resolution. Compliance with existing regulations could require a land use process, which is dependent upon other

scheduling parameters. A case involving wetland fill issues and monitoring/compliance by Division of State Lands could be unresolved for the next three years.

Councilor Daniels suggested posting to the City's Web site the chart of complaints and responsible departments. Mr. Westfall explained that the chart was developed for staff use. He intends to develop a code enforcement page within the Development Services Division's portion of the City's Web site, where the chart could be posted, along with frequently asked questions and answers and information explaining how property owners can ensure that their properties comply with the laws.

Councilor Daniels thanked Mr. Westfall for sending case follow-up reports to people who file complaints. She also thanked Mr. Westfall for his efforts (and those of Development Services Division Manager Carlson and other staff members) regarding sidewalk cafés. She noted that some code violations may be the result of new community residents (e.g., college students) not knowing the laws.

In response to Councilor York's comment, Mr. Gibb stated that staff cannot respond to issues of indoor furniture on lawns until the furniture becomes a health and/or safety problem. The City does not have laws prohibiting indoor furniture on lawns.

Councilor Beilstein said the Bicycle and Pedestrian Advisory Commission was alerted to a business on Second Street with a sidewalk café that met legal requirements but created an obstacle and unfriendly area for pedestrians. He recalled discussions to amend the Municipal Code provisions to prohibit such café situations.

Mr. Gibb responded that staff will prepare a report for Urban Services Committee during the next three months evaluating the first year's activities under the new sidewalk café regulations. The subject site will be reviewed. He expressed hope that the regulations would only need minor adjustments after the first year of application.

Councilor Daniels opined that it would be less expensive to amend the Municipal Code to address the issue of indoor furniture on lawns. She emphasized the importance of knowing the location of the furniture when it is initially reported, as it often moves, making it difficult or impossible for the City to bill the property owner for removal/clean-up expenses when the furniture must be removed from the right-of-way or charred remains must be discarded.

Mr. Westfall reiterated that approximately one-third (74) of new cases involve garbage, including indoor furniture on lawns. Approximately 35 to 40 cases specifically involved indoor furniture on lawns. Staff investigates whether the complaint meets the City's code definition of garbage.

Mr. Nelson thanked Mr. Gibb, Mr. Westfall, and their staffs for their efforts on the new program. He believes the program is progressing as expected. He suggested that Council leadership could decide, based upon Council input, whether to add to

a Council Standing Committee agenda the issue of amending the Municipal Code to address indoor furniture on lawns.

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

A. Human Services Committee – October 7, 2008

1. Council Policy Review: CP 91-1.02, "Liquor License Approval Procedures"

Councilor Brauner reported that the Policy was amended two years ago and has been working well since. Staff did not recommend Policy amendments.

Councilors Brauner and Wershow, respectively, moved and seconded to affirm Council Policy CP 91-1.02, "Liquor License Approval Procedures." The motion passed unanimously.

2. Council Policy Review: CP 07-4.16, "Code of Conduct for Patrons at Parks and Recreation Facilities, Events, and Programs"

Councilor Brauner reported that Parks and Recreation Department worked with Police Department to improve application of the Policy. Parks and Recreation Department staff concurred with Police Department staff's recommendations for some minor Policy amendments to enhance Policy enforcement.

Councilors Brauner and Wershow, respectively, moved and seconded to amend Council Policy CP 07-4.16, "Code of Conduct for Patrons at Parks and Recreation Facilities, Events, and Programs."

Councilor Raymond, noting that undesirable personal hygiene was one reason for exclusion from a Parks and Recreation Department facility, inquired whether the provision applied to homeless persons, who often do not have access to shower facilities.

Councilor Brauner responded that personal hygiene would be difficult to define. The Policy relates to unacceptable behavior, and its reference to personal hygiene specifies situations inside City recreation facilities.

Councilor Wershow recalled that the Policy provision regarding hygiene related to situations at the Senior Center and not to homeless individuals.

Mr. Nelson added that the City has similar policies regarding hygiene for other City facilities, such as the Library. The policies are not intended to classify people but are intended to address types of behavior that prompt complaints. The policies outline unacceptable behaviors in City facilities, based upon community standards and expectations and do not focus on enforcement upon one class of individuals.

With respect to indoor furniture outdoors, the following are excerpts of ordinance language from Lincoln Nebraska and Oxford Ohio:

City of Lincoln, Nebraska property maintenance code:

(5) Premises which have upholstered or other furniture which is designed or manufactured primarily for indoor use with no original outdoor weatherproofing qualities including, but not limited to, upholstered chairs, upholstered couches, and mattresses used or left on unenclosed exterior porches, balconies, or in an exposed open area including, but not limited to, decks, patios, roofs, yards, driveways, or walkways. Exterior porches shall not include any porch completely covered by a roof, when located at and attached to a building and completely enclosed by fully intact glass and/or fully intact screens which are designed to keep out insects and allow air flow. (Ord. 19149 §1; September 22, 2008: prior Ord. 16973 §21; April 29, 1996: Ord. 16955 §8; March 18, 1996).

City of Oxford, Ohio General Offenses prohibition:

521.12 OUTDOOR FURNITURE RESTRICTION.

(a) No person shall place, use, keep, store, or maintain any furniture not manufactured for outdoor use in any yard, alley, unenclosed porch or in any other outside area. However, it will be an affirmative defense to any alleged violation of this provision that such furniture was placed in an outside location designated for the collection of garbage, refuse or recyclable materials, in accordance with the City's garbage, refuse and recycling service, for the purpose of having such furniture removed, and said placement at said location is not more than 24 hours before the designated collection time.

(b) Whoever violates this section is guilty of a minor misdemeanor on a first offense, and each subsequent offense shall render such person guilty of a misdemeanor of the fourth degree.

Louie, Kathy

From: Chris LeBoeuf [lr]
Sent: Wednesday, March 11, 2009 9:38 AM
To: Louie, Kathy
Subject: Abandoned furniture in neighborhoods

Dear City Council,

I would like to register my support for a city ordinance prohibiting abandoned furniture in yards.

My husband and I live on a corner of _____ . Presently, a house on another corner has had an empty refrigerator in the front yard for several weeks. The house yet another corner has had an easy chair on the lawn for 6 months and the house on the 4th corner has a hard top from a pick-up truck sitting in the front yard.

As you might imagine, it is quite a pretty sight in our lovely neighborhood!

Aside from the obvious aesthetics, I feel like the discarded furniture can also present a safety hazard. I have gotten up in the morning to find the easy chair in the middle of the street.

Thank you for looking into this pervasive problem.

Chris LeBoeuf

Louie, Kathy

From: Lynn Ketchum
Sent: Wednesday, March 11, 2009 9:21 PM
To: Louie, Kathy
Subject: Testimony on Lawn Couches

athy--please forward this to city council members. If you will let me know that you received this email, I would appreciate it. Thanks. Barb

My husband, Lynn Ketchum, and I are in support of legislation that would address the problem of couches and other furniture left on lawns. In addition to this being unsightly it poses a public health hazard because it attracts critters/vermin and it litters yards and crosswalks and other public rights-of-way. Many times we've seen a couch in a yard and then someone picks it up and moves it onto a sidewalk or street. This "garbage" is often there for months at a time. And, in Oregon in the winter this becomes a soggy/mildewed mess. This is especially prevalent in communities w/in a 20 block, or so, radius around campus. We need to clean up these areas. If we start by cleaning up the furniture debris perhaps the littering and garbage found in these areas will also begin to dissipate.

...nile on the subject of furniture, I would also like the city council to consider banning furniture on the roof. I called the city last week and learned that every year this goes before council and it is always defeated. I was surprised. Typically, those individuals on the roof are drinking or intoxicated, it's dangerous and it's unsightly for neighbors who have to view this. The city appears to be concerned w/ what happens to property visually and at eye level, but they don't seem to mind if drunk people are on a roof peering down in to other people's yards and houses and leaving furniture on a roof for months on end. I view this as debris on the roof just as I view couches in the yard as debris.

Thank you.

b Ketchum



MEMORANDUM

To: Human Services Committee
From: Karen Emery, Director
Alice Renner, Management Assistant
Date: March 17, 2009
Subject: Guidelines for Free Use Policy Review-Council Policy/CP 97-4.09

Issue: This policy establishes guidelines regarding exemptions from paying fees for the use of City parks. It is the purpose of this memo to inform the City Council of the completion of the biennial review of the Guidelines for Free Use, as required by Council Policy CP 97-4.09.

Background: This policy has been in existence since 1997. This policy provides guidelines for staff to evaluate requests from the public for free use of its facilities; i.e., picnic shelters, community rooms, sports fields. Based on the established City Council revenue policies, identified park facilities have an established use fee and all user requests are charged the adopted use fee. Any fee waiver granted to a user must follow the Policy Exemption guidelines, as stated in Council Policy 97-4.09.023.

As the economic climate worsened, more requests for free use were received. Administrative staff found it difficult to interpret whether requests should be granted free use, according to City Council directives. This difficulty resulted in considerable revisions of the policy in 2007.

Discussion: The City is often asked to provide free use of its facilities for social gatherings, networking or citizen training activities. Staff regularly references Council Policy 97-4.09 for processing free use requests. Three criteria are applied, per policy, to determine if the group is exempted from paying fees:

- a. City of Corvallis sponsored or co-sponsored events, meetings, or activities. Co-sponsored activities must be verifiable through a signed agreement or Memorandum of Understanding.
- b. Arrangements executed through a separate agreement involving the use of City Parks and Recreation facilities.
- c. Benton County, a tax-supported agency, as long as they reciprocate with free use of County facilities to the City.

After clarifying changes were made to the policy in 2007, the Department received 9 requests for free use in 2008, resulting in a loss of \$1,208 in revenue.

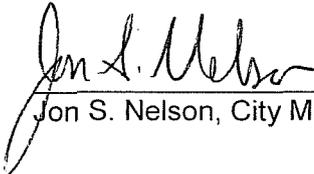
The current change (4.09.021 Definitions – Fee) was presented to the Parks, Natural Areas and Recreation Board (PNARB) at its February 19, 2009 meeting. PNARB recommended modifying the policy as suggested by staff.

Recommendation: It is recommended that Council Policy #97-4.09 be approved as revised.

Review and Concur



Nancy Brewer, Finance Director



Jon S. Nelson, City Manager

Attachments:

1. Council Policy #97-4.09-Revised
2. Free Use Request Form

CITY OF CORVALLIS

COUNCIL POLICY MANUAL

POLICY AREA 4 - LEISURE AND CULTURAL ACTIVITIES

CP 97- 4.09 Guidelines for Free Use of Parks and Recreation Facilities

Adopted May 27, 1997

Affirmed December 21, 1998

Affirmed June 19, 2000

Revised January 22, 2002

Revised December 2, 2002

Revised December 20, 2004

Revised March 19, 2007

Revised March 17, 2009

4.09.010 Purpose

To establish guidelines in the review, approval, and exemption from paying fees for use of City Parks and Recreation facilities. This policy provides a methodology to permit free use, where appropriate, while optimizing the generation of non-property tax revenue, to financially support the ongoing facility operation.

4.09.020 Policy

The Parks and Recreation Department operates recreation facilities which are available to the public. These facilities are used for a variety of recreation programs, community events, meetings, classes, and social gatherings.

Fees are charged for the use of these facilities to help defray the cost of operations and maintenance of the facilities. The following are guidelines for reviewing requests for exemptions from payment of fees.

4.09.021 Definitions

Permit An application form issued or authorized by the Parks and Recreation Department for use of a Parks and Recreation facility.

Council Policy 97-4.09

Parks and Recreation Facilities	All buildings, parks, structures, roads, playing fields, swimming pools, and picnic areas which are operated and maintained by the Parks and Recreation Department.
Fee	A non-refundable payment for the use of parks and recreation facilities, used to defray costs of maintaining the facility.

4.09.022 Guidelines

All users must pay to use Park and Recreation facilities, according to the Council adopted fee schedule. The only exemption to paying a fee is outlined in Section 4.09.023 Exemptions. Any user wishing to be exempt from paying a fee for the use of Parks and Recreation facilities must complete the Request for Free Use form and receive approval from the Parks and Recreation Director. An exemption to paying a fee for each facility use may be authorized for a period of up to one year. A user must reapply for exemption each year. Any violation of any of these requirements by the exempted user may jeopardize any future consideration of fee waivers.

4.09.023 Exemptions

With a current approved Free Use Agreement, the following are exempt from paying a fee. All reservation permits must still be completed for each reservation.

- a. City of Corvallis sponsored or co-sponsored events, meetings, or activities. Co-sponsored activities must be verifiable through a signed agreement or memorandum of understanding.
- b. Arrangements executed through a separate agreement involving the use of City Parks and Recreation facilities.
- c. Benton County, a tax-supported government agency, as long as Benton County also provides free use of its facilities to the City.
 1. Each department within the County must complete a separate Free Use Agreement.
 2. Only official, tax-supported departments or divisions of Benton County will qualify; it is not sufficient to have "Benton County" in the name of the group to qualify for free use.

Council Policy 97-4.09

- d. Users granted free use may not extend those privileges to any other person or agency, including clients, customers, partners, or vendors without specific written approval from the City.

4.09.024 Time Frame

Exempted users granted free use can only reserve a facility three months in advance, unless negotiated otherwise in mutual agreements.

4.09.025 Other

- a. The Parks and Recreation Department reserves the right to remove any or all rooms, buildings, or park areas from free use, if the use will result in a loss of revenue to the City because there is public demand to rent the facility.
- b. Free use is intended for business purposes only, therefore only activities similar to the daily operations of the user are appropriate (i.e., business meetings, conferences, business retreats). Luncheons, dinners and picnics (excluding scheduled meal breaks during business meetings), dances and parties, even for the benefit of employees or clients, contain a social element which is inappropriate for free use. Such events do not qualify for free use even when scheduled in combination with a business event.
- c. The Parks and Recreation Department and other City departments have priority use of facilities.
- d. At the Senior Center, senior activities have priority use, per Council Policy 91-4.03.
- e. Users are responsible for setup and cleanup, damage to the facility, and, when required, liability insurance.
- f. A user requesting free use must sign an anti-discrimination agreement included on the Request for Free Use form.
- g. An approved Free Use Agreement will not exempt the user from fees for services that are normally associated with use, or that have a financial impact on the City's ability to honor the free use request. Examples include building attendants for after-hour use, or unusual or additional staff, supplies, etc. needed to accommodate or support the request.

Council Policy 97-4.09

- h. Users are required to give one week prior notice in the event of a cancellation of the facility use reservation.
- i. Free use is a courtesy that may be revoked at any time.

4.09.026 Appeals

The decision of the Parks and Recreation Director can be appealed to the City Manager or designated representative. The decision of the City Manager or designated representative is final.

4.09.030 Responsibility for Review

The Parks and Recreation Director will review this policy at a minimum biennially, beginning in October 1998, or when needed, and will make recommendations to the City Manager.



Request must be received 10 business days prior to your event

City of Corvallis Parks and Recreation Department
Free Use Request for Parks and Recreation Facilities

Requesting Organization: _____ Today's Date: _____

Organization Description (check one):

- Non-profit, tax exempt status designation (attach copy of IRS certification)
- Benton County/City of Corvallis
- School District 509J
- Business Individual

Organization Representative (print name): _____
First *Last*

Mailing Address (print): _____
Street or P.O. Box

City *State* *Zip*

Daytime Contact Number: (____) _____

Briefly describe the activity for which you are requesting free use of a facility:

Date(s) & time(s) requested: _____

Expected attendance: _____ Will an admission fee be charged? Yes No

- Attach the appropriate completed permits:
- Parks Corl House Sound
 - Field Tunison Alcohol
 - Pool Facility Senior Center Non-designated area alcohol

Do you have a pre-existing facility use agreement with City of Corvallis/Parks and Recreation(attach copy)? Yes No

Anti-Discrimination Agreement: The organization agrees not to discriminate on the basis of race, religion, sex, color, national origin, family status, marital status, sexual orientation, age, source of income, or mental or physical disability during the course of this agreement.

Damage: The organization agrees to be responsible for any and all damage to any facility used under this agreement, and to be responsible for set up and clean up of any facility related to the agreed upon use.

Liability Waiver: The organization agrees to hold harmless and indemnify the City of Corvallis, Oregon from any and all liability for injury to persons or property occurring as a result of this activity.

Signed: _____ **Date:** _____

For Office Use Only

1. Organization meets the basic eligibility requirements for a fee exemption?
 Yes No

How? _____
2. Are permits approved for the dates and times requested?
 Yes No
3. Will the City incur extra costs (i.e., additional staff time) if this fee exemption is granted?
 Yes No
If "yes", approximately how much additional cost and for what? \$ _____ for _____
4. What is the projected rental value of the facility use (at the non-profit rate, if available)? \$ _____
5. The recommendation regarding this rental fee exemption is:
 Approved. Reason: _____

 Denied. Reason: _____

Facility Administrator's Signature _____ **Date** _____

Department Director Review:

1. This application for an exemption of rental fees is:
 Approved. Reason: _____
 Denied. Reason: _____
2. Additional direction to staff: _____

Department Director's Signature _____ **Date** _____

Thank you for your continued and generous support of The Arts Center. Arts and Culture in Corvallis provide a perfect intellectual and social balance to a well-educated community that is very strong in computer science and engineering.

The Arts Center has accomplished significant growth in every area over the past three years meaning both that we are better serving our community, and that we are more visible within the community.

Our Gallery and Shop sales have grown from 72,000 in 2006 to 93,000 in 2008.

Our Education and ArtsCare Program income has grown from 25,000 in 2006 to 44,000 in 2008.

Other revenues, such as Chocolate Fantasy, have grown from 60,000 in 2006 to 82,000 in 2008.

Membership and contributions have grown from 34,000 in 2007 to 42,000 in 2008 (with a predicted 52,000 in 2009). This does not include individual donations of approximately 50,000 per year since 2006 that have been donated to our endowment program for specific programming in Exhibits, ArtsCare, and Education.

Grants have increased from 122,000 in 2006 to 168,000 in 2008. Grantors are much more motivated to support an organization that they see is supported by its community government. Your funding of The Arts Center is extremely important to grantors from both private and government organizations such as The Oregon Arts Commission, The Oregon Cultural Trust, The Collins Foundation, Spirit Mountain Community Fund, and the Oregon Community Foundation.

What this increased funding also means is that The Arts Center is working many more hours every week. We have doubled our staff since 2006, now employing 6.8 FT workers (up from 3.6FT when I arrived). That means:

Payroll has increased from 151,000 in 2006 to 207,000 in 2008, and is now at 230,000 for 2009. Individual salaries are low (a notorious condition in non-profits) ranging from 10-13 per hour for most employees. We are currently working to stabilize at this new growth level to secure current programming for long-term sustainability.

In addition to the above, in the past year, at The Arts Center we:

- 1) changed our name back to The Arts Center and installed helpful new signage on the front of the historic building—then we had a celebratory party on the plaza.
- 2) created a marketing plan working closely with our City Liaison Dan Brown.

- 3) grew the popular Globetrotters Arts & Culture camp from 4 to 6 full weeks.
- 4) designed a new and much more organized budget format (next year, you'll have comparative figures with this new format).
- 5) provided extensive programming for the 70 adolescent women housed at the OYA facility in Albany known as Oak Creek.
- 6) held a record-breaking annual Chocolate Fantasy & Art Auction fundraiser.
- 7) served on seven community boards and committees such as Leadership Corvallis, BCCC, OSU Art Dept. Board, Corvallis Tourism, Public Art Commission, Madison Avenue Task Force.
- 8) partnered with many local non-profits such as CASA, Multicultural Literacy Center, Library, OSU, FASIS, Environmental Center and da Vinci Days.

The Arts Center is one of very few arts and culture non-profits in the state that is continuing to do well even in the current economic climate. We are concerned that next year will be more difficult especially in the area of foundation grants and we are putting in place contingency plans.

What we know is that we cannot operate at this level without continued support from the City of Corvallis. We are grateful for your support. It is what makes the difference when dealing with ongoing operations costs, and in presenting ourselves to the community, to grantors and to our constituents. We look forward to our continued work with the City of Corvallis, and must renew our current contract with the City to secure the future of The Arts Center. Thank you for your time and interest.



ArtSpirit

WINTER 2009
January • February
March

Arts at the center of life

A publication of The Arts Center • www.theartscenter.net

EVENTS-AT-A-GLANCE

EXHIBIT | A SENSE OF PLACE

January 14 – February 14
Reception: Thurs., Jan. 15 • 5:30 – 7pm

A NIGHT AT THE OASIS

Fri., Feb. 6 • 5:30 – 8pm
The Arts Center Annual Meeting

EXHIBIT | J.S. BIRD • STORYLINES

February 19 – March 19
Reception: Fri., Feb. 20 • 5:30 – 7pm

CHOCOLATE FANTASY | ART AUCTION!

February 28 • 6 – 10pm
The Club Level | Reser Stadium

GALLERY | OFFICE HOLIDAY CLOSURE

Closing for Holidays: 2pm Dec. 24
Office: reopens Jan. 5
ArtShop/Gallery: reopen Jan. 13/14

KC Cowan – Oregon Art Beat

KC TO EMCEE THIS YEAR'S CHOCOLATE FANTASY

In addition to it's new location, this year's Chocolate Fantasy & Art Auction has a new face and personality in KC Cowan, who has generously offered to emcee our greatest fund-raiser of the year.

KC Cowan is a familiar face to many, having worked in television, radio and public relations in the Portland area for more than 25 years.

In 1999, Jeff Douglas offered her the chance to work on a new show he was developing, Oregon Art Beat. Now entering its tenth season, KC has been cohost and story producer since the start of the show, traveling the state to profile different artists and their talents.



An avid art collector and budding oil painter, KC says as long as there's still wall space, a portion of her budget will continue to be spent supporting the arts in a very tangible way!

This year Chocolate Fantasy will be held Saturday, February 28, 6-10p.m. The new location is The Club Level at Reser Stadium. If you haven't been there, it's a beautiful new space, and should make a great event even better! You can pick up your tickets at The Arts Center, or pay over the phone for Will Call. Mark your calendars now, and we'll see you there!



St. Louis Pond, Peggy Prusak Collins

A Sense of Place

PEGGY PRUSAK COLLINS, BRUCE ALLARD BAYARD, AND VIRGINIA WOLF

The Arts Center starts the New Year with an exhibit from January 14 – February 14 which contemplates the notion of a connection between ourselves and our environment, the places that we feel rooted in, and places that influenced important moments in our lives. Three artists are addressing their response to the subject. All three show work on specific spaces, but their media differ dramatically. We have a painter, a sculptor and an artist working in the 21st Century media of digital information.

Peggy Prusak Collins exhibits large scale abstract paintings in an active, energetic brush stroke. The gestured lines and shapes converge in a symbolic language. Collins hopes that the viewer becomes engaged in a relationship with the work, celebrating a reconnection with basic instincts, images dredged from the subconscious, and the sensual act of painting. She calls them "abstractions of nature", responses to specific places and times in her life.



Polka Dots H-03, Bruce Allen Bayard

In 2000 Bruce Allen Bayard began an exploration into digital technology as a means of creating art after a lifelong endeavor in a wide range of media, including mixed media collage and assemblage. It may seem counter-intuitive, but Bayard feels that creating art with a computer allows for more sustained intuition, fortunate accidents, and a complex layering of visual

see SENSE | page 4

Storylines

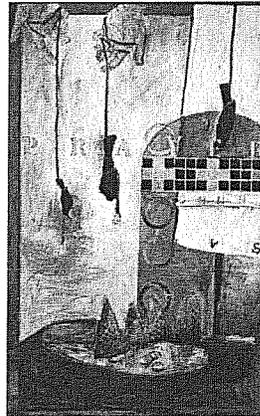
J.S. BIRD

J.S. Bird is a painter and a story teller; his paintings are filled with personal symbolism and interpretations of myths, allegories and legends. With strong brush strokes and working on a large scale, he depicts warriors, shamans, animals and inanimate objects referring to both Christian



The Magician, J.S. Bird

and pagan symbolism, tribal traditions and the human relationship to the earth. Bird visually combines various types of space in a single picture-plane, flat space, illusionary depth and grids.

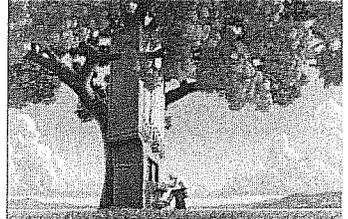


Prayer, J.S. Bird

J.S. Bird sees the creation of art as a journey which has led to a better understanding of himself – the process of learning about and creating his work as the path of that journey and the artwork exhibited as the story of that journey. His exhibit Storylines will be on display at The Arts Center from February 19 – March 19, 2009. The exhibit informs us about connections between Bird's story and the story of humanity, and through relationships with community and his/our ancestors. Bird sees the story as his way of praying, healing, his way of penance, and his way of giving thanks to the world.

see STORYLINES | page 4

2008 PEOPLE'S CHOICE AWARD WINNER
HOWLAND COMMUNITY OPEN EXHIBIT



Bach in Heaven, Jonathan Day

The Arts Center's Annual Howland Community OPEN

March 24 – April 18, 2009.

Bring work March 21st, 12noon-4pm ONLY
For more details pick up a brochure at The Arts Center, or call Hester at 754-1551.



Volunteers helping artists check in, drop-off day



Homage to Andy Goldsworthy,
Neebinnavkzhik Southall
14-18 year old category



Hannah's Chicken Coop,
Rachel Kirby
adult category

INSIDE

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- Arts & Education ▶ 3
- Creative Collaborations ▶ 4
- Step Inside the Center ▶ 5
- Arts Calendar ▶ 6 & 7



THE ARTS CENTER
700 SW MADISON
CORVALLIS, OR 97333

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U.S. Postage
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Corvallis, OR

FROM THE CENTER

From the Director

We're all a bit nervous. This economy is not providing many of us with a very relaxed sleep at night. Here at The Arts Center we are tightening our belts and being careful with costs, and we are working to make wise program decisions.

The Arts Center is focusing on what it can do best for the community:

- Expand programming for children on those no-school-days when many families need creative and education-enhancing activities (and child care) for children ages 6-12;

• Foster the partnership with donors and Samaritan Health Services to allow us to continue scheduling our ArtsCare artists in dialysis and cancer treatment centers, at hospice and health care patient bedsides, and in Pastega House;

• Offer a fresh perspective on life each month in the form of a new exhibit in our Main Gallery, with opportunities to meet the artists and hear them talk about their work;

- Support local and regional artists with a year-round market place in our ArtShop;
- Produce cultural events at little or no cost to members (this year look for another Family Series in conjunction with Globetrotters Arts & Culture Camp).

Another thing we will do, even in today's economy, is put on one great party for the community. The annual fund raiser, the Chocolate Fantasy and Art Auction, will be held at a new location—the Club Level at Reser Stadium! And our emcee for the evening will be KC Cowan, host of OPB Oregon Art Beat! The music for the evening

will be the exciting energy of alternative tango provided by Mood Area 52, recently seen on the Oregon Art Beat show.

If you are looking for a great night out, buy your tickets and meet us on the Club Level for the February 28th event. All your friends will be there, and we promise you a lot of fun, good food and music, and great art! Event tickets and anything you purchase that evening will help keep us functioning as your community arts center. Did you know we've been actively providing art opportunities for our community since 1963?

It feels like 2009 is asking us all to think creatively. We do a lot of that at The Arts Center. Stop in for a visit. I'll be looking for you in the gallery and at Chocolate Fantasy!

—Sara Swanberg,
Executive Director



arts at the center of life!

A Night at the Oasis

On Friday February 6th at 5:30 p.m., members are invited to The Arts Center's Annual Meeting which will be incorporated into an evening of photos and stories from the Siwa Oasis. Director Sara Swanberg recently spent two weeks in Siwa which is located near the Libyan border in Egypt.

The Annual Meeting will give The Arts Center an opportunity to introduce the Board of Directors, and briefly review the year. This will be followed by the travelogue as well as a few oasis delicacies. There will be seating available for approximately 70 members.

DOUBLE Your Support For CULTURE — AT NO COST TO YOU!

As a contributor to cultural organizations you are eligible to increase your financial support at no cost to you. Oregonians may make a fully refundable contribution to the OREGON CULTURAL TRUST. The Trust then uses the money to support culture throughout the state and right here in Benton County.

All you need to do is total up your contributions to Oregon cultural groups (public radio, the symphony, The Arts Center, the Benton County Museum, and more than 1,000 other Oregon organizations) and make a matching—or lower—donation to the Trust of up to \$500 (\$1,000 for couples filing jointly). You will receive a tax credit (not a deduction) on your Oregon taxes which is equal only to the matching amount you contribute. It's like an interest-free loan that supports both statewide and county cultural organizations.

The deadline for the 2008 tax year is Dec. 31.

For more information, go to the Trust web site at <http://www.culturaltrust.org/>. For information about the Trust's money supporting Benton County culture through the Benton County Cultural Coalition, visit the Coalition's website at <http://bentonculture.org/>.

A Great Board of Directors!

The Arts Center is fortunate to have a strong and involved Board of Directors. Our thanks to Chair, Lois Malango; Vice-Chair, Janet Ekholm; Treasurer, Suzanne Cutsforth; and Secretary, Court Smith; and the rest of the Board: Holly Bendixen, Jane Donovan, Brian Egan, Josh Hammer, Lee Kitzman, Sara Krainik, Carolyn Madsen, Mary Norman, Mindy Perez, Dennis Staats, Zach Wear, Shirley Wirth and Advisory Board members Oscar Moreno-Gilson and Aruna Kumar. They all volunteer their time and efforts to keep the arts alive in Benton and Linn counties.

The Arts Center's Sponsors & Partners 2007-08 SPONSORS

EXHIBITION POSTCARDS
Town & Country Realty

EXHIBIT SPONSORS
Sibling Revelry
Citizens Bank

The Ball Studio/Photography
The Arts Center Endowment, Inc.
Ruth & Jim Howland

Kay Dee Cole - Edward Jones Investments
Alphagraphics

CHOCOLATE FANTASY SPONSORS
Blackledge Furniture
Samaritan Health Services
Unified Insurance
University Honda

GLOBETROTTERS CAMP SPONSOR
OSU Federal Credit Union

2007-08 BUSINESS MEMBERS

Corvallis Custom Kitchens & Baths
First Alternative Co-op
Footwise, The Birkenstock Store
Jeanne Smith & Associates

2007-08 IN-KIND CONTRIBUTORS

Citizens Bank
Corvallis Moving & Storage
Footwise, The Birkenstock Store
Miller Paint & Wallpaper Co.
Peak Internet

2007-08 PARTNERS

City of Corvallis
Corvallis Benton County Library
Corvallis Environmental Center
Corvallis Fall Festival
Corvallis Multicultural Literacy Center
da Vinci Days Festival
Dine for the Arts Partners
FASIS
First Alternative Coop
OSU Federal Credit Union
OSU International Program
Samaritan Health Services

2007-08 GRANTS

Benton County Cultural Coalition \$1,000
Cascadia Foundation \$750
The Collins Foundation \$9,700
Franklin Conklin Foundation \$500
Kiwanis \$500
Oregon Arts Commission:
Arts Education \$10,000
Community Arts Services \$15,000
Oregon Community Foundation \$17,000

The Arts Center

BOARD OF DIRECTORS

Holly Bendixen • Suzanne Cutsforth
Jane Donovan • Brian Egan
Janet Ekholm • Josh Hammer
Lee Kitzman • Sara Krainik
Aruna Kumar (advisor)
Carolyn Maden • Lois Malango
Oscar Moreno-Gilson (advisor)
Mary Norman • Mindy Perez
Court Smith • Dennis Staats
Shirley Wirth • Zach Wear

STAFF

Sara Swanberg, Executive Director
Hester Coucke, Assistant Director and Curator
Joni King, Graphics Coordinator
Chris Neely, Education Coordinator
Mary Van Denend, ArtsCare Coordinator
Heather Boright, ArtShop Manager
Suzanne Campbell, ArtShop Assistant
Bernie Sebastien, Marketing & Membership
Yael Heyman, Bookkeeping

ArtSpirit

ArtSpirit is a quarterly publication with issues releasing on the first of January, April, July, and October. Arts news, calendar items, and photographs are due by the 1st of the month prior to publication. We reserve the right to include, omit, or edit any submissions. For more information about submitting work and about advertising in ArtSpirit, contact Bernie: bernie@theartscenter.net or 541-754-1551. Submissions for ArtSpirit can be emailed, or delivered to ArtSpirit, The Arts Center, 700 SW Madison, Corvallis OR 97333. Our fax line is 754-1552. Our website is www.theartscenter.net

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Printed by: Corvallis Gazette-Times

be a member

Yes! I want arts at the center of life.

MEMBER INFORMATION

Name

Address

Phone

E-mail

Payment Method Check Visa MasterCard

Card #

Exp. Date

Signature

Clip and mail completed form & payment to:
The Arts Center 700 SW Madison Ave. Corvallis, OR 97333

Supporter \$35

[\$35 places an artist in a school classroom for 1 hour]
10% off ArtShop purchases and gallery fine art
15% discount on purchases during opening receptions
Subscription to ArtSpirit, monthly exhibit cards, and notification and discounts on special events.

Friend \$50

[\$50 buys supplies for one children's clay class]
All of the above plus 10% off in-house classes at The Arts Center.

Collaborator \$150

[\$150 assists in preparing an artist for work with cancer survivors]
All of the above plus free admission to more than 90 museums across the country

Patron \$250

[\$250 trains an artist to work with mental health clients]
All of the above plus a personal guided tour of public art along Madison Avenue by our curator

Visionary \$500 +

[\$500 sponsors a new exhibit]
All of the above plus 2 tickets to the Chocolate Fantasy & Art Auction.

- I am an artist.
- Please send me information about volunteering.

For information about a Business Membership or for sponsorship opportunities, please contact Bernie Sebastien: bernie@theartscenter.net 541-754-1551



The Arts Center is dedicated to integrating the arts into community life through dynamic collaborations, innovative outreach programs, diverse exhibitions and cultural events, and creative educational opportunities. The Arts Center is a nonprofit organization supported in part by members, Corvallis taxpayers, the Oregon Arts Commission, the National Endowment for the Arts, and various private foundations. The Arts Center does not discriminate in regards to age, race, religion or gender.



OREGON ARTS COMMISSION

“Logic will get you from A to B.
Imagination will take you everywhere.” –Albert Einstein

The revolution will not be televised...it will be computerized!

A technological transformation is taking place in our global community that is hard to ignore. A prime example of the electronic transformation is illustrated beautifully by the recent presidential election run by President Elect Obama. The Obama/Biden campaign harnessed the power of the online community generating millions in funding and gathering a technologically savvy battalion wielding nothing more than a keyboard. What can we learn from the campaign's strategies that can assist us in our own community building and grass roots advocacy as we re-invent the future of Arts Education? As the arts face

yet another round of cuts from a federal and state level, our children will be the first to feel the effects. Ignoring a slue of valid research that suggests the arts are essential to development, schools and programs across the nation have once again begun to cut funding for art classes, arts integration, and visual and performing arts activities. As we face the upcoming financial challenges, we must remember the importance of innovation and creativity and how it shapes our schools, community, culture, and global society. A simple history lesson is all we need to remind us that the most advanced societies saturated with the arts.

“The aim of art is to represent not the outward appearance of things, but their inward significance.”
–Aristotle

The URL links below will help parents, educators, concerned citizens and/or artists in building an online arts community. Using the strategy of e-advocacy modeled by our President Elect can both inspire and serve as an exemplary model. A strong online arts community has the potential to become the nucleus of our effort as we continue in our mission of keeping the arts alive and thriving in our schools and communities.

links can also be found at our blog: <http://www.theartscenter.blogspot.com/>

- Arts Advocacy**
<http://www.artsusa.org/> Americans for the Arts
http://www.newhorizons.org/strategies/arts/front_arts.htm New Horizons for Learning
<http://www.oregonarted.org/> Oregon Arts Education Association
<http://www.kennedy-center.org/education/kcaeaen/> Kennedy Center Alliance for Arts Education
Education
<http://www.princetonol.com/groups/iad/links/blogs.htm>
 Princeton Art Department: online links to all things A.E.
Blogs
<http://artjunction.org/blog/> An art teacher's guide to the Internet
<http://carrotrevolution.blogspot.com/> a web log and research page for arts educators
<http://rightbrainkidsart.blogspot.com/> focuses on importance of preschool art education
Fun
<http://www.kid-at-art.com/> The Imagination factory...cool projects for kids
<http://www.diykids.org/> innovative projects for kids

The Arts Center: The Little Artist Classroom & Studio

The Arts Center is considering the possibilities of opening an early arts education program for ages 3-5. To date, research is leading in the direction of a program entitled The Little Artist Classroom and Studio in which ages 3-5 would actively engage in visual and performing arts through playing with clay, painting, drawing, mixed media; exploring fiber arts, music, drama/ storytelling, creative movement, and dance. The Little Artist would also provide exposure to various global cultures through active participation in the arts as well as cultural activities from various geographic

focus areas. In addition to a lead teaching artist, children would also experience interaction with representatives from various disciplines and cultures through accessing the Linn-Benton Arts Council's rich cadre of Arts-in-Education artists as well as visits to The Arts Center's main gallery and stage. Our program would accomplish the following:

- Presents the arts as a language to inspire creativity, imagination and communication
- Hold a powerful image of ALL children as intelligent, creative and competent with

ARTS & EDUCATION

The Arts Center Education Blog @ <http://theartscenter.blogspot.com>

Fall 2008 - Spring 2009 Classes at The Arts Center

We've got some great new classes this year! Register for any session: Fall, Winter, or Spring. Check out the blog, give us a call, stop in, or email our education coordinator, Chris Neely: chris@theartscenter.net for more information.

after-school classes when schools out - art's in!

On days when school's out, kids explore different regions of the world through arts & culture!

Beginning Painting
Learn techniques used by great artists of the past to make your own works of art for the future!

Beasties! Beasties! Beasties!
Use clay, wire, paper, and plaster to create your very own "beastie"

Mud with Moses
Learn clay techniques through hand-building and throwing on the potter's wheel

Hand Building Ceramics Class
Make functional pottery using basic tools & your bare hands!

Indoor Fountains
Form clay fountains with a bowl that holds water and a sculptural unit that expels water!

Tap Dancing
Learn technique, improvisation, and choreography

Ceramics 101: Basic Wheel Throwing
Explore techniques to create bowls, cylinders, and bottles with brush-on glazes

Ceramics 102: Functional Composite Pots
Learn methods to create lids, lips, handles, and spouts while creating functional ceramic vessels

Ceramics 103: Sculptural Composite Pots
Create complex sculptural shapes and forms by assembling various wheel-thrown units

Family Heirloom Bowls - All Ages!
Make functional treasures while spending a family evening hand-building ceramic bowls, plates, or mugs

Pots for Tots - Ages 3-6
Preschoolers use their creativity and stretch imaginations through this exploration of clay

Oct. 10
Field Trip to PDX: Puppetry Exhibit
Visit the Oregon Historical Museum*

Oct. 10
All Day... All Clay!
Two artists, one medium

Oct. 29-31
The Orient Express
Paris, Venice, Bucharest: 3 days of mystery!

Nov. 10-11
Constantinople: The Ancient Crossroad
Architecture, mosaics, sculpture, and more!

Jan. 19
Go Local! Culinary Camp
Jr. chefs cook, and go for culinary "taste walk"

Jan. 26-27
Hawaii
Hula (not just for girls!), music, storytelling - It's the Big Kahuna!

Feb. 16
Field Trip to PDX: Tour & Workshop
Guided tour through the Museum of Contemporary Craft, and 45-minute workshop*

Feb. 16
All Day... All Clay!
Two artists, one medium

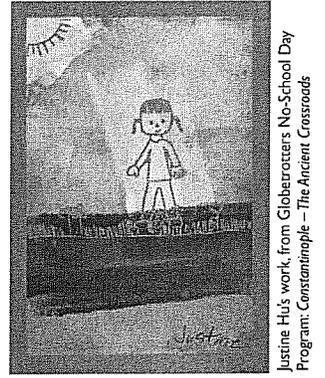
Mar. 23-27
1001 Arabian Nights
Sojourn through cultures from Yemen to the Persian Gulf!

Apr. 10
The Silk Road
Explore the trade route that changed the world!

gifts and abilities that the world needs

- Create learning communities of children, families and staff who organize their work by listening to each other and respecting each other's distinctive experiences and wisdom
- Pay attention to the learning strategies children use to make sense of the world around them.

If you or someone you know is interested in an art based preschool program a child ages 3-5, please contact Chris @ The Arts Center 754-1551 or email chris@theartscenter.net



“Every Child is an artist. The trick is how to remain an artist once he grows up.” –Pablo Picasso

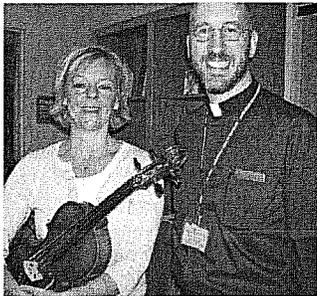


CREATIVE COLLABORATIONS

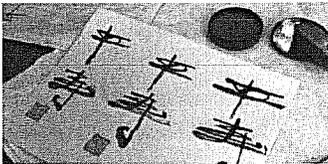
News from ArtsCare

ArtsCare in Albany

A trio of talented ArtsCare artists embarked on a series of Saturday Arts Workshops during the month of November up at the new Samaritan Albany Cancer Resource Center. Dr. George Norek, retired oncologist and long-time Shodo* practitioner, joined watercolor artist Ronda Johnson of Albany and ceramic artist Holly Dubrasich of Lebanon to provide three Saturday morning art experiences for cancer patients, family members, or caregivers. All materials were provided by the artists and the emphasis was on trying something new and having fun. Plans are already underway for more offerings in 2009.



ArtsCare musician Julie Davis with SAG Chaplain Wes Sedlacek



Shodo sample from Dr. Norek's workshop

In addition to our pilot program of Saturday Arts Workshops, ArtsCare artist Julie Davis has been a regular over at Samaritan Albany General Hospital, playing her viola for anyone within earshot in the main lobby. Doctors and nurses on a lunch break, patients waiting for an appointment, or friends and family passing by. I happened to catch up with her one afternoon a couple months back, just as two little brothers, suckers in their cheeks, were headed out the front door with Mom & Dad. When they heard Julie's music they just had to check it out. So she delighted them with her version of a familiar favorite, "Twinkle, Twinkle Little Star". ArtsCare musicians continue to be surprised by their visitors.

Julie Davis with little brothers at SAG



Ceramic artist Holly Dubrasich

*Shodo is a "soft" martial art which involves both calligraphy and meditation, though Dr. Norek stresses the playful nature of this ancient art form, preferring to call his teaching style "Shodo for Fun!" Patients learned to make beautiful ink drawings using symbols for long life, happiness, and peace. The following Saturday these same patients plus a few newcomers created their own watercolor paintings, under the gentle, skillful presence of Ms. Johnson. The final week found the intimate group of seven women - cancer patients, caregivers, and one staff member - up to their wrists in clay, molding and shaping their own personal rattles under the guidance of Ms. Dubrasich, potter/owner of Leaf in the Wind Studios.

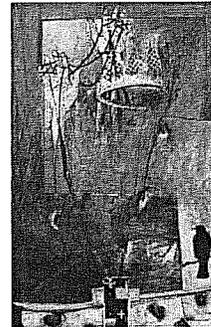


Participants in Dr. Norek's Saturday Shodo workshop at Samaritan Albany Cancer Resource Center (SACRC)

<p>Going to the next level.... From Surviving to Thriving....</p> <p>Celebrating life beyond cancer!</p> <p>Address life's changes, connections and hopes through: thoughtful discussion, journaling opportunities, and creative play with artists:</p> <p>Ella Rhodes Jennifer Smith Jan Wilcox Terry Inokuma Leetra Taylor Kathy Morris</p>	<p>A 6-week series for anyone who has had cancer and/or their caregivers.</p> <p>~ FREE ~</p>
<p>Next 6-week series begins: Tuesday, Jan. 13, 2009 5:30 - 7 p.m.</p> <p>Samaritan Regional Cancer Center - Library 301 NW Samaritan Drive for more info and to register, call 812-5888</p>	
<p>Facilitated by: Linda Gelbrich, LCSW, Hearspring Wellness Center, therapist, poet, instructor Coordinated by: Mary Van Koozoid, MA, ArtsCare Coordinator - The Arts Center, painter, poet</p> <p>Participant comments: "loved this" "very relaxing" "time to reflect" "wonderful support and sharing"</p>	

STORYLINES | from page 1

J.S. Bird is proud to call himself a painter, giving him a part in a 30,000 years practice, and he feels honored to follow in the footsteps of so many. He calls himself "dramatically influenced" by art from the past: Paleolithic cave painting, Meso-American sculpture and architecture, Oceanic sculpture and early Renaissance fresco's are a few of his many sources of inspiration.



Relic, J.S. Bird

Contemporary artists that he feels a kinship with are Anselm Kiefer, Kiki Smith and Susan Rothenberg.

This exhibit is sponsored in part by the Franklin Conklin Foundation

arts at the center of life!

SENSE | from page 1

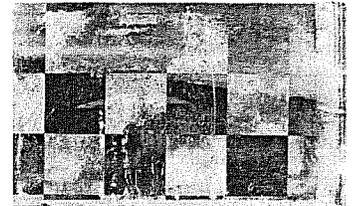
information than he was able to achieve in the more conventional mixed media collage techniques. The imagery Bayard shows in this exhibit is based on landscapes, places, but that imagery is given new meaning in its layered presentation.

Sculptor Virginia Wolf works in marble and travertine; she likes stone because it is an original source material and has a history being more than 90 million years old. In that capacity the medium itself relates strongly to a sense of place. The subject matter of her sculptures emphasizes that feeling even more. Her work is about identity and inner landscape where through experience and knowledge, we learn that memory and sense of place shape each of us. On occasion her work deals with loss of place, losing one's past and transition of place. Both are emotions that Wolf as a German citizen living half time in the US is not unfamiliar with.

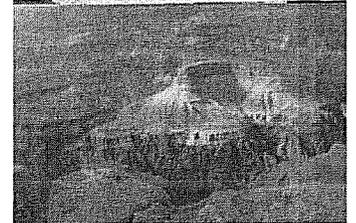
This exhibit sponsored by The Arts Center Endowment, Inc.



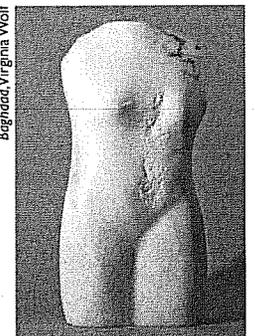
Portland, Peggy Prusak Collins



The Weekly Press #168, Bruce Allen Bayard



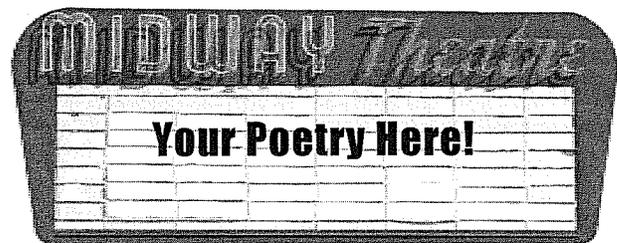
Boghdad, Virginia Wolf



Poetry Corner

calling all poets • all ages!

Submit poems for both the Midway marquee and ArtSpirit.



Marquee poems must be six lines or less, but poems for ArtSpirit consideration have no length limit. Email poems to Mary@theartscenter.net, or send them to us: The Arts Center attn:Poetry. You will be notified if you are selected. Sorry, poems cannot be returned.

Corrine Woodman Galleries

Jan. 14-31, 2009 • Cherrill Boissonou & Kathryn Friday

Painter Cherrill Boissonou and mixed media artist Kathryn Friday exhibit in the Corrine Woodman Gallery from January 14 through January 31, 2009. Cherrill Boissonou loves to combine traveling and painting. Her paintings are interpretations of everyday scenes with an emphasis on key elements of shape and color. She has worked in many mediums but concentrates on the use of pastels and acrylics. Boissonou exhibits as one of the members of the Corvallis artists' collective Art in the Valley.



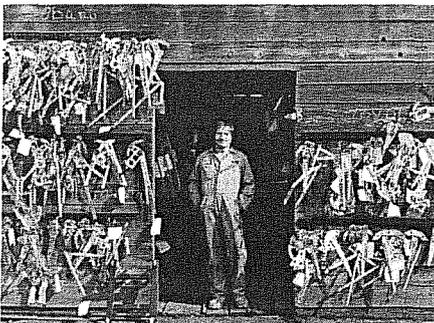
Another Pesky Reminder, Kathryn Friday

Kathryn Friday has studied with Demetrios Jameson, Paul Gunn and Shep Levine in the 60's and 70's. She taught art in elementary school and did illustration work. Recently she has designed greeting cards and coloring books.

Friday believes strongly in the interconnectedness of all things, for which her chosen medium of mixed media assemblages is so well suited: layering of color, words, images, texture and materials. She draws from dreams, pagan spirituality, dance, music and her love for the natural world. Friday also addresses social issues in her artwork: "Make art, not war, and the world will be a better place for us all."

Feb. 3-28, 2009 • Pam Serra & Rhoda Fleischman

A prolific artist, Pam Serra likes to work in coherent series; the motive of the series on show in the Corrine Woodman Gallery from



Joe, Herman Krieger



Peculiar Pelican, Pam Serra Wenz

February 3 - 28, 2009 is birds. The species of birds are identifiable, but her palette of strong reds, oranges and purples gives them another worldly character.

Rhoda Fleischman is a "two-talented" artist, an accomplished ceramist of functional and one of a kind ware and a painter. This month she will show paintings, Liquid Landscapes as Fleischman calls them. Each layer, as many as 60, is smeared, dabbed, spritzed and altered to create complex visual patterns that look like a landscape. These are definitely paintings that you can dive into. Rhoda Fleischman currently resides in Brownsville where she splits her time between ceramics and painting and several cats. Any day outside painting is a good day.



NoEdge, Rhoda Fleischman

Mar. 4-Apr. 4, 2009 • PhotoArts Guild

Four new members of the PhotoArts Guild will be exhibiting together in the Corrine Woodman Gallery from March 4 - April 4, 2009: Bill Laing, Herman Krieger, Rosie Saraga and Keith Gelbrich. Krieger makes photographs to amuse himself as the occasional spectator. For Bill Laing a successful image involves capturing the ordinary and somehow elevating it to the extraordinary: "A successful image, in my opinion, arouses questions rather than offers answers."

STEP INSIDE THE CENTER

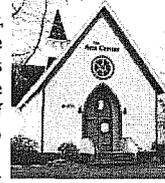
The last traces of Winterlight, our holiday gift show, have now been swept away. This year 26 artists brand-new to The Arts Center participated. A few of the new artists we will continue to carry throughout the year are:

- Clay Art Botanica - hand built and thrown stoneware, embellished with carved botanical forms. Artist Linda Kiewer lives and works in Battle Ground, WA.
- Jennifer Lommers - acrylic paintings, cards, & calendars. Modern and abstract landscapes and pet, floral, and still life images. Jennifer and her family recently moved to Corvallis from Sedro Woolley, WA.

- Satsuma Press - fine letterpress-printed cards, stationary, & calendars. Lynn Russell, her family, and her presses recently moved to Corvallis from Portland.

- Marilyn Lindsley Jewelry - finely-crafted polymer clay earrings and pendants hand-made in Corvallis.

While The Arts Center's transformation to and from Winterlight might seem like magic, there are months of preparation and days of work that go into making the holiday event a reality. Thank you to the volunteer exhibition committee, shop and front desk volunteers, and artists who helped out. Without extra hands setting up the event, answering phones, writing up sales, restocking displays, and adding their good cheer to the mix, Winterlight simply would not be the success that it is year after year. So Thank You:



- Exhibition committee: Walter Barken, Pat Berman, Ross Parkerson, Judith Sander, Debby Sundbaum-Sommers, Emily Steele, Carol Chapel, & Mary Norman.
- Shop & Front Desk Volunteers: Shop & Front Desk Volunteers: Linda Adams, Yael Bege-Dov, Helen Blair, Elise DeHart, Alex

Dionne, Amy Doeringer, Gale Everett, Linda Hadfield, Nicole Liang, Deb Lundeen, Pam Serra-Wenz, Bonnie Wedekind.

- Opening Night refreshments: Stella Athon, Stephanie Albright, Janet Ekholm, Nicole Liang, Mary Norman, & Mindy Perez.

- Girls Night Out Food and Beverage: Jen Bouton, Victoria Fridley, & Leslie Richards.
- Floral arrangements: Ruth Bentley.

Thanks, also, to the musicians who added holiday atmosphere at our evening events:

- "The Meadowlark Trio," comprised of Maureen Beezhold, Julia Lont, and Michael Molk on Opening Night.

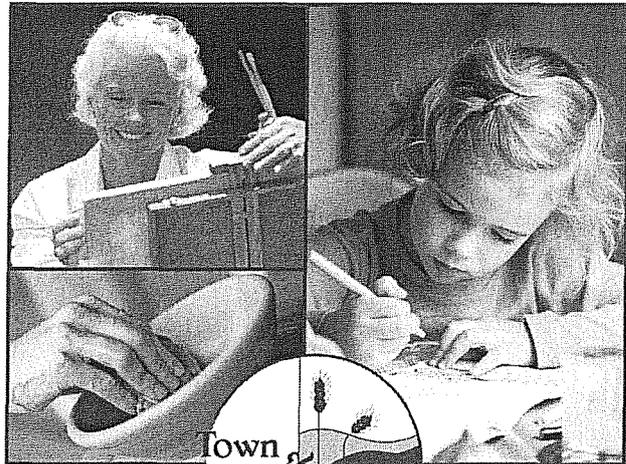
- Susan Gillespie, Kerry Mammone, and Lisa Taylor during Girl's Night Out.

- Bill Smyth during Procrastinator's Night Out.

And to the community at large: THANK YOU for choosing to spend your holiday dollars here at the Arts Center. Your purchases not only support the local and regional artists represented here, but also The Arts Center programs throughout the year.

Special Thanks our sponsor: Citizens Bank.

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REGIONAL ARTS CALENDAR

WANTED |

YOUR
ARTS EVENTS
INFORMATION

DEADLINE: March 1st

VENUE CONTACT INFORMATION

Albany Civic Theatre • 111 First Ave. NW, Albany • 928-4603 • www.albanycivic.org
 ART in the Valley • 209 SW 2nd Street, Corvallis • Tues-Sat, 10-5:30pm • 752-0811
 The Arts Center • Main Gallery and Corrine Woodman Gallery I & II • 700 SW Madison, Tues-Sat, 12-5pm • 541-754-1551 • www.theartscenter.net
 Benton County Historical Museum • 1101 Main St, Philomath, Tues-Sat, 10-4:30pm • 929-6230
 Center for the Humanities, Autzen House • 811 SW Jefferson, Corvallis • 541-737-3537
 Communicating Vessels Center • 238 SE 3rd, Albany • www.communicatingvessels.org
 Corvallis-Benton County Public Library • 645 NW Monroe Ave., Corvallis • 766-6926
 Corvallis Community Theater (CCT) • www.corvalliscommunitytheatre.org
 Corvallis High School Theatre • 836 NW 11th St., Corvallis • www.corvallishighschooltheatre.com
 Episcopal Church of the Good Samaritan • 333 NW 35th St., Corvallis
 Fairbanks Gallery, Fairbanks Hall • Corner of Jefferson Way and College Dr., OSU campus.
 Gallery hours: Mon-Fri, 9-4 • 737-5009
 First Congregational Church • 4515 West Hills Road, Corvallis
 First Presbyterian Church • 114 SW 8th St., Corvallis
 Linn-Benton Community College, Russell Tripp Performance Center • 6500 SW Pacific Blvd, Albany
 Majestic Theater • 115 SW 2nd, Corvallis • 766-6977 • www.majestic.org
 OSU Theatre • 30th & Campus Way, OSU • www.oregonstate.edu/dept/theatre/season
 Pegasus Gallery • 341 SW Second, Corvallis • Tues - Fri 10:30-5:30, Sat 10:30-4 • 757-0042
www.pegasusgallery.com
 Thriving Theatre • www.thrivingtheatre.org
 Unitarian-Universalist Fellowship • 2945 NW Circle Blvd • Mon-Fri., 9-1pm • 752-5218

JANUARY

Through January 12
 Paintings by Donna Beverly, Unitarian-Universalist Fellowship.

January 14th through February 14th
 Main Gallery: The Arts Center. "A Sense of Place".
 Painter Peggy Prusak Collins, photographer Bruce Allard Bayard and sculptor Virginia Wolf. 700 SW Madison, Corvallis. 754-1551. T-Sat. 12-5pm. free

January 14th-31st
 Corrine Woodman Galleries: The Arts Center. Mixed media artist Kathryn Friday and painter Cherrill Bois-souou, 700 SW Madison Ave. Corvallis. 754-1551. T-Sat. 12-5pm. free

January 6th - February 28th
 Benton County Historical Society: 150 Years of Oregon Art. An exhibition of art from the museum's collection. FMI: www.bentoncountymuseum.org. free

January 8th
 Dine for the Arts at Cloud 9 today, and a percentage of your bill will be donated to support the programs of The Arts Center! Cloud 9: 126 SW 1st, Corvallis. 753-9900.

January 9th-11th, 15th-17th
 "Forever Plaid" at the Albany Civic Theatre. Close harmony, clever patter and captivating characters bring memorable hits of the 1950s to life. Performances at 8 pm. Tickets \$

January 13th - February 23rd
 Paintings by Ernie Richter, Unitarian-Universalist Fellowship.

January 19th
 Go Local! Culinary Camp. The Art Center's Globetrotter No-School Day Program. FMI: Chris Neely 754-1551, or chris@theartscenter.net. 700 SW Madison, Corvallis.

January 19th
 The Arts center is proud to co-sponsor the Mandala Peace Project event. MU on OSU campus. 9am-2pm, Martin Luther King Jr. Day. Also sponsored by The OSU Women's Center and the NAACP Corvallis Chapter. free

January 20th
 Chamber Music Corvallis - Vilnius String Quartet. LaSells Stewart Center, OSU Campus, Corvallis. 7:30 pm. \$ Children K-12 and OSU students with ID free.



January 26th-27th
 Hawaii. The Art Center's Globetrotter No-School Day Program. FMI: Chris Neely 754-1551, or chris@theartscenter.net. 700 SW Madison, Corvallis.

FEBRUARY

Through February 14th
 Main Gallery: The Arts Center. "A Sense of Place".
 Painter Peggy Prusak. Photographer Bruce Allard Bayard and Sculptor Virginia Wolf. 700 SW Madison Ave. Corvallis. 754-1551. T-Sat. 12-5pm. Free

February 3rd-28th
 Corrine Woodman Galleries: The Arts Center. Painter Pam Serra and ceramic artist Rhoda Fleishman. 700 SW Madison Ave. Corvallis. 754-1551. T-Sat. 12-5pm. Free

February 5th
 Dine for the Arts at Squirrels today, and a percentage of your bill will be donated to support the programs of The Arts Center! Squirrels: 100 SW 2nd, Corvallis. 753-8057.

February 7th
 "Curtain Up!" Corvallis Repertory Singers. A rollicking evening of musical theatre. First Congregational United Church of Christ. 7:00 pm. \$15. Free for HS & college students (and younger if accompanied by an adult)

February 11th
 Chamber Music Corvallis - Mozart Piano Quintet. LaSells Stewart Center, OSU Campus, Corvallis. 7:30 pm. There is no reserved seating. \$ Children K-12 and OSU students with ID free.

February 13th-22nd
 "Doubt". Corvallis Community Theatre at The Majestic Theatre. A powerful drama set in 1964, during the 2nd Vatican Council. Evenings: 7:30pm. Matinees: 2:30. \$ FMI: magestic.org.

February 16th
 Two Day Trips to choose from today! The Art Center's Globetrotter No-School Day Programs: *When School's Out - Art's In!* FMI: Chris Neely 754-1551, or chris@theartscenter.net. 700 SW Madison Ave. Corvallis.

Field Trip to Portland: Museum of Contemporary Crafts - Tour and Workshop. All Day - All Clay! On-site ceramics class.



February 19th - March 19th
 Main Gallery, The Arts Center. "Storylines", paintings by J.S. Bird. 700 SW Madison Ave. Corvallis. 754-1551. T-Sat. 12-5pm. free

February 22nd
 A Celebration of the Great American Composers: Corvallis-OSU Symphony Orchestra. LaSells Stewart Center. 3pm. \$ Reserved seating only. FMI: www.symphony.peak.org, or Erin Sneller: 737-5592, erin.sneller@oregonstate.edu.

February 19th-21st
 "A Love Affair", Albany Civic Theater. Award-winning romantic comedy brimming with hilarious and moving moments. Evening shows at 8 pm; matinee at 2:30 pm. \$ FMI: 541-752-7760.

February 9th-11th
 "Humble Boy", Albany Civic Theater. A comedy about broken vows, failed homes and the joys of bee-keeping. Evening shows at 8 pm. \$ FMI: 541-752-7760.

February 14th and 28th
 Corvallis Indoor Market. Gueber Hall, Benton County Fairgrounds. 110 SW 53rd Street, Corvallis. Hours: 9 am - 1 pm. FMI: 541-297-0174 or 541-752-4156.

February 22th-25th, and March 1st
 "Charlotte's Web", Linn Benton Community College. FMI: 541-081-4531 or www.linnbenton.edu.

February 24th - April 6th
 Women and Their Moods, mixed media collage by Judith M. Sander. Unitarian-Universalist Fellowship.

MARCH

Through March 19th
 Main Gallery: The Arts Center. "Storylines", paintings by J.S. Bird. 700 SW Madison Ave. Corvallis. 754-1551. T-Sat. 12-5pm. free

March 4th - April 4th
 Corrine Woodman Galleries: The Arts Center. PhotoArts Guild member exhibit: Bill Laing, Herman Krieger, Rosie Saraga and Keith Gelbrich. 700 SW Madison Ave. Corvallis. 754-1551. T-Sat. 12-5pm. free

March 4th
 Chamber Music Corvallis - Leipzig String Quartet. LaSells Stewart Center, OSU Campus, Corvallis. 7:30 pm. There is no reserved seating. \$ Children K-12 and OSU students with ID free.

March 5th
 Dine for the Arts at New Morning Bakery today, and a percentage of your bill will be donated to support the programs of The Arts Center! New Morning Bakery: 219 SW 2nd St. Corvallis. 754-0181.

March 6th-28th
 Benton County Historical Society: 26th Annual Art: The Fourth R Exhibition. Recent artwork by Philomath Schools students K-12. FMI: 541-929-6230 or www.bentoncountymuseum.org. free

March 6th-8th
 DaVinci Film Festival. 568 SW Third Street, Corvallis. Watch 40+ juried, independent films including shorts and feature length comedy, drama and animation. Meet the filmmakers and get a behind the scene view of the art and science of filmmaking. FMI: go to www.davinci-days.org.

March 8th
 Willamette Valley Concert Band: *Vive la France*. Russell Tripp Performance Center, LBCC. 3pm. \$ FMI: 503-838-3474 or www.wvcband.org

March 12th
 We Have Had Singing: LBCC Chorus Concert. 7:30pm. LBCC. FMI: call 541-071-4531 or go to www.linnbenton.edu.

March 14th-15th
 "Noteworthy", Willamette Valley Community Orchestra performs Cherubini, Mendelssohn and Schubert. Saturday the 14th: First Christian Church, Albany. Sunday the 15th: Ashbrook Independent School, Corvallis. Both shows 4pm. Tickets available one hour prior to performance. FMI: www.wvcommunityorchestra.com

March 14th and 28th
 Corvallis Indoor Market. Gueber Hall, Benton County Fairgrounds. 110 SW 53rd Street, Corvallis. Hours: 9am-1pm. FMI: 541-297-0174 or 541-752-4156.

March 21st
 Artists: bring work in for the Howland Community OPEN! 12noon-4pm ONLY. For more details pick a brochure at The Arts Center: 700 SW Madison Ave. Corvallis, or call Hester: 754-1551.

ARTRAGEOUS ADVENTURES!

Travel Adventures for Arts Enthusiasts
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ARTrageous in 2009!

Join a dynamic group of art enthusiasts for behind-the-scenes ARTrageous experiences.

Day and week-long guided travel tours include museums, architecture, music, theater, private collections, studio visits, and private time with the creative visionaries who make it happen!

Here's What's Ahead

Spring 2009 - Canada! Victoria & Vancouver, BC

A picturesque journey of traditional & contemporary arts, artists & culture, reflecting First Nation and British history, from stunning architecture and gardens, to museums and totems.



Native Carving, by Sumet Wadhwa

October 2009

Round Up the Arts in Pendleton!



A colorful palette of visual & performing arts; indigenous arts and culture on the Umatilla Reservation; exclusive visits to artist studios private homes & art collections of the high desert. Hosted by Pendleton arts leaders.

arts educators/tour leaders
 Barbara Sobo Gast & Saralyn Hilde

for upcoming trip brochures, or to be added to the ARTrageous mailing list, contact Barbara Sobo Gast • 541-456-4331 • bgast@peak.org

An arts education outreach program in partnership with The Arts Center, bringing artists & audiences together.

New 2009

-Dine for the Arts - Restaurant List

Eat at the specified restaurant on the First Thursday of the Month, to support the Arts in our community! How easy is that?!

Each restaurant on this list has generously agreed to donate a percentage of their day's sales to The Arts Center in support of our programs, which serve Linn and Benton counties.

Thank You
Local Restaurateurs!



2009 MENU

- Jan 8 - Cloud 9
- Feb 5 - Squirrels
- March 5 - New Morning Bakery
- April 2 - Strega
- May 7 - Novak's
- June 4 - Nearly Normals
- July 2 - Big River Restaurant
- Aug 6 - Woodstock's Pizza
- Sept 3 - Le Bistro and Aqua
- Oct 1 - American Dream Pizza
- Nov 5 - Fireworks
- Dec 3 - Iovino's

first Thursday of each month!



These restaurants are generously donating a percentage of their day's business to The Arts Center.
[541] 754-1551 • www.theartscenter.net

March 20th-21st, 26th-29th

"Cabaret", Albany Civic Theatre. This musical brings to life the dark, sexually-charged decadence of 1930s Berlin, beckoning the audience into the Kit Kat Klub on the eve of Hitler's rise to power in Germany. Evenings: 8pm; matinees: 2:30pm. \$ FMI: 541-752-7760.

March 23th-27th

1001 Arabian Nights! The Arts Center's Globetrotter No-School Day Program. FMI: Chris Neely 754-1551, or chris@theartscenter.net. 700 SW Madison Ave. Corvallis.

March 20th - April 5th

"Chicago!", Majestic Theatre. The famous tale of jazzers Roxie Hart and Velma Kelly's chase for stardom through murder and manipulation. Locally cast and produced, this show features new "urban-infused" interpretation. Tickets go on sale Dec. 1st. Opening Night Gala \$50, other shows \$15. Please note: this show is not recommended for younger children. FMI: 541-758-7827, www.chicagothemusical.net or www.majestic.org.

March 24th - April 18th

Main Gallery: The Arts Center. Annual Howland Community OPEN Exhibition. 700 SW Madison Ave. Corvallis. 754-1551. T-Sat. 12-5pm. free

OPPORTUNITIES

Literary Arts

Call to Poets. The 2009 Lois Cranston Memorial Poetry Prize. Contest submission dates: March 1 - May 31st, 2009. Complete guidelines and contest details available on CALYX's website: www.calyxpress.org, or by e-mail: calyx@proxix.com, or by mail: send SSAE to CALYX, PO Box B, Corvallis, OR.

The Externalist is an online journal focusing on well-written literature that places the human in the context of the world outside of self. We are currently accepting submissions of poetry, fiction, and nonfiction. For more information visit www.theexternalist.com.

Calling all poets! We are always looking for poems by Linn and Benton county residents of all ages for the Midway Marquee and for ArtSpirit! Marquee poems must be six lines or less. No limit on poems for ArtSpirit. E-mail poems to Mary@theartscenter.net, or send them to: The Arts Center, ATTN Poetry, 700 SW Madison, Corvallis, OR., 97333.

Theatre

Albany Civic Theatre auditions January 12-14th for *Cabaret* (musical to be performed March and April). Needed: 8 men, 7 women ages 18-80. Dancers, singers and actors needed.

Albany Civic Theatre auditions March 23-25th for *Of Mice and Men*. Needed: 9 men, 1 woman ages 30s and up.

Visual Arts

Call to Artists The Arts Center's Annual Howland Community OPEN Exhibition. Bring work March 21st Noon to 4 pm ONLY. FMI: Pick up a brochure at the Arts Center or call Hester at 754-1551.

Call to Artists "Art About Agriculture 2009: Across the Pacific Northwest" art competition sponsored by the College of Agricultural Sciences at Oregon State University. **Deadline for digital entries is Friday, January 2, 2009.** FMI: Contact Shelley Curtis at 541-737-2662 or shelley.curtis@oregonstate.edu.

Call to Artists. The Arts Center is seeking proposals for the Da Vinci Days Art Exhibit 2009. The exhibit is dedicated to art that touches science and/or technology. The working title for the exhibit is VAVES, which can be interpreted as water waves, but also as sound, air, etc. We are specifically looking for art that will engage a large public; kinetic and interactive art are encouraged. **Deadline for proposals is January 24, 2009.** Exhibit dates are July 10 - August 12, 2009. Proposals should include: 1-One-page maximum written proposal, 2-Disk with maximum of 10 digital images (300 dpi) of past or proposed work, 3-Corresponding list with images, 4-SASE: at least 6x9 (big enough for return of disk and paperwork if selected).

Ongoing. Corvallis area designer specializing in design services for living well in smaller homes. "I support the use of sustainable products and materials from local and regional sources, including recycled products and works produced by local artists. If you are producing, or can produce materials or products for architectural use, I would like to hear from you. I am compiling a listing of people who work with wood, glass, metal, ceramics, tile, concrete, textiles, and other media that can be adapted for use by designers, architects, contractors, and homeowners, to put together an exhibit showcasing this aspect of your work." Contact: Susan Binder by email: susan@susanbinder.com.

Ongoing. BRING Gallery also accepts proposals for group and solo exhibits. We are looking for artists who are working with recycled and/or natural materials, and/or address environmental/sustainability issues in their art. Please submit a short statement, artist resume and work samples to galler@bringrecycling.org for consideration.

Ongoing. CALYX, a journal of Art and Literature by Women, seeks artwork by women. Send SASE for guidelines: CALYX, PO Box B, Corvallis, OR 97339, or e-mail calyx@proxix.com. Always open for art submissions.

Ongoing. The Sitka Center for Art & Ecology. Just south of Neskowin, inside an 8,000 acre National Scenic Area bordering the Cascade Head Preserve, the Center offers a series of workshops focusing on the relationships between nature and art. Internship and artist-in-residence programs also available. FMI: 541-994-5485.

Ongoing. Jerry Williams' quARTerly looking for artists to feature. *quARTerly* asks artists to submit a CD with 10 high res. scans of their work in color, with a list of titles, sizes dimensions and mediums. These files should be in .tif, .jpeg or .pdf format. Also a 300-400 word statement about the work, and contact information for potential exhibitors and buyers. Contact williams.jerry@comcast.net.

Ongoing. Call to artists for art to display in the Majestic Theatre lobby gallery. Proposals may be submitted for solo or group exhibitions. Local, regional

An Artist's Life© in Oregon

PAINTING WORKSHOPS

Sensitively & sensibly priced One & Two All Day workshops. All Levels. Explore & Discover new intuitive image-making pathways from Still Life to Landscape. Individual, gentle guidance & demonstrations by artist facilitator, Diane Hoff-Rome - BFA, MFA. Enjoy our fully equipped Studio in Monroe. Beautiful views overlooking the Valley, Coast Range & Cascades. Includes selected Materials, Lunch and concluding 'Scottish Afternoon Tea' with positive crit overview. **For full details, brochure & sign-up form, visit our website at www.artistlife.com and call 541 847 2257 or E-mail**

diane@artistlife.com (The Oregon Workshop's creative process concept is based on Diane's annual *An Artist's Life @ European workshop program* now in its 17th year.)

Artist's Courtesy 10% Discount when you sign up for 2 or more workshops.
Need College/Continuing Ed credit? Happy to provide a syllabus.

or national artists are welcome to apply. All two-dimensional work is eligible. Three-dimensional work may be considered. Art may be displayed for up-to two months. FMI: 766-6976 or visit majestic.org.

Volunteers

The Arts Center. Seeks volunteers for a variety of positions - choose the one that fits your skills! FMI: come in, or contact heather@theartscenter.net

The Albany Civic Theater loves volunteers! If you want to act, direct, work backstage on sets, lights, sound, props and costumes, sell tickets or usher for a performance, contact Volunteer Manager Johanna Spencer at 541-990-3192.

The Majestic Theatre seeks volunteers for a variety of positions during performances and daytime business hours. FMI on current volunteer or internship opportunities: Samantha at 766-6976, volunteer@majestic.org, or www.majestic.org.

The Corvallis Folkroots School Program is seeking volunteers to continue growing participatory cultural community in our schools. Are you inspired by and would like to help grow traditional and contemporary multicultural folkroots music, crafts and culture in our schools and community? If so, contact Ralph Penunuri at fiddleroad06@cmug.com.

Workshops

ARTrageous Travel Adventures. Artful, inspired, behind-the-scenes, inventive, fun, uncommonly creative regional, national, and international tours/workshops with arts professionals. FMI: ARTrageous director, Barbara Sobo Gast, 541-456-4331 / bgast@peak.org.

Earth, Oven and Art Workshops with Kiko Denzer, various option workshop offered locally as well as nationwide. Contact Kiko at 541-438-4300 or handprint@cmug.com

DAVINCI FILM FESTIVAL

MARCH 6 • 7 • 8 2009

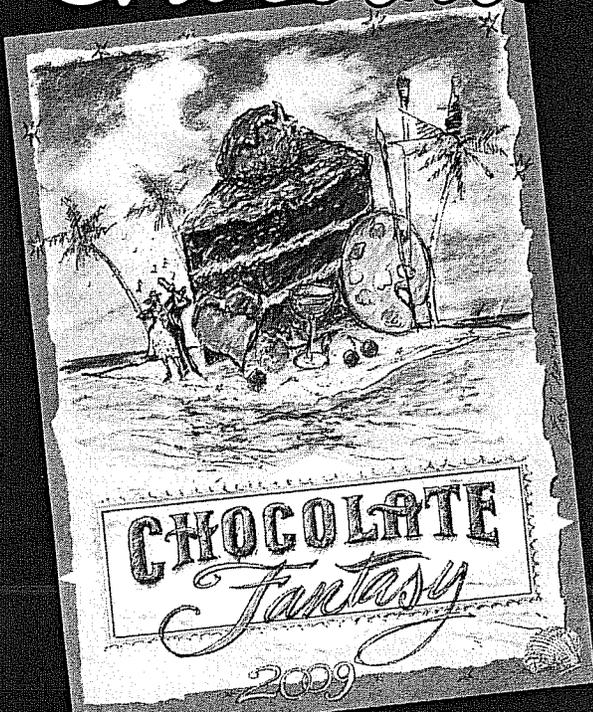
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OSU LASELLS STEWART CENTER

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Animation, documentary, comedy, drama, and young filmmakers

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Chocolate Fantasy & Art Auction



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entertainment

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Hearty Hors D'oeuvres
Live Auction with Special Guest KC Cowan
Entertainment by Mood Area 52
No Host Bar

chocolatiers

Burst's Candies
First Alternative's Feast Alternative
Francesco's Gelato
Indulgence Personal Chef Service
Jillicious Desserts
OSU Catering

purchase tickets at The Arts Center
\$45 ADVANCE • \$50 AT EVENT
[\$5 DISCOUNT FOR ARTS CENTER MEMBERS]

contributing artists

Poster Artist Earl Newman
Tom Adams, Lil Ahrens, Jeri Bartholomew, Rick Bartow,
Nena Bement, Owen Bentley, Rich Bergeman, Mike Bergen,
Pat Berman, Laura Berman, Scott Bisson, Gerry Brehm,
Karen Brockett, Joan Brown, Clint Brown, Nancy Bryant,
Kathy Byram, John Byrne, Felice Carter, Laurie Childers,
Bruce Coblentz, Kathy Crochet-Stursa, Shelley Curtis,
Dale Donovan, Holly DuBrasich, Pam Duren, Brian Egan,
Janet Ekholm, Ted Ernst, Lynda Farmer, Louie Gizyn,
Anthony Gordon, Babette Grunwald, Jeff Gunn,
Bonnie Hall, Marcella Henkels, Jane Herbst, Linda Herd,
Yūgi Hiratsuka, Sam Hoffman, Liz Hoffman, Skip Horton,
Pam Hough, Sandy Houtman, Diane Jackson, Kathy
Jederlinich, Susan Johnson, Dawn Jones, Cheryl Jordan,
Margie Kinch, Lee Kitzman, Sara Krainik, Ann Lahr, Bill
Laing, Lauren Lakowsky, Carol Ann Langstine, Charles
Leach, Richard Lee, Ruth Leeper, Barbara Levine, Mark
Lynch, Lois Malango, Jim, McCarty, Dave McIntire, Cindy
McNutt-Kaestner, Chi Meredith, Rinee Merritt, Randal
Milstein, Sara Morrissey, Keith Moses, Sue Noel, Laura
Ohlgren, Ross Parkerson, Molly Perry, Greg Pfarr, Lorraine
Price, Lynn Radosovich, Mike Rangner, Marsha Rathja, Ella
Rhoades, Beth Rietveld, Denise Ross, Beatrice Rubinfeld,
Judith Sander, Allene Schnittger, Sandy Segna, Carol Selberg,
Peggy Sharrow, Bill Shumway, Paige Shumway, Bill Siebler,
Fred Steger, Berniece Skinner, Cynthia Spencer, Dennis
Staats, Cy Stadvold, Tim Steel, Frances Stilwell, Kent
Stockwell, Bud Stout, Debby Sundbaum-Sommers, Yūki
Tanaka, Amy Tatala-Beck, Leetra Taylor, Anna Tewes, Karen
Tornow, Jane Ann Warkentin, Zach Wear, Barbara Weber,
Barb Wilson, Shirley Wirth, Dee Yarnell

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Globetrotters Arts & Culture summer camp is expanding into the school year with Day Trips. On no-school days, students can travel to faraway places, exploring arts and culture. Classes and experiences will include: music, foreign

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All-day (9 a.m.-5 p.m.) sessions for grades 1-7.

Fee: \$60 each day.

Member discount applies. Some partial scholarships.

To register, visit www.artcentric.org; call us; visit us; or mail payment with a registration form.



Fall Day Trip Schedule

Sept. 28, 9-5 p.m.: register by 9/24
(this date limited to 10 students)

Oct. 11, 9-5 p.m.: register by 10/4

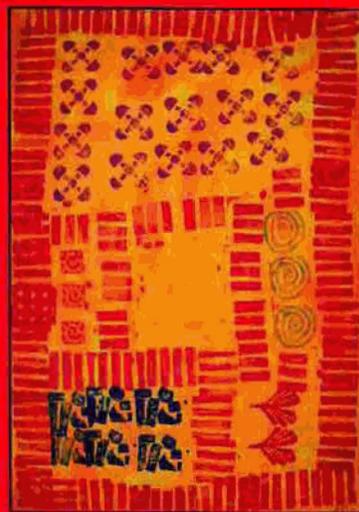
Oct. 12, 9-5 p.m.: register by 10/4

Nov. 7, 9-5 p.m.: register by 10/31

Nov. 8, 9-5 p.m.: register by 10/31

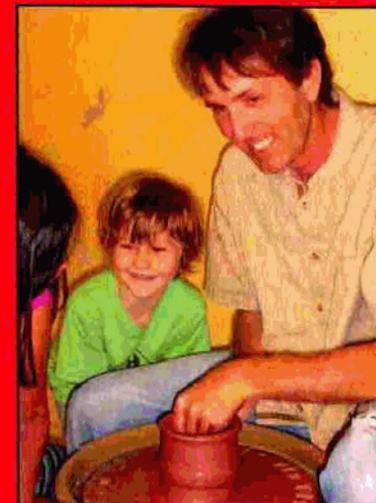
Nov. 9, 9-5 p.m.: register by 10/31

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—PARENT OF GLOBETROTTER, SUMMER 2007



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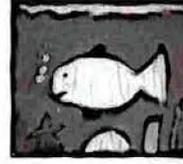
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classes
fall 2007

drawing, painting, printing, & pottery...

Pots with Tots

Try your hand at throwing the mud! It's fun to make cool things from clay. Parents are welcome! Ages: 3-6. Time: 4-5 p.m. Wednesdays (4), Oct. 3-24. Instructor: Keith Moses. Cost: \$45



Family Heirloom Bowls

Spend an evening with your family hand-building a family serving bowl and individual bowls. Note: Keith will glaze and fire the bowls. Ages: 4 and up. Time: 6-7:30 p.m. Wednesday, November 14. Instructor: Keith Moses. Cost: \$12 per person.

Mud with Moses

Come throw mud with Mr. Moses! You'll learn hand-building techniques and use the potter's wheel to make beautiful ceramic wares. All levels welcome. Ages: 6-13. Time: 4-5:30 p.m. Tuesdays (6), Oct. 2-Nov. 6. Instructor: Keith Moses. Cost: \$65

Beasties in Sculpture

Ever want to make a dragon to fly in your room? How about a flying unicorn to "ride"? In this class, you'll sketch, model, and build your favorite creepy-crawly, or cute and cuddly, animal. Students will use clay, wire, paper, and plaster to create "beastie" sculptures. Ages: 7-13. Time: 4-5:30 p.m. Mondays (6), Oct. 1-Nov. 5. Instructor: Keith Moses. Cost: \$65



Printmaking and Bookmaking

Explore printmaking techniques to create cover papers for a handmade book you can use for journals, sketchbooks, or albums. Ages: 6-12. Time: 3:45-4:45 p.m. Tuesdays (3), October 2-16. Please bring a workshirt or apron. Instructor: Jennifer Smith. Cost: \$41.

Drawing and Painting—Animals and More!

Discover the joys of drawing and painting with watercolor. You'll learn some basic secrets using animals, landscapes, flowers, and people as subjects. Have fun exploring techniques like shadowing, highlighting, depth, and dimension. Ages: 7-13. Time: 4-5:30 p.m. Tuesdays (6), October 23-Nov. 26. Instructor: Elizabeth Tollerton. Cost: \$61

The Future of Fashion is You!

Express your own style in clothing design. On drawn mannequins, you'll create clothing and fabric designs using classic styles and new concepts. Develop your own flair designing outfits from gorgeous to outrageous. Students will learn drawing techniques and practice pattern creation. Ages: 8-12. Time: 4-5:30 p.m. Wednesdays (5), Oct. 3-31. Instructor: Elizabeth Tollerton. Cost: \$51

Register now!

Classes begin October 1.

**To register, call 541.754.1551,
drop by our offices, or mail pay-
ment with the registration form.**

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dance, dance, dance...

Beginning Tap for Kids

Become a drummer with your feet in this slow and gentle introduction to tap. You'll learn basic tap steps, rhythmic combinations, original shim sham, and more! Ages: 6-8. Time: 4:45-5:15 p.m. Mondays (8), Oct. 1 – Nov. 26 (no class 10/15). Instructor: Beth Butler. Cost: \$45

Adult & Beginning Tap (Level 1)

Picking up the pace. Review of basics and rudiments. Emphasis on shim shams and time steps. Time: 5:15-6 p.m. Mondays (8), Oct. 1 – Nov. 26 (no class 10/15). Instructor: Beth Butler. Cost: \$61

Adult Tap (Level 2)

An even faster pace. Groovy moves, counterpoint, improv, traveling time steps, turns, even more shim shams, and captivating rhythmic syncopations. Also includes body drumming, Latin rhythms, and Irish step dancing. Time: 6-6:45 p.m. Mondays (8), Oct. 1 – Nov. 26 (no class 10/15). Instructor: Beth Butler. Cost: \$61

Registration Form-Fall 2007 Please complete one form per student.

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student

parent/guardian

address

city

zip

age

phone work or cell phone

e-mail

sign up to receive class info by e-mail!

I'm a current ArtCentric member at the Friend level (\$50/year) with early registration privileges and a 10% discount on classes.

Class #1: _____ Fee: \$ _____

Class #2: _____ Fee: \$ _____

Day Trips (check all that apply):
 Fri., Sept. 28 Wed., Nov. 7
 Thurs., Oct. 11 Thurs., Nov. 8
 Fri., Oct. 12 Fri., Nov. 9

Class fee total \$ _____ Date: _____

Total Day Trip days _____ x \$60.00 = \$ _____

TOTAL \$ _____ PAID by: Check # _____ Cash Charge

visa/MC # _____ exp. date _____

signature _____

Classes subject to cancellation due to enrollment. Withdrawals accepted up to one week before start; a \$10 non-refundable administration fee will be withheld from refund.

ArtsCare

Who We Are

The Arts Center's ArtsCare Core Team

- Musicians • harp, viola, guitar, voice
- Visual Artists • clay, drawing, painting, printmaking
- Fiber Artists • quilting, doll-making, fabric crafts
- Writers • poetry, memoir, narrative therapy
- Coordinator • writing, painting, administration

Where We Work

Good Samaritan Regional Medical Center

- Center for Women & Families
- Ambulatory Infusion
- Med/Surgery Floors

Mario Pastega House

- Wednesday evening art and music nights for patients and families

Samaritan Regional Cancer Center [SRCC]

- Weekly music in patient waiting areas
- Surviving to Thriving Workshops for cancer survivors & caregivers

Samaritan Lebanon Community Hospital

- Emenheiser Infusion Center
- Dialysis Unit
- Cardiac Rehab

Samaritan Albany General Hospital

- Music in main lobby

Samaritan Mental Health

- Art workshops in group settings, twice each month

Grace Center for Adult Day Services

- Weekly ceramic class with seniors



Surviving to Thriving

“ I took bits and pieces of broken scraps of clay and formed them into art - just like my life has been broken, I know it can once again be beautiful in a different way. ”

- 2007 participant in one of our Surviving to Thriving workshops

Surviving to Thriving

is a free six-week series for cancer survivors and their caregivers.

Creative Play | Healing Arts

Explore mosaics, baskets, fabrics, & clay

Address life's changes, connections, and hopes

Time for thoughtful discussion

Opportunities to journal

Poems & stories each week

Music & celebration during final session

Surviving to Thriving meetings take place at Samaritan Regional Cancer Center and The Arts Center in Corvallis.



“ The arts have an extraordinary ability to enhance our lives, to help us heal and to bring us comfort in times of great stress. We must reconnect the arts with the actual human existence that Americans lead, the journeys we take in life, which lead us through hospitals, to hospices, to the end of life. ”

- Dana Gioia, National Endowment for the Arts Chairman, spoken at Symposium on Arts and Health Care.

The Bob and Kitty Bunn

ArtsCare Fund

In 2004, The Arts Center's ArtsCare Fund was established by Bob and Kitty Bunn to provide ongoing support for the healing role of the arts in our community.

Through the creation of artwork, and by the direct work of artists with patients, their families, and medical staff, this Arts Center fund supports the programs of Samaritan Health Services, Benton Hospice, and other health care facilities that serve local communities.

Yes! I would like to make a donation to The Arts Center for the Bob and Kitty Bunn ArtsCare Fund

name _____

email _____

address & phone _____

a tax-deductible contribution of \$ _____ enclosed

All donations support this community and help the fund to grow. *Thank You!*

method of payment

- check enclosed (The Arts Center ArtsCare Fund)
- credit card (visa/master) exp. date _____
number _____
signature _____

- Please send me a copy of The Arts Center ArtsCare Fund investment policy.
- I would like to meet with someone to discuss the ArtsCare Fund.



What is *ArtsCare*?

ArtsCare is a creative partnership between The Arts Center and Samaritan Health Services (with additional training support coming from Hospice providers). The Arts Center's ArtsCare Program places artists in health care environments to work with patients, or staff, or to beautify facilities—for the healthful benefit of all!

How is *ArtsCare* Funded?

In 2003, The Arts Center received an initial grant from the Society for the Arts in Health Care, through Johnson & Johnson. This enabled us to create three site-specific works, using local artists, to beautify the outdoor campus at Good Samaritan Regional Medical Center.

The Arts Center's ArtsCare Program is currently funded by Samaritan Health Services, its respective hospital foundations, other private foundations, and donations to the Bob and Kitty Bunn ArtsCare Fund.

As the ArtsCare program expands to other health care sites and facilities, The Arts Center continues to seek additional funding from donors who love the arts and want to enrich their community.

Your help can make a difference!

ArtsCare

a program of The Arts Center 

Hospitals and clinics across the country are exploring the ancient connection between art and healing in modern health care practices. From paintings to poetry, from dancing to drum circles, the Arts now go hand-in-hand with traditional medicine.



photograph: Chaplain Wes Sedlacek, Samaritan Albany General Hospital

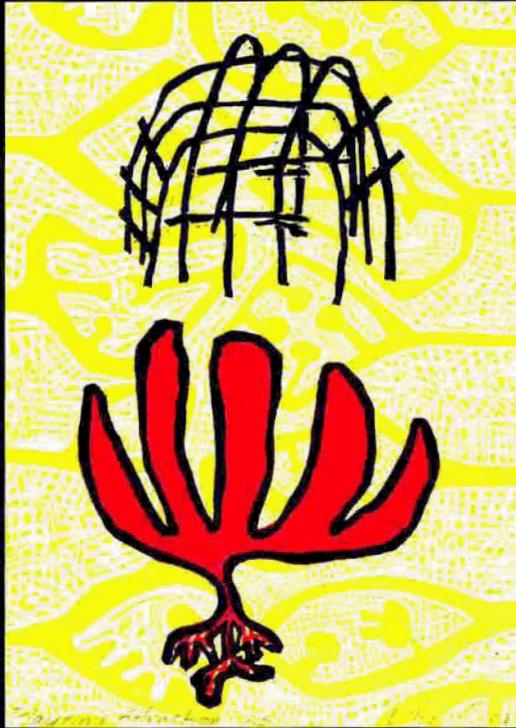
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2008 OSU International Cascade Print Exchange IV



May 24 – June 24, 2008

Opening Reception: Thursday, June 5 • 5:30–7pm

This exhibit sponsored by Alphagraphics

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The
Arts
Center

COUCH NUISANCE SURVEY

12 BLOCK AREA BOUNDED BY: N.W. MONROE AVE (SOUTH)
N.W. HARRISON BLVD. (NORTH)
N.W. 11TH ST. (EAST)
N.W. 15TH ST. (WEST)

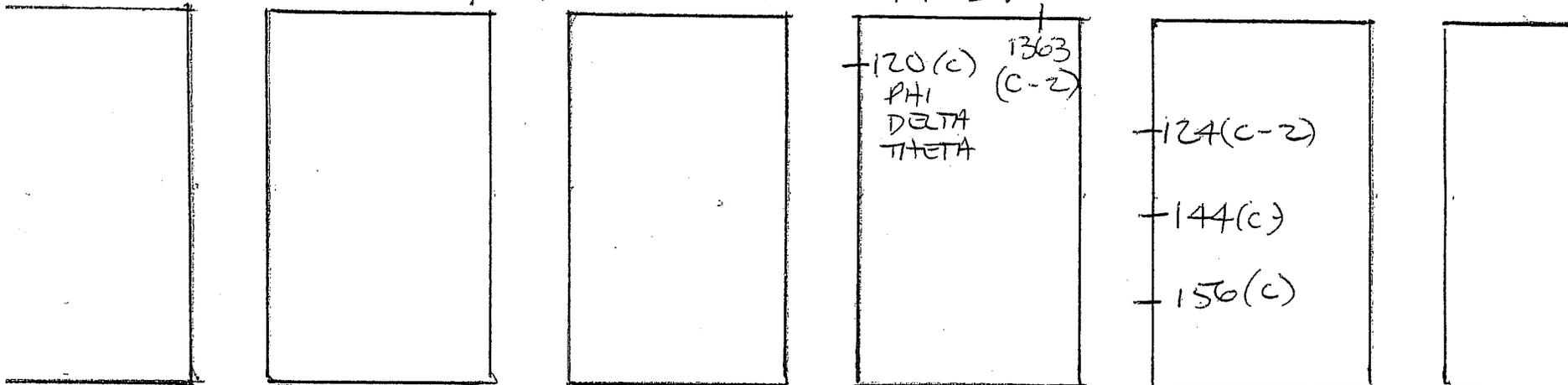
28 UPHOLSTERED COUCHES AND/OR CHAIRS
INTENDED FOR INTERIOR USE OBSERVED AT

21 LOCATIONS IN THE 15 BLOCK AREA DESCRIBED
ABOVE.

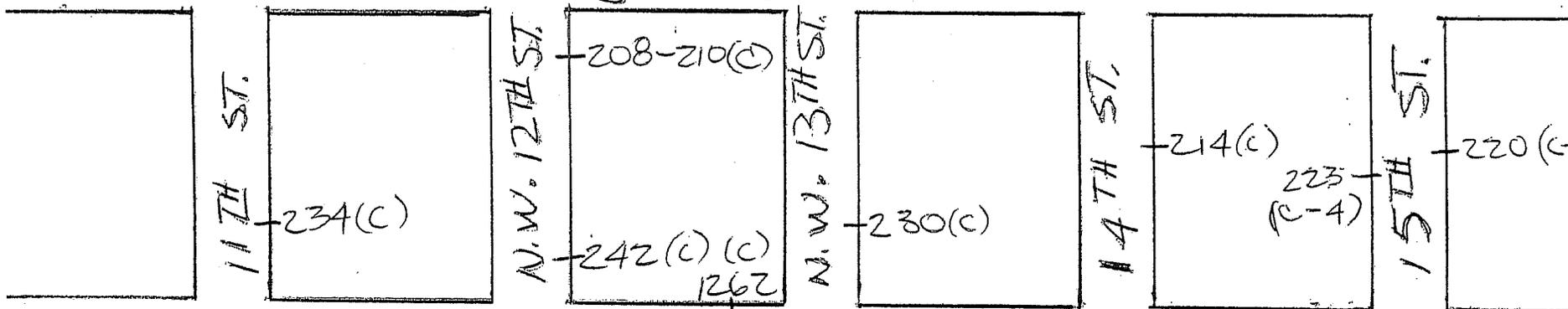
ATTACHMENT E

RECEIVED 3/17/09
FROM HERB HEUBLEIN

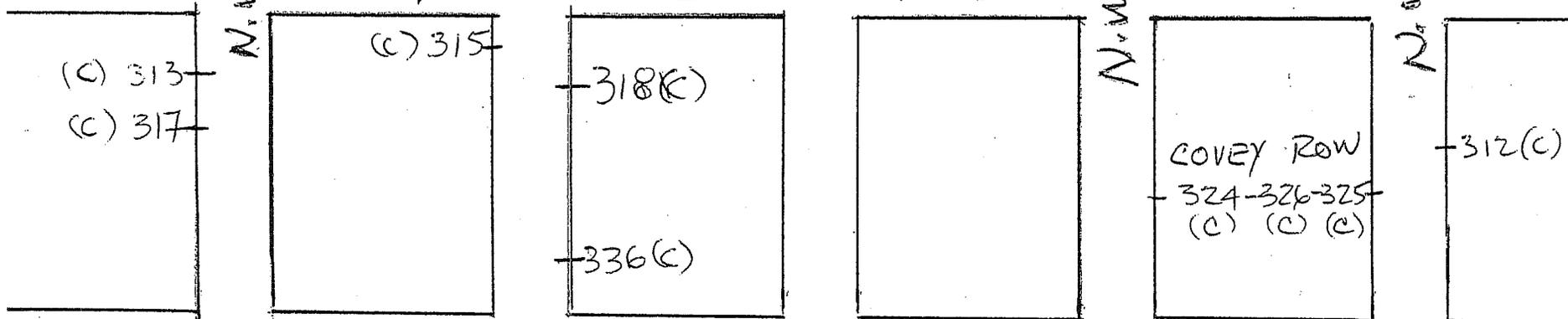
N.W. MONROE AVE.



N.W. JACKSON AVE.



N.W. VAN BUREN AVE.



N.W. HARRISON BLVD.

ATTACHMENT F

trish and kent daniels

From: "Tom Eversole" <
To: "trish and kent daniels" <
Cc: "Mike Beilstein"
Sent: Monday, March 16, 2009 7:16 PM
Subject: Human Services Committee Testimony

Dear Councilor Daniels,

Unfortunately, I cannot attend the Human Services Committee meeting Tuesday March 17. I would like to submit this a written testimony to the committee.

I urge the committee to take action that supports code enforcement for indoor furniture that is placed on porches, lawns, city right of way etc. Furniture thus located creates physical safety hazards, can lead to health hazards (rat infestations, etc.) and generally decreases the live-ability of neighborhoods. It is analogous to the "first broken window," which if left unrepaired, invites more window breaking and leads to the devaluation of property.

Please take action supporting municipal codes that prohibit "lawn couches" and enforcement of penalties associated with such code violations.

Thank you.

Sincerely,

Tom Eversole
Corvallis, OR

3/17/2009

Mullens, CarrieATTACHMENT G

From: Louie, Kathy
Sent: Monday, March 16, 2009 4:10 PM
To: Mullens, Carrie
Subject: FW: Indoor furniture on lawns

Please make copies for HSC tomorrow ..thanks, k

From: Hstand, Phillip [mailto:phillip.hstand@]
Sent: Monday, March 16, 2009 4:01 PM
To: Louie, Kathy
Subject: Indoor furniture on lawns

Ms. Louie, please convey to the Human Services Committee and the rest of the city council my support for a city ordinance banning indoor furniture on lawns and rooftops. This has been a problem in our neighborhood for many years. The furniture harbors rodents, is unsightly and sometimes becomes a target for arson or a traffic hazard when it winds up in the street. These pieces of furniture often make their way from the original property to another neighboring property and then that owner is stuck with having to deal with the problem. There have not been effective nor timely ways to deal with these problems in the past. I hope we can all continue to work to keep Corvallis a beautiful place with a sense of pride in its appearance.

Phil Hstand

Corvallis

3/16/2009

ATTACHMENT H

Dan Brown

From: "Kelly Amsberry"
To:
Sent: Monday, March 16, 2009 4:40 PM
Subject: lawn couch testimony

Hi Dan -

Will you consider my comments (below) regarding the lawn couch ordinance as testimony? I support the proposed ordinance, but can't get to the meeting tomorrow.

Thanks
Kelly

-----Original Message-----

From: Stillger/Mills .et]
Sent: Monday, March 16, 2009 3:56 PM
To: 'Kelly Amsberry'
Subject: RE: lawn couches--at last!

I can't make it either. Please consider sending written testimony to Dan.
Every little bit helps!
Christine

-----Original Message-----

From: Kelly Amsberry
Sent: Monday, March 16, 2009 3:43 PM
To: 'Stillger/Mills'
Cc: 'Deb Kadas'; 'SARAH MEIGS'; 'Barbara Ketchum';
Subject: RE: lawn couches--at last!

Hi Christine!

I have a doctor's appointment tomorrow at 11:45, so probably won't make it to the meeting. I certainly support the proposed legislation, and believe that developing and enforcing an ordinance prohibiting couches on lawns (and other misplaced furniture, like chairs on roofs) will improve the livability of our neighborhoods! The concerns for public health and safety are very real, and expecting landowners and/or tenants to dispose of unwanted furniture and other trash does not seem like an undue hardship.

I hope it passes!

Kelly

Dan Brown

From: "Stillger/Mills"
To: "Dan Brown"
Sent: Monday, March 16, 2009 4:11 PM
Subject: support for ordinance prohibiting the outdoor use of indoor furniture

Dan,
Please forward this to the Human Services Committee. Thank you.

March, 16, 2009

Dear Members of the Human Services Committee:

I regret not being able to attend your meeting, but I do want to express my support for the proposed ordinance that would prohibit indoor furniture placed outdoors. Couches and stuffed chairs seem to be the most common offenders. Not only are they unattractive, especially after long months of rain and snow and with the stuffing seeping out, but they are health hazards, too. They attract rodents, mold and more litter. In addition to these eye sores, I urge you to add microwaves and other interior appliances to the list of prohibited furnishings. As anecdotal evidence, I submit the microwave oven that was on the sidewalk at Harrison and Kings for several weeks during the winter months. Finally, I urge you to follow the example of the City of Lincoln, Nebraska, and include in our ordinance the placement of furniture on roof tops. An eyesore is an eyesore, whether at ground level or directly across from one's second story bedroom window.

Thank you so much for your time and consideration.

Sincerely,

Christine Stillger

Corvallis

3/17/2009

**ADMINISTRATIVE SERVICES COMMITTEE
MINUTES
March 18, 2009**

Present

Councilor Hal Brauner, Chair
Councilor Joel Hirsch
Councilor Mark O'Brien

Staff

Ellen Volmert, Assistant City Manager
Nancy Brewer, Finance Director
Steve Rogers, Public Works Director
Mary Steckel, Public Works Admin Division Manager
Adam Steele, Franchise Utility Specialist
Sarah Johnson, Assistant Planner
Janet Chenard, Budget Analyst
Julian Contreras, Budget Analyst
Carla Holzworth, City Manager's Office

Visitors

Joan Wessell, Downtown Corvallis Association

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for Further Review	Recommendations
I. Downtown Corvallis Association Upper Floor Loan Program Guidelines Change Request			Approve proposed modifications to the Downtown Corvallis Association's Upper Floor loan program
II. Allied Waste Proposed Rate Increase Options	*		
III. Second Quarter Operating Report			Accept the Second Quarter Operating Report for Fiscal Year 2008-09
IV. Council Policy Review: 10.01 through 10.08, "Financial Policies"			Amend Financial Policies 10.01 - 10.08 as recommended by staff
V. Other Business	*		

Chair Brauner called the meeting to order at 3:30 p.m.

CONTENT OF DISCUSSION

I. Downtown Corvallis Association Upper Floor Loan Program Guidelines Change Request (Attachment)

Chair Brauner said the item is returning in response to questions raised at the last meeting. Ms. Johnson said staff reviewed the Committee's questions, conducted research, and provided background information to Ms. Wessell, who then completed the meeting packet. Ms. Wessell said the revolving loan balance sheet as of the end of February was \$57,933.04. She noted that two interior projects are waiting for loans upon Council's authorization to modify the program. In response to Chair Brauner's inquiry, Ms. Wessell said a facade loan was repaid and the pending requests are for \$20,000 each, leaving \$18,000 available for other loans.

The Committee unanimously recommends that Council approve the proposed modifications to the Downtown Corvallis Association Upper Floor loan program.

Ms. Wessell distributed an invitation to the next Corvallis Science Pub (Attachment A), which will be held at 6 pm on Monday, April 13. She said the first Science Pub was a success, with 250 people showing up. Due to fire code, 75 people were turned away.

II. Allied Waste Proposed Rate Increase Options (Attachment)

Ms. Steckel said staff requests Committee direction on three areas related to Allied Waste's rate increase proposal. The full proposal will come back to the Committee at a future meeting.

Item #1 - Proceed with Allied's two-year CPI increase: Ms. Steckel said the original proposal was to lock in a two year rate increase at the current Consumer Price Index (CPI). However, the rate may not be the same next year so staff asked Allied to explore a one year CPI increase. Because the proposed increase could not go into effect until May 1 at the earliest, Allied would have only six or seven months to recoup one year's worth of the CPI increase. The result of a one year rate increase in effect becomes roughly the same as the two year increase being proposed. If the proposal to raise rates was approved, the increase would be about 7% to 8%, with the possibility of Allied coming back again in 2010 for another CPI increase in 2011.

In response to Chair Brauner's inquiry, Ms. Steckel confirmed that Allied Waste agrees with the assessment. The Committee was comfortable with staff's recommendation.

Item #2 - Glass collection rate adjustment: Ms. Steckel said Allied's last rate increase assumed glass could be commingled with other recyclables. The Department of Environmental Quality (DEQ) and recycling facilities have since indicated that glass shards lower paper recovery rates and damage equipment, so commingled glass is not accepted now, nor will it be in the foreseeable future. As a result, Allied is not able to fully recover their costs at the current rate. Ms. Steckel said maintaining the current rate would still allow Allied to earn a reasonable rate of return as required by the franchise, but it would be on the low end. She noted the difficulty of justifying a rate increase without an increase in service.

Chair Brauner said the full proposal will come back to the Committee and staff is only asking for direction about three elements. Direction given today can be revisited, as the total package is still subject to final review.

In response to Councilor O'Brien's inquiry regarding the con in option #2, Ms. Steckel said Allied made an honest mistake when projecting the cost and she believes there has been good faith on both sides. Staff wants to maintain the relationship they have built with Allied and ensure transparency in the future.

In response to Councilor O'Brien's inquiry, Ms. Steckel said it was initially perceived that a change in the frequency of glass collection would be seen as a reduction in service, but a subsequent customer survey showed the issue wasn't in the top list of concerns. Councilor O'Brien said he finds the change less convenient and he is inclined to support option #2.

Councilor Hirsch said he does not want to punish Allied for an honest mistake. If they continue to pick up glass and their profit is within a reasonable range, he supports option #1.

Ms. Steckel noted that a two year CPI increase would be around 8%, with another 2% or 3% increase for glass and customers would look to Council to explain the increase.

Chair Brauner observed that the increase would be about \$0.50 per month for glass.

In response to Chair Brauner's inquiry, Ms. Steckel said franchise reviews are brought forth when there is an issue. Chair Brauner said Council has the opportunity to review the matter in another year, so it may be best to deny the glass rate increase now and reexamine the bottom line impact when actual CPI costs are known. Allied can request the glass increase at that time and the issues would be kept separate, so he favors option #2.

In response to Ms. Steckel's request for clarification, Chair Brauner said for Issue #1, he supports option #1 which is to proceed with Allied's two year CPI increase. For Issue #2, he supports option #2, with Allied being able to come back in 2010 to request an increase for glass if maintaining current rates causes them to drop below an acceptable rate of return. The Committee agreed with this direction.

In response to Councilor O'Brien's inquiry, Ms. Steckel confirmed that recycling, including glass, is included in Allied's base rates and she confirmed that First Alternative Coop in South Corvallis accepts glass, which is picked up by Allied.

Item #3 - Commercial customer food waste collection rate structure: Ms. Steckel said staff is comfortable with Allied's recommendation for residential collection of green food waste with yard debris. Direction is being requested on the commercial aspect of this service. As proposed, all commercial rates would increase to pay for

the program, regardless of participation. An alternative is to make the service elective. However, the rate base would be smaller, so the cost would be higher. Ms. Steckel said there is a small group of commercial customers who could save money in the long run by reducing the size and or frequency of their trash collection and increasing use of yard debris and green food waste containers.

In response to Councilor Hirsch's inquiry, Ms. Steckel confirmed that while it is possible to separate food waste from yard debris, the goal from a residential perspective is to limit the number of collection carts and trucks on streets, maximize the service, and minimize the cost. The debris collected is not intended to be used for food compost purposes, such as worm castings.

In response to Councilor O'Brien's inquiry, Ms. Steckel said both residential and commercial yard debris collection would increase to weekly. Councilor O'Brien said he cannot support charging everyone for a service that only a few will use. He also expressed concern about protein-based food waste contamination by restaurants.

Chair Brauner said he is concerned about the fairness of giving commercial customers the option of participating for a fee, while residential customers would pay for the program regardless of whether they used it, especially considering the other rate increases Allied is proposing.

In response to Ms Steckel's observation that the franchise requires Allied to develop a food disposal program, Chair Brauner said limited organics collection is only a piece of the program and perhaps it would be better to wait until the full food waste program is ready. Ms. Steckel noted that the franchise directs the limited organics piece to be implemented as soon as possible, while the full organics collection would be offered when the DEQ began issuing permits.

In response to Councilor Hirsch's inquiry, Ms. Steckel said limited organics implies plant-based foods and full organics includes both plant and protein-based food waste, such as eggs, cheese, and meat. She added that Allied's organic waste recycling facility does not have DEQ permission to accept full organics, nor does any other site in Oregon. Mr. Steele said there is a facility in Washington that accepts protein-based food waste, but they are already overwhelmed with demand.

In response to Councilor O'Brien's inquiry, Ms. Steckel confirmed that about a 10¢ per month increase would be assessed on all residential customers if the elective option was approved for commercial limited organic waste collection.

In response to Committee questions, Ms. Steckel agreed to check the franchise to see if commercial yard debris collection is already an elective service. Concern was

expressed about why a business would pay for the new service if they could throw their limited organics in a yard debris cart that is already provided.

The Committee agreed that if yard debris collection currently costs extra for commercial customers, then option #2 should be pursued and the additional cost should be spread across that commercial base yard debris fee. However, if commercial yard debris collection is already included, option #1 should be incorporated. Alternatively, a franchise amendment could be proposed to separate out the commercial component so that residents are not subsidizing businesses. A last resort is to spread program costs across both residential and commercial customers.

[As a follow-up to the discussion, staff consulted the franchise agreement and found the following language specifically related to commercial yard debris service:

3.2.3 *There shall be the opportunity for apartments, multi-family households and units, and Commercial customers to have Commingled Recyclables Collected at least once each week on a designated Collection day. Glass shall be Collected on the first normal Collection day in the first full week of each month. Materials shall be Collected Curbside or in a designated Collection center in cooperation with the building owner or manager. **These customers shall also have the opportunity to Recycle wood and Yard Debris.***

This language does not preclude a separate charge for yard debris, and, in fact, there is currently a separate charge for wood waste collection. Therefore staff has directed Allied Waste to develop a commercial yard debris service rate that would also be used as the elective limited organics rate, if that service is approved by Council.

As a clarification to information provided at the Committee meeting, the franchise does not include a time limit for the implementation of the green feedstock (limited organic) collection service. The specific text is shown below for reference.

3.2.5 *Franchisee shall offer all customers Green Feedstocks Collection when directed or approved by the City. However, no such program shall be implemented until the terms of providing for the program are mutually agreed upon by the City and the Franchisee. The Disposal Site for this material shall be approved by the City.]*

The item is for information only.

III. Second Quarter Operating Report (Attachment)

Ms. Brewer said the full quarterly operating report is posted on the City's Web site. To save paper, it is no longer printed. She noted that the report includes income statements, progress toward meeting performance standards, Council goals updates, and much more. Financial policies stipulate that the report must be completed by the 45th day following the quarter's close. A summary of the report is presented to the Administrative Services Committee and Council as an internal financial control to ensure electeds are regularly informed about concerns or significant financial interactions.

Ms. Brewer said the City's finances were as expected at the end of the second quarter. She noted that the first quarter's assessed value was about \$30,000 higher than budget projections. Hewlett-Packard (HP) has filed an appeal related to their assessed value, but the County Assessor's Office has not been given any specifics. It will take time to resolve the issue and staff are having ongoing discussions with Benton County Finance. The County sometimes withholds tax receipts in the case of a large appeal, but they have not done so yet, as it is not known if the matter will be resolved by June 30. Staff will continue to check with the County for updates.

Development Services Fund permit fees are significantly below historical averages. Revenues are less than half of what they would ordinarily be at this time of year. Ms. Brewer said staff are closely monitoring the budget to ensure it does not go into a negative cash position.

Systems Development Charges revenues are also lower than expected. While this does not have an immediate operating impact, it does affect Capital Improvement Program project planning. Water and Wastewater funds are carrying significant balances, but Storm Water and Parks are not. Future projects can be held up if cash balances are not increased.

In response to Chair Brauner's inquiry, Ms. Brewer said it is normal for Parks and Recreation to be more than 50% expended at this time due to summer programs, seasonal employment, and full operation of the pool during the first quarter. Expenses tend to slow during the winter and pick up again in the spring.

Chair Brauner observed that property tax funds combined revenues are slightly less than the percentage of budget compared with the previous year and expenses are slightly higher. Ms. Brewer said it is not a major concern. Some State revenue sharing payments have not been received on time and charges for service in Planning are down a bit due to the absence of large projects that bring in higher fees. On the expense side, there is some pressure driven by the economy. For example, when fuel

costs increased, chemical prices went up and have stayed high despite the recent drop in fuel prices.

In response to Councilor Hirsch's inquiry about the worst case scenario if HP is successful in their appeal, Ms. Brewer said possible tax revenue losses are estimated at \$150,000 to \$200,000 lower than current year estimates. She noted that HP's contribution has been steadily dropping over the years.

In response to Councilor Hirsch's inquiry, Ms. Brewer said the City has not heard back about its fire truck grant appeal.

In response to Councilor O'Brien's inquiry about employing local firms for stimulus projects, Ms. Brewer said funds from the American Recovery and Reinvestment Act are for public improvement projects that are awarded to the lowest qualified, competent bidder. They are classified as maintenance contracts and do not require review by the Oregon Department of Transportation.

The Committee unanimously recommends that Council accept the Second Quarter Operating Report for Fiscal Year 2008-09.

IV. Council Policy Review: 10.01 through 10.08, "Financial Policies" Attachment)

Ms. Brewer said financial policies are usually examined each fall, but review was delayed this year until after Budget Commission (BC) meetings had concluded.

Last year, much time was spent reviewing fund balance policies. Staff proposes additional policy updates to ensure congruency with Council's Budget Capacity process discussion last fall.

One area of policy revision comes from the BC's decision to increase the Aquatic Center's subsidy. The proposed changes capture the new subsidy amount, as well as how future subsidy increases would be calculated. Instead of tying the subsidy to only 2% per year, which did not recognize the predominant cost drivers of energy and personnel, the proposed policy allows for subsidies of up to 7%. This mirrors how the utilities rate increases are managed, recognizing that there are factors impacting costs that are beyond the City's control. Staff is hopeful the boiler replacement will reduce energy costs.

Another proposed revision addresses the general obligation debt section. Language was updated to reflect passage of Measure 56 in November 2008, which eliminates the double majority requirement for May elections.

Ms. Brewer noted that minor housekeeping and nomenclature changes are also included.

In response to Councilor O'Brien's inquiry, Ms. Brewer said the facility maintenance plan will be updated to reflect the new boiler's routine maintenance requirements. She noted that a small maintenance reserve has been established, but it is not enough to address ongoing needs. When the Aquatic Center's financial performance is better than expected, half of the excess is added to maintenance reserves. However, surpluses have not materialized over the last few years.

Chair Brauner opined that staff appropriately captured the desired policy updates and he supports the Aquatic Center's subsidy changes.

In response to Councilor Hirsch's inquiry, Ms. Brewer said the term "triennially" replaced the previous term of triannually in the cost allocation plan to reflect the intent to review the plan every three years, not three times per year.

Ms. Brewer said staff is considering whether significant format changes would make the policy more useful. Options will be explored this summer when budget staff has more time.

The Committee unanimously recommends that Council amend Financial Policies 10.01 through 10.08 as recommended by staff.

V. Other Business

The next regular Administrative Services Committee meeting is scheduled for 3:30 pm, Wednesday, April 8, 2009 in the Madison Avenue Meeting Room.

Respectfully submitted,

Hal Brauner, Chair

MEMORANDUM

DATE: March 10, 2009
TO: Administrative Services Committee
FROM: Ken Gibb, Community Development Director 
SUBJECT: Downtown Corvallis Association Request for Review/Approval of Revisions to the Upper Floor Loan Guidelines

Issue:

The Downtown Corvallis Association (DCA) has asked for City approval to modify the Upper Floor Loan Program to include all interior modifications in the loan program

Background:

The DCA brought the proposal to the ASC at their February meeting, and councilors requested additional information regarding the existing loan structure, outstanding loans, funding and budget information, and complete or modified loan guidelines and applications. Councilors asked the DCA to provide the requested information for consideration at the March 18, 2009 meeting.

Action Requested:

That the ASC review the materials and requested modification and make a recommendation to the City Council.

Review and Concur



Jon S. Nelson, City Manager



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(541) 754-6624
FAX (541) 758-4723
www.downtowncorvallis.org

Board Members

Amy Childers, President,
Starbucks
Jerry Groesz, Vice-President,
1st American Title
Les Boudreaux, Treasurer
Downtown Property Owner
Deanna Carr,
Elements Building
John Coleman, Secretary
Coleman Jewelers
Robin Brown,
Brown House
Cloud Davidson,
Cloud 9 & Downtown Dog
Catherine Holdorf,
Sibling Revelry
Rob Gandara,
Pipemakers Union
Cary Stephens,
Barnhisel, Willis, Barlow & Stephens
Scott Stoller,
Benton County Fair

Staff

Joan Wessell,
Executive Director
joan@downtowncorvallis.org

Ex-Officio

Trish Daniels,
City Council
Sarah Johnson,
City Planning
Dave Henslee,
Corvallis Police Dept.
Diana Simpson,
Benton County Sheriff
Corvallis Tourism
Corvallis-Benton Chamber
Associated Students of OSU

RECEIVED

MAR - 9 2009

To: Corvallis City Council
Administrative Services
From: Joan Wessell, Executive Director
Date: 9 March 2009
Subject: Information as requested for
DCA's Façade & Upper Floor Loan Programs

Community Development
Planning Division

Per requests from members of City Council's
Administrative Services Committee, I am attaching the
following information:

- (1) An updated, combined document that reflects clear guidelines and funding for both the Upper Floor (interior building) and Façade programs.
- (2) Complete information about the program's funding history, including how the current \$71,300 loan pool was derived, when funding was combined, and documents such as Council minutes that reflect the City's approval to do so.
- (3) Explain the \$33,500 difference between the current \$71,300 loan pool and the original \$16,800 and \$21,000 City allocated funding.
- (4) What percentage of both the \$71,300 loan pool and current loans are devoted to the Upper Floor and Façade programs, and how much is outstanding for each type of loan.
- (5) Corrections to the Interior Building Development Loan Guidelines document to address:
 - fixing wording on page 2, Who is Eligible "...shall be defined as ~~that~~ property within the Economic Improvement District boundaries."
 - why item "c" is missing on page 7
 - why page 8 is blank

Downtown Corvallis Association, Inc.
Balance Sheet
As of January 31, 2009

*City Loan
Information*

03/08/09

Jan 31, 09

ASSETS

Current Assets

Checking/Savings

1010 · Cash - Umpqua Bank	14,504.87
1015 · MMF - Umpqua Bank	92,834.04
1050 · Cash - US Bank-Strategic Plan	10,412.16
1104 · MMF-Citizens-Design Committee	4,532.17
1106 · Cash-Citizens-RW&B	4,371.62
1109 · MMF-Citizens-Facade/Upper Floor	
1109-1 · Designated City Funds	56,844.17 ←
1109-2 · Undesignated Funds	193.66

Total 1109 · MMF-Citizens-Facade/Upper Floor 57,037.83

Total Checking/Savings 183,692.69

Other Current Assets

1116 · Prepaid Expenses	
1120 · Rent	790.76
Total 1116 · Prepaid Expenses	<u>790.76</u>

Total Other Current Assets 790.76

Total Current Assets 184,483.45

Fixed Assets

1258 · Fixed Asset	20,981.78
1259 · Accumulated depreciation	-15,244.32

Total Fixed Assets 5,737.46

Other Assets

1500 · Facade improvement loans	
1538 · Les & Barbara Boudreaux	644.73
1539 · Broken Yolk	304.45
1540 · Brown House	392.36
1541 · Aqua Restaurant	1,083.36
1542 · Coleman	1,502.51

Total 1500 · Facade improvement loans 3,927.41 ←

1700 · UF Residential loans

1736 · John Coleman - combined	9,195.08
1737 · Les & Barbara Boudreaux	1,333.34

Total 1700 · UF Residential loans 10,528.42 ←

Total Other Assets 14,455.83

TOTAL ASSETS 204,676.74

LIABILITIES & EQUITY

Liabilities

Current Liabilities

Other Current Liabilities

2115 · Gift certificates o/s	-496.00
2111 · Pass-thru money	-936.20
2113 · Deferred RW&Blue	
2113-2 · Expenses	
2113-24 · Miscellaneous	-84.00

Total 2113-2 · Expenses -84.00

Total 2113 · Deferred RW&Blue -84.00

2144 · Federal Unemployment 48.11

2145 · State Unemployment 54.12

2146 · Workers Compensation 6.88

Total Other Current Liabilities -1,407.09

Downtown Corvallis Association, Inc.

Balance Sheet

As of January 31, 2009

03/08/09

	<u>Jan 31, 09</u>
Total Current Liabilities	-1,407.09
Total Liabilities	-1,407.09
Equity	
3312 - Reserved - City loan \$	71,300.00
3318 - Undesignated funds	-3,835.80
3311 - Designated - Christmas	3,471.66
3900 - Retained Earnings	77,563.71
Net Income	57,584.26
Total Equity	<u>206,083.83</u>
TOTAL LIABILITIES & EQUITY	<u><u>204,676.74</u></u>

Downtown Corvallis Association
City of Corvallis Economic Development Allocations for
Façade Improvement & Upper Floor Loan Programs

<u>Fiscal Year</u>	<u>Type Loan</u>	<u>Amount</u>
1993-94	Façade Improvement	\$16,300
1994-95	Upper Floor Development	\$10,000
	Upper Floor Development	\$10,000
1995-96	Upper Floor Residential	\$15,000
1996-97	Upper Floor Development	<u>\$20,000</u>
	Total Received	\$71,300

Downtown Corvallis Association
City of Corvallis Economic Development Allocations for
Façade Improvement & Upper Floor Loan Programs

<u>Fiscal Year</u>	<u>Type Loan</u>	<u>Amount</u>
1993-94	Façade Improvement	\$16,300
1994-95	Upper Floor Development	\$10,000
	Upper Floor Development	\$10,000
1995-96	Upper Floor Residential	\$15,000
1996-97	Upper Floor Development	<u>\$20,000</u>
	Total Received	\$71,300

Downtown Corvallis Association

Facade Improvement Program

Loan Guidelines

September, 2001

Downtown Corvallis Association Facade Improvement Loan Program

Attractive buildings attract business. The Downtown Corvallis Association Facade Improvement Loan Program has been established to stimulate investment in Downtown. The intent of the Loan Program is to produce visible changes on the facades of commercial buildings in Downtown Corvallis.

Who is eligible?

Those businesses located within the Corvallis Downtown project area. For purposes of this program, the Corvallis Downtown project area shall be defined as that property within the Economic Improvement District boundaries. Maps of EID boundaries are on file with the City of Corvallis and at the DCA office. Eligible projects include exterior rehabilitation and restoration, as well as painting, awnings and signage. Interior rehabilitation, purchase of inventory, promotions or business venture expansions do not qualify. In reviewing an application, the DCA and the Design Committee shall not discriminate on the basis of race, religion, sex, color, age, sexual orientation, national origin, disability or marital status.

How much may be granted?

A maximum of \$6,000 per project or 50 percent of the total project cost, whichever is less. The loan has a 0% interest rate with a three-year repayment period for DCA members or EID participants, and a 5% fixed interest rate for non-DCA members or non-EID participants.

Is design approval needed?

Yes. Submit your design plan to the DCA Executive Director who will forward it to the DCA Design Committee. They will assist you with meeting the design guidelines established by the DCA and Livable Oregon Downtown Development Association.

What is the application procedure?

Pick up a copy of the Downtown Corvallis Association Facade Improvement Loan Program application at the DCA Office, 460 SW Madison, Suite 9, Corvallis, Oregon 97333. Submit a completed application, project drawings, project budget and project bids to the DCA Executive Director.

DCA Facade Improvement Loan Program Design Committee Guidelines:

Awnings

Fixed aluminum and vinyl awnings and awnings simulating mansard roofs and umbrellas are generally inappropriate for traditional downtown commercial buildings. If awnings are added, choose those that are made from soft canvas or vinyl materials rather than wood or metal.

Metal awnings, barrel or square extension awnings, internally illuminated "vinyl" awnings and awnings with more than three strip colors or with three different strip widths are discouraged.

The attached Mainstreet Guidelines, City of Corvallis' Streetscape Plan, and National Trust for Historic Preservation shall be used as guidelines in determining appropriate awnings.

Signs

Signs should be of a size, placement, design, materials and style compatible with the building as well as other buildings on the block and should not cover or obscure significant architectural detailing or features. Hanging signs may be appropriate if they are of a scale and design compatible with the building and other buildings on the block.

No sign should use plastic as part of the exterior visual effects of the sign.

Fluorescent "day glow" sign colors are not permitted on any permanent sign that requires a sign permit to install.

The attached Mainstreet Guidelines, City of Corvallis' Streetscape Plan, and National Trust for Historic Preservation shall be used as guidelines in determining appropriate signage.

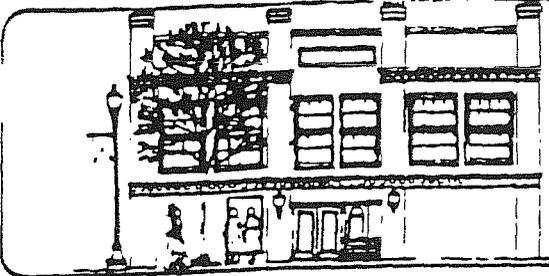
Paint Color

Paint color should be, at a minimum, appropriate to the style and setting of the building. Color selection should complement the building in question as well as other buildings in the block. In general, color schemes for wall and major decorative trim or details should be kept simple; in most cases, the color or colors chosen for a storefront should be used on other painted exterior detailing (windows, shutter, cornice, etc.) to unify upper and lower portions of the facade.

The attached Mainstreet Guidelines, City of Corvallis' Streetscape Plan and National Trust for Historic Preservation shall be used as guidelines in determining appropriate paint color.

Need more information?

For further information, contact the DCA Executive Director, 460 SW Madison, Suite 9, at 541-754-6624.

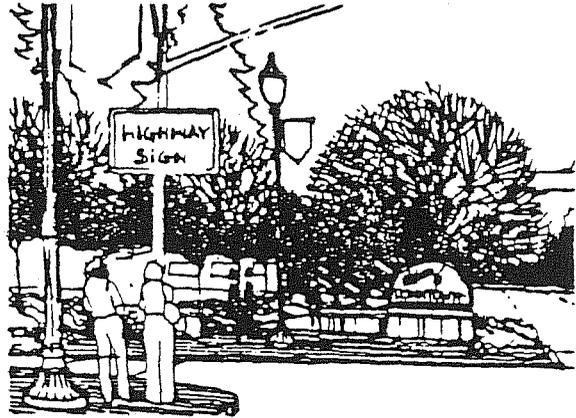


A. STRENGTHEN THE DOWNTOWN IMAGE

Downtown has an identifiable character that should be maintained and developed. This character helps one recognize Downtown as the vital center of our community. Section A describes this character and provides ways to maintain and enhance it.

B. ENCOURAGE PEDESTRIAN ACTIVITY

Downtown should encourage activity by providing a variety of functions within easy walking distance and by improving the street area where pedestrians walk, shop, and recreate. Section B provides guidelines to encourage pedestrian activity.

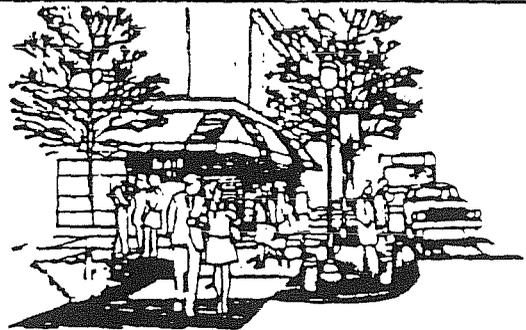


C. ENHANCE DOWNTOWN ENTRIES

Entries to Downtown should be enhanced to create positive, first impressions and draw one into the Downtown. They should be inviting and announce the Downtown Core Area. Section C locates the entries and suggests enhancements of these critical first impressions of Downtown.

D. INTEGRATE VEHICLE AND PEDESTRIAN ACTIVITY

Concentrations of people and vehicles should be encouraged, as they generate excitement and a sense of things happening in the downtown. But such concentrations can also create conflicts and confusion. Section D suggests ways to overcome the confusion, reduce potential conflicts and improve the experience for both pedestrians and drivers.

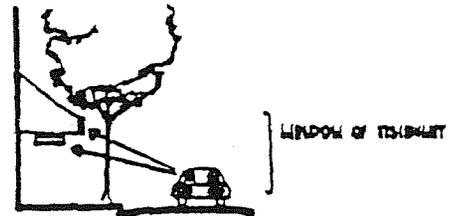


3. ENCOURAGE COMMERCIAL VISIBILITY

Storefronts are a significant component of the streetscape. The ability to see the storefronts and the concentration of pedestrian activities is critical to the commercial vitality of Downtown Corvallis. Well designed window displays and attractive, well maintained building facades are wasted where vegetation, utility poles, and other clutter obscure their being viewed. A window of visibility would maintain the motorist's and pedestrian's light-line of street level activities. Signs can be effectively incorporated into this window of visibility, utilizing the awnings and display windows. Guidelines below are intended to assure commercial visibility and viewing of ground level activities.

GUIDELINES

A.3.1. **WINDOW OF VISIBILITY:** The window of visibility, as illustrated below, should be maintained to accommodate viewing of the ground level storefronts and activity. Foliage which obstructs this window of visibility should not be permitted.



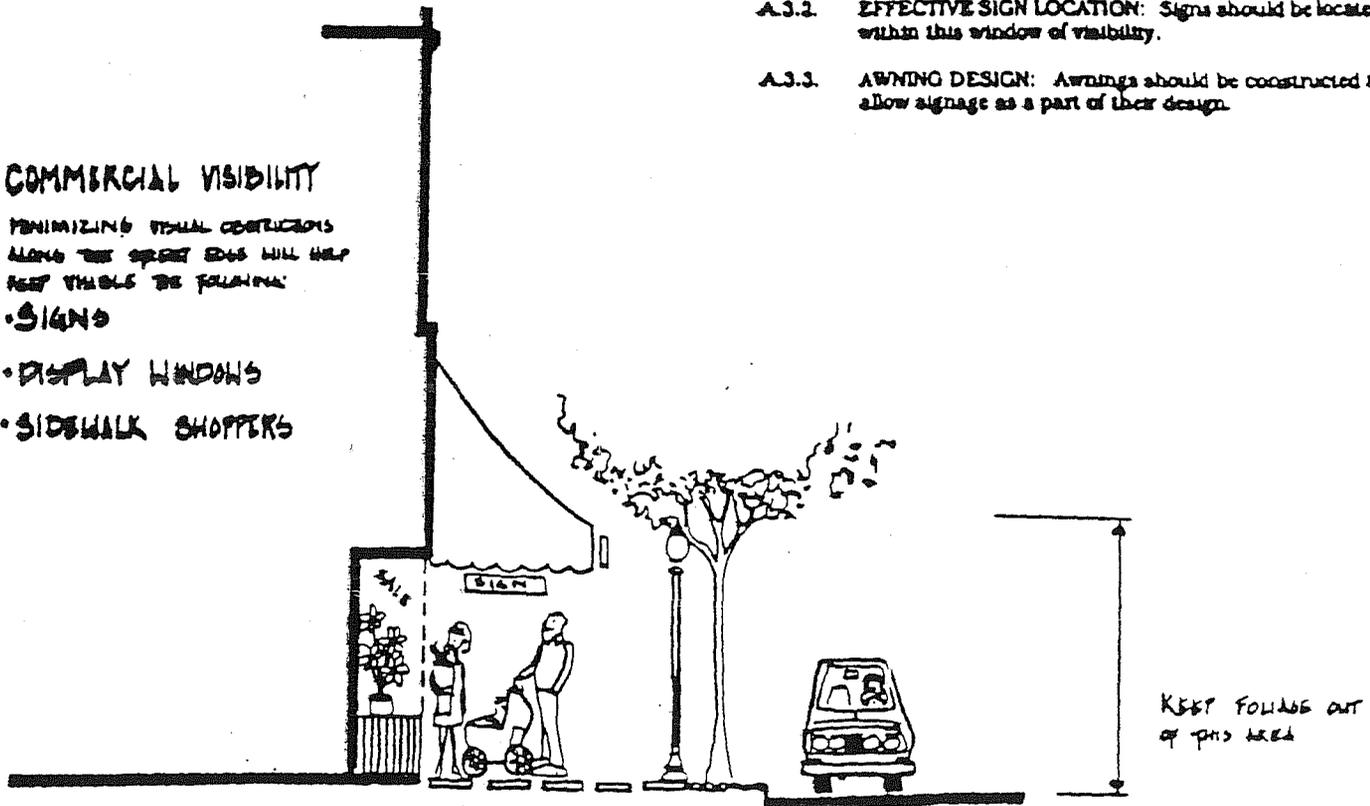
A.3.2. **EFFECTIVE SIGN LOCATION:** Signs should be located within this window of visibility.

A.3.3. **AWNING DESIGN:** Awnings should be constructed to allow signage as a part of their design.

COMMERCIAL VISIBILITY

MINIMIZING VISUAL OBSTRUCTIONS ALONG THE STREET EDGE WILL HELP KEEP VISIBLE THE FOLLOWING:

- SIGNS
- DISPLAY WINDOWS
- SIDEWALK SHOPPERS

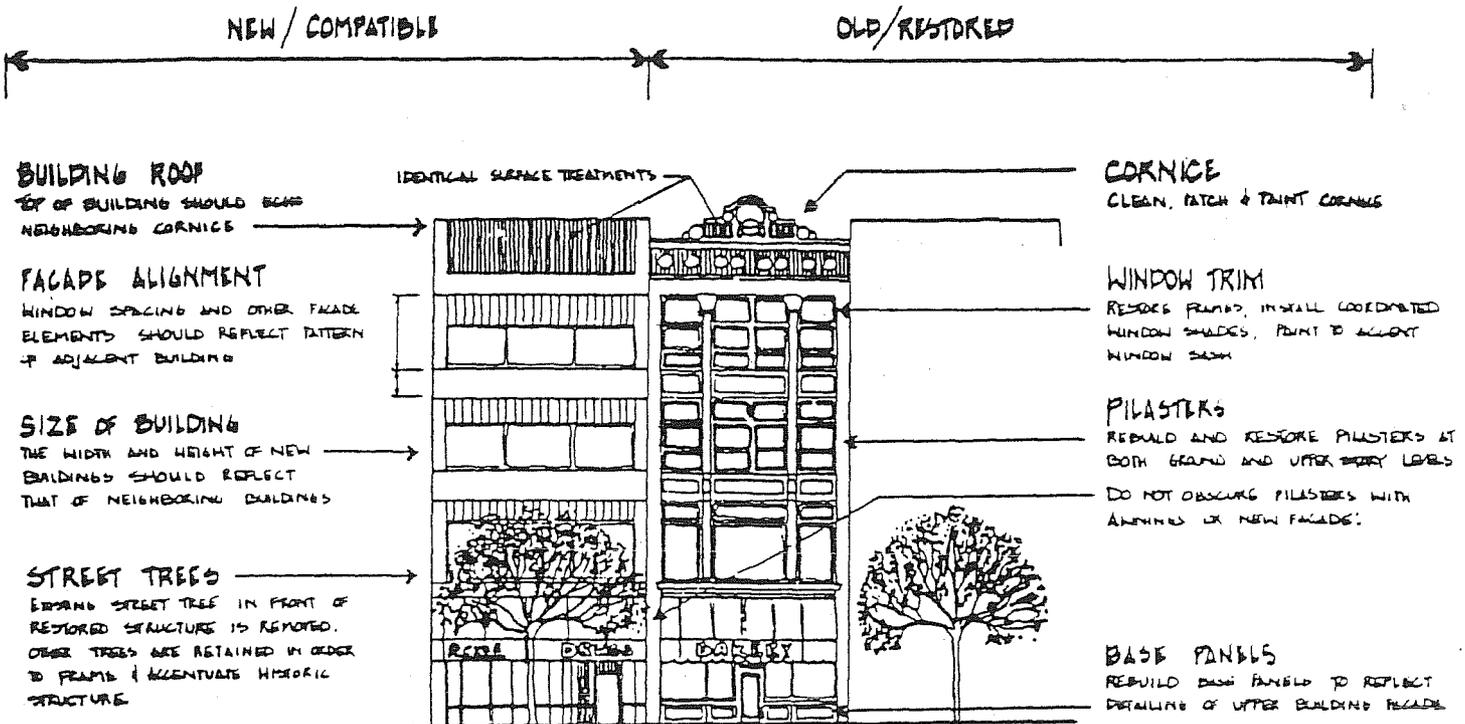


Encourage commercial visibility of storefronts.

GUIDELINES

- A.1.1. **TREES AND ARCHITECTURAL HERITAGE:** Viewing the architectural heritage of Downtown should be facilitated by reducing the number of trees or changing the type of trees adjacent to renovated structures.
- A.1.2. **RESPECT BUILDING INTEGRITY:** Rehabilitation of buildings to their original architectural style should be encouraged. Original architectural elements of high visual interest as described in Guideline B.2 should be respected and exposed where covered by layers of more recent building materials or large signs. These elements may include cornices, windows, lintels, sills, pilasters, columns, and ornamental detailing.

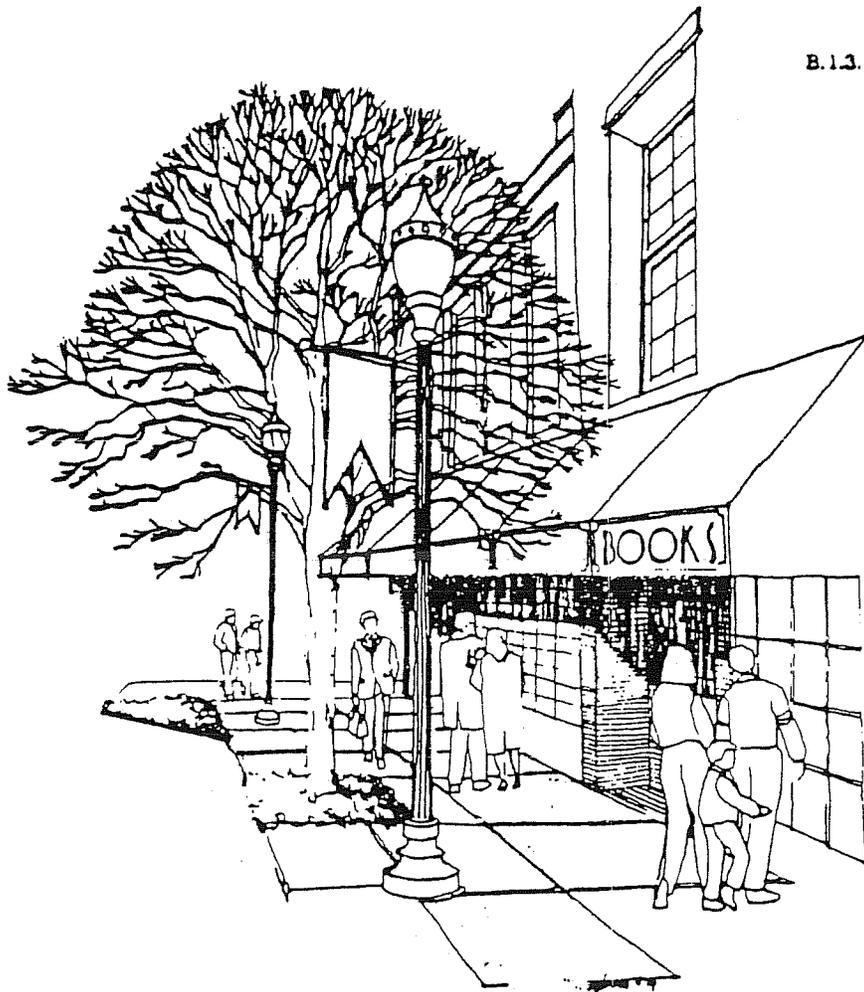
- A.1.3. **ARCHITECTURAL COMPATIBILITY:** New structures should be compatible with the lines, scale, and texture of nearby facades. Materials and details for entries, windows, and cornice treatments should be designed to be compatible with these buildings. The Downtown Corvallis Association (DCA) Design Committee should establish building design and redevelopment guidelines and work with developers to encourage new construction that is compatible with surrounding structures.



ARCHITECTURAL INTEGRITY AND COMPATIBILITY: This drawing illustrates guidelines A.1.1. through A.1.3. A local example showing some of these guidelines is shown on page 21.

B.1. PROVIDE WEATHER & PROTECTION

Corvallis receives an average rainfall of 45 inches per year. To experience the life of Downtown throughout the year and to facilitate a one-stop shopping experience, continuous weather protection should be constructed. People leaving one store should be able to access others without getting drenched. The guidelines below provide a policy framework for an implementation program on weather protection. This future program will be added to Part II of the Streetscape Plan.

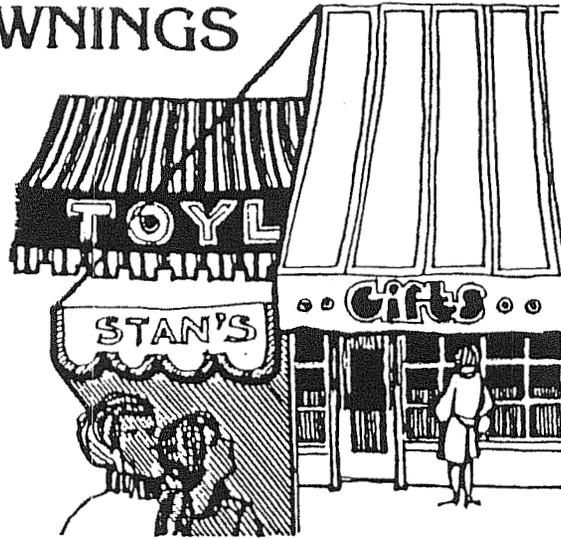


GUIDELINES

- B.1.1. **CONTINUOUS PROTECTION:** Awnings and other weather protection structures should be provided along pedestrian walkways through the Downtown Core Area. Weather protection structures (i.e. awnings, marquees, etc.) should be coordinated to provide continuous protection from inclement weather (see Part II for "Weather Protection Plan").
- B.1.2. **NEW CONSTRUCTION:** New buildings in Downtown should be constructed to abut the sidewalk edge, or otherwise be designed to provide weather protection continuous with the weather protection on abutting properties.
- B.1.3. **AWNING DESIGN:** Design information for awnings should be compiled and made available to merchants and property owners to help avoid tree maintenance problems, provide visible sign locations, and insure adequate cover from the weather (Ref. A.3.1.).

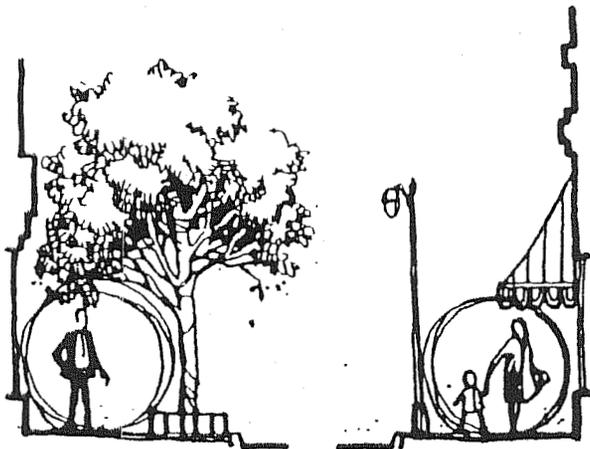
CONTINUOUS WEATHER PROTECTION. Awnings covering the pedestrian pathways encourage people to shop Downtown, even in inclement weather.

AWNINGS



An awning can be both a decorative and functional addition to your storefront. Colorful and bright, it also serves as an energy saver by regulating the amount of sunlight that enters your window. Under an awning, shoppers are enticed to stop, look, and step inside.

1. An awning creates a pleasant space in front of your building, like a city tree. It provides shade and shelter for busy shoppers, a resting place where pedestrians can stop away from the flow of traffic.



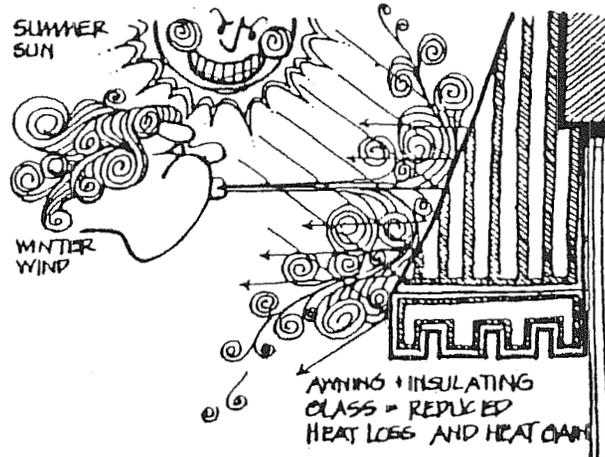
2. Awnings regulate the amount of sunshine which penetrates your windows. Based on your building's orientation to the sun—north, south, east, or west—you can determine awning needs.

SOUTH-FACING BUILDINGS

NORTH-FACING BUILDINGS

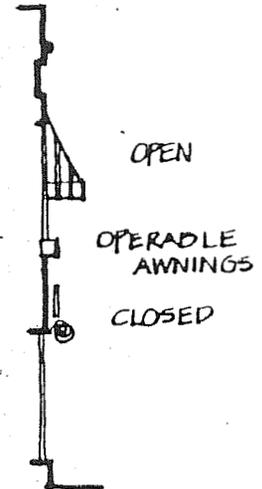
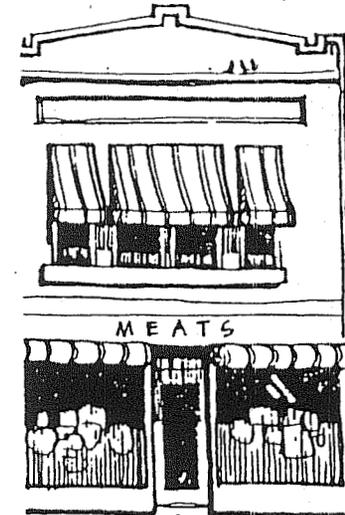
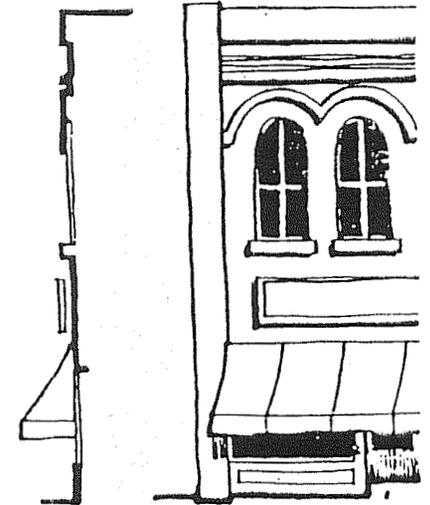


With a northern exposure your building will probably not require an awning. For a southern window, however, an awning can be an excellent climate control device. A combination of insulating glass plus an awning will make a significant difference in your energy savings.



3. The installation design will determine in large part how energy effective the fixture will be. Do you want an operable awning which can be opened and closed? Or do you want a fixed awning which remains permanently open?

AWNINGS OPEN OR PERMANENT



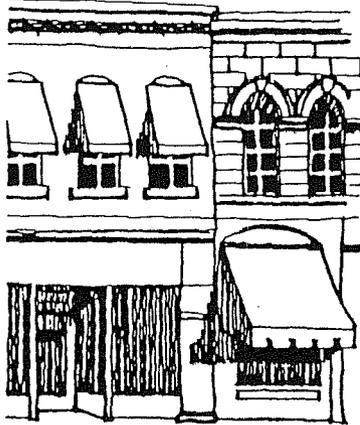
An operable fixture allows the sun to shine into your store on cold days. It shades your window when it is sunny outside. An inoperable, fixed awning is primarily decorative. Although less expensive to install, it does not always fulfill the major function of an awning.

As a visual element, an awning can add character and interest to your storefront. You should think about how it will appear in relation to the scale of your building. How will it relate to existing architectural features? Will it



overpower the proportions of your windows and facade? Look at your neighbors' buildings and imagine how the addition of an awning will affect the character of the streetscape.

1. Awnings can be constructed from several materials. Canvas is traditionally popular. It is flexible, but must be weather-treated prior to installation. Although initial installation costs are lower, they may require more maintenance than plastic and aluminum.



2. Plastic creates a more contemporary effect. A vinyl awning can be very handsome, designed with consideration for the rest of the building. This material is flexible, and generally requires less maintenance than fabric.

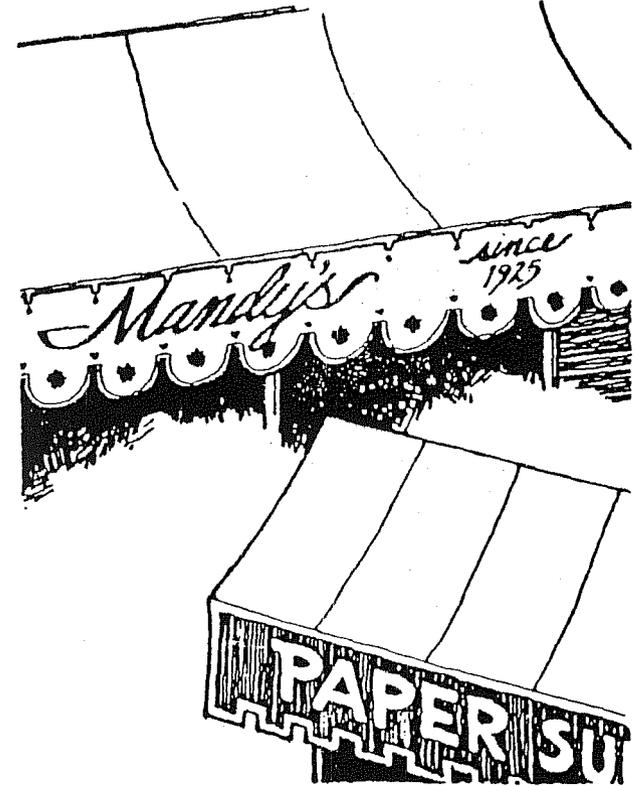
7. Aluminum is another possibility. Primarily residential in character, these awnings are usually unattractive and inappropriate in a downtown area. A flat aluminum canopy particularly detracts from historic character.

8. To decide on a color for your awning, take a look at the entire building. One with minimal architectural detailing can be "jazzed up" with a bright accent color. A more decorated facade should be complemented with a subtle shade. Choose the color so that your awning enhances the existing features.



9. Pattern is important too. Plain and simple, striped, or a bold solid—what image do you want to create? Again, choice of a pattern (or no pattern at all) should depend on the character of the facade.

10. Awnings have long been used to display advertising signs. Two types are:



If you choose to incorporate a sign onto your awning, keep the message simple and directed toward identification.

11. Make sure the awning you choose is guaranteed to be weather-resistant. Most fabric-type awnings are chemically treated to retard deterioration by rain or snow. Sun bleaching is another problem to consider—particularly in choosing a color that will not fade significantly.

12. An awning is not the solution to every storefront design. But a well designed and appropriately placed awning can save you money, spruce up your storefront, and create a pleasant sidewalk space for shoppers,

I. Eligibility and General Loan Program Description

- A. Business and business property owners within the Corvallis downtown project area are eligible to apply for Downtown Corvallis Association (DCA) Facade Improvement Loans. Also, loans are possible if the property is being leased or purchased under contract if all parties to the lease or contract agree to the improvements. The DCA shall not discriminate on the basis of race, religion, sex, color, age, sexual orientation or national origin. For purposes of this program, the Corvallis downtown project area shall be defined as that property within the Economic Improvement District boundaries. Maps of EID boundaries are on file with the City of Corvallis and at the DCA office.
- B. There are no minimum or maximum income requirements for participants. The program shall provide up to fifty percent (50%) of the total cost of the project, not to exceed \$6,000 per project. Program funds are available for exterior painting, lighting, signage, weatherization, mounting new or replacing inadequate awnings.
- C. Loan funds are intended for exterior improvements and rehabilitation only. Applicants shall be eligible for one Facade Improvement Loan per 12-month period.
- D. Loan Terms
1. Term: Maximum 3 years.
 2. Rates: 0% interest for DCA members or EID participants.
5% interest, fixed rate for non-DCA members or non-EID participants. No penalty for early repayment.
 3. Repayment: Monthly amortized payment schedule.
 4. Amount: The loan shall not exceed \$6,000.
 5. Timing: Project shall be completed within six (6) months of loan approval, or per a schedule approved by the Design Committee.
- E. Selection Criteria
1. Design approval by the DCA Design Committee is required before a loan shall be made. Design Review criteria shall be provided as part of the application packet.
 2. Project shall be approved based on availability of funds and acceptance of design by the DCA Design Committee.

F. Disposition of loan principal and interest

1. Monies repaid to DCA through this program shall be returned to the Facade Improvement Loan Fund and used to make additional Facade Improvement Loans.

II. Loan Program Administration

The DCA Design Committee, appointed by the Downtown Corvallis Board of Directors, is responsible for design review of all loan applications. The DCA Design Committee shall include a property owner, a business owner, a licensed architect, member of the City's Historic Preservation Advisory Board (HPAB), and a non-voting representative from the City's Community Development Department.

III. Loan Application and Approval Process

A. Loan Application Process

1. Applicants shall submit a completed Facade Improvement Loan Application Form with plans and cost estimates to the Executive Director of the DCA.
2. Applicants are encouraged to contact the DCA for design assistance before submitting plans. The DCA has materials on building rehabilitation, sign and awning design to help with design decisions.
3. An application packet of materials including Livable Oregon Downtown Development Association and DCA guidelines and drawings from the Corvallis "City Streetscape Plan" shall be provided to all loan applicants.
4. If the building is on the Corvallis Register of Historic Landmarks and Districts, review may also be required through the City's Historic Preservation Advisory Board.

B. Loan Approval Process

1. Upon receipt of the above documentation, the DCA Design Committee shall review the application. If the Design Committee recommends approval of the request, it shall then be reviewed by the Loan Approval Committee. The Loan Approval Committee shall consist of the DCA Board president, executive director, and treasurer.
2. If the applicant has been a business or property owner in the downtown for less than 3 years, the DCA Loan Approval Committee may require additional financial information. All submitted material shall remain confidential.

3. The Executive Director of the DCA shall notify the applicant upon loan approval. In the event of rejection, reason(s) shall be given for why the application did not comply with the criteria.
4. If the loan application is approved, the applicant shall be provided a written loan commitment stating the term of the loan and the security requirements.

D. Payments and Disbursements

1. The DCA Design Committee shall provide the applicant with a repayment schedule for the loan. Repayments begin within sixty (60) days after the loan papers are signed. Payments shall be made according to provisions in the promissory note, which shall be executed upon loan approval.
2. Funds shall be disbursed within fifteen (15) days upon submitting an invoice and after acceptance of completed work by DCA Design Committee.
3. Funds shall be disbursed to borrower:
 - a. upon completion of the project and;
 - b. after final inspection sheet has been signed by the property owner, DCA Executive Director, and a representative of the Design Committee and;
 - c. upon receipt of invoices or as agreed upon in promissory note.

IV. Accounting for Loan Program Funds

- A. Audits of loan program funds shall be done in accordance with the terms of the contractual agreement with the City of Corvallis and shall be made available for review, upon request.
- B. In the event the Facade Improvement Program is discontinued, original grant monies and loan proceeds shall revert back to the City in accordance with the contractual agreement with the City of Corvallis.

Downtown Corvallis Association
Facade Improvement Program
Loan Application Packet

Downtown Corvallis Association Design Review Committee
c/o Downtown Corvallis Association Executive Director
460 SW Madison, Suite 9
Corvallis, Oregon 97333

Downtown Corvallis Association
Facade Improvement Loan Program

Application Number _____

Application Date: _____

Applicant Name: _____

Mailing Address: _____

Phone Number: _____

Project Address: _____

Legal Description: _____

Building Age: _____ Square Footage: _____

Building Use: _____

Project Start Date: _____

Expected completion date: _____

Expected project cost: _____

Loan amount requested: _____

Please include the following with your application:

1. A photograph of the building facade.
2. Drawing showing the proposed change(s).
3. Contractor's bids for the proposed work.
4. Paint chips (if painting is included as part of the project).

Description of Work to be Completed
(Please type or print)

Exterior walls and detailing: _____

Windows: _____

Awnings: _____

Doors: _____

Painting: _____

Roof: _____

Signage: _____

Maintenance: _____

Other: _____

The undersigned applicant affirms that:

1. The information submitted herein is true and accurate to the best of my (our) knowledge.
2. I (we) have read and understand the conditions of the Downtown Corvallis Facade Improvement Loan Program and agree to abide by its conditions.

Applicant Signature

Date

Applicant Signature

Date

For Office Use Only

Design Committee Action: _____

Loan Approval Committee Action:

Executive Director Notes: _____

Loan Approval Committee Notes: _____

Final Inspection Date: _____

Other: _____

Downtown Corvallis Association
Upper Floor Development Program
Loan Guidelines

September, 2001

Downtown Corvallis Association Upper Floor Development Loan Program

This program seeks to encourage the development and redevelopment of upper floors of buildings in Downtown Corvallis. The Downtown Corvallis Association Upper Floor Development Loan Program has been established to stimulate investment in Downtown. The intent of the Loan Program is to produce visible changes on the upper floors of buildings downtown. Residential uses of these upper floors are strongly encouraged.

Who is eligible?

Buildings located within the Corvallis Downtown project area. For purposes of this program, the Corvallis Downtown project area shall be defined as that property within the Economic Improvement District boundaries. Maps of EID boundaries are on file with the City of Corvallis and at the DCA office. Eligible projects include new construction, interior rehabilitation and restoration, as well as interior painting, window repair, interior design, insulation, electrical, plumbing, and any requirements to conform to current code statutes. Exterior rehabilitation, purchase of inventory, promotions or business venture expansions do not qualify. In reviewing an application, the DCA and the Design Committee shall not discriminate on the basis of race, religion, sex, color, age, sexual orientation, national origin, disability or marital status.

How much may be granted?

A maximum of \$20,000 per project or 50 percent of the total project cost, whichever is less. The loan has a 0% interest rate with a five-year repayment period for DCA members or EID participants, and a 5% fixed interest rate for non-DCA members or non-EID participants.

Is design approval needed?

Yes. Submit your design plan to the DCA Executive Director who will forward it to the DCA Design Committee. They will assist you with meeting the design guidelines established by the DCA and Livable Oregon Downtown Development Association.

What is the application procedure?

Pick up a copy of the Downtown Corvallis Association Upper Floor Development Loan Program application at the DCA Office, 460 SW Madison, Suite 9, Corvallis, Oregon 97333. Submit a completed application, project drawings, project budget, and project bids to the DCA Executive Director.

DCA Upper Floor Development Design Guidelines:

Architectural Integrity of Building

The architectural integrity of the building shall be maintained and any new construction consistent with The Secretary of the Interior's Standards for Rehabilitation and Illustrated Guidelines for Rehabilitating Historic Buildings.

Building Code Requirements

For building code requirements, contact:

Plans Examiners
Development Services Department
Corvallis City Hall
501 SW Madison Avenue
Corvallis, OR 97333
541-766-6929

Need more information?

For further information, contact the DCA Executive Director, 460 SW Madison, Suite 9, at 541-754-6624.

A. STRENGTHEN THE DOWNTOWN IMAGE

Downtown has an identifiable character that should be maintained and developed. This character helps one recognize Downtown as the vital center of our community. Section A describes this character and provides ways to maintain and enhance it.



B. ENCOURAGE PEDESTRIAN ACTIVITY

Downtown should encourage activity by providing a variety of functions within easy walking distance and by improving the street area where pedestrians walk, shop, and recreate. Section B provides guidelines to encourage pedestrian activity.



C. ENHANCE DOWNTOWN ENTRIES

Entries to Downtown should be enhanced to create positive, first impressions and draw one into the Downtown. They should be inviting and announce the Downtown Core Area. Section C locates the entries and suggests enhancements of these critical first impressions of Downtown.



D. INTEGRATE VEHICLE AND PEDESTRIAN ACTIVITY

Concentrations of people and vehicles should be encouraged, as they generate excitement and a sense of things happening in the downtown. But such concentrations can also create conflicts and confusion. Section D suggests ways to overcome the confusion, reduce potential conflicts and improve the experience for both pedestrians and drivers.

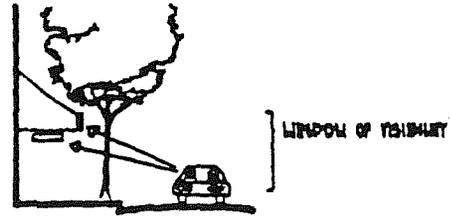


LS. ENCOURAGE COMMERCIAL VISIBILITY

Storefronts are a significant component of the streetscape. The ability to see the storefronts and the concentration of pedestrian activities is critical to the commercial vitality of Downtown Corvallis. Well designed window displays and attractive, well maintained building facades are wasted where vegetation, utility poles, and other clutter obscure their being viewed. A window of visibility would maintain the motorist's and pedestrian's sight-line of street level activities. Signs can be effectively incorporated into this window of visibility, utilizing the awnings and display windows. Guidelines below are intended to assure commercial visibility and viewing of ground level activities.

GUIDELINES

- A.3.1. **WINDOW OF VISIBILITY:** The window of visibility, as illustrated below, should be maintained to accommodate viewing of the ground level storefronts and activity. Foliage which obstructs this window of visibility should not be permitted.



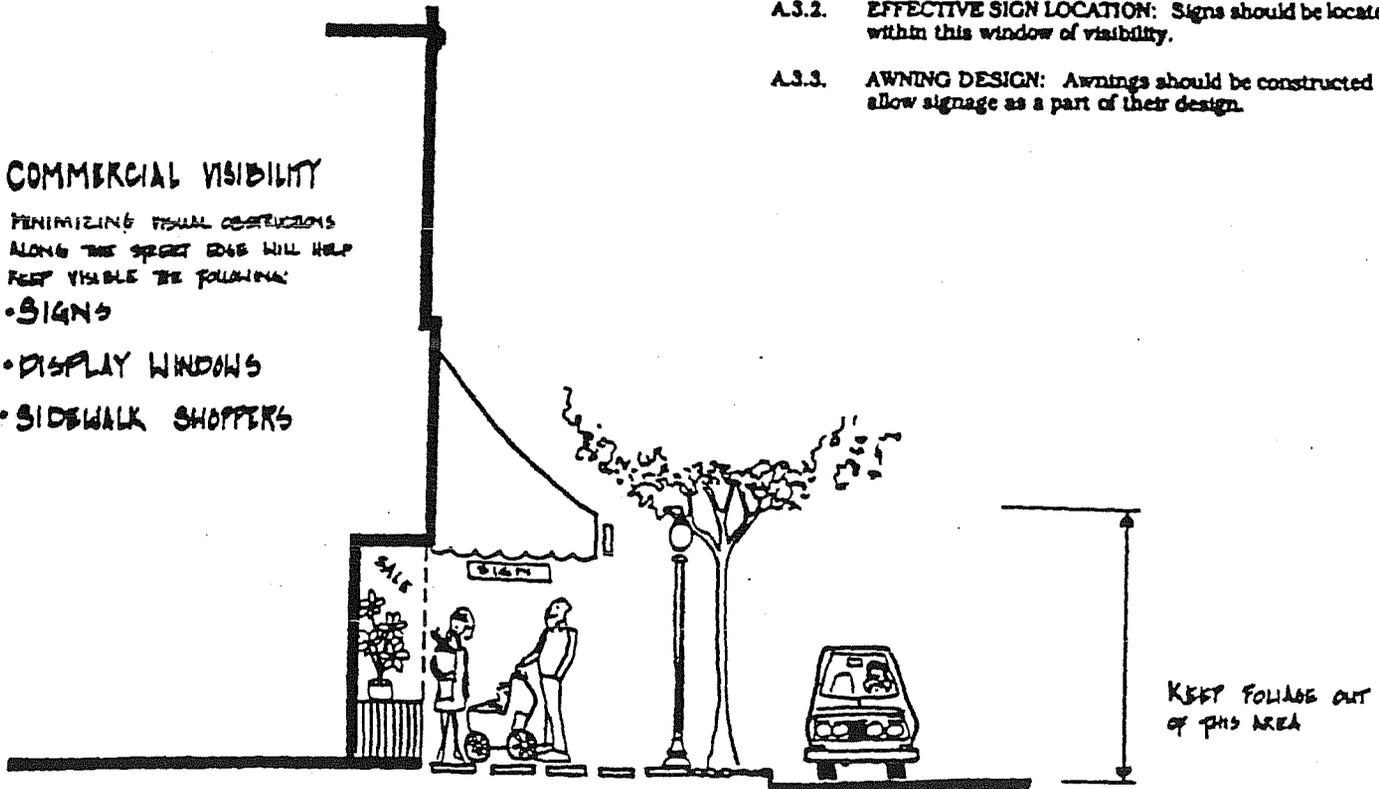
- A.3.2. **EFFECTIVE SIGN LOCATION:** Signs should be located within this window of visibility.

- A.3.3. **AWNING DESIGN:** Awnings should be constructed to allow signage as a part of their design.

COMMERCIAL VISIBILITY

MINIMIZING VISUAL OBSTRUCTIONS ALONG THE STREET EDGE WILL HELP KEEP VISIBLE THE FOLLOWING:

- SIGNS
- DISPLAY WINDOWS
- SIDEWALK SHOPPERS



Encourage commercial visibility of storefronts.

B.1. PROVIDE WEATHER PROTECTION

Corvallis receives an average rainfall of 45 inches per year. To experience the life of Downtown throughout the year and to facilitate a one-stop shopping experience, continuous weather protection should be constructed. People leaving one store should be able to access others without getting drenched. The guidelines below provide a policy framework for an implementation program on weather protection. This future program will be added to Part II of the Streetscape Plan.

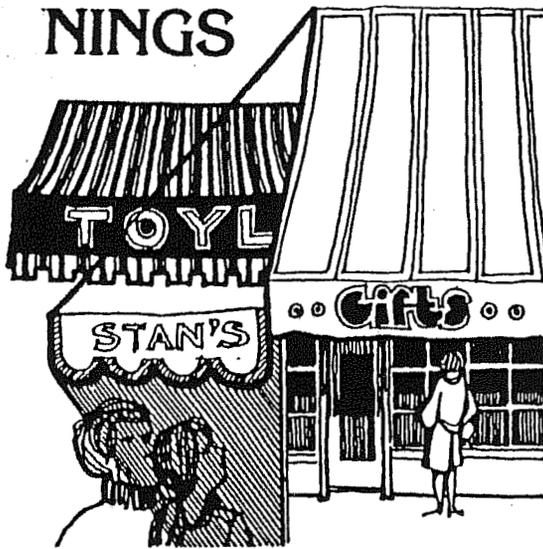


GUIDELINES

- B.1.1. **CONTINUOUS PROTECTION:** Awnings and other weather protection structures should be provided along pedestrian walkways through the Downtown Core Area. Weather protection structures (i.e. awnings, marquees, etc.) should be coordinated to provide continuous protection from inclement weather (see Part II for "Weather Protection Plan").
- B.1.2. **NEW CONSTRUCTION:** New buildings in Downtown should be constructed to abut the sidewalk edge, or otherwise be designed to provide weather protection continuous with the weather protection on abutting properties.
- B.1.3. **AWNING DESIGN:** Design information for awnings should be compiled and made available to merchants and property owners to help avoid tree maintenance problems, provide visible sign locations, and insure adequate cover from the weather (Ref. A.3.1.).

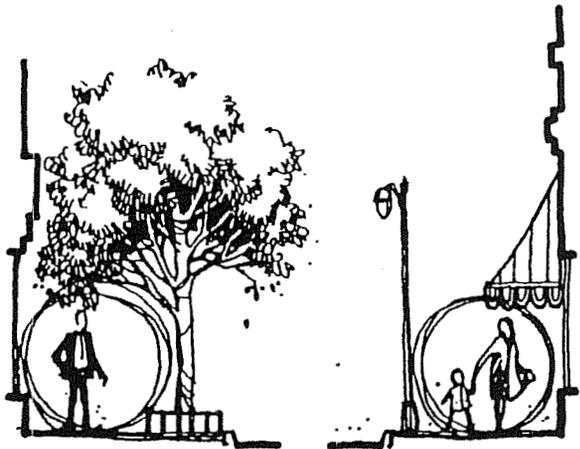
CONTINUOUS WEATHER PROTECTION. Awnings covering the pedestrian pathways encourage people to shop Downtown, even in inclement weather.

AWNINGS



An awning can be both a decorative and functional addition to your storefront. Colorful and bright, it also serves as an energy saver by regulating the amount of sunlight that enters your window. Under an awning, shoppers are enticed to stop, look, and step inside.

1. An awning creates a pleasant space in front of your building, like a city tree. It provides shade and shelter for busy shoppers, a resting place where pedestrians can stop away from the flow of traffic.

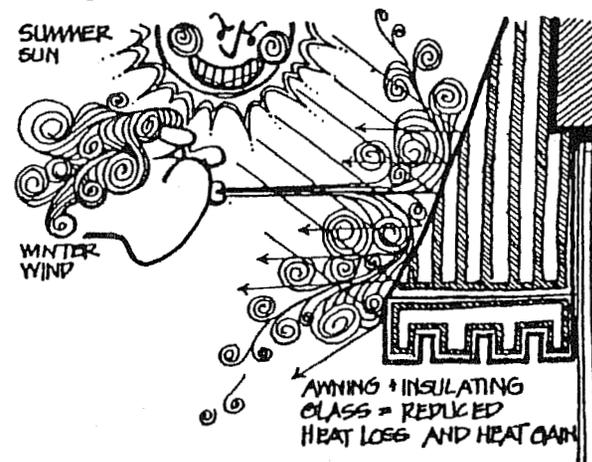


2. Awnings regulate the amount of sunshine which penetrates your windows. Based on your building's orientation to the sun—north, south, east, or west—you can determine awning needs.

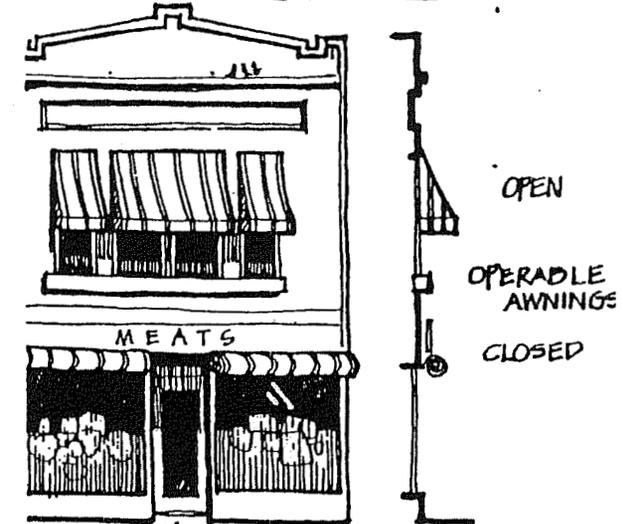
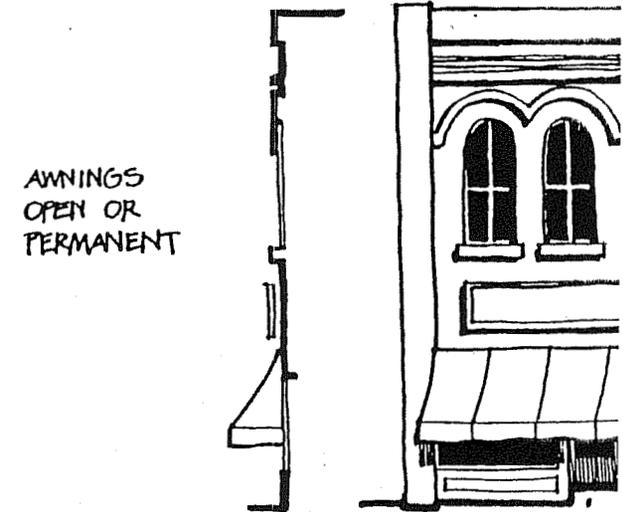
SOUTH-FACING BUILDINGS



With a northern exposure your building will probably not require an awning. For a southern window, however, an awning can be an excellent climate control device. A combination of insulating glass plus an awning will make a significant difference in your energy savings.



3. The installation design will determine in large part how energy effective the fixture will be. Do you want an operable awning which can be opened and closed? Or do you want a fixed awning which remains permanently open?



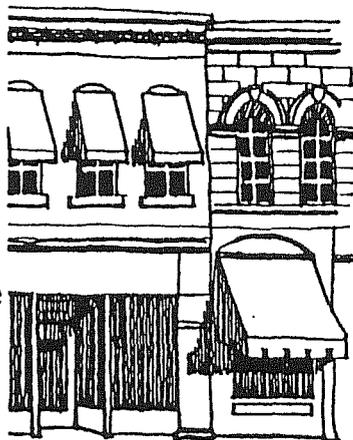
An operable fixture allows the sun to shine into your store on cold days. It shades your window when it is sunny outside. An inoperable, fixed awning is primarily decorative. Although less expensive to install, it does not always fulfill the major function of an awning.

4. As a visual element, an awning can add character and interest to your storefront. You should think about how it will appear in relation to the scale of your building. How will it relate to existing architectural features? Will it



overpower the proportions of your windows and facade? Look at your neighbors' buildings and imagine how the addition of an awning will affect the character of the streetscape.

5. Awnings can be constructed from several materials. Canvas is traditionally popular. It is flexible, but must be weather-treated prior to installation. Although initial installation costs are lower, they may require more maintenance than plastic and aluminum.



6. Plastic creates a more contemporary effect. A vinyl awning can be very handsome, if designed with consideration for the rest of the building. This material is flexible, and generally requires less maintenance than fabric.

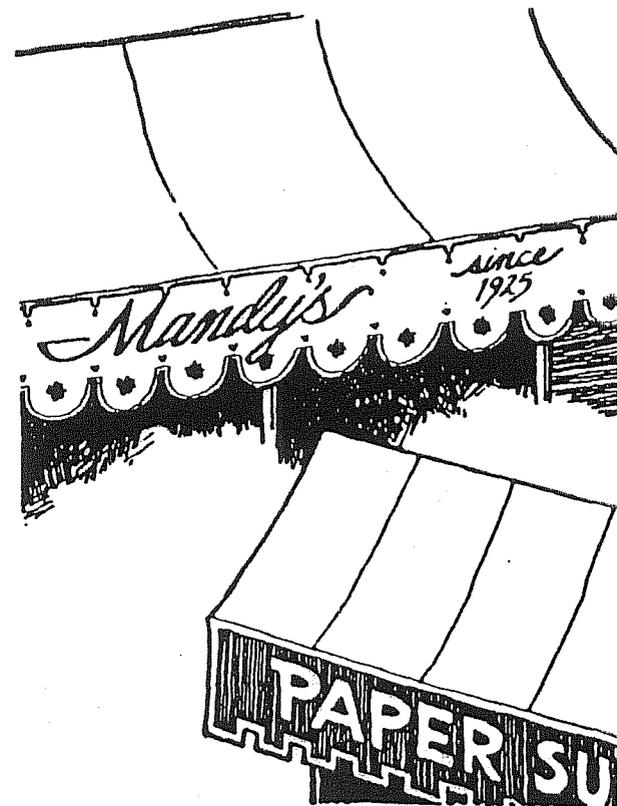
7. Aluminum is another possibility. Primarily residential in character, these awnings are usually unattractive and inappropriate in a downtown area. A flat aluminum canopy particularly detracts from historic character.

8. To decide on a color for your awning, take a look at the entire building. One with minimal architectural detailing can be "jazzed up" with a bright accent color. A more decorated facade should be complemented with a subtle shade. Choose the color so that your awning enhances the existing features.



9. Pattern is important too. Plain and simple, striped, or a bold solid—what image do you want to create? Again, choice of a pattern (or no pattern at all) should depend on the character of the facade.

10. Awnings have long been used to display advertising signs. Two types are:



If you choose to incorporate a sign onto your awning, keep the message simple and directed toward identification.

11. Make sure the awning you choose is guaranteed to be weather-resistant. Most fabric-type awnings are chemically treated to retard deterioration by rain or snow. Sun bleaching is another problem to consider—particularly in choosing a color that will not fade significantly.

12. An awning is not the solution to every storefront design. But a well designed and appropriately placed awning can save you money, spruce up your storefront, and create a pleasant sidewalk environment.

I. Eligibility and General Loan Program Description

- A. Building owners within the Corvallis downtown project area are eligible to apply for Downtown Corvallis Association (DCA) Upper Floor Development Loans. Also, loans are possible if the property is being leased or purchased under contract if all parties to the lease or contract agree to the improvements. The DCA shall not discriminate on the basis of race, religion, sex, color, age, sexual orientation or national origin. For purposes of this program, the Corvallis downtown project area shall be defined as that property within the Economic Improvement District boundaries. Maps of EID boundaries are on file with the City of Corvallis and at the DCA office.
- B. There are no minimum or maximum income requirements for participants. The program shall provide up to fifty percent (50%) of the total cost of the project, not to exceed \$20,000 per project. Program funds are available and would include but not be limited to new construction, reconstruction, interior rehabilitation, restoration, painting, window repair, interior design, insulation, electrical, plumbing and any requirements to conform to current code statutes.
- C. Loan funds are intended for interior construction and rehabilitation only. Applicants shall be eligible for one Upper Floor Development Loan per 12-month period.
- D. Loan Terms
1. Term: Maximum 5 years.
 2. Rates: 0% interest for DCA members or EID participants.
5% interest, fixed rate for non-DCA members or non-EID participants. No penalty for early repayment.
 3. Repayment: Monthly amortized payment schedule.
 4. Amount: The loan shall not exceed \$20,000.
 5. Timing: Project shall be completed within six (6) months of loan approval, or per a schedule approved by the Design Committee.
- E. Selection Criteria
1. Design approval by the DCA Design Committee is required before a loan shall be made. Design Review criteria shall be provided as part of the application packet.
 2. Project shall be approved based on availability of funds and acceptance of design by the DCA Design Committee.

3. The Executive Director of the DCA shall notify the applicant upon loan approval. In the event of rejection, reason(s) shall be given for why the application did not comply with the criteria.
4. If the loan application is approved, the applicant shall be provided a written loan commitment stating the term of the loan and the security requirements.

D. Payments and Disbursements

1. The DCA Design Committee shall provide the applicant with a repayment schedule for the loan. Repayments begin within sixty (60) days after the loan papers are signed. Payments shall be made according to provisions in the promissory note, which shall be executed upon loan approval.
2. Funds shall be disbursed within fifteen (15) days upon submitting an invoice and after acceptance of completed work by DCA Design Committee.
3. Funds shall be disbursed to borrower:
 - a. upon completion of the project and;
 - b. after final inspection sheet has been signed by the property owner, DCA Executive Director, and a representative of the Design Committee and;
 - c. upon receipt of invoices or as agreed upon in promissory note.

IV. Accounting for Loan Program Funds

- A. Audits of loan program funds shall be done in accordance with the terms of the contractual agreement with the City of Corvallis and shall be made available for review, upon request.
- B. In the event the Upper Floor Development Loan Program is discontinued, original grant monies and loan proceeds shall revert back to the City in accordance with the contractual agreement with the City of Corvallis.

Downtown Corvallis Association
Upper Floor Development Loan Program
Application Packet

Downtown Corvallis Association
Upper Floor Development Loan Application Form
(Please type or print)

Application Number _____

Application Date: _____

Applicant Name: _____

Mailing Address: _____

Phone Number: _____

Project Address: _____

Legal Description: _____

Building Age: _____ Square Footage: _____

Building Use: _____

Project Start Date: _____

Expected completion date: _____

Expected project cost: _____

Loan amount requested: _____

Please include the following with your application:

1. A photograph of the project site and/or the interior of the building, before the project is begun.
2. A Drawing showing the proposed project or change(s).
3. Contractor's bid for the proposed work.
4. Paint chips (if painting is included as part of the project).

Description of Work to be Completed
(Please type or print)

Interior walls and detailing: _____

Windows: _____

Interior design: _____

Insulation: _____

Electrical: _____

Plumbing: _____

Maintenance: _____

Code requirements: _____

Other: _____

The undersigned applicant affirms that:

1. The information submitted herein is true and accurate to the best of my (our) knowledge.
2. I (we) have read and understand the conditions of the Downtown Corvallis Upper Floor Development Loan Program and agree to abide by its conditions.

Applicant Signature Date

Applicant Signature Date

For Office Use Only

Design Committee Action: _____

Loan Approval Committee Action: _____

Executive Director Notes: _____

Loan Approval Committee Notes: _____

Final Inspection Date: _____

Other: _____

Downtown Corvallis Association

~~Upper Floor~~ Interior Building Development Program

Loan Guidelines

June, 20093

**Downtown Corvallis Association ~~Upper Floor~~ Interior Building Development Loan
Program**

This program seeks to encourage the development and redevelopment of ~~upper floors~~ the interior of buildings in Downtown Corvallis. The Downtown Corvallis Association (DCA) ~~Upper Floor Interior Building~~ Development Loan Program has been established to stimulate investment in Downtown. The intent of the Loan Program is to produce visible changes ~~on within~~ the upper floors interiors of buildings downtown. Residential uses of these upper floors are strongly encouraged.

Who is eligible?

Buildings located within the Corvallis Downtown project area. For purposes of this program, the Corvallis Downtown project area shall be defined as ~~that~~ property within the Economic Improvement District boundaries. Maps of EID boundaries are on file with the City of Corvallis and at the DCA office. Eligible projects include new construction, interior rehabilitation and restoration, as well as interior painting, window repair, interior design, insulation, electrical, plumbing, and any requirements to conform to current code statutes. Exterior rehabilitation, purchase of inventory, promotions or business venture expansions do not qualify. In reviewing an application, the DCA and the Design Committee shall not discriminate on the basis of race, religion, sex, color, age, sexual orientation, national origin, disability or marital status.

How much may be granted?

A maximum of \$20,000 per project or 50 percent of the total project cost, whichever is less. The loan has a 0% interest rate with a five-year repayment period for DCA members or EID participants, and a 5% fixed interest rate for non-DCA members or non-EID participants.

Is design approval needed?

Yes. Submit your design plan to the DCA Executive Director who will forward it to the DCA Design Committee. They will assist you with meeting the design guidelines established by the DCA and Livable Oregon Downtown Development Association.

What is the application procedure?

Pick up a copy of the Downtown Corvallis Association ~~Upper Floor Interior Building~~ Development Loan Program application at the DCA Office, 460 SW Madison, Suite 9, Corvallis, Oregon 97333. Submit a completed application, project drawings, project budget, and project bids to the DCA Executive Director.

DCA Upper Floor Development Design Guidelines:

Architectural Integrity of Building

The architectural integrity of the building shall be maintained and any new construction consistent with The Secretary of the Interior's Standards for Rehabilitation and Illustrated Guidelines for Rehabilitating Historic Buildings.

Building Code Requirements

For building code requirements, contact:

Plans Examiners
Development Services Department
Corvallis City Hall
501 SW Madison Avenue
Corvallis, OR 97333
541-766-6929

Need more information?

For further information, contact the DCA Executive Director, 460 SW Madison, Suite 9, at 541-754-6624.

Insert
Graphic Examples
Here

I. Eligibility and General Loan Program Description

- A. Building owners within the Corvallis downtown project area are eligible to apply for Downtown Corvallis Association (DCA) Upper Floor Interior Building Development Loans. Also, loans are possible if the property is being leased or purchased under contract if all parties to the lease or contract agree to the improvements. The DCA shall not discriminate on the basis of race, religion, sex, color, age, sexual orientation or national origin. For purposes of this program, the Corvallis downtown project area shall be defined as that property within the Economic Improvement District boundaries. Maps of EID boundaries are on file with the City of Corvallis and at the DCA office.
- B. There are no minimum or maximum income requirements for participants. The program shall provide up to fifty percent (50%) of the total cost of the project, not to exceed \$20,000 per project. Program funds are available and would include but not be limited to new construction, reconstruction, interior rehabilitation, restoration, painting, window repair, interior design, insulation, electrical, plumbing and any requirements to conform to current code statutes.
- C. Loan funds are intended for interior construction and rehabilitation only. Once the DCA Design Committee approves an upper floor interior loan, the applicant must commence work within 60 days. The improvements shall be completed within six months following approval. Failure to comply with these provisions will nullify the loan approval. Applicants shall be eligible for one Upper Floor Interior Building Development Loan per 12-month period.

D. Loan Terms

1. Term: Maximum 5 years.
2. Rates: 0% interest for DCA members or EID participants.
5% interest, fixed rate for non-DCA members or non-EID participants. No penalty for early repayment.
3. Repayment: Monthly amortized payment schedule.
4. Amount: The loan shall not exceed \$20,000.
5. Timing: Project shall be completed within six (6) months of loan approval, or per a schedule approved by the Design Committee.

E. Selection Criteria

1. Design approval by the DCA Design Committee is required before a loan shall be made. Design Review criteria shall be provided as part of the application packet.

2. Completed loan applications will be reviewed on a first-come first-served basis. When loan requests exceed the funds available for the program, the DCA Design Committee has the following options:
 - a. When more than one loan is being considered, the loan that complies most closely with the selection criteria shall receive the larger share of the funds available.
 - b. When more than one loan is being considered, the loan amounts may be reduced proportionally, based on the funds available at the time.
 - c. When more than one loan is being considered, priority should be given to upper floor redevelopment.
 - d. When only one loan is being considered, the loan amount will be reduced, based on the funds available at the time.

F. Disposition of loan principal and interest

1. Monies repaid to DCA through this program shall be returned to the Upper-Floor Interior Building Development Loan Fund and used to make additional upper floor loans.

II. Loan Program Administration

The DCA Design Committee, appointed by the Downtown Corvallis Board of Directors, is responsible for design review of all loan applications. The DCA Design Committee shall include a property owner, a business owner, a licensed architect, member of the City's ~~Historic Preservation Advisory Board~~ Resources Commission (HPABRC), and a non-voting representative from the City's Community Development Department.

III. Loan Application and Approval Process

A. Loan Application Process

1. Applicants shall submit a completed Upper-Floor Interior Building Development Loan Application Form with plans and cost estimates to the Executive Director.
2. Applicants are encouraged to contact the DCA for design assistance before submitting plans. The DCA has materials on interior building rehabilitation to help with design decisions.

3. An application packet of materials including Livable Oregon Downtown Development Association and DCA guidelines and drawings from the Corvallis "City Streetscape Plan" shall be provided to all loan applicants.
4. If the building is on the Corvallis Register of Historic Landmarks and Districts, review may also be required through the City's Historic Resources Commission ~~Preservation Advisory Board~~.

B. Loan Approval Process

1. Upon receipt of the above documentation, the DCA Design Committee shall review the application. If the Design Committee recommends approval of the request, it shall then be reviewed by the Loan Approval Committee. The Loan Approval Committee shall consist of the DCA Board president, the executive director, and treasurer.
2. If the applicant has been a business or property owner in the downtown for less than 3 years, the DCA Loan Approval Committee may require additional financial information. All submitted material shall remain confidential.
3. The Executive Director of the DCA shall notify the applicant upon loan approval. In the event of rejection, reason(s) shall be given for why the application did not comply with the criteria.
4. If the loan application is approved, the applicant shall be provided a written loan commitment stating the term of the loan and the security requirements.

CD. Payments and Disbursements

1. The DCA Design Committee shall provide the applicant with a repayment schedule for the loan. Repayments begin within sixty (60) days after the loan papers are signed. Payments shall be made according to provisions in the promissory note, which shall be executed upon loan approval.
2. Funds shall be disbursed within fifteen (15) days upon submitting an invoice and after acceptance of completed work by DCA Design Committee.
3. Funds shall be disbursed to borrower:
 - a. upon completion of the project and;
 - b. after final inspection sheet has been signed by the property owner, DCA Executive Director, and a representative of the Design Committee and;
 - c. upon receipt of invoices or as agreed upon in promissory note.

IV. Accounting for Loan Program Funds

- A. Audits of loan program funds shall be done in accordance with the terms of the contractual agreement with the City of Corvallis and shall be made available for review, upon request.
- B. In the event the ~~Upper Floor~~ Interior Building Development Loan Program is discontinued, original grant monies and loan proceeds shall revert back to the City in accordance with the contractual agreement with the City of Corvallis.

Downtown Corvallis Association

**~~Upper Floor~~ Interior Building Development Loan
Program**

Application Packet

Downtown Corvallis Association
Upper Floor Interior Building Development Loan Application Form
(Please type or print)

Application Number _____

Application Date: _____

Applicant Name: _____

Mailing Address: _____

Phone Number: _____

Project Address: _____

Legal Description: _____

Building Age: _____ Square Footage: _____

Building Use: _____

Project Start Date: _____

Expected completion date: _____

Expected project cost: _____

Loan amount requested: _____

Please include the following with your application:

1. A photograph of the project site and/or the interior of the building, before the project is begun.
2. A drawing showing the proposed project or change(s).
3. Contractor's bid for the proposed work.
4. Paint chips (if painting is included as part of the project).

Description of Work to be Completed
(Please type or print)

Interior walls and detailing: _____

Windows: _____

Interior design: _____

Insulation: _____

Electrical: _____

Plumbing: _____

Maintenance: _____

Code requirements: _____

Other: _____

The undersigned applicant affirms that:

1. The information submitted herein is true and accurate to the best of my (our) knowledge.
2. I (we) have read and understand the conditions of the Downtown Corvallis ~~Upper-Floor~~ Interior Building Development Loan Program and agree to abide by its conditions.

Applicant Signature Date

Applicant Signature Date

For Office Use Only

Design Committee Action: _____

Loan Approval Committee Action: _____

Executive Director Notes: _____

Loan Approval Committee Notes: _____

Final Inspection Date: _____

Other: _____

CITY OF CORVALLIS
FY 99-00 ECONOMIC DEVELOPMENT FUNDING REQUESTS

Agency	FY 96-97			FY 97-98			Amount Requested
	Amount Requested	Amount Approved	Purpose	Amount Requested	Amount Approved	Purpose	
TOTAL ECONOMIC DEVELOPMENT		\$398,510			\$410,000		
Corvallis Convention & Visitors Bureau	\$220,380	\$220,380	Dedicated Funding/ Operations Support	\$229,200		Dedicated Funding/ Operations Support	\$23
Non-Dedicated Funds Available		\$178,130			\$180,800		
CCVB Other Program Requests	\$6,000	\$5,130	Promotional Video			Not applicable	
	\$3,500		Ad Campaign				
	\$2,000		Internat'l Visitor Guides				
	\$2,000		Pole Banners				
	\$2,500		Street Banner - 2nd Site				
	\$16,000	\$5,130	Total Other Programs	\$0	\$0		
Economic Development Partnership	\$55,000	\$45,000	Operations Support	\$45,000	\$40,000	Operations Support	\$4
daVinci Days	\$20,000	\$12,500	Event Support	\$15,000 \$5,000 \$20,000	\$12,500	Event Support Pole Banners Total of Programs	\$1
Fall Festival	\$15,000	\$12,500	Event Support	\$15,000 \$5,000 \$20,000	\$12,500	Event Support Pole Banners Total of Programs	\$1
Downtown Corvallis Association	\$15,000	\$12,800	Downtown Business Recruitment & Retention	\$15,800		Downtown Business Recruitment & Retention	\$
	\$15,000	\$11,000	Image Advertising	\$15,000		Image Advertising	\$
	\$20,200	\$20,200	Upper Floor Development Loan Program	\$8,000		Facade Improvement Loan Program	\$
	\$3,000	\$2,000	Trash Receptacle Fund	\$4,000		Trash Receptacle Program	\$
	\$10,000	\$4,000	Winter Lighting	\$10,000		Winter Lighting	\$
	\$63,200	\$50,000	Total of Programs	\$52,800	\$35,000	Total of Programs	\$7
Business Enterprise Center	\$15,000	\$10,000	Building & Landscape Improve.	2 year request \$12,000	\$5,000	Internet Link	
Benton County Fair Division	\$0			\$15,000	\$0	Marketing Fairgrounds	\$
Corvallis Neighborhood Housing Services	\$20,000	\$15,000	Operating Support	\$50,000	\$40,800	Operating Support	\$1
Corvallis Housing Programs	up to \$50,000	up to \$25,000	Home Buyer Assistance Program	\$50,000	\$35,000	Home Buyer Assistance Program	\$1
Corvallis Saturday Farmer's Market Association	less than \$3,000	\$3,000	Sanitation Facility	\$0			
Corvallis United Soccer Club	\$0			\$0			\$
CCVB/EDP Dock Feasibility Study	\$0			\$0			\$
Oregon Folklife Festival	\$0			\$0			
Chamber of Commerce	\$0			\$0			
Total Non-Dedicated	\$257,200	\$178,130		\$264,800	\$180,800		\$2

1998 Calendar Year Collections	\$643,336
65% Economic Development Funding	\$418,170
<u>CCVB Dedicated Funding</u>	<u>\$240,790</u>
Balance Remaining for Allocation	\$177,380

Non-Dedicated Funds Available for Allocation	\$177,380
<u>Total Funding Requests Submitted</u>	<u>-\$299,625</u>
Difference Requests from Available Funds	-\$122,245

CITY OF CORVALLIS
FY 03-04 ECONOMIC DEVELOPMENT FUNDING REQUEST

Agency	FY 00-01			FY 01-02			Amount Requested
	Amount Requested	Amount Approved	Purpose	Amount Requested	Amount Approved	Purpose	
TOTAL ECONOMIC DEVELOPMENT FUNDS	\$430,390			\$473,340			
Corvallis Convention & Visitors Bureau - Dedicated	\$249,700		Dedicated Funding/ Operations Support	\$256,940		Dedicated Funding/ Operations Support	\$256,940
Non-Dedicated Funds Available	\$180,690			\$222,400			
CCVB Non-Dedicated Requests	\$0			\$25,000	\$25,000	Tourism Marketing & Visitor Services	\$25,000
Benton County Fair Division	\$0			\$10,000	\$10,000	Event Support	
Benton County Historic Society & Museum	\$0			\$30,000	\$25,000	Site Design	\$30,000
Boys & Girls Club of Corvallis	\$5,000	\$0	Event Support	\$5,000	\$0	Event Support	
Downtown Corvallis Association	\$15,000		Economic Enhancement	\$15,000	\$10,000	Economic Enhancement	\$15,000
	\$32,500	\$32,500	Decorations				
	\$15,000		Image Advertising	\$15,000	\$10,000	Image Advertising	\$15,000
	\$26,000		Transportation				
	\$10,000	\$10,000	Red White Blues Festival	\$10,000	\$10,000	Red White & Blues Festival	\$15,000
	\$98,500	\$53,690	Total of Programs	\$40,000	\$30,000	Total of Programs	\$60,000
Corvallis Arts Center	\$0			\$18,000	\$0	Event Support & Business Training & Sales Program	
Corvallis Chapter Oregon Natural Step Network	\$0			\$0			\$10,000
Corvallis Fall Festival	\$10,000	\$10,000	Event Support	\$10,000	\$10,000	Event Support	\$10,000
Corvallis Neighborhood Housing Services	\$50,000	\$45,000	Operating Support	\$50,000	\$50,000	Operating Support	\$50,000
Corvallis United Soccer Club	\$5,000	\$3,000	Event Support	\$0			
Community Outreach, Inc.	\$16,814	\$6,000	Training Program Support	\$0			
daVinci Days	\$13,000 \$2,000	\$13,000	Event Support Study	\$20,000	\$15,500	Event Support (Signage & Study)	\$20,000
Economic Development Partnership	\$40,000	\$40,000	Operating Support	\$50,000	\$46,900	Operating Support	\$50,000
Oregon Folklife Festival	\$15,000	\$10,000	Event Support	\$15,000	\$10,000	Event Support	
Majestic Theatre Management	\$0			\$0			
Total Non-Dedicated	\$255,314	\$180,690		\$273,000	\$222,400		\$255,000

2002 Calendar Year Collections	\$772,410
50% Economic Development Funding	\$386,210
CCVB Dedicated Funding	-\$231,720
Balance Remaining for Allocation	\$154,490

She said that an off-street parking garage would take cars off the Riverfront so that people could enjoy a green park. The Riverfront, she said, should be reserved for people, not cars. She suggested that the commercial business owners pay for the building and maintenance of a parking garage.

VII. PUBLIC HEARINGS - None

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

A. Administrative Services Committee - January 20, 1999

1. Economic Development Quarterly Reports (Economic Development Partnership [EDP], Downtown Corvallis Association [DCA], Corvallis Convention and Visitors Bureau [CCVB])

Councilor Griffiths said the Committee reviewed the first quarterly reports. She noted that there was discussion regarding the EDP statements.

It was moved, seconded, and unanimously carried to accept the first quarterly reports.

Councilor Griffiths said the second part was discussion about the DCA request to consolidate the loan funds for general purposes.

It was moved, seconded, and unanimously carried to allow the DCA flexibility in disbursing loan funds for two programs.

2. Corvallis Convention and Visitors' Bureau (CCVB) Bylaws

Councilor Griffiths recalled that the CCVB separated from the Chamber of Commerce over a year ago. She explained that the bylaws are reviewed by ASC because a major portion of the CCVB funding come from City room tax. She reported that the bylaws are working well and said this item is for information only.

3. Economic Development Allocation Process

Councilor Griffiths noted that Mr. Gibb reviewed the calendar with the Committee; it is attached to the minutes. She advised that notices will go out to agencies that might be interested in public funding. The Mayor, she said, will appoint three citizen members who will sit with ASC to make recommendation for allocations to the full Council. She said it is anticipated that the allocation recommendations will come forward to ASC on April 14th.

It was moved, seconded, and unanimously carried to approve the Economic Development Allocation 1999-2000 calendar.

Councilor Griffiths said the last item of discussion was about ASC meeting times/days; it has been moved back to Wednesdays following Council at 5:30 pm.

[The others are monitored through the Human Services Committee.] Staff reviewed the first quarter operating reports for the Economic Development Partnership (EDP), Downtown Corvallis Association (DCA), and Corvallis Convention and Visitors Bureau (CCVB), he said, and found no contractual concerns. He added that the CCVB is also required to submit a financial report for review by the Finance Department, which was found to be in compliance.

Mr. Gibb directed attention to part V. of the staff report which addresses a previous Committee request for information regarding the DCA's reserve funds. He explained that the DCA has requested flexibility in disbursing loan funds to either the ~~State~~ Improvement or the ~~Upper State~~ Development programs to meet the needs of the property owners, and staff recommends approval of that request.

In response to inquiry, Doug Sweetland, EDP, provided the following additional information:

- ▶ The negative numbers under total assets receivable on the balance sheet refer to pledges from private sector contributors which have not yet been received.
- ▶ The amount listed as equity in the Airport Master Plan refers to EDP's financial interest and assistance in obtaining funds for that plan. The plan is essentially complete and that figure will not be included in the second quarter report.
- ▶ The ending fund balance was intentionally higher than usual in anticipation of costs associated with the organization's recent move. Those costs will be reflected in the second quarter report.

Dick McClain, DCA Board member, offered to answer any questions. Councilor Grosch initiated discussion regarding the ~~Upper State~~ Residential Loan program. Mr. McClain explained that there has been a direct marketing effort through the DCA newsletter and through the membership, and one application has been received. Councilor Griffiths noted that this program was initiated partly in response to Council's desire to utilize unused space and expand uses in the Downtown area. She said she is in favor of consolidation and would like to see continued emphasis to encourage second floor residential usage.

In response to inquiry, John Hope Johnstone, CCVB, stated that the economic impact figures for various events, as listed on page 5 of the report, are estimated amounts based on state-wide averages. The second quarter report, he said, will include more accurate updated numbers.

Mr. Hope Johnstone said the CCVB is in the process of preparing a short presentation outlining the organization's activities and asked for an opportunity to come before the Council. Councilor Griffiths requested that he contact City Manager Nelson about including that presentation on a future Council agenda.

Councilor Grosch noted the large amount of paper used to copy all of the CCVB's check register and bank statements. He suggested that some of those backup documents be reviewed by staff but not necessarily distributed to the Committee unless there is a specific need.

The Committee unanimously recommends that Council accept the first quarter reports from EDP, DCA, and CCVB.

The Committee unanimously recommends that Council allow the DCA flexibility in disbursing loan funds to either the ~~Public~~ Improvement or the ~~Local Area~~ Development programs to meet the needs of the Downtown business/property owners.

There was general consensus that, in the future, all relevant reports, balance sheets, and profit and loss statements be distributed to the Council, but any check registers, bank statements, etc. not be distributed unless deemed necessary by staff.

City Manager Nelson clarified that the organizations still need to submit all of the financial information for staff review.

Corvallis Convention and Visitors Bureau (CCVB) Bylaws (Attachment)

Mr. Nelson noted that the CCVB separated from the Chamber of Commerce a year ago. At that time, Council accepted CCVB's Bylaws and requested a review in one year.

In response to inquiry, Mr. Hope Johnstone said the bylaws are working well.

It was noted that, due to a clerical error, the Committee members did not receive the entire set of bylaws. Mr. Gibb apologized for the error and said he will distribute complete sets.

For information only.

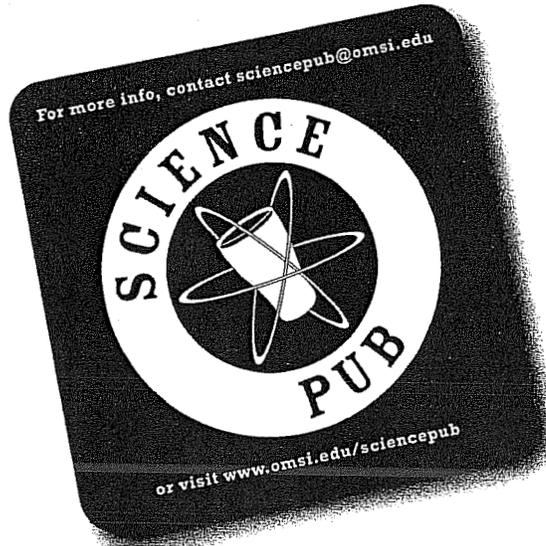


Attachment A

OSU
Oregon State
UNIVERSITY

OMSI
OREGON MUSEUM OF SCIENCE AND INDUSTRY

Present:



341 SW 2nd
Corvallis

Come early for food
and drinks!

MONDAY, April 13, 2009 · 6:00 PM

Eat Smart, Get Active, Age Well

with Kathy Gunter and Emily Ho from the
College of Health & Human Sciences at
Oregon State University

Science Pub is a monthly event that is open to anyone
and everyone. No RSVP or scientific background
required – just bring your curiosity, sense of humor,
and appetite for food, drinks, and knowledge!

MEMORANDUM

TO: Administrative Services Committee
FROM: Steve Rogers, Public Works Director *SR*
DATE: March 9, 2009
SUBJECT: Allied Waste of Corvallis Proposed Rate Increase Options

ISSUE

Allied Waste of Corvallis (Allied) submitted a rate increase proposal for solid waste collection and recycling services, to be effective May 1, 2009.

BACKGROUND

When rate increases are submitted to the City, staff reviews the proposal and makes a recommendation to the Council. As part of the review process, staff works with Allied to ensure the rate increase proposal is justified and consistent with the franchise agreement. The final rates proposed the Council may differ from those originally submitted by Allied.

DISCUSSION

Staff has been reviewing the current proposal with Allied Waste and will soon be bringing the Allied Waste rate packet to the Administrative Services Committee (ASC) for review. In the past, the review process has been equivalent to informal negotiations between staff and Allied. Allied is not required to negotiate rate requests but has chosen to do so to help ensure the services provided are desired by the community. Before a final rate packet is submitted to the Council, staff has identified three items that they would like ASC guidance on.

Item 1 - Cost of living rate increase

Allied Waste is seeking a cost of living increase for the remainder of 2009 and 2010. The increase is based on the assumption that the 2008 Consumer Price Index (CPI) increase will hold constant for 2009 and 2010. Because the proposed increase is for two years, the CPI percentage used in the calculating the increase is double what would be expected in an annual increase. Staff has identified the option of having Allied propose a CPI increase for one year only.

Option #1 Proceed with Allied's two-year CPI increase.	Pros -	Reduces administrative time for staff and Council associated with annual CPI increases.
	Cons -	May provide an increase in 2010 above or below the actual CPI.

Option #2 Ask Allied to restructure their proposal for a one-year CPI increase with the option of coming back in 2010 to propose an increase based on the 2009 CPI.	Pros -	Accurately ties cost-of-living increases to the CPI for previous year.
	Cons -	Administrative time associated with rate proposal reviews.

Item 2 - Glass collection rate adjustment

The automated curbside co-mingled recycling program that was implemented in early 2008 included a change in the glass collection frequency from weekly to once a month. This change was implemented to minimize the cost and traffic associated with collecting glass with a separate dedicated collection vehicle. When the new program began, Allied was in negotiations with the buyer of the co-mingled recycling to include glass in the recycling carts in the future. Concurrently, staff met and discussed the option with Allied and the Department of Environmental Quality (DEQ). The outcome was DEQ and recycling facilities in Oregon believe the introduction of glass would lower paper recovery rates, wear out equipment sooner, and lower recycled paper quality because of glass shard contamination. With this information, staff believes glass inclusion will not be looked upon favorably in Oregon by DEQ, or others involved in the recovery of paper fiber, for the foreseeable future. For last year's rate adjustment, Allied calculated the short-term monthly cost of glass collection, with the idea that there would be no future glass collection costs when glass was collected in the co-mingle carts. It is now evident to Allied that glass collection will remain separate from the co-mingle requiring on-going glass collection costs. Allied has requested an additional increase (~\$.50 per month) for residential customers above the CPI to recover these glass collection costs.

Option #1 Proceed with Allied's current proposal to increase Residential rates for the on-going collection of glass from the curb.	Pros -	Acknowledges Allied's efforts to reduce costs associated with glass collection while allowing on-going costs to be recovered.
	Cons -	Customers receive a rate increase with no associated increase in service.
Option #2 Do not allow an increase for glass collection.	Pros -	Customers do not receive a rate increase for a service they are already receiving.
	Cons -	May result in a lack of transparency in future proposed rate increases.

Item 3 - Commercial customer food waste collection rate structure

Allied is proposing to enhance the yard debris service to include weekly collection and the inclusion of green food waste (no meat, eggs, dairy, paper products). The proposed rate structure for residential customers is an across-the-board increase of ~\$1.70 per month. The proposed increase structure is consistent with past residential service changes.

The proposed rate increase structure for commercial customers is similar in that all commercial rates would increase to support the program. An increase of ~\$8.50 per month per commercial container would provide for the collection of one 90-gallon yard debris cart per week. Additional carts/service would be available for ~\$7.00 a month each. There is an opportunity with this proposal for commercial customers to reduce their overall solid waste expense. If a customer can begin recycling 90 gallons (~½ yard) of food waste per week, they may be able to reduce their required garbage container size resulting in a decrease in cost. For example: using current rates, changing from a 2-yard container to a 1.5-yard container would yield a net savings of \$12.25 per month after adding ~\$8.50 for food waste.

The current proposal would result in non-participating customers paying an ~\$100.00 per year without receiving the new service. At staff's request, Allied has provided an alternative option for commercial customers based on elective participation. The estimated costs associated with the elective program would be distributed over a smaller base (i.e. only those that chose to participate) resulting in a projected monthly service rate of ~\$62.00. This rate would provide for the weekly collection of one 90-gallon cart of green food waste/yard debris. In the \$8.50 rate, half of the cost of the new truck needed was allocated between residential and commercial customers. With an elective rate, Allied predicts much lower commercial participation and has reallocated 80% of the new truck to the residential service. This results in the residential rate increasing from ~\$1.70 per month to ~\$1.80 per month.

A third option is to hold-off on a commercial food waste program, allowing Allied to continue to pilot their existing commercial food waste program until total organics recycling is available. This would result in a residential rate increase of ~\$1.85 per month for weekly yard debris collection due to 100% allocation of the new truck.

<p>Option #1 Proceed with Allied's current proposal to increase commercial rates across-the-board for the weekly collection of green food waste/yard debris.</p>	<p>Pros</p> <ul style="list-style-type: none"> - Spreads the cost of the program over a larger customer base to keep per-customer costs low. - Provides an incentive to recycle green food/yard waste by already having the service built into the rates. - Provides an opportunity for net cost savings if customers can reduce the size or frequency of their existing garbage service.
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	<ul style="list-style-type: none"> Cons - Commercial customers that do not participate in the new service receive a rate increase with no associated increase in service.
<p>Option #2 Request Allied to include commercial green food waste/yard debris collection as an elective service which would be charged separately.</p>	<ul style="list-style-type: none"> Pros - Service available to customers that want to pay for it.
	<ul style="list-style-type: none"> Cons - Makes the cost for participating customers much higher. - Eliminates the cost/benefit of recycling the material. - Increases cost to residential customers.
<p>Option #3 Remove the commercial green food waste program from the rate packet.</p>	<ul style="list-style-type: none"> Pros - Keeps rates to commercial customers to a minimum during tough economy. - Allows current pilot program to continue and be refined.
	<ul style="list-style-type: none"> Cons - Official commercial green food waste program not established. - Increases cost to residential customers.

CONCLUSION

Before staff completes its review of the Allied rate proposal, staff seeks guidance from the Administrative Services Committee on the rate options outlined above.

Reviewed and Concur;


 Jon S. Nelson, City Manager

MEMORANDUM

March 6, 2009

TO: Administrative Services Committee
FROM: Nancy Brewer, Finance Director 
SUBJECT: Second Quarterly Operating Report

I. Issue

To review and accept the Second Quarterly Operating Report for FY 08-09.

II. Discussion

The Second Quarterly Operating Report has been published on the City's web site and is available for review. Operating revenues at the end of the first six months of the fiscal year were at 52.2% of budgeted total revenues, which is a little lower than normal given the receipt of over 86% of budgeted property taxes in November. Operating expenditures are generally on target and comparable to the prior year at 52.1% of the amended budget.

As noted last quarter, the higher than projected assessed value for the 2008 tax year has brought in more property tax dollars to date than originally anticipated. However, since the last quarter, Hewlett-Packard has filed an appeal of its property valuation. At this point, no one at the City or Benton County Assessor's Office has information on the basis of appeal, or the value being appealed. As a result, staff cannot calculate revenue loss estimates. Benton County Finance has thus far turned over all property tax monies collected, and will not withhold an amount for a possible refund to H-P until the May turnover, and then only if it appears the appeal will be resolved in FY 08-09.

A substantial decline in Development Services Fund permit fees and charges for service revenues as well as a significant decline in investment interest earnings in all funds brought on by the flagging economy, are the primary drivers to total operating revenue being lower than last year at this time. As noted in the first quarter report, the lack of new residential development that has led to Development Services revenue being substantially below expectations is also leading to Systems Development Charge (SDC) revenue being well below anticipated levels. Delays in some SDC funded projects are now anticipated in both the Parks & Recreation and the Storm Water Fund based on the lack of SDC revenue. In all other cases, all funds are performing as expected at the end of the second quarter.

Departmental expenditures are generally on target. The City Manager's Office budget is 57.3% expended based on insurance premium spending being weighted to the first quarter for the Risk Management Fund. Community Development is only 34.1% expended year-to-date, primarily due to staff efforts to reduce planned spending based on the current economic climate and related reduced revenues.

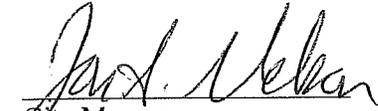
The Capital Project budget is 32.1% expended at the end of the second quarter, which is roughly comparable to last year. Major projects that were substantially completed during the second quarter include Airport Facility improvements to ramp and T-hangar space, Sunset Park ball field lights, construction of the Dunawi Wetlands/Water Quality (Storm Water master plan) project, and the Jefferson and Monroe Intersection improvements.

The Quarterly Operating Report also includes an update on the status of City Council Goals as of December 31, 2008.

III. Requested Action

Review the Second Quarterly Operating Report, and recommend the City Council accept the report.

Review & Concur:


City Manager

Attachments

February 5, 2009

City Manager, Mayor, and City Council
City of Corvallis
501 S.W. Madison Ave.
Corvallis, OR 97330

RE: Fiscal Year 2008-09 2nd Quarter Operating Report

I am pleased to present the City of Corvallis' Second Quarterly Operating Report for the 2008-09 Fiscal Year. The Quarterly Operating Report provides the Budget Commission and City Council with information about how the quarter ended.

This Quarterly Operating Report begins with highlights of the City's total budget which is followed by a reader's guide to the income statement.

The Financial Information section summarizes the revenue and expenditure performance for each of the operating funds in an income statement format that includes operating and non-operating revenues, expenditures and total fund activities. There is an income statement combining all property tax funds at the beginning of that section of the report.

The status of the City's finances was generally as expected at the end of the second quarter. Year-to-date operating revenues of \$45,592,113 are at 52.21% of the Amended Operating Revenue Budget of \$87,326,285. Non-operating revenues which include transfers and proceeds from sale of fixed assets totaled \$6,342,964 or 52.07% of the \$12,182,445 Amended Non-Operating Budget. The Amended Budget reflects the adopted budget, plus any amendments approved by the City Council via resolution during the course of the fiscal year. Significant revenue highlights include:

- **Property taxes** totaled \$17,722,092 for the second quarter which equals 86.41% of the budgeted property tax revenue. Current year property taxes are primarily collected in the second quarter of the fiscal year. The FY 08-09 result year-to-date is in line with last year's results year-to-date.
- **Licenses, Fees and Permits** totaled \$2,745,364 which represents 37.39% of the amended budget and is a lower dollar amount than collected over the same period in FY 07-08 based partly on Development Services fees remaining under target this year due to the slowing of residential construction in the latter part of FY 07-08. Franchise fees, which are the largest portion of this category, are a bit ahead of last year's collections year-to-date, and generally at targeted levels.
- **Charges for Services** were \$18,813,923 which represents 47.58% of the amended budget. These revenues are slightly lower than target and the second quarter of FY 07-08, primarily due to the slowing economy and the impacts on residential development noted above.
- **Intergovernmental** revenues are below target but comparable to last year's second quarter actuals at \$3,959,076 or 29.62% year-to-date. The receipt of grant monies tends to be volatile and highly dependent on timing of related expenditures. It should be noted that the majority of these revenues tend to be collected late in the fiscal year.
- **Interest earnings** totaled \$545,125 which represents 35.60% of the budgeted interest and is roughly half the amount received over the same period in FY 07-08, due to the significant and continued decline of interest rates.

Operating expenditures for all funds totaled \$34,600,763 or 44.82% of the Amended Operating Expenditure Budget. Non-operating expenditures, which include capital projects, transfers, debt service, and contingency, totaled \$14,536,698 or 45.11% of the \$32,224,245 Amended Non-Operating Budget. In total, expenditures for the second quarter were \$49,137,461 or 44.90% of the \$109,429,380 budgeted compared to 45.71% at the same time last year. The total dollars expended is marginally lower than in FY 07-08 due primarily to a lower volume of capital project spending and related transfers this fiscal year-to-date. Expenditure highlights include:

- **Personal services** totaled \$20,142,216 or 48.78% of the amended budget of \$41,295,960 and is right on target as well as in line with the percent of budget spent in FY 07-08, though nearly \$1.2 million higher than the latter due to cost of living increases.
- **Supplies and Services** totaled \$13,886,327 or 41.92% of the amended budget of \$33,124,270. The percentage spent thus far in FY 08-09 is very comparable to the amount spent in the same period in FY 07-08.
- **Capital projects** totaled \$3,504,149 or 32.14% of the amended budget of \$10,902,090. Capital projects expenditures tend to fluctuate year-over-year, frequently coming in under budget based on savings and/or deferrals due to prioritization of resources and workplans or delay in grant or other funding awards. See the Capital Improvement Program section for more information on the status of capital projects.

- **Debt service** payments totaled \$4,689,584 or 63.01% of the amended budget of \$7,443,110. The amount spent this year is very close to the same period in FY 07-08 due to no new debt issuances, refundings or payoffs having occurred.
- **Transfers** totaled \$6,342,964 or 52.07% of the amended budget of \$12,182,445. The majority of the transfers are related to capital projects. See the Capital Improvement Program section for information on the status of capital projects.

A table comparing year-to-date actuals to budget for all funds in both FY08-09 and FY07-08 is shown below:

REVENUE	AMENDED BUDGET	UNAUDITED FY 08-09	FY 08-09 % REC/EXPEND	AMENDED BUDGET	Y-T-D FY 07-08	FY 07-08 % REC/EXPEND
Budgeted Fund Balance	\$40,494,356					
Property Taxes	\$20,509,610	\$17,722,091	86.41%	\$19,402,680	\$17,115,304	88.21%
Other Tax	1,220,930	536,607	43.95%	1,032,490	525,421	50.89%
Licenses/Permits	7,343,480	2,745,364	37.39%	6,732,720	3,016,118	44.80%
Charges for Service	39,544,320	18,813,923	47.58%	37,178,590	19,303,095	51.92%
Intergovernmental	13,366,265	3,959,076	29.62%	12,029,510	4,330,713	36.00%
Fines/Forfeitures	1,253,270	523,617	41.78%	1,180,720	603,460	51.11%
Miscellaneous	4,088,410	1,291,435	31.59%	4,205,646	2,639,333	62.76%
Other Financing Sources/Transfers in	12,182,445	6,342,964	52.07%	13,748,665	7,279,047	52.94%
TOTAL CURRENT REVENUE	\$99,508,730	51,935,077	52.19%	\$95,511,021	\$54,812,491	57.39%
EXPENDITURE BY DEPARTMENT						
City Manager's Office	\$2,961,160	\$1,695,248	57.25%	\$2,879,230	\$1,551,919	53.90%
Community Development	7,783,040	2,651,728	34.07%	7,132,540	2,421,121	33.94%
Finance	4,814,640	2,277,488	47.30%	4,597,170	2,046,589	44.52%
Fire	10,638,570	4,924,542	46.29%	9,356,130	4,312,774	46.10%
Library	6,193,510	3,077,114	49.68%	5,990,730	2,923,289	48.80%
Park & Recreation	5,695,870	2,875,193	50.48%	5,491,216	2,705,607	49.27%
Police	11,438,027	5,645,515	49.36%	10,932,550	5,386,862	49.27%
Public Works	25,934,908	10,640,303	41.03%	26,116,010	10,899,140	41.73%
Non-Departmental	1,745,410	813,633	46.62%	1,758,940	802,790	45.64%
TOTAL OPERATING EXPENDITURES	\$77,205,135	\$34,600,764	44.82%	\$74,254,516	\$33,050,091	44.51%
Debt Service	\$7,443,110	\$4,689,584	63.01%	\$7,533,710	\$4,630,484	61.46%
Capital Projects	10,902,090	3,504,149	32.14%	11,197,000	3,928,311	35.08%
Transfers Out	12,182,445	6,342,964	52.07%	12,338,665	7,258,890	58.83%
Contingencies/Reserves	1,696,600	0	0.00%	1,584,350	0	0.00%
TOTAL ALL EXPENDITURES	\$109,429,380	\$49,137,461	44.90%	\$106,908,241	\$48,867,776	45.71%
CURRENT REVENUES LESS						
TOTAL EXPENDITURES	(\$9,920,650)	\$2,797,616		(\$11,397,220)	\$5,944,715	

This Quarterly Operating Report also includes an expenditure summary by classification for each department, performance indicators by department, a Vacancy Report, a Capital Improvement Program summary and an update of City Council Values and Goals.

As always, if you have questions or concerns about the information in this report, please do not hesitate to contact me at (541) 766-6990 or via e-mail at nancy.brewer@ci.corvallis.or.us.

Nancy Brewer
Finance Director

THE CITY'S BUDGET HIGHLIGHTS

REVENUES

A total of 52.19% of budgeted revenue has been collected as of the end of the second quarter. Of this amount, operating revenue is 52.21% collected and 52.07% of non-operating revenue has been collected.

Property Tax Revenues - 86.41% collected. Property taxes provide about half of the operating revenue for General Fund supported programs. Property taxes are found in the General, Parks and Recreation, Fire and Rescue, Transit, Library and General Obligation Debt Service Funds. The majority of the property tax revenues are received in the second quarter.

Other Taxes - 43.95% collected. Transient Room Taxes are taxes on hotel and motel occupancy and reflect their usage rate. The City currently levies a room tax of 9% of the room costs on all transient lodging in the City limits. Receipts in this category are a bit lower than normal year-to-date due to a combination of a late OSU school year start, including a later home game schedule as well as the recent economic downturn. It is currently anticipated that collections will come in about 5% lower than budgeted levels by year-end.

License, Fees & Permits - 37.39% collected. Franchise Fees provide approximately 39% of the operating revenue in the General Fund. In addition to right-of-way fees charged to local utility companies, franchise fees are also assessed against and paid for by the City's water, wastewater, and storm water utilities. Revenues for parks, sound and camping permits are received in the Parks & Recreation Fund, and tend to be seasonal in nature. Building permit revenue is recorded in the Development Services Fund, and is currently coming in below historical and budgeted levels due to the economic downturn currently being experienced. Parking lot space fees and residential parking permits are received in the Parking Fund while transportation maintenance fees and right of way permits are received in the Street Fund.

Charges for Services - 47.58% collected. General Fund charges include development review charges and rental charges for City owned buildings. The Parks and Recreation Fund generates revenue from recreation programs and System Development Charges (SDC's). Charges for Police and Fire 911 services are received in the 911 Emergency Fund. Water, sewer and drainage user fees and SDC's are received in the Water, Wastewater, and Storm Water Funds. The Airport Fund receives revenues for hangar rentals, fuel sales, and seed crops. The Internal Service Funds (Technology and Communications, Administrative Services, Fleet, Facility Maintenance, and Risk Management) receive payments for services provided to other city departments. It should be noted that so far in FY 08-09 System Development Charges in all funds are coming in considerably lower than anticipated due to the lack of new construction with the current economic downturn.

Intergovernmental - 29.62% collected. State sharing revenues include cigarette, liquor, 9-1-1 and highway taxes and currently make up approximately 33.79% of amended budget intergovernmental revenues. Benton County Intergovernmental funds for Library support make up approximately 17.55% of intergovernmental revenues and are normally received in the second quarter since they are tied to property tax turnovers. Projected grant revenue makes up nearly 44.85% of the intergovernmental revenue amended budget. The receipt of grant monies tends to be volatile and highly dependent on timing of related expenditures; this accounts for lower than target revenues collected to date. The remaining 3.81% of budget is for other revenue items such as 911 system cost share from other government agencies.

Fines and Forfeitures - 41.78% collected. Revenues include fines imposed through Municipal Court for traffic and parking violations, library fines and violations of the Uniform Fire Code. Revenues are also derived from property damage restitution payments, asset seizures and forfeitures through court action. Fines and forfeitures are mainly found in the following funds: General, Parking and Library. Municipal court fines are also lower than usual by the end of the second quarter due to a combination of Police Officer vacancies and the previously noted late start to OSU home games and student arrivals in the first quarter.

Miscellaneous Revenues - 31.59% collected. Miscellaneous revenues include donations, housing and assessment loan repayment proceeds, business energy tax credits for transit, gifts/contributions, insurance proceeds, bad debts recovered and investment interest revenues. Interest revenues represent approximately 37% of the total miscellaneous revenue budget, but represent about 42% of actual miscellaneous revenues collected at the end of the second quarter.

Other Financing Sources - 52.07% collected. Other Financing Sources consist mainly of "interfund" and "intrafund" transfers that are primarily for capital construction projects and debt service requirements. The FY 07-08 budget included budget for a bank loan to support the proposed purchase of the Pacific-Power street light system. At the end of the second

quarter, City Council determined that the acquisition plan would not proceed, so no loan or associated transfers occurred after all. The Capital Improvement Program section presents an analysis by project and information on year to date expenditures related to transfers.

EXPENDITURES

The City's total budget was 44.90% spent at the end of the second quarter, with operating expenditures at 44.82% of the operating budget and non-operating expenditures at 45.11%.

The following information summarizes second quarter FY 08-09 expenditures by classification and identifies any significant variances:

*Wages and Benefits** - 48.78% spent. Includes amounts paid to both permanent and temporary City employees, including personnel substituting for those in permanent positions.

*Services & Supplies** - 41.92% spent. Includes amounts paid for supplies used in operations and services rendered by organizations or personnel not on the City's payroll, including repair and maintenance-related services, professional contractual services and utilities.

*Capital Outlay** - 20.55% spent. Most capital outlay purchases consist of machinery, equipment and vehicles over \$5,000. Expenditures in this category are typically lower in the first part of the year based on cash flow management and the time it takes between order and delivery for large vehicles. In both FY 08-09 and FY 07-08, the percentage spent in this category is particularly low as of the end of the second quarter. For FY 08-09, this is due to the budgeted acquisition of an aerial ladder Fire Engine at \$714,000 not yet acquired. In FY 07-08 it is due to a budgeted \$1.4 million street light acquisition (representing about 33% of the total capital outlay budget) that did not proceed.

Capital Projects - 32.14% spent. Capital Projects occur in the Capital Construction, Water Construction, Wastewater Construction, Storm Water Construction and Airport Construction Funds. The Capital Improvement Program Section presents an analysis by project and information on year-to-date expenditures.

Debt Service - 63.01% spent. Budgeted debt service payments of \$1,995,510 are supported by specific property tax levies. Debt service incurred in support of enterprise operations (Water, Wastewater, Storm Water and Airport) totals \$3,361,320 and is paid from revenues derived from charges for services within each fund. Pension obligation bond annual debt service of \$2,086,190 is primarily funded by current revenue proportionate to each City Fund's respective PERS liability.

Transfers - 52.07% spent. Transfers represent Intra-fund and Inter-fund transfers for capital projects and debt service contributions. These can fluctuate depending on the progress of construction projects.

* See the following table for a summary of operating expenditures by Department.

OPERATING EXPENDITURES BY DEPARTMENT

DEPARTMENT	AMENDED BUDGET	PERSONAL SERVICES	SUPPLIES & SERVICES	CAPITAL OUTLAY	TOTAL EXPENDITURES	% OF AMENDED BUDGET
<i>Total Budget by Category</i>		\$41,295,960	\$33,124,270	\$2,784,905	\$77,205,135	
City Manager's Office	\$2,961,160	\$562,975	\$1,132,274	\$0	\$1,695,248	57.25%
Community Development	7,783,040	1,659,934	991,794	0	2,651,728	34.07%
Finance	4,814,640	1,556,595	720,514	380	2,277,488	47.30%
Fire	10,638,570	3,760,995	859,945	303,602	4,924,542	46.29%
Library	6,193,510	1,851,258	1,165,506	60,349	3,077,114	49.68%
Parks & Recreation	5,695,870	1,804,884	1,004,406	65,903	2,875,193	50.48%
Police	11,438,027	4,171,377	1,429,812	44,326	5,645,515	49.36%
Public Works	25,934,908	4,774,199	5,768,444	97,660	10,640,303	41.03%
Non Department	1,745,410	0	813,633	0	813,633	46.62%
TOTAL	\$77,205,135	\$20,142,216	\$13,886,327	\$572,220	\$34,600,763	44.82%
Percent of TOTAL		48.78%	41.92%	20.55%	44.82%	

PROPERTY TAX FUNDS COMBINED*

REVENUE	AMENDED BUDGET	2nd Quarter FY 08-09	UNAUDITED FY 08-09	FY 08-09 % REC/EXPEND	2nd Quarter FY 07-08	Y-T-D FY 07-08	FY 07-08 % REC/EXPEND
Budgeted Fund Balance	\$10,275,426						
Property Taxes	\$18,544,610	\$15,935,103	\$16,056,211	86.58%	\$15,430,945	\$15,571,413	88.54%
Other Tax	1,220,930	334,615	536,607	43.95%	298,913	525,421	50.89%
Licenses/Permits	5,582,740	1,164,715	2,098,211	37.58%	1,193,871	2,089,023	42.39%
Charges for Service	5,537,680	1,903,457	3,136,768	56.64%	1,994,876	3,155,072	59.44%
Intergovernmental	5,099,515	2,188,632	2,366,139	46.40%	2,398,138	2,293,247	49.71%
Fines/Forfeitures	877,770	169,412	333,372	37.98%	204,776	416,790	50.51%
Miscellaneous	1,322,530	130,003	339,356	25.66%	653,742	900,202	67.13%
Other Financing Sources	0	0	0	0.00%	11,860	25,702	1.73%
TOTAL CURRENT REVENUE	\$38,185,775	\$21,825,937	\$24,866,663	65.12%	\$22,187,120	\$24,976,870	67.28%

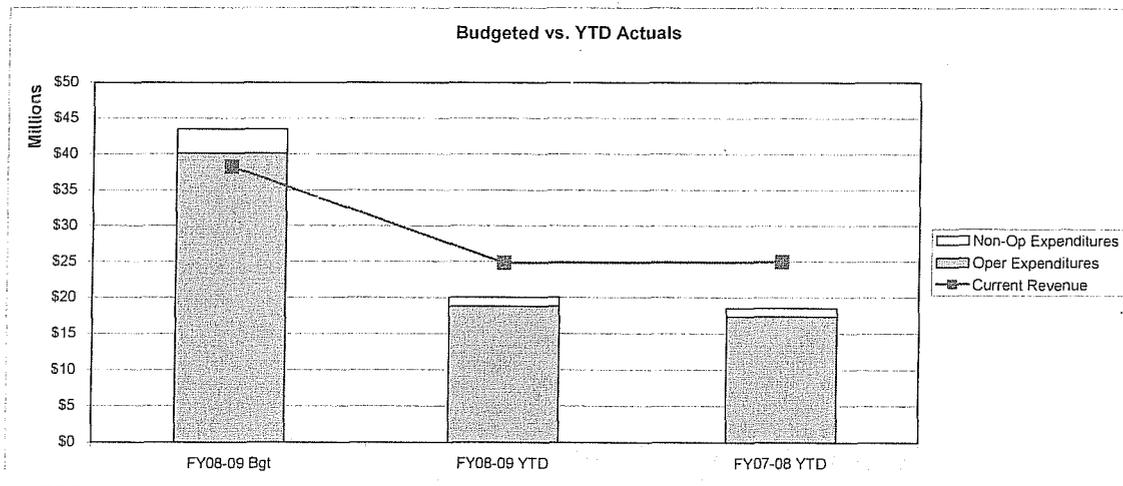
EXPENDITURE BY DEPARTMENT

Community Development	\$1,693,390	\$361,184	\$685,306	40.47%	\$299,709	\$641,909	43.31%
Finance	590,050	140,180	278,109	47.13%	128,917	253,068	48.32%
Fire	10,638,570	2,605,701	4,924,542	46.29%	2,146,723	4,312,774	46.10%
Library	6,140,510	1,466,096	3,072,808	50.04%	1,428,809	2,858,136	48.67%
Parks and Recreation	5,695,870	1,258,963	2,875,193	50.48%	1,136,201	2,705,607	49.27%
Police	9,411,427	2,325,433	4,629,240	49.19%	2,229,356	4,404,254	49.14%
Public Works	4,192,088	996,643	1,513,373	36.10%	801,456	1,397,316	26.74%
Non-Departmental	1,744,060	346,286	812,783	46.60%	364,578	801,440	55.04%
TOTAL OPERATING EXPENDITURES	\$40,105,965	\$9,500,486	\$18,791,355	46.85%	\$8,535,749	\$17,374,503	45.28%
Debt Service	\$0	\$0	\$0	0.00%	\$0	\$0	0.00%
Transfers	2,665,390	766,991	1,252,783	47.00%	768,897	1,167,202	55.64%
Contingencies/Reserves	727,050	0	0	0.00%	0	0	0.00%
TOTAL ALL EXPENDITURES	\$43,498,405	\$10,267,477	\$20,044,138	46.08%	\$9,304,646	\$18,541,705	44.85%

CURRENT REVENUE LESS

TOTAL EXPENDITURES	(\$5,312,630)	\$11,558,460	\$4,822,525		\$12,882,474	\$6,435,164	
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* Includes General, Parks & Recreation, Fire & Rescue, Transit and Library Funds



MEMORANDUM

March 6, 2009

TO: Administrative Services Committee

FROM: Nancy Brewer, Finance Director *NB*

SUBJECT: Financial Policy Update

I. Issue

To review and update the City's Financial Policies as attached.

II. Discussion

The City Council's Financial Policies are scheduled for review in the fall each year. The 2007 review was delayed until April 2008, based on a more comprehensive review of the Fund Balance policy at the behest of the Administrative Services Committee. The fall 2008 review was then delayed pending the November/December Budget Capacity discussion with the City Council. As such, this review is taking place in March as opposed to the fall.

The substantive changes proposed for the policies follow:

- Fund Balance (10.02.020): This section was the primary area focused on in the last update, with significant revisions to the Fund Balance Policy language. During the fall of 2008, the City Council held further discussions on budget capacity and different bases for fund balance levels, particularly in the Property Tax Funds combined. The City Council determined that an unrestricted fund balance (i.e., after reserves) which totaled at least three months of payroll costs was a valid and sufficiently conservative guideline to maintain. Furthermore, based on the organization's experience with conservative budgeting of both revenues and expenditures, it was deemed appropriate to derive a Historical Norming Adjustment (HNA) calculation approximately equal to the five-year average difference between budgeted and actual activity in the funds. After application of the HNA, any remaining difference above the three-month payroll balance should be available for spending as per the new policy language.

Staff is proposing amendments to the existing language to capture the decisions the City Council made in the Budget Capacity process in fall 2008.

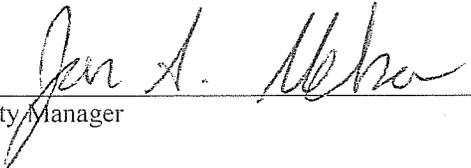
- Osborn Aquatics Center (OAC) subsidy (10.02.070.021): The Budget Commission approved adding a \$99,000 enhancement amount to the total subsidy level that OAC would otherwise have been receiving in FY 09-10 based on the historical 2% increase practice. As such, the new base level for OAC has risen to \$653,730. With this policy update, language has now been added to formalize Council discussions regarding the ability of Parks & Recreation to propose an increase to that subsidy each budget cycle by up to 7%. Any recommendation to increase the OAC subsidy by more than the prevailing 2% must be founded on specified drivers such as minimum wage increases or natural gas cost spikes or planned infrastructure maintenance, and the annual increase will be noted in the Budget Summary each year.
- General Obligation Debt (10.06.030.010): This policy language has been updated for the passage of Ballot Measure 56 in November 2008, to the effect that there is no longer a double-majority requirement in May elections. Property tax measures can now effectively be passed by a simple majority of voters in both May and November elections.

All other changes are primarily housekeeping in nature to better define existing language.

III. Requested Action

Review the attached policy, revise if necessary, and recommend the City Council adopt updated Financial Policies.

Review and Concur:



City Manager

FINANCIAL POLICIES

Adopted November 27, 1989

Last Revised April 21, 2008

CP 10.01 FINANCIAL POLICIES PURPOSE

10.01.010 Purpose

Primary among the responsibilities of the City of Corvallis to its citizens is the care of public funds and wise management of municipal finances while providing for the adequate funding of the services desired by the public and the maintenance of public facilities. These financial management policies, designed to ensure the fiscal stability of the City of Corvallis municipal corporation, shall guide the development and administration of the annual operating and capital budgets.

These financial policies address revenues, operating budget, capital improvement, accounting, debt management, risk management and investments.

10.01.020 Financial Policy Objectives

10.01.021 To protect the policy-making ability of the City Council by ensuring that important policy decisions are not controlled by financial problems or emergencies.

10.01.022 To enhance the policy-making ability of the City Council by providing accurate information on program costs.

10.01.023 To assist sound management of the City by providing accurate and timely information on financial condition.

10.01.024 To provide sound principles to guide the important decisions of the City Council and of management which have significant fiscal impact.

10.01.025 To set forth operational principles which minimize the cost of government and financial risk, and safeguard the City's assets.

10.01.026 To employ revenue policies which prevent undue or unbalanced reliance on certain revenues, which distribute the costs of municipal services fairly, and which provide adequate funds to operate desired programs.

10.01.027 To provide adequate resources to operate and maintain essential public facilities and the City's infrastructure.

10.01.028 To protect and enhance the City's credit rating and prevent default on any debt issue of the City.

10.01.029 To insure the legal use of all City funds through a sound system of administrative policies and internal controls.

10.01.030 Achieving Financial Policy Objectives

10.01.030.010 Annual Analysis

To achieve and maintain the aforementioned objectives, the Finance Department, at the direction of the City Manager, will conduct an annual analysis of projected financial condition and key financial indicators. This budget capacity analysis shall be reviewed by the Budget Commission and the City Council prior to the budget process.

10.01.030.020 Focus of the Analysis

It is the focus of this analysis to:

- a. identify the areas where the city is already reasonably strong in terms of protecting its financial condition;
- b. identify existing or emerging problems in revenue sources, management practices, infrastructure conditions, and future funding needs;
- c. forecast expenditures and revenues for the next three to seven years, with consideration given to such external factors as state and federal actions, the municipal bond market, management options being explored and used by other local governments; and
- d. review internal management actions taken during the last budget cycle.

10.01.040 Review & Update

The Financial Policies shall be reviewed by the Finance Director annually in November and updated as appropriate.

CP 10.02 REVENUE POLICIES

10.02.010 General Description

Policies dealing with taxes and the means whereby the City raises revenue to fund operations.

10.02.020 Fund Balance

10.02.020.010 Appropriate Fund Balance

Through the annual budget development process the Finance Director recommends the appropriate ending fund balance for each fund. The Finance Director shall take into account:

- a. the current fund balance;
- b. cash flow requirements;
- c. future capital needs;
- d. significant revenue and expenditure trends including the historical average rate of actual expenditures compared to budget for the fund (hereinafter referred to as the Historical Norming Adjustment or HNA);
- e. relative rate stability from year to year for enterprise funds;
- f. susceptibility of the fund to emergency or unanticipated expenditures;
- g. credit worthiness and capacity to support debt service requirements;
- h. legal or regulatory requirements affecting revenues, expenditures, and fund balances;
- i. reliability of outside revenues; and
- j. any other factors pertinent to that fund's operations.

The Budget Commission and City Council shall amend or approve the recommended appropriate fund balance through adoption of the annual budget.

10.02.020.020 Fund Balance Below Appropriate Fund Balance

10.02.020.021 Should the fund balance fall below the appropriate fund balance during the budget process, a plan for expenditure reductions and/or revenue increases shall be submitted to the City Council via the Administrative Services Committee or the Budget Commission.

10.02.020.022 If, at the end of a fiscal year, the audited fund balance falls below, the appropriate fund balance then the City shall develop a plan to restore the fund balance within the financial planning period.

10.02.020.030 Fund Balance Above Appropriate Fund Balance

In the event the projected ending fund balance is higher than an appropriate level, the City Council may decide to use some portion of the difference to fund the following activities:

- a. one-time capital expenditures which do not significantly increase ongoing City costs;
- b. other one-time costs; and
- c. ongoing or new City programs, provided such action is considered in the context of Council approved multi-year projections of revenue and expenditures.

10.02.020.040 Property Tax Funds Combined – Fund Balance

Prior to each year's initial Budget Commission meeting, the City Council shall review the Property Tax Funds – Combined fund balance for the purpose of determining whether resources exist to consider activities in 10.02.020.030. This review may include:

- a. ~~established determining at least a 5% the unreserved-unrestricted ending fund balance, including an and the potential ending fund balance that includes the HNA that approximates the five-year average difference between budgeted and actual revenues and expenditures.~~
- b. preserving sufficient fund balance to cover at least three months' payroll expenses for the combined funds.
- c. establishing the time period over which to allocate any surplus balance for one-time or ongoing service enhancements,
- d. reserving funds for future year commitments and assumption modeling (including the historical average rate of expenditures compared to budget for the fund) to determine if capacity exists based upon the third year Property Tax Funds -- Combined fund balance.

Results of this City Council review will be forwarded to the Budget Commission.

10.02.030 Sources of Revenue

10.02.030.010 Diversification

The City will strive to maintain a diversified and stable revenue system to shelter the government from short-run fluctuations in any one revenue source and ensure its ability to provide ongoing service.

10.02.030.020 Restricted Revenue

Restricted revenue shall only be used for the purposes legally permissible and in a fiscally responsible manner. Programs and services funded by restricted revenue will be clearly designated as such.

10.02.030.030 Intergovernmental Revenue

Intergovernmental revenue for capital improvements shall be used to finance only those capital improvements that are consistent with the capital improvement plan and local government priorities, and whose operation and maintenance costs have been included in operating budget forecasts. Intergovernmental revenue restricted for specific operating purposes will be expended consistent with those restrictions.

10.02.030.040 Reliance on Property Taxes

In preparing the proposed budget, the Finance Director shall make recommendations to the City Manager regarding options to reduce the City's reliance on property tax revenue.

10.02.030.050 One-Time Revenue

One-time revenue includes fund balances and grants which have a specific time limit and/or reason for expenditure. One-time revenue will be used for one-time expenses whenever possible. If one-time revenue is considered for ongoing expenditures (such as adding staff) the Budget Commission or City Council will balance the need for the additional ongoing expenditures with the on-going ability to pay prior to approving the program.

10.02.030.060 Unpredictable Revenue

Unpredictable revenue, which includes development related revenue such as Systems Development Charges (SDC), Public Improvement by Private Contractor fees, Development Review, Plan Review and Inspection Permit revenues, will be closely monitored through the year.

- a. Capital projects to be constructed with SDC monies will not be initiated until SDC revenue is available or another financing alternative is developed.
- b. Operations funded partially or wholly from unpredictable revenue will be monitored monthly and mitigating action will be taken if revenues are not received as expected.

10.02.040 Revenue Collection

The City shall manage its revenue collections through a policy that actively pursues collection of all revenues owed to the City.

10.02.050 Fees, Licenses, Permits & Misc. Items

10.02.050.010 Cost Recovery

All fees for licenses, permits, fines, and other miscellaneous charges other than Parks & Recreation and utility user charges shall be set to recover the City's direct expense in providing the attendant service. These fees shall be reviewed and reported to the Council's Administrative Services Committee by November in odd numbered years. A revenue manual listing all such fees and charges of the City shall be maintained by the Finance Department and updated concurrent with the biennial review.

10.02.050.020 Special Benefit Fees

A fee shall be charged for any service that benefits limited interests within the community, except for basic, unavoidable human needs type services provided to persons with limited ability to pay.

10.02.050.030 Hazardous Materials Fees

Fees for the direct costs of containment and cleanup of hazardous materials will be assessed to the responsible party for all hazardous material responses by any City department.

10.02.050.040 Alternate Funding Sources

Solicitation of funds through donations, fund raising events, non-traditional sources, and various other modes shall be encouraged by the Park and Recreation Advisory Board and other advisory committees. Funds collected for any special purpose shall be earmarked for that purpose.

10.02.050.050 Tax and Fee Exemptions

The City Council does not give tax or fee exemptions. For certain social service or affordable housing type projects, the City Council may vote to pay fees or back taxes.

10.02.050.060 Systems Development Charges

Systems Development Charges (SDC) are set to cover the growth related costs of infrastructure necessary to provide services for future growth. The list of projects eligible for SDC funding shall be updated when facility plans are updated or at least every five years, beginning in 2005, and will be done at all other times to coincide with major updates of infrastructure facility plans. The overall SDC program methodology and population

service scenario shall be reviewed at least every ten years beginning in 2010.

10.02.060 Utility Fees (Water, Wastewater, Storm Water)

10.02.060.010 Utility Fee Basis

Utility user charges for each of the three City utilities will be based on the cost of providing the service (i.e., set to fully support the total direct, indirect, and capital costs) and are established so that the operating revenues of each utility are at least equal to its operating expenditures, reserves, debt coverage and annual debt service obligations, and planned replacement of the utility's facilities.

10.02.060.020 Annual Rate Review

Staff shall conduct an annual comprehensive rate review each fall for the Water, Wastewater and Storm Water funds for Council review. Rate increases will be targeted for implementation in February. Every effort shall be made to index/limit rate increases for the entire utility bill (water, wastewater, and storm water) to the rate of inflation (estimated at 2% to 3%) but not more than 7% in any one year unless federal or state mandate, judgment arising out of litigation, or Council approved policy needs dictate otherwise.

10.02.060.030 Rate Adoption

Utility rates will be adopted by ordinance and will be recorded in the Corvallis Municipal Code.

10.02.060.040 Franchise Fees

The City's Water, Wastewater, and Storm Water utilities will pay a franchise fee to the City's General Fund to compensate for the use of the public right-of-way. The franchise fee will be equal to 5% of the utility's gross operating revenue each year, net of interest, intergovernmental monies, miscellaneous water service fees, permit fees, SDCs, late-payment penalties, and turn-on service fees.

10.02.070 Parks and Recreation Department Fees

10.02.070.010 Cost Recovery

Parks and Recreation programs are funded through a combination of user fees, property taxes, grants, and donations. Fees and charges shall be assessed in an equitable manner in accordance with the following fee and charge assessment schedule. Programs that provide recreational opportunities for populations with the fewest

recreational alternatives (youth, limited income, senior adults, and families) will be more heavily supported by grants, donations, or property taxes than user fees to ensure that the population is well served by Parks & Recreation programs. Percentages shall be considered as guidelines; however, special circumstances, the nature and cost of each program, and persons to be served should be taken into consideration.

a. total fee support (recover a minimum of 95% of direct costs)

- special instruction classes (all ages)
- recreation trips and outings
- adult sports leagues
- major events which charge admission

b. partial fee support (recover 50% to 75% of direct costs)

- outdoor recreation
- preschool programs/introduction
- child care oriented programs
- senior citizen programs

c. minimum fee support (recover 33% to 50% of direct costs)

- youth programs and events
- playground programs

10.02.070.020 Osborn Aquatics Center Fees

The Osborn Aquatics Center direct costs are funded through fees charged for its usage plus a subsidy from property tax monies received in the Parks & Recreation Fund. The Aquatics Center shall pay its share of the general indirect costs charged to all City departments for centralized administrative functions.

10.02.070.021 The City's subsidy will be set at ~~\$383,620~~653,730 in FY 04-059-10, and will increase by 2% to 7% annually thereafter, ~~unless subject to a staff analysis and recommendation regarding specific cost drivers (i.e. energy costs, minimum wage increases, infrastructure maintenance requirements); the actual rate of increase in the subsidy will be included in the Budget Summary each year the City Council revises this policy.~~ All costs in excess of this subsidy will be fee supported.

10.02.070.022 Fees for annual passes, open swim periods, instructional classes, etc. will be set to meet revenue requirements of the Aquatic Center, less all other revenue including the Parks & Recreation subsidy, rentals and concessions. Where possible fees will be comparable to similar publicly owned facilities in Oregon, taking into account the additional amenities offered at Osborn.

10.02.070.023 Rental fees for group usage (i.e., Corvallis Aquatic Team) shall be negotiated at a

minimum of a 100% cost recovery rate or the rate of inflation based on the CPI-U whichever is greater.

10.02.070.024 Rental fees for group usage (i.e., Corvallis Aquatic Team) shall be set at negotiated rates for the first year of operation, then will increase at the negotiated rate or the rate of inflation based on the CPI-U.

10.02.070.025 Prices for concessions operated by the City shall be set at the wholesale price of the item plus at least 100%. Income from contracted concession services shall be determined based on the negotiated agreement between the City and the concessionaire. All monies from concessions will be used for operations at the Aquatics Center.

10.02.070.030 Rate Review

The Park and Recreation Department shall conduct an annual comprehensive review of rates including Osborn Aquatic Center rates. The Park and Recreation Advisory Board shall recommend to the City Council, via the Human Service Committee, any alterations or adjustments necessary in specific fees and/or charges to reflect service demand changes, the ability of users to support the demand, and concerns for other City operations.

10.02.070.040 Use of Volunteers

Through an aggressive volunteer recruitment program, the Parks and Recreation Department shall seek to minimize the subsidy required for partial and minimum fee support programs.

10.02.080 Ambulance Fees

10.02.080.010 Policy

It is the intent of the City to provide responsive, efficient and self-funded emergency medical services as the Benton County designated service provider to the Benton County Ambulance Service Area, including all residents of the City.

10.02.080.020 Procedures for Rate Changes

- a. Staff shall review ambulance rates annually no later than February 28 to ensure the rates reflect changes in the direct costs of service. In reviewing rates, staff will consider the historic and projected costs of service, service demands, changes in fixed and variable costs, market rates, and changes in service requirements or mandates. The City shall notify Benton County of proposed fee increases or

decreases at the beginning of the City's formal budget review process.

- b. Proposed rate changes will be submitted to the City Council via the Administrative Services Committee for review and recommendation to the full Council no later than April 1 of each year. If no rate change is recommended, staff will note the fact in a Council Report.

- c. The Council shall adopt rate adjustments by resolution. Following Council adoption, the new rates will go into effect by July 1 of each fiscal year.

- d. Notification will be issued to the public 30 days prior to the July 1 deadline. Customers will be notified of rate changes via advertisements in the local newspaper.

10.02.080.030 Special Rate Reviews

If, at any time during the fiscal year, estimated costs of service exceed available revenue, the City Manager may conduct a special rate review. In conducting such reviews the City Manager would follow the above procedures. In this instance, rate adjustments could take place at any time within the fiscal year, with 30 days' public notice.

0.02.090 Grants

10.02.090.010 Grant Opportunities

The City shall aggressively pursue grant opportunities; however, before accepting grants, the City will consider the current and future implications of accepting the monies.

10.02.090.020 Federal Funds

Federal funds shall be actively sought. The City will use these funds to further the applicable national program goal. Because federal funds are not a guaranteed revenue source and are intended for a specific purpose, they will not be relied upon as an alternative source of capital improvement funds unless the federal grant is specifically for capital projects. Use of federal funds shall not have a negative effect on any City fund.

10.02.090.030 Grant Review

In reviewing grants the department director and Finance Director shall evaluate each grant offer and make their recommendation to the City Manager after considering:

- a. the amount of the matching funds required;

- b. in-kind services that are to be provided;
- c. length of grant and consequential disposition of service (i.e., is the City obliged to continue the service after the grant has ended?); and,
- d. the related expenditures including administration, record keeping, and auditing expenditures.

10.02.090.040 Single Audit

The annual audit by the City's independent auditors will include all required audit procedures for grant compliance as specified in the federal government's OMB Circular A-133.

10.02.100 Gifts, Donations and Bequests

10.02.100.010 Use of Gifts, Donations & Bequests

Gifts, donations and/or bequests given to, and accepted by, the City for the use of any of its departments or divisions shall be used solely for the purpose intended by the donor. Unrestricted gifts will be expended on the recommendation of the related advisory board.

10.02.100.020 Evaluation

Gifts, donations, and bequests will be evaluated to determine what, if any, obligations are to be placed upon the City. Gifts, donations, and bequests will be considered as "over and above" basic City appropriations.

10.02.100.030 Permanent Fund Expenditures

Permanent Fund expenditures shall carry the approval of the related advisory board before execution by City staff.

10.02.100.040 Auditing

Gifts, donations and bequests may be audited by the City's external auditors. Revenues and expenditures relating to gifts, donations and bequests shall be recorded in compliance with generally accepted accounting principles.

10.02.110 Transfers

10.02.110.010 General Fund Transfers

To the maximum extent feasible and appropriate, General Fund transfers to other funds shall be defined as payments intended for the support of specific programs or services. Amounts not needed to support such specific program or service expenditures shall be transferred back to the General Fund, unless Council directs the transfer to be used for other purposes.

10.02.110.020 Transfer Reconciliation & Cash Flow

Transfers for specific programs or projects, or to support special operations, should occur on the basis of cash flow needs of the program or service being supported. A reconciliation of actual transfers against budgeted transfers will be included in the year-end audit process.

10.02.110.030 Advances

Where it is necessary to make a one-time advance of General Fund monies to another fund, this action shall occur under the following conditions:

- a. The advance is reviewed, prior to the transfer of funds, by the Administrative Service Committee.
- b. All excess cash balances in the fund receiving the advance shall be invested for the benefit of the General Fund, if allowed by federal and state law and regulations, as long as the advance is outstanding.
- c. Should the borrowing fund accumulate an unexpected unrestricted balance, this excess shall be used first to repay the advance.
- d. At the time of closing out the fund, assets net of liabilities of the fund equaling the unpaid portion of the advance revert to the General Fund, if allowed by federal, state or local law.
- e. For short-term cash deficits in funds other than the General Fund during the course of the year, short-term loans are preferred to advances, except in cases where the receiving fund is legally precluded from paying interest on loans, or where loan transactions would be too numerous and costly to be cost effective.

10.02.120 Property Tax Allocations

10.02.120.010 Background

The property tax base was approved as a charter amendment by Corvallis voters to support the general services of the City. Additional tax levies to support fire operations and equipment purchases, street and road maintenance, recreation programs, and parks maintenance were approved as special charter amendments as early as 1909. Temporary levies were approved and re-approved for transit (first approved in 1980) and the Arts Center (first approved in 1970). Monies from these tax levies were segregated into the General, Street, Fire & Rescue, Parks & Recreation, Transit, and Special Levies (Arts Center) Funds and were combined with other revenues in each fund to provide the resources necessary to maintain services to the community.

The statutory authority to levy property taxes by individual levy was removed through the passage of a constitutional amendment, and its implementing legislation, known as Measure 50. Measure 50 has resulted in a single property tax rate and has overridden the requirement that monies be segregated according to the charter. Local option levies for one to ten years in length can be approved by voters to fund operations. The five property tax funds remain segregated due to other dedicated revenue sources for specific programs in those funds.

10.02.120.020 Council Findings

10.02.120.021 Allocations of property taxes which follow the Charter approved proportions of the total levy would result in some funds incurring costs which exceed their revenues.

10.02.120.022 The projections of combined revenues and expenditures for all property tax supported funds indicates that a reallocation of property tax monies between funds would result in the ability to fund all operations and capital projects currently included in the seven-year financial and business plans for the next fiscal year.

10.02.120.023 If a local option levy is needed, the City Council shall weigh the services to be funded by a levy and determine whether it is better to go for a general levy or a special levy focused on certain service areas.

10.02.120.024 The Arts Center allocation shall remain at 0.45% of the total property taxes received.

10.02.120.030 Basis for Determining the Allocations

10.02.120.031 An analysis of the financial status of all property tax funds shall be reviewed by the City Council each year prior to the update of these financial policies to ensure that the allocations are adequate to support Council approved operating costs identified in:

- a. Capital Improvement Plans;
- b. ~~Seven-year~~ Financial plans;
- c. Department business plans; or
- d. Master plans.

10.02.120.032 Program enhancements or new programs which are presented to the City Council or Budget Commission for review shall include an analysis of the impact of the new/enhanced program on the property tax allocation policy.

10.02.120.033 New revenue sources which could reduce the reliance on property taxes will continue to be sought, but will not necessarily result in a reduction of property taxes to the fund unless the new revenue is adequate to address all of the financial and business plans within the fund.

10.02.120.040 Allocation

Property taxes are allocated annually according to the Budget Commission and City Council direction through the annual budget process.

10.02.120.050 Stability

Every effort shall be made to hold the property tax allocation rates stable for a minimum of two years to improve long-term financial planning and fiscal stability.

CP 10.03 OPERATING BUDGET POLICIES

10.03.010 General Description

Policies dealing with the expenditure of the operating budget.

10.03.020 Operating Budget -- Pay-As-You-Go

10.03.020.010 Pay-As-You-Go

The City shall attempt to conduct its operations from existing or foreseeable revenue sources. Achieving pay-as-you-go requires the following practices:

- a. current direct and indirect costs for operations and maintenance will be controlled and will be funded with current revenues, and
- b. revenue and expenditure forecasts will be prepared annually for all operating funds prior to budget discussions.

10.03.020.020 Cost Allocation Plan

The Finance Director shall prepare a full cost allocation plan ~~triennially-annually~~ to provide accurate, complete estimates of indirect service costs. The plan will be updated annually during budget development.

10.03.020.030 Mandated Costs

Costs attributable to mandates of other government agencies shall be included in the annual budget.

10.03.030 Budget Balance

The Finance Director will prepare a budget for each fund each year where resources on a modified accrual basis either equal or exceed all expenditures in the City Council Adopted Budget in compliance with Oregon Administrative Rule 150-294.

- a. Resources available include all revenue anticipated in the budget year, including taxes, fees, charges for service, fines, intergovernmental payments, miscellaneous revenue, transfers, other financing sources, expendable reserves, and beginning fund balances.
- b. Expenditures include all planned expenditures for operations, inter-fund transfers, capital budget, debt service, Council Reserves and contingencies.

10.03.040 Budget Performance Reporting

10.03.040.010 Quarterly Reports

The Finance Director shall submit a Quarterly Operating Report (QOR) to the Budget Commission within 45 days of the close of the fiscal quarter. The QOR will be reviewed by the Administrative Services Committee and be accepted by the City Council. At a minimum, the QOR will include income statements for all operating funds of the City, and may include other information such as the status of the City Council's Values and Goals and departmental performance information.

10.03.040.020 Performance Indicators

Where practical, the City shall develop and employ performance indicators that are tied to Council values and goals, as well as management objectives, to be included in the budget.

10.03.050 Maintenance, Repair & Replacement

10.03.050.010 Master Plans

The City shall maintain master plans for all major infrastructure systems. Master plans provide direction about system needs (such as pipe size and reservoir locations) for predicted population build out of the community. Infrastructure master plans are required for Parks, Transportation, Water Plant, Water Distribution system, Wastewater Plant, Wastewater Collection system, Storm Water system, and the Airport. The master plans shall be adopted by the City Council as amendments to the City's Comprehensive Plan.

Projects identified via an infrastructure master plan will be scheduled based on the priority of the project as

identified in the master plan and will be budgeted in the Capital Improvement Program (CIP) when resources are available to implement the project.

10.03.050.020 Annual Inventory

The City will conduct an inventory of all fixed assets in conjunction with the annual audit. During the inventory, any excess wear and tear will be noted by staff and used to update replacement plans during the following budget preparation cycle.

10.03.050.030 Equipment Replacement Plans

Assets which are not part of a major infrastructure system or buildings and land, including vehicles, computers, and specialized equipment required for normal work (i.e., defibrillators, bullet proof vests), will be tracked by each department with replacement plans made for at least the next seven years. These schedules will be updated annually in conjunction with the budget process.

Every effort will be made to develop an equipment replacement schedule that results in a stable annual spending level. If spending levels cannot be stable, staff will set aside in reserves an equal amount each year adequate to fully fund the project in the future.

Consideration for scheduling replacement shall include:

- a. Age of the asset and its manufacturer's recommended useful life;
- b. Wear and tear on the asset;
- c. Environmental conditions which may shorten or lengthen the useful life of the asset;
- d. The cost/benefit to complete routine maintenance and delay replacement; and
- e. The cost/benefit of early replacement with more efficient and/or less expensive technology.

10.03.050.040 Facility Maintenance

The seven-year facility maintenance schedule for major maintenance or replacement projects for all City-owned buildings will be updated annually. The primary goal of the plan is to complete maintenance projects prior to system failures that would cause a decrease in service levels to citizens. Criteria for including projects are the same as those identified in 10.03.050.030.

10.03.050.050 Maintenance Costs from the CIP

Projects included in the proposed CIP will identify the anticipated operating costs or savings associated with the project. Operating costs from CIP projects will be

included in the seven-year financial plan for the appropriate fund prior to approval of the CIP by the CIP Commission, Budget Commission or City Council.

10.03.060 Personal Services

10.03.060.010 Compensation Rates

The City of Corvallis shall strive to pay fair total compensation to its employees, in balance with the City's reasonable ability to pay and to provide services to the community in accordance with City Council goals and priorities. Total compensation includes both salary and fringe benefit levels. The City Council has adopted Council Policy 91-3.02 which identifies how total compensation rates will be determined.

10.03.060.020 Compensation Survey

The City shall conduct compensation surveys, both internally and of similar positions in comparable cities as necessary. These surveys shall be the basis for determining fair total compensation in accord with Council Policy and state law.

10.03.060.030 Work Force Changes

The City's work force, measured in FTE (full time equivalent) shall not fluctuate more than 2% annually without corresponding changes in service levels or scope.

10.03.060.040 Cost Analysis

In establishing pay rates a cost analysis of rate increases will be conducted and shall include the effect of such increases on the City's share of related fringe benefits and unfunded liabilities (including non-salary related benefits), impact on total compensation, the City's ability to pay, and the reasonable cost to provide City services in accordance with City Council goals and priorities.

10.03.060.050 Benefits

Long term costs of changes in benefit packages shall be estimated as well as their impact on total compensation, and this information shall be fully disclosed to the City Council before negotiated labor agreements are affirmed. Benefits are considered in the context of total compensation, the City's ability to pay, and the reasonable cost of providing City services.

10.03.070 Contingency

10.03.070.010 Contingency Amount

To meet emergency conditions, the budget shall provide for an appropriated contingency of at least 2% of estimated annual operating revenues. All governmental and enterprise funds shall maintain a contingency. The contingency shall be exclusive of all reserves.

10.03.070.020 Contingency Use

Use of the contingency should be infrequent and for unanticipated expenditures such as costs associated with a response to a disaster, or to meet unanticipated increases in service delivery costs. The City Council must authorize expenditure of any contingencies via a resolution.

10.03.070.020 Contingency in Excess of 2%

The Finance Director may recommend a contingency in excess of 2% of current revenue in specific funds to address specific needs. When this occurs, the Finance Director will provide the Budget Commission and City Council with information regarding the reasons for the recommendation.

10.03.070.030 Contingency Below 2%

Where correction of a fund balance deficit causes the contingency to be budgeted below 2% of operating revenue, a gradual correction of the problem over a two year period is preferable to a one-time jump in rates, or substantial decreases in other expenditure plans.

CP 10.04 CAPITAL IMPROVEMENT POLICIES

10.04.010 General Description

Policies relating to the five-year capital improvement program and special funds necessary to address particular needs of the community.

10.04.020 Capital Improvement Program

10.04.020.010 Definition of a Capital Project

A capital project must:

- a. Cost more than \$10,000, and
- b. be a permanent addition to the fixed assets of the City, and
- c. purchase land, or
- d. construct a new building, or
- e. remodel or add to an existing building, or

- f. construct/install public infrastructure, or
- g. replace existing infrastructure.

For any project which meets the definition of a capital project, all costs for the project including design, land or right-of-way acquisition, appraisals, construction, construction management, furnishings, and legal or administrative costs will be included in the project budget.

10.04.020.020 Five-year CIP

A five-year Capital Improvement Plan (CIP) shall be developed and presented annually by staff to the CIP Commission, reviewed by the Planning Commission for compliance with the comprehensive plan, reviewed by the Budget Commission for compliance with long-term financial plans, and approved by the City Council. This plan shall contain all capital improvements from all funds and departments of the City. The first year of the plan shall constitute the next year's capital budget.

10.04.020.030 Existing Assets

A high priority shall be placed on repair or replacement of capital assets when such assets have deteriorated to the point of becoming hazardous, incur high maintenance costs, are negatively affecting property values, and/or are no longer functionally serving their intended purposes.

10.04.020.040 Construction Standards

Capital improvements constructed in the City shall be designed and ~~constructed~~ built based on published construction standards which shall be periodically updated by the City Engineer. The construction standards will assure projects are built with an acceptable useful life and minimum maintenance costs.

10.04.030 Intergovernmental Assistance

Intergovernmental revenue, unless restricted for use to operating purposes by the granting agency, shall be used to finance only those capital improvements that are consistent with the capital improvement plan and local government priorities, and whose operations and maintenance costs have been included in operating budget forecasts.

10.04.040 Capital Improvement Maintenance

10.04.040.010 Maintenance Standards

Standards of maintenance to adequately protect the City's capital investments shall be developed and

periodically updated. The annual budget will be prepared to meet established maintenance schedules.

10.04.040.020 Operating Budget Impacts

Future operating budget impacts for new capital facilities will be analyzed and included in the seven-year financial plans as part of considering a proposed capital project.

10.04.050 Capital Improvement Financing

10.04.050.010 Appropriate Funding

Within the limitation of existing law, various funding sources may be used for capital improvements. When capital projects are proposed, appropriate funding will be identified.

10.04.050.020 Unspent Funds

Upon completion of capital projects, the Finance Director shall certify any unspent funds from the project. The most restrictive project revenues shall be used first so that unused funds will have the fewest restrictions on future use. Unspent capital project funds, except bond funds, shall be returned to their original source. If there are unspent funds from a bond issue, those monies will be allocated according to stipulations in the bond indenture. In no case shall projects incur a funding deficit without the express approval of the City Council.

10.04.050.030 Interest Earnings in the Capital Construction Fund (governmental fund)

10.04.050.031 Interest earnings shall be allocated to each project based on the project's proportion of the cash balance in the fund. Projects which have a negative cash balance due to timing of reimbursements of grants or loans will not accrue interest revenue or an interest expense.

10.04.050.032 Interest earnings which are restricted due to the funding source (i.e., grant, bond issue) shall be spent in compliance with those restrictions.

10.04.050.033 Interest earnings not otherwise limited will be considered the most restricted City funds in the project and will be spent first in compliance with Financial Policy 10.04.050.020.

10.04.050.040 Interest Earnings in the Proprietary Fund Construction Components

10.04.050.041 Interest earnings which are restricted due to the funding source (i.e., grant, bond issue) shall be spent in compliance with those restrictions.

10.04.050.042 All non-restricted interest earnings will be accrued to the operating fund and will be available to spend on either operations or future capital projects.

CP 10.05 ACCOUNTING POLICIES

10.05.010 General Description

Policies relating to financial accountability, reporting, and the system that the City utilizes in accounting for its financial transactions.

10.05.020 Internal Controls

The City shall establish and maintain a process that is designed to provide reasonable assurance that the City is achieving the following objectives:

- a. effective and efficient operations,
- b. reliable and accurate financial information,
- c. compliance with applicable laws and regulations, and
- d. safeguarding assets against unauthorized acquisition, use, or disposition.

10.05.030 Financial System

10.05.030.010 Purpose of the Financial System

The financial system shall be used as the means of recording and reporting financial transactions in a way that will assist users in assessing the service efforts, costs and accomplishments of the City.

10.05.030.020 Financial System Characteristics

The City's accounting and reporting system shall demonstrate the following characteristics:

- a. reliability,
- b. accuracy,
- c. consistency,
- d. timeliness,
- e. efficiency,
- f. responsiveness,
- g. compliance with legal requirements, and
- h. compliance with generally accepted accounting principles (GAAP).

10.05.030.030 Funds

By Council resolution, the City shall establish and maintain only those funds that are necessary by law and for sound financial administration. The funds shall be

structured in a manner consistent with GAAP, to maximize the City's ability to audit, measure and evaluate financial performance. The fund structure will be reviewed annually and the Finance Director will recommend changes to improve compliance with Council policies, financial planning, resource allocation and service delivery will be made to the City Manager at the beginning of the annual budget process.

10.05.030.040 Chart of Accounts

The City shall establish and maintain a chart of accounts that is consistent with external financial reporting requirements while meeting the information needs of Corvallis citizens and the budgetary and reporting needs of City management and staff.

10.05.040 External Financial Reporting

10.05.040.010 Comprehensive Annual Financial Report (CAFR)

The City shall annually prepare and publish, by December 31st of each year, a Comprehensive Annual Financial Report (CAFR) in conformity with generally accepted accounting principles. The CAFR shall include but not be limited to:

- a. an explanation of the nature of the reporting entity,
- b. the extent of activities conducted by the City,
- c. comparison of actual activity to adopted budget,
- d. an explanation of the City's fiscal capacity,
- e. disclosure of short and long term liabilities of the City,
- f. fixed assets reporting,
- g. cash policies and compliance reporting,
- h. accounting policies, controls and management responsibilities, and
- i. all other disclosures required by GAAP.

10.05.040.020 Annual Audit

The City shall hire an independent external auditor to perform an annual audit of the financial statements, including tests of the internal controls. It is the City's objective that the financial statements receive an unqualified opinion, an opinion in which the auditor can state, without reservation, that the financial statements are fairly presented in conformity with GAAP.

CP 10.06 DEBT POLICIES

10.06.010 General Description

Policies relating to the long-term financing of the City's capital improvement program.

10.06.020 Use of Debt Financing

10.06.020.010 Long-term Debt

The City of Corvallis shall only use long-term debt for capital projects that cannot be financed out of current revenues within the Revenue Policy guidelines for rate increases. Debt financing shall generally be limited to one-time capital improvement projects and only under the following circumstances:

- a. when the project's useful life is greater than or equal to the term of the financing;
- b. when project revenue or specific resources will be sufficient to service the debt; and,
- c. when the project will benefit the citizens of Corvallis.

10.06.020.020 Use of Debt Financing

Debt financing shall not be considered appropriate for:

- a. Current operating and maintenance expenses (except for issuing short-term instruments such as revenue anticipation notes or tax anticipation notes); and
- b. Any recurring purpose (except as indicated above).

10.06.020.030 Tax/Revenue/Bond Anticipation Notes

Tax and revenue anticipation debt will be retired within the fiscal year issued, and bond anticipation notes will be retired no later than six months after the completion of the project.

10.06.020.040 Short-term Debt

Short-term debt outstanding at the end of the year will not exceed 5% of net operating revenues (including tax anticipation notes but excluding bond anticipation notes.)

10.06.030 Limits on Debt Issuance

10.06.030.010 Vote to Issue General Obligation Debt

The issuance of general obligation bonds requires an affirmative vote of a majority of electors voting. Constitutional limitations implemented by Measure 50 address voter requirements. For general elections

(~~November in even-numbered years~~) elections in May and November a simple majority of votes is required. For all other elections, a simple majority of registered voters must vote in the election, and of those voting a simple majority must vote affirmatively.

10.06.030.020 Statutory General Obligation Bond Debt Limits

Oregon Revised Statutes chapters 287 and 288 limit the outstanding general obligation principal indebtedness of the City other than bonds issued for water, sanitary or storm sewers to 3% of the true cash value of the taxable property within the City.

10.06.030.030 Council Imposed Debt Limits

The annual general obligation debt service for long-term issues (*greater than five years*), where the debt service is paid from property tax sources, shall not exceed 15% of the combined operating and capital budgets in the Governmental funds.

10.06.030.040 Limited Tax General Obligation Bonds

The outstanding principal debt for Limited Tax General Obligation Bonds (LTGO), non-self-supporting leases, and full faith and credit lease purchases, is limited to 1% of the true cash value of the taxable property in the City. Furthermore, annual debt payments shall not exceed 5% of the combined operating and capital budgets in the Governmental Funds.

10.06.030.050 Revenue Bonds

Revenue secured debt obligations will be undertaken only after a study of the projected operating, maintenance, debt service and coverage requirements and the impact of these requirements on user rates has been completed. The outcome of the study will be shared with the City Council prior to issuing the debt.

10.06.040 Debt Issuance

10.06.040.010 Timing of Debt Issuance

The timing for each debt issue in association with the construction schedule will be carefully considered. Staff will consider the following:

- a. Projected cash flow requirements for the capital project;
- b. Cash reserves on hand to temporarily fund preliminary project expenses;
- c. Spend down schedules identified by the IRS to meet arbitrage limitations; and

d. Market conditions.

10.06.040.020 Competitive Sale

All bonds will be sold at competitive sale unless it is in the City's best interest to sell at a negotiated sale. The City reserves the right to reject any and all bids at a competitive sale and sell the bonds at a negotiated sale if it is in the best interest of the City of Corvallis to do so.

10.06.040.030 Refunding Bonds

Refunding bonds may be authorized by the City Council providing the issuance complies with the rules adopted by the State Treasurer and outlined in Oregon Revised Statutes.

10.06.040.040 Annual Debt Payment Limits

To maintain the City's credit rating and expenditure flexibility, the annual debt service payments the City must make on net direct long-term general obligation debt shall not exceed 10% of operating revenue. To achieve this goal, on a per issue basis, the City will structure its debt to pay no less than 33% of the principal on bonds sold during the first half of the repayment term.

10.06.040.050 Overlapping Debt

City staff shall endeavor to notify the City Council of the debt issuance plans of the City's overlapping taxing jurisdictions and the possible impact such debt plans may have on the City's debt capacity.

10.06.040.060 Investment of Bond Proceeds

Receipt of bond proceeds will be timed to occur in conjunction with construction. However, it is acknowledged that in most cases bond proceeds will not be fully expended as soon as they are received. The City shall invest the proceeds from debt issuance in the legally authorized investment instruments for local governments in Oregon to maximize interest earnings available for the capital project. Prior to choosing an investment instrument, staff will take into consideration projected cash flow of the project and the likelihood that Internal Revenue Service (IRS) spend down targets will be met or exceeded. The investment instrument(s) shall be chosen to maximize interest earnings and minimize any arbitrage penalties which may accrue within the established IRS regulations.

10.06.050 Leasing

Lease purchase financing shall be considered only when the useful life of the item is equal to or greater than the length of the lease, and a lease purchase is the most economical method of purchasing available. If the item may become technologically obsolete or is likely to require major repair during the lease purchase period, then the item should be either purchased with cash or placed on an operating lease.

10.06.060 Rating Agency Relationship

10.06.060.010 Reporting

The City shall maintain good communication with bond rating agencies about its financial condition. The City will follow a policy of full disclosure on every financial report and bond prospectus.

10.06.060.020 Compliance with SEC Rules

The City will comply with all aspects of the Securities and Exchange Commission rule 15c2-12 pertaining to secondary market disclosure.

10.06.070 Debt Management Plan

10.06.070.010 Debt Management Plan

A Comprehensive Debt Management Plan shall be developed and updated prior to the issuance of any additional debt. The Comprehensive Debt Management Plan shall encompass all debt of the City including, but not limited to:

- a. detail of the sources of funding for all debt;
- b. current and future debt capacity analysis;
- c. issues to be addressed for sound debt management;
- d. a contingency debt plan should any of the funding sources become unavailable in the foreseeable future; and
- e. reporting as to the City's compliance with its debt policies.

10.06.070.020 Review

The Administrative Services Committee shall review the Comprehensive Debt Management Plan prior to the issuance of new debt and any recommendations made therein.

CP 10.07 RISK MANAGEMENT POLICIES

10.07.010 General Description

Policies related to managing the financial risks of the City.

10.07.020 Risk Management Report

The City Manager shall annually prepare a Comprehensive Risk Management Report, including but not limited to:

- a. a summary of the past year's risk management claims,
- b. an identification of current and potential liability risks or activities potentially impacting the City's finances,
- c. specific strategies to address the risks identified, and
- d. a summary of the past year's safety and violence in the workplace activities.

10.07.030 Risk Management Program

The City shall implement and maintain a Risk Management program designed to decrease exposure to risk. At a minimum, the program shall include:

- a. a safety program that emphasizes reducing risks through training and safe work habits,
- b. an annual examination of the City's insurance program to evaluate how much risk the City should assume, and
- c. other risk management activities, including review of all City contracts with respect to indemnification and insurance provisions.

10.07.040 Risk Management Fund

10.07.040.010 Purpose

The Risk Management Fund shall be used to provide for insurance coverages, uninsured losses in excess of \$250, safety program expenses, and prudent reserves, contingencies and fund balances.

10.07.040.020 Catastrophic Reserves

The targeted balance for unappropriated catastrophic reserves shall be \$450,000 each year. Appropriated catastrophic reserves which are drawn down will be rebuilt the following fiscal year. Unappropriated catastrophic reserves which are drawn down below the recommended target will be re-built at the rate of \$100,000 per year, or sooner if practical.

10.07.040.030 Unreserved Fund Balance Target

The unreserved fund balance target for the Risk Management Fund shall be \$40,000. Should the ending fund balance drop below \$40,000 in any fiscal year, it will be re-built the following year. Ending unreserved balances in excess of \$40,000 will be used as a dividend to departments if the catastrophic reserves are fully funded or can be used as funding for additional expenditures in the safety program as directed by the City Manager and appropriated within the following budget year. If the excess is used as a dividend to departments, the funds will be returned to departments based on experience.

CP 10.08 INVESTMENT POLICIES

10.08.010 General Description

Policies relating to the investment of City funds.

10.08.020 Purpose

It is the purpose of these investment policies to establish and provide guidelines for the safe and efficient management of City funds, and the purchase and sale of investment instruments. The goal is to minimize risk and ensure the availability of cash to meet expenditures, while minimizing idle funds.

10.08.030 Scope

10.08.030.010 Application of Policy

These investment policies apply to all cash-related assets within the scope of the City's audited financial statements and held directly by the City. Funds held and invested by trustees or fiscal agents are excluded from these policies; however, such funds are subject to regulations established by the State of Oregon.

10.08.030.020 Pooled Cash

The City of Corvallis will make use of pooled cash to invest under the prudent investor rule. The rule states "Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment considering the probable safety of their capital as well as the probable income to be derived."

10.08.040 Objectives

The City's investment objectives are:

- a. Preservation of capital and the protection of investment principal,
- b. Conformance with federal, state and other legal requirements,
- c. Maintenance of sufficient liquidity to meet operating requirements,
- d. Diversification to avoid incurring unreasonable risks regarding specific security types or individual financial institutions,
- e. Attainment of a market rate of return throughout budgetary and economic cycles,
- f. Investment purchases made with the intent to hold until maturity.

10.08.050 Responsibility

10.08.050.010 Authority

The authority for investing City funds is vested with the City Manager, who, in turn, may designate the Finance Director as Treasurer to manage the day-to-day operations of the City's investment portfolio, place purchase and sell orders with dealers and financial institutions, and prepare reports as required.

10.08.050.020 Investment Council

To assist the City Manager in carrying out this management responsibility for the investment program, the Investment Council has been created. The Investment Council shall be composed of the City Manager, the Finance Director, the City Attorney, and a citizen of the City of proven integrity and business ability. The City Council President, or the Council Vice-President if the Council President is unable to serve, shall serve ex-officio as a voting member.

10.08.050.030 Investment Council Charge

The Investment Council is responsible for providing advice with respect to the investment decisions, activities, and establishment of written procedures for the investment operations. Monitoring of the portfolio shall be performed by the Investment Council at least quarterly and verified by the City's independent auditor at least annually. The Investment Council shall review investment reports, investment strategies, investment holdings, banking relationships, and the legality and probity of investment activities.

10.08.050.040 Investment Council Meetings

The Investment Council shall meet quarterly. At each meeting, the Investment Council reviews investment reports submitted by the City Treasurer reflecting investment activity for each of the immediately preceding three months. Acceptance of the report must be unanimous. Should the reports not be accepted, the reports shall be revised accordingly by the City Treasurer and resubmitted to the Investment Council at its next regularly scheduled meeting or sooner if requested.

10.08.050.050 Investment Maturity Matches Cash Flow

Recognizing that the City's need for funds is not constant, the City Treasurer should schedule investments in coordination with all funds such that there is as little idle cash as practical, consistent with the projected cash flow budget.

10.08.050.060 Administrative Investment Policy

The City Treasurer shall annually update the City's administrative policy for investments, to be reviewed and approved by the Investment Council prior to adoption. Significant changes to the Investment Administrative Policy shall be submitted to the Oregon Short Term Fund Board for review after City Manager approval.

10.08.060 Investment Instruments/Vehicles

10.08.060.010 Investment Instruments

Funds of the City of Corvallis must be limited to those investments allowed by the statutes of the State of Oregon and as identified in the Investment Administrative Policy.

10.08.060.020 Investment Diversification

Funds of the City of Corvallis will be invested in accordance with diversification by financial institution and by maturity as outlined in the Investment Administrative policy.

10.08.070 Reporting Requirements

10.08.070.010 Annual Reports

The City Treasurer shall submit an annual Statement certifying compliance with the Investment Administrative Policy to the Investment Council, noting compliance throughout the most recently completed

fiscal year. This statement shall be filed by August 1 of each year.

10.08.070.020 Monthly Reports

The City Treasurer shall provide the Investment Council with a Monthly Investment Report reviewing the compliance with the Investment Administrative Policy and providing data on investment instruments being held, as well as any narrative necessary for clarification. The Monthly Investment Report shall include summary information about all investments held in the City's portfolio as of the end of the month, and shall be issued within 21 days after the end of the monthly reporting period.

10.08.070.030 Internal Control Procedures

The City Treasurer shall submit the written internal control procedures to the Investment Council as needed.

**URBAN SERVICES COMMITTEE
MINUTES
March 19, 2009**

Present

Patricia Daniels, Chair
David Hamby
Richard Hervey

Staff

Jon Nelson, City Manager
Steve Rogers, Public Works Director
Tom Penpraze, Utilities Division Manager
Dan Hanthorn, Wastewater Operations
Supervisor
Emely Day, City Manager's Office

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for Further Review	Recommendations
I. Wastewater Reclamation Plant Total Maximum Daily Load Alternatives	Yes		
II. Other Business			

CONTENT OF DISCUSSION

Councilor Daniels called the meeting to order at 4:00 pm.

I. Wastewater Reclamation Plant Total Maximum Daily Load Alternatives (Attachment)

Public Works Director Rogers noted that the Committee previously reviewed this issue, which is a long-term project begun in 2002, when staff realized that new wastewater discharge regulations would be established. The issue will be presented again, as more aspects of the issue must be addressed during the next five years.

The future wastewater discharge regulations involve mercury, bacteria, and temperature. The City's mercury level is low, and the bacteria level is in compliance with the current discharge permit. Staff is focusing on the temperature limit. During the past five years, the City's discharge would have exceeded the anticipated temperature limit twice and possibly an additional 14 times. There is risk that the City would be assessed fines for exceeding the temperature limit. The City could forego efforts to reduce discharge temperature limits and simply pay fines, but staff did not calculate those costs and did not recommend that scenario as an option.

Mr. Rogers noted that the Committee previously suggested that staff consider many alternatives to address the anticipated wastewater discharge temperature requirement. Staff and the City's consultant developed an extensive list of alternatives and supportive data regarding costs, impacts to operations, and feasibility. Most of the alternatives involve

removing flow from the City's wastewater reclamation plant (WWRP) stream that discharges into the Willamette River, thereby reducing the thermal load (or btu value or heat value) of the discharge entering the River. The consultant's report includes an analysis of several identified alternatives, both individually and as groups. The analysis addresses issues of cost, feasibility, and sustainability.

Staff considers the best alternative to involve removing a portion of the flow and discharging it, under partnership agreements, onto Trysting Tree Golf Course, into the Knife River Corporation ponds, and onto constructed wetlands on the Orleans Natural Area and Alan B. Berg Park. This option would allow the flow to seep through the ground and cool before reaching the Willamette River.

Staff seeks the Committee's concurrence with the proposed "next steps" and feedback regarding the information provided. The "next steps" involve a public process: present information to the public, receive feedback from the public regarding preferred alternatives, and continue seeking grant and funding opportunities to refine the alternatives considered thus far. After public process input and refinement of alternatives, staff will present to the Committee a recommendation for inclusion in the Capital Improvement Program, construction, and implementation. If the Committee concurs with staff's proposal, staff will present to the Committee the feedback from the public outreach process.

Councilor Hervey concurred with staff's recommendations. Referencing the "next steps," he would like citizens to know cost implications of the alternatives before being surveyed about preferences. He urged that information be disseminated to the public.

Councilor Hervey noted that the consultant's report did not mention the impact of "global warming," even though the report projects circumstances to 2058. He presumed that the omission was based on an inability to factor global warming into the issue.

Utilities Division Manager Penpraze responded that staff made some assumptions regarding the impact of "global warming" on river temperature; although, it is difficult to quantify the impact at this time. Staff considered the issue in terms of the community's "carbon footprint" on the environment, which has a global impact on the alternatives, such as power production and CO2 emissions. If the planet is expected to warm, reclaimed water will have a greater role in municipal operations in terms of value, need, and uses.

Councilor Hervey noted that river levels decrease during summer months, resulting in warmer water temperatures.

Mr. Rogers responded that staff anticipated that more WWRP flow must be diverted from the Willamette River in the future. He speculated that, in the future, the City may not be allowed to discharge any flow to the River because of climate changes and environmental regulations involving substances in the wastewater stream.

Councilor Hervey referenced Technical Memorandum 1 Section 2.3 (Temperature Compliance Alternatives) and noted that water conservation was not listed as an alternative. Reducing water usage could decrease the temperature of water discharged to rivers.

Mr. Penpraze stated that the City has an active water conservation program, the impact of which was not included in the consultant's report because the impact is unknown. Staff considered that conserving some water uses (industrial) may increase the temperature of water from other uses (household), even though water volume may decrease or increase only incrementally with population increases. Water conservation can have unintended consequences.

Mr. Rogers added that the City cannot undertake any action without Department of Environmental Quality (DEQ) approval. The DEQ wants proven, engineered solutions that are guaranteed to work. The alternative of stream shading by planting trees to reduce water temperature was approved for the Tualatin River, but it is difficult to prove that such an alternative will succeed.

Mr. Penpraze noted that the kilocalorie water temperature limit is established via a formula, based upon temperature and flow. If flow is decreased but temperature is increased, the kilocalorie limit may be exceeded; therefore, water conservation does not necessarily equate to less flow and a lower kilocalorie level.

Councilor Hervey noted that inflow and infiltration (leakage into the sewage system) would impact WWRP operations. He questioned whether ground water was cool enough that it could be cooled further to resolve the problem.

Wastewater Operations Supervisor Hanthorn responded that inflow and infiltration is a significant issue. Staff expects the City's discharge permit to include a variance for storm flow and ground water entering the system. The City's kilocalorie limit for any day is the result of a complex formula, with flow being a major factor. Staff strives to keep flow as low as possible to achieve the kilocalorie limit. The Willamette River does not necessarily respond to storm events, but the WWRP responds rapidly. Extra water enters the River and immediately, negatively impacts the kilocalorie level. In such situations, the River has not achieved increased flow from the storm or another event that would accommodate an increased kilocalorie level. The City's kilocalorie limit can fluctuate daily, based upon conditions, flow, and temperature in the River. He confirmed that the permit would dictate a formula, rather than a set kilocalorie limit.

Mr. Penpraze added that the kilocalorie limit is of greatest impact during summer months, when groundwater tables are below the City's water pipes.

Mr. Hanthorn noted that storm water flowing across streets and entering the storm water system increases the effluent temperature.

Councilor Hervey referenced Technical Memorandum 1 Section 4.2 (Economic Impact of Future Toxics Removal) and inquired as to the proportion of water obtained from Rock Creek during summer months and how the water supply ratio (Rock Creek versus Willamette River) would affect the arsenic level of the water.

Mr. Penpraze explained that the arsenic level in the City's drinking water was not detectable. Arsenic may enter the water from piping or other sources. The water supply from Rock Creek decreases during the summer because the stream dries, resulting in less impact from Rock Creek on the City's water supply. Most of the City's summer water supply is obtained from the Willamette River, which has a background level of arsenic. The water is processed, may gain more arsenic through use, and is discharged back to the River. The geology in the Willamette Valley has naturally occurring arsenic. Any City action to reduce arsenic levels in water would be negligible because of the background levels in the area soils.

In response to Councilor Hervey's further inquiry, Mr. Penpraze said the City draws 80 percent of its drinking water supply from the Willamette River on a peak summer day and 20 percent from Rock Creek. The City's drinking water meets all requirements; the requirements are more stringent for support of aquatic life.

Councilor Hervey referenced Technical Memorandum 1 Section 4.2.5 (Unit Processes for Ammonia-Nitrogen Removal), noting that the Community Sustainability Plan recommends removing food waste from the wastewater system. He inquired whether this would help the City reduce the ammonia level in the wastewater.

Mr. Penpraze confirmed that removing food waste from the wastewater system could reduce ammonia levels somewhat. Most of the ammonia in the wastewater discharge is from human biological functions.

In response to Councilor Hervey's further inquiry, Mr. Penpraze said staff would need to consider the public health impacts of composting toilets. City Manager Nelson added that composting toilets were considered for several years in terms of the City's parks system, but staff did not reach any conclusions. It may be necessary to meet some State legal requirements before composting toilets could be installed.

Councilor Hervey noted that the consultant's report did include planting trees to shade streams as an alternative. He referenced Technical Memorandum 2 Section 3.1 (River Shade and Riparian Restoration Alternative) and asked about the status of the Willamette Partnership's efforts on a watershed-based temperature compliance approach on the Willamette River. He noted that it could be combined with another alternative.

Mr. Penpraze responded that the Willamette Partnership, comprised of government agencies, private entities, and environmental interest groups, is considering, from a holistic perspective, how to make the Willamette Watershed healthier for fish, wildlife, and people. The Clean Water Services in the Tualatin Basin received the first permit in the nation from

the DEQ and the Environmental Protection Agency to shade the streams in the Tualatin Basin to decrease water temperatures. The DEQ developed a formula for the number of stream miles that must be planted with trees to "earn" credit in lieu of cooling discharge to the stream. Trees were planted along 37 stream miles in the Tualatin Basin in an effort to decrease water temperatures. Corvallis would need to plant trees along more than 20 stream miles to achieve the desired water-cooling effect. This alternative seems reasonable but has some uncertainties. The alternative is experimental, and its efficacy in decreasing water temperature is unknown. The Tualatin Watershed is relatively closed, so effective stream shading can be achieved. The Willamette River is very open, so stream shading would be most effective along tributary streams between Corvallis and Cottage Grove. Other issues involve land owner cooperation, tree maintenance and replacement, logistics, and changes of land ownership. Tree shading is a potentially viable option, but the consultant deemed it not worth further focus because of costs.

Mr. Rogers added that staff intends to have more plant coverage along community streams, based upon the Storm Water Master Plan. Staff would seek "credit" from the DEQ for stream-side planting as a means of decreasing river water temperature and reducing the amount of flow that must be removed from the discharge to meet discharge permit limits.

Mr. Hanthorn added that the Clean Water Services was obligated to discharge its wastewater to the Tualatin River because its water was allocated by the Water Resources Department. Corvallis may be able to plant trees to decrease water temperatures but must still meet other total maximum daily load (TMDL) requirements. Removing the wastewater from the discharge would leave temperature as the only TMDL criteria to meet. Despite planting trees to decrease river water temperatures, the City may need to keep discharge out of the Willamette River for other reasons.

Mr. Penpraze emphasized that planting trees would address only the temperature issue. The City must determine whether planting trees would be the best long-term option and use of public funds.

In response to observations by Councilors Hervey and Daniels, Mr. Rogers said staff had not excluded the option of combining alternative approaches. He believes trees should be planted along streams, regardless of the TMDL requirements; and discharge permit credit should be sought.

In response to Councilor Hamby's inquiry, Mr. Penpraze said civil fines for violating TMDL requirements (including the requirement to reduce river water temperature by .014 degree Centigrade) could be \$10,000 to \$32,000 per day. Criminal penalties are also possible.

Councilor Hamby requested clarification of the staff report comment that the waste load allocation given to Corvallis was equivalent to allowing the river water temperature to increase by up to .014 degree Centigrade.

Mr. Penpraze explained that the DEQ's formula involved various daily temperature readings calculated on a weekly basis. The calculations are calculated for the previous week's conditions.

In response to Councilor Hervey's inquiry, Mr. Penpraze said the DEQ may impose violation fines for a period of time and then issue a compliance order and take legal action to force compliance.

Councilor Hamby requested clarification of the Executive Summary Conclusions and Recommendations statement, "No combination of current water recycling opportunities inside the City's current Urban Growth Boundary would provide long-term WWRP TMDL compliance."

Mr. Rogers explained that there were not enough potential uses for effluent within the City Limits to make a difference in water temperature. Therefore, staff considered opportunities outside the City Limits; Trysting Tree Golf Course was interested in large quantities of water daily during summer months. Constructed wetlands would also consume large quantities of effluent. Options for use within the City Limits would not be sufficient to reduce the impact of discharge on water temperature, and a complex and expensive distribution system would be needed to pump the effluent to the discharge points. This option is not feasible.

In response to Councilor Hamby's inquiry, Mr. Penpraze explained that TMDL requirements will be set for various factors, such as temperature and contaminants. Those requirements may change in the future, resulting in stricter limits for wastewater discharge.

Councilor Hamby suggested that the sequencing of "next steps" 2 and 3 be reversed to provide more opportunity to make the public aware of the information before surveying their views.

Mr. Rogers explained that the survey was intended to gauge the community's level of understanding of the issue, so staff would know what information should be disseminated. Therefore, staff proposed conducting the survey before disseminating information. Staff wants to know the public's understanding and opinion regarding water re-use. Knowing the public's concerns would enable staff to provide the correct type of information.

Mr. Hanthorn added that the survey would indicate what sources of information the public deemed credible and the best means of disseminating information to citizens.

Mr. Penpraze explained for Councilor Daniels that "hyporeic flow" referred to underground water flowing to a stream or river. He also explained that "RI basins" referred to rapid-infiltration basins, which are a means of getting water to a subsurface level for cooling before it flows to a river.

Mr. Penpraze explained for Councilor Daniels that the DEQ has administratively extended the City's permit, which expired June 30, 2004. Staff saw drafts of a potential permit, which included TMDL requirements. Staff received the waste load allocation determined by the DEQ and expects that allocation to be included in the permit.

Councilor Daniels noted staff's conclusion that a combination of alternatives would be the City's best solution. She urged staff to continue considering shading of rivers.

Mr. Penpraze explained for Councilor Daniels that "mixing zones" referred to the point where treated wastewater enters a river and mixes with river water. Corvallis' mixing zone was established as 30 feet wide and 300 feet long; the water at the edge of the zone must meet all State acute water quality standards but need not meet chronic water quality standards. The City's wastewater is treated to a higher level than is required under the discharge permit and meets the mixing zone requirements sooner than the legal allowance. Senate Bill 737 is the result of some compromises on efforts to eliminate mixing zones.

Councilor Daniels concurred with Councilors Hervey and Hamby that the "next steps" were important.

In response to Councilor Daniels' inquiries, Mr. Penpraze explained that, with Council endorsement of staff's next steps proposal, staff would meet with the consultant and outreach experts to consider local public processes. The consultant's report is available at the Corvallis-Benton County Public Library and on the City's Web site.

Councilor Daniels urged staff to share the consultant's report with representatives of the Greenberry Irrigation District, who were interested in applying City wastewater on their agricultural properties. She observed that the consultant's report treated the alternative of shading rivers via trees casually, rather than scientifically. She urged that this alternative be evaluated to the same degree as other alternatives.

Councilor Daniels noted that the first paragraph of the Executive Summary section regarding Potential Economic Impacts of Current and Future Regulations ended mid-sentence. Staff confirmed that the consultant would be asked to correct the error.

Mr. Hanthorn noted that Trysting Tree Golf Course representatives recently expressed interest in the status of the wastewater reuse issue.

Mr. Nelson suggested that staff send the consultant's report to Trysting Tree Golf Course and the Greenberry Irrigation District.

Councilor Daniels suggested that members of the Willamette Partnership may be sources for assistance in funding opportunities or obtaining conservation easements.

Councilor Daniels noted that planting trees along rivers would have benefits unrelated to the TMDL requirements and aid in accomplishing other City goals, such as Storm Water

Master Plan projects, Comprehensive Plan policies regarding riparian zones, and water quality improvement.

Councilor Hervey suggested contacting land owners regarding opportunities to create former Willamette River channels and shade those channels to decrease water temperatures.

This issue was presented for information only.

II. Other Business

- A. The next regular Urban Services Committee meeting is scheduled for April 9, 2009, at 4:00 pm, in the Madison Avenue Meeting Room.

Councilor Daniels adjourned the meeting at 4:55 pm.

Respectfully submitted,

Patricia Daniels, Chair

MEMORANDUM

TO: Urban Services Committee

FROM: Steve Rogers, Public Works Director 

DATE: March 3, 2009

SUBJECT: Wastewater Reclamation Plant Discharge: Alternatives Evaluation for compliance with the Willamette River Temperature Total Maximum Daily Load Water Quality Regulations

Issue Statement

In September, 2006 the Willamette River Basin Total Maximum Daily Load (TMDL) water quality regulations for mercury, bacteria and temperature were issued by the Oregon Department of Environmental Quality (DEQ). These regulations will have cost and operational impacts on the City's wastewater utility. The temperature TMDL has the greatest potential for altering current system operation.

Background

Transmitted with this memorandum is a report (Attachment A) that was developed to evaluate alternatives for complying with the temperature TMDL regulations as directed by the City Council. Previously developed staff Memorandums and pertinent Urban Services Committee and City Council meeting minutes (Attachment B) are included as background material.

A TMDL defines the amount of a constituent that can be present in a waterbody without causing water quality criteria to be exceeded. Many of the rivers and streams in the Willamette River Basin's 11,400 square miles do not meet water quality standards for a variety of parameters, including mercury, bacteria, temperature, dissolved oxygen, and some metals and pesticides. In response, DEQ included various rivers and streams on its list of impaired waterbodies as mandated under the federal Clean Water Act (CWA). The CWA further requires that these listed waterbodies have TMDLs developed to determine appropriate pollutant limits to ensure water quality standards will be achieved.

The upper Willamette River subbasin, which includes the section of river that flows past Corvallis, was determined to be water-quality-limited for mercury, bacteria, and temperature. A TMDL has been developed for each parameter. Through implementation of the TMDLs, DEQ expects to protect public health, fish and wildlife, and general environmental enhancement.

Corvallis discharges its treated wastewater, which includes small quantities of mercury and bacteria, to the Willamette River. During the summer months the discharge temperature is sometimes higher than allowed under the new regulations. The City is required to reduce its discharge of these constituents. The discharge quality is strictly regulated through terms and

conditions in the DEQ/EPA issued wastewater discharge permit, also known as a National Pollution Discharge Elimination System (NPDES) permit.

Discussion

Staff has developed a TMDL implementation plan to address the mercury, bacteria, and temperature parameters, and has submitted it to DEQ. The plan calls for implementing best management practices (BMPs) and other measures to reduce mercury in the untreated wastewater coming into the treatment plant. For example the City has developed a program in cooperation with local dentists for removing mercury containing dental amalgam from their wastewater prior to discharging it to the City sewer system.

Corvallis has also given funds to DEQ to perform a comprehensive Willamette River mercury water sampling and analysis program to better define existing conditions and mercury contributors. The City is currently deemed in compliance with the mercury TMDL through implementation of the BMPs. A mercury reduction plan will need to be developed in the future. The City's wastewater discharge is also in compliance with the bacteria TMDL as long the NPDES permit requirements for disinfection of the treated effluent are met.

The TMDL compliance challenge the City faces is meeting the temperature requirements. Willamette River water temperatures for protection of federal Endangered Species Act (ESA) listed salmon and steelhead have been established at 18°C (64.4 °F) for rearing and migration and 13°C (54.4° F) for spawning. River temperatures at Corvallis can be 20 °C (68 °F) or higher during the warm weather months of the year. The wastewater plant discharge temperature can also be 20° C or higher during the summer/early fall time period.

DEQ has given the City a heat load allocation. As long as the City's treated wastewater discharge is at or under the allocation, then the City is deemed in compliance with the temperature TMDL. The thermal limit provided is generally adequate under current treatment plant flow and river conditions. A five year look-back of plant discharge data shows that the permit limit would have been exceeded twice and would have been close to being exceeded on 14 other occasions. The heat, or waste load allocation (WLA) given to Corvallis is equivalent to allowing it to raise the river temperature no more than 0.014 °C during the warm weather season. This is a very small amount, the effect of which, however, is to reduce the City's wastewater plant dry weather design capacity from its current 9.7 million gallons per day (MGD) to approximately 7.3 MGD. With current dry weather average plant flows approaching 7.0 MGD, capital improvements or some other mechanisms to reduce discharge temperature will need to be made to comply with these new regulations.

Temperature Compliance Alternatives

In anticipation of DEQ promulgating these TMDL rules, staff started working on compliance alternatives in 2002. Discussions with DEQ and other utilities that discharge to the Willamette River led staff to focus on compliance alternatives centered around removing the treated discharge from the river and putting it to beneficial use.

Over the last several years, staff has pursued providing the City's treated water to the Greenberry Irrigation District (GID) farm lands, located just south of the airport, for use in crop irrigation. This option was first brought to the Urban Services Committee in 2005, and again in 2007. Following the USC discussions (and City Council direction), staff was directed to evaluate options in addition to the GID alternative. Staff hired a consultant team with expertise in wastewater reuse and NPDES permit compliance planning to assist the City in this analysis. The report transmitted with this memorandum is the result of that project.

Temperature TMDL compliance alternatives evaluated included options for treated wastewater reuse within and outside the City's Urban Growth Boundary (UGB), including irrigation of croplands, parks, golf courses, and cemeteries; wetlands creation; subsurface discharge and impoundments. Non-wastewater recycling alternatives were also evaluated, including cooling the wastewater prior to discharge to the river, and planting trees along the banks of the river to get shade "credits" from DEQ.

Alternatives Analysis

A summary of the alternatives analysis and planning level life cycle costs are included in the Executive Summary at the beginning of the report. The details are located in the Technical Memorandum 02 section of the report. The report concludes that a combination of options would work best for City of Corvallis compliance needs. The recommended approach is centered around OSU Trysting Tree Golf Course irrigation and constructed wetlands on the City-owned Berg Park, both of which are on the east side of the river. This combined option also has the lowest capital and 50 year total life cycle costs of the reuse alternatives, at \$13.2M and \$14.9M, respectively. This option could be staged over time to keep the City in compliance.

In keeping with the City Council's sustainability initiatives and goals, the compliance alternatives were evaluated using the triple bottom line methodology. The carbon footprint of the options was also calculated. The recommended approach rated highest from a triple bottom line perspective, and also had the lowest calculated carbon footprint. Report Sections 4.3.4 and 4.4 of Technical Memorandum 02 contain the details of these evaluations.

The timing of when the City's needs to have its compliance strategy implemented is difficult to determine at this time. There are many variables to consider, including community growth, wastewater quantity increases, ambient river water and air temperatures in the warm weather months, climate change impacts, river flow and the impact of Army Corps of Engineers operation of the upstream reservoirs to name some of them. The City consultant's estimate is that by 2013 as much as 1 million gallons per day of the treated effluent may need to be removed from the discharge to the river to comply with the DEQ regulations.

Conclusion

Staff is not recommending that the City proceed with design and financing of a temperature TMDL compliance capital project at this time. While NPDES permit compliance plans will need to be completed and a project(s) will need to be constructed, staff believes some additional

preliminary work needs to take place, including:

1. Engaging the community in a discussion of the compliance alternatives evaluated in the report. To date, most of the work has been internal technical work that has not been vetted with the community.
2. Complete work on a public opinion survey of the community regarding their knowledge of and preferences for wastewater recycling. The City has received a grant from the Oregon Water Resources Department to do this work in cooperation with an OSU graduate student and the City's consultant.
3. Initiate a public information program to raise awareness in the community of the temperature (and other) upcoming wastewater utility compliance issues and options for compliance.
4. Continue to seek grant and partnership opportunities to keep moving this work forward. Some limited resources are budgeted in the wastewater utility operating fund for NPDES permit and ESA compliance work.

Staff will then return to the City Council with results of the public outreach efforts and an update on any EPA/DEQ regulatory actions that may impact the City's approach. Staff will implement this approach unless directed otherwise by the City Council.

Reviewed and concur,



Jon S. Nelson,
City Manager

Attachments

The Willamette River
Total Maximum Daily Load
Alternatives Evaluation Project
Consultant Report

is available for review at the
Corvallis-Benton County Public Library
and at

<http://archive.ci.corvallis.or.us/DocView.aspx?id=247502>
(beginning on page 6).

MEMORANDUM

TO: Corvallis Mayor and City Council

FROM: Ken Gibb, Community Development Director *Ken Gibb*
Nancy Brewer, Finance Director *NB*

DATE: March 18, 2009

SUBJECT: Reimbursement of Housing Program Stabilization Costs

ISSUE

The Community Development Department Housing Division through its Community Development Revolving Loan Fund is prepared to return monies used to sustain the Division's down payment and rehabilitation assistance loan programs as fund balances were declining in the years just prior to the City's attainment of federal entitlement status.

BACKGROUND

Beginning in fiscal 1997-98 the Development Services Fund provided financial assistance to the Community Development Revolving Loan Fund in the Housing Division by transferring \$150,000 in interest earnings over two fiscal years for purposes of sustaining the First Time Home Buyer down payment assistance loan program and the Neighborhood Improvement and Essential Repair housing rehabilitation loan programs. Revolving Loan Fund balances were declining in the years leading up to this transfer, and the infusion of Development Services resources allowed the Fund to continue loan activity until the City's receipt of federal entitlement funds began in FY 2000-01.

With annual infusions of federal funding from the Community Development Block Grant and HOME Investment Partnerships programs the CD Revolving Loan Fund is currently healthy and again building fund balance. There is currently sufficient fund balance in the CD Revolving Fund that is not associated with federal grant monies to afford the return of initial funding.

DISCUSSION

Development Services is funded primarily through permit fees that are charged for inspection and plan review services. Since 2007, Development Services has faced

significant challenges in making up for losses in revenue due to the slowdown in construction. Expenses have been cut significantly, including the layoff of two FTE, granting of two leaves of absence, not filling two vacant positions, and numerous non-personal services cuts.

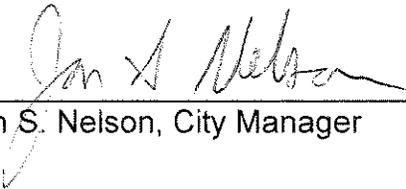
In an effort to avoid further reductions in staff and to ride out the downturn, the Housing Division has indicated that a reimbursement of program startup funding could be pursued. The repayment could occur much as the original transactions occurred – via a transfer of earned interest, however in the current environment it will take a number of years to transfer the full balance back to the Development Services Fund. Another alternative is to use current fiscal year appropriations and transfer them to the “Transfer” classification of appropriations and then complete an inter-fund transfer of the entire amount of the monies initially provided.

Based on this information, Development Services is requesting with Housing’s concurrence that the \$150,000 in funds provided for the stabilization of housing assistance loan programs be reimbursed from the Housing Division.

REQUESTED ACTION

Staff requests the Mayor and City Council consider this request and adopt the attached resolution to transfer funds from the Housing Division to the Development Services Division.

Review and Concur:



Jon S. Nelson, City Manager

RESOLUTION 2009-

A RESOLUTION TRANSFERRING APPROPRIATIONS IN THE COMMUNITY DEVELOPMENT REVOLVING LOAN FUND FROM COMMUNITY DEVELOPMENT DEPARTMENT TO TRANSFERS TO REPAY MONIES USED TO STABILIZE THE CITY'S HOUSING ASSISTANCE LOAN PROGRAMS.

Minutes of the meeting of April 6, 2009, continued.

A resolution submitted by Councilor _____.

WHEREAS, ORS 294.450 allows appropriations to be transferred after the budget has been adopted; and

WHEREAS, in 1997 through 1999 interest earned on balances in the Development Services Fund were transferred to the Community Development Revolving Loan Fund to stabilize and sustain the City's housing assistance loan programs; and

WHEREAS, the housing assistance loan programs are now operated using federal entitlement funding and the Community Development Revolving Loan Fund is again stable, and thus monies can be returned to the Development Services Fund;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CORVALLIS RESOLVES that available appropriations in the FY 08-09 budget be transferred as shown below; and

BE IT FURTHER RESOLVED that the Finance Director be authorized to make the proper adjustments in the budget appropriations.

<u>FUND</u>	<u>FROM</u>	<u>TO</u>
COMMUNITY DEVELOPMENT REVOLVING LOAN FUND		
Community Development	\$150,000	
Transfers		\$150,000

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 *SR*
DATE: April 1, 2009
SUBJECT: Local Agency Certification Agreement

ISSUE

City Council's approval is required to authorize the City Manager to sign a Local Agency Certification Agreement with the Oregon Department of Transportation (ODOT) for the American Recovery and Reinvestment Act (ARRA) funded projects.

BACKGROUND

ODOT has developed a certification program which provides a process through which local agencies can become "certified" in various areas of federal-aid project delivery. Certification allows local agencies to retain more approval authority and control at the local level when developing FHWA funded, Non-National Highway System transportation projects. Only certified agencies will be allowed to perform design, consultant selection, bid, award, contract management, and construction inspection on federally funded projects. Conditional certification is granted after interviews, review of local agency staff qualifications and procedures by ODOT. Local agencies need to successfully complete 4-6 test projects to obtain final certification status. Currently, the City of Portland, City of Eugene and Clackamas County are the only conditionally certified agencies.

DISCUSSION

ODOT has determined that the City of Corvallis' Engineering Division has meet all requirements to be conditionally certified. Advantages of becoming a certified agency include:

1. Ability to reduce costs and time for the project design by using local AASHTO Standards rather than ODOT Highway Standards. The typical 2-3 year design period will not be needed for ODOT's design process and design exceptions are also not required.
2. Administration of contract management is the responsibility of the City, not ODOT. City staff will have direct control over the work rather than through ODOT in Salem.
3. ODOT's review period for design is reduced from 16 to 5 weeks.
4. Reduction in costs associated with ODOT's review.
5. Projects can be closed immediately after completion rather than the typical 2-3 years after completion.
6. More yearly Surface Transportation Funds will be available and would not require a fund exchange fee, currently at 6%.
7. ODOT will continue to monitor all projects during design and construction to ensure compliance with Federal regulations to minimize risks to local agencies.

The ARRA grant requires projects to be designed and obligated within 120 and 180 days. Additional projects will be eligible for ARRA grant funding if the original allocation is contracted prior to June 17, 2009. Only certified agencies capable of contracting the construction of these projects by June 17, 2009, will be eligible for additional projects.

There are some risks associated with the proposed certification agreement and staff has negotiated with ODOT to minimize risks. However, ODOT is not willing to change their standard agreement. The proposed agreement does not provide for any dispute resolution language should the City disagree with their financial reimbursement determination. City recourse would be political and could also include filing of a court claim. Recourse could also include non-federal participation costs becoming the responsibility of the City and future Federal allocations could be withheld. Despite these risks, staff recommends that the City sign the agreement.

The proposed agreement, if approved, would appoint the Engineering Division to implement the Certification Program. City staff will need to complete 4-6 projects to become fully certified.

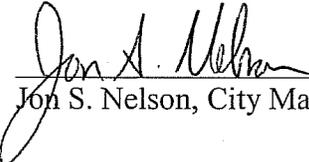
ACTION REQUESTED

Staff recommends City Council authorize the City Manager and adopt a Resolution authorizing the City Manager to execute the agreement and any future amendments relating to the ODOT Certification Program.

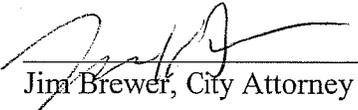
Review and Concur:



Nancy Brewer, Finance Director 4/11/09
Date



Jon S. Nelson, City Manager 4/11/09
Date



Jim Brewer, City Attorney 4/11/09
Date

Attachment

X:\Divisions\Engineering\Capital Planning&Projects\Projects\Federal Economic Stimulus\Doc\Certification approval.wpd

Oregon Department of Transportation
LOCAL AGENCY CERTIFICATION PROGRAM AGREEMENT

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 City Manager, hereinafter referred to as "City," collectively referred to as "Parties".

RECITALS

1. By the authority granted in ORS 190.110 and 283.110, state agencies may enter into agreements with units of local government or other state agencies for the performance of any or all functions and activities that a party to the agreement, its officers or agents, have the authority to perform.
2. Under the authority of Section 106 of Title 23 USC, and as explained in the 1999 Stewardship Plan between State and the Federal Highway Administration (FHWA), State, in a letter dated November 17, 1992, notified FHWA of its decision to request State's exemption from required FHWA review and approval of Plans, Specifications and Estimates (PS&E) for all non-National Highway System (NHS) projects, regardless of size. By the authority granted in the Stewardship Plan, State can delegate authority for approvals on PS&E on local agency projects, but cannot delegate its responsibility. State remains responsible for ensuring that all federal requirements are met.
3. State, pursuant to authority under Section 106 of Title 23 USC and in accordance with the 1999 Stewardship Plan, in a letter to FHWA dated December 27, 2004, requested FHWA to allow State to continue developing, defining and implementing the Local Agency Certification Program (Certification Program). FHWA, in a letter to State dated December 29, 2004, concurred with State's request to proceed with Certification.
4. The Local Agency Certification Program (Certification Program) allows State to certify a local agency's procedures and delegates authority to the certified local agency to administer federal-aid projects that are not on the NHS.

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

As used in this Agreement, abbreviations shall mean as follows:

AASHTO	American Association of State Highway and Transportation Officials
ADA	Americans with Disabilities Act
AKA	Also Known As
BOLI	Oregon State Bureau of Labor and Industries
CFR	Code of Federal Regulations
DBE	Disadvantaged Business Enterprise
DOJ	Department of Justice
DOT	Department of Transportation
EEO	Equal Employment Opportunity
FAPG	Federal-Aid Policy Guide
FHWA	Federal Highway Administration
ISTEA	Intermodal Surface Transportation Efficiency Act
LAG	Local Agency Guidelines (Manual)
MPO	Metropolitan Planning Organization
MUTCD	Manual on Uniform Traffic Control Devices
NHS	National Highway System
OJT	On-the-Job Training
OMB	Office of Management and Budget
ORS	Oregon Revised Statutes
PS&E	Plans, Specifications and Estimates (includes schedule)
PTESC	Professional, Technical and Expert Services Contracts (This term, for the purpose of this Agreement, shall be synonymous with State's term "personal services contracts")
STIP	State Transportation Improvement Program
USC	United States Code
USDOT	United States Department of Transportation

Certification

1. City is currently pursuing certification in: consultant selection; design; advertising, bid and award; and construction contract administration. City first contacts and works with State prior to commencing activities for City to become certified in such new area(s). As a result, this Agreement grants authority to City under the oversight of State to select consultants, design, advertise, bid and award, make contractor payments, provide construction contract administration, and ensure a construction quality assurance/quality control program for City's federal-aid non NHS projects. In addition,

City is authorized to pursue certification in these areas consultant selection; design; advertising, bid and award; and construction contract administration provided State shall retain responsibility for all environmental review, permitting, agreements or approvals that are necessary as a result of the federal action. State shall administer on behalf of City, State's Civil Rights plan including the Disadvantaged Business Enterprise (DBE) program, Equal Employment Opportunity (EEO) program, and On-The-Job Training (OJT) program. Professional, Technical and Expert Services Contracts (PTESC) shall conform to FHWA requirements and all requirements outlined under the subtitle "Professional, Technical and Expert Services Contracts" shown below in this Agreement.

2. City understands and agrees that only City's Public Works Engineering Division has met all certification criteria and that full certification is conditioned upon City's successful completion of test projects and written approval from State. City also understands and agrees that while federal-aid projects may originate from one or more of City's other divisions or departments City's Public Works Engineering Division shall provide quality control, oversight and have final approval authority for all such federal-aid projects and ensure that rules, regulations, and processes outlined in this Agreement are followed.
3. City understands and agrees that it must successfully perform two to four test projects, which may be select project phases, and until successful, retain conditional local agency certification status. State will conduct performance measurement and quality assurance reviews during all phases of the test projects. At the conclusion of the second test project and each subsequent test project, an assessment will be made by City and State to determine whether or not City should proceed to full Certified status or continue with another test project. Upon successful completion of the test projects and written approval by State, City shall be fully certified to administer future federal-aid projects that are not on the NHS in accordance with this Agreement.
4. State retains its responsibility to FHWA for the administration of all federal-aid projects. If requested by City, or if deemed necessary by State in order to meet its obligations to FHWA, State will act for City in other matters pertaining to projects.
5. State and City shall each assign a liaison to coordinate activities under this Agreement and assure that the interests of both parties are considered during all phases of any projects. State's Regional Local Agency Liaison shall provide program advice and support as needed throughout all projects.
6. City understands and agrees that final approval for full Certified status is conducted through the State's Local Government Section Team Lead or equivalent in

conjunction with State's Region Manager and may be rescinded at any time upon City's request or if, in the opinion of the State's Local Government Section Team Lead or equivalent and State's Region Manager, it is necessary to do so. The rescission may be applied to all or part of the programs or projects approved under the Certification Program.

7. State shall conduct random oversight reviews on City's Certification Program and projects through the State's Local Government Section at least once every two (2) years after City has been awarded full Certified status. State may, at any time, initiate a formal audit by State's Financial Services, or any other auditor using professional auditing standards of a federal-aid project.
8. The terms of this Agreement shall begin on the date all required signatures are obtained and shall terminate twenty (20) years following the date all required signatures are obtained, unless extended by a fully executed amendment. The Agreement may also be terminated upon City's or State's written request pursuant to the termination section of this Agreement.

Program Administration

1. Projects must be consistent with the Regional Transportation Plan and appear in the Metropolitan Planning Organization's (MPO) Transportation Improvement Program and the State Transportation Improvement Program (STIP) if the projects receive federal funding through Title 23 Code of Federal Regulations (CFR).

Project Funding Request

1. City shall submit a separate agreement to State for each project, hereinafter referred to as "Supplemental Project Agreement." The Supplemental Project Agreement will be signed by both City and State before any federal-aid project work begins. At least one of City's approval authorities, as identified on Page 22, Paragraph 2, are required to sign the Supplemental Project Agreement. The Supplemental Project Agreement will, at a minimum, cover specific project details including project name, City's project manager's title or designee, description of work, areas of potential environmental impact, schedule, and funding sources. The Supplemental Project Agreement shall include services to be provided by State, City, or others. The Supplemental Project Agreement must include a clause that will allow City and State to enter onto each other's property, if such access will be needed for the performance a particular project. State considers City a sub-recipient of the federal funds received under the Supplemental Project Agreement.

City/State
Agreement No. 25611

2. State shall submit a separate written project funding request to FHWA requesting approval of federal-aid participation for each project phase including 1. Program Development (Planning) 2. Preliminary Engineering (NEPA, Permitting and Project Design) 3. Right of Way Acquisition 4. Utilities 5. Construction Advertising, Bid and Award, and 6. Construction. No work shall proceed on any activity in which federal-aid participation is desired until such approval for each corresponding phase has been obtained. State shall notify City in writing when authorization to proceed has been received from FHWA. All work and records of such work shall be in conformance with FHWA rules and regulations.
3. City shall, on any project that uses federal funds in project development, submit "95%" PS&E, construction schedule, environmental requirements and right of way certification to State's Regional Local Agency Liaison at least five (5) weeks prior to bid opening. State shall review such submittals and then request to FHWA approval of federal-aid participation for the construction phase when federal-aid participation is desired in this phase.

Finance

1. Federal funds shall be applied toward project costs at the current federal-aid matching ratio, unless otherwise agreed to and allowed by law. City shall be responsible for the entire match amount, unless otherwise agreed to and specified in the Supplemental Project Agreement. City must obtain written approval from State to use in-kind contributions rather than cash to satisfy all or part of the matching funds requirement. If federal funds are used, City will specify the Catalog of Federal Domestic Assistance (CFDA) number in each Supplemental Project Agreement when applicable. City will also determine and clearly state in the Supplemental Project Agreement if recipient is a subrecipient or vendor, using criteria identified in Office of Management and Budget (OMB) Circular A-133.
2. City shall pay 100 percent of the cost of any item in which FHWA will not participate. If City has not repaid any non-participating cost, future allocations of federal funds, or allocations of State Highway Funds to City may be withheld to pay the non-participating costs. If State approves processes, procedures, or contract administration outside the Local Agency Guidelines that result in items being declared non-participating, those items will be negotiated between City and State.
3. City agrees that costs incurred by State and City for services performed in connection with any phase on any federal-aid project shall be charged to the project, unless otherwise mutually agreed upon. State will send an estimate of anticipated project service costs to City at 30 percent plans review. Costs will be negotiated and reflected in the Supplemental Project Agreements.

4. If City makes a written request for the cancellation of a federal-aid project, City shall bear 100 percent of all costs as of the date of cancellation. If State was the sole cause of the cancellation, State shall bear 100 percent of all costs incurred. If it is determined that the cancellation was caused by third parties or circumstances beyond the control of State or City, City shall bear all development costs, whether incurred by State or City, either directly or through contract services, and State shall bear any State administrative costs incurred.
5. City shall follow the requirements stated in the Single Audit Act. Local governments receiving \$500,000 or more in federal funds must follow the requirements stated in the Single Audit Act. The Single Audit Act of 1984, PL 98-502 as amended by PL 104-156, described in OMB Circular A-133, requires local governments to obtain an audit that includes internal controls and compliance with federal laws and regulations of all federal-aid programs in which City participates. The cost of this audit can be partially prorated to the federal program.
6. City shall present invoices for 100 percent of actual costs incurred by City on behalf of the project directly to State's Regional Local Agency Liaison for review, approval and reimbursement to City. Such invoices shall a) have an invoice number, b) reference a vendor number, c) include a "remit to" name and address, d) reference this Certification Program Agreement No 25611, e) State's Expenditure Account number f) reference State's Supplemental Project Agreement number, g) identify the project by the project name in the Supplemental Project Agreement, and h) itemize and explain all expenses for which reimbursement is claimed. Billings for services including, but not limited to, preliminary engineering and construction engineering shall be presented for periods of not less than one-month duration, based on actual expenses to date. (See paragraph 7 of Construction Activities and Administration of this Agreement for the construction contractor billing period.) All billings received from City must be approved by State's Regional Local Agency Liaison prior to payment. City's actual costs eligible for federal-aid or State participation shall be those allowable under the provisions of Federal-Aid Policy Guide (FAPG), Title 23 CFR Parts 1.11, 140 and 710. Final billings shall be submitted to State for processing within three (3) months from the end of each funding phase as follows: 1) award date of a construction contract for preliminary engineering 2) last payment for right of way acquisition and 3) contract completion for construction. Partial billing (progress payment) shall be submitted to State within three (3) months from the date that costs are incurred. Final billings submitted after the three (3) months shall not be eligible for reimbursement.
7. City shall, upon State's request for reimbursement, reimburse State for federal-aid funds distributed to City if any of the following events occur:

- a) Right of way acquisition or actual construction of the facility for which preliminary engineering is undertaken is not started by the close of the tenth fiscal year following the fiscal year in which the federal-aid funds were authorized for preliminary engineering.
 - b) Right of way acquisition is undertaken utilizing federal-aid funds and actual construction is not started by the close of the twentieth fiscal year following the fiscal year in which the federal-aid funds were authorized for right of way acquisition.
 - c) Construction proceeds after the project is determined to be ineligible for federal-aid funding (e.g., no environmental approval, lacking permits, or other reasons).
8. City shall maintain all project documentation in keeping with State and FHWA standards and specifications. This shall include, but is not limited to, daily work records, quantity documentation, material invoices and quality documentation, certificates of origin, process control records, test results, and inspection records to ensure that projects are completed in conformance with approved plans and specifications.
 9. State shall submit all claims received from City for federal-aid participation to FHWA in the normal manner and compile accurate cost accounting records. State shall pay City all reimbursable costs of the project. State may request from City a statement of costs to date at any time by submitting a written request. When the actual total cost of the project has been computed, City shall furnish State with an itemized statement of final costs. City shall pay 100 percent of the final total actual costs. The actual cost of services provided by State will be covered in the Supplemental Project Agreements.
 10. City agrees to refund to State all federal funds paid to City, if FHWA requests such funds from State, because City has not followed a process, rule or procedure outlined in City's Procedures, this Agreement or Supplemental Project Agreement(s). Refund from City shall be within thirty (30) days upon State notification. If City does not repay State within thirty (30) days, State shall withhold City's proportionate share of State Highway Fund distribution until repayment has been made in full.

Standards

1. In accord with the City's standard contract specifications and Public Improvement Design Standards Manual, City shall include in the title sheet of the plans the

following: federal-aid project number, location sketch, title of project, project limits, plan sheet index, applicable plans and a provision for approving official(s) signature(s) and date(s) and scale(s). City agrees that PS&E and construction plans shall at a minimum be in conformance with the current, State approved edition of the following unless otherwise requested by City and approved by State, which are incorporated hereto by reference, and by this reference made a part hereof:

- a) City of Corvallis' Public Improvement Design Standards Manual
 - b) All AASHTO policies and guidelines
 - c) Oregon Standard Specifications for Construction (APWA Oregon Chapter) and City's Amendments as approved by ODOT
 - d) Manual on Uniform Traffic Control Devices and Oregon Supplements
 - e) Transportation Research Board's Highway Capacity Manual
 - f) Local Agency Certification Procedures found in the Local Agency Guidelines (LAG) Manual
 - g) Title 23 and Title 49, USC, Highways and Regulations
 - h) Contract Administration Core Curriculum Participants Manual & Reference Guide
 - i) ODOT Right of Way Manual
 - j) ODOT Bridge Cost Data Manual
 - k) ODOT Bridge Element Coding Guide
 - l) ODOT Bridge Section Load Rating Procedures (Tier 1, 2004), available at: <<<<ftp://ftp.odot.state.or.us/Bridge/LoadRating/Tier-1/LRProcedures apr04.DOC>>>> as amended by ODOT Load Rating Technical Memos, available at: ftp://ftp.odot.state.or.us /Bridge/LoadRating//Tier-1/LRTech All.DOC
 - m) Oregon Bicycle and Pedestrian Plan
2. City agrees that design standards for all projects on the Oregon State Highway System shall be in compliance with standards specified in State's current edition of the *Highway Design Manual*, (which is incorporated hereto by reference and by this reference made a part hereof), related references, and construction plans shall be in conformance with the standard practices of State for plans prepared by its own staff.
 3. City shall verify that the installation of traffic control devices meets the warrants prescribed in the *Manual on Uniform Traffic Control Devices and Oregon Supplements*. City further understands and agrees that any installation of traffic control devices on or adjacent to State facilities requires the approval of the State Traffic Engineer or State's Region Traffic Engineer as described in the *ODOT Traffic Signal Policy and Guidelines* and the *ODOT Traffic Manual*.
 4. The standard unit of measurement for all aspects of the project shall be English Units. All project documents and products shall be in English. This includes, but is not

limited to, right of way, environmental documents, plans and specifications, and utilities.

Professional, Technical and Expert Services Contracts

1. City shall conduct consultant selection processes to obtain A&E and Non-A&E personal services consultants in accordance with all applicable state and federal laws, regulations and policies in the solicitation and award process of any Supplemental Project Agreements containing federal funds. City shall follow City's documented processes for consultant selection, which have been reviewed and approved by State and FHWA.
2. Upon written request, State may make Region's consultant services contracts available for preliminary engineering and/or construction engineering services for City's federal-aid projects. If City chooses to use said services, City agrees to manage the work done by the consultant and make funds available to State for payment of those services.
3. City or others may perform preliminary and construction engineering. In the event that City elects not to use City's certified consultant selection process to engage the services of a professional, technical and expert services consultant to perform any work covered by this Agreement, then City and consultant may request a State reviewed and approved personal services contract process and resulting contract document. This review includes, but is not limited to the Request for Proposal, Statement of Work, advertisement and all contract documents. This review and approval is required prior to federal reimbursement. City shall contact State's Regional Local Agency Liaison to begin the review process. The personal services contract must be approved by State's Chief Procurement Officer or designee prior to beginning any work. State's personal services contracting process and resulting contract document will follow Title 23 CFR Part 172, Title 49 CFR Part 18, ORS 279A.055, the current State Administrative Rules and State's Personal Services Contracting Procedures as approved by FHWA. Such professional, technical and expert services contract(s) shall contain a description of the work to be performed, deliverables, a project schedule, and the method of payment. Subcontracts shall contain all required provisions of City as outlined in this Agreement. No reimbursement shall be made using federal-aid funds for any costs incurred by City or its consultant prior to receiving authorization from State to proceed. Any amendments to such contract(s) also require State's approval.

Preliminary Engineering

1. State shall, at project expense, review, process and approve or submit for approval to the federal regulators all environmental statements. State shall, if State prepares these documents, offer City the opportunity to review and approve the documents prior to advertising for bids.
2. City or its consultant shall, as a federal-aid participating preliminary engineering function, a) conduct the necessary field surveys, environmental studies, traffic investigations, foundation explorations, and hydraulic studies, b) assist State with acquisition of necessary right of way and/or easements, c) perform all preliminary engineering and design work required to produce final plans, preliminary/final specifications and cost estimates, and d) identify and obtain all required permits necessary for the construction of the project. Said permits shall include, but are not limited to, access, utility, environmental, construction, and approach permits. All pre-construction permits will be obtained prior to advertisement for construction. All design exceptions from AASHTO design standards shall be reviewed by ODOT for concurrence prior to advertisement of final plans and specifications.

Right of way

1. City, and its consultant, if any, agree that right of way activities shall be in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, ORS Chapter 35, FAPG, Code of Federal Regulations and the *ODOT Right of Way Manual*, and Title 23 CFR Part 710 and Title 49 Part 24. State, at project expense, shall review all right of way activities engaged in by City to assure compliance with all laws and regulations.
2. State is responsible for proper acquisition of the necessary right of way and easements for construction and maintenance of projects. City may perform acquisition of the necessary right of way and easements for construction and maintenance of projects provided City or its consultant are qualified to do such work, as required by the *ODOT Right of Way Manual*, and City has obtained prior approval from State's Region Technical Center Right of Way office to do such work.
3. Regardless of who acquires or performs any of the right of way activities, a right of way services agreement shall be created by State's Region Technical Center Right of Way office setting forth the responsibilities and activities to be accomplished by each party. On any project that has the potential of needing additional right of way, to assure compliance in the event that additional right of way is unexpectedly needed, a right of way services agreement will be required. State shall always be responsible for requesting the obligation of project funding from FHWA. State, at project expense,

shall be responsible for coordinating certification of the right of way, and providing oversight and monitoring. Funding authorization requests for federal right of way funds must be sent through State's Regional Local Agency Liaison, who will forward the request to State's Region Technical Center Right of Way office on all projects. The City must receive authorization to proceed from State's Right of Way Section prior to beginning right of way activities. All projects must have right of way certification coordinated through State's Region Technical Center Right of Way office to declare compliance and project readiness for construction (even for projects where no federal funds were used for right of way, but federal funds were used elsewhere on the project). City should contact State's Regional Local Agency Liaison, who will contact State's Region Technical Center Right of Way office for additional information or clarification on behalf of City.

4. City agrees that if any real property purchased with federal-aid participation is no longer needed for the originally authorized purpose, the disposition of such property shall be subject to applicable rules and regulations, which are in effect at the time of disposition. Reimbursement to State and FHWA of the required proportionate shares of the fair market value may be required.
5. City ensures that all project right of way monumentation will be conducted in conformance with ORS 209.155.

Title VI

1. City agrees to comply with all the requirements imposed by Title VI of the Civil Rights Act of 1964, Title 49 CFR Part 21, and Executive Order 11246, relative to the employment practices under any engineering contract awarded in conjunction with this Agreement. If City fails to comply with federal or state civil rights requirements of this Agreement, sanction may be imposed by FHWA or State as appropriate, including, but not limited to:
 - a) Withholding of payments to City under this Agreement until City causes compliance, or
 - b) Cancellation, termination, or suspension of this Agreement, in whole or in part.
2. City shall consider Title VI issues from the beginning of project development, through the entire project process, including project closure. City understands and agrees to comply with the Title VI requirements listed in the Local Agency Guidelines Manual, Section A Title VI, attached hereto by reference and by this reference made a part hereof. In order to meet the requirements of the Title VI of the Civil Rights Act of 1964, City shall develop one of the following items.

- a) A Title VI Program Plan or
- b) A Nondiscrimination Agreement

3. Complaint Procedures: City shall comply with Title VI by deferring all Civil Rights discrimination complaints to the State DOT Civil Rights Office and City must include the following language in any of its contracts under the certification program:

Any person who believes that he/she has been excluded from participation in, denied benefits or services of any program or activity administered by the Department or its sub-recipients, consultants, and contractors on the basis of age, disability, gender, race, color, national origin, age income status and religion may bring forth a complaint of discrimination under Title VI and related statutes to the Oregon Department of Transportation, Office of Civil Rights, 800 Airport Road SE, Salem, Oregon, 97301, (503)986-4350.

Construction – Bid, Award & Contract Administration

Civil Rights

Disadvantaged Business Enterprise (DBE), Equal Employment Opportunity Program (EEO), and On-the-Job Training (OJT)

1. City, its contractors and subcontractors shall comply with the "United States Department of Transportation (USDOT) Approved Disadvantaged Business Enterprise (DBE) Commitment Requirements" and the "USDOT Approved Disadvantaged Business Enterprise (DBE) Supplemental Required Contract Provisions," incorporated hereto by reference and by this reference made a part hereof. City shall send electronic copies of all completed Committed DBE Breakdown and Certification forms described in the "USDOT Approved DBE Commitment Requirements" to State's Small Business and DBE Program Manager, with a copy to State's Regional Local Agency Liaison, for review and approval. City shall not award any contract(s) prior to receiving approval of said forms from the State's Small Business and DBE Program Manager. City agrees to ensure that the above provisions (including references therein) shall be incorporated into all contracts and subcontracts (regardless of tier) describing the work to be performed by DBEs on projects financed in whole or in part with federal funds. Failure by City to carry out these requirements on any project is a material breach of contract, which may result in the termination of the contract or such other remedy as State deems appropriate. Federal regulations Title 49 CFR Part 26, as approved by USDOT, are also incorporated by reference and shall be made a part of any contract specifications and this Agreement.

2. City, its contractors and subcontractors shall comply with the EEO and the OJT requirements, titled "On-Site Work Force, Affirmative Action Requirements for Women and Minorities on "Federal-Aid Contracts" and "Equal Employment Opportunity Provisions," incorporated hereto by reference and by this reference made a part hereof. City agrees to ensure that the provisions listed above shall be a part of all solicitations for bids on all federal-aid construction contracts or subcontracts of \$10,000 or more. Section 140 of Title 23, United States Code (USC), Equal Employment Opportunity, as in effect on May 1, 1982, is incorporated hereto by reference and shall be made a part of any contract specifications and this Agreement. The "Federal On-The-Job Training Special Provisions" shall also be part of all solicitations for bids on all federal-aid construction contracts or subcontracts when OJT is assigned and is in implementation of Title 23 USC 140(a). Federal regulations Title 23 CFR Part 230, as approved by USDOT, are also incorporated hereto by reference and shall be made a part of any contract specifications and this Agreement.
3. City its contractors and subcontractors shall not discriminate on the basis of age, disability, gender, race, color, national origin, age income status and religion in the award, administration, and performance of any federal-aid contract in the administration of DBE requirements under 49 CFR Part 26.
4. City shall include in all construction bid books, relative to receiving federal-aid, the following paragraph.

"The contractor or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of federal-aid contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as City deems appropriate."
5. State shall make available to City, by electronic medium, all current and pertinent DBE, EEO and OJT forms. City will include the forms in City's bid books, as defined in the City's manual and procedures as appropriate. State's Office of Civil Rights will be available to provide EEO, OJT and DBE training during the test projects.
6. State shall review and determine goals, requirements or aspirational target for DBE and OJT for each project as appropriate. To initiate this review, City shall submit to State's Regional Local Agency Liaison, approximately thirteen (13) weeks before bid opening, the plans, specifications (90 percent complete), engineer's estimate, cost and completion data as well as the DBE/OJT Civil Rights Sheet (aka "yellow sheet") by electronic means, fax, or hard copy to the State's Small Business/DBE Program Analyst in the Office of Civil Rights. If City disagrees with State's assigned goals,

requirements or aspirational targets for DBE and OJT, City and State shall discuss, however, State will have final determination.

7. City understands that the DBE provisions and bid document inserts are required even if the DBE goal is set to zero. Federal regulations encourage contractors to involve DBE firms even if the DBE goal is zero. All prime bidders shall submit the Subcontractor/Supplier Solicitation and Utilization Form (SSSUF) to the City within ten (10) days of bid opening. City shall forward the SSSUF by electronic means or fax, to the State's Small Business/DBE Program Analyst in the Office of Civil Rights regardless of whether the DBE goal is zero or not.
8. City shall fax or send a list of the prime bidders with bid amounts for all bidders to the State's Small Business/DBE Program Analyst in the Office of Civil Rights. In addition, City shall forward appropriate civil rights forms and information within 24 hours of bid opening. After award, and prior to contract execution, City shall forward copies of all forms received by City from contractor(s) to State's Regional Local Agency Liaison within ten (10) days. After the contract is executed, City shall forward all forms received from contractor(s) to State's Regional Local Agency Liaison with ten (10) days.
9. City shall comply with the goals, requirements, or aspirational targets for DBE, and OJT established by State for each federal-aid project.
10. State shall provide support, compliance monitoring, and on-site reviews for the DBE program. State shall provide support, and compliance monitoring for the DBE, EEO, and OJT programs. State shall deliver to the City the Standard Precon package for each project. State shall act as an agent on behalf of City regarding all civil rights contract administration activities and shall report to City not the Contractor. City maintains responsibility to uphold the programs with the contractor.
11. If City's lowest bidder has not met the DBE goal on a project, State's Office of Civil Rights shall determine if good-faith efforts were made and make a recommendation to City regarding award as it applies to meeting the DBE goal assigned for that particular project. If State's Office of Civil Rights determines that City's apparent low bidder(s) have not made good faith efforts, State's Office of Civil Rights will provide a paragraph to be included in a letter to the contractor from City that the bidder is non-responsive. The paragraph will include the reason for the determination that the bid is non-responsive and provide the bidder an opportunity for administrative reconsideration. City shall use the information provided by the State's Office of Civil Rights verbatim and make no changes to the wordage when submitting to the contractor. If the bidder requests administrative reconsideration, City shall notify State's Office of Civil Rights and State's Office of Civil Rights shall conduct the

administrative reconsideration. State's Office of Civil Rights shall provide the results of the administrative reconsideration to City. City shall use the information provided by the State's Office of Civil Rights verbatim and make no changes to the wordage when submitting to the contractor. City shall defend the administrative reconsideration committee decision with the Department of Justice assisting City.

12. If a protest is filed involving a DBE goal, State's Office of Civil Rights shall provide a written response to the protest and forward to City for finalizing and signature. City shall use verbatim the wordage provided by State's Office of Civil Rights in connection with the DBE goal issue. If City disagrees with the response, City may discuss with State's Office of Civil Rights, however, State's Office of Civil Rights has the final determination. State will invoice City for all DBE, EEO and OJT services performed.

Construction Activities and Administration

1. City understands and agrees that certification is only for the low bid contracting process. If City wishes to use an alternate method of bidding other than low bid, City shall contact the State's Regional Local Agency Liaison to obtain State's and/or FHWA approval.
2. City may use Additive Alternate Bidding (aka Bid Alternates). City's first Additive Alternate Bidding project using the Certification Program will be considered a test project and City will need to inform State's Regional Local Agency Liaison at 90 percent PS&E.
3. City agrees that contract administration, quality control, quality assurance, material sampling and testing will be accomplished in accordance with City's current Federal-Aid Certification Plan for Capital Improvements, or City may use State's current Construction Manual. Said manuals are incorporated hereto by reference, and by this reference made a part hereof.
4. City shall list the BOLI (state) and Davis-Bacon (federal) wages in its construction contracts and require its contractors to pay whichever wage is higher pursuant to OAR 839-025-0000. City shall monitor labor compliance and prevailing wage rate compliance.
5. City shall include in the bid book the requirement of a bid guaranty in an amount not to exceed 10 percent of the bid amount; a performance bond in an amount equal to the full contract price; and a payment bond in the amount equal to the full contract price. Each bid guaranty, performance bond and each payment bond must be executed solely by a surety company or companies holding a certificate of authority to transact surety business in Oregon.

6. If City awards a construction contract, City shall follow City's materials quality program. City shall process and pay all contractor progress estimates, make final contractor payment, check final quantities and costs, and oversee and provide inspection services during the construction phase of the project.
7. State will reimburse City for construction contractor payments within ten (10) working days of receipt of payment request from City. Once State's Regional Local Agency Liaison has received invoice from City, State's Regional Local Agency Liaison shall forward the invoice to State's Financial Services Office for payment. Receipt of payment requests shall include the items listed in Construction Activities and Administration Section, paragraph 6 of this Agreement.
8. City shall prepare contract and bidding documents, advertise for bid proposals, and award all contracts, and conduct all contract administration. Upon City's award of the construction contract, City, or its consultant, shall be responsible to perform all construction engineering, field testing of materials, technical inspection and project manager services for administration of the contract and making contractor payments.
9. City shall send State, within one year following contract completion for construction, a final copy of "As Constructed" plans if a roadway project is on or affects the state highway system and for all bridge projects both on and off the state highway system where the State has responsibility for inspection of such bridges.

Contract Claims and Contractor Change Orders

1. City shall follow City's procedures for Contractor Claims and Contractor Change Orders as described in City's Federal-Aid Certification Plan for Capital Improvements. The City's contract specifications are required to include a process for dispute and claim resolution. Those specifications must require a claims review by State of any unresolved claims prior to the contractor being allowed to pursue litigation. State will conduct claims reviews and will make independent determinations on contractor's entitlement and award of damages.
2. City cannot exceed the project authorization without following State's process, and obtaining approval for an Increase in Project Authorization.
3. State retains approval authority over the following Contract Change Orders, including:
 - a. Changes which affect environmental mitigation classification or commitments.
 - b. Right of way access control on or impacting State's facilities.
 - c. Changes in the scope or work or extension of the contract limits shown in

- the project documents approved by State and FHWA.
- d. Any contract change altering the DBE goals, requirements and/or aspirational targets.
 - e. Any impact or changes to traffic mobility including width, height, weight, length, access to the route or additional travel delay on or impacting State's facilities.
 - f. Any change(s) resulting in less than AASHTO Design Standards for projects on the NHS.

FHWA retains approval authority over waiver for Buy America provisions.

Railroads

1. City shall follow State established policy and procedures when impacts occur on railroad property. The policy and procedures are available through the appropriate State Local Agency Liaison, who will contact State's Railroad Liaison on behalf of City. Only those costs allowable under Title 23 CFR Part 140 Subpart I, and Title 23 Part 646 Subpart B shall be included in the total project costs; all other costs associated with railroad work will be at the sole expense of City, or others. City may request State, in writing and at project expense, to provide railroad coordination and negotiations. However, State is under no obligation to agree to perform said duties.

Utilities

1. City shall cause to be relocated or reconstructed, all privately or publicly-owned utility conduits, lines, poles, mains, pipes, and all other such facilities of every kind and nature where such relocation or reconstruction is made necessary by the plans of the project in order to conform the utilities and other facilities with the plans and the ultimate requirements of the project. Only those utility relocations, which are eligible for federal-aid participation under the FAPG, Title 23 CFR Part 645 Subpart A, shall be included in the total project costs; all other utility relocations shall be at the sole expense of City, or others. City may request State, at project expense and in writing, to arrange for utility relocations/adjustments lying within City jurisdiction, acting on behalf of City. This request must be submitted no later than twenty-one (21) weeks prior to bid let date. However, State is under no obligation to agree to perform said duties.
2. City shall follow established State utility relocation policy and procedures. The policy and procedures are available through the appropriate State's Regional Local Agency Liaison.

Maintenance Responsibilities

1. City shall, upon completion of construction, thereafter maintain and operate the project at its own cost and expense. In the event a project will include or affect a state highway, this provision does not address maintenance of that state highway.

General Provisions

1. City further agrees to comply with all applicable civil rights laws, rules and regulations, including Title V and Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA), and Titles VI and VII of the Civil Rights Act of 1964.
2. City agrees and understands that it will conduct all contracting in compliance with all applicable federal, state, and local laws, regulations, executive orders and ordinances applicable to the work including, but not limited to, ORS Chapters 279A 279B, and 279C, the provisions of ORS 279C.505, 279C.515, 279C.520, 279C.530 and 279B.270, incorporated herein by reference and made a part hereof; Title 23 USC, Federal-Aid Highway Act; Title 41 USC Anti-Kickback Act; Title 42 USC, Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970, as amended; OMB Circular A-133, provisions of FAPG, Title 23 CFR, Parts 1.11, 140, 710, and 771 and Title 49 CFR Parts 18, 24, and 26, FHWA Contract Administration Reference Guide, City of Corvallis Public Contracting Rules adopted pursuant to ORS 279A.065(5).
3. City acknowledges and agrees that State, the Oregon Secretary of State's Office, USDOT Office of Inspector General, FHWA, any other federal government agency, and their duly authorized representatives shall have access to such fiscal records and other books; project documents, papers, plans and writings of City pertaining to work covered by the Supplemental Project Agreements to perform examinations and audits and make excerpts and transcripts. City is responsible for using its procedures, as approved by ODOT, for project documentation and long term retention of project documentation. City shall ensure that the contractor and subcontractor(s) maintain the records and keep the records accessible and available at reasonable times and places for a minimum period of six years from the date of final payment under the contract or subcontract or until the conclusion of any audit, controversy or litigation arising out of or related to the contract, whichever date is later, unless a different period is required by law. See the Secretary of State's Retention Schedule; e.g. OAR Chapter 166, Division 150 for counties, 200 for cities and 300 for state agencies. This shall include, but is not limited to:
 - a. daily work records;
 - b. quantity documentation;

City/State
Agreement No. 25611

- c. material invoices and quality documentation;
 - d. certificate of materials origin;
 - e. process control records;
 - f. project diary;
 - g. erosion control reports;
 - h. temporary protection and direction of traffic reports;
 - i. foreign steel summary;
 - j. test results; and
 - k. inspection records to ensure that projects are completed in conformance with approved plans and specifications.
4. City shall retain and keep all files and records for a minimum of three (3) years following the date of final voucher to FHWA. Copies of such records and accounts shall be made available upon request. For real property and equipment, the retention period starts from the date of disposition (Title 49 CFR Part 18 Subpart 42).

City Indemnifications

1. City shall, to the extent permitted by State law, indemnify, hold harmless and provide legal defense for State against all claims brought by the contractor, or others resulting from City's failure to comply with the terms of this Agreement.
2. On all construction projects where City is doing the construction engineering and project management, City, subject to any limitations imposed by State law and the Oregon Constitution, agrees to accept all responsibility, defend lawsuits, indemnify and hold State harmless, for all tort claims, contract claims, or any other lawsuit arising out of the contractor's work or City's supervision of the project.
3. City shall, to the extent permitted by the Oregon Constitution and the Oregon Tort Claims Act, indemnify, defend, save and hold harmless the State of Oregon from any and all claims, suits, actions of whatsoever nature resulting from or arising out of activities of City, its consultants, its contractors, its officers, subcontractors, agents or employees under this Agreement.
4. City shall require its contractor(s) to indemnify the State of Oregon, Oregon Transportation Commission and its members, and Department of Transportation, its officers and employees, for performance of the obligations of contractor(s) under its contracts with City.
5. Notwithstanding the foregoing defense obligations under paragraphs listed under "Indemnifications" above, neither City or its contractor(s), nor any attorney engaged by City shall defend any claim in the name of State of Oregon or any agency of the

State of Oregon, nor purport to act as legal representative of the State of Oregon or any of its agencies, without the prior written consent of the Oregon Attorney General. The State of Oregon may, at any time at its election assume its own defense and settlement in the event that it determines that City is prohibited from defending the State of Oregon, or that City is not adequately defending the State of Oregon's interests, or that an important governmental principle is at issue or that it is in the best interests of the State of Oregon to do so. The State of Oregon reserves all rights to pursue any claims it may have against City if the State of Oregon elects to assume its own defense.

State Indemnifications

1. State shall, to the extent permitted by the Oregon Constitution and the Oregon Tort Claims Act, indemnify, defend, save and hold harmless City from any and all claims, suits, actions of whatsoever nature resulting from or arising out of activities of State, its officers, agents or employees under this Agreement.
2. Notwithstanding the foregoing defense obligations under the paragraph above, neither State or its contractor(s), nor any attorney engaged by State shall defend any claim in the name of the City or any agency/department/division of City, nor purport to act as legal representative of City or any of its agencies/departments/divisions, without the prior written consent of the legal counsel of City. City may, at any time at its election assume its own defense and settlement in the event that it determines that State is prohibited from defending City, or that State is not adequately defending City's interests, or that an important governmental principle is at issue or that it is in the best interests of City to do so. City reserves all rights to pursue any claims it may have against State if City elects to assume its own defense.

Insurance

1. City shall require its contractor(s) to list the State of Oregon, Oregon Transportation Commission and its members, and Department of Transportation, its officers and employees, as additional insured in the insurance certificates required of contractor(s) under any contract. Prior to Notice to Proceed, contractor shall provide insurance certificates to City. For railroad insurance, the maximum dollar amounts of coverage to be reimbursed for federal funds with respect to bodily injury, death and property damage is limited to a combined amount of \$2,000,000 per occurrence with an aggregate of \$6,000,000 applying separately to each annual period. FHWA must approve any exceptions to the maximum railroad protective insurance limits. City should contact local railroad for insurance requirements. The insurance coverages shall be in effect for the life of the contract.

2. City shall include State as a third party beneficiary in the specifications of City's construction contract on any projects, with express authority to enforce the terms and conditions of the contract.

Workers' Compensation Coverage

1. All employers, including City that employ subject workers who work under this Agreement 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. City shall ensure that each of its contractors complies with these requirements.

Termination

1. This Agreement may be terminated by mutual written consent of both parties.
2. State may terminate or rescind this Agreement if City fails to comply with the above-mentioned requirements, and after receipt of written notice from State, fails to correct such compliance within ten (10) days or such longer period as State may authorize.
3. State may terminate this Agreement effective upon delivery of written notice to City, or at such later date as may be established by State, under any of the following conditions:
 - a) If State fails to receive funding, appropriations, limitations or other expenditure authority sufficient to allow State, in the exercise of its reasonable administrative discretion, to continue to make federal fund reimbursements to City as provided under the Certification Program.
 - b) If federal or state laws, regulations or guidelines are modified or interpreted in such a way that either the Certification Program is prohibited or State is prohibited from reimbursing City with federal funds.
4. Any termination of this Agreement shall not prejudice any rights or obligations accrued to the parties prior to termination.

Lobbying Restrictions – per Form FHWA-1273, Required Contract Provisions

1. City certifies by signing the Agreement that:
 - a) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an

officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

- b) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit, for each Supplemental Project Agreement, Standard Form-LLL "Disclosure Form to Report Lobbying," in accordance with its instructions.
- c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, and contracts and subcontracts under grants, subgrants, loans, and cooperative agreements) which exceed \$100,000, and that all such subrecipients shall certify and disclose accordingly.
- d) This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, USC.
- e) Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature Authorities

1. City agrees that it has the means to provide adequate expertise and has support staff available to perform the functions being subdelegated. The support staff may include consultants or state services. City shall ensure that any contracts entered into with consultants, contractors or subcontractors shall adhere to the same requirements as those required of City under this Agreement.
2. City's approval authorities for any work performed by City under conditional certification, and after final certification has been granted, shall be identified in a letter to be provided to State. The letter must be sent to State's Local Government Section

Team Lead or functional equivalent and State's Region Manager before the signing of this Agreement. If any of the titles identified by City as having approval authority change, City shall immediately send a new letter to State's Local Government Section Team Lead or functional equivalent and State's Region Manager identifying all the parties by title that have approval authority. State's Local Government Section Team Lead or functional equivalent will provide a copy of any updates to the Certification Coordinator in the Local Government Section in Salem. City agrees that the signatures on each project prospectus, Supplemental Project Agreement, contract, and all project development phases shall adhere to said approval authority.

3. The provisions of this Agreement shall apply to all federal-aid Supplemental Project Agreements City enters into with State. If needed, and agreed to by both State and City, the provisions of this Agreement may be modified by use of special provisions in the Supplemental Project Agreements. In the event of a conflict, the Supplemental Project Agreement shall control over this Agreement.
4. 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.
5. This Agreement and the attached exhibits constitutes 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.

IN WITNESS WHEREOF, the parties hereto have set their hands as of the day and year hereinafter written.

City shall enter into and execute this Agreement during a duly authorized session of its City's Council as appropriate.

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.

City/State
Agreement No. 25611

On November 10, 2004, the Director of the Oregon Department of Transportation approved Subdelegation Order No. 2, in which the Director delegates day-to-day authority to the Deputy Director for Highways to approve and sign agreements.

CITY OF Corvallis, acting by and through
its City Manager

By _____
City Manager

Date _____

**APPROVED AS TO LEGAL
SUFFICIENCY**

By _____
City Legal Counsel

Date _____

**APPROVED AS TO LEGAL
SUFFICIENCY**

By _____
Assistant Attorney General

Date: _____

STATE OF OREGON, acting by and
through its Department of Transportation

By _____
Deputy Director, Highways

Date _____

APPROVAL RECOMMENDED

By _____
Region 2 Manager

Date _____

By: _____
Martin E. Andersen, PE
Local Agency Section Manager

Date _____

By _____
Interim Highway Finance Manager

Date _____

City/State
Agreement No. 25611

STATE OF OREGON
DEPARTMENT OF TRANSPORTATION

City is certified in the following functional areas as marked below:

- Consultant Selection
- Design
- Advertise, Bid and Award
- Construction Contract Administration

RESOLUTION 2009-_____

Minutes of the April 6, 2009, Corvallis City Council meeting, continued.

A resolution submitted by Councilor _____.

WHEREAS, By the authority granted in ORS 190.110 and ORS 283.110, local government may enter in to agreement with the State Agencies for the performance of any and all functions and activities that a party to the agreement, it officers or agents, have authority to perform; and

WHEREAS, the agreement acceptance requires approval by the City Council;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CORVALLIS RESOLVES to accept the Local Agency Certification Program Agreement with the Oregon Department of Transportation and authorizes the City Manager to execute the agreement and any future supplementals or 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: April 1, 2009
SUBJECT: 2009 Federal Economic Stimulus for Local Agency Transportation Projects

ISSUE

City Council's approval is required to authorize the City Manager to accept a grant agreement between the Oregon Department of Transportation (ODOT) for the American Recovery and Reinvestment Act (ARRA) grant from the Federal Highway Administration (FHWA).

BACKGROUND

On March 18, 2009, the Oregon Transportation Commission approved additional ARRA distributions from the FHWA in the amount of \$ 483,000. The ARRA grant requires the project be under a construction contract by June 17, 2009. Additional projects will be eligible for ARRA funding if the original allocation in the amount of \$1,246,491, and this allocation is contracted prior to June 17, 2009. The ARRA grant is being administered through ODOT. Specific conditions for the grant have not been finalized and this resolution is needed to authorize the City Manager to accept the grant, assuming reasonable terms for the grant are forthcoming from ODOT. This resolution is not intended to require the City Manager to accept the grant, should the terms from ODOT be unreasonable or not in the best interest of the City.

DISCUSSION

The additional ARRA grant is designated for 4.45 miles of surface preservation (2-inch overlay) on the Multi-Use Path from the Marys River Bridge in Corvallis to James Street in Philomath.

This project is not identified in the current CIP, therefore appropriations are needed this fiscal year for design and start of construction. Staff's intent is to complete the design and be under contract prior to June 17, 2009, to be eligible for additional ARRA grant funding.

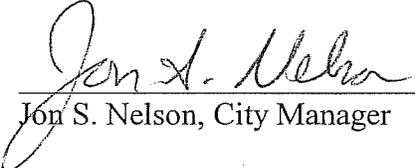
ACTION REQUESTED

Staff recommends City Council authorize the City Manager to accept the ARRA grant distribution and approve appropriations in the amount of \$483,000, including adoption of a Resolution authorizing the City Manager to execute the agreement and any future amendments relating to the ARRA grant.

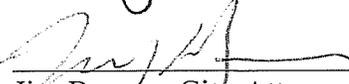
Review and Concur:



Nancy Brewer, Finance Director 4/1/09
Date



Jon S. Nelson, City Manager 4/1/09
Date



Jim Brewer, City Attorney 4/1/09
Date

RESOLUTION 2009-_____

Minutes of the April 6, 2009, Corvallis City Council meeting, continued.

A resolution submitted by Councilor _____.

WHEREAS, ORS 294.326 (2) allows the City Council to accept grants after the budget has been approved; and

WHEREAS, the City of Corvallis has been authorized to receive an American Recovery and Reinvestment Act (ARRA) grant from the Federal Highway Administration in the amount of \$483,000 for the purpose of constructing local transportation projects; and

WHEREAS, the ARRA program requires the projects to be completed under this grant program to be designed and monies obligated within 120 days and the City of Corvallis has projects that can meet this requirement; and

WHEREAS, additional projects may be eligible for funding if the monies are contracted to be expended by June 17, 2009, and the City's projects can meet this timeline; and

WHEREAS; the grant acceptance requires approval by the City Council and delegation of the authority to sign the grant documents to the City Manager; and

WHEREAS, the specific conditions of the grant have not been made available to staff, but time is of the essence in acting on this grant;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CORVALLIS RESOLVES to accept the ARRA grant offered by the Federal Highway Administration and if the specific terms of the grant are reasonable and in the best interest of the City, authorizes the City Manager to execute agreements accepting the grant and any future amendments relating to the agreement; and

BE IF FURTHER RESOLVED that the Finance Director is authorized to made the proper adjustments in the budget appropriations.

	<u>INCREASE</u>
STREET FUND	
Public Works Department	\$483,000

Councilor

Upon motion duly made and seconded, the foregoing resolution was adopted and the Mayor thereupon declared said resolution to be adopted.

To: Corvallis City Council
From: Mayor Charles Tomlinson *CCT*
Subject: Economic Development Allocation Appointments
Date: April 6, 2009

I am appointing the following individuals to serve on the Economic Development Allocation Sub-committee:

Rick Schroff Rick is a local business person who ran for City Council last year.
Brian Weldon Brian is the President of the Software Association of Oregon, local Corvallis Chapter, and a local business person.
Marti Barlow Marti is a local businesswoman and is developing the Business is Good Here web site.

These individuals either live or work in Corvallis.

0030

Louie, Kathy

From: Nelson, Jon
Sent: Friday, April 03, 2009 2:27 PM
To: 'Joseph T. Duncan'
Cc: Mayor and City Council; Louie, Kathy; Emery, Karen
Subject: RE: "BMX park" - proposed homeless park

Mr. Duncan,

Thank you for sharing your frank feedback with me. I am also copying this to the City Council so they are aware of your input. (Kathy, would you please have a copy of this e-mail available at the Council meeting in case Councilors miss the electronic version.)

Karen, could you please advise as to any National Forest Service limitations, or other grant funding source limitations, on any of the three sites.

Thanks all.

Jon

-----Original Message-----

From: Joseph T. Duncan
Sent: Friday, April 03, 2009 2:04 PM
To: Nelson, Jon
Subject: "BMX park" - proposed homeless park

Dear Jon Nelson,

The BMX part would be a very unfortunate place to make into a homeless camp. If you go forward with this as the chosen location, you had better provide an alternative location for those of us whom enjoy the "bmx park"

This park hosts both a bmx track and an rc car track that many of my close friends enjoy using (all of us long term 10+ year Corvallis residents), and many new friends i have met (short term student residents, as well as those from other cities). This park provides a unique location for these two activities that is not to be found anywhere else in Benton county. Its loss would be very unfortunate. My friends have very young kids, so turning it into a homeless park will be a huge detriment to our rec rational activities as we will no longer be able to use the park for our own safety's sake.

This section of land is also flagged as National Forest Service land. Are you sure the city even has the right to re-purpose it as it sees fit?

I am extraordinarily unhappy about hearing this. I also have prior commitments Monday nights that will prohibit attending the town council meeting. My friends whom also enjoy the park will also not be able to attend for same reason. (bowling league, another Corvallis area, recreational activity...)

-Joseph

Info:
Joseph T. Duncan

Contact Information:
email:
phone:

Louie, Kathy

From: Charles C. Tomlinson [mayor@council.ci.corvallis.or.us]
Sent: Friday, April 03, 2009 2:46 PM
To: Louie, Kathy
Subject: [Fwd: <web>Homeless Camp]

Kathy, For the City Council. Charlie

----- Original Message -----

Subject: <web>Homeless Camp
From: "Martha Jenkins"
Date: Fri, April 3, 2009 12:49 pm
To: mayor@council.ci.corvallis.or.us

This is an inquiry e-mail via %s from: Martha Jenkins Tomlinson:

Dear Mayor

The permitting and construction of a homeless tent camp seems to be an effort to expand and make permanent what has been an impromptu gathering of transient people who may have a range of problems--alcohol and drug addiction, mental illness, joblessness and in some cases criminal records, including sex offenses. Siting such a camp in city parks will most likely generate more problems for the city and the police than it would solve and presents a real danger to children and others who use the parks for recreation..

Surely, as unemployment rises with consequent economic distress, our priority for housing and delivery of social services ought to be to children and families who need assistance, because children do not elect these circumstances.

In the months ahead, the demand for food and housing will increase. Since this is not a city problem, but is state and county-wide, I believe that Benton County and the city ought to work together to acquire a permanent facility that can provide shelter for families or a facility for homeless men, if that is what is needed, and can provide a full panoply of services--food, job and mental health counseling, dental and health services, and recreation programs, all designed to keep families intact, the kids safe and in school, and get the families to a point where they no longer require public assistance. In return, the families would sign a "lease" which obligates them to participate in job retraining and counseling as well as providing mutual assistance, child care for pre-schoolers, cooking, cleaning and property upkeep and maintenance.

Martha Jenkins

Louie, Kathy

From: Nelson, Jon
Sent: Friday, April 03, 2009 3:15 PM
To: 'Daniel Kuwahara'
Cc: Louie, Kathy; Mayor and City Council
Subject: RE: Homeless camp at BMX Park

Mr. Kuwahara,

Thank you for your feedback on the sites Council is considering. I will share your e-mail with them.

Jon Nelson
City Manager

-----Original Message-----

From: Daniel Kuwahara
Sent: Friday, April 03, 2009 2:59 PM
To: Nelson, Jon
Subject: Homeless camp at BMX Park

I was just reading the Gazette Times article about a proposed homeless camp in Corvallis. I was particularly shocked to hear that the BMX track was one of proposed sites. My family and friends spend time down at that park driving our R/C (Radio Controlled) cars and my kids have a fun place to run around in. Having a homeless camp there would make it in my opinion a very unsafe environment for kids to play in. I have seen other families come and play in that area with their bikes and R/C cars. While there are plenty of places to ride bikes in Corvallis, there are no established R/C tracks in Corvallis area. I would love to come to the city council meeting on this subject, however I cannot due to previous commitments.

Daniel Kuwahara

Louie, Kathy

From: Mark O'Brien [ward1@council.ci.corvallis.or.us]
Sent: Friday, April 03, 2009 3:52 PM
To: Louie, Kathy
Subject: [Fwd: <web>Homeless Camp]

Kathy,

For the record. Thanks.

Mark O'Brien
Councilor Ward 1

----- Original Message -----

Subject: <web>Homeless Camp
From: "John Myers"
Date: Fri, April 3, 2009 8:21 am
To: ward1@council.ci.corvallis.or.us

This is an inquiry e-mail via %s from: John Myers

Mark:

I am opposed to the homeless camp. I prefer the city utilize it's tax revenues and parks for tax paying residents. I fear that opening a homeless camp will attract homeless people to Corvallis, which will not improve the city.

My wife Vivian volunteered for Housing Plus several years ago. The young man she was helping was not from this area and had no family in Corvallis, but the program made Corvallis a very attractive place to live.

I would be glad to discuss this and other issues with you if you like.

Your neighbor,

John Myers

Louie, Kathy

From: Charles C. Tomlinson [mayor@council.ci.corvallis.or.us]
Sent: Saturday, April 04, 2009 4:11 PM
To: Louie, Kathy
Subject: [Fwd: <web>Homeless Camps]

Kathy, For the City Council. Charlie

----- Original Message -----

Subject: <web>Homeless Camps
From: "John Doe"
Date: Sat, April 4, 2009 10:28 am
To: mayor@council.ci.corvallis.or.us

This is an inquiry e-mail via %s from: John Doe
Tomlinson and City Manager Jon Nelson:

To Mayor

I would like to express my concerns and opinions about the proposed homeless camps. While I fully understand that homelessness is endemic to every county in the country, and that the issue is realistically unsolvable, I don't think that these facts should necessarily lead to the proposed solutions.

First, all three suggested "camps" are in south Corvallis. As a resident of south Corvallis, who loves his neighborhood and proximity to both Willamette Park and the rural areas just south of town, I can't help but feel that south Corvallis is being used as a "dumping ground" because of the relatively lower incomes of this area of town. If proximity to downtown services is the concern, then Pioneer Park, Riverfront Park or Central Park would be even better. If we want to ensure access to health services, then Chintimini Park is across the street from the Benton County Health Center. The stated goal of Jon Nelson and the staff consulted was, "to decide which parks and open space would suit the safety, sanitation and location needs of the city's homeless population — all while avoiding residential areas." Neither the BMX park nor Willamette Park avoid residential areas, and while Avery is more removed from immediate housing, it is still used by many families, individuals and groups daily. The only park I've seen mentioned in the G-T that comes close to meeting most criteria is Alan Berg Park. I understand this was rejected because it is in Linn County, and there were concerns that Linn County would not want the burden. However, does anyone really think that the homeless will care that they are in Linn County, and that they will walk 10 miles to Albany to receive services, when a simple walk across the bridge gets them into downtown Corvallis?

Second, all three parks currently suggested are heavily used by families and children. I don't think anyone could argue the wisdom of having a large homeless population in such close proximity to kids, many of whom are not there with their parents because they are part of a team or are there with friends. Currently, my wife and I use Willamette Park daily for exercise, and often go to Avery for the same. (We don't have children, but if we did, they, too, would use these parks daily.) Right now, I have no concerns when my wife goes for a run by herself. But if a camp were to appear in these parks, I would have concerns for my safety, let alone my wife's. What about the hundreds of kids in Willamette Park daily, all spring/summer/fall, for soccer, baseball, softball, biking, etc? How safe will they be?

Third, I work in the medical field, and often with homeless patients. I can personally attest that I have not met a single homeless person who is not either suffering from an undiagnosed/untreated mental illness; addicted to substances (drugs and/or alcohol); or both (what is known as dual diagnosis). Encouraging large quantities of these people to share the same space will certainly result in many conflicts over real or perceived breaches of personal space, possessions, or access to substances or services. Yes, there are homeless who are not addicted or mentally ill. They are homeless by dint of circumstances or bad luck, but these people tend to not be homeless for long. They will either get a new job, move in with friends or family, or move to a new locale. Encouraging them to share the same space as the "hard core" mentally ill / addicted ones I'm talking about will certainly be a recipe for mayhem.

Fourth, the amount of litter and habitat destruction that will occur will be appalling. If you never got to see the camp that was by the railroad tracks near Home Depot before it was torn down (thankfully), then the best way to describe it is to say that it was a little slice of a third-world slum here in Corvallis. I mistakenly ran through those woods one evening last summer while on a long run, and the filth and squalor were amazing. Human and dog waste, trash, broken alcohol bottles were everywhere. There was also a family with at least 5 children living in a tarp-and-plywood "house", and when I called both the Corvallis Police and the Department of Human Services about this, both told me there was nothing they could do as I did not witness any child abuse, and being homeless is not illegal. As I stated in the above point, having a homeless family share a camp with the mentally ill / addicted will be awful for any children involved. And the damage to any park will take years to repair, if ever.

Finally, while I don't wish to sound heartless or hopeless, I must state that if we are being honest with ourselves, we need to recognize that we are not ever going to eliminate this problem. Due to the problems I mentioned earlier (with mental illness and addiction issues), I can tell you that even folks who have jobs, houses and supportive families have an incredibly difficult time beating mental illness and/or addiction. To expect that folks with severely limited resources and even more limited coping and socialization skills will succeed in these areas is wishing for too much. Yes, we can all point to those individual success stories, but they are the exceptions that prove the rule. The fact is, some of the homeless want what they perceive to be as freedom and separation from society. Others will never be able to be part of mainstream society, for many reasons.

We must also recognize the fact that the homeless overall are not paying taxes, not contributing to the welfare of the town or its people. Why should we, the taxpayers, have our ability to enjoy this town curtailed because of a sense of obligation to people who typically don't even have a sense of obligation to themselves? While I am all for helping those in need, that help should be "a hand up, not a handout." When people repeatedly refuse offered help or services, for whatever reason, then we need to respect that decision, however flawed, and allow them to proceed as they see fit. It does not mean we are financially obligated to keep throwing good money after bad. I personally don't want more of our ever-shrinking tax dollars spent in an area where there will be no return on investment.

The problem of homelessness goes beyond what any one person, town or county can effectively deal with. While I truly admire the dedication of those who try and help the homeless, and can attest personally to the sincerity and altruism of Aleita Hass-Holcombe, I don't think we are obligated to do more than provide the opportunities for the homeless to improve their lives. We should provide access to health care, mental health services, and addiction treatment. We should provide job counseling and help with obtaining housing. But I do not think we are obligated to provide an environment that, de facto, encourages the continuation of a lifestyle. I am certainly not implying that allowing a homeless camp will make life easy for the homeless. But I do think that creating the camp gives tacit and implied approval and support for this life. To give an analogy, would we think it wise to provide city-sanctioned "shooting galleries" for meth or heroin users while encouraging them to get clean?

Would we have the city provide unlimited vouchers to McDonald's for the city's obese while encouraging them to exercise daily? Similarly, it seems fairly ludicrous to act as if we want to "end homelessness" while simultaneously endorsing a camp.

I have no easy answer, because there is none. But to address the current proposal of a camp in south Corvallis, I must strongly urge you to say "no". If a camp is the only reasonable short-term option, then it should be located in Alan Berg Park, a little-used park that is essentially devoid of residential areas and is still close to downtown.

Lastly, I am going to withhold my name from this letter. I struggled with this decision, as I have always believed that if someone has something to say, they should be willing to put their name behind it. However, given my position as someone who works with the homeless and their advocates, I think attaching my name would result in strained personal and professional relationships. But I hope you can see that wishing to remain anonymous does not detract from my reasoned and thoughtful points. The email address from which I'm sending this is an "alias", but you are more than welcome to contact me through it to verify my sentiments or ask any questions.

Thank you for taking the time to read and consider my comments.

Louie, Kathy

To: Nelson, Jon
Subject: RE: <web>Homeless camps

-----Original Message-----

From: Nelson, Jon
Sent: Monday, April 06, 2009 8:46 AM
To: Louie, Kathy
Cc:
Subject: FW: <web>Homeless camps
Importance: Low

Kathy, for Council please.

Ms. Bishop, thank you for taking the time to provide input. Jon

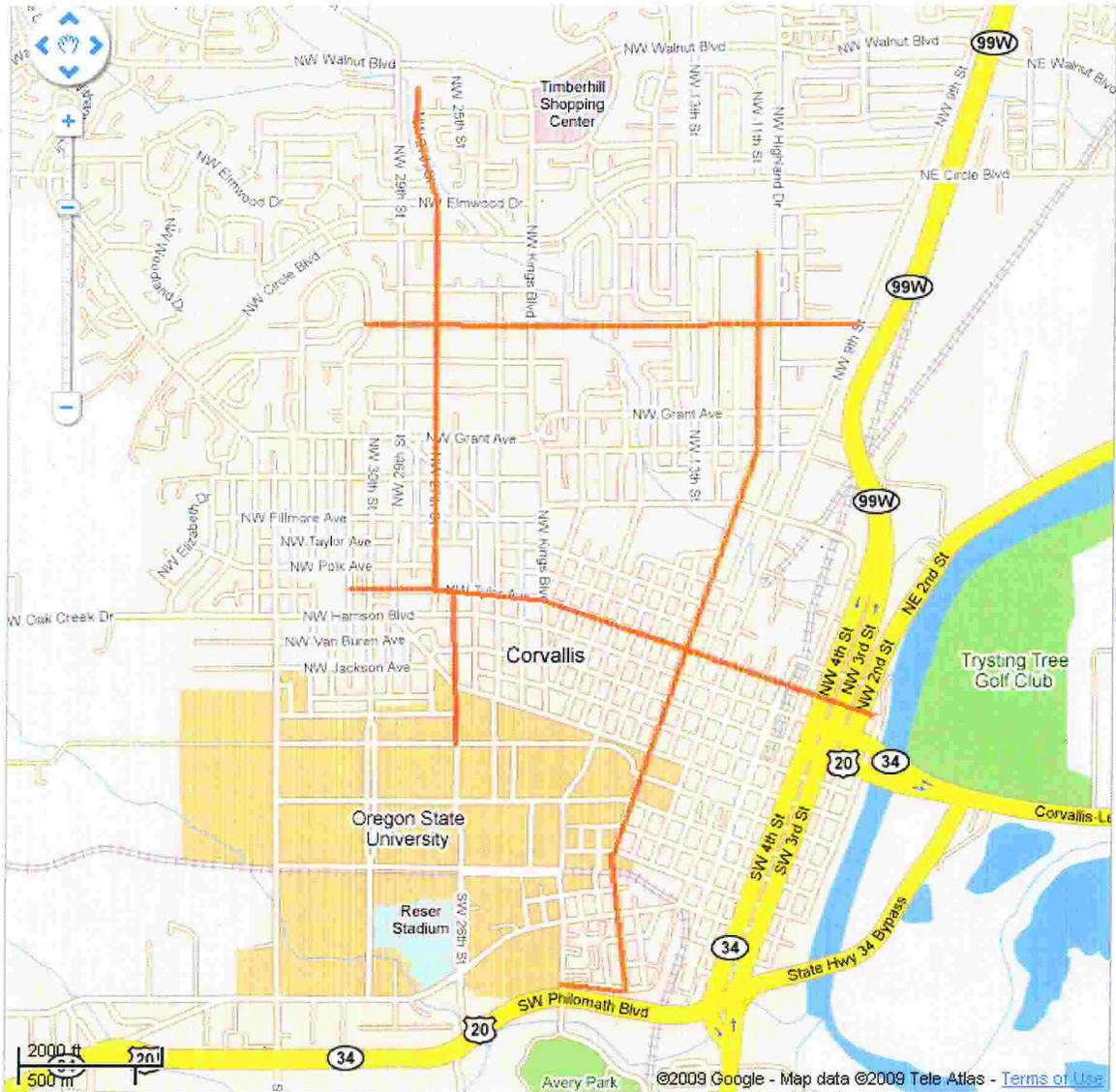
-----Original Message-----

From: leslie bishop
Sent: Saturday, April 04, 2009 8:26 PM
To: City Manager
Subject: <web>Homeless camps
Importance: Low

This is an inquiry e-mail via %s from: leslie bishop

Thank you Mr. Nelson,
Please pursue your idea of finding funds for mental health workers for our homeless.
Mental health problems and alcohol addiction need to be addressed before we place camps in
our family oriented public parks. CPD says we have over 200 homeless and possibly 1,000
"couch surfers." They need help, not ghettoization. This is your moment to lead with an
actual plan.
Thank you.

Proposed Bicycle Boulevards in Corvallis



Additional Resources:

Video on Berkeley BB: <http://www.streetfilms.org/archives/berkeley-bike-boulevards/>

City of Berkeley Site: <http://www.ci.berkeley.ca.us/ContentDisplay.aspx?id=6650>

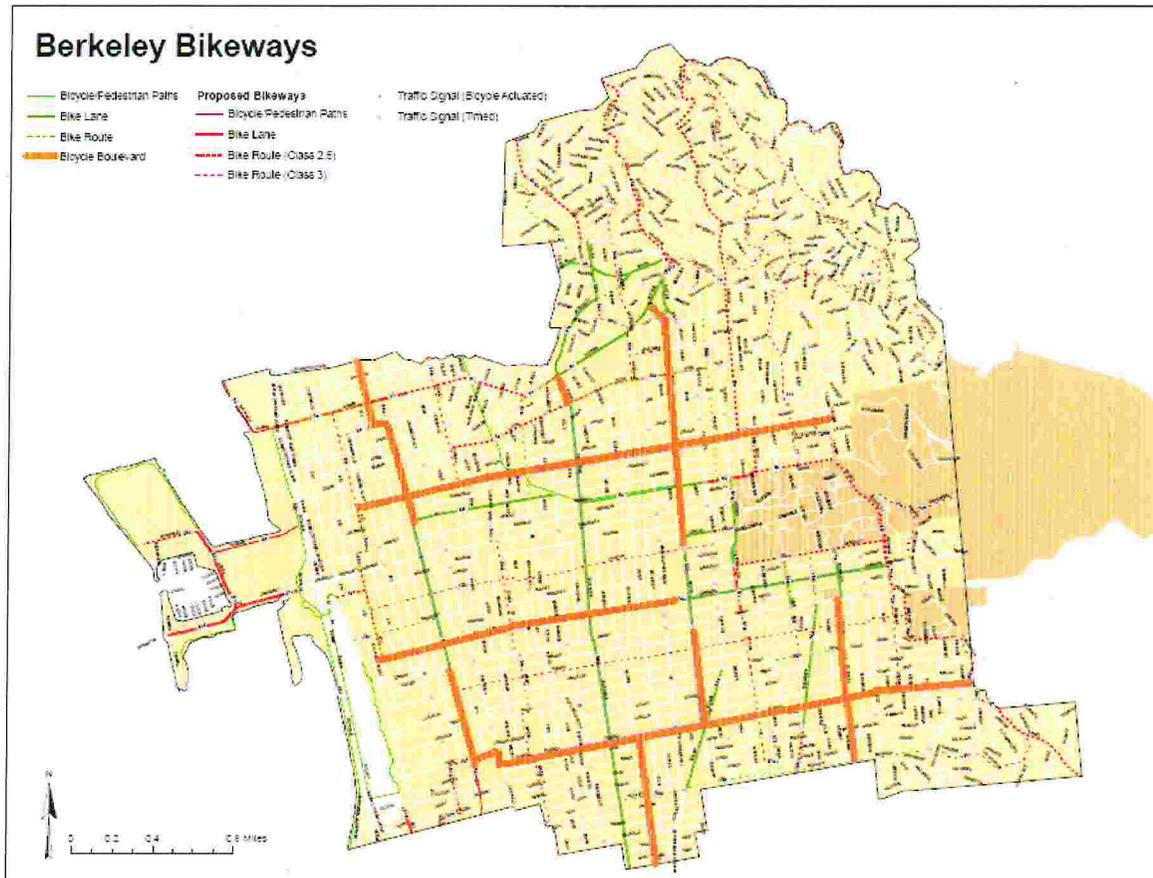
Side View of Landscaped Diverter



Birds Eye View of Landscaped Diverters



City of Berkeley Bikeways



TRANSPORTATION

Transportation Division

[Home](#) [Residents](#) [Businesses](#) [Visitors](#) [Se](#)

Bicycle Boulevards in Berkeley



If you bike, walk, drive or blade around Berkeley, you have probably noticed the [bicycle boulevard signs and pavement legends](#). Identifying the streets with these signs and legends is just the first phase of creating a network of [bicycle boulevards](#). The City is now engaged in the second phase of implementation - improving the safety and convenience of the bicycle boulevards, including the crossings at busy streets.

[Map: Berkeley! Biking & Walking Map](#)

[Street Films: Berkeley's Bicycle Boulevards](#)

[Current Projects](#)

The City is working on the following projects to improve bicycle boulevards:

- Hillegass/Ashby Intersection
- Ninth Street connection to Emeryville

[What is a Bicycle Boulevard?](#)

Berkeley has taken the general concept of a bicycle boulevard and tailored it to fit its street network.

[The Bicycle Boulevard Network](#)

Seven boulevards make up the bicycle boulevard network. Each is named after the street that it entirely, or in large part, travels along. Click on a boulevard to find out the exact route and the many destinations you can reach on that boulevard.

North – SouthEast – West	
Ninth	Virginia
California/King	Channing
Milvia	Russell
Hillegass/Bowditch	

[Signage System](#)

The system includes seven sign types and one pavement legend, each serving a specific purpose. See descriptions and photos of them [here](#).

[Photos of Bicycle Boulevard Treatments](#)

The adopted [Bicycle Boulevard Design Tools and Guidelines Report](#) describes the tools that could be used on the bicycle boulevards to slow traffic and to create safer crossings at major streets. Many of these tools, such as traffic circles and specialized traffic signals, are already being used on streets throughout Berkeley.

[Planning & Implementation History](#)

Describes how the bicycle boulevards were developed, what has been done on them to date, and how the City has funded their implementation.

[Report Problems on Bicycle Boulevards](#)

Have you noticed a bicycle boulevard sign that is missing or has been tagged? Is there debris or a new pothole on a boulevard? Please let us know!

Day, Emely

From: trish and kent daniels
Sent: Monday, April 06, 2009 3:50 PM
To: Day, Emely
Subject: Fw: Homeless camp opposed
Importance: High

E, for tonight's meeting

trish

----- Original Message -----

From: Donna Kaiser
To:
Sent: Sunday, April 05, 2009 2:58 PM
Subject: Homeless camp opposed

I would like to express the sadness and fear I feel over the idea of the City of Corvallis to set up a homeless camp at the BMX track in South Corvallis. Several issues come to the surface when faced with this proposition:

- o First Alternative Co-op has been a part of the South Corvallis neighborhood since the 1970s. Setting up a homeless camp across the street from the Co-op will have a negative affect on our business, on our customers, and on our staff. We will have an increased chance for theft and vandalism and for harassment of our customers and staff. Many homeless people in our city have drug and alcohol issues and their behavior can be erratic and unpredictable. The staff who close our store at night and walk the grounds to make sure everything is secure will need to have someone accompany them while making these rounds, and customers will shy away from coming here if they feel any threat to their safety.
- o The BMX track was set up for the enjoyment of the youth in our city. Having the homeless camp adjacent to that track will discourage parents from allowing their youth to enjoy the space, because they will feel there are safety issues involved, and rightly so.
- o The proposed Urban Renewal District is designed to enfold part of South Corvallis (First Alternative and Evanite property) into Downtown Corvallis. The proposed camp will affect other businesses and proposed businesses, as well. If the homeless camp is situated within the URD, what will that do to the motivation for new business owners to lease property within that area? I feel business owners would make other choices in safer parts of the city.

The three proposed sites for the proposed homeless camp are all in South Corvallis – BMX track, Avery Park and Willamette Park. Why is only South Corvallis being considered? Does no one else in the city want it and so it gets foisted upon South Corvallis residents? Other businesses have done much to improve the perception of South Corvallis by building new homes and businesses and cleaning up existing spaces. This homeless camp proposal will only serve to have a negative effect on the efforts of those businesses as well as homeowners. Property values will decrease if this proposal goes through and that's not something any of us need at this point in time, particularly.

Please reconsider the homeless camp proposal, keeping in mind businesses and homeowners who will be impacted by such a decision.

--
Donna Kaiser
First Alternative Co-op
Marketing Manager
541-753-3115 Ext. 328
www.firstalt.coop

Day, Emely

From: trish and kent daniels
Sent: Monday, April 06, 2009 3:50 PM
To: Day, Emely
Subject: Fw: Homeless Camp at BMX track
Importance: High

----- Original Message -----

From: Jennifer Luck
To:
Sent: Sunday, April 05, 2009 12:25 PM
Subject: Homeless Camp at BMX track

I am just putting in my two cents worth in asking you all to consider NOT putting a homeless camp where the BMX track is located near the South First Alternative Co-op.

Thanks, Jen

--
Jennifer Luck
Health & Household Assistant Manager
First Alternatives Co-ops
541-753-3115 ext 331

Day, Emely

From: trish and kent daniels
Sent: Monday, April 06, 2009 3:51 PM
To: Day, Emely
Subject: Fw: homeless camp
Importance: High

----- Original Message -----

From:
To:
Sent: Sunday, April 05, 2009 10:18 AM
Subject: homeless camp

Dear Ms. Daniels,

I wanted to give some input on the suggested sites for a potential homeless camp as written about in the GT. One of the suggested sites was at the BMX track. I think that is a particularly poor choice for a number of reasons. Two of the main reasons are:

1. It is directly across the street from First Alternative Co-op. The temptation for vandalism would be too great and it is almost certain that there would be. The store has had instances in the past of vandalism and theft associated with particular homeless individuals even now with the situation being as it is. We wouldn't want to aggravate an already existing problem. First Alternative is another (local grown) business that is struggling with the economic downturn, and creating an adjacent homeless camp would only hurt, not help, the appeal of the Co-op as a shopping destination.
2. The BMX track is an area that is in flux and the future of the camp itself would be less then secure. It is no secret that the city would eventually like to incorporate that end of the city as a viable part of our downtown core. An attempt was made to extend the bike path through the area, and I assume that that is still a long term goal. The area is included as part of the area to be potentially benefited by the establishment of the Urban Renewal District. It would be a boon to Corvallis to eventually see that whole area (the Evanite property included), be developed into something that the city could be proud of: that has certainly been the vision that has been spoken of and written about for some time now. It would also do nothing to help Evanite's hope to begin off it's propert so that this positive change could start to become a reality.

A homeless camp placed in this area is totally at odds with this vision and makes no sense. It feasibly would be established and then the inhabitants uprooted once a transition began to take place.

Meeting the needs of the homeless population is a worthy goal, but careful consideration needs to be made. Putting the camp in an area that will not be prone to future disruption makes much more sense.

Thank you for listening.

Sincerely,
Jim Adams

Day, Emely

From: trish and kent daniels
Sent: Monday, April 06, 2009 3:51 PM
To: Day, Emely
Subject: Fw: BMX camp
Importance: High

----- Original Message -----

From: Michele Adams
To: Trish Daniels
Sent: Sunday, April 05, 2009 8:11 AM
Subject: BMX camp

Trish, I am completely against the homeless camp at the BMX track. This would be very harmful to the Co-op and any business that wanted to go in if Evanite does sell property. We are trying to make this area better with the Urban Renewal plan and this idea shoots that down. It is also at the gateway to the city and would not be a beautiful site for people coming to visit our beautiful downtown. The other homeless camp was a trash heap and parking near it was dangerous because of the break ins. Can you let the City Council know my feelings. I can't attend the meeting on Monday but would like everyone to know the Co-op is against this plan. Let's not dump on South Corvallis once again by adding this to one of our wonderful parks. Kids use the BMX track often and with a homeless camp there with lots of drunks hanging around it is not a safe situation. Our staff would not feel safe parking there either because they have to go out there in the dark after work. Thanks for taking this to the council for me.
Michele