



**CORVALLIS
CITY COUNCIL AGENDA**

**February 22, 2011
12:00 pm ONLY**

(Work Session at 5:30 pm, Madison Avenue Meeting Room)

**Downtown Fire Station
400 NW Harrison Boulevard**

COUNCIL ACTION

PLEDGE OF ALLEGIANCE

I. ROLL CALL

II. CONSENT AGENDA [direction]

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 – February 7, 2011
2. City Council Special Meeting – February 14, 2011
3. For Information and Filing (Draft minutes may return if changes are made by the Board or Commission)
 - a. Bicycle and Pedestrian Advisory Commission – December 3, 2010 and January 7, 2011
 - b. Citizens Advisory Commission on Transit – January 12, 2011
 - c. Corvallis-Benton County Public Library Board – January 5, 2011
 - d. Downtown Commission – January 12, 2011
 - e. Downtown Parking Committee – December 7, 2010
 - f. Historic Resources Commission – December 14, 2010
 - g. Housing and Community Development Commission – January 19, 2011
 - h. Watershed Management Advisory Commission – December 15, 2010 and January 19, 2011
 - i. Willamette Criminal Justice Council – January 19, 2011

- B. Confirmation of appointment to Committee for Citizen Involvement (Main); Parks, Natural Areas and Recreation Board (Williams)**

- C. Announcement of Appointment to Capital Improvement Program Commission (Hutchens)
- D. Approval of an application for a "Limited On-Premises Sales" liquor license for Elsa Nunez Parmelee, owner of La Rockita, dba La Rockita Ninth Street, 1416 NW Ninth Street (New Outlet)
- E. Approval of an application for a "Full On-Premises Sales" liquor license for Elsa Nunez Parmelee, owner of La Rockita, dba La Rockita Kings Boulevard, 2309 NW Kings Boulevard (New Outlet)
- F. 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. City Legislative Committee – February 9, 2011 [direction]

V. MAYOR, COUNCIL, AND STAFF REPORTS

- A. Mayor's Reports
 - 1. Police Sergeant Jefri Van Arsdall recognition (immediately after Consent Agenda) [information]
 - 2. Council liaison appointment to OSU Tobacco Free Campus Steering Committee [information]
- B. Council Reports
- C. Staff Reports [information]
 - 1. City Manager's Report – January 2011
 - 2. Council Request Follow-up Report – February 17, 2011

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

VII. PUBLIC HEARINGS – None.

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

- A. Human Services Committee – February 8, 2011
 - 1. Council Policy Review; CP 97-4.09, "Guidelines for Free Use of Park Facilities" [direction]

- B. Urban Services Committee – None.

- C. Other Related Matters
 - 1. *A resolution relating to criminal asset forfeiture funds and adopting a new supplemental budget, to be read by the City Attorney* [direction]

X. NEW BUSINESS

- A. City Attorney performance evaluation process [information]

XI. ADJOURNMENT

For the hearing impaired, a sign language interpreter can be provided with 48 hours' notice prior to the meeting. Please call 541-766-6901 or the Oregon Communications Relay Service at 7-1-1 to arrange for TTY services.

A LARGE PRINT AGENDA CAN BE AVAILABLE BY CALLING 541-766-6901

A Community That Honors Diversity



CITY OF CORVALLIS
ACTIVITY CALENDAR
FEBRUARY 21 - MARCH 5, 2011

MONDAY, FEBRUARY 21

- ▶ City Holiday - all offices closed

TUESDAY, FEBRUARY 22

- ▶ City Council - 12:00 pm only - Downtown Fire Station, 400 NW Harrison Boulevard
- ▶ Commission for Martin Luther King, Jr. - 12:00 pm - Merryfield Meeting Room, 2300 NW Walnut Boulevard
- ▶ Economic Development Commission - 3:00 pm - Downtown Fire Station, 400 NW Harrison Boulevard
- ▶ City Council - 5:30 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue (goal setting)

WEDNESDAY, FEBRUARY 23

- ▶ City Legislative Committee - 7:30 am - Cornell Meeting Room, 2300 NW Walnut Boulevard
- ▶ Human Services Committee - 12:00 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue
- ▶ Administrative Services Committee - 4:00 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue

THURSDAY, FEBRUARY 24

- ▶ Urban Services Committee - 5:00 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue
- ▶ Arts and Culture Commission - 5:30 pm - Parks and Recreation Conference Room, 1310 SW Avery Park Drive

SATURDAY, FEBRUARY 26

- ▶ Government Comment Corner (Councilor Mike Beilstein) - 10:00 am - Library Lobby, 645 NW Monroe Avenue

MONDAY, FEBRUARY 28

- ▶ Airport Industrial Park Planning Committee - 4:30 pm - Downtown Fire Station, 400 NW Harrison Boulevard

TUESDAY, MARCH 1

- ▶ Airport Commission - 7:00 am - Madison Avenue Meeting Room, 500 SW Madison Avenue
- ▶ Downtown Parking Committee - 5:30 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue

WEDNESDAY, MARCH 2

- ▶ Administrative Services Committee - 4:00 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue (special meeting)
- ▶ Planning Commission - 7:00 pm - Downtown Fire Station, 400 NW Harrison Boulevard
- ▶ Corvallis-Benton County Public Library Board - 7:30 pm - Library Board Room, 645 NW Monroe Avenue

THURSDAY, MARCH 3

- ▶ Committee for Citizen Involvement - 7:00 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue

FRIDAY, MARCH 4

- ▶ Bicycle and Pedestrian Advisory Commission - 7:00 am - Madison Avenue Meeting Room, 500 SW Madison Avenue

SATURDAY, MARCH 5

- ▶ Government Comment Corner (Councilor Jeanne Raymond) - 10:00 am - Library Lobby, 645 NW Monroe Avenue

**CITY OF CORVALLIS
COUNCIL ACTION MINUTES
February 7, 2011**

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for Further Review	Decisions/Recommendations
Consent Agenda Page 53			
Items Removed from Consent Agenda 1. EDC confirmation of appointments Page 54			• Confirmed <u>passed U</u>
Mayor Reports 1. China delegation visit Page 54	Yes		
Council Reports 1. Casa Latinos Unidos de Benton County (Raymond) 2. Chinese New Year celebration (Raymond) 3. Peace tree planting ceremony (Raymond) 4. Crossroads International Film Festival (Raymond) 5. NAACP meeting (Raymond) 6. City Club meeting (Raymond) 7. LWV housing/homelessness forum (Raymond) 8. BPAC update (Beilstein) 9. PTF update (Brauner) 10. CSC Fair/Town Hall (Traber) 11. Ocean symposium (Traber) 12. GCC topics (Traber, Hervey) Pages 54-55	Yes Yes Yes Yes Yes Yes Yes Yes Yes Yes Yes		
Staff Reports 1. CRFR – February 3, 2011 2. Recommendation to rescind SIF 3. EZ Phase III 4. 2009-2010 Council goal update Pages 55-58	Yes Yes	 Referred to EDC	• Continued SIF programs <u>passed 5-4</u>
Visitors' Propositions 1. DCA (Hutchison, MacNeil, Gándara) 2. Fire collaboration (Jackson) Pages 58-59	Yes Yes		
ASC Meeting of January 19, 2011 1. Financial Policies update Pages 60-61			• Amended <u>passed U</u> • Referred back to ASC <u>passed 8-1</u>

Agenda Item	Information Only	Held for Further Review	Decisions/Recommendations
USC Meeting of January 20, 2011 1. Municipal Code Reviews: <ul style="list-style-type: none"> • Chapter 2.15, "Sidewalk Improvements" • Chapter 2.19, "Tree and Park Strip Planting" • Chapter 3.06, "City Services Billing" 2. Council Policy Review: 91-7.08, "Sidewalk Policy" Pages 61-63			<ul style="list-style-type: none"> • ORDINANCE 2011-02 <u>passed U</u> • ORDINANCE 2011-03 <u>passed U</u> • ORDINANCE 2011-04 <u>passed U</u> • Amended <u>passed U</u>
Other Related Matters 1. Municipal Code Chapter 1.04, "Purchasing" (re-adopting) Page 63			<ul style="list-style-type: none"> • RESOLUTION 2011-01 <u>passed U</u>
New Business 1. Corvallis/Albany Fire Department collaboration evaluation Pages 63-65			<ul style="list-style-type: none"> • Authorized CM to hire consultant <u>passed U</u>
Executive Session 1. AFSCME labor negotiations Page 65	Yes		

Glossary of Terms

AFSCME	American Federation of State, County, and Municipal Employees
ASC	Administrative Services Committee
BPAC	Bicycle and Pedestrian Advisory Commission
CM	City Manager
CRFR	Council Requests Follow-up Report
CSC	Corvallis Sustainability Coalition
DCA	Downtown Corvallis Association
EDC	Economic Development Commission
EZ	Enterprise Zone
GCC	Government Comment Corner
LWV	League of Women Voters
NAACP	National Association for the Advancement of Colored People
PTF	Prosperity That Fits
SIF	Sustainability Initiative Fees
U	Unanimous
USC	Urban Services Committee

CITY OF CORVALLIS
COUNCIL ACTION MINUTES

February 7, 2011

The regular meeting of the City Council of the City of Corvallis, Oregon, was called to order at 12:00 pm on February 7, 2011, in the Downtown Fire Station, 400 NW Harrison Boulevard, Corvallis, Oregon, with Mayor Manning presiding.

PLEDGE OF ALLEGIANCE

I. ROLL CALL

PRESENT: Mayor Manning, Councilors Raymond, Hirsch, Hervey, Beilstein, Hogg, Brown (12:01) Traber, Brauner, O'Brien

Mayor Manning directed Councilors' attention to the letter from Lyle Ellis related to sustainability fees (Attachment A).

II. CONSENT AGENDA

Councilor Hervey requested Item B, Confirmation of appointments to Economic Development Commission, be removed from the Consent Agenda.

Councilors Brauner and Beilstein, respectively, moved and seconded to adopt the Consent Agenda as follows:

- A. Reading of Minutes
 - 1. City Council Meeting – January 18, 2011
 - 2. City Council Work Session – January 24, 2011
 - 3. For Information and Filing (Draft minutes may return if changes are made by the Board or Commission)
 - a. Arts and Culture Commission – November 22, 2010
 - b. Citizens Advisory Commission on Civic Beautification and Urban Forestry – November 9 and December 9, 2010
 - c. Parks, Natural Areas, and Recreation Board – November 18 and December 16, 2010
 - d. Willamette Criminal Justice Council – November 17, 2010

- C. Announcement of appointment to Committee for Citizen Involvement (Main); Parks, Natural Areas and Recreation Board (Williams)

- D. 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

- B. Confirmation of appointments to Economic Development Commission (Angelos, Dixon, Fowler, French, Lampton, Malosh, Mullins, Rung, Spinrad)

Councilor Hervey said if he thought the path to solving Corvallis' economic woes was in close alignment with corporate American values and methods, he would seek to put into place an economic development policy that downplays the focus on environmental and social sustainability. He would follow that with a selection of Economic Development Commission (EDC) members weighted with people who have been successful in large enterprises and in the corporate world. Under the current national and international leadership and business practices, he does not believe aligning with corporate American values and methods serves the economic interest of Corvallis. The current slate of candidates for the EDC is weighted with individuals successful in large enterprises and corporations. He gave serious thought about nominating several alternate candidates to provide a greater focus on local and sustainable, enabling innovators, and encouraging home-grown businesses. He would have enjoyed having representation from what can be a vibrant food sector in our economy. Ultimately, he chose not to seek alternate candidates. Each of the volunteers on the Mayor's slate is highly qualified and a valuable member of our society and community, and he does not want to vote against any of them. He welcomes their willingness to take time from their busy lives to work for economic health. He opined that Corvallis would have been better served had he been more proactive in soliciting candidates from which the Mayor could choose, rather than complaining after the candidates have been identified. He encouraged the EDC members to read *Local Economic Development in the 21st Century*, available at the Library.

Councilors Hervey and O'Brien, respectively, moved and seconded to confirm the appointments to the Economic Development Commission. The motion passed unanimously.

IV. UNFINISHED BUSINESS – None.

V. MAYOR, COUNCIL, AND STAFF REPORTS

- A. Mayor's Reports

Mayor Manning announced that she lunched with a cultural delegation exchange group from Hunan Province, China. The group spent several days in the community and performed a traditional Chinese opera. She shared with Council the gifts she accepted on behalf of the City. The gifts will be on display at City Hall. A delegation from Corvallis will visit Hunan Province this spring.

- B. Council Reports

Councilor Raymond made the following announcements:

- Casa Latinos Unidos de Benton County will meet later this week.
- Oregon State University (OSU) students and the community did a great job welcoming the Chinese New Year.

- A peace tree planting ceremony will be held at the Salman Alfarisi Islamic Center on February 13.
- She attended the Crossroads International Film Festival fund raising event to support the interactions of OSU international students and the community.
- The National Association for the Advancement of Colored People will meet on February 10.
- The next City Club meeting will include a discussion about housing and increasing enrollment at OSU.
- The League of Women Voters will hold a forum on February 8 to discuss the 10-year plan on housing and homelessness.

Councilor Beilstein reported on Bicycle and Pedestrian Advisory Commission (BPAC) items:

- Two blocks of substandard sidewalks will be upgraded by the Oregon Department of Transportation's New Mobility program.
- BPAC will draft a memorandum to the Urban Services Committee concerning four separate City Departments responding to sidewalk safety maintenance items (surface, vegetation, signage, code enforcement).

Councilor Brauner said the Prosperity That Fits (PTF) Committee recently discussed the various roles of the PTF, Economic Vitality Partnership (EVP), and Economic Development Commission (EDC). Members believe a voice from PTF and EVP need to be heard. They will bring recommendations to the EDC. Additionally, PTF acknowledges the City's budget issues and voted to suspend the City's \$1,000 per month overhead allocation.

Councilor Traber announced that the Corvallis Sustainability Coalition Fair and Town Hall is scheduled for March 9.

Councilor Traber said OSU is hosting a "Song for the Blue Ocean – Science, Arts, and Ethics" symposium on February 18 and 19.

Councilor Traber hosted Government Comment Corner on February 5. Topics of discussion included the proposed levy, charging more for luxury items versus increasing property taxes (e.g., Osborn Aquatic Center), and employee compensation.

Councilor Hervey said he also hosted a recent Government Comment Corner. Discussion topics included OSU enrollment increases, free transit, moving computers from Chintimini Senior Center to another location if the Senior Center closes, volunteering to help pass the levy, sales tax options, and concern about exposure to persons begging.

C. Staff Reports

1. Council Request Follow-up Report – February 3, 2011

City Manager Nelson said the report includes a copy of the procedure and form used for employee behavior complaints. If Councilors receive complaints related to specific employee behavior, he recommends they contact him or the specific Department Director for help in responding to and/or initiating an investigation.

2. Budget Commission recommendation to rescind Sustainability Initiative Fees

Mr. Nelson noted that the Budget Commission recommended the Sustainability Initiative Fees be rescinded.

Councilors Brown and O'Brien, respectively, moved and seconded to rescind Council's decision to add funding for the three Sustainability Initiatives onto the City Services bill.

Councilor Brown said he made the motion out of respect for the guidance provided by the City's Budget Commission.

Councilor Brauner stated opposition to the motion. He noted that Council has voted on this issue at least two or three times, and the fees have been approved each time. The program was implemented on February 1 and it would not be appropriate to rescind the fees.

Councilor Beilstein said he will also oppose this motion. The fees do not cost anyone more money; they provide a more efficient delivery of services. People will save money if they use transit instead of personal vehicles. Citizens of Corvallis spend \$100 million per year on automobile fuel costs. Reducing that number by one percent is a \$100,000 savings that could remain in the local economy. The sidewalk maintenance fee is a more efficient way to maintain sidewalks. Property owners will no longer be required to make large lump-sum payments for sidewalk repair and the costs are more evenly distributed. To oppose this fee on the basis that we cannot afford it, is being short-sighted and illogical.

Councilor O'Brien said a large majority of Ward 1 residents do not have sidewalks, street trees, or easy access to transit. The fees provide very limited utility for Ward 1 residents, and some would be required to walk 35 minutes on unimproved streets to get to the nearest bus stop. He added that it is not fair to accuse those living in Ward 1, especially in the unimproved areas, of being stingy with tax dollars. He will support the motion.

Based on the following roll call vote, the motion failed four to five:

Ayes: Hogg, Brown, Traber, O'Brien

Nays: Raymond, Hirsch, Hervey, Beilstein, Brauner

3. Enterprise Zone Phase III

Mr. Nelson reviewed the Enterprise Zone (EZ) Phases I and II as noted in the memorandum included in the meeting materials. During the Phase II discussions, it was suggested that Phase III include expanding EZ benefits to all industrial-zoned properties within the Urban Growth Boundary. Phase II resulted in an exceptions process that involved more City analysis, staff, and mapping efforts than originally planned. Due to the requirements for Phase III, staff and the Corvallis-Benton Chamber Coalition recommend postponing Phase III and forwarding it to the EDC for consideration, prioritization, and work plan recommendation.

Councilor Brauner said he originally suggested looking at all industrial-zoned property for EZ expansion. He now agrees that Phase III should be reviewed by the EDC.

Councilor O'Brien agreed with Mr. Nelson's recommendation. He referred to Council's recent decision to move forward with the Industrial Lands Wetlands Mitigation Task Force work without respect for the EDC opinion.

Councilors O'Brien and Brown, respectively, moved and seconded to submit the Industrial Lands Wetlands Mitigation Task Force proposal to the EDC for consideration prior to committing funds.

Councilor Hervey said the economic development policy does not attend to the City's social or environmental sustainability. He would prefer this issue be referred to the original EZ Committee. Most of the industrial lands are wetlands and the EZ Committee is more familiar with issues surrounding wetland development than the EDC.

Councilor Traber requested clarification on when the funds would need to be committed for the Industrial Lands Wetlands Mitigation activity. He inquired whether this motion would override the decision previously made by Council to participate on the task force.

Community Development Director Gibb said Council's direction to participate was communicated to the Cascade West Council of Governments (COG) who has been working with other entities to determine participation levels for a regional non-profit. There is no current information on funding. It is "to be determined" when COG may have more information related to funding and when EDC may consider EZ Phase III.

Councilor Brauner said three weeks ago, the majority of Council voted to continue the effort and move forward with the Task Force in cooperation with COG. Council knew at that time the EDC was being formed. No new information has been submitted and there is no reason to wait for the EDC to review an issue that will move forward regardless of EDC priorities. Major funding has not been committed to the Task Force and can be withheld if the EDC recommends not participating any further. He added that when Council votes on issues and no new information is available, it is not appropriate to continue to vote on the same issue over and over again when the majority of Council has spoken. He will not support the motion.

Councilor O'Brien said the EZ Phase III memorandum does not provide context as to the amount of expense or staff time required to move forward. Some information is available about the Industrial Lands Wetlands Mitigation Task Force impacts. Without knowing the full financial impact of moving forward with EZ Phase III, it is reasonable to proceed with this discussion. He will continue to raise these inquiries in the public forum of Council meetings when he feels it is necessary to express a point. He also commented about disparaging remarks made about EDC members. He said Councilors most likely have not met the members of the EDC

and have no idea what their opinions are of economic, social, and environmental sustainability. He requested Councilors refrain from "taking shots" at people who have been appointed to Boards and Commissions. He said he is not sorry he made the motion.

In response to inquiries made by Councilors Hervey and Brauner, Councilor O'Brien clarified that the motion is to withhold funding for the Industrial Lands Wetlands Mitigation Task Force.

Based on the following roll call vote, the motion failed three to six:

Ayes: Hogg, Brown, O'Brien

Nays: Raymond, Hirsch, Hervey, Beilstein, Traber, Brauner

Councilor Beilstein said the original motivation for EZ Phase II, and eventually Phase III, was from a standpoint of fairness of providing property tax based economic assistance to people in specific areas versus all developers in industrial-zoned land. There have been two or three people who have applied for the EZ benefit. He hopes additional industrial-zoned land property owners will be able to take advantage of this benefit. He expressed concern about excluding people from economic development by not moving forward with Phase III at this time.

Mr. Nelson responded that there have been two successful applicants for EZ Phase I benefits in South Corvallis. Two weeks ago, a client looked at property located in EZ Phase II. Enterprise zones are not the only tool for economic development, but they provide some benefits for communities interested in diversifying its economy. There was interest from some industrial property owners located in Phase III during the Phase II hearing process. There has been no expressed interest since that time. Neighborhood groups also expressed interest in participating in the discussions, specifically for mixed-use zones transitioning to other uses as they did not believe an EZ on top of an existing industrial zone would help the intended transition period.

Council agreed by consensus to refer EZ Phase III to the EDC.

4. 2009-2010 City Council goals update

Mr. Nelson referenced the last quarterly report of the 2009-2010 Council goals.

VI. VISITORS' PROPOSITIONS

A. Downtown Corvallis Association

Steve Hutchison, Downtown Corvallis Association (DCA) Board President, thanked Council for their support of DCA. The DCA works to keep the downtown area vital and profitable.

Susan MacNeil, DCA co-Treasurer, said the DCA will continue marketing Corvallis; however, due to the current economic conditions, many programs will be eliminated. The DCA maintains a downtown business vacancy list for property owners and businesses

wanting to locate in the downtown area. A liaison is available for downtown property owners and the DCA identifies potential tenants. Consulting resources are available for new and existing business. The DCA acts as advocates for the community and provides leadership opportunities. Without City funding, business recruitment and relocation services will most likely be eliminated along with the annual education seminar series, and business design assistance. The DCA understands that the City does not have funds to give and they are not asking for money. The DCA will continue to be available to assist the City as needed.

Rob Gándara, DCA member, announced that due to limited funding from the City, the DCA will suspend the Red, White, and Blue Festival. He thanked the City for their generous support that allowed the festival to evolve from a fee-based festival into a free festival. If the City can help support the festival in the future, the DCA will be more than happy to initiate vendor contracts.

In response to Councilor Hirsch's inquiry, Mr. Gándara said the City has historically provided \$10,000 toward the Red, White, and Blue Festival. The DCA could likely continue the festival with approximately \$5,000.

In response to Councilor Traber's inquiry about charging admission fees, Mr. Gándara said the DCA considered this option and decided it would be difficult to return to a fee-based festival. He explained that the DCA receives a percentage from the vendors and receives donations. More people are attending the festival and donations have been more generous than asking for \$5 per person. City funding was still needed when the festival was fee based.

Dan Jackson noted that he would rather the City give the DCA \$10,000 instead of giving the same amount to a consulting firm to determine collaboration between the Corvallis and Albany Fire Departments. He opined that the Fire Chief is qualified and has the information needed to make this decision. It would be better to direct the Fire Chiefs from Corvallis and Albany to provide a formula for collaboration than spending money on a consultant. A consulting firm typically tells the majority of the people what they want to hear. The Fire Departments can draft a mutual aid agreement and identify staffing needs. A consulting firm from New York knows nothing about Corvallis, Oregon. If Fire staff cannot provide the needed information to Council at the end of six months, Mr. Jackson knows a retired battalion chief from a town of 700,000 that would be happy to review the information and make a recommendation.

VII. PUBLIC HEARINGS – None.

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

A. Human Services Committee – None.

B. Administrative Services Committee – January 19, 2011

1. Financial Policies Update

Councilors Hirsch and O'Brien, moved and seconded to amend the Financial Policies as recommended by staff.

Councilor O'Brien said the Financial Policies include a section on Osborn Aquatic Center (OAC) fees referring to the City's subsidy as a fixed amount with mandated increases of two to seven percent. In light of the upcoming levy vote, this policy may need to be addressed again.

Councilor Brown presented a memorandum identifying issues related to the Financial Policies (Attachment B). The memorandum includes the issue raised by Councilor O'Brien. He supports the recommendation from the Administrative Services Committee (ASC) to amend the Financial Policies and his memorandum includes an additional motion.

The motion passed unanimously.

Councilors Brown and Traber, respectively, moved and seconded to return the Financial Policies to the ASC to consider policy in addition to the minor housekeeping changes recommended in the annual Financial Policies update.

Councilor Brown said the policy was created during an extended period of prosperity. Looking toward the future, the hope for prosperity will not be met in the same way as it has been expected in the past. As a result, it is important to take a serious review from a policy standpoint and consider whether this policy is appropriate for the future. Today, Council reaffirmed the Sustainability Initiative Fees vote. The Financial Policies do not mention these fees, which is now an omission. Parks and Recreation Department fees could be reconsidered along with the OAC subsidy and equipment replacement plans, specifically related to the Fire Department. A previous Council was required to consider the purchase of a fire truck from current revenues because another Council decided not to set funds aside to pay for Fire Department equipment replacement. When the fire truck purchase was approved, the City had savings to rely upon. Within the next five years, acquiring up to \$1 million to pay for a new fire truck will be difficult.

Councilor Brauner opined that it is appropriate to review the Financial Policies again.

Councilor Traber stated support for the motion and added that full and partial cost recovery needs to be better understood and applied.

Councilor Hervey said when Council worked on the Economic Development Policy, there was a change in how City policy was developed and set. Statements in support of this motion seem reasonable.

In response to Councilor Hervey's inquiry about the historic procedures for a greater-depth review of policies, Mr. Nelson said policy changes have typically occurred during the annual review. Reconciling the Sustainability Initiative Fees with the water/wastewater/stormwater fees is a good idea. The Parks and Recreation Department fees and rate review initiate from the Parks, Natural Areas, and Recreation Board (PNARB) along with multiple stakeholders. Number V in Councilor Brown's memorandum (Attachment B) refers to expediting the fee review. Not knowing where PNARB is in the process, staff may return with additional feedback. If the levy passes, the OAC subsidy will need to be reconciled. Equipment replacement plans could generate other discussions, especially if Council desires to move the replacement funds away from the General Fund.

Councilor Beilstein said the motion is to review the Financial Policies. Since the ASC just completed a review of the Financial Policies, he inquired whether the implication of the motion is that the ASC review was incompetent and an emergency review needs to be scheduled instead of waiting for the annual review.

Councilor Brown responded that the ASC review was incomplete. The review was oriented toward "minor housekeeping changes." The next annual review would not occur until six months after a new budget year begins on July 1. This is not an emergency; however, it involves issues that need to be resolved before the new budget is adopted.

The motion passed eight to one with Councilor Raymond opposing.

C. Urban Services Committee – January 20, 2011

Councilor Brauner said the Urban Services Committee (USC) did not address the liability related to approval of the Sidewalk Improvements or Tree and Park Strip Planting ordinances. The ordinance amendments proposed by USC do not change current liabilities. The adjacent property owner could be held liable if damages resulted from their fault or negligence. The proposed language includes a provision for adjacent property owners to notify the City of defective sidewalks (or a tree issue) and makes the property owner less liable if they notify the City. He proposes the liability issue be referred back to the USC for further consideration since this specific review was only related to the new financing method.

1. Municipal Code Review:

- Chapter 2.15, "Sidewalk Improvements"

City Attorney Fewel read an ordinance relating to sidewalk maintenance, amending Corvallis Municipal Code Chapter 2.15, "Sidewalk Improvements," as amended, and declaring an emergency.

Councilor O'Brien said his understanding of the report is that residents are prohibited from repairing sidewalks. Within the "tree" ordinance, residents are allowed to maintain street trees at their own expense and with permission. He is not sure the language is fair.

Mr. Nelson said there is no prohibition for citizens to fix the sidewalk. The repairs must be within the City's methodology of sidewalk repair due to being located in the public right-of-way. This is not a change from current policy.

In response to Councilor Beilstein's inquiry related to the separability of liability and funding, Mr. Fewel said the liability on the adjacent property owner is common and most likely practiced in every jurisdiction in Oregon. This amendment only impacts the financing of the program. It is legal to allocate the liability and designate a fee without precluding a local property owner from making repairs. The property owner would be required to obtain the appropriate building permits.

Councilor Brown referred to Public Works Director Rogers' comments, as noted on page six of the USC January 20, 2011 minutes, that states property owners cannot repair sidewalks.

Mr. Rogers apologized for the confusion and said his comment during the USC meeting was incorrect. The ordinance does not preclude a property owner from making repairs to the adjacent sidewalk. The City will make temporary repairs until a more complete repair can be made, if necessary.

In response to Councilor Traber's inquiries, Mr. Rogers clarified that a property owner could make temporary or permanent repairs to an adjacent sidewalk after obtaining a building permit from the City. Staff inspects potential tripping hazards within a day or two of receiving a complaint and repair the sidewalk within another couple days, if necessary. A barricade may be initially used to warn pedestrians prior to completing a repair.

ORDINANCE 2011-02 passed unanimously on a roll call vote.

- Chapter 2.19, "Tree and Park Strip Planting"

Councilor Brauner noted that the USC recommendation to forward this ordinance to Council for adoption was a split vote of two to one.

Mr. Fewel read an ordinance relating to urban forest management fee program, amending Corvallis Municipal Code Chapter 2.19, "Tree and Park Strip Planting," as amended, and declaring an emergency.

ORDINANCE 2011-03 passed unanimously.

- Chapter 3.06, "City Services Billing"

Councilor Brauner explained that this amendment adds the three new Sustainability Initiative Fees on separate lines on the utility services bill.

Mr. Fewel read an ordinance relating to billing for city services, amending Corvallis Municipal Code Chapter 3.06, "City Services Billing," as amended, and declaring an emergency.

ORDINANCE 2011-04 passed unanimously.

2. Council Policy Review: 91-7.08, "Sidewalk Policy"

Councilor Brauner said this policy amendment is related to the changes made for sidewalk improvements due to the new Sustainability Initiative Fee.

Councilors Brauner and Hervey, respectively, moved and seconded to amend Council Policy 91-7:08, "Sidewalk Policy."

Mr. Nelson clarified for Councilor Brown that the staff report includes a copy of the policy with bolded text indicating new language and strikeout text indicating removal of certain language.

Councilor O'Brien relayed a comment to an angry, anonymous caller related to this topic. He said he will not be discounting pizzas \$4.00 per month. He suggested the caller do their homework before calling.

The motion passed unanimously.

Councilor Brown added that his constituents have expressed concern about the issue of liability for unsafe sidewalks and trees. It is important to emphasize that the existing policy language does not alter liability.

D. Other Related Matters

Mr. Fewel read a resolution re-adopting Corvallis Municipal Code Chapter 1.04, "Purchasing."

Mr. Fewel noted that the City's purchasing requirements are more restrictive than State law.

Councilors Hirsch and Brauner, respectively, moved and seconded to adopt the resolution.

RESOLUTION 2011-01 passed unanimously.

X. NEW BUSINESS

A. Evaluation of Albany and Corvallis Fire Departments for collaborative opportunities

Fire Chief Emery said Albany's City Manager and Fire Chief initiated a discussion about potential collaborative cost-saving opportunities. Albany contacted a consulting firm located in Wilsonville that specializes in fire services. The company was founded by a retired Tualatin Valley Fire and Rescue Fire Chief. The company most recently worked on the Eugene and Springfield fire department consolidation. Albany City Council approved

hiring the consulting firm. Staff request approval for City Manager Nelson to enter into an agreement with Emergency Services Consulting International.

Mr. Nelson added that some collaborative efforts require many stakeholders. This effort includes two fire departments, two unions, two Councils, and other stakeholders. He opined that it is sometimes better to have a third party evaluate a complicated issue.

In response to Councilor Hirsch's inquiries, Chief Emery said the goal is to complete the evaluation within six months. He does not have an estimate of potential savings.

Councilor Beilstein said he assumed the Rural Fire District Board is included as one of the stakeholders since they will be impacted by any decision.

Chief Emery clarified for Councilor Beilstein that collaborative efforts will most likely involve non-emergency services such as administration, training, and prevention, and not include operations and equipment.

Councilor Hervey noted that Mr. Jackson, who spoke during Visitors' Propositions, is a resident in his Ward. He stated appreciation for Mr. Jackson's comments about cost effective measures. He agrees with Mr. Jackson that the City has skilled staff who can make good decisions. He inquired whether the point of obtaining a consultant's evaluation is to have a report indicating which jurisdiction does what and who loses their job.

Mr. Nelson said if there are collaborative opportunities in the three areas noted by Chief Emery, the consultant would point to the reasons why one area should be located in a specific department versus the other department. Without a detailed study and third party recommendation, it may be difficult to come to an agreeable conclusion. The law enforcement consolidation effort took approximately 18 months. The issues become very complex and enter into strongly held labor beliefs.

Councilor Raymond said she understands using a consultant as a third party, but it is the responsibility of this Council to make sure the citizens of Corvallis are benefitting, and not only Albany, which may be the outcome. She is not sure spending \$10,000 to hire a consulting firm is appropriate at this time.

In response to Councilor Traber's request for potential cost savings examples, Chief Emery said there are no short-term cost savings as all positions in both departments are currently filled. The Eugene/Springfield collaboration was conducted over a period of five years. When the Springfield Fire Chief retired, the Eugene Fire Chief assumed his duties. When the Eugene Fire Marshall retired, the Springfield Fire Marshall assumed the duties.

In response to Councilor Hervey's inquiry, Chief Emery said there are fire certifications similar to police departments. Neither Corvallis or Albany Fire Departments have found these certifications to be cost effective.

Councilors Beilstein and Hirsch, respectively, moved and seconded to authorize the City Manager to hire a consultant in conjunction with the City of Albany to evaluate both fire departments for collaborative, cost-saving opportunities.

Councilor Brown noted that the questions about collaborative efforts rise to the policy level of both City Councils. He opined that hiring the consultant is warranted.

The motion passed unanimously.

Mayor Manning 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. She reminded Council members and staff that the confidential executive session discussions belong to the Council as a body and should only be disclosed if the Council, as a body, approves disclosure. She suggested that any Council or staff member who may not be able to maintain the Council's confidences should leave the meeting room.

The Council entered executive session at 1:37 pm.

Assistant City Manager Volmert and Finance Director Brewer briefed Council on American Federation of State, County, and Municipal Employee labor negotiations.

Councilor Hirsh left the meeting at 2:32 pm and returned to the meeting at 2:34 pm.

XI. ADJOURNMENT

The meeting adjourned at 2:47 pm.

APPROVED:

MAYOR

ATTEST:

CITY RECORDER

Corvallis, OR
February 5, 2011

To the editor:

The "sustainability fees" recently imposed by the City Council are sticking in the craw of a lot of the citizens of our fair city. The situation is going to become even more so when people, unaware of these "fees", receive their next utility bill. Not only are they going to see an increase in the cost of the utilities themselves as a result of rate increases taking effect this month but they will discover that they are paying a new "fee" that allows people to ride city buses for free.

There are other cost increases affecting all of us every day. Pacific Power customers will see a rate increase of about 11% beginning this month. We are all aware of the every day increases we are experiencing at the grocery store and at the gasoline pump.

The council says that the bus "fee" will supplant the property taxes now used to subsidize the transit system and the property taxes can be used for other purposes. If the "fee" replaces the property tax, then is the "fee" not a tax? Taxes are supposed to be approved by a vote of the people. A fee is supposed to directly benefit the individual that paid the fee.

The budget commission is in the process of setting up a levy to provide the best possible provision for city services that the people have indicated that they want, given the financial circumstances we face at the present time. It should not be encumbered with having to do this with some uncalled for, and unnecessary, "fees" imposed by some of the members of that commission.

There are a lot of intense and ongoing sustainability efforts being practiced and carried out in Corvallis every day. Most of these efforts can be placed in the category of "making ends meet".

The city council should be encouraged to rescind the "fees" and work with the budget commission to provide the people of Corvallis with what they have indicated they want. If the people of Corvallis want the services that the "fees" provided, they should be allowed to vote for those taxes in the levy.

Lyle M. Ellis

To: City Council
From: Dan Brown, Ward 4

February 7, 2011

Subject: Financial Policies Update

Today we are considering a recommendation from Administrative Services Committee about amendments to the Financial Policies. In my opinion, these minor housekeeping changes are not adequate in light of our forecasted future. This is the last ASC annual review before the Council will make budget decisions.

Motion: I move that the City Council send Financial Policies (CP 10.01) back to the Administrative Services Committee to consider "policy" in addition to "minor housekeeping changes" -- in the annual financial policies update.

Examples include those policies identified in I. through V. below.

I. 10.03.050 Utility Fees, (Water, Wastewater, Storm Water)

The City Council approved Sustainability Initiative Funding fees, but we have no financial policies regarding them. In order to be complete, we should have policies for these fees just as we do for other City Services Fees. In addition, the policy with regard to Franchise Fees (10.03.050.030) might be clarified relative to SIF.

II. 10.03.060 Parks and Recreation Department Fees

In recognition of expected constraints on property tax revenues for the next five years, the Council should carefully consider reconsider raising cost recovery percentages (10.03.060.010), especially for those where City support covers 50% or more. If users consider these services to be critical, they can be expected to contribute more to covering expenses, particularly those who do not have a "limited ability to pay" (10.03.040.020).

III. Increases in the City's Subsidy of Osborn

While the City's budget is requiring significant cuts, 10.03.060.021 is in the City's financial policies,

"The City's subsidy will be set by \$653,730 in FY 09-10, and will increase by 2% to 7% annually thereafter, subject to a staff analysis and recommendation regarding specific cost drivers (i.e. energy costs, minimum wage increases, infrastructure maintenance requirements);

This policy should be reconsidered in light of the upcoming operating levy which will cover the next three years. What does this policy mean in the case the levy fails? What does it mean if the levy passes?

Further, this subsidy policy should also consider economic conditions, overall personnel costs (not just minimum wage), and the City's ability to pay.

IV. Equipment Replacement Plans

In our recent budget discussions, we have considered tradeoffs between brownouts and equipment reserves for 2011-12. If budget deficits continue as forecasted, these discussions will be resurrected again in future years. I was on the Council a few years ago when we had to "pay the piper" after a previous Council had cut fire equipment reserves from annual budgets; the resulting fire equipment expenditures had a big impact on the annual budget. Fortunately we were not in the middle of a deficit then!

10.04.050.030 - replace "at least the financial planning period"
with "considering projected future budget deficits"

In the future, consideration for scheduling replacement shall include

g. the anticipated stream of future revenues

V. Rate Review

10.03.060.030 Rate Review states:

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 . . . **concerns for other City operations.**

Since the HRC would be involved in adjusting rates and charges for the Osborn Aquatic Center, we should direct them to **expedite** their review so that it can be incorporated into the 2011-12 budget.

**CITY OF CORVALLIS
COUNCIL ACTION MINUTES
February 14, 2011**

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for Further Review	Decisions/Recommendations
Unfinished Business ASC Meeting of January 19, 2011 1. Operating Levy Ballot Title Page			<ul style="list-style-type: none"> • RESOLUTION 2011-02 <u>passed 9-0</u>

Glossary of Terms

ASC Administrative Services Committee

**CITY OF CORVALLIS
COUNCIL ACTION MINUTES**

February 14, 2011

The special meeting of the City Council of the City of Corvallis, Oregon, was called to order at 5:31 pm on February 14, 2011, in the Downtown Fire Station, 400 NW Harrison Boulevard, Corvallis, Oregon, with Mayor Manning presiding.

PLEDGE OF ALLEGIANCE

I. ROLL CALL

PRESENT: Mayor Manning, Councilors Raymond (5:33 pm), Hirsch (5:32 pm), Hervey, Beilstein, Hogg, Brown, Traber, Brauner, O'Brien

Councilor Hirsch arrived at this time.

Mayor Manning directed Councilors' attention to the copy of the Notice of Receipt of Ballot Title (Attachment A) located at their places.

II. VISITORS' PROPOSITIONS – None.

III. UNFINISHED BUSINESS

A. Administrative Services Committee – February 9, 2011

1. Operating Levy Ballot Title

Deputy City Attorney Brewer read a resolution forwarding a local option property tax levy for Library, Osborn Aquatic Center, Senior Center operations, and social services funding to the voters at the May 17, 2011 election.

Councilor Raymond arrived at this time.

Councilors Hirsch and Traber, respectively, moved and seconded to adopt the resolution.

In response to Councilor Hirsch's inquiry, Mr. Brewer confirmed that the sentence, "This measure may cause property taxes to increase more than three percent," located in the "question" portion of the Notice of Receipt of Ballot Title, is a requirement, is legal, and does not count as part of the word-count restrictions for the Ballot Title.

RESOLUTION 2011-02 passed unanimously (nine to zero).

IV. ADJOURNMENT

The meeting adjourned at 5:35 pm.

APPROVED:

MAYOR

ATTEST:

CITY RECORDER

**CITY OF CORVALLIS
NOTICE OF RECEIPT OF BALLOT TITLE**

Notice is hereby given that the following ballot title for a proposed ballot measure was filed with the Assistant to City Manager/City Recorder of the City of Corvallis on February 14, 2011:

CAPTION: 02-_____ Local Option Tax for Library, Aquatic Center, Senior Center
Operations

QUESTION: Shall Corvallis impose \$.45 per \$1,000 of assessed value, for three years beginning July 1, 2011, for operations? This measure may cause property taxes to increase more than three percent.

SUMMARY: The tax revenue from this measure would be restricted as follows:

23.03% of the levy each year (approximately \$412,200 for fy 2011-12) for year-round operation of the Osborn Aquatic Center;

17.22% of the levy each year (approximately \$308,200 for fy 2011-12) for year-round operation of the Chintimini Senior Center;

11.79% of the levy each year (approximately \$211,000 for fy 2011-12) for year-round Library open hours on Mondays;

42.22% of the levy each year (approximately \$755,730 for fy 2011-12) for services and book and materials acquisitions at the Library; and

5.74% of the levy each year (approximately \$102,870 for fy 2011-12) for funding for social services.

The requested rate is estimated to raise approximately \$1,790,000 in fiscal year 2011-2012, \$1,850,870 in fiscal year 2012-2013, and \$1,924,900 in fiscal year 2013-2014 or a total of \$5,565,770 for all three years.

An elector may file petition for review of this ballot title in the Benton County Circuit Court no later than 5:00 pm on Monday, February 28, 2011.

Kathy Louie
Assistant to City Manager/City Recorder

Publish: February 17, 2011

**BICYCLE AND PEDESTRIAN ADVISORY COMMISSION
MINUTES
December 3, 2010
DRAFT**

Present

Brad Upton, Chair
Joel Rea
Susan Christie
Rosie Toy
Mike Beilstein, City Council

Absent

Dan Herford
Charles Fletcher

Staff

Lisa Namba, Public Works

Visitors

Mayor Charlie Tomlinson
Carol Rathbun
Walter Prichard
Dean Codo
Laura Duncan Allen
Megan Scanlon
Patrick Foster
Leve Stubblefield
Michael Brown
Gigi Sims

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for Further Review	Recommendations
I. Call Meeting to Order/ Introductions	X		
II. Review of November 5, 2010 Minutes		X	
III. Visitor Comments <ul style="list-style-type: none"> • Mayor Tomlinson 	X		
IV. Old Business <ul style="list-style-type: none"> • Draft Bicycle Parking Monitoring Strategy - formerly Bike Parking 		X	
V. New Business <ul style="list-style-type: none"> • Draft Corvallis Bicycle and Pedestrian Safety Implementation Strategy – formerly Education Plan 			Moved to pending items
VI. Information Sharing <ul style="list-style-type: none"> • Update on grant opportunities 	X		
VII. Commission Requests and Reports	X		
VIII. Pending Items	X		

CONTENT OF DISCUSSION

I. Call Meeting to Order/ Introductions

Chair Upton called the meeting to order and those present introduced themselves.

II. Review of Minutes

Due to lack of a quorum, approval of the November 5 minutes will be held for the January 7 meeting.

III. Visitor Comments

Mayor Tomlinson

Mayor Tomlinson thanked Commission members for their service and said goodbye, as this is his last month as mayor. He encouraged BPAC to participate in upcoming Budget Commission meetings addressing the City's budget shortfall. He stated that a community's attitude toward bicycles and pedestrians speaks volumes about the character of that community, particularly with regard to health, land use, and mobility.

Visitors Dean Codo and Laura Duncan Allen expressed continued frustration with the way the Corvallis Fire Department's is handling sidewalk vegetation obstructions. Mr. Codo stated that the Fire Department is not following clear standards that meet the City requirements. He pointed out a number of locations that are still in violation and asked that the specifications either be enforced or revised. Ms. Duncan Allen stated that she called the Fire Department about three downtown areas in July, but only one was recorded as a violation. After two months, she was notified that all three had been abated. Councilor Beilstein stated that the City standards should be clear to the Fire Department. He suggested contacting the City Manager if the Fire Department is not responding in a satisfactory manner, but noted that the process does take some time and a month or two is a reasonable timeframe for a violation to be cleared. Chair Upton suggested that perhaps Public Works or Code Enforcement should take responsibility for weed abatement. Mr. Codo suggested including an article in the City newsletter reminding citizens to clear their sidewalks.

Visitor Gigi Sims, coordinator of the grant-funded Safe Routes to School program for the Corvallis School District, reported that the program's non-infrastructure grant has been re-funded through September 2012. The program is currently at six elementary schools. Projects funded through infrastructure grants were recently completed with the construction of new covered bike racks at Adams and Lincoln schools. She invited BPAC to ribbon-cutting events at Lincoln on Tuesday, December 7 and Adams on Wednesday, December 8. Chair Upton expressed interest in the education component of the Safe Routes to School program and noted that once the City's program is fully staffed, Public Works will be ramping up to do community-wide bicycle and pedestrian safety education.

IV. Old Business

Draft Bicycle Parking Monitoring Strategy - formerly Bike Parking

Chair Upton stated that Public Works has initiated a plan to collect data on how many racks are available, their locations, and level of use. Staff presented a draft of the strategy that incorporated the comments received by Commissioner Christie after the November BPAC meeting. Work to implement the plan won't begin until after the Transportation Program Specialist position is

filled. Staff confirmed that a number of trained volunteers will be required to perform the survey work in a consistent manner. Councilor Beilstein noted that the surveys should be performed consistently and at different times of year, times of day, and days of the week so that a complete usage picture is collected.

Chair Upton reviewed his comments on the draft:

- in the Key Assumptions section, the statement that “more bicycle parking is needed” should be modified to reflect that in certain areas more is needed
- in the Key Assumptions, let businesses know that upon request, the City will provide and install bike racks in the right-of-way at no charge if a rack is available, there is room in the public right-of-way and it makes sense to add parking there
- the document should include bike parking (existing and future needs) at transit stops
- is it important to log location of bike parking in GIS, or can a simpler system be used?
- the survey form should be kept simple and objective
- questions on lighting near the rack and condition of rack need to be made more objective
- the survey form should capture the magnitude of the need for more parking (one bike chained to sign posts vs. eight, for example)
- the form should include a place to denote bikes that appear to be abandoned

Visitor Laura Duncan Allen said that under Type on the survey form, tagalong should be added.

V. **New Business**

Draft Corvallis Bicycle and Pedestrian Safety Implementation Strategy - formerly Education Plan

This was moved to pending items until the Transportation Program Specialist position is filled.

VI. **Information Sharing**

Chair Upton reported that the Benton County Bicycle Advisory Committee met and discussed the proposed slip lanes at the Highway 34 interchange. The Committee drafted a letter to the Board of Commissioners stating that the Committee does not support the current ODOT design.

Chair Upton reported that the Budget Commission held a meeting where Board and Commission Chairs were invited to provide input regarding the upcoming budget discussions. Commissioner Toy reported that there was no discussion about bike or pedestrian matters, and there will be another meeting to discuss the possibility of a levy. Ms. Namba said that both meetings concern just General Fund supported departments.

Update on grant opportunities

Ms. Namba reported on two grant opportunities for which staff has applied. The first is through ODOT’s new Flexible Funds program, which made available \$21 million of highway funds that ODOT has “flexed” into non-highway projects. This is a statewide competition and staff submitted five projects for consideration, four of which have recently been high priorities for BPAC: 3rd & Crystal Lake Drive signal controller cabinet relocation; Highland Drive sidewalk and pedestrian-activated crossing; sidewalk infill; 9th Street/Walnut Boulevard. pedestrian-activated crossings (which staff recently learned the City will not be awarded via the Bicycle Pedestrian grant program); and a transit Vehicle Information System replacement. A grant opportunity was also available on the infrastructure side of Safe Routes to School and staff has

submitted a number of projects at Lincoln, Hoover, Jefferson, and Garfield elementary schools. Examples of the projects include sidewalk infill, bulbing intersections to shorten crossing distance and provide traffic calming, curb ramps, and “your speed is” signs. Applications for New Freedom grants administered by ODOT are due in February. ODOT staff has indicated that in the last grant cycle two years ago there was more money available through the program than grant requests, and that there is even more funding this time. Since many of the Flexible Funds and Safe Routes to School projects staff submitted would also be New Freedom eligible, staff plans to submit those projects under this program.

Ms. Namba reported that there is now a “Walk Friendly Community” rating, similar to the Bicycle Friendly Community rating. The creators of the program intend it to be not just a rating but an assessment tool for use in improving the walkability of communities.

Ms. Namba reported that the new Council will be meeting on January 24 to discuss their new Council goals. She stated that BPAC should be thinking about the goals that they would like to see presented to the Council. Chair Upton asked the other Commissioners to think about possible goals and be prepared to discuss this at the January BPAC meeting.

VII. Commission Requests and Reports

Commissioner Toy stated that the pedestrian crossing on 9th Street at Polk Avenue is dangerous and confusing. She suggested looking at this intersection for improvement. Ms. Namba noted that Transportation and Buildings Division Manager Jim Mitchell has requested data from the City’s Traffic Engineer regarding intersection design, usage and crash data and will attend a future BPAC meeting to discuss the results.

VIII. Pending Items

- Mid-block pedestrian crossing on 9th at Polk
- Colored Bike Lane Presentation
- Sidewalk Furniture Zones

The meeting was adjourned at 8:35 a.m.

NEXT MEETING: January 7, 2011, 7:00 a.m., Madison Avenue Meeting Room

**BICYCLE AND PEDESTRIAN ADVISORY COMMISSION
MINUTES
January 7, 2011
DRAFT**

Present

Brad Upton, Chair
Joel Rea
Rosie Toy
Dan Herford
Mike Beilstein, City Council

Absent

Charles Fletcher
Susan Christie

Staff

Lisa Namba, Public Works
Jim Mitchell, Public Works

Visitors

Walt Prichard
Laura Duncan Allen
Theresa Gibney
Carol Rathbun
Dean Codo
Iris Benson
Nicole Burda
Ashley Rochefort
Glencora Borradaile
Rose Clark
Vernon Huffman
Michael Brown
Megan Patton-Lopez

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for Further Review	Recommendations
I. Call Meeting to Order/ Introductions	X		
II. Review of November 5 and December 3, 2010 Minutes			Approved
III. Visitor Comments	X		
IV. Old Business • None	n/a		
V. New Business • City Council Bicycle/Pedestrian Goals			Chair Upton will present an overview of BPAC's activities to the Council
VI. Information Sharing • Mid-block Pedestrian Crossing on 9 th at Polk	X		
VII. Commission Requests and Reports	n/a		
VIII. Pending Items	n/a		

CONTENT OF DISCUSSION

I. Call Meeting to Order/ Introductions

Chair Upton called the meeting to order and those present introduced themselves.

II. Review of Minutes

Commissioner Rea moved to approve the November 5, 2010 minutes; Commissioner Toy seconded the motion, which passed unanimously.

Chair Upton requested two clarifications on the December 3 minutes in the discussion of vegetation obstructions. In the second paragraph in Visitor Comments, during the discussion about sidewalk vegetation obstructions, the fifth sentence should read as follows: "After two months, she was notified that all three had been abated, but they weren't." In this paragraph, the eighth sentence mistakenly referred to weed abatement rather than vegetation obstructions.

Commissioner Rea moved to approve the December 3, 2010 minutes as corrected; Commissioner Toy seconded the motion, which passed unanimously.

III. Visitor Comments

Visitor Dean Codo reported that he spoke to Fire Chief Roy Emery at the Corvallis Fire Department (CFD), who told him that they would be willing to proactively handle vegetation obstructions as they are out in the community, to avoid the appearance of CFD getting involved in neighbor disputes. Mr. Codo stated that he also spoke to Public Works Director Steve Rogers, who said that the City's approach has been to use a complaint-driven process. Mr. Codo's concern is that, when there is a complaint, the issue is not always resolved. Councilor Beilstein stated that he will prepare a proposed Council goal addressing the issue. Chair Upton stated that he will work with staff to draft a letter for review and discussion at the February meeting.

IV. Old Business

None.

V. New Business

City Council Bicycle/Pedestrian Goals

Councilor Beilstein provided an overview of the Council goal-setting process. He opined that, since BPAC was recently able to convince the Council to create the half-time bike and pedestrian position, it might be a stretch for BPAC to suggest more. Chair Upton suggested that the Commission could advocate for a broad goal to promote alternative modes of transportation and reduce usage of single-occupancy vehicles, and have it be measured through specific outcomes such as adding covered bike parking, addressing the "red zones" in the bikeway system and dealing with vegetation obstructions. Commissioner Rea mentioned the new Walkable Communities designation and suggested using that as a basis for a goal. Commissioner Herford opined that transportation will continue to be critical in years to come and it would be wise to have a goal that addresses transportation in some way. Visitor Vernon Huffman suggested BPAC endorse the Transportation Subcommittee of the Corvallis Sustainability Coalition's goal, which he thinks is to reduce auto travel by 20% by 2020. Councilor Beilstein stated that the Corvallis Area Metropolitan Planning Organization has tools to track that kind of goal, but that it might be too vague. Ms. Namba reminded the Commission that these will be Council goals, and the Council has only a two-year term. Visitor Theresa Gibney suggested a goal to achieve the Walkable Communities designation, which could lead to a reduction in automobile use as a mode share. She also suggested that perhaps the goal could ask staff to produce a plan to reduce total automobile use in the community. Ms. Namba suggested the Commission could recommend forwarding something specific such as building a bike boulevard in Corvallis. In response to a

question about the development of an alternative modes master plan, Mr. Mitchell stated that all cities in the Corvallis MPO boundary will be updating their transportation plans, including the alternative modes elements, after new census data is available in October of 2012.

After more discussion, BPAC agreed that at Monday's Council orientation meeting, Chair Upton will provide an overview of what the Commission has completed and discuss upcoming projects. He also said he'll suggest that the Council adopt a goal supporting alternate transportation options.

VI. Information Sharing

Mid-Block Pedestrian Crossing on 9th at Polk

Mr. Mitchell provided some background and reviewed the staff report about the mid-block pedestrian crossing on 9th Street between the two sections of NW Polk Avenue. He stated that there were very few accidents involving pedestrians at this heavily used crossing. Staff recommended moving the stop bars closer to the crosswalk and light as per the original design, making it clearer for drivers where to stop. This will prevent vehicles from turning left from both legs of Polk Avenue to queue in front of vehicles on 9th Street who are stopped for the pedestrian signal, eliminating this threat to crossing pedestrians. The Commission discussed other options such as moving the crossing to the north leg of Polk Avenue (which would require a full signal at a cost of \$150,000 - \$200,000), adding signage on 9th Street specifying "no stopping in intersection", or prohibiting all left turns from the two legs of Polk Avenue onto 9th Street. Chair Upton opined that this is a low priority compared with other projects, such as addressing red zone areas on the bike map, and that it's more of a perceived than a real threat. He believes the staff suggestion to move the stop bars is a reasonable one, and the Commission agreed.

VII. Commission Requests and Reports

None.

VIII. Pending Items

- Draft Bicycle Parking Monitoring Strategy
- Draft Corvallis Bicycle and Pedestrian Safety Implementation Strategy
- Colored Bike Lane Presentation
- Central Business District Sidewalk Furniture Standards

The meeting was adjourned at 9:03 a.m.

NEXT MEETING: February 4, 2011, 7:00 a.m., Madison Avenue Meeting Room

DRAFTSubject to review &
CACOT approval

**CORVALLIS CITIZENS ADVISORY COMMISSION ON TRANSIT
MINUTES
January 12, 2011**

Present

Bob Lowry, Chair
Stephan Friedt, Vice-Chair
Susan Hyne
Tom Kincaid
Ryan Ludlow, ASOSU
Ray Shimabuku
Brandon Trelstad
Robert E. Wilson
Mike Beilstein, Council Liaison

Staff

Tim Bates, Public Works
Brie Caffey, Public Works

Visitors

Rose Clark, Transportation Coordinator,
OSU Student Sustainability Initiative

Absent**SUMMARY OF DISCUSSION**

Agenda Item	Information Only	Held for Further Review	Recommendations
I. Introductions	X		
II. Approval of Dec 8, 2010 Minutes			Approved
III. CACOT/Visitor Comments	X		
IV. Old Business			N/A
V. New Business			N/A
VI. Information Sharing	X		
VII. Commission Requests and Reports			<ul style="list-style-type: none"> • Forward proposed council goal to Commission • Form a route review subcommittee • Report on 99 Express ridership
VIII. Pending Items			N/A
IX. Adjournment			Adjourned at 9:07 am

CONTENT OF DISCUSSION

- I.** The meeting was called to order at 8:21 a.m. Introductions of Commission members, staff, and visitors were made.

II. Approval of Minutes

Commissioners Friedt and Kincaid, respectively, moved and seconded to approve the December 8, 2010 minutes. The motion passed unanimously.

III. CACOT/Visitor Comments

Rose Clark, Transportation Coordinator for the Student Sustainability Initiative at OSU, said she was attending to introduce herself, learn more about CTS and to find out if there were any suggestions for students on transportation.

IV. Old Business

Chair Lowry was asked about his research on the Olympia, Washington transit system, previously mentioned at an earlier CACOT meeting. He reported he is not yet ready to make a report, but will do so at a future meeting.

V. New Business

None.

VI. Information Sharing

Mr. Bates reviewed the Information Sharing Report. Additional information:

Commissioner Wilson asked Mr. Bates to update the Commission on the hours and maintenance of the public restroom at the DTC and Commissioner Lowry asked if the police will open and close it. Mr. Bates reported that once the restroom is finished, it will be open 6:00 am to 2:30 am, Monday - Saturday. A security service will be hired to lock and unlock the restroom each day and Garten Industries will provide custodial service as part of the regular DTC cleaning schedule.

First Student has not yet obtained a permit to relocate its large capacity fuel tank to its current location. So CTS is having to purchase fuel more frequently, leading to a higher overall cost and more staff time.

The Transit Operations Fee (TOF), previously called the Transit Sustainability Initiative Fee, will be publicized to the public on Jan 19, 2010, assuming no referendum. Staff has created a refund policy for bus passes, coupons, and day passes. Refunds between the \$5 minimum up to \$20 will be refunded in cash at the City's Utility Billing office beginning February 1st. Any refund that is more than \$20 will be refunded by check. Refunds will be available through March 31st.

The Intergovernmental Agreement between the City and OSU is being amended due to CTS going fareless. After January 31st, each OSU residence hall will pay the TOF based on the number of beds in each building. The fee for a single-family residential customer will be \$2.75. Commissioner Trelstad said that Mark McCambridge, OSU Vice President for Finance and Administration, and Steve Rogers, Public Works Director, created the \$0.68 cents per bed rate for OSU students. Chair Lowry asked what percentage of students live on campus, because students living in apartments will be paying the TOF through their residential utility bill. Commissioner Trelstad said on-campus students in the residence halls make up about 23-24% of the total student population. Mr. Bates

noted that OSU's direct contribution to the Transit Fund, \$130,000 annually, will remain in place. Students will continue to pay 70% of the annual cost of the Beaver Bus service. Commissioner Hyne requested that staff report rides per service hour for the Beaver Bus, as is reported for the other services. Staff agreed to do this.

Mr. Bates mentioned that City staff met with Benton County to discuss the current STF/paratransit program. Part of the discussion centered around fare revenue which will be lost once CTS goes fareless because paratransit rides will also be fareless.

Mr. Bates mentioned that the City will monitor the CTS system to see if fareless service impacts on-time performance. Chair Lowry asked about allowing passengers to board through both doors to speed loading. Commissioner Friedt and Mr. Bates both expressed concern over the safety of allowing boarding through the back doors because of loading pad and line-of-sight issues.

Commissioner Friedt asked if City staff has heard of any formal opposition on the switch to fareless. Mr. Bates reported that while individuals had called in to ask about the process, as of Monday, no one had come in to pick up signature sheet packet needed to force a referendum.

Commissioner Friedt asked staff to ensure that drivers were aware of their ability to make judgments regarding riders who have been on the bus too long. Mr. Bates said he would be attending a drivers meeting on Tuesday and will hand out the CTS Code of Conduct and exclusion policy. He said drivers know that they are in control of the "safe operation of the bus", a policy that is highlighted in both the Code of Conduct and Exclusion Policy. Mr. Bates noted the City had concerns about the possible negative behavior of some students when the School District joined the group pass program but there have been very few negative incidents. Chair Lowry suggested the Commission wait to see if problems develop before adopting more policies.

Commissioner Trelstad asked if CTS will reprint the system maps or place "fareless" stickers on them. Mr. Bates stated that the supply of existing maps will be used up before new ones are reordered. Commissioner Hyne expressed concern that the City's advertising of fareless may be missing people who don't ride the bus. Chair Lowry suggested the City aim its message to the majority but expect that some people won't get the message no matter how much advertising is done.

VII. Commission Requests and Reports

Chair Lowry reported that the scheduled State meeting on 5311 (rural/intercity) funding was canceled and rescheduled for February.

Commissioner Wilson asked about the council goals forwarded by the Commission. Mr. Bates said three CACOT goals were received and combined into one. Mr. Bates said he would send an email containing the goal language.

Councilor Beilstein said he was happy to be joining the Commission. He has also been reappointed as liaison for the Bike/Pedestrian Advisory Commission and noted that transportation issues are important to him. He noted that when he campaigned, he said he

didn't wanted to see the City backslide on transit issues, especially since ridership shows that more and more people are using CTS. Beilstein said he will miss the January 24th Council goal setting meeting, but explained how that process will work. He shared his appreciation for the work the Commission has done over the years.

Commissioner Friedt said he felt it was time to form a route review subcommittee, looking specifically at on-time performance. Commissioner Hyne noted that starting this now will get ahead of issues that increased ridership from going fareless might bring. Mr. Bates said he will send out an email asking for volunteers and set a meeting date.

Mr. Bates reported that CTS's grant application for a replacement VIS made the list of projects recommended to the Oregon Transportation Commission for funding through ODOT's Flexible Funds grant program. Grant awards will be announced in February. The federal share of the grant is \$462,000 with a City match of \$24,000. He will begin researching RFP language so that the City is ready to begin the process once the grant is awarded. Commissioner Hyne asked that staff include that the new system allow the public to determine the real-time location of buses.

Commissioner Trelstad reported that OSU has concerns about the condition of the portion of SW 26th Street that is on the OSU campus. The previous summer brought some degradation to that street, in part due to CTS buses and construction vehicles, especially on the north end. He reported that rides per service hour numbers for the OSU shuttle, based on last academic year, were about one-third of the number of CTS rides. There has been a minor revision to the shuttle's North route, which now travels further north.

Commissioner Ludlow added that ASOSU is generally trying to encourage alternative transportation. He reported that ASOSU feels good about the agreement on the new fee.

Mr. Bates noted that the Philomath Connection (PC) is planning to continue to charge fares. Assuming an agreement between City of Philomath and ASOSU/OSU, a transit group pass program will be in place for 2011-12 for OSU students, faculty and staff.

Commissioner Friedt requested ridership figures for the 99 Express service. Mr. Bates said he would email that information to the Commission.

VIII. Pending Items

None.

IX. Adjournment

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

The meeting was adjourned at 9:07 am.

NEXT MEETING: February 9, 2011, 8:20 a.m., Madison Avenue Meeting Room

CORVALLIS-BENTON COUNTY PUBLIC LIBRARY BOARD MINUTES
January 5, 2011

Board Present	Staff Present
Corrine Gobeli, Chair	Carolyn Rawles-Heiser, Library Director
Jacque Schreck, Vice-Chair	Janelle Cook, Senior Administrative Assistant
Megan Castellano	Andrew Cherbas, Extension Services Manager
Judith Edelstein	Mary Finnegan, Adult Services Manager
Scott Elmshaeuser	Curtis Kiefer, Youth Services Manager
Samantha Fisher	Carol Klamkin, Management Assistant
Martha Fraundorf	Mary Norman, Access Services Manager
Leanne Giordono	
David Low	
Isabela Mackey	
Linda Modrell	
Sandy Ridlington	
Excused:	Visitors:
Mike Beilstein	None

SUMMARY OF DISCUSSION

Agenda Item	Information Only
Call to Order	7:30 pm
Visitors' Propositions	
Minutes: December 1, 2010	x
Library Board Packet	x
Director's Report & Budget Discussion	x
Board Reports <ul style="list-style-type: none"> • Friends of the Library Board • Foundation Board 	x
Division Manager Reports	x
Information Sharing	x
Adjournment	9:04 pm

CONTENT OF DISCUSSION

I. CALL TO ORDER

Chair Corrine Gobeli called the meeting to order at 7:30 pm.

II. VISITORS' PROPOSITIONS

None.

III. APPROVAL OF MINUTES

Motion: Jacque Schreck moved approval of the December 1, 2010 minutes as submitted. The motion was seconded by Scott Elmshaeuser and carried unanimously.

IV. LIBRARY BOARD PACKET QUESTIONS AND COMMENTS

David Low inquired how the management of volunteers has been going since the resignation of the Volunteer Coordinator. Carolyn Rawles-Heiser said it has only been a few weeks, but Management Team has dispersed the work amongst themselves. Mary Finnegan added that it is challenging. Isabela Mackey asked about the methodology behind collecting statistics at the Library.

V. DIRECTOR'S REPORT & BUDGET DISCUSSION

Carolyn announced that Mike Beilstein will continue to be the Library's Council Liaison, appointed by new Mayor Julie Manning. Early in the morning of December 30, the Library's backup failed and staff quickly determined it was due to an equipment failure. They worked diligently on restoring the information the following day, but all December 29 transactions were ultimately lost. Fortunately, staff had a hard copy of all financial transactions through six o'clock that evening and were able to correct patron account payments. Mary Norman estimated 20,000 - 25,000 items were checked in and checked out on December 29 in addition to several hundreds of items that were cataloged. Carolyn hopes that most snags will be resolved in about six weeks or less, but there will be some obscure items that may take months to work through. Staff is working with the City technology staff to create more redundancies in order to prevent a repeat of this scenario.

Budget: The Budget Commission met last night and decided after much discussion to pursue a forty-cent per \$1000 of assessed property value operating levy on the May ballot. They recommended this funding be allocated for the Senior Center, Osborn Aquatic Center, the Library, and Social Services. City Council meets again on January 18 and will consider this recommendation from the Budget Commission. Per Jacque, the Library was the number one service chosen by the Budget Commission to be protected. If the levy does not pass, severe cuts will be made to the Library's budget. Several Board members pointed out that the City will have to make cuts anyway because the proposed levy does not cover the entire City budget shortfall. There will still be about a \$1.5 million deficit City-wide. Corrine noted this levy is effectively ten cents more than current tax rates and that needs to be part of the message to the electorate. Carolyn said staff will be required to submit two different scenarios for next fiscal year's proposed budget – one for if the levy passes and one for if the levy does not pass. The City Council will determine what percentage of funds the Library would receive if the levy does pass. According to Carolyn, depending on how much money is allocated to the Library, it is possible that the Library's Monday hours could still be cut even if the levy passes and she wanted the Board to be aware of that. Carolyn would also like to find a way to restore Sunday hours. Although the Board generally agreed with that desire, Leanne Giordono voiced concern about giving the public back something the Board knows cannot be continued permanently (due to the fact that the City's budget deficit is expected to be even worse in future years). The conversation segued into a discussion about the Library District's Inter-Governmental Agreement (IGA) between the City and County. David urged the Board to consider using the IGA for leverage because it states that the two entities shall work collaboratively to develop the budget. Carolyn concurred and emphasized that the IGA speaks to the City's responsibility to maintain a particular level of funding. The IGA was used by Carolyn in developing reduction packages for next fiscal year's budget. The District is supposed to pay for all costs associated with the branch libraries plus a minimum of thirty percent, with the goal of forty percent of operation of the Corvallis Library. It was suggested that the Library Board and the City Manager need to be in contact with the County Commissioners. Leanne asked if it was worth any effort to lobby the City Councilors on behalf of the Library prior to their next meeting. Jacque said it never hurts for the public to speak to their elected officials. Discussion ensued about the budget process in general.

VI. BOARD REPORTS

Friends of the Library: Corrine reported the December cookie exchange was delectable as usual. The Friends are starting to plan for the Big Book Sale the last weekend of February at the Benton County Fairgrounds. There is still space in the new warehouse so book donations will continue to be accepted. College Hill students have again been invited to participate in the book sale. Marlys Amundson and David are working on a new web site for the Friends which will be hosted independently from the Library's web site. This will allow them to accept online donations. In honor of Mario Pastega who provided free warehouse space to the Friends for many years, the Friends Board made a donation to the Pastega House. The Friends and Library staff are currently working on the 2011 Friends Needs List. The Friends' Facebook page has experienced a little spike – they now have 86 friends – due to recent Library budget news. An off-site meeting was held to discuss advocacy ideas.

Foundation Board: No report. A Resource Development Committee meeting will be held next week.

VII. DIVISION MANAGER REPORTS

Access Services: No report.

Administration: Carol Klamkin said the revised budget for this fiscal year was turned in today. Identified savings related to technology and vacancies will save about \$170,000 this fiscal year.

Adult Services: Mary Finnegan reported that December 25 and 26 were busy days for Library2Go (downloadable books) as many patrons must have received eBook Readers for Christmas. The vendor for this service augmented their bandwidth and improved their servers in anticipation of the increased demand. Some libraries within the State actually doubled their usage in one day.

Extensions: Per Andrew Cherbas, Extensions staff completed a small rearrangement at Philomath Community Library in December. It went smoothly and has been well-received. The rearrangement freed up some space and created more of a division between the teen and adult areas.

Circulation: No report.

Youth Services: Curtis Kiefer received a call yesterday from Oregon Public Broadcasting (OPB) offering the Library a visit from The Cat in the Hat. The visit is scheduled for Saturday, February 26.

VIII. INFORMATION SHARING

Corrine solicited thoughts and ideas to present at the Boards & Commissions Chairs orientation meeting and the City Council goal-setting session. Suggestions included the unique Library Board composition (City and County), emphasis on holistic definition of "community," pursuit of long-term resolution to the City budget crisis, and exploration of ways to increase efficiencies through increased coordination, collaboration, and consolidation with other public entities.

IX. ADJOURNMENT

The meeting was adjourned at 9:04 pm.

NEXT MEETING: February 2, 2011 at 7:30 pm

Approved as submitted, February 9, 2011
CITY OF CORVALLIS
DOWNTOWN COMMISSION MINUTES
Madison Avenue Meeting Room
January 12, 2011

Attendance

Pat Lampton, Chair
 Kirk Bailey, Vice Chair
 Kavinda Arthenayake
 BA Beierle
 Jim Moorefield
 Steven Weiler
 Roen Hogg, Council Liaison

Staff

Ken Gibb, Community Development Director
 Sarah Johnson, Associate Planner
 Terry Nix, Recorder

Visitors

Jerry Wolcott, ODOT

Excused

Michele Adams
 Les Boudreaux
 Mike Schweizer
 Liz White

SUMMARY OF DISCUSSION

	Agenda Item	Summary of Recommendations/Actions
I.	Call to Order	Information only.
II.	Approval of December 8, 2010 Meeting Minutes	Approved as presented.
III.	Public Comment	Information only.
IV.	Downtown Transportation Issues – Presentation and Discussion with Jerry Wolcott, ODOT	Information only.
V.	Follow-up Discussion/Council Goal Regarding Urban Renewal and Potential Work Program Item	Recommend to the City Council a Council Goal that would include the Downtown Commission and staff working on a feasibility/scoping study for urban renewal in downtown Corvallis.
VI.	Updates	Information only.
VII.	Other Business	Information only.
VIII.	Adjournment - 7:19 p.m.	The next regular meeting will be held on February 9, 2011, at 5:30 p.m., at the Fire Station Main Meeting Room.

CONTENT OF DISCUSSION

I. CALL TO ORDER

Chair Pat Lampton called the regular meeting of the Corvallis Downtown Commission to order at 5:32 p.m. He welcomed new City Council Liaison Roen Hogg.

II. APPROVAL OF MEETING MINUTES

December 8, 2010

MOTION: Mr. Bailey moved to approve the minutes as presented. Mr. Moorefield seconded the motion and it **passed** unanimously with Mr. Arthenayake abstaining.

III. PUBLIC COMMENT: None.

IV. DOWNTOWN TRANSPORTATION ISSUES – PRESENTATION AND DISCUSSION WITH JERRY WOLCOTT, ODOT

Jerry Wolcott, Oregon Department of Transportation (ODOT), gave a slideshow presentation entitled *ODOT Project Update: Corvallis to Peoria Road*. He said that his objective today is to give an overview of the plan to reduce congestion in downtown Corvallis and provide an update on projects in the corridor. ODOT's mission is to provide a safe, efficient transportation system; and to balance the needs of user groups. Mr. Wolcott's job as project manager is to fix the problem while minimizing impacts to users, although every user group will be affected. He showed a photo of the Van Buren Bridge with heavy congestion on a game day in 1915, noting that this is not a new problem.

Mr. Wolcott said that, as part of planning for the Van Buren Bridge Project, a traffic study was undertaken that looked at eight different scenarios at eleven intersections in downtown Corvallis plus the Bypass intersection. Surprisingly, the study found that the only infrastructure solution is a two-lane Van Buren Bridge, a North Bypass Bridge, and an Interchange at the Bypass intersection. The North Bypass Bridge, an important part of this long-term solution, would cost at least \$200 million in 2010 dollars; it is not likely to be built in the 20-year planning horizon. He reviewed a possible mid-term solution involving one bridge and a directional interchange concept. This solution complements some of the construction projects that are in the works, including the Roche-Wolcott Project. He provided an update for that project, which is designed to improve safety from Peoria Road to the Bypass intersection and which is planned for this summer. Mr. Wolcott said the traffic study showed that all scenarios failed at the existing signalized Bypass intersection. The South Bypass Interchange is the first thing that needs to be fixed; construction is planned for summer 2013. That project will also provide for safe access to Alan Berg Park via the south frontage road.

Regarding sustainability, Mr. Wolcott reviewed plans for additional buses for the Linn-Benton Loop, development of the Lebanon Loop, expanded Park and Ride efforts, and multi-use facilities across the Willamette River. An alternate long-term solution involves building a North Bypass Bridge and interchange, eliminating the need for a new Van Buren Bridge.

Mr. Wolcott reviewed a Transportation System Management (TSM) plan to optimize existing operations in Corvallis; examples include changing lane configurations and changing parking to dedicated turn lanes during peak times. An Advanced TSM plan will adjust signal timing during peak flows and emergencies based on traffic flow; this is fully funded and scheduled for construction in 2011.

Regarding Bike/Pedestrian improvements, Mr. Wolcott reviewed plans for a new multi-use path from the Bypass intersection to Peoria Road associated with the Roche-Wolcott project, for Harrison Bridge to be restriped with a five-foot shoulder, for a connection from the South Bypass intersection to Susan Wilkins Path, and for possibly adding a sidewalk on the north side of the Van Buren Bridge. Many cyclists and pedestrians will choose to use the north side of the multi-use path; some will choose to use the shoulder of the highway. The South Bypass slip lane will impact bikes and pedestrians who want to stay on the highway. The South Bypass project is opposed by the Bicycle and Pedestrian Advisory Commission (BPAC).

In response to an inquiry from Ms. Beierle, Mr. Wolcott said he has given presentations regarding the Van Buren Bridge sidewalk to the State Historic Preservation Office (SHPO) and the Corvallis Historic Resources Commission (HRC). Both groups indicated that they would like more information; if funding for that project becomes available, he will go back to those groups before proceeding.

In response to an inquiry from Mr. Moorefield, Mr. Wolcott said BPAC's objection to the South Bypass project is based on that fact that it does not provide a more direct route. Other options were considered - a tunnel would be full of water much of the year and a bridge is too expensive. A final design is still a year away. Mr. Weiler asked if it would be possible to elevate the slip lane so bikes could go under. Mr. Wolcott said that would be very expensive and there would be water issues; it is unlikely that would be approved since there is a viable alternative. Mr. Gibb asked if there is a count on bike traffic heading eastbound. Mr. Wolcott said he does not have that information, but that is an excellent question.

Mr. Lampton said it is important to consider that a state highway difficulty that impacts the downtown creates competing interests. The TSM solution would eliminate parking, for example, but parking is vital to the downtown. He would want to ensure that consideration is given to mitigation of those lost parking spaces.

Mr. Moorefield said he has noted that traffic entering Corvallis is backed up during the morning rush hour. He asked how the plan addresses westbound traffic coming into town. Mr. Wolcott said the short-term solution will not address that backup. The

possible mid-term solution will move the confluence of the three highways from the downtown; he hopes that will happen in the next 20 years, but with current funding it is hard to say.

Ms. Beierle said it is recognized that opportunities on the east side of the river are important for downtown. In response to her inquiry, Mr. Wolcott clarified that the south frontage road will not connect to the east bank.

Mr. Bailey said that when the South Bypass was built in the 1990s, he believes there was discussion about a connection that would come into Corvallis and allow traffic to go north; he asked if that was evaluated. Mr. Wolcott said no, that information was not included in City or County planning documents.

Mr. Arthenayake asked if lighting will be improved at the Bypass intersection; it is dark and very hard to see in that area. Mr. Wolcott said there is nothing in this project to address that safety issue; other divisions of ODOT develop illumination plans and there may be something in the works that he is not aware of.

Mr. Weiler initiated additional discussion about the possibility of an elevated slip way that would allow bicycles and pedestrians access underneath, as well as provide potential access to Alan Berg Park. Mr. Lampton said this would require a much larger structure; some have expressed concern that a more massive interchange would create a less attractive entrance to the City and vista from Downtown looking east across the river.

Mr. Wolcott distributed a *US 34: South Bypass Project Survey*; he invited Commissioners to fill out and send the survey to his attention.

Mr. Moorefield recalled that the Commission talked in the past about how lanes in the downtown could be realigned to help traffic, but he doesn't recall if that discussion included the parking implications. Director Gibb noted that Public Works Director Steve Rogers gave that presentation; he will follow up with him regarding potential impacts to parking.

V. FOLLOW-UP DISCUSSION/COUNCIL GOAL REGARDING URBAN RENEWAL AND POTENTIAL WORK PROGRAM ITEM

Director Gibb noted that at the last meeting, after a presentation and good discussion with City of Albany Urban Renewal Manager Kate Porsche, the Commission decided to consider whether to forward a recommendation that the City Council include urban renewal as a Council Goal at this meeting. Since that time, the Council asked that input on Goals be submitted prior to January 7; staff would suggest that any recommendation on this issue be forwarded through City Council Liaison Hogg.

Mr. Lampton said a lot of the foundation was laid during the last effort; the question is whether the Commission thinks urban renewal would be a positive thing for downtown Corvallis. In discussion, Mr. Gibb noted that not having this as a Council Goal would not

preclude the Downtown Commission from working on this over the next two years. Ms. Beierle noted that preparing and implementing an urban renewal plan is already ratified in the Downtown Strategic Plan.

Mr. Arthenayake asked if this is the right time to address this issue, given that it was unsuccessful last time and that the City is facing a budget shortfall. Mr. Lampton said he thinks that is a political question for the Council to answer; he thinks this Commission should consider what is important for the downtown and its long-term health.

Mr. Bailey said he supports the concept of an urban renewal district. He recalled Ms. Porsche's comment that a good plan for the Evanite property could generate enthusiasm and support. He suggested that it might make sense for this Commission to spend the next year working on a stronger plan with a better chance of success; the Commission could then suggest a Council Goal in 2012 based on the work that has been done.

Mr. Weiler added that, if the Commission takes this on, the work should include information to show the community what economic benefits could be achieved through urban renewal. Mr. Gibb cautioned that it is difficult to argue that urban renewal has short-term economic benefits to the overall budget. Mr. Lampton said that an urban renewal district would be economically beneficial in the long-term.

Discussion followed regarding process. Mr. Gibb said that Mr. Bailey's idea would likely involve a two-year effort for this group, taking a big chunk of its work program. It would then likely be three to four years before the issue was on the ballot.

Mr. Moorefield said that his assumption is that the previous urban renewal plan would need to be significantly tweaked before it is brought forward again. He supports Mr. Bailey's proposal, but it would be a high resource path. A less ambitious plan could involve an interim step of evaluating the issues and opportunities. He noted that a plan that does not include the Evanite property would result in less than half of the resources; he wonders what could be accomplished with that level of resources. Mr. Lampton noted that it would be possible to draw the boundaries differently.

Mr. Bailey said his idea is that the Commission would commit much of its work plan for the coming year to this issue, but he would not want the Commission to give up on doing smaller projects. He noted that Ms. Porsche had said that Albany developed its plan to the point that it just needed resources to pay for it. He further noted that the second process for an Open Space ballot measure was much more detailed and was then successful.

Mr. Moorefield said the reason he joined the Downtown Commission was to work on an urban renewal district. He had hoped that work would be in implementation, but this is where we are. He does feel it is a political decision to say this is how we recommend the use of resources, but he is comfortable doing so. Because of the long-term nature of the implications and benefits, there is no perfect time. He said lights went on for him when Ms. Porsche said that, for an urban renewal plan to be effective there must be big

opportunities that create resources to drive change. He said there is such an opportunity with the Evanite property to make a fundamentally different future in the design and health of the community; that window of opportunity will close someday.

Mr. Lampton noted that the Evanite property is now under different ownership; he is uncomfortable talking about the future of someone else's property. Mr. Moorefield noted that changes are done through zoning; he does not think an urban renewal district will succeed without the Evanite property. It was agreed that this will be a long process that will involve discussion about how the City can partner with the Evanite property owners.

Discussion followed regarding the potential of the Downtown Commission undertaking a scoping project and the possible timing of that work. Ms. Beierle said she wants to communicate to the Council that an urban renewal district is the only way we can successfully fund the desired activities downtown.

MOTION: Mr. Bailey moved to recommend to the City Council a Council Goal that would include the Downtown Commission and staff work on a feasibility/scoping study for urban renewal in Downtown Corvallis. Mr. Weiler seconded the motion.

Mr. Bailey said his intent is that the study would include a deliverable within this Council term which addresses economic issues, concerns raised during the last process, and downtown involvement.

Brief discussion followed regarding the narrow turnaround time to get this to the City Council for consideration. Mr. Gibb said staff will put together a summary which reflects the discussion and distribute it via email for review by the Commission. Council Liaison Hogg agreed to then bring the summary forward to the City Council.

The motion **passed** unanimously.

VI. UPDATES

City Budget: Mr. Gibb said that staff will send out an update of the budget process from the Community Development Department's perspective after the next City Council meeting.

Food Cart: Ms. Johnson said the Committee crafted a survey which was distributed last Friday via nine outlets as well as the City's website. As of this afternoon, 267 responses have been received. Thus far, the majority of the responses are in support, although some are strongly opposed. A public meeting is scheduled for February 15, 5:00 p.m., at the Fire Station meeting room.

Other: Ms. Johnson advised that, due to scheduling conflicts, the February 9, March 9, June 8, and November 9 Downtown Commission meetings will be held at the Fire Station meeting room.

VII. OTHER BUSINESS

Ms. Beierle recalled previous discussion related to forming a committee to review and update the Strategic Plan. Planner Johnson noted that Ms. Beierle, Ms. White, Mr. Weiler, Mr. Arthenayake, and Mr. Schweizer agreed to take part in that effort. Ms. Beierle agreed contact members to set up a meeting time.

VIII. ADJOURNMENT

The next meeting of the Downtown Commission will be held on February 9, 2011, at 5:30 p.m., at the Fire Station meeting room.

The meeting was adjourned at 7:19 p.m.

**DOWNTOWN PARKING COMMITTEE
MINUTES
December 7, 2010
DRAFT**

Present

Brad Upton
Liz White
Kathy Corjasso
Nick Malos

Staff

Lisa Namba, Public Works Department
Jim Mitchell, Public Works Department

Visitors

Mayor Charlie Tomlinson
Bill Enwright

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for Further Review	Recommendations
I. Call Meeting to Order/ Introductions	X		
II. Review of October 5, 2010 Minutes			Approved
III. Visitor Comments	X		
IV. Old Business • Bike Parking Monitoring Strategy	X		
V. New Business • Parking Control Near Tommy's 4th Street Bar & Grill • Removal of Two 2-Hour Meters, 544 SW 4th Street			<ul style="list-style-type: none"> • Recommended a number of changes • Recommended removing the meters.
VI. Information Sharing	X		
VII. Committee Requests and Reports	n/a		
VIII. Pending Items	n/a		

CONTENT OF DISCUSSION

I. Call Meeting to Order/ Introductions

Chair Upton called the meeting to order and those present introduced themselves.

II. Review of Minutes

Commissioner White moved to approve the October 5 minutes; Commissioner Malos seconded the motion and the minutes were approved unanimously.

III. Visitor Comments

Outgoing Mayor Tomlinson expressed his gratitude to DPC for their service to the community.

IV. Old Business

Bike Parking Monitoring Strategy

Chair Upton provided some background on this project and noted that it is on hold until staff is available to do the work. He asked the Commissioners to provide feedback to staff outside of the meeting.

V. New Business

Parking Control Near Tommy's 4th Street Bar & Grill

Visitor Bill Enwright, owner of Tommy's 4th Street Bar & Grill, provided some background on his history with parking meters around the restaurant. Following a building remodel, the restaurant now has a door onto the portion of SW Adams Avenue that has 10-hour meters. The remodel closed a driveway onto SW 4th Street resulting in space for two new (as-yet undesignated) spaces on 4th Street. Mr. Enwright specifically requested changing two 10-hour meters near the door to the restaurant on the north side of Adams Avenue to 2-hour meters and installing 2-hour meters for the two new spaces on 4th Street.

Mr. Mitchell presented a parking study of that area. The recommendation in the staff report is to create two new 2-hour metered spaces where the driveway used to be, convert two existing 2-hour meters north of the driveway on the west side of 4th Street (near the gas station) to 10-hour meters, and leave the rest unchanged. The DPC discussed designating the two new spaces with 2-hour meters and converting two 10-hour meters on Adams to 2-hour meters, but leaving the 2-hour meters near the gas station. In response to a question from Chair Upton, Mr. Mitchell suggested retaining the existing long-term parking in the area by swapping the two 10-hour meters on the north side of Adams near Tommy's with two 2-hour meters on the south side of Adams. The DPC decided to recommend this, along with designating the two new spaces as 2-hour metered parking, leaving the current 2-hour spaces near the gas station unchanged.

Removal of Two 2-Hour Meters, 544 SW 4th Street

Mr. Mitchell provided background on this issue. Parking on this block used to be controlled with 10-hour meters, with two 2-hour meters in front of Benson's Floor Coverings (at the owner's request) to provide short-term parking for this business. The 10-hour meters were removed last summer, leaving only the 2-hour meters to ensure short-term parking near the business. Staff has spoken with the owner of Benson's, who affirmed that the 2-hour meters are no longer necessary to provide short-term customer parking. Therefore, staff recommends removing those meters to provide two unrestricted parking spaces and reduce the costs associated with meter collection, maintenance and enforcement. The DPC concurred with this recommendation.

Staff will process Traffic Orders to effect both of the above changes.

VI. Information Sharing

In response to a question, Mr. Mitchell provided information on wording that will be provided on the new signage going into the Free Customer Parking Area.

VII. Committee Requests and Reports

None

VIII. Pending Items

None

The meeting was adjourned at 6:10 p.m.

NEXT MEETING: January 4, 2011, 5:30 p.m., Madison Avenue Meeting Room

Approved as submitted, February 8, 2011
CITY OF CORVALLIS
HISTORIC RESOURCES COMMISSION MINUTES
DECEMBER 14, 2010

Present

Scott McClure, Vice-Chair
 Aaron Collett
 E. Ross Parkerson
 Geoffrey Wathen
 Kevin Perkins
 Stanley Nudelman
 Robert "Jim" Morris
 Jim Ridlington, Planning Comm. Liaison

Staff

Kelly Potter, Senior Planner
 David Coulombe, Deputy City Attorney
 Mark Lindgren, Recorder

Guests

Ed Miller
 John Launchbury
 Bob Alexander
 Andrew Sheridan

Absent/Excused

Deb Kadas, Chair
 Dan Brown, Council Liaison
 Lori Stephens

SUMMARY OF DISCUSSION

	Agenda Item	Held for Further Review	Recommendations
I.	Visitor Propositions		None.
II.	Public Hearings A. Wilt House (HPP10-00033) B. OSU Waldo & Dryden Halls (HPP10-00035) C. Julian Hotel (HPP10-00036)		A. Application approved unanimously with conditions of approval. B. Application approved unanimously with conditions of approval. C. Application approved unanimously with conditions of approval.
III.	Minutes Review- November 9, 2010 November 30, 2010		Minutes of November 9, 2010 approved as corrected. Minutes of November 30, 2010 approved as presented.
IV.	Other Business/Info Sharing		Staff will be relocated to the former CH2M Hill building for six months during seismic upgrades to City Hall.
V.	Adjournment.		Meeting adjourned at 8:18 p.m.

Attachment to the December 14, 2010 minutes:

- A. Julian Hotel Apartments, Rear Entrance ADA Proposal, submitted December 14, 2010.

CONTENT OF DISCUSSION

Chair Scott McClure called the Corvallis Historic Resources Commission to order at 7:02 p.m. in the Corvallis Downtown Fire Station Meeting Room, 400 NW Harrison Boulevard.

I. VISITOR PROPOSITIONS. None.

II. PUBLIC HEARINGS –A. WILT HOUSE (HPP10-00033)

A. Opening and Procedures:

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

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

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

The Chair opened the public hearing.

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

1. Conflicts of Interest. None.
2. Ex Parte Contacts. None.
3. Site Visits –Declared by all Commissioners except Mr. Perkins and Mr. Collett.
4. Objections on Jurisdictional Grounds – None. No rebuttals were made.

C. Staff Overview:

Planner Kelly Potter said the Wilt House was located at 312 NW 28th Street. The application came before the Commission recently and was denied. The application has changed and involves replacement of five basement windows.

D. Legal Declaration:

City Attorney David Coulombe stated that the Commission would consider the applicable criteria as outlined in the staff report, and he asked that citizens direct their testimony to the criteria in the staff report or other criteria that they feel are applicable. It is necessary at this time to raise all issues that are germane to this request. Failure to raise an issue, or failure to provide sufficient specificity to afford the decision-makers an opportunity to respond, precludes an appeal to the State Land Use Board of Appeals on that issue.

The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the local government to respond to the issue precludes an action for damages in Circuit Court.

E. Applicant's Presentation:

John Launchbury related he had learned more about the historic district since his previous application. In developing the revised application, he said he tried to incorporate comments from Commissioners during the previous application, and talked to staffers about windows that would provide emergency egress, open appropriately and fit the historic character of the house.

Mr. Parkerson asked how this application had changed from the previous one. Mr. Launchbury replied that the five windows that had been put in would be removed, along with the framing that went in with it. They would build framing to the size of the new windows (3' by 3'), apply siding exactly the same as the existing siding, and build window framing in exactly in the style that exists now.

Mr. Parkerson asked what would be done to keep dirt back in window wells. Mr. Launchbury said he planned to use brick or stonework up to grade level, with paving slabs and drains in the bottom, in keeping with Building Code. The window wells would be rectangular and just wider than the width of the opening, allowing six inches for the trim in keeping with the style of the house, and a few more inches to spare. The total width would be between 4.5' and 5'; the distance away from the house would be three feet, as required by egress code.

Mr. Wathen thanked the applicant for coming back and said he was pleased with the application. He said the application likened the proposed 3' by 3' windows with a three-over-one divided lite to the existing 3' by 3' windows. However, where there are the 3' by 2' windows with a three-over-one divided lite, he said he wasn't sure about the proportions being comparable. Mr. Launchbury replied that the middle line would be slightly above the middle of the window; it would be modeled after the pattern of a couple of windows in the kitchen. He said that there were few manufactured options for what was available for this size window and situation; also, it is required to keep the window wells three feet or deeper. Using a three-foot window that allows the window to open fully; the proposed windows open outward.

F. Complete Staff Report:

Planner Potter said the proposal is to replace the wood, casement-style windows with casement-style, metal clad, wood windows. The sizes and shapes of the windows are proposed to provide emergency egress and to maintain consistency with all basement windows. Given the basement location and the style of windows being maintained, the shape is slightly narrower in order for the windows to be historically compatible with existing windows and consistent with compatibility review criteria.

The proposal is to replace the 4' wide by 2' deep windows with 3' by 3' and 3' by 2' metal clad, wood windows. This will not cause the windows to more closely approximate the Designated Historic Resource, but instead will be compatible with some existing windows. The 3' by 3' windows will occur below grade and will not impact the appearance of the house. The narrow width is proposed because 4' by 3' casement windows are not a typically manufactured size window. During the discussion on the previous application, Commissioners pointed out the difficulty in finding a manufacturer to make a window of that size.

The width of the 3' windows will be compatible with the existing windows on the home. The windows being replaced are on the northwest and south facades (on the interior sideyards and on the rear façade). The applicant proposes to retain or replace in kind the six-inch wood head and vertical molding around the windows to match existing molding on the house, making the element compatible with the rest of the home.

In terms of form, all five windows would be replaced as one foot narrower than they exist. Three of the windows would be one foot taller by extending the bottom of the windows below grade; increasing the height is proposed to comply with egress requirements. The increase in height would change the window appearance in a relatively minor way, since the increased height portion of the window would be downward. The decrease in width from 4' to 3' is proposed because the applicant is choosing casement-style windows (they are not available at a 4' width). The narrower windows are compatible with the Designated Historic Resource. The applicant proposes to replace wooden windows with wood, metal clad windows. When painted, these windows will be visually similar and compatible with the Designated Historic Resource. The casement-style windows proposed to be replaced do not now have divided lites. The historic windows on the house are typically four-over-one, double-hung windows. There are some windows that are three-over-one. The applicant is seeking to match the three-over-one windows, since the four-over-one windows are bigger in size. For these more narrow windows, a three-over-one lite pattern is more appropriate, making it compatible with the Designated Historic Resource.

In terms of other compatibility criteria, the proposal will not affect differentiation, archeological resources, etc. She said staff found the proposal was compatible with the existing Designated Historic Resource and recommended approval, subject to the listed Conditions of Approval.

Mr. Parkinson said that drawings would be helpful in proposals where changes are involved. Ms. Potter concurred.

- G. Public Testimony in favor of the application:** None.
- H. Public Testimony in opposition of the application:** None.
- I. Neutral testimony:** Ed Miller said he was a next-door neighbor and was concerned that the applicant was being required to pay attention to unimportant details, such as basement windows. He said that in addressing the Commission's concern that the windows look just like others on the house, the applicant might neglect other details, such as whether the replacement windows were insulated. Ms. Potter replied they would be replaced by double-paned windows. Mr. McClure added that the Commission was driven by the Land Development Code standards in Chapter 2.9 – Historic Preservation Provisions. Mr. Miller said the purpose of the historic district is not to ensure that every house stays exactly like it is, but rather to preserve the character of the neighborhood. He said that the City doesn't have to be quite so fussy about the exact details of what a house looks like. He said the existing replacement windows don't really change the character of the house.
- J. Additional Questions for Staff:** None.
- K. Rebuttal by Applicant:** None.
- L. Sur-rebuttal:** None.

M. Additional time for applicant to submit final argument:

The applicant waived the right to submit additional testimony and there was not a request for a continuance or to hold the record open.

N. Close the public hearing:

Mr. Parkerson moved and Mr. Wathen seconded to close the public hearing; motion passed.

O. Discussion and Action by the Commission: None.

MOTION:

Mr. Nudelman moved to approve the application as conditioned in the staff report. Mr. Wathen seconded and the motion passed unanimously.

P. Appeal Period:

Chair McClure stated that any participant not satisfied with this decision may appeal to the City Council within 12 days of the date that the Notice of Disposition is signed.

Mr. McClure thanked Mr. Launchbury for his patience with the process. Mr. Nudelman replied to Mr. Miller that the Commission commonly wrestles with whether proposals are OK or not. The Commission believed that the previous proposal was not consistent with the historic nature of the house; it is sometimes a tough call. Mr. Perkins added that the November 9 minutes regarding the previous proposal show that there was a tremendous, unusual amount of discussion, and there was some disagreement. Mr. McClure offered to further explain the process, if desired.

II. PUBLIC HEARINGS –B. OSU WALDO & DRYDEN HALLS (HPP10-00035)

A. Opening and Procedures:

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

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

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

The Chair opened the public hearing.

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

1. Conflicts of Interest. None.
2. Ex Parte Contacts. None.
3. Site Visits –Declared by all Commissioners except Mr. Perkins and Mr. Collett. Mr. Wathen said he visited Waldo but not Dryden Hall.
4. Objections on Jurisdictional Grounds – None. No rebuttals were made.

C. Staff Overview:

Planner Potter stated that the project involved two OSU buildings. Both Waldo and Dryden Halls are within the OSU National Register Historic District. Waldo Hall is located at 2250 SW Jefferson Way; Dryden Hall is located at 450 SW 30th Street. She clarified that the application involves the removal of the fire escape on the north elevation of Waldo Hall and performing associated repair to brick and mortar there. The improvements to Dryden Hall are to repair the fire escape on the south elevation by installing iron bracing to tie the fire escape into the building's mortar. Staff found the improvements to Dryden Hall were activities that met the Maintenance or In-kind Repair and Replacement provisions of the exemption portion of Chapter 2.9. Therefore, those activities, which primarily involve maintenance, were exempt from the need for a Historic Preservation Permit. For this Historic Preservation Permit application review, staff focused on the removal of the fire escape from the north elevation of Waldo Hall. Mr. Wathen asked, given that the Dryden proposal was exempt, why it wasn't split off this application; Ms. Potter replied that it was difficult to remove from the applicant's narrative and graphics, which addressed the changes to both buildings.

D. Legal Declaration:

City Attorney David Coulombe stated that the Commission would consider the applicable criteria as outlined in the staff report, and he asked that citizens direct their testimony to the criteria in the staff report or other criteria that they feel are applicable. It is necessary at this time to raise all issues that are germane to this request. Failure to raise an issue, or failure to provide sufficient specificity to afford the decision-makers an opportunity to respond, precludes an appeal to the State Land Use Board of Appeals on that issue.

The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the local government to respond to the issue precludes an action for damages in Circuit Court.

E. Applicant's Presentation:

OSU Campus Planner Andrew Sheridan said the application was to remove the fire escape from the north elevation of Waldo Hall and repair the fire escape on the south elevation of Dryden Hall. All the alterations are fully reversible and do not adversely affect historic resources on either building. The Waldo Hall fire escape is beyond repair. He displayed its location on a map and said that it must be removed to improve the safety of the building. Repair is not feasible and it is not a safe egress path. He said that the adjoining windows have been screwed closed. He displayed photos to show where the brackets were pulling away from the mortar; loose railings; the platform at an angle and boards missing; the platform support bent and in a condition that would not likely support sufficient weight; and a corroded platform support that would likely break under weight.

He stated the Dryden Hall fire escape was repairable and that is what is proposed. The repair will include installing diagonal bracing using angle iron tied into brick mortar and matching existing materials of the fire escape. All associated repairs are fully reversible.

Waldo Hall was built in 1907, with additional innovations in 1939. He said the fire escape is not an original part of the structure and its removal will not adversely affect the historic integrity of the site.

He displayed the Dryden Hall fire escape; it does not face any public or private right of way. He said Dryden Hall was not unique. Repair will not adversely affect architectural elements of the building. He listed the anticipated repairs to the fire escape: A concrete landing must be poured at the base. Diagonal bracing will be added at each landing and bracing will go up (versus down) to ensure adequate headroom for users. Each flight of stairs will be braced and angle iron must be welded at various locations to help address buckling and to provide additional support. He displayed an architectural rendering of the proposed bracing.

Mr. Nudelman asked why the Dryden Hall fire escape was proposed to be repaired and not removed, since often fire escapes in general are not thought to be viable escapes. Also, if they *are* viable, then why not repair the Waldo fire escape? Mr. Sheridan replied that it was more feasible to remove the Waldo Hall fire escape than replace it; also, there was a small possibility that trying to repair it could damage the building. Mr. Nudelman asked about the decision to replace one and not the other; Mr. Sheridan replied the Commission could make that recommendation to OSU. Ms. Potter added that staff could comment later. Mr. Ridlington added that a new set of steps had been added to the south side of Waldo Hall about ten years ago. He said that these new steps provide egress. Mr. McClure said that the building is probably sprinklered, which generally precludes the need for fire escapes.

Mr. Morris asked whether the fire escape platform would be removed from Waldo Hall and whether or not the details of the existing fire escapes would be noted during the construction process. Mr. Sheridan confirmed that that the fire escape platform would be removed from Waldo Hall and that the details of the fire escapes would be archived at OSU.

F. Complete Staff Report:

Planner Potter related that Planning staff talked to the Development Services Division staff, who explained that typically the Fire Marshall performs inspection rounds at the campus and looks at fire escapes that might be in disrepair. As part of those inspections, the Fire Marshall talks to OSU about potentially upgrading fire escapes that are in disrepair, or evaluating whether they are needed at all. Typically, if a building is adequately sprinklered, then fire escapes are no longer needed. She said that because Waldo Hall is sprinklered and alarmed, and because a new fire escape has been added to the building already, there probably was plenty of emergency access to meet Building Code standards. However, since staff wasn't 100% certain that this was the case, Condition of Approval #2 was added. That Condition of Approval will allow the Development Services Division staff to make the call when OSU seeks a Building Permit to remove the fire escape.

The Waldo Hall fire escape is not original to the building; it is on a façade that faces the street and is very noticeable. Removing it brings the facade closer to its original architecture. No other alterations are proposed with the permit, so other compatibility criteria will not necessarily be affected. Staff recommended approval of the application as conditioned in the staff report.

G. Public Testimony in favor of the application: None.

H. Public Testimony in opposition of the application: None.

- I. **Neutral testimony:** None.
- J. **Additional Questions for Staff:** None.
- K. **Rebuttal by Applicant:** None.
- L. **Sur-rebuttal:** None.

M. Additional time for applicant to submit final argument:

The applicant waived the right to submit additional testimony and there was not a request for a continuance or to hold the record open.

N. Close the public hearing:

Mr. Wathen moved and Mr. Morris seconded to close the public hearing; motion passed.

O. Discussion and Action by the Commission: None.

MOTION:

Mr. Parkerson moved to approve the application with conditions of approval. Mr. Morris seconded and the motion passed unanimously.

Mr. Nudelman asked what would have happened if the fire escape had been part of the original façade and could have been repaired. Mr. Collett said the issue for him was when the fire escape was installed and said in this case it was not original to the building. Removing it makes the building architecture closer to its original form. Mr. McClure added the decision could be weighted by whether the alteration occurred during the Historic District's Period of Significance. Mr. Perkins said it was very helpful of OSU to provide the historic photos.

P. Appeal Period:

Chair McClure stated that any participant not satisfied with this decision may appeal to the City Council within 12 days of the date that the Notice of Disposition is signed.

II. PUBLIC HEARINGS –C. JULIAN HOTEL (HPP10-00036)

A. Opening and Procedures:

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

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The Chair opened the public hearing.

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

1. Conflicts of Interest. None.
2. Ex Parte Contacts. None.
3. Site Visits –Declared by all Commissioners except Mr. Collett.
4. Objections on Jurisdictional Grounds – None. No rebuttals were made.

C. Staff Overview:

Planner Potter stated that the Julian Hotel was located at 105 SW 2nd Street. The proposal is to replace an existing wood door on the east elevation, facing an alley, with a metal door of similar size and style.

D. Legal Declaration:

City Attorney David Coulombe stated that the Commission would consider the applicable criteria as outlined in the staff report, and he asked that citizens direct their testimony to the criteria in the staff report or other criteria that they feel are applicable. It is necessary at this time to raise all issues that are germane to this request. Failure to raise an issue, or failure to provide sufficient specificity to afford the decision-makers an opportunity to respond, precludes an appeal to the State Land Use Board of Appeals on that issue.

The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the local government to respond to the issue precludes an action for damages in Circuit Court.

E. Applicant's Presentation:

Bob Alexander of Red Hat Construction distributed drawings of the proposal. He said it was the only handicapped access to the structure. Several residents are in wheelchairs and wanted a door that would not hit them on the knees when they go to pull it open. The existing wood door has sagged about 3/4" from one side to the other. The original glass in the door was replaced by Plexiglas at some point. He said he felt that the new automatic opening mechanism would tear apart the existing wood door, so that is why a metal door was chosen. The new door will be painted white, the same color as the existing wood door. There will be a keypad and lock identification on the side of the entry. From the outside, it will open automatically for everyone. On the inside, there will be a panic bar.

Mr. Parkerson asked what would happen once the door starts to be pushed open to exit the building. Mr. Alexander replied it will automatically continue to open all the way. Mr. Parkerson asked whether there was any way someone unfamiliar with the building could approach in a wheelchair and know how the entrance worked. Mr. Alexander replied that the door contained clear glass, so people could see whether or not someone from the inside was trying to exit at the same time. Mr. Morris asked about a high arch over the door. Mr. Alexander replied he didn't know the history of the door, but said that there was some work done to the building in the 1980's. Mr. Wathen complimented Mr. Alexander's application and presentation.

F. Complete Staff Report:

Ms. Potter said the proposal was to replace the existing wood door with a metal door of similar size and style for ADA compliance. She said that the full lite in the door will remain so people can see what is happening. This style of accessible door is also installed on the rear of City Hall.

The application is before the Commission because of the change to a dissimilar door material. Upgrading with the same material to meet ADA standards is an exempt activity, as that situation would qualify as In-kind Repair and Replacement. The full lite is being retained, but the material on the perimeter of the door is changing from wood to metal. In terms of the review criteria, it is difficult to compare this door to what is historic on the building, since the Statement of Significance does not discuss this or other doors. Staff evaluated the proposal relative to whether it would be complimentary to or compatible with the building, in the context of the existing door. Staff found the proposal to be compatible. It has the same design, albeit with a metal perimeter instead of wood. It addresses ADA requirements and the metal will hold up better than wood. Staff recommended approval with two Conditions of Approval.

G. Public Testimony in favor of the application: None.

H. Public Testimony in opposition of the application: None.

I. Neutral testimony: None.

J. Additional Questions for Staff: None.

K. Rebuttal by Applicant: None.

L. Sur-rebuttal: None.

M. Additional time for applicant to submit final argument:

The applicant waived the right to submit additional testimony and there was not a request for a continuance or to hold the record open.

N. Close the public hearing:

Mr. Wathen moved and Mr. Parkerson seconded to close the public hearing; motion passed.

O. Discussion and Action by the Commission: None.

MOTION:

Mr. Wathen moved to approve the application with Conditions of Approval. Mr. Parkerson seconded and the motion passed unanimously.

P. Appeal Period:

Chair McClure stated that any participant not satisfied with this decision may appeal to the City Council within 12 days of the date that the Notice of Disposition is signed.

III. MINUTES REVIEW- NOVEMBER 9, 2010 & NOVEMBER 30, 2010.

a. November 9, 2010. Mr. Wathen said the word “though” was misspelled in the second paragraph on page 8. Mr. Parkerson moved to approve the November 9, 2010, minutes as corrected. Mr. Morris seconded and the motion passed.

b. November 30, 2010. Mr. Parkerson moved to approve the November 30, 2010, minutes as presented. Mr. Wathen seconded and the motion passed.

IV. OTHER BUSINESS/INFORMATION SHARING.

Planner Potter related that Planner Bob Richardson had a baby boy named Elijah last week. She added that Planner Brian Latta would be out for several weeks. She related that City Hall staff were being relocated to accommodate seismic upgrades to the City Hall building. Staff will be working on the first floor of the former CH2M Hill building at 2300 NW Walnut for about six months.

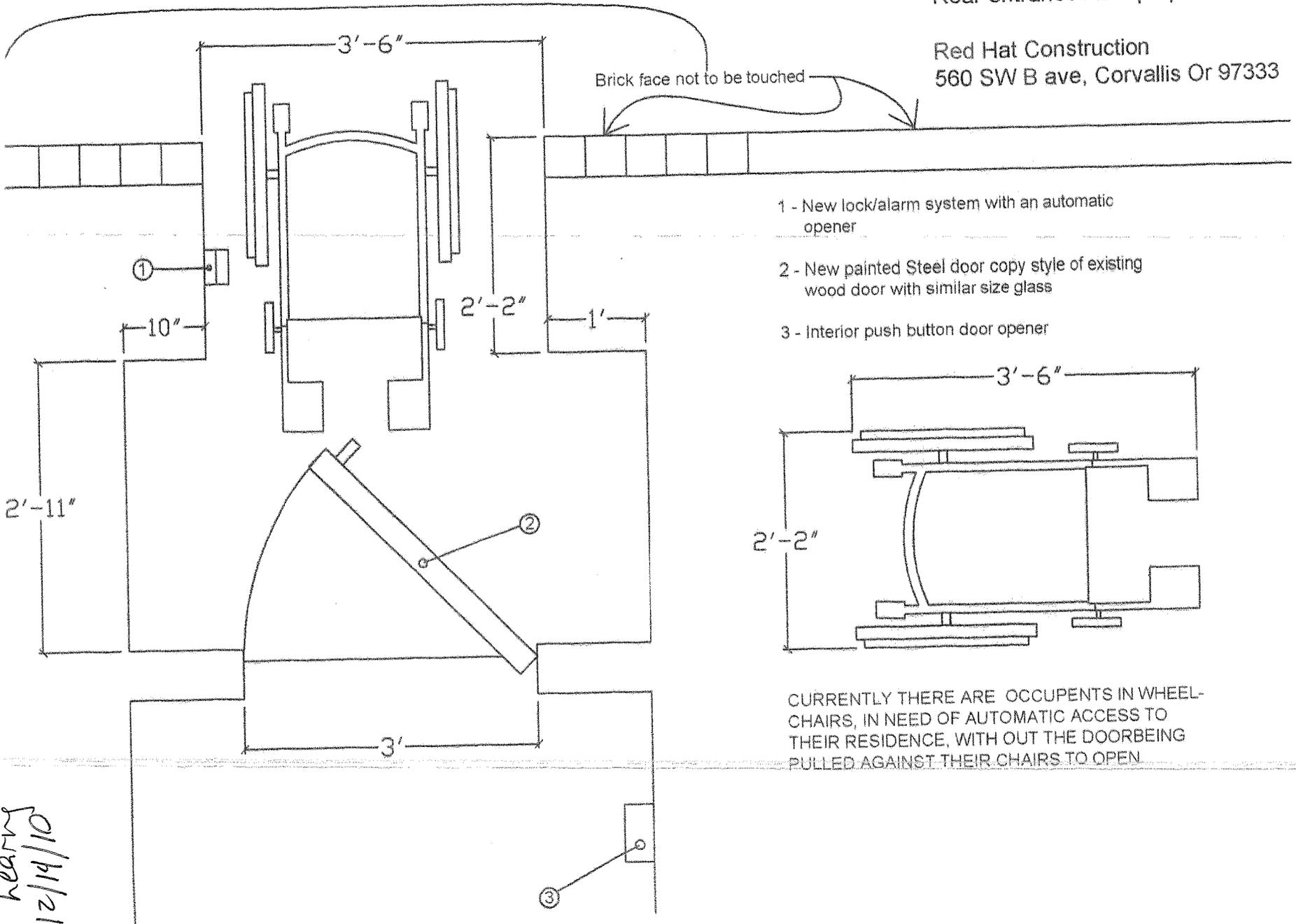
Mr. McClure highlighted a section of the City of Ashland’s historic preservation code that could be used as a model, especially how well the drawings conveyed the information. He said that an education committee of the HRC could produce something along these lines. Ms. Potter concurred on the quality of the drawings. Mr. Collett added that the drawings captured what felt wrong with OSU’s Linus Pauling Science Center Building application (he noted the building had four different faces). Ms. Potter said the January meeting could discuss educational opportunities, including materials to be given to applicants. Mr. McClure said having several paragraphs on the development of the historic districts would be helpful. Mr. Parkerson agreed it was very clear and graphic. Ms. Potter said staff could look at it and something like that could be put on the website. Mr. Wathen said he formerly lived in Ashland and complimented its strong consistency in the historic section of the town. The historic feel is generally not broken up with inappropriate facades, etc.

Ms. Potter said there would not be a second meeting this month, but there would perhaps be a second meeting during January.

V. ADJOURNMENT: The meeting was adjourned at 8:18 p.m.

Julian Hotel Apartments
Rear entrance ADA proposal

Red Hat Construction
560 SW B ave, Corvallis Or 97333



CURRENTLY THERE ARE OCCUPANTS IN WHEEL-CHAIRS, IN NEED OF AUTOMATIC ACCESS TO THEIR RESIDENCE, WITH OUT THE DOOR BEING PULLED AGAINST THEIR CHAIRS TO OPEN.

Submitted @ hearing 12/14/10

HOUSING AND COMMUNITY DEVELOPMENT COMMISSION
MINUTES
January 19, 2011

Present

Judy Gibson, Chair
Buzz Berra
Michael L'Heureux
David McCarthy
Gerry Perrone
Biff Traber, City Council Liaison

Absent

Ed Fortmiller, Vice Chair
Robin de La Mora
Jennifer Jordan
Tad Abernathy, Planning Commission Liaison

Staff

Kent Weiss
Terri Heine

SUMMARY OF DISCUSSION

Agenda Item	Action/Recommendation
I. Consideration & Approval: HCDC Draft Minutes of December 15, 2010	Approval
II. Status: Loan Funds & Recent Rehab Loans	Information Only
III. Overview of FY 11-12 CDBG & HOME Applications	Information Only
IV. Other Business: Agency Presentations on February 15 & 16	Information Only
Grant Program Specialist Recruitment	Information Only
January 18 City Council Public Hearing Update	Information Only

CONTENT OF DISCUSSION

I. Consideration & Approval: HCDC Draft Minutes of December 15, 2010

Chair Gibson opened the meeting, welcoming new Commissioner Biff Traber. She then asked for consideration of the HCDC draft minutes of December 15, 2010. The minutes were approved unanimously.

II. Status: Loan Funds and Recent Rehab Loans

Housing Division Manager Weiss reported that no new rehabilitation loans had closed since the last meeting, adding that three are in the application/review process. Regarding First Time Home Buyer (FTB) loans, Weiss reported that none had closed since the last meeting, but one is in progress and is expected to close by the end of the month.

Continuing, Weiss noted that new federal and state requirements are now in effect that require loan originators be licensed with the National Mortgage Licensing System and Registry (NMLS). Two Housing staff have completed the online Safe and Secure Enforcement Act (SAFE) training and both have passed the licensing tests at the national and state levels.

III. Overview of FY 11-12 CDBG and HOME Applications

Weiss directed Commissioners to a table included in their packet entitled FY 11-12 CDBG & HOME Letter of Intent and Application Compilation. He reminded Commissioners that they had previously reviewed a summary of the Letters of Intent that had been received during their 11/17/10 meeting, at which time it was noted that Shangri-La had submitted three letters of intent: one for Human Services funding and one each for CDBG and HOME capital funding. The agency later contacted staff, noting that they had since decided that they would not be submitting requests for any FY 11-12 funding. Weiss then noted that the amounts of FY 11-12 CDBG & HOME funding showing on the table as available are reflective of the amounts the City has received in recent years.

Regarding Human Services Fund (HSF) proposals, Weiss noted that of the eleven agencies (one that will be requesting funds for two different programs) that submitted applications, ten are looking to continue current programs and one agency is new to the process. The proposed requests for funding received now total \$209,820. Weiss noted that although it is anticipated that the total Human Services funds available for allocation will be \$80,000 as it has in recent years, there has recently been discussion at the federal level about cutting domestic spending generally, and within HUD, up to a 25% cut to the CDBG program specifically. Staff will likely suggest during the deliberation process following presentations that two allocations for HSF funding be done: one for the currently anticipated \$80,000 total and one for a reduced amount to be used only if necessary.

Continuing, Weiss noted that Willamette Neighborhood Housing Services (WNHS) has submitted an application for \$25,000 in funding outside of the Human Services and Capital allocation processes for its microenterprise program. He explained that this is an economic development activity and has its own category of eligibility within the CDBG regulations and the City's Consolidated Plan.

Regarding CDBG capital funds, Weiss noted that the Parent Enhancement Program (PEP) had decided to not apply for FY 11-12 funding for their service facility acquisition project, and instead will wait until their project is further along in the planning process. Corvallis Community Children's Centers had submitted a Letter of Intent for rehab funding for their Lancaster Childcare Center, but did not submit an application. Weiss noted that there are two applications that were received and will move forward in the allocation process. The first proposal was submitted by the Arc of Benton County for funding in the amount of \$43,000 for rehabilitation of their 29th Street group home. The second application was received from WNHS for funding in the amount of \$100,000 for infrastructure costs at the 6-unit home ownership portion of their Seavey Meadows project. Weiss noted that the two applications total \$143,000, adding that funding between \$100,000 and possibly up to \$200,000 is expected to be available depending on rehab and First Time Home Buyer loan program needs for FY 11-12.

Regarding HOME capital funds, Weiss noted that although Benton Habitat for Humanity had submitted a Letter of Intent, the agency chose not to apply for FY 11-12 funding assistance to acquire property on SE Bridgeway Avenue. Of the three applications that were received, two were received from WNHS. The first proposal requests funding in the amount of \$400,000 for their Lancaster Bridge/Seavey Meadows Phase 3 project. The second request from WNHS is for \$20,000 of assistance to fund operations in their role as the HOME program's Community Housing Development Organization (CHDO). The final application was received from Home Life for \$200,000 of funding assistance for their new construction four-plex project at 2361 NW Fillmore. Weiss noted that the three pending applications total \$620,000, adding that the amount of HOME funding available is anticipated to be approximately \$400,000 for FY 11-12.

Concluding, Weiss noted that staff are preparing summaries for all of the proposals received and will mail this information along with copies of the proposals to Commissioners in early February for their review prior to the proposal presentations on February 15 and 16.

IV. Other Business: Agency Presentations to HCDC on Evening of February 15 and 16

Weiss noted that the agency proposals presentations will be held in the Madison Avenue Meeting Room (MAMR) on the evenings of February 15 and 16. He added that both meetings will begin at 4:45 with dinner and regular business, followed by the presentations beginning at 5:15. The meeting on February 16 will likely run a bit longer as deliberations will begin immediately following the final presentation.

Grant Program Specialist Recruitment Process

Weiss noted that recruitment for the Housing Division's Grant Program Specialist position is continuing. Applications were received through January 10, and 30 applicants continued in the process following an initial review. It is anticipated that of these 30 applicants, 10 - 12 will be selected to receive additional follow-up questions to test their knowledge of federal CDBG and HOME regulations, as well as the topic of affordable housing in the Corvallis area specifically. Weiss noted that it is hoped that the recruitment process will have been completed during the first week of February.

January 18 City Council Public Hearing for FY 11-12 CDBG & HOME Funding

Weiss noted that during last night's City Council meeting, the first public hearing was held as part of the FY 11-12 CDBG and HOME Action Plan development process. He added that there was a clear message that the City should be looking to make eligible in its Consolidated Plan the use of HOME funds to provide Tenant-Based Rental Assistance (TBRA). Weiss noted that in past discussions, the HCDC has chosen not to make this type of assistance eligible based on a philosophy that HOME funds are best used for bricks and mortar projects where the end results last for many years, rather than for rent assistance that once spent is gone. HCDC also has noted that the practicality of administering TBRA given the small amount of HOME funds allocated to the City each year would not pay for itself. Weiss noted that Housing staff has had conversations with the Linn-Benton Housing Authority (LBHA) to gauge their interest in administering a TBRA program for the City, adding that the prior Executive Director was not interested. Staff will follow up with the new Executive Director in the near future regarding this subject, as well as other related topics such as project-based Section 8, and bring it back to the HCDC for consideration at a future meeting.

There being no further business, the meeting was adjourned at 12:50 p.m.

WATERSHED MANAGEMENT ADVISORY COMMISSION
MINUTES
December 15, 2010
DRAFT

Present

Matt Fehrenbacher, Chair
 Jacque Schreck, Vice-Chair
 Charlie Bruce
 Michael Campana
 Sheryl Stuart
 David Zahler
 Creed Eckert

Staff

Tom Penpraze, Public Works
 Mike Hinton, Public Works
 Jon Boyd, Public Works
 Mark Miller, Trout Mountain Forestry

Visitors

Mayor Charlie Tomlinson
 Frank Davis, Siuslaw National Forest
 Ken M^cCall, Siuslaw National Forest
 Barb Ellis-Sugai, Siuslaw National Forest

Absent

Richard Hervey, City Council Liaison

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for Further Review	Recommendations
I. Call Meeting to Order/ Introductions	X		
II. Review of Agenda	X		
III. Review of November 17, 2010 Minutes			Approved as written.
IV. Staff reports	X		
V. Visitor Propositions	X		
VI. Old Business	X		
• None			
VII. New Business			
• Rock Creek Temperature Data	X		
• Policy/ Standards/Guidelines Process and Timeline Discussion			
• Forest Stewardship Plan Standards and Guidelines Review: Forest Age/Structure Policy	X		Commission agreed to a process and tentative timeline
VIII. Commission Requests and Reports	n/a		
IX. Adjourn			

CONTENT OF DISCUSSION

I. Call Meeting to Order/ Introductions

Chair Fehrenbacher called the meeting to order and all present introduced themselves.

Mayor Charlie Tomlinson thanked the Watershed Commission for their service to the community and highlighted the importance to the community of the work they do regarding management of the City's watershed property.

II. Review of Agenda

Commissioner Zahler added discussion of an opportunity to incorporate working with OSU Forestry School senior students on the Stewardship Plan Policy standards and guidelines review as their "senior capstone experience" project(s). The commissioners in general thought it was a good opportunity for the students to participate in the process and asked Mr. Zahler to bring some specifics on the proposal to the January meeting.

III. Review of Minutes

The minutes were approved unanimously as written.

IV. Staff Reports

Mr. Penpraze reported the following:

- Amber Reese has been hired as the new Watershed Specialist with a start date of December 28th. This is a ten hour per week position.

Mr. Miller reported the following:

- The tree topping project is still in progress.

V. Visitor Propositions

None.

VI. Old Business

None.

VII. New Business

Rock Creek Water Temperature Monitoring: Data Presentation

Ken M^cCall and Dr. Barb Ellis-Sugai from the Siuslaw National Forest presented the results of the 2010 stream and air temperature monitoring that they conducted on the mainstem of Rock Creek and its tributary streams. Mr. M^cCall provided an introduction and purpose statement, including: cooperative effort between the City and the United States Forest Service (USFS); alignment with the Watershed Commission goal of water quality monitoring; effects of monitoring post City fish passage/habitat improvement projects; and pre-monitoring for USFS planned commercial thinning projects upstream of City property within the Corvallis watershed.

Dr. Sugai presented the monitoring results from 2010; she also included 2005 and 2006 monitoring data. The State of Oregon stream water temperature standards for the protection of salmonids are 64°F (17.8°C) for migration and rearing periods and 55°F (12.8°C) for spawning

periods. The standard is measured as a seven-day moving average of the daily maximum temperatures. She said the factors that influence stream temperature include: climate (air temperature—warm vs. cool summers); shade from riparian vegetation; aspect of the stream channel (its geographic orientation); amount of substrate in the channel and subsurface water flow; groundwater contribution; and topographic shading.

Water temperature monitoring locations included South Fork, Connection Creek, mainstem Rock Creek, Stilson Creek, Middle Fork, and Griffith Creek. Several creeks had more than one monitoring site. Air temperatures were monitored on the South Fork, mainstem Rock Creek and at Cannibal Mountain, a weather station site the USFS uses in the Coast Range. Her conclusions include:

- Water temperatures in the Rock Creek watershed meet salmonid fish standards at most locations.
- Tributaries are cooler than mainstem.
- Air temperature is a significant factor influencing water temperatures.
- Water temperatures vary from year to year, depending on air temperatures.

City staff will post the data and presentation on the City's watershed website.

Policy Standards and Guidelines Process and Timeline Discussion

Chairperson Fehrenbacher led the discussion on the process and timeline the Commission will follow in its review and adoption of the Standards and Guidelines pertaining to the watershed management policies.

The previously established Commission subcommittee and Mark Miller will do some preliminary work on each group of standards and guidelines between each Commission meeting and then this work will be sent to the full Commission for their review, discussion, and action at the following Commission meeting(s). The draft work will be completed by the subcommittee in time to have it sent to the Commission in the monthly meeting packet.

The Commission discussed the standards and guidelines review timeline they had adopted the previous meeting and decided that it may take more time to complete the review process than was anticipated. As the timeline is not driven by an external due date, the Commission agreed to proceed at a pace that allowed for a thorough review and discussion of the standards and guidelines even if the timeline was not met.

Forest Stewardship Plan Policy Standards and Guidelines Review: Forest Age/Structure Policy

Due to the time it took to complete other business on the agenda, and the desire to have a thoughtful discussion on this important topic, the Commission decided to take this up at the January meeting.

VIII. Commission Requests and Reports

Commissioner Stuart recommended, with Commission agreement, that staff will limit agenda items during the Standards and Guidelines review process so as to maximize Commission work time to complete the review in a timely manner.

Commissioner Campana said he will not be able to attend the January meeting.

IX. Adjourn

The meeting was adjourned at 7:05 p.m.

NEXT MEETING: January 19, 2011, 5:30 p.m., Madison Avenue Meeting Room

WATERSHED MANAGEMENT ADVISORY COMMISSION
MINUTES
January 19, 2011
DRAFT

Present

Matt Fehrenbacher, Chair
 Jacque Schreck, Vice-Chair
 Charlie Bruce
 David Zahler
 Creed Eckert
 Richard Hervey, City Council Liaison

Staff

Amber Reese, Public Works
 Tom Penpraze, Public Works
 Mike Hinton, Public Works
 Jon Boyd, Public Works
 Scott Ferguson, Trout Mountain Forestry

Absent

Michael Campana
 Sheryl Stuart

Visitors

Ken McCall, Siuslaw National Forest
 Frank Davis, Siuslaw National Forest
 Van Decker, B&G Logging

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for Further Review	Recommendations
I. Call Meeting to Order/Introductions	X		
II. Review of Agenda	X		
III. Review of December 15, 2010 Minutes	X		
IV. Staff reports	X		
V. Visitor Propositions	X		
VI. Old Business <ul style="list-style-type: none"> • OSU Forestry School Senior Capstone Project(s) Proposal to work on the Corvallis Forest Stewardship Plan Policy Standards and Guidelines Review 	X		
VII. New Business <ul style="list-style-type: none"> • Integrated Vegetation and Pest Management (IVPM) Program and Herbicide Policy • Forest Stewardship Plan Standards and Guidelines Review: Forest Age/Structure Policy 	X	X	Commission to review draft policy with changes.

VIII. Commission Requests and Reports	X		
IX. Adjourn			

CONTENT OF DISCUSSION

I. Call Meeting to Order/ Introductions

Chair Fehrenbacher called the meeting to order and those present introduced themselves.

II. Review of Agenda

No changes made.

III. Review of Minutes

Commissioner Schreck moved to approve the December 15 minutes; Commissioner Zahler seconded the motion, which passed unanimously.

IV. Staff Reports

Mr. Penpraze introduced the new Watershed Program Specialist, Amber Reese.

Mr. Penpraze reported that the February meeting will be held at Osborn Aquatic Center; the Corvallis Housing Authority will be holding hearings in the Madison Avenue Meeting Room on that date. He also stated that there are a couple of potential scheduling conflicts with the Council’s Administrative Services Committee, which meets at 4:00 pm on some of the same days WMAC meetings are held. Meeting location may change on those days.

V. Visitor Propositions

None.

VI. Old Business

OSU Forestry School Senior Capstone Project(s) Proposal to work on the Corvallis Forest Stewardship Plan Policy Standards and Guidelines Review

Commissioner Zahler reported that he spoke with the College of Forestry in regards to the senior capstone course assisting with the current review process of the standards and guidelines. He said that the timelines with the senior projects and the policy review work do not line up, so the College will continue with their projects in the MacDonald-Dunn Forest.

VII. New Business

Integrated Vegetation and Pest Management (IVPM) Program and Herbicide Policy

This is a policy briefing that is to be discussed at next month’s WMAC meeting. Mr. Ferguson presented the policy, which he said is pretty straight-forward. He stated that the only use of chemicals in the watershed was to target invasive species that spread rapidly. He indicated that perhaps the herbicide guidelines could be removed from the Corvallis Forest policy. There was a discussion if we should reference the City’s Community Improvements policy in the Corvallis Forest IVPM and Reserves policy. Commissioner Eckert stated that the Corvallis Forest

Stewardship Plan is comprehensive and that the guiding principles should also be referenced in the policy standards and guidelines. Mr. Ferguson suggested the use of footnotes.

Forest Stewardship Plan Standards and Guidelines Review: Forest Age/Structure Policy

Mr. Ferguson provided a detailed background and overview of this policy and the Commissioners discussed the document and the draft changes that had been made to it by the WMAC subcommittee. Following Commission work on the draft, they asked staff to provide a version of the document with the original text along with additions highlighted and deletions struck out. The highlighted/strike out version of the modified policy will be reviewed at the February meeting.

VIII. Commission Requests and Reports

Commissioner Schreck reported that the 2012 to 2016 City of Corvallis Capital Improvement Program document includes the Watershed Stewardship project as a placeholder.

IX. Adjourn

The meeting was adjourned at 6:54 p.m.

NEXT MEETING: February 16, 2011, 5:30 p.m., Osborn Aquatic Center Activity Room.

MINUTES

Wednesday – January 19, 2011 3:00-4:30 PM

In Attendance:

- | | | | | |
|---|--|---|---|---|
| <input checked="" type="checkbox"/> Angie Baca | <input checked="" type="checkbox"/> Mike Beilstein | <input checked="" type="checkbox"/> Kevin Bogatin | <input checked="" type="checkbox"/> Gary Boldizar | <input checked="" type="checkbox"/> Ed Boyd |
| <input checked="" type="checkbox"/> Floyd Collins | <input type="checkbox"/> Mark Cotter | <input type="checkbox"/> Bill Currier | <input type="checkbox"/> Jay Dixon | <input checked="" type="checkbox"/> Ken Elwer |
| <input checked="" type="checkbox"/> Max Frederick | <input checked="" type="checkbox"/> John Haroldson | <input checked="" type="checkbox"/> Rick Hein | <input type="checkbox"/> Linda Hukari | <input type="checkbox"/> Justin Jones |
| <input checked="" type="checkbox"/> Sharon Konopa | <input type="checkbox"/> Jim Kramer | <input type="checkbox"/> Al Krug | <input checked="" type="checkbox"/> Jeff Lanz | <input checked="" type="checkbox"/> Jeanne Nelson |
| <input checked="" type="checkbox"/> Jon Nelson | <input checked="" type="checkbox"/> Gail Newman | <input type="checkbox"/> Joe Pickens | <input checked="" type="checkbox"/> Jack Rogers | <input checked="" type="checkbox"/> Jon Sassaman |
| <input checked="" type="checkbox"/> Dan Schwab | <input checked="" type="checkbox"/> Diana Simpson | <input checked="" type="checkbox"/> Angie Stambuk | <input checked="" type="checkbox"/> Stewart Wershow | |
| <input checked="" type="checkbox"/> Deb Williams | <input type="checkbox"/> Locke Williams | <input type="checkbox"/> Karen Zorn | | |
|
 | | | | |
| <input checked="" type="checkbox"/> Present | <input type="checkbox"/> Absent | | | |

22 Members Present: = **Quorum** (32 positions filled: quorum requirement 17)

Vacancies:

Adair Village Citizen Rep, Adair Village City Councilor, OSU: Director -Dept. of Public Safety, Philomath City Manager/Rep, Benton County Citizen Rep, Rep of Crime Victims, ASOSU Representative

Staff:

Michele Spaulding, Jodi Robin

Guests:

Senator Frank Morse, Representative Andy Olson, David Clark, Scott Jackson

ACTIONS:

- Action Item** - November 2010 minutes approved as submitted.

FUTURE AGENDA ITEMS:

UPCOMING MEETINGS (3:00pm – 4:30pm):

- February 16th
- March 16th
- April 20th
- May 18th
- June 15th
- No July Meeting

Call to Order & Introductions

Ed Boyd called the meeting to order. Introductions were made; the attendance roster was circulated.

1. November 2010 Minutes

November 2010 minutes approved as submitted.

2. WCJC Committees, Projects and LPSCC Activities

A.

- **WCJC Projects-Benton County Jail, Diana Simpson**

Diana Simpson sent out a media release letting the public know she will not be moving forward with a Benton County Jail Bond Measure at this time. Reasoning being that it is not the right time due to other County and City Levies already planned. An Internal Sheriff's Office Committee, in conjunction with the WCJC Lay Committee, is going to work on educating the community about the need for a new corrections facility.

- **WCJC Lay Committee Update, Rick Hein**

Rick personally met with all three of the Benton County Commissioners regarding the possible jail bond measure. Rick stated how important it is to have all of the commissioners on board with making the jail bond measure a number one priority and possibly intertwining this with another need of the County in a bond measure. The Lay Committee needs to educate and communicate with the community about the need for the jail.

John Haroldson stated he is very committed to the need for a new jail and believes the public is quick to place labels, he stressed the importance of the education piece including people on the battle lines. John stated "Is it fiscally responsible not to build a new jail?" Educating the community will be a very important piece in gaining support.

- **WCJC Workplan - Project Ideas, Ed Boyd**

Ed stressed the need of a new focus for the WCJC Committees, Ed requested everyone think about this, review the previous workplan and come up with some thoughts and ideas of what we should focus our efforts towards. Please give input before the next Full Council Committee meeting. We will be leaving the jail on our agenda as an area of focus, as there is still a large role for the Committee to play in the educational component.

- **DUII VIP Grant Update, Ed Boyd**

Two grants are to be awarded out of the DUII VIP funds, total awarded \$5,000:

1. City of Albany Police Department, advance training involving bicycle/pedestrian involved crashes, \$2,665.00 awarded.
2. Benton County Drug Treatment Court, for breathalyzers and urinalysis tests for juvenile DTC, \$2,335 awarded.

B.

- **Benton County Drug Treatment Court (DTC) Update, David Clark**

David Clark thanked the WCJC for awarding the Benton County DTC with the full grant funds requested.

Juvenile DTC:

Current Active Participants 12

- JDTC Basketball
- Graduation Winter BBQ

Adult DTC:

Current Active Participants 51

- Mentor Court: visit from New Mexico in February and National Networking Meeting 2/17-18 in Virginia
- The River House has changed over to female residence; 2 current residents and 2 more possible

3. Other Business

1). Corvallis School District Schedule Changes, Kevin Bogatin (handout available)

Kevin provided two handouts including an Instructional Time Study and Corvallis District Attendance Summary. The Corvallis High School schedule will be changing for the 2011-2012 academic year to longer days, which will directly

impact when high school students will be out in the community. School will be starting later at 8:15am and ending later at 3:50pm. Expectations of students set by state requirements have changed for graduation. The District is doing continued outreach and shifting resources to meet the needs of their diverse population. The district is juggling trying to support top learners, meet the needs of students of color and of special need students. The parents of students who are not attending school are fined as a last resort and Kevin asked for support from the local criminal justice system when cases reach this point, as lots of efforts are made prior to taking families to court. Angie Stambuk updated the Council on how the Commission on Children and Families is collaborating with the School District. One project targets 40 incoming freshman with low academic performance and another program provides an after school program to juniors who are not on track to graduate.

2). 2011 Legislative Session, Public Safety and Criminal Justice Related Issues, Representative Andy Olson and Senator Frank Morse (handout available)

Frank Morse is one of 14 Republicans and 16 Democrats on the Senate. Andy is one of 30 Republicans and 30 Democrats in the House. The culture of the current Legislature has created a need for bipartisanship in order to be productive. It is because of this belief that all committee assignments are being co-chaired, which is unusual. The Governor has made outreach efforts to all members of legislation. Andy Olson says the house being split equally down the party line for the first time ever has made an interesting environment including co-speakers who are willing to work together.

Rep. Olson on Public Safety- Governor Kitzhaber came into a Republican Caucus where he emphasized budget issues and stated his main focus out of the General Fund will be education and human service needs. There was no discussion of funds for public safety by Governor Kitzhaber. Governor Kulongoski had recommended that a Public Safety Commission should be created and should form a group to look at sentencing guidelines. Rep. Andy Olson wants to be a member of the commission once created.

One upcoming Bill will redefine “furnishing sexually explicit material to a child under age 13” and “grooming a child by using sexually explicit material.” As the definitions set in 2007 were found unconstitutional. Another upcoming Bill pertains to the two crosses for officers off I-5 by Ankeny Hill where citizens have requested the crosses be removed from state land. This has led to a Bill that would create an officer memorial highway. These memorial highways would include a sign that would designate a one-mile section of highway as a memorial highway for a specific officer.

Senator Morse stated that he would like to share information about building economic stability in Oregon. Senator Morse provided a handout from the Oregonian’s editorial section regarding stability funds and building Oregon’s reserve fund. The article talks about accomplishing this fund in two ways: a mandated saving component when times are good and using the kicker money until the reserve fund is full. Morse has created a stability package to do just that, but it requires a Constitutional revision which requires 2/3rds majority of both chambers to refer it to the voters. The stability package would move the rainy day fund into the constitution. The budget is the big issue of the session. Senator Morse provided a handout that included the beginning assumptions for the budget from the Governor.

3). Goodbye to WCJC Coordinator Michele Spaulding, Ed Boyd

Ed thanked Michele for all of her hard work and dedication to the WCJC and congratulated her on her new position.

4). Max Frederick- Looking for a volunteer to teach a class one time two hour class called “Violence in the Workplace” in Salem on April 7th. Anyone interested should make contact with Max Frederick.

Call for Additional Agenda Items

None noted.

Adjournment The meeting was adjourned at 4:17pm

MEMORANDUM

To: City Council Members
From: Julie Jones Manning, Mayor 
Date: February 14, 2011
Subject: Confirmation of Appointments to Boards Commissions, and Committees

As you know, at our last regular meeting I appointed the following persons to the boards, commissions, and committees indicated for the terms of office stated below:

Committee for Citizen Involvement

Karin Main
Term Expires: June 30, 2011

Parks, Natural Areas, and Recreation Board

Don Williams, CRCST
Term Expires: June 30, 2013

I ask that you confirm these appointments at our next Council meeting, February 22, 2011.

MEMORANDUM

To: City Council Members
From: Julie Jones Manning, Mayor 
Date: February 14, 2011
Subject: Appointment to Capital Improvement Program Commission

I am appointing the following person to the Capital Improvement Program Commission for the term of office shown:

Capital Improvement Program Commission

Lyle Hutchens
Term Expires: June 30, 2011

Lyle is employed at Devco Engineering and has served on several Corvallis advisory boards, commissions, and committees.

I will ask for confirmation of these appointments at our next Council meeting, March 7, 2011.

MEMORANDUM

To: Mayor and City Council

From: Tony Krieg, Customer Services Manager 

Subject: LIQUOR LICENSE INVESTIGATION -La Rockita - Two Locations

Date: February 14, 2011

The City has received an application from Elsa Nunez Parmelee, owner of La Rockita , doing business as, La Rockita Kings Blvd located at 2309 NW Kings Blvd, Corvallis, Or 97330. This application is for a New Outlet for a Full On-Premises Sales License.

The City has received an application from Elsa Nunez Parmelee, owner of La Rockita , doing business as, La Rockita 9th Street located at 1416 NW 9th Street, Corvallis, Or 97330. This application is for a New Outlet for a Limited On-Premises Sales License.

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

Staff recommends the City Council authorize endorsement of these applications.

Full On-Premises Sales License

Allows the sale and service of distilled spirits, malt beverages, cider, and wine for consumption on the licensed premises. Also allows licensees who are pre-approved to cater events off the licensed premises.

Limited On-Premises Sales License

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 *****

FEBRUARY 9, 2011

TO: MAYOR AND CITY COUNCIL

FROM: JON S. NELSON, CITY MANAGER 

SUBJECT: FEBRUARY 9, 2011, CITY LEGISLATIVE COMMITTEE WORKING NOTES

1. Call to Order

The meeting was called to order by Mayor Manning at 8:00 am, with Councilors Brauner, Brown, and O'Brien in attendance. Also present were Oregon State University (OSU) Vice President for University Relations and Marketing Todd Simmons and City Manager Nelson.

2. Senate Bill 242 – Higher Education Restructuring

Mr. Simmons outlined OSU's interest in City support for Senate Bill 242, understanding that the basis is the economic value of the institutions to the cities that enjoy their presence. Key highlights include:

- A state university system would be established, versus a state agency approach, in terms of budgeting, reporting, and oversight.
- All public universities would benefit, but especially the smaller regional universities.
- Each university would keep and manage tuition intended to be used for school and services. Tuition currently can be, and has been, swept out of universities' fund balances and allocated towards other state programs and services.
- A state university system would bring other efficiencies, such as more timely legal reviews and administrative rules tailored to the institution, versus state agencies.
- Moving to a state university system will not entail implementation costs.
- Across the country a state public university system is the prevailing model, versus a state agency approach.

Following discussion, it was moved, seconded, and unanimously approved to *"recommend City Council support Senate Bill 242 and communicate Corvallis' position to Senator Morse, Representative Gelser, the League of Oregon Cities, and the city councils in Oregon cities with public universities."*

3. Committee Guidelines

The Committee unanimously *"recommends City Council approve the Committee guidelines outlined in the January 19, 2011, City Legislative Committee Guidelines memorandum."*

4. League of Oregon Cities (LOC) Information

The Committee reviewed and discussed the four LOC key issues and associated City of Corvallis impacts.

5. Next Meeting

The next meeting is scheduled for 7:30 am on Wednesday, February 23, 2011, in the Cornell Meeting Room.

6. Adjournment

The meeting adjourned at 8:45 am.

f



**CITY OF CORVALLIS
CITY LEGISLATIVE COMMITTEE**

**February 9, 2011
8:00 am**

**Cornell Meeting Room
2300 NW Walnut Boulevard**

-
1. Call to Order
 2. Committee Guidelines
 3. League of Oregon Cities information
 4. Other
 - a. SB 242 – higher education restructuring
 - b. HB 2118 – higher education restructuring
 5. Next meeting
 6. Adjournment

***** MEMORANDUM *****

JANUARY 19, 2011

TO: CITY LEGISLATIVE COMMITTEE
FROM: JON S. NELSON, CITY MANAGER *Jan*
SUBJECT: CITY LEGISLATIVE COMMITTEE GUIDELINES

Background

The City is a member of the League of Oregon Cities (LOC) which provides State legislative lobbying services on behalf of its members. In past sessions, the Mayor, individual Councilors, and City staff have been called upon by League staff to present testimony at Legislative Committee meetings in Salem. League staff also count on individual cities to lobby their Representative(s) and Senator.

Past Councils have used a City Legislative Committee to discuss issues affecting City government. The Committee makes recommendations on City positions to City Council that are then forwarded to our legislators, usually by letter from the Mayor.

The following reflects our past approach for the City Legislative Committee. This is a check-in to confirm Council's comfort with this approach.

Composition

The Mayor and one member of each of the standing committees compose the City Legislative Committee. It is staffed by the City Manager's Office. The Mayor appoints members and chairs meetings.

Meetings

Past meetings have been held at 7:30 am and at 9:00 am on Wednesdays because the time and day best matched receiving LOC Legislative Bulletins and making recommendations to Council. Frequency of meetings is initially every two weeks but may change depending upon legislative issues. Department staff provide briefings on legislative issues.

Staff Report

Summary minutes of the meetings are provided. Committee members help draft testimony, letters, resolutions, etc., as necessary and according to what the City Attorney's Office believes is appropriate for staff to be involved in (or not).

Focus

Past City Councils have discussed and forwarded City positions on those bills directly impacting City government. In the past, citizens and organizations have asked Council for support of their non-City related issues and Council, by and large, has declined.

Outcomes

We rely on LOC expertise for lobbying and legislative representation, since that is a part of our LOC dues. The Committee's role includes review of the LOC Bulletin, recommendations to Council, and communication with legislators and LOC staff. Traditionally, this communication has been through the Mayor's Office speaking on behalf of the City Council. The department directors are prepared to support you in this endeavor through their impact analysis of legislation and their service through their professional associations.

In addition to periodic testimony, past Committees have traveled to Salem once during the session to meet with our legislators. The Mayor has also been invited to participate in regional breakfasts with legislators.

End of Session Flexibility

Committee recommendations come directly to Council under "Unfinished Business." Towards the end of the session, it is often not possible to seek Council action and meet Salem time constraints. Council has been supportive of recommendations in advance of Council review as long as Mayor, Council, and staff responses have been consistent with past Council or League positions.

Fiscal Impact

Minimal; travel expenses to Salem.

Recommendation

That the City Legislative Committee provide a recommendation to City Council on the above guidelines.



City Hall Week

Issue: Protect Municipal Water Rights

Background:

Due to the unique nature of municipal water suppliers' need to plan for growth and infrastructure investment, cities often "grow" into water rights over time before those rights become certificated. State administration of municipal water permits has historically recognized that the time horizons involved in city planning efforts, the service life of facilities, and the amount of time required to pay for infrastructure investments all frequently span decades. The need for and ability to conduct long-term planning is further impacted by mounting shortfalls in infrastructure funding. Yet an Oregon Court of Appeals decision in 2004 upended longstanding state policy, ruling that in order to be granted a water permit, a municipality must construct the infrastructure necessary to use the water within five years. In 2005, the Legislature passed HB 3038, which restored much of the ability of cities to grow into water permits over a longer period. The bill also requires cities to develop a Water Management and Conservation Plan (WMCP), and conditions permits on the ability to maintain the persistence of certain fish species. More recently, special interests have sought legislation to place strict limits on municipal water use, despite the fact that cities use less than 10 percent of the water that is used in Oregon.

2011 Legislative Session:

Special interests will again likely propose limits on municipal water use that interfere with new and approved water rights. Also, the state is currently in the process of developing policy regarding the impact on in-stream peak and ecological flows of projects funded through a new grant and loan fund for non-municipal water storage projects (created by HB 3369 in 2009). Certain environmental groups have argued that new protections for peak and ecological flows should go beyond the provision in state law applying to projects funded through HB 3369, and also restrict new and existing water permits and other water storage projects not funded through the bill.

City Messages to Legislators and Candidates:

- Talk to your legislators and candidates about water needs in your community and the importance of a reliable water supply to economic development, public health, and quality of life for your citizens.
- Urge legislators and candidates to oppose water permit conditions that would prevent municipalities from meeting current or future water demands.
- Discuss the efforts of your city to conserve water, act as environmental stewards, and secure funding for infrastructure upgrades so that residents have a safe and reliable supply of clean water.

LOC Legislative Priorities

Protect Municipal Water Rights

The City holds water rights on Rock Creek on Marys Peak and the Willamette River. On an annual basis, approximately one-third of the Corvallis' drinking water comes from Rock Creek and the remainder from the Willamette. The Willamette River water rights are in place through the year 2061 and are adequate to meet the City's needs through build-out under current regulations.

Several threats to the long-term viability of the Willamette River water rights are emerging. The US Army Corps of Engineers (COE), which manages the water contained in the upstream reservoirs, is receiving pressure from various interests to consider/protect water releases for interests other than municipal water supply, including:

- Endangered Species Act fish considerations. The COE may be required to alter water releases (timing and quantity) to enhance endangered salmon populations.
- Agriculture has the first "options" on purchasing stored water. Agricultural needs are expected to increase, which may limit the amount of water released downstream to satisfy City needs.
- Environmental interest groups have competing desire to keep water instream verses City needs for public health and environmental protection. Legislation usually proposed each session limiting municipal use.

The City of Corvallis has an aggressive water conservation program in place and per capita water use has dropped significantly since 1990. City is a good steward of the available water resources. Even with conservation, water use needs will continue to grow in the future to accommodate growth and development.

The LOC position on municipal water rights is "defensive" in nature, with the aim to protect existing water rights. Support for this position from the City Council is necessary as bills are introduced that may jeopardize the City's water rights interests.

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City Hall Week

Issue: State Shared Revenue

Background:

State Shared Revenues (SSR) is a methodology whereby the state collects taxes and distributes revenues by formula to local government. Cities in Oregon have depended on State Shared Revenues from *liquor, beer and wine, cigarettes, and 9-1-1 taxes* to fund essential community needs such as public safety, economic development, parks, and senior services. When the state first imposed these taxes, they also preempted local governments from enacting local taxes on these items, but in exchange agreed to share these proceeds with cities. Due to property tax restrictions associated with Measures 5 & 50, this allocation became a vital part of city funding even *before* the current economic crisis. Most cities don't have the reserves to absorb any cuts to State Shared Revenues.

2011 Legislative Session:

It will be important to the League to maintain and strengthen the state's historic commitment to State Shared Revenue formulas. Any additional taxes or surcharges that the Legislature may impose on these items must be incorporated into the current formula so cities may continue to provide services related to those revenues.

City Message to Legislators and Candidates:

- Respect the SSR partnership, and not take any actions that would transfer funds from one level of government to assist another level of government in dealing with fiscal challenges.
- It is important to maintain and strengthen the state's historic commitment to the State Shared Revenue funding formula by:
 - Providing that any additional taxes or surcharges on these items be incorporated into the current formula so cities may continue to provide services related to those revenues.
 - Resisting any raid by the state on shared revenues that would eliminate crucial city services.
- Seizing any portion of State Shared Revenues would bring the Oregon economy to even more desperate levels because:
 - Cities are the economic centers for commerce and industry.
 - Cities must be able to provide services that attract and retain businesses in Oregon.
 - Any raid on SSRs will result in further city cuts to police, fire and other essential services.

City of Corvallis

State Shared Revenues

FY 09-10 actual receipts:

Liquor Taxes	\$620,874
Revenue Sharing	444,770
Cigarette Taxes	<u>80,460</u>
Total General Fund Revenue	\$1,146,104
9-1-1 Taxes (Corvallis)	277,661
9-1-1 Taxes (other Government agencies)	<u>273,622</u>
Total 9-1-1 Fund 9-1-1 Tax Revenue	\$551,283

The General Fund receipts of \$1.1 million help to fund the Corvallis Police Department, which is the largest operation in the General Fund. This support allows the city to use a portion of its property tax revenue to fund other services such as Parks & Recreation, Library, Community Development, and social service allocations.

The 9-1-1 Fund receipts of \$551,283 help to fund the Corvallis 9-1-1 center, which provides centralized 9-1-1 services to all ten emergency agencies within Benton County. By agreement with each agency, the other governments with Benton County direct their share of the 9-1-1 tax revenue to Corvallis. The past practice of the state legislature transferring a percentage of 911 tax dollars to the State general fund resulting in fewer funds to distribute to the 911 Centers is problematic. One additional issue is the inability of the State to collect 911 tax, \$.75 per line per month, from pre-paid cell phone users which is estimated to be a loss of \$7 million per year statewide. The regional 9-1-1 Center has to rely on \$936,420 in payments from the ten participating agencies above the 9-1-1 tax to fund 24/7 emergency dispatch services in FY 10-11.



City Hall Week

Issue: Transient Lodging Tax

Background:

In 2003, the Legislature passed a bill requiring 70 percent of revenues from any new or increased local transient lodging tax (TLT) to be used exclusively for the promotion of tourism and tourism-related facilities. While tourists benefit communities, they also place increased demands on local infrastructure and services such as law enforcement, transportation, parking and facilities maintenance. This preemption has prohibited cities from having the flexibility to utilize revenue to address tourism impacts and generally meet the needs of their communities. Previously, decisions on how to best allocate transient lodging taxes had been made locally, by those best suited to understand local community needs.

2011 Legislative Session:

The League intends to ask the Legislature to allow local governments more flexible use of transient lodging tax revenues to meet the increased demands placed on both essential services and infrastructure as a result of tourism activities. Specifically, legislation will be introduced to: repeal the 70 percent dedication for tourism promotion and facilities that was approved in 2003; and free up cities to make their own determinations as to how to use those revenues.

City Message to Legislators and Candidates:

- The current preemption on the transient lodging tax hampers cities' ability to address increased public safety and infrastructure needs resulting from tourism activities.
- The TLT preemption has taken away authority from those who best know local conditions and needs, and has restricted cities, large and small, in their ability to effectively meet the challenges of a difficult economy.
- Lifting this preemption will allow local governments to make their own decisions on what makes their communities attractive to visitors as a tourist destination.

City of Corvallis

Transient Room Tax

FY 09-10 actual receipts totaled \$1,079,621.

These monies are accounted for in the General Fund. Under current legal requirements, 30% or \$323,886, must be used to support tourism since that was the proportion of TRT Corvallis granted to Corvallis Tourism in 2003. Tourism is not clearly defined in state law; since the statewide changes, Visit Corvallis (formerly Corvallis Tourism) has stated they believe that the tourism agency is the only entity to provide tourism services meeting the state law definition.

The balance of funds are available for the City to use. The City uses approximately 22% of TRT revenues to fund grants for economic development agencies, with the balance (48%) used to support General Fund services. The largest cost center in the General Fund is the Police Department.



City Hall Week

Issue: Local Control Referral

Background:

One of the challenges facing local voters is their inability to make decisions on service levels due to the limitations of Measures 5/50. Restrictions on voter choice are prohibiting communities from determining appropriate public safety levels, and the type and amount of other services to provide. The current five-year restriction on operating levies limits predictability, while compression reduces the resources that local voters need to make decisions appropriate to their community.

2011 Legislative Session:

The League will seek legislative approval of a constitutional referral to the voters that would:

- Allow local governments to extend the timeframe for any new voter approved local option operating levy from the current five years to 10 years;
- Provide that the limitations that result in compression not be applicable to these voter approved levies; and
- Allow districts to ask voters for a levy renewal at the eight-year mark.

City Message to Legislators and Candidates:

- Voter choices at the local level are hampered by Measure 5/50 limitations.
- Deciding appropriate police and other service levels should be made by local citizens.
- Increasing the timeframe for voter-approved local operating levies from 5 years to 10 years:
 - Provides more local control in deciding appropriate local service levels.
 - Strengthens a city's ability to engage in long term planning.
- Allowing local voters to reauthorize these levies after eight years:
 - Provides revenue predictability for local governments.
 - Provides tax bill predictability for tax payers.
- Compression is an arbitrary statewide restriction on choosing appropriate local service levels.

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Rep. Phil Barnhart

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Rep. Katie Eyre Brewer

Rep. Sara Gelser

Louie, Kathy

From: Mills, Jock [Jock.Mills@oregonstate.edu]
Sent: Thursday, January 27, 2011 12:15 PM
To: Nelson, Jon; Louie, Kathy
Cc: Simmons, Todd; McCambridge, Mark; Tucker, Alice
Subject: City Support for Higher Education Restructuring

Hi Jon,

Thanks for your invitation to meet with the City's Legislative Committee when it convenes on Wednesday, February 9th at 8:00 AM. Todd Simmons, Interim Vice President for University Relations and Marketing, will be available to discuss SB 242 (and HB 2118). We are seeking support from the City for these important measures.

Passage of **SB 242**, a bill developed by the Joint Legislative Interim Higher Education Working Group, would alter the way the Oregon University System (OUS) is governed. It would retain all seven institutions as public universities but would treat them in a manner similar to how the Community Colleges are managed. The most significant change included in this legislation would be the elimination of legislative expenditure limitations for tuition revenues. The bill would ensure that once students pay their tuition, those dollars will actually be used to fund educational activities, rather than being swept away by the legislature for other purposes. In fact, this biennium, the legislature has refused to release some \$17 million in tuition revenues that OUS students have paid. Unless these funds are released, OSU and other institutions may be forced to eliminate courses and other services scheduled to be provided this Spring. OUS sought the release of these funds in December, but was told "No." This has caused both students, and others to wonder -- if the legislature is not preparing to use those funds for other purposes, why has it refused to release them?

(The Governance proposal has also been introduced as a House Bill -- HB 2118. That bill differs from SB 242 because it does not include a number of provisions that the legislative committee added over the last several months. The OUS proposal was also developed in a thorough public process by the State Board of Higher education. That process resulted in legislation -- HB 2118 -- that was introduced by the Governor.)

We are seeking the City's support for both bills because it is not clear how the legislative process will work this session. We do not expect the bills to be in competition. As of today, we expect the Senate Education Committee will begin consideration of SB 242 next week. If that bill continues to move through the process, the House bill may not be needed. Nevertheless, having support for both bills would be extremely helpful.

The OUS governance changes are supported by all seven university presidents and the state's four largest business groups. I am providing a link to both bills, as well as editorials and letters in support of the changes

SB 242: <http://www.leg.state.or.us/11reg/measpdf/sb0200.dir/sb0242.intro.pdf>

HB 2118: <http://www.leg.state.or.us/11reg/measpdf/hb2100.dir/hb2118.intro.pdf>

"Reforming higher education a requisite for Oregon's future," By Kerry Barnett, Margaret Kirkpatrick, David Roy and Ruth Beyer:

http://www.oregonlive.com/opinion/index.ssf/2011/01/reforming_higher_education_a_r.html

OUS fact sheet on the Governance proposal:

http://www.ous.edu/news_and_information/files/Governance_FactSheet_v7_11-9-10.pdf

A letter signed by all seven University Presidents in support of the proposal:

<http://oregonstate.edu/government/sites/default/files/OUSgovernanceletter.pdf>

1/27/2011

A letter generated by OBA, OBC, AOI, and PBA in support of the proposal:

<http://oregonstate.edu/government/sites/default/files/BusinessAssociationOUSpolicypaper.pdf>

Remarks made by OUS Chancellor George Pernsteiner and OSU President Ed Ray last week at the Portland City Club: http://www.ous.edu/state_board/workgroups/gpc/SummaryRemarks_CityClub_Jan2011.pdf

I am sorry that due to a hearing in Salem that day, I will be unable to meet with the City's legislative Committee on February 9th. In the meantime, if you have questions regarding the legislation or the OUS governance changes please do not hesitate to contact me.

Jock

~~~~~  
Jock Mills  
Director, Government Relations  
**Oregon State University**  
652 Kerr Administration Building  
Corvallis, OR 97331  
(541) 737-0725  
<http://oregonstate.edu/>



Oregon  
University  
System

Office of the Chancellor  
P.O. Box 751  
Portland, OR 97207-0751  
PHONE (503) 725-5700  
FAX (503) 725-5709  
<http://www.ous.edu>

August 2, 2010

The Honorable Mark Hass, Co-chair  
The Honorable Tobias Read, Co-chair  
Joint Legislative Higher Education Work Group  
900 Court St. NE., S-419 and H-490  
Salem, OR, 97301

Dear Senator Hass and Representative Read:

Thank you for the opportunity to provide information from the Oregon State Board of Higher Education and its universities for the Joint Work Group's consideration. At its July 9<sup>th</sup> meeting the Board unanimously approved a legislative concept seeking changes to the statutes that govern Oregon's seven public universities. That concept now is being considered by your counsel.

As the Chancellor and Presidents of all seven institutions we write to express our support for the state board's thorough and thoughtful review of the issues facing public higher education in Oregon, and its recommendation for legislation that creates a new compact between the University System and the state, establishing a statewide public university system rather than a state agency.

We are committed to retain the public nature of our institutions while providing specific, measurable education and research results. In return we seek the legislative provisions that provide reliable state funding and flexibility to achieve these results for Oregon.

The attached excerpt from the State Board's meeting packet summarizes the key points we are seeking in a legislative concept. Most importantly, these include changing the legal status of the university system from that of a state agency to a public university system with the same powers resident in Oregon's community college districts (except for the imposition of property taxes) and the authority to enter into performance agreements with the state to achieve critical state objectives such as an increased number of degrees and affordability for Oregon students.

The proposed legislation also permits OUS to retain all its current statutory authority and, among other items, grant the system authority over risk management, retention of all investment earnings, the expenditure of funds other than state appropriations of general fund and lottery funds, approval of construction when using funds other than state appropriations, and the ability to develop employee benefit programs. Tuition setting would be a responsibility retained by the State Board of Higher Education and a new requirement would be imposed for open and participative tuition development processes at each campus. Further, to help ensure affordability for students, fee remissions would be explicitly permitted for need based financial aid. The Board also would be permitted to delegate some of its powers to campus boards, at its discretion. The budget for OUS would be developed using the same process as is employed in the development of the budget for Oregon's community colleges.

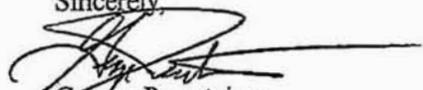
These changes will create a more vital and flexible University System better suited to serve today's students than our current 80-year-old state agency governance structure. They will enable us to increase the number of Oregonians educated to meet the standards for success in the competitive world economy

and to provide the research needed to spark the innovations that will improve the vitality of Oregon's economy and provide the sustainable prosperity Oregon so desperately needs.

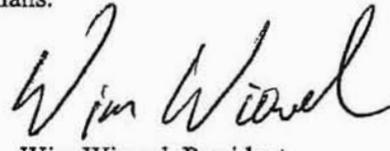
We appreciate the time and effort you are devoting to address the issues we all face as more Oregonians seek to achieve a college degree and as the state continues to face severe budgetary constraints. We look forward to the work that remains to be done in terms of defining the goals and objectives to be achieved through the changes we are seeking.

Over the coming months as the Joint Higher Education Work Group considers proposals for consideration during the 2011 legislative session, we welcome continuing opportunities to work with you, students, the business community and others to forge and pass legislation that meets the needs of our state and its communities and helps us build a brighter future for all Oregonians.

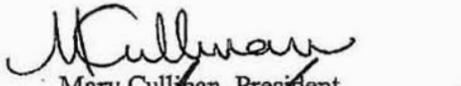
Sincerely,



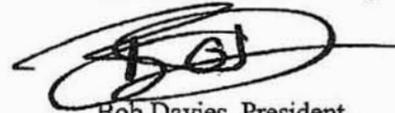
George Pernsteiner  
Chancellor



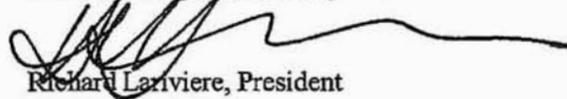
Wim Wiewel, President  
Portland State University



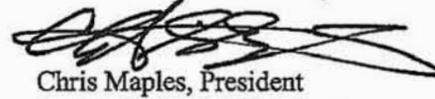
Mary Cullinan, President  
Southern Oregon University 11



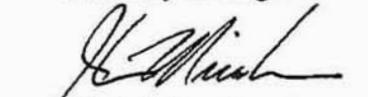
Bob Davies, President  
Eastern Oregon University



Richard Lariviere, President  
University of Oregon



Chris Maples, President  
Oregon Institute of Technology



John Minahan, President  
Western Oregon University



Edward J. Ray, President  
Oregon State University

Attachment: State Board of Higher Education July 9<sup>th</sup> Governance Legislative Proposal

cc: The Honorable Peter Courtney, President of the Oregon State Senate  
The Honorable Dave Hunt, Speaker of the Oregon State House of Representatives  
The Honorable Theodore Kulongoski, Governor  
Members of the Joint Work Group on Higher Education  
Members of the State Board of Higher Education



## **Joint Business Association Task Force on Higher Education**

### **Summary**

The four business associations, Associated Oregon Industries, Oregon Business Association, Oregon Business Council and the Portland Business Alliance, believe it is imperative that the 2011 Legislature focus on improving the quality and output of the Oregon University System. And, to achieve maximum benefits for Oregonians, we believe the OUS relationship with the state must be radically redefined.

The details outlined in the governance recommendations made by the Chancellor and the OUS board represent a significant step toward improving the university system for the state, its citizens and, most especially, its students. While some issues must still be resolved, we believe this plan is a good beginning for a critically important discussion. We look forward to working with the OUS leadership, the individual universities, the legislature, the governor and all of the broad array of players in Oregon's education system to take these important steps toward improving one critical piece in the education system: the Oregon University System.

Only in a united approach can we collectively position the state's higher education system so that it can deliver a high quality of education and training that is responsive to the demands of tomorrow's workforce, reflective to the funding needs and local relationships of each institution, and able to achieve the state's standards for higher education.

## **BUSINESS ASSOCIATION POLICY PAPER**

### **Purpose**

The state's four major general membership business associations have joined together to raise awareness of the need for a strengthened post secondary education system in our state. Associated Oregon Industries, the Oregon Business Association, the Oregon Business Council and the Portland Business Alliance have long paid close attention to education quality in Oregon, individually and collectively advocating for reform, investment and overall quality improvements. But the crisis facing our state, in terms of lagging job creation and declining per capita income, has made it clear that we face an unprecedented imperative: If we want to create long-term economic vitality in Oregon, then we must improve the quality and output of our post secondary system.

The education committees of the four business organizations (AOI, OBA, OBC and PBA) pay close attention to all levels of education. In terms of post secondary education, the organizations are advocates for healthy community college systems, strong state universities (the OUS schools) and vitality in specialized learning and research centers, such as the Oregon Health and Sciences University and programs like ONAMI and OTRADI. We believe that education is a continuum, starting with pre-school and going through the post-graduate system, offering Oregon youth a variety of options to prepare them for a successful work life.

This policy paper focuses on one key issue that will face the Oregon legislature in 2011: the future of the Oregon University System. OUS is the state agency charged to oversee Oregon's three major universities, the University of Oregon, Oregon State University and Portland State University, as well as the four regional universities: Western Oregon University, Southern Oregon University, Eastern Oregon University and the Oregon Institute of Technology.

The business associations have joined together with the belief that it is time to examine the state's relationship with the OUS institutions and define a plan that yields better results for Oregonians.

### **Background**

The business community has a vested interest in a successful secondary education system. Oregon's economy relies on a highly skilled and trained workforce to meet the economic demands of the present and the future. Oregon's economy also relies on an educational environment that fosters research and innovation as a key driver to attract new industry clusters. As the global economy increasingly demands advanced educational attainment, as well as new technology fostered by cutting-edge research and innovation, it is important for Oregon's citizens to be trained and skilled to remain competitive. The United States is tenth in the world and falling behind other nations on most measures of education attainment, while, at the same time, Oregon is falling behind the national average in education proficiency and

attainment in ages 25 – 44<sup>1</sup>. What that means, in a global economy, is that Oregon workers will not be prepared to compete with workers both abroad and domestically.

Oregon needs to be in the top tier nationally and internationally in order to have a thriving economy. Alarming, the current generation of young working-age Oregonians (age 25-34) is more likely to have dropped out of high school and less likely to graduate with a post-secondary credential than the generation now preparing to retire (age 55-64).<sup>2</sup> As Oregon's most competitive, highly educated workforce nears retirement, reversing this trend will be more critical than ever. While Oregon currently enjoys the benefit of a talented workforce attracted from other places, this is not a sustainable or equitable economic development strategy for *Oregonians*. Oregon must be able to "grow its own" talent. Additionally, Oregon needs to ensure a concentration of research based training to foster new technology that will attract and create new industries. Therefore, Oregon youth must have access to an affordable, high quality education to achieve success.

Ensuring Oregon's post secondary system is able to produce a trained workforce and an educational environment that drives research and innovation should be a top priority for all Oregonians, as business competitiveness and ability to adapt to global and technological demands is directly tied to advancing the state's overall prosperity. In recent years the legislature has taken constructive steps in recognition of the importance of post secondary education. We applaud the state's contribution through the Shared Responsibility Model, in addition to the direct post secondary funding allocations each biennium. However, according to the research completed for the Oregon Business Plan, the state's general fund allocation to OUS has not kept pace with inflation or enrollment growth over the past 10 years, growing only 0.8 percent per year on average over that time. The allocation to higher education is the smallest among the state's general fund program categories. By comparison, community colleges saw a 1.1 percent average annual revenue growth (although unprecedented enrollment growth led to continued strains on their budgets) and the K-12 system, a 2.9 percent annual growth. Other general fund growth areas such as preK/College Grants, Human Services and Public Safety show between 4.8 and 5.9 percent annual growth rate over the decade.

In addition, OUS' status as a state agency severely impacts its ability to predict funding levels, efficiently allocate resources, respond to demands for new and more advanced degree and certificate programs, and enter into public-private partnerships. OUS's ability to meet the changing needs of students and achieve the high standards set by the State Board of Higher Education is hampered by the competing and often conflicting requirements and limitations placed on the system by virtue of its status as a state agency. While the legislature provides important funding support to the OUS, the resources come with significant mandates and costs such as extraordinary levels of detailed budget oversight and requirements for the university system to provide state services largely unrelated to its core mission.

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<sup>1</sup> NCHEMS/WICHE: Principles to Guide Policymaking Regarding Higher Ed Governance and Finance, 2010

<sup>2</sup> The Oregon Business Plan Education and Workforce White Paper, 2008

Ironically, the state's K-12 system, while taking up a much larger share of the overall general fund budget, receives far less budget and spending scrutiny. State funds are allocated to local school districts, which, in turn, have far greater flexibility in determining how those funds are spent. The level of burden and oversight associated with state funds for the OUS substantially reduces the utility and effectiveness of the funds in terms of education delivery and outcomes.

As the state faces revenue projections that fall well short of levels needed to maintain current services while also responding to increased spending on health care, citizen initiatives and public retirement benefits, funding for OUS is increasingly in jeopardy. Given current revenue and spending projections, in the 2011-2012 biennium the OUS could face a substantial cut in state funding, and the picture does not improve for many biennia beyond that. Oregon's economy cannot afford that kind of disinvestment in its university system. We need to find thoughtful approaches to ensure that OUS can continue to deliver top-notch, affordable education to Oregon's future workforce in the face of these discouraging budget and revenue realities.

### **Task Force Recommendations**

Led by business representatives from a variety of industries, the business association joint task force met with the Chancellor; a sample of current and former OUS board members; the presidents of the three largest universities and a representative sample of community college and regional university leaders, as well as experts on western United States higher education policy to explore these issues and alternatives. All the discussions had the common objective of improving OUS's ability to deliver affordable, quality and accessible education and training to all Oregonians.

From the onset, the task force agreed that OUS should be structured to serve the end users – Oregon citizens and students – not the individual institutions or the state bureaucracy.

The overarching conclusions of the task force are:

- The Oregon University System should move from state agency status to a governance structure that provides it with improved flexibility to meet statewide education goals as efficiently and affordably as possible.
- A centralized coordinating board, such as the current OUS board, is imperative to ensure that programs are delivered in a manner that ensures maximum benefit to all Oregonians and quality standards are achieved.
- For universities positioned to have them, local boards should be established in the next stage of OUS evolution, provided that appropriate standards are developed regarding how and when they will be formed and the level of authority they will have.
- OUS needs a financing mechanism that provides adequate, predictable and ongoing support for the institutions and its students, and that needs to be a major focus of the Legislature going forward.

## Discussion

The task force believes it is imperative that the legislature grant OUS a greater level of flexibility and management autonomy than it currently has under the state agency governance structure. In order to achieve this flexibility, we agree with and support the recommendations of the Chancellor and the OUS Board to discontinue the system's status as a state agency and provide the State Board of Higher Education with authority similar to Oregon's community college model.<sup>3</sup>

(Oregon's community college model allows community college boards to have broad authority to manage their institutions in terms of programs, finances, employee relationships and other critical aspects.)

Many states, such as Kentucky, Tennessee, Colorado and Louisiana, have governance structures with elements similar to this community college model<sup>4</sup>, which suggests there is an increasing recognition of the need for institutions to have a more nimble and flexible approach to meeting their educational achievement goals. In fact, Oregon is one of only four states that continue to manage their university systems in a traditional state-level governing model<sup>5</sup>. We believe changing the OUS governance structure is a critical step in positioning Oregon's institutions to respond to the ever-changing demands of higher education and workforce training.

At the same time, the task force emphasizes that changing the governance structure cannot be done in a vacuum. Any governance change must be made within the context of the state's comprehensive and long-term funding solution for all of education, including K-12, community colleges, OUS and the specialty research and education programs including OHSU. The plan should enable greater coordination among community colleges and OUS, but, at the same time, it should not adversely impact community college funding and governance mechanisms.

The task force also believes the legislature should exercise its authority to set achievement goals and establish metrics for accountability at a high level. In turn, the OUS should have control over how those achievement goals are met and the authority to give flexibility to individual institutions to implement these goals.

The task force recognizes that this is a significant departure from current policy and that the legislature may be reluctant to divest itself of the extraordinary level of control it currently has over the state system. We hope that will not be an acceptable response. We are at or very near the breaking point where the non-tuition support the state provides the OUS schools has limited utility relative to the restrictions and burden that comes with those funds. The task force firmly believes that the state's

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<sup>3</sup> Oregon State Board of Higher Education, Governance and Policy Committee, June 2010

<sup>4</sup> Classification of State Higher Education Structures, NCHEMS, March 2010

<sup>5</sup> Governance Structures in Other States and Louisiana's Governance Structure, NCHEMS, January 2010

investment can go farther and provide more benefit to more Oregonians if OUS were allowed more discretion in delivering services.

The task force also recognizes that students and parents of students may be concerned that, without the ability to appeal to the political forum of the legislature, they may face even greater tuition increases than in the past. However, the fiscal realities of the state are such that OUS school tuition has been increasing at a significant rate even with legislative oversight. On the other hand, the community college model has resulted in less tuition increase than the OUS schools have experienced, with average community college tuition increasing 7.4 percent per year and average OUS tuition increasing 8.3 percent per year since academic year 2000 - 01.<sup>6</sup> Finally, the governance model proposed by the Chancellor and the OUS board would give parents and students the assurance that all tuition funds paid by students and all interest earned on those funds would go to university programs and would not be available for legislative re-allocation to areas not related to education.

### **Localized Autonomy**

In the course of its discussions, the business association task force challenged the OUS leadership – including the Chancellor and the Board as well as the individual university presidents – to work together on one strategy for changing and improving the state’s university system. While we recognize that each university is different and a one-size-fits-all approach may not work for university management, we do believe that the overall system must be designed and managed to achieve the best results for all Oregonians, not for the benefit of any one university or state agency.

The task force recognizes that there has been discussion about local governing boards and more independence from OUS for individual campuses. We support retaining the centralized coordinating function of the state system, but believe that additional university-level local governance may be warranted and therefore, in the next stage of OUS evolution, support the idea of local boards for universities prepared to have them.

The task force was encouraged that the OUS proposal includes provisions that could ultimately enable local boards for universities positioned to have them. However, the proposal must go further and define what conditions would allow formation of a local board, how that board would be appointed and what authorities it would have. The business associations urge the OUS board to work with the university presidents and the legislative task force on higher education to answer these questions and deliver a proposal on local boards that best serves the state of Oregon and not any institution or state agency. We urge the OUS Board, the legislature and the university presidents to jointly support a common proposal on the conditions and process for when and how local boards would be formed.

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<sup>6</sup> Percentages based on data received from CCWD and OUS staff and represent all institutions in each school system. “Tuition” includes all fees and is based on undergraduate, resident full-time status (15 credits).

## **Conclusion**

The business associations, AOI, OBA, OBC and PBA, urge Governor-elect Kitzhaber to make reform of the OUS system an immediate priority of his agenda for the 2011 legislative session, and that the governor require the universities, to the greatest extent possible, to achieve unanimity on proposed changes to the system. The question of localized authority should be addressed for the next phase of the OUS evolution, but the business task force concluded that greater OUS autonomy should be the priority for 2011. Finally, the task force believes that ongoing funding for the entirety of Oregon's education system, including K-12, community colleges, OUS and the specialty research and education programs, including OHSU, must be addressed in a comprehensive manner, and we encourage the governor and the legislature to set up a process for doing so.



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## Reforming higher education a requisite for Oregon's future

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By **Guest Columnist**

By **Kerry Barnett, Margaret Kirkpatrick, David Roy and Ruth Beyer**



Kerry Barnett

When Congress created the GI Bill after World War II, it changed the face of American education and the U.S. economy. College became accessible to millions of Americans who had never dreamed it was possible. Education achievement in this country grew by leaps and bounds, as colleges and universities produced workers for a thriving American industrial base that led the world in economic development.

That was some 60 years ago and times, sadly, have changed for the worse. Today, it's harder for young people to go to college because higher education is in crisis, across the country and here in Oregon. The severity of this issue must be recognized and dealing with it should be a top

priority of the 2011 Oregon Legislature and Gov.-elect John Kitzhaber.

The United States ranks 10th in the world for higher education attainment. The current generation of young people is expected to be less well educated than the baby boomers now starting to retire, a stark reversal of the improvement trend begun with the GI Bill.

In Oregon, we've fallen below the national average in educational attainment for ages 25 to 44. We pride ourselves that Oregon's livability is a magnet for young, smart people who move to Oregon from elsewhere, but we're falling short in terms of educating the youth who grow up here. And if we believe today's Oregon students are our work force of the future, this decline in educational achievement means that, in an increasingly global economy, Oregonians will be less prepared to compete for quality family-wage jobs, both internationally and at home.

Why is Oregon falling behind? There are a number of factors.

Tuition at Oregon universities has grown an average of 8.3 percent per year for more than a decade. Students' share of costs has risen from 29 percent in 1998 to more than 55 percent today. Oregon's financial support for higher education ranks near the bottom nationally, and, given projections that the state faces a decade of budget shortfalls, there's little hope of reversing this trend anytime soon.



Margaret Kirkpatrick

Although the Legislature provides just 17 percent of state university operating costs, lawmakers continue to exercise near total control over university budgets, tuition policies and even programs. The level of legislative control limits the universities' ability to innovate, reduce costs and find alternative sources of revenue. The net result is a system that soon won't be able to deliver affordable quality education to Oregon students.



David Roy

The system is facing a crisis. The old solution of raising tuition to offset declining state funds just can't continue if we want to keep college accessible for Oregon students.

That is why the state's four major business organizations -- Associated Oregon Industries, the Oregon Business Association, the Oregon Business Council and the Portland Business Alliance -- have joined forces to call on the Legislature and the governor to reform the state's system of higher education to address this crisis.

We support the proposal put forward by the leaders at the Oregon University System to change how higher education is administered in this state. Instead of having the Legislature micro-manage university budgets and administrative functions, OUS proposes to allow the university system more flexibility to meet education goals as affordably and efficiently as possible.

Most state legislatures have moved their universities out from under direct legislative control. It's time for the Oregon Legislature to do the same, loosening reins to give the Oregon State Board of Higher Education the authority -- and responsibility -- to manage our public universities to a higher standard of quality and output.

We believe a strong, centralized higher education board will always be important to set standards, allocate funding and ensure coordination among the individual schools. At the same time, proposals from some universities to allow for greater local autonomy and localized boards also are worth looking at.

The OUS board proposal gives a small nod to the concept of more localized autonomy for some universities, but what conditions would allow the formation of a local board or what authorities that board would have remain unclear. While reforming the Oregon University System as a whole, releasing it from its state agency status, should be the focused priority in the 2011 session, we also believe that defining how and when local autonomy might occur should be addressed by the governor, the Legislature, the OUS board and the seven universities in a subsequent evolution of the state system. This process should be done in a way that gains concurrence from all seven university presidents and moves the system toward a common plan that will benefit all of Oregon.



Ruth Beyer

As the start of the 2011 legislative session draws closer, we're encouraged that all signs point to serious consideration of higher education reform. John Kitzhaber has indicated he wants to take it on. A legislative task force has developed a proposal for the full assembly, and all of the state's higher education leaders are putting their best thinking into moving a plan forward.

Lots of issues remain. Higher education reform undoubtedly will be a multiyear process, with each step building on a foundation we begin in 2011. But we can begin making progress, starting today, toward restoring for Oregon's youth the promise of an education that will lead to a better life, as so many in generations before them had.

Kerry Barnett represents the Portland Business Alliance. Margaret Kirkpatrick represents Associated Oregon Industries. David Roy represents the Oregon Business Council. Ruth Beyer represents the Oregon Business Association.



## OUS Governance Change Proposal Fact Sheet

### Summary Overview

The recent national recession, and changes in state resources over the last 20 years, has made it clear that reforms are needed in the way that Oregon funds and operates its system of higher education. Oregonians generally acknowledge that increasing educational attainment is worthy of public investment, but over the last 25 years the **imbalance between state needs and state resources** has fallen especially hard on higher education. As a result of mandates enacted in the 1990s (tax limitations and mandatory sentencing laws) and the volatile economic cycles in the first decade of this century, the **responsibility for funding Oregon's public universities has shifted from the State to the universities, its students and faculty**. This shift has contributed to an unprecedented situation in which the current generation of adult Oregonians are less educated than the generation that preceded them. For Oregon to remain competitive in today's global economy, more Oregonians must have higher education degrees.

These factors have **led the State Board of Higher Education to seek structural changes** for the Oregon University System. Their goals are to raise the education level of Oregonians through student access and success, providing high quality, affordable education; conducting research to support a vital Oregon economy; and supporting development of a strong, diverse workforce, more companies and jobs, and vibrant communities throughout the state. With support from the Legislature, this goal can become a reality.

### Key Components of the Governance Change Proposal

- **Tuition Accountability** is a key component of the governance proposal: it would ensure that tuition paid by students and interest earned on tuition will actually go to support students, rather than being used to balance the state budget and support other state agencies. The proposal ensures an effective student voice in setting tuition levels at public universities, Board approval of any tuition increases, and legislative oversight. Additionally, the proposal would eliminate past practices by which the legislature has swept university fund balances, primarily made up of tuition revenues, into other state agency budgets.
- **Access and affordability** will remain a key state focus: better control over costs will equate to enhanced access and affordability for more Oregonians. The Board will require that tuition increases are balanced with sufficient need-based fee remissions (tuition discounts) for eligible, needy Oregon students/families in order to enhance affordability for the state's most vulnerable families.
- **Accountability of the System** will be broadened and refocused: funding of the System would change from a line-item budget to a performance compact, changing the focus from inputs to outcomes based on agreed upon long-term performance targets set by the System, Legislature, and the Governor. Measures will include enrollment of Oregon students, affordability, degrees awarded, employment of graduates, funded research, workforce enhancement, and other state goals. Each biennium, the System and its universities will report on progress made on these performance metrics and will be accountable to its stakeholders.
- **Creating advantages, efficiencies, and cost control** through structural change: changing the OUS status from a state agency to a statewide public university system will provide OUS and Oregonians with many advantages, including:

- Assurance that student-paid tuition revenues and related investment earnings will be protected and directed towards their instruction, financial aid, quality programs and student success, and help campuses manage through the anticipated large budget cuts in 2011-2013.
  - Adoption of a simplified “block grant” budgeting approach which both community colleges and K-12, but not OUS, receive today, and which will be driven by outcomes and accountability, not based on the prior biennial budget plus an automatic increase for inflation, but on what the state needs for students to succeed, thus moving from a compliance focused system to an achievement focused one.
  - Better control over costs and revenues will achieve lower overhead and result in more optimal use of resources. For example, by purchasing its own risk management insurance – rather than being in the state “pool”, OUS could save millions of dollars annually, thereby lowering costs that now students end up covering through tuition.
  - Exemption from state strictures/assessments now costing millions of dollars each year, the savings from which will be used to support educating greater numbers of Oregon college students.
  - Increased flexibility will also enable OUS to sustain the Oregon State University Extension Service, Agricultural Experiment Station, Forest Research Laboratory and other university-based public service programs that support Oregonians across the state. General fund support is a critical investment in the people and communities these programs serve.
  - Flexibility in funding and running university research enterprises, which generate knowledge, promote innovation, create jobs, and help people and communities cope with economic and social challenges; with greater flexibility, research and innovation can grow, ensuring an attractive climate for companies and industries that can bring new jobs to the state.
- **Statewide focus would remain:** the Board of Higher Education would continue to govern the System, ensuring that the overarching goals of access, affordability, quality, and innovation continue to serve the needs of all Oregonians. The Chancellor’s Office would also remain, ensuring oversight and achievement of statewide goals, policy and advocacy support, Board support, and system-wide accountability functions.
  - **Change for the betterment of Oregon:** the Board will be pursuing this governance proposal with the state in the 2011 Legislative Session, working with the Governor and the Legislature. All of these elements will allow the OUS to enhance access, affordability and success for Oregonians by meeting the state’s 40-40-20 goals; allow the system to be more accountable, and deliberative in long-term planning as it gains greater cost control; offer higher quality programs throughout the State; attract and retain faculty and staff of distinction, and ensure a globally competitive workforce.

**For additional information:** please contact Jay Kenton, Vice Chancellor for Finance & Administration, Oregon University System, at Jay\_Kenton@ous.edu or 541-737-3646; or Di Saunders, Director of Communications, OUS, at Diane\_Saunders@ous.edu or 503-725-5714.

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**City Club of Portland**

**Friday Forum**

**January 21, 2011**

# **Governing and Funding Higher Education**

**Summary Remarks by:**



**George Pernsteiner, Chancellor  
Oregon University System**



**Ed Ray, President  
Oregon State University**



**Oregon  
University  
System**

**Office of the Chancellor ■ PO Box 751, Portland, Oregon 97207  
503-725-5714 ■ [www.ous.edu](http://www.ous.edu)**

## Summary Remarks from George Pernsteiner, Chancellor, Oregon University System

City Club of Portland  
January 21, 2011

You've heard the story and you've seen the data. At a time when people throughout the world are succeeding in higher education in record numbers, Oregon's adults aged 25-34 are less well educated than are their elders. This legacy of 1990s policy decisions and disinvestment strategies places our residents and our businesses at a competitive disadvantage with those in other states and other countries.

But I am going to surprise you with some good news. Oregon's universities are nearly on track to bring the next generation of Oregonians to education levels never before enjoyed in this state, reversing the disadvantage that Oregon's businesses and residents face when competing in the global economy.

1. Our enrollment has climbed to record high levels of nearly 100,000 students—up from just over 80,000 three years ago.
2. All seven universities are retaining their students and advancing them toward graduation at rates and in numbers never before seen in their history.
3. With nearly 20,000 degrees and certificates awarded last year—and more expected this year—our universities are equipping Oregonians with competitive skills and meaningful credentials in numbers never seen before in state history. We will come out of this recession stronger and in better competitive position than when we entered it.
4. And our universities, blessed with some of the most productive faculty in the country—faculty who reel in federal grants at rates that eclipse those of their colleagues in 45 other states, bring in nearly \$400 million a year in research grants.

This is a story of success even though Oregon's state funding per student ranks 45<sup>th</sup> in the country and is falling.

In fact, our already low state funding is likely to be cut by another 20% or more this year. And Oregon's universities already spend less per student and less per degree (from all revenue sources, including tuition, donations, federal funds, and state support) than almost all other universities in America. We are already among the lowest cost providers of postsecondary education in the country.

Now, I could urge you to support more funding for higher education in Oregon—and I am convinced that such funding would pay big dividends for Oregon and Oregonians for a more prosperous and equitable future. But I know how dire the state's financial predicament is.

There just is not enough money to meet all the critical needs and to make all the investments that would ensure our success as a state and as a people. I know better than to ask for more money. There simply isn't any.

Oregon's universities have been in this situation before. In the early 1990s, after the passage of Ballot Measure 5, OUS faced draconian budget cuts—although not on the scale we face today.

Back then, OUS' strategy to deal with budget cuts was to preserve quality by eliminating 100 degree programs, reducing enrollment by 6,000 students, and raising tuition by 40% in a single year.

The result was what we call The Lost Generation and led directly to the low educational attainment of Oregon's young adults we see today. We just did not educate enough Oregonians in 1991 for our people and our state to be competitive in 2011. Our 1990s strategy balanced the budget but it did not fulfill our mission of educating enough Oregonians to offer them and the state the opportunities for success enjoyed by those in other states and in other countries.

This time, when we again face huge budget cuts, how do we make sure Oregonians from every part of the state, from all demographic groups, and at every socioeconomic level can earn the college degrees that are becoming so essential for global competitiveness and for business success?

The answer cannot be simply to cut costs further: we already are the third cheapest state in America in cost per degree.

The answer certainly cannot be to raise tuition to supplant all the state reduction because Oregonians earn 9% less than do Americans generally.

So, the State Board of Higher Education, in consultation not just with university presidents and campus supporters but with student and faculty groups and with the advice and support of some of Oregon's leading business organizations (AOI, OBA, OBC, and PBA), took another course: looking at the impediments caused by the universities' status as a state agency—impediments that Oregon's other public education entities (K-12 and community colleges) do not encounter.

For example:

1. Universities cannot use the tuition paid by students in order to educate those students without seeking and obtaining special permission from the legislature: permission that has been withheld twice since the start of this academic year, causing our universities to begin planning how to further trim faculty and staff and curtail enrollment in this year's

spring term if we are unable to secure that legislative permission early in the 2011 session. This uncertainty is unnecessary and damaging.

2. The University System is constantly subject to the threat and occasionally the reality of fund shifts and sweeps by the state in order to help the state meet its fiscal challenges—even when all the money involved is tuition and was intended by students and their families to pay for their education and not for other state purposes.
3. The University System invests the tuition income paid by students but has to send any earnings to the state rather than using them to provide lower tuition, more instruction, or financial aid.
4. Required to use the state's programs, the University System pays higher costs than necessary for services such as insurance and risk management and pays for state government overhead.
5. The University System is subject to the controls of thousands of budget line items imposed by state government even though only a minority of the funds received by the universities come from the state.
6. A national consultant retained to advise the Oregon Legislature has said that even though Oregon funds its universities at one of the lowest levels in the country, it has the distinction of its state government exercising more control over its universities than in any other state in the union.

These factors, coupled with the impending state budget reduction this year, led to the Governance Proposal adopted by the Board of Higher Education.

1. This proposal is to establish a public university system rather than a state agency—placing Oregon's seven public universities on the same legal budget footing as Oregon's public schools and community colleges.
2. The proposal ensures the public nature of the university system by maintaining all the public records, public meetings, ethics, and auditing requirements that apply to state agencies.
3. The proposal establishes a performance compact with the state that ties the state's investment in OUS to outcomes needed for Oregon: degrees, degrees in workforce shortage areas (such as health care), student enrollment, affordability for Oregon undergraduate students, research productivity tied to economic vitality, cost effectiveness, and employer satisfaction with the performance of recent graduates.

A bipartisan and bicameral group of legislators from every part of Oregon was appointed last summer to a Higher Education Work Group by the Senate President and the House Speaker. Over several months, this panel, under the leadership of Senator Mark Hass and Representative

Tobias Read, assessed the state's needs for postsecondary education, reviewed numerous proposals, and emerged with three recommendations:

1. A bill to codify the state's goal to raise the education level of its adults to world class levels: a policy popularly known as 40-40-20.
2. A bill to provide more opportunities for high school students to earn college credit while still in high school.
3. The third bill introduced by the work group is SB 242, a governance construct for higher education that advances the same governance proposal adopted by the OUS Board last summer and adds a coordinating council to better focus on using the resources and efforts of all 24 of Oregon's public universities and community colleges to achieve the state's higher education goals. This bill will do more to ensure prosperity for Oregon and Oregonians than just about any other legislation that Oregon's House and Senate will consider this year.

What would be the results of passage? Well, simply put:

#### More Students—More Degrees—A More Competitive Oregon

1. Universities could use the tuition paid by students to educate students without jumping through hoops and fearing fund shifts and sweeps—allowing them to hire faculty and advisors and deliver education effectively;
2. The State Board of Higher Education will ensure that Oregon's public universities, collectively, are meeting the performance targets set by the state and are doing so in a way that ensures that Oregonians throughout the state (regardless of geography, demography, or income) can and do succeed in earning rigorous college degrees with value in society, in the workplace, and in life.
3. Oregon employers can expect the universities to provide graduates with the skills to succeed in a global economy.

The alternative is stark: A cut of state funds of the magnitude now expected, without this change from state agency status, will force big cuts, enrollment losses, and higher tuition—a return to the 1990s and another lost generation of Oregonians. The choice is clear: bureaucracy or student success. With less state money, we cannot have both. I believe Oregon will choose student success.

So, where do we go from here? Senate Bill 242 will be heard in the Senate Education Committee, offering hope to Oregonians that they and their families will have access to affordable, quality higher education focused on their success and the success of the businesses and communities of this state.

Ed Ray, President of Oregon State University, can describe more forcefully than I the impact of this proposal. OSU has grown by more than 3,000 students in just the past two years and has become one of America's premier land grant research universities by focusing on Oregonians and the needs of Oregon.

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**Summary Remarks from Ed Ray, President, Oregon State University**

**City Club of Portland  
January 21, 2011**

The OUS proposal is most importantly about sound business practices to optimize the educational services provided in exchange for state tax dollars and student tuition expenditures. Changing the status of OUS from a state agency to a statewide public university system would eliminate each problem described below and many others faced by the universities that raise their costs needlessly, increase their financial and operating uncertainty, and undercut their ability to provide current and future students with the education they need and deserve for their tuition dollars.

Again, the proposed change of status for OUS is not simply about governance but rather about effective management of public universities. To illustrate that point, let me highlight how the proposed OUS framework would remedy existing problems. As business leaders yourselves, I ask you to consider the benefits of change.

1. Currently, tuition dollars collected by OSU from students and families can be removed from fund balances for use elsewhere by the state. For example tuition dollars that were paid to provide students with an education could be used for the state department of corrections. Providing students with the highest possible quality education requires continuous upgrades in information services, renovating and building facilities, hiring and retention of exceptional faculty, and expansion of student support services. These medium and long-term commitments cannot be planned for if the legislature can simply take the money for other uses. Imagine if you had to tell a customer that you could not use the check he gave you to provide the business service you promised him because you had to give his money to someone else. How would you make medium and long term business expansion and investment decisions if someone could take your cash reserves at any time to use for something else?
2. Now, the interest earnings on tuition balances go to the state Treasurer for other uses. So, students and families pay tuition but any earnings on those tuition dollars are not

available to educate the students. Imagine in running your own business that sales revenue that accumulates in the bank earns interest and then the bank tells you that it spent your interest earnings on something else.

3. As part of a state agency, OSU is limited to spend a fixed amount of money each biennium by the legislature just like other state agencies. Because of successful student recruiting in the last two years, OSU raised much more revenue through tuition than expected. Therefore, our total revenue to educate current and new students exceeded the state determined expenditure limit. Now, we cannot spend existing revenue to educate students without approval by the state legislature. In December the legislature told us we cannot spend that money. The state budget process is not responsive to enrollment growth even though the needed funds come from students and their families and not the state. Imagine you experienced unexpected growth in sales in your own business and just as you were about to reinvest the additional revenue in improving service and building your business someone told you that you could not spend that money and you still had new customers expecting the services they paid for when they gave you their money.
4. At present, OSU cannot use tuition dollars to make necessary infrastructure repairs with money on hand. The university experienced a severe power outage in early December and property damage. Yet, we cannot use funds on hand to upgrade and replace worn equipment and parts to maintain a safer physical environment and there are no state funds available to get the job done. Suppose you discovered some structural flaws in your facility or electrical equipment that should be replaced for the safety of your employees and you were told that you could not use cash reserves to do the job.
5. Every business has to maintain accounts that are more detailed and complex as the diversity of the product line and the complexity of the supply chain increase. State funding to K-12, community colleges and universities is tied directly to enrollment in each of those sectors and K-12 and community colleges are provided block grant funding from the state each biennium. For those same activities, OSU has 6,300 reporting lines. Imagine adding thousands of reporting requirements to your already complex accounting activities and consider the costs in time, staff and other resources to satisfy those additional demands.

Furthermore, strong research universities like Oregon State University are critical to the long-term economic growth and social progress of communities, to attracting and retaining industry, and to entrepreneurship, innovation and new business development ventures. State funding to OSU is leveraged 6:1 through external grants and contracts, targeted federal funds, industry partnerships, local county support, and private fundraising. Innovation through university R&D directly contributes to the quality of student educational experiences, and prepares students to be competitive in a global economy. This critical aspect of OSU's mission is an investment in innovation, business creation and growth, and expanding job opportunities for Oregonians. The state needs to be a significant partner in this investment effort.

NEXT STEPS:

I hope that the examples just cited help you understand my laser like focus on the need to pass the OUS governance proposal during this legislative session. There are other important issues to be addressed going forward within a newly adopted statewide public university system. One issue is whether or not individual universities should have local boards. I expect the Board of Higher Education to take up the issue of local boards, their selection, composition, range of responsibilities, and relationship to the OUS Board after this legislative session.

Another major issue is state funding for the universities. Currently, resident tuition and state funding per resident student are less than the full cost of educating resident students. If, as expected, the state cuts funding by 25% next biennium, the students will still be enrolled. Suppose you had a customer for your product who wanted to buy the same number of items next year as this year but he told you he would give you 25% less. Proposals to stabilize state funding for higher education are about preventing a buyer from unilaterally cutting the bill for the same product or service.

The problem of locking in state funding per resident undergraduate student arises from the fact that one legislature cannot bind future legislatures with respect to spending. President Lariviere has made one proposal to use bonding to make the state commitment permanent. President Wiewel has proposed possible use of property taxes to stabilize funding for universities. A more conventional approach would be to have state funding per student constitutionally mandated. Each approach has merit but details need to be worked out for each and some approaches work well for some of the universities and not for others. Each requires voter approval of a constitutional initiative. Again, the issue of stable state funding should be taken up by the Board after a new statewide university system is approved.



## City Manager's Monthly Highlights January 2011

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Through the City Manager's Monthly Report, I have the opportunity to review City departments' news and the dedicated and creative work accomplished by the City. The City Manager's Monthly Highlights was created to share department accomplishments with a broader audience. The detailed City Manager's Monthly Report is available on the City's Web site at [www.ci.corvallis.or.us](http://www.ci.corvallis.or.us). I welcome your feedback .... *Jon Nelson*

### **Mayor and City Council**

- Mayor Manning and nine City Councilors were sworn into office for the new Council term. The new Council elected Mark O'Brien as Council President and Hal Brauner as Council Vice-President.
- The Commission for Martin Luther King, Jr., hosted a celebration honoring Dr. King's life and legacy.
- The Mayor appointed nine citizens to the recently established Economic Development Commission.
- The Council approved renaming Jackson Avenue Plaza to Helen Berg Plaza in honor of former-Mayor Helen Berg.

### **Library**

- During January, a month with two days closed for holidays, there were 61,315 visitors to the Corvallis Library alone – an average of 2,555 per day that the Library was open. Another 96,639 users accessed Library services from their computers. System-wide, 136,389 items were checked out, and 25,990 held items were picked up.
- System-wide, there were 94 programs during January, with 2,771 attendees of all ages.
- The South Benton Library Project received two more grants of \$10,000 each from Starker Forests and The Oregon Community Foundation.

### **Parks and Recreation**

- Submitted grant application for Shooting Star Trail Restoration to Oregon Parks and Recreation Department's Recreational Trails Program.
- Hosted the Corvallis Aquatic Team "CAT Open" tournament, with more than 1,800 athletes and spectators.
- Hosted the Rumbaugh Invitational Swim Meet, with more than 1,600 athletes and spectators.
- Presented the Herbert Farm and Natural Area Management Plan to the Parks, Natural Areas, and Recreation Board (PNARB). PNARB voted unanimously to recommend Council adopt the Plan. The Plan will be presented to Human Services Committee February 23.
- Youth Volunteer Corp held the "Say Cheese" fund-raising event, selling 200 grilled cheese sandwiches and raising \$650 to support the program and Jackson Street Shelter.
- Winter term classes started in January, with many students returning and registering for the term. Staff registered 173 older adults for exercise classes.

## **Police**

- Officers investigated 2,107 incidents, and the Corvallis Regional Communications Center dispatched 3,109 calls for police, fire, and medical assistance this month.
- Implemented 12-hour shifts for Patrol January 31.
- Crime Analyst Neet attended the Oregon Peace Officers Association's one-day training in Eugene, Oregon, on Outlaw Motorcycle and Street Gang Investigations and Trends.

## **Public Works**

- Construction is underway for the following projects: City Hall Seismic (May completion), City Hall Window Replacement (May completion), and NW Circle Boulevard Pedestrian Crossings (June completion).
- Successfully transitioned Corvallis Transit System (CTS) to a fareless system. A press release generated stories in the *Corvallis Gazette-Times* and on two local television news broadcasts.
- Reduced the concentration of fluoride added to the City's drinking water supply from 1 mg/liter to 0.7mg/liter on advice of the United States Environmental Protection Agency and the Centers for Disease Control.
- As of December 30, 2010, approximately \$117,350 of the \$511,600 Energy Efficiency and Conservation Block Grant (EECBG) allocation has been expended.

## **City Manager's Office**

- Began labor negotiations with American Federation of State, County, and Municipal Employees.
- Updated election timeline for May 2011 election.
- Conducted two orientation sessions for new Council; one with media representatives and the other with boards and commissions chairs.

## **Community Development**

- Local agency funding proposals seeking \$209,820 in Fiscal Year 2011-2012 Community Development Block Grant (CDBG) Human Services Fund support, \$168,000 in CDBG capital and microbusiness program support, and \$620,000 in HOME Investment Partnerships Program (HOME) housing development support were received in January and will be presented to the Housing and Community Development Commission in February.
- Of the 253 plumbing, mechanical, and electrical permits issued in January, 62 (or 25 percent) were issued online. This statistic now includes online plumbing permits, which were added in December 2010 as part of the service enhancement package.
- Continued progress in working with the Airport Commission Airport Industrial Park Subcommittee in updating the Airport Industrial Park Master Plan.

## **Finance**

- Finance Department staff opened three proposals on January 18 to provide Investment Advisory Services in response to a December RFP. Review of the proposals is underway, with an expected notice of intent to award scheduled for March 2011.
- Utility Billing and MIS Division staff completed work to implement Sustainability Initiatives Fund fees on monthly City Services bills.

## **Fire**

- Fire personnel responded to 659 calls this month – 536 were within the City Limits, and 123 were outside the City Limits.
- Jeff Prechel recently received a Fire Marshal certification (Oregon's highest level). This certification includes endorsement as a plans examiner.



\*\*\*\*\*  
**CITY MANAGER'S REPORT**

**FEBRUARY 17, 2011**

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**# 2011-01**

**REPORTING PERIOD: JANUARY 2011**

**I. ORGANIZATIONAL HIGHLIGHTS**

- Mayor Manning and nine City Councilors were sworn into office for the new Council term. The new Council elected Mark O'Brien as Council President and Hal Brauner as Council Vice-President.
- The Commission for Martin Luther King, Jr., hosted a celebration honoring Dr. King's life and legacy.
- The Mayor appointed nine citizens to the recently established Economic Development Commission.
- The Council approved renaming Jackson Avenue Plaza to Helen Berg Plaza in honor of former-Mayor Helen Berg.

**II. MAYOR'S DIARY**

After taking office as Mayor on January 3, I have engaged in the following activities, in addition to presiding at the twice-monthly City Council meetings and meetings with Council leadership:

- Speaking Engagements
  - AAUW chapter/Linn-Benton Community College
  - Willamette University MBA commencement
  - Corvallis Young Professionals
  - Celebrate Corvallis (served as MC)
  - Chinese delegation and opera theater from Hunan Province
- Proclamations (Enhancing Community Livability)
  - Hans Neukomm (also spoke at memorial service)
- Special Meetings
  - Participated in site visit with new business prospect
  - Met with Oregon State University (OSU) and City Council leadership
  - Met with *Corvallis Gazette-Times* leadership (as part of City Council orientation)

- Met with chairs of City advisory boards and commissions (as part of City Council orientation)
- Participated in a council goal-setting session
- Facilitated Senator Ron Wyden's town hall meeting
- Attended the Presidential Unit Citation award ceremony for local National Guard unit
- Participated in conference call with United States Vice President Joe Biden regarding preview of the President's State of the Union address
- Appointments
  - Nine members to newly formed Economic Development Commission
  - One member to Committee for Citizen Involvement

### **III. PUBLIC WORKS**

#### **A. Department Highlights**

##### *Engineering Division*

- Design is in progress for the Wastewater Reclamation Plant Electrical Equipment Replacement, Advanced Transportation Management System, Marys River Interceptor Improvements, Fillmore and Lincoln Sidewalks, Senior Center Ground Coupled Heat Pump, and North Hills First Level Reservoir Improvements.
- Received bids for the City Hall HVAC Replacement project; contract award is underway.
- Construction is underway for the following projects: City Hall Seismic (May completion), City Hall Window Replacement (May completion), and NW Circle Boulevard Pedestrian Crossings (June completion).

##### *Transportation Division*

- Installed several downtown parking enhancements, including new parking spaces in front of Tommy's Fourth Street Bar and Grill and new, designated motorcycle parking on Fifth Street.
- Successfully transitioned Corvallis Transit System (CTS) to a fareless system. A press release generated stories in the *Corvallis Gazette-Times* and on two local television news broadcasts.
- Developed a 2011-2012 Beaver Bus budget presentation for OSU's Student Incidental Fee Committee.

##### *Utilities Division*

- Reduced the concentration of fluoride added to the City's drinking water supply from 1 mg/liter to 0.7mg/liter on advice of the United States Environmental Protection Agency and the Centers for Disease Control.

- Cooperating with OSU Engineering professor and class on a project to optimize the removal of nutrients from the City's wastewater discharge.
- Solicited contractor assistance to develop plans and specifications to remove gravel buildup from the Willamette River intake that supplies the Taylor Water Treatment Plant near Willamette Park.

## **B. Other**

- Traffic Order 11-3 was signed by the City Manager, allowing staff to remove some yellow curbing to remove excess "No Parking" areas along SW Washington Avenue between SW Tenth and SW 11th Streets.
- Energy Efficiency and Conservation Block Grant (EECBG) Update
  - As of December 30, 2010, approximately \$117,350 of the \$511,600 allocation has been expended.
  - Majestic Theatre Lighting Upgrade – Project was completed under budget in June 2010. The City's funding match on this project was covered by Energy Trust of Oregon incentives. Project budget = \$16,000; project cost = \$14,755.
  - Senior Center Geothermal Heating – The project did not receive approval for funding from the Department of Energy until spring 2010. It was assigned to Public Works Engineering Division for completion. Construction was planned to begin in the summer of 2011 but is currently on hold pending Fiscal Year 2011-2012 budget discussions. Project budget = \$120,000; project expenditures through December 30, 2010 = \$348.
  - Energy Efficiency Revolving Loan Program – The Housing Division, with input from the Corvallis Environmental Center (CEC) completed development of the program's loan criteria, forms, and procedures. The CEC also is partnering with the City to promote the loan opportunity to the public. As of December 30, no loans were issued. Project budget = \$250,000; project expenditures through December 30, 2010 = \$16,465.
  - Corvallis Weatherization Incentive Program (CWIP) – The CEC began marketing the program in March 2010 and had the first qualifying application in June 2010. As of December 30, 45 qualifying applications were received, and 31 incentives were disbursed, for a total of \$12,107.11. The estimated annual energy savings from these projects are 5,054 kilowatt hours and 3,090 therms. Project budget = \$79,600; project expenditures through December 30, 2010 = \$35,430.
  - Energy Efficiency Volunteer Coordinator – The Volunteer Coordinator was hired by the CEC in January 2010 to develop a pool of volunteers (Energy Advocates) who would educate residents on energy reduction techniques and available financial incentives/rebates such as CWIP, the Energy Trust, and the Residential Tax Credit, along with loan

opportunities from the City's revolving loan fund. As of December 30, 2010:

82 volunteers trained

2,095 volunteer hours on outreach, training, and events

1,080 households contacted

58 households received assistance from an Energy Advocate

183 energy conservation measures completed

Project budget = \$50,000; project expenditures through December 30, 2010 = \$42,349.

#### **IV. CITY MANAGER'S OFFICE**

##### **A. Department Highlights**

- Conducted two orientation sessions for new Council; one with media representatives, and the other with boards and commissions chairs.
- Employer Partnership for Diversity training on Difficult Conversations.
- Conducted annual employee survey.
- Began labor negotiations with American Federation of State, County, and Municipal Employees.
- Updated election timeline for May 2011 election.

#### **V. COMMUNITY DEVELOPMENT**

##### **A. Department Highlights**

- Housing Division staff received 56 Rental Housing Program-related contacts outlining 86 separate issues, with 21 issues related to habitability and 65 of a non-habitability nature. Sixteen of the habitability issues reported are or may be subject to the Rental Housing Code, and citizens making contact in these cases were advised of the process to follow to pursue resolution.
- Local agency funding proposals seeking \$209,820 in Fiscal Year 2011-2012 Community Development Block Grant (CDBG) Human Services Fund support, \$168,000 in CDBG capital and microbusiness program support, and \$620,000 in HOME Investment Partnerships Program (HOME) housing development support were received in January and will be presented to the Housing and Community Development Commission in February.
- Housing Division staff continued development of federally compliant City funding agreements for Willamette Neighborhood Housing Service's Alexander Court/Seavey Meadows project and for the Corvallis Homeless Shelter Coalition's Partner's Place project.

- Development Services Division staff processed 16 residential and 37 non-residential plan reviews for proposed construction projects and conducted 1,137 construction inspections during January.
- Created 29 new code enforcement cases as a result of citizen complaints received.
- Of the 253 plumbing, mechanical, and electrical permits issued in January, 62 (or 25 percent) were issued on-line. This statistic now includes on-line plumbing permits, which were added in December 2010 as part of the service enhancement package.
- The Planning Commission reviewed the proposed Fiscal Year 2012-2016 Capital Improvement Program (CIP) and forwarded a recommendation to the CIP Commission.
- The Planning Commission also approved a Major Modification to a Conceptual and Detailed Development Plan for Bald Hill Farm and approved a Major Modification to the Good Samaritan Regional Medical Center Master Plan to allow construction of a surgery addition to the hospital.
- The Planning Division issued two administrative land use decision in January.
- Continued progress in working with the Airport Commission Airport Industrial Park Subcommittee in updating the Airport Industrial Park Master Plan.

## **VI. FINANCE**

### **A. Department Highlights**

- Financial Services staff continued work on the Auditor Services request for proposals (RFP) scheduled to be published in mid-February, with anticipated selection to occur in early-April.
- Finance Department staff opened three proposals on January 18 to provide Investment Advisory Services in response to a December RFP. Review of the proposals is underway, with an expected notice of intent to award scheduled for March 2011.
- Utility Billing and MIS Division staff completed work to implement Sustainability Initiatives Fund fees on monthly City Services bills.

## VII. FIRE

### A. Department Highlights

#### *Operational*

| <b>Response Activity - January 2011</b> | <b>City</b> | <b>Non-City</b> | <b>Total</b> |
|-----------------------------------------|-------------|-----------------|--------------|
| Fires                                   | 2           | 1               | 3            |
| Overpressure/Rupture                    | 0           | 0               | 0            |
| Requests for Ambulance                  | 268         | 75              | 343          |
| Rescue (Quick Response Team)            | 155         | 26              | 181          |
| Hazardous Condition                     | 11          | 0               | 11           |
| Service Requests                        | 37          | 4               | 41           |
| Good Intent                             | 34          | 15              | 49           |
| False Calls                             | 29          | 2               | 31           |
| Other                                   | 0           | 0               | 0            |
| <b>TOTAL RESPONSES OVERALL</b>          | <b>536</b>  | <b>123</b>      | <b>659</b>   |

- In a recent management team meeting, Interim State Fire Marshal Jim Walker presented Jeff Prechel with a Fire Marshal certification (Oregon's highest level). The certification includes endorsement as a plans examiner.
- The Department received an Assistance to Firefighters grant to help fund the purchase of electric gurneys in an effort to reduce the number of back injuries sustained while moving patients.

## VIII. LIBRARY

### A. Department Highlights

- During January, a month with two days closed for holidays, there were 61,315 visitors to the Corvallis Library alone – an average of 2,555 per day that the Library was open. Another 96,639 users accessed Library services from their computers. System-wide, 136,389 items were checked out, and 25,990 held items were picked up.
- System-wide, there were 94 programs during January, with 2,771 attendees of all ages.
- From December 15th through January 15th, Adult Services staff answered 2,567 questions in-person, on the telephone, and via e-mail and chat.
- The Circulation Division continues to deal with the fall-out of the December 29 computer system failure. So far, patrons have been very understanding.

- The bookmobile conversion is taking shape. The shelving arrived and the vehicle was delivered to Van Specialties in Lake Oswego to begin the conversion process.
- The Winter edition of our Early Literacy Newsletter has some fabulous tips for parents and friends of young readers. The Newsletter is available at <http://www.thebestlibrary.net/images/pdfs/winter2011earlyliteracynewsletter.pdf>.
- The Cat in the Hat will be visiting the Library February 26 from 4:00 pm until 6:00 pm, thanks to the folks at Oregon Public Broadcasting, who are offering this free program to promote the new Public Broadcasting System series *The Cat in the Hat Knows a Lot About That!*

#### **B. Other**

- The South Benton Library Project received two more grants of \$10,000 each from Starker Forests and The Oregon Community Foundation.

### **IX. PARKS AND RECREATION**

#### **A. Department Highlights**

##### *Administration/Planning*

- Submitted grant application for Shooting Star Trail Restoration to Oregon Parks and Recreation Department's Recreational Trails Program.
- Ongoing budget preparation.
- Processed approximately 240 youth basketball registrations; 78 additional sign-ups were received through on-line registration.

##### *Aquatic Center*

- 771 youth participated in Swimming and Water Safety Lessons.
- More than 1,050 seniors and adults participated in Fitness classes.
- Hosted the Corvallis Aquatic Team "CAT Open" tournament, with more than 1,800 athletes and spectators.
- Hosted the Rumbaugh Invitational Swim Meet, with more than 1,600 athletes and spectators.
- More than 1,000 people participated in 33 pool rentals.
- Preparation and development of Corvallis' first public restroom paper towel recycling/composting program. Gradual roll-out at the Center will begin February 1.

##### *Parks and Natural Areas*

- Presented the Herbert Farm and Natural Area Management Plan to the Parks, Natural Areas, and Recreation Board (PNARB). PNARB voted

unanimously to recommend Council adopt the Plan. The Plan will be presented to Human Services Committee February 23.

- OSU Student Jacob Zumwalt filled the Parks and Recreation GIS intern position. Jacob will assist Park Maintenance with a trails maintenance project and will use GPS equipment to point locate problem areas.
- Held a group maintenance project at Central Park. Shrub structural pruning, groundcover trim, and landscape bed cleanup were accomplished. A similar project is planned for Riverfront Commemorative Park.

#### *Recreation*

- Staff is working on the final edits for the Spring/Summer Activity Guide. The Guide should be available to the public March 19.
- Youth Volunteer Corp held the "Say Cheese" fund-raising event, selling 200 grilled cheese sandwiches and raising \$650 to support the program and Jackson Street Shelter.
- Recreation staff provided program and health promotions materials at the CH2M Hill wellness fair.

#### *Senior Center*

- Winter term classes started in January, with many students returning and registering for the term. Staff registered 173 older adults for exercise classes.
- Staff registered 97 students for Lifelong Learning classes. Beginning and Intermediate Bridge classes are full again, and we currently have 46 students taking foreign language classes.
- The Wellness Program served 184 people in January, including 14 people participating in a spinal health screening, 80 people attending support group meetings, 34 receiving foot care service, and 32 seniors obtaining health care benefits assistance from trained volunteer counselors.
- In mid-January, volunteers began working the appointment telephone line making free tax aide appointments for both Corvallis and Philomath.

## **X. POLICE**

### **A. Department Highlights**

Officers investigated 2,107 incidents this month. Following are the highlights:

- Detectives responded to an anonymous report that a father was furnishing drugs to his two teenage children and had other persons living at the address who were involved in drug use and who were convicted felons. Detectives initially spoke to one of the children, who admitted to marijuana use at the residence. They asked to look inside and noticed the residence was extremely dirty, and there were cat feces on the floor. They also noted

numerous pill bottles and drug paraphernalia lying out in plain view. The father and second child arrived and were interviewed. The father admitted to giving his children marijuana. The second child admitted to using marijuana and ecstasy, both given to her by her father. She also stated she had been given pain pills by her father. The 39-year-old man was charged with Frequenting a Place Where Controlled Substances are used, Endangering the Welfare of a Minor-Drugs, and Child Neglect.

- Officers arrested a man for Criminal Mistreatment after his 90-year-old mother reported to hospital staff that he had not been caring for her. She was admitted for various infections and lack of nutrition. The suspect had been leaving her in the care of transients for days at a time. One of the individuals she was left in the care of is a registered sex offender.
- Street Crimes detectives received information from an informant that he had been purchasing MDMA (Ecstasy) from a Corvallis man. The suspect sold 1.46 grams of MDMA to the informant. The informant met up with the suspect; and, after money was exchanged for drugs, the occupants of the vehicle were detained. It was determined one occupant in the vehicle was from Eugene and had been furnishing the suspect with the drugs. Detectives located and seized cash, MDMA, cell phones, a computer, thumb drives, and a scale. A 20-year-old Corvallis man was charged with Unlawful Possession of MDMA, Unlawful Delivery of MDMA within 1,000 Feet of a School, and Unlawful Delivery of MDMA. A 20-year-old Eugene man was charged with Unlawful Possession of MDMA and Unlawful Delivery of MDMA.
- At 2:30 am a 19-year-old woman reported being sexually assaulted by an unknown male in the College Hill area. The woman was in Corvallis visiting friends and was walking alone at the time of the assault. She was unable to provide any suspect description. This case has been forwarded to detectives for follow up.
- A night shift officer on foot patrol contacted a suspicious man and two women in an alley. Cover officers arrived and learned the man had a felony warrant for his arrest. The man resisted being taken into custody, but several officers were able to restrain him. A loaded firearm was discovered under his sweatshirt. He was taken to the Benton County Corrections Facility and charged with Felon in Possession of a Firearm, Carrying a Concealed Weapon, Resisting Arrest, and Felony Warrant.

#### *9-1-1 Center Calls for Service*

- The Corvallis Regional Communications Center dispatched 3,109 calls for police, fire, and medical assistance this month as follows:

| POLICE                |              | FIRE AND MEDICAL         |            |
|-----------------------|--------------|--------------------------|------------|
| Corvallis Police      | 2,107        | Corvallis Fire/Ambulance | 483        |
| Benton County Sheriff | 385          | Other Fire/Medical       | 27         |
| Philomath Police      | 107          |                          |            |
| <b>TOTAL</b>          | <b>2,599</b> | <b>TOTAL</b>             | <b>510</b> |

**B. Other**

- Recruit Officer Brenner completed shadow phase and rotated to day shift as a solo officer.
- Implemented 12-hour shifts for Patrol January 31.
- Department staff completed their Law Enforcement Data Systems re-certification.
- Officer Hackstedt conducted a presentation at Chi Phi Fraternity.
- Sergeant Goodwin participated in the statewide Law Enforcement Torch Run Kickoff Conference.
- Crime Analyst Neet attended the Oregon Peace Officers Association's one-day training in Eugene, Oregon, on Outlaw Motorcycle and Street Gang Investigations and Trends.
- Records staff participated in four hours of in-service training. Topics included Coplink and Crystal Server and concluded with a discussion of name scan procedures.
- Department staff moved to the first floor of the Law Enforcement Building.
- One Dispatch candidate moved into the background phase of the recruitment process.
- Two officer candidates are in the background phase of the recruitment process.
- Internal Parking Enforcement Officer testing occurred.
- Department staff completed their annual cardiopulmonary resuscitation (CPR) and First Aid training.
- Received 546 items into Evidence during January. An additional 352 items were returned, purged, or permanently transferred.

**XI. MISCELLANEOUS**

- Attached is the City Attorney's Office Report to the City Council for January 2011.

  
 Jon Nelson  
 City Manager



CORVALLIS CITY ATTORNEY  
456 SW Monroe, #101  
Corvallis, OR 97333  
Telephone: (541) 766-6906  
Fax: (541) 752-7532

**CITY ATTORNEY'S OFFICE  
REPORT TO CITY COUNCIL: HIGHLIGHTS**

**January 2011**

**The following are highlights of the City Attorney's Office activities during January 2011**

1. Negotiations for settlement of *City v. Crescent Valley Company, LLC* (McKenna Building Code violation case); preparation of proposed Stipulated Judgment.
2. Assistance to Finance Department in participation in a class-action lawsuit.
3. Preparation for AFSCME employee dismissal arbitration; representation of City at arbitration.
4. Meetings with City staff regarding bond levy and election issues.
5. Meeting with Planning Department regarding McFadden annexation.

**Ongoing/Future Matters:**

1. Representation of the City before the Oregon Court of Appeals in *State ex rel. McElroy v. CMC* (formerly *v. Gardner*)— appeal of mandamus action; in *McElroy v. City* (appeal of declaratory judgment action); before the Benton County Circuit Court in *McElroy v. City & Building Codes Structures Board*, and in *City v. Crescent Valley Company, LLC* (McKenna Building Code violation case); before the Land Use Board of Appeals in *Safe Equities LLC v. City* (The Regent LUBA Appeal); before the Employment Relations Board in *IAFF v. City* (ULP complaints on revisions to the City's Driving and Travel/Training Admin. Policies); and participation on the City's behalf in the CPOA sergeants' acting-in-capacity arbitration.
2. Enforcement actions re: code violations (building, rental housing, sidewalk, land development code).
3. Continued work on public records requests.
4. Continued assistance on internal investigations, employee grievances and other employment matters.
5. Assistance in preparing findings for land use decisions.
6. Continued work on Corvallis Airport Industrial Park/lead contamination issues.

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**COUNCIL REQUESTS**

**FOLLOW-UP REPORT**

**FEBRUARY 17, 2011**

\*\*\*\*\*

1. Storm Sewer Lines In NW 15th Street (Hirsch)

The City received a letter from a concerned resident of the NW 15th Street neighborhood north of NW Greeley Avenue. This area is located within the 100-year floodplain and experiences local flooding when Dixon Creek rises. The resident's letter suggested re-routing drainage from the area to a larger pipe in NW Grant Avenue. Unfortunately, this line also drains to Dixon Creek approximately 350 feet to the south of the current outfall location. Because the system back-up is due primarily to the water level in the Creek, and there is only a few inches of difference in stream elevation between these two points, this option would not provide a significant benefit.

The existing drainage pipe is an ongoing maintenance issue for the City. Crews remove root intrusions in this pipe at least once, and sometimes twice, a year. In order to eliminate the root problem, the City will replace this segment of storm line with its annual storm drain replacement program this summer. Although the neighborhood will still experience effects from high water levels in Dixon Creek, replacing the existing line could help lessen the severity of the problem. The attached graphic illustrates the neighborhood request and proposed City project.

This information was communicated to the property owner, and a copy of that letter is attached.

2. Executive Session Materials (Brauner)

Council recently agreed to retrieve electronic Council and Standing Committee meeting packets on-line, in support of the City's efforts to reduce expenses (paper, delivery, etc.) and increase sustainability.

Councilor Brauner asked how Council members would receive Executive Session materials in advance of Council meetings.

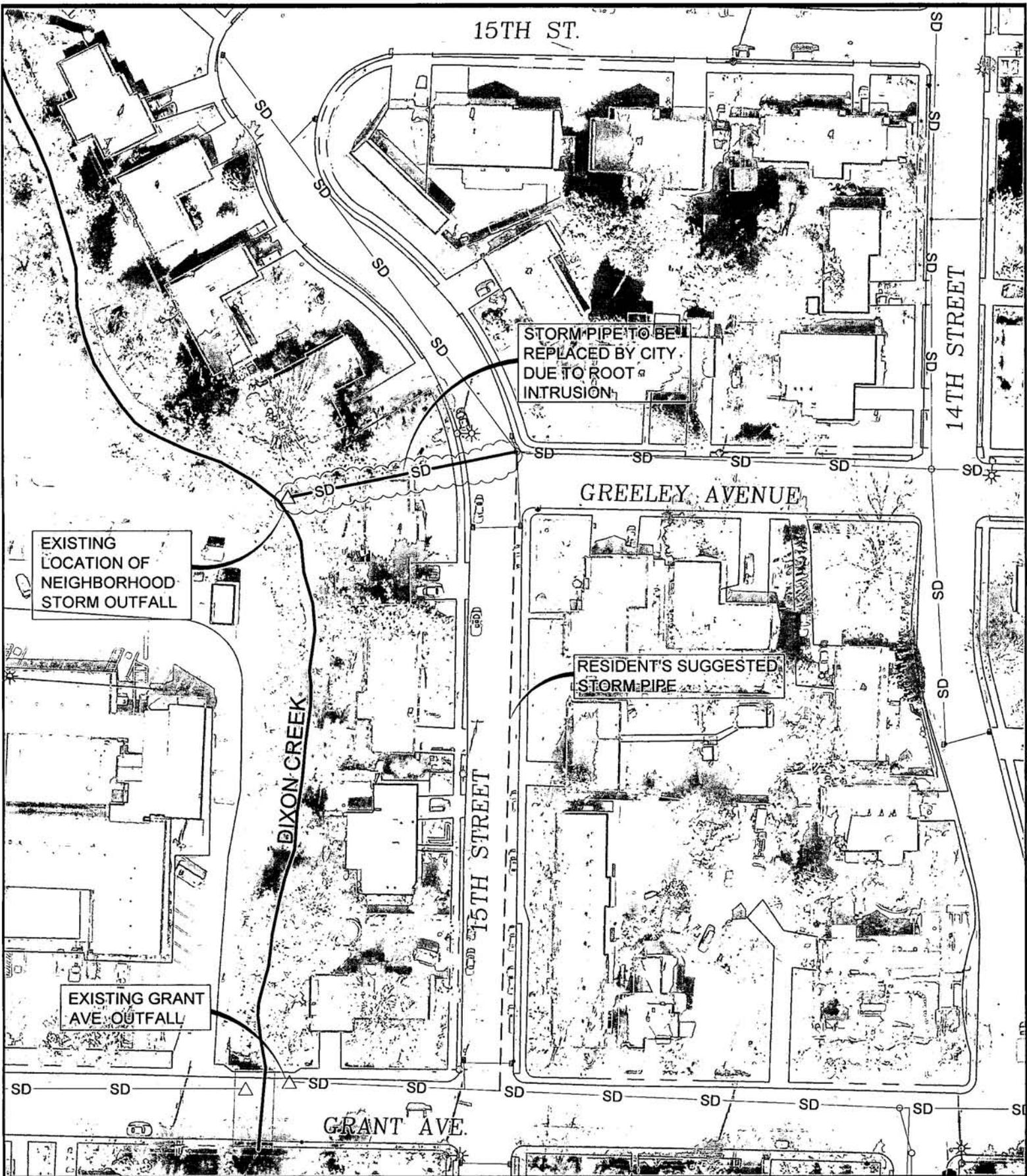
Council Request Follow-up  
February 17, 2011  
Page 2

Executive Session materials are confidential and cannot be sent via subscription links or e-mail. For those not choosing to pick up the packet at City Hall, staff would like to send materials via United States Postal Service on Thursday afternoons when the Council meeting packets are ready. This would ensure sufficient time for Council members to review the materials prior to Monday's meeting.

Staff will bring a copy of the materials at the beginning of the noon Council meetings, if Councilors tell us the mail delivery did not materialize.



Jon Nelson  
City Manager



|          |            |
|----------|------------|
| DESIGNED | G. GESCHER |
| DRAWN    | S. BOND    |
| CHECKED  |            |
| DATE     | 1/31/2011  |
| SCALE:   | NTS        |

**CITY OF CORVALLIS**  
 Public Works Department  
 DIXON CREEK OUTFALL





## Public Works Department

1245 NE 3rd Street  
P.O. Box 1083  
Corvallis, OR 97339-1083  
(541) 766-6916  
FAX: (541) 766-6920  
TTY: (541) 766-6477

E-MAIL: [public.works@ci.corvallis.or.us](mailto:public.works@ci.corvallis.or.us)

February 2, 2011

Wayne Roberts  
1475 NW 15<sup>th</sup> Street  
Corvallis, OR 97330

Dear Mr. Roberts:

I am writing in response to your December 14, 2010 letter in which you outline your concerns with storm water drainage in your neighborhood.

As you probably already know, this area is located within the Dixon Creek flood plain. The water level in Dixon Creek is the primary cause of storm drain backup into your neighborhood. Recent stream modeling of that section of Dixon Creek indicates that the difference in stream elevation between the current outfall and the outfall 350 feet to the south at Grant Avenue is just a few inches, therefore extending a storm drain to the Grant Avenue line would provide little benefit. The cost to extend a line in 15<sup>th</sup> Street from Greeley to Grant Avenues is estimated at \$45,000 to \$50,000.

I did review your letter with City storm water maintenance personnel who have informed me that the existing line between 15<sup>th</sup> Street the outfall at Dixon Creek is an ongoing maintenance issue. City crews remove root intrusions in this pipe at least once, and sometimes twice, a year. Root intrusion is a common contributor to slow flowing drainage lines and may be part of the problem in your neighborhood.

In order to eliminate the root problem, the City will replace this segment of storm line with its annual storm drain replacement program this summer. Although your neighborhood will still experience effects from high water levels in Dixon Creek, replacing this line could help lessen the severity of the problem. We will be in contact with you and your neighborhood as we get closer to construction.

If you have any questions, please contact me at (541) 766-6916.

Sincerely,

Steve Rogers  
Public Works Director

cc: Joel Hirsch, Ward 5 City Councilor, 1442 NW Dixon Street, Corvallis OR 97330  
Concerned neighbors identified in December 14, 2010 letter

\\ci.corvallis.or.us\departments\PW\Divisions\Engineering\Capital Planning&Projects\Misc. Support Work\Stormwater\Roberts Ltr.wpd

**CITY OF CORVALLIS – COUNCIL REQUESTS – TRACKING REPORT  
PENDING REQUESTS**

| <b>Council Request Item</b>         | <b>Requested By</b> | <b>Date of Request</b> | <b>CM Report Due Date</b> | <b>Assigned to</b> | <b>Response in CM Rpt No.</b> | <b>Comments</b> |
|-------------------------------------|---------------------|------------------------|---------------------------|--------------------|-------------------------------|-----------------|
| Storm Sewer Lines in NW 15th Street | Hirsch              | 12-22-10               | 02-15-11                  | Rogers             | CCR 02-17-11                  |                 |
| Council Executive Session Materials | Brauner             | 02-07-11               | 02-15-11                  | Nelson             | CCR 02-17-11                  |                 |

MCC - FYI, K

**Louie, Kathy**

---

**From:** Brewer, Nancy  
**Sent:** Tuesday, February 15, 2011 12:01 PM  
**To:** Department Directors  
**Subject:** Notice for the forum

The City Council has passed a resolution setting the ballot title for a local option property tax levy. Once that title is certified, which is expected to occur around March 7, 2011, the City will be in the campaign period. When this occurs, state law prohibits public employees from making any statements that could be deemed as advocacy for or against the levy while the public employee is "on duty." Based on prior ethics violations, this would include maintaining City records associated with the levy on the City's web site. Staff is currently working on plans to remove certain information from the web site to meet elections law requirements.

In addition to staff's actions, on March 16, 2011, at noon in the main meeting room at the Corvallis-Benton County Public Library, the City Attorney will host a session for advisory board and commission members on the State's rules for election periods. He will cover what board and commission members, who for the purpose of a campaign are considered to be "public employees," may do or say about the levy. He will also discuss the reasons the City removed information from the web site.

You are invited to attend this forum so that you can be informed about when and how these restrictions on campaigning apply to you.

Thank You.

Nancy Brewer  
Finance Director  
500 SW Madison  
PO Box 1083  
Corvallis, OR 97333

**ADMINISTRATIVE SERVICES COMMITTEE  
SCHEDULED ITEMS**

**February 17, 2011**

| MEETING DATE                      | AGENDA ITEM                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| February 23                       | <ul style="list-style-type: none"> <li>• Economic Development Allocations Second Quarter Report</li> </ul>                                                                                                                                                                                                                                                                                                                              |
| March 2<br><i>special meeting</i> | <ul style="list-style-type: none"> <li>• Operating Levy Explanatory Statement</li> </ul>                                                                                                                                                                                                                                                                                                                                                |
| March 9                           | <ul style="list-style-type: none"> <li>• Second Quarter Operating Report</li> <li>• Financial Policies Review</li> </ul>                                                                                                                                                                                                                                                                                                                |
| March 23                          |                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| April 6                           | <ul style="list-style-type: none"> <li>• da Vinci Days Loan Agreement Status Annual Report</li> </ul>                                                                                                                                                                                                                                                                                                                                   |
| April 20                          |                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| May 4                             | <ul style="list-style-type: none"> <li>• Council Policy Review:               <ul style="list-style-type: none"> <li>• CP 95-4.10, "Public Library Gifts and Donations Policy"</li> </ul> </li> </ul>                                                                                                                                                                                                                                   |
| May 18                            | <ul style="list-style-type: none"> <li>• Economic Development Allocations Third Quarter Report</li> </ul>                                                                                                                                                                                                                                                                                                                               |
| June 8                            | <ul style="list-style-type: none"> <li>• Third Quarter Operating Report</li> <li>• Allied Waste Services Annual Report</li> </ul>                                                                                                                                                                                                                                                                                                       |
| June 22                           |                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| July 6                            |                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| July 20                           | <ul style="list-style-type: none"> <li>• Land Use Application Fees Review</li> </ul>                                                                                                                                                                                                                                                                                                                                                    |
| August 3                          |                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| August 17                         |                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| September 7                       |                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| September 21                      |                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| October 5                         | <ul style="list-style-type: none"> <li>• Fourth Quarter Operating Report</li> <li>• Council Policy Reviews:               <ul style="list-style-type: none"> <li>• CP 04-1.09, "Public Access Television"</li> <li>• CP 93-1.06, "Guidelines for Use of the City Logo"</li> <li>• CP 94-2.09, "Council Orientation"</li> <li>• CP 91-3.02, "City Compensation Policy"</li> <li>• CP 91-3.04, "Separation Policy"</li> </ul> </li> </ul> |
| October 19                        | <ul style="list-style-type: none"> <li>• Council Policy Review:               <ul style="list-style-type: none"> <li>• CP 08-1.11, "Identity Theft Prevention and Red Flag Alerts"</li> </ul> </li> </ul>                                                                                                                                                                                                                               |

| MEETING DATE | AGENDA ITEM                                                                                                                                                                                                                                                                                          |
|--------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| November 9   | <ul style="list-style-type: none"> <li>• Council Policy Reviews:               <ul style="list-style-type: none"> <li>• CP 91-2.03, "Expense Reimbursement"</li> <li>• CP 98-2.10, "Use of E-Mail by Mayor and City Council"</li> </ul> </li> <li>• Comprehensive Annual Financial Report</li> </ul> |
| November 23  | <ul style="list-style-type: none"> <li>• Utility Rate Annual Review</li> </ul>                                                                                                                                                                                                                       |
| December 7   | <ul style="list-style-type: none"> <li>• Council Policy Review:               <ul style="list-style-type: none"> <li>• CP 91-2.02, "Council Process"</li> <li>• CP 97-10.01 - 10.08, "Financial Policies"</li> </ul> </li> <li>• First Quarter Operating Report</li> </ul>                           |
| December 21  |                                                                                                                                                                                                                                                                                                      |

**ASC PENDING ITEMS**

- Utility Rate Structure Review
- Voluntary Donations on Electronic Utility Payments

Public Works  
Finance

**Regular Meeting Date and Location:**

Wednesday following Council, 4:00 pm – Madison Avenue Meeting Room

## HUMAN SERVICES COMMITTEE SCHEDULED ITEMS

February 17, 2011

| MEETING DATE | AGENDA ITEM                                                                                                                                                                                                                                                                                                       |
|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| February 23  | <ul style="list-style-type: none"> <li>• Social Services Semi-Annual Report</li> <li>• Council Policy Review: CP 94-4.07, "City-Owned Art Objects on Private Property"</li> <li>• Herbert Farms Natural Area Management Plan</li> </ul>                                                                           |
| March 8      |                                                                                                                                                                                                                                                                                                                   |
| March 22     | <ul style="list-style-type: none"> <li>• Corvallis Arts Center Annual Report</li> <li>• Public Art Selection Commission Annual Report</li> </ul>                                                                                                                                                                  |
| April 5      | <ul style="list-style-type: none"> <li>• Willamette Neighborhood Housing Services Second Quarter Report</li> </ul>                                                                                                                                                                                                |
| April 19     | <ul style="list-style-type: none"> <li>• Boys and Girls Club of Corvallis Annual Report</li> </ul>                                                                                                                                                                                                                |
| May 3        | <ul style="list-style-type: none"> <li>• Liquor License Annual Renewals</li> <li>• Majestic Theatre Annual Report</li> <li>• Council Policy Review:               <ul style="list-style-type: none"> <li>• CP 99-4.13, "Internet Access Policy for Corvallis-Benton County Public Library"</li> </ul> </li> </ul> |
| May 17       | <ul style="list-style-type: none"> <li>• Fall Festival Annual Report</li> </ul>                                                                                                                                                                                                                                   |
| June 7       | <ul style="list-style-type: none"> <li>• Boards and Commissions Sunset Reviews:               <ul style="list-style-type: none"> <li>• Community Police Review Board</li> <li>• Parks, Natural Areas, and Recreation Board</li> </ul> </li> </ul>                                                                 |
| June 21      |                                                                                                                                                                                                                                                                                                                   |
| July 6       | <ul style="list-style-type: none"> <li>• Corvallis Farmers Market Annual Report</li> <li>• Parks and Recreation Annual Fee Review</li> </ul>                                                                                                                                                                      |
| July 19      | <ul style="list-style-type: none"> <li>• Willamette Neighborhood Housing Services Third Quarter Report</li> </ul>                                                                                                                                                                                                 |
| August 2     |                                                                                                                                                                                                                                                                                                                   |
| August 16    | <ul style="list-style-type: none"> <li>• Social Services Semi-Annual Report</li> </ul>                                                                                                                                                                                                                            |
| September 7  |                                                                                                                                                                                                                                                                                                                   |
| September 20 | <ul style="list-style-type: none"> <li>• Rental Housing Program Annual Report</li> <li>• Willamette Neighborhood Housing Services Fourth Quarter Report</li> <li>• Communication Plan Annual Report</li> </ul>                                                                                                    |
| October 4    | <ul style="list-style-type: none"> <li>• Council Policy Review:               <ul style="list-style-type: none"> <li>• CP 93-4.11, "Public Library Policy for Selecting and Discarding Materials"</li> <li>• CP 99-4.14, "Use of City Hall Plaza and Kiosk"</li> </ul> </li> </ul>                                |

| MEETING DATE | AGENDA ITEM                                                                                                                                                                                                                                  |
|--------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| October 18   |                                                                                                                                                                                                                                              |
| November 8   | <ul style="list-style-type: none"> <li>• Council Policy Review:               <ul style="list-style-type: none"> <li>• CP 91-4.01, "Guidelines for Selling in Parks"</li> </ul> </li> </ul>                                                  |
| November 22  |                                                                                                                                                                                                                                              |
| December 6   | <ul style="list-style-type: none"> <li>• Council Policy Review:               <ul style="list-style-type: none"> <li>• CP 91-1.03, "Naming of Public Facilities and Land"</li> <li>• CP 92-5.04, "Hate/Bias Violence"</li> </ul> </li> </ul> |
| December 20  |                                                                                                                                                                                                                                              |

**HSC PENDING ITEMS**

- Council Policy Review: CP 00-6.05, "Social Service Funding Policy" Community Development
- Indoor Furniture Placed Outdoors Community Development
- Municipal Code Review: Chapter 5.01, "City Park Regulations" (Alcoholic Beverages in Parks) Parks & Recreation
- Social Services Allocations – Fiscal Year 2011-2012 Community Development

**Regular Meeting Date and Location:**

Tuesday following Council, 12:00 pm – Madison Avenue Meeting Room

**URBAN SERVICES COMMITTEE  
SCHEDULED ITEMS**

**February 17, 2011**

| MEETING DATE | AGENDA ITEM                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|--------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| February 24  | <ul style="list-style-type: none"> <li>• Total Maximum Daily Load Update</li> <li>• Street Trees and Sidewalk Liability</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| March 10     | <ul style="list-style-type: none"> <li>• Systems Development Charge Annual Review</li> <li>• Three Waters Update</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| March 24     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| April 7      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| April 21     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| May 5        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| May 19       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| June 9       | <ul style="list-style-type: none"> <li>• Boards and Commissions Sunset Reviews               <ul style="list-style-type: none"> <li>• Bicycle and Pedestrian Advisory Commission</li> <li>• Citizens Advisory Commission on Transit</li> </ul> </li> </ul>                                                                                                                                                                                                                                                                                                           |
| June 23      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| July 7       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| July 21      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| August 4     | <ul style="list-style-type: none"> <li>• Council Policy Review:               <ul style="list-style-type: none"> <li>• CP 99-7.14, "Prepayment for Public Street Improvements"</li> </ul> </li> </ul>                                                                                                                                                                                                                                                                                                                                                                |
| August 18    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| September 8  | <ul style="list-style-type: none"> <li>• Council Policy Review:               <ul style="list-style-type: none"> <li>• CP 02-7.15, "Fee-in-Lieu Parking Program"</li> </ul> </li> </ul>                                                                                                                                                                                                                                                                                                                                                                              |
| September 22 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| October 6    | <ul style="list-style-type: none"> <li>• Council Policy Review:               <ul style="list-style-type: none"> <li>• CP 91-7.01, "Assessments - Sanitary Sewer and Water System Improvements"</li> <li>• CP 91-7.02, "Assessments - Storm System"</li> <li>• CP 91-7.03, "Assessments - Street Improvements"</li> <li>• CP 91-7.11, "Water Main Extensions and Fire Protection"</li> <li>• CP 91-8.01, "Watershed Easement Considerations"</li> <li>• CP 91-9.04, "Street Lighting Policy"</li> <li>• CP 08-9.07, "Traffic Calming Program"</li> </ul> </li> </ul> |
| October 20   | <ul style="list-style-type: none"> <li>• Council Policy Review: CP 04-1.08, "Organizational Sustainability"</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| November 10  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

| MEETING DATE | AGENDA ITEM                                                                                                                                                                                                                                                               |
|--------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| November 24  | No meeting                                                                                                                                                                                                                                                                |
| December 8   | <ul style="list-style-type: none"> <li>• Council Policy Review: <ul style="list-style-type: none"> <li>• CP 91-7.09, "Traffic Control Devices, Cost of"</li> <li>• CP 91-7.10, "Water Line Replacement Policy"</li> <li>• CP 91-9.01, "Crosswalks"</li> </ul> </li> </ul> |
| December 22  |                                                                                                                                                                                                                                                                           |

**USC PENDING ITEMS**

- Council Policy Review: CP 91-7.04, "Building Permits" Community Development
- Council Policy Review: CP 91-9.03, "Residential Parking Permit District Fees" Public Works
- Fire Protection Services in Health Hazard Residential Areas Fire
- Reducing Potential for Fire Spread Involving Natural Resources Fire
- Renewable Energy Sources City Manager's Office
- Traffic Calming Program Public Works

**Regular Meeting Date and Location:**

Thursday following Council, 5:00 pm – Madison Avenue Meeting Room

## UPCOMING MEETINGS OF INTEREST



### City of Corvallis

**FEBRUARY - JUNE 2011**  
(Updated February 17, 2011)

#### FEBRUARY 2011

| Date | Time     | Group                             | Location                                       | Subject/Note |
|------|----------|-----------------------------------|------------------------------------------------|--------------|
| 17   | 6:30 pm  | Parks, Natural Areas, and Rec Brd | Downtown Fire Station                          |              |
| 19   |          | No Government Comment Corner      |                                                |              |
| 21   |          | City Holiday - all offices closed |                                                |              |
| 22   | 12:00 pm | <b>City Council</b>               | <b>Downtown Fire Station</b>                   |              |
| 22   | 12:00 pm | Cmsn for Martin Luther King, Jr.  | Madison Avenue Mtg Rm<br>Merryfield Meeting Rm |              |
| 22   | 3:00 pm  | <i>Economic Development Cmsn</i>  | Downtown Fire Station                          |              |
| 22   | 5:30 pm  | <b>City Council</b>               | <b>Madison Ave Mtg Rm</b>                      | goal setting |
| 23   | 7:30 am  | <i>City Legislative Committee</i> | Cornell Meeting Room                           |              |
| 23   | 12:00 pm | Human Services Committee          | Madison Avenue Mtg Rm                          |              |
| 23   | 4:00 pm  | Administrative Services Committee | Madison Avenue Mtg Rm                          |              |
| 24   | 5:00 pm  | Urban Services Committee          | Madison Avenue Mtg Rm                          |              |
| 24   | 5:30 pm  | Arts and Culture Commission       | Parks and Rec Conf Rm                          |              |
| 26   | 10:00 am | Government Comment Corner         | Library Lobby - Mike<br>Beilstein              |              |
| 28   | 4:30 pm  | Airport Industrial Park Plng Cmte | Downtown Fire Station                          |              |

#### MARCH 2011

| Date | Time     | Group                                                                | Location                          | Subject/Note |
|------|----------|----------------------------------------------------------------------|-----------------------------------|--------------|
| 1    | 7:00 am  | Airport Commission                                                   | Madison Avenue Mtg Rm             |              |
| 1    | 5:30 pm  | Downtown Parking Committee                                           | Madison Avenue Mtg Rm             |              |
| 2    | 4:00 pm  | Special Administrative Svcs Cmte                                     | Madison Avenue Mtg Rm             |              |
| 2    | 7:00 pm  | Planning Commission                                                  | Downtown Fire Station             |              |
| 2    | 7:30 pm  | <i>Library Board</i>                                                 | <i>Library Board Room</i>         |              |
| 3    | 7:00 pm  | Committee for Citizen Involvement                                    | Madison Avenue Mtg Rm             |              |
| 4    | 7:00 am  | Bicycle and Pedestrian Adv Cmsn                                      | Madison Avenue Mtg Rm             |              |
| 5    | 10:00 am | Government Comment Corner                                            | Library Lobby - Jeanne<br>Raymond |              |
| 7    | 12:00 pm | <b>City Council</b>                                                  | <b>Downtown Fire Station</b>      |              |
| 7    | 7:00 pm  | <b>City Council</b>                                                  | <b>Downtown Fire Station</b>      |              |
| 8    | 12:00 pm | Human Services Committee                                             | Madison Avenue Mtg Rm             |              |
| 8    | 7:00 pm  | Historic Resources Commission                                        | Downtown Fire Station             |              |
| 9    | 7:30 am  | <i>City Legislative Committee</i>                                    | <i>Cornell Meeting Room</i>       |              |
| 9    | 8:20 am  | Citizens Advisory Cmsn on Transit                                    | Madison Avenue Mtg Rm             |              |
| 9    | 12:00 pm | Housing and Community Dev Cmsn                                       | Madison Avenue Mtg Rm             |              |
| 9    | 4:00 pm  | Administrative Services Committee                                    | Madison Avenue Mtg Rm             |              |
| 9    | 5:30 pm  | Downtown Commission                                                  | Downtown Fire Station             |              |
| 10   | 8:00 am  | Citizens Advisory Cmsn on Civic<br>Beautification and Urban Forestry | Parks and Rec Conf Rm             |              |
| 10   | 5:00 pm  | Urban Services Committee                                             | Madison Avenue Mtg Rm             |              |
| 12   | 10:00 am | Government Comment Corner                                            | Library Lobby - Hal<br>Brauner    |              |
| 14   | 3:00 pm  | <i>Economic Development Cmsn</i>                                     | <i>Madison Ave Mtg Rm</i>         |              |
| 14   | 7:00 pm  | <b>Mayor/City Council/City Manager<br/>Quarterly Work Session</b>    | <b>Madison Ave Mtg Rm</b>         |              |

| Date | Time     | Group                             | Location                                       | Subject/Note |
|------|----------|-----------------------------------|------------------------------------------------|--------------|
| 16   | 12:00 pm | Housing and Community Dev Cmsn    | Madison Avenue Mtg Rm                          |              |
| 16   | 5:30 pm  | Watershed Mgmt Adv Cmsn           | Madison Avenue Mtg Rm                          |              |
| 16   | 7:00 pm  | Planning Commission               | Downtown Fire Station                          |              |
| 17   | 6:30 pm  | Parks, Natural Areas, and Rec Brd | Madison Avenue Mtg Rm                          |              |
| 19   | 10:00 am | Government Comment Corner         | Library Lobby - Mark O'Brien                   |              |
| 21   | 12:00 pm | <b>City Council</b>               | <b>Downtown Fire Station</b>                   |              |
| 21   | 7:00 pm  | <b>City Council</b>               | <b>Downtown Fire Station</b>                   |              |
| 22   | 12:00 pm | Human Services Committee          | Madison Avenue Mtg Rm                          |              |
| 22   | 12:00 pm | Cmsn for Martin Luther King, Jr.  | Madison Avenue Mtg Rm<br>Merryfield Meeting Rm |              |
| 23   | 7:30 am  | City Legislative Committee        | Cornell Meeting Room                           |              |
| 23   | 4:00 pm  | Administrative Services Committee | Madison Avenue Mtg Rm                          |              |
| 24   | 5:00 pm  | Urban Services Committee          | Madison Avenue Mtg Rm                          |              |
| 24   | 5:30 pm  | Arts and Culture Commission       | Parks and Rec Conf Rm                          |              |
| 26   | 10:00 am | Government Comment Corner         | Library Lobby - Linda Modrell                  |              |
| 28   | 3:00 pm  | Economic Development Cmsn         | Madison Ave Mtg Rm                             |              |
| 28   | 4:30 pm  | Airport Industrial Park Plng Cmte | Downtown Fire Station                          |              |
| 29   | 7:00 pm  | Budget Commission                 | Downtown Fire Station                          |              |

### APRIL 2011

| 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          |                |
| 4    | 12:00 pm | <b>City Council</b>                                               | <b>Downtown Fire Station</b> |                |
| 4    | 7:00 pm  | <b>City Council</b>                                               | <b>Downtown Fire Station</b> |                |
| 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        |                |
| 6    | 7:30 am  | City Legislative Committee                                        | Cornell Meeting Room         |                |
| 6    | 4:00 pm  | Administrative Services Committee                                 | Madison Avenue Mtg Rm        |                |
| 6    | 7:00 pm  | Planning Commission                                               | Downtown Fire Station        |                |
| 6    | 7:30 pm  | Library Board                                                     | Library Board Room           |                |
| 7    | 5:00 pm  | Urban Services Committee                                          | Madison Avenue Mtg Rm        |                |
| 7    | 7:00 pm  | Committee for Citizen Involvement                                 | Madison Avenue Mtg Rm        |                |
| 9    | 10:00 am | Government Comment Corner                                         | Library Lobby - TBD          |                |
| 11   | 3:00 pm  | Economic Development Cmsn                                         | Madison Ave Mtg Rm           |                |
| 12   | 7:00 pm  | Ward 1 Meeting (O'Brien)                                          | Ashbrook School Library      | City sponsored |
| 12   | 7:00 pm  | Historic Resources Commission                                     | Downtown Fire Station        |                |
| 13   | 8:20 am  | Citizens Advisory Cmsn on Transit                                 | Madison Avenue Mtg Rm        |                |
| 13   | 5:30 pm  | Downtown Commission                                               | Madison Avenue Mtg Rm        |                |
| 14   | 8:00 am  | Citizens Advisory Cmsn on Civic Beautification and Urban Forestry | Parks and Rec Conf Rm        |                |
| 16   | 10:00 am | Government Comment Corner                                         | Library Lobby - Biff Traber  |                |
| 18   | 12:00 pm | <b>City Council</b>                                               | <b>Downtown Fire Station</b> |                |
| 18   | 7:00 pm  | <b>City Council</b>                                               | <b>Downtown Fire Station</b> |                |
| 19   | 12:00 pm | Human Services Committee                                          | Madison Avenue Mtg Rm        |                |
| 20   | 12:00 pm | Housing and Community Dev Cmsn                                    | Madison Avenue Mtg Rm        |                |
| 20   | 4:00 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   | 5:00 pm  | Urban Services Committee                                          | Madison Avenue Mtg Rm        |                |
| 21   | 6:30 pm  | Parks, Natural Areas, and Rec Brd                                 | Downtown Fire Station        |                |

| Date | Time     | Group                             | Location                       | Subject/Note |
|------|----------|-----------------------------------|--------------------------------|--------------|
| 23   | 10:00 am | Government Comment Corner         | Library Lobby - Mike Beilstein |              |
| 25   | 4:30 pm  | Airport Industrial Park Plng Cmte | Downtown Fire Station          |              |
| 26   | 12:00 pm | Cmsn for Martin Luther King, Jr.  | Madison Avenue Mtg Rm          |              |
| 27   | 7:30 am  | <i>City Legislative Committee</i> | <i>Cornell Meeting Room</i>    |              |
| 28   | 5:30 pm  | Arts and Culture Commission       | Parks and Rec Conf Rm          |              |
| 30   | 10:00 am | Government Comment Corner         | Library Lobby - Richard Hervey |              |

### MAY 2011

| Date | Time     | Group                                                             | Location                       | Subject/Note   |
|------|----------|-------------------------------------------------------------------|--------------------------------|----------------|
| 2    | 12:00 pm | <b>City Council</b>                                               | <b>Downtown Fire Station</b>   |                |
| 2    | 7:00 pm  | <b>City Council</b>                                               | <b>Downtown Fire Station</b>   |                |
| 3    | 12:00 pm | Human Services Committee                                          | Madison Avenue Mtg Rm          |                |
| 3    | 7:00 pm  | Budget Commission                                                 | Downtown Fire Station          |                |
| 4    | 7:30 am  | <i>City Legislative Committee</i>                                 | <i>Cornell Meeting Room</i>    |                |
| 4    | 4:00 pm  | Administrative Services Committee                                 | Madison Avenue Mtg Rm          |                |
| 4    | 7:00 pm  | Planning Commission                                               | Downtown Fire Station          |                |
| 4    | 7:30 pm  | <i>Library Board</i>                                              | <i>Library Board Room</i>      |                |
| 5    | 5:00 pm  | Urban Services Committee                                          | Madison Avenue Mtg Rm          |                |
| 5    | 7:00 pm  | Committee for Citizen Involvement                                 | Madison Avenue Mtg Rm          |                |
| 7    | 10:00 am | Government Comment Corner                                         | Library Lobby - Jeanne Raymond |                |
| 9    | 3:00 pm  | <i>Economic Development Cmsn</i>                                  | <i>Madison Ave Mtg Rm</i>      |                |
| 9    | 7:00 pm  | Budget Commission                                                 | Downtown Fire Station          |                |
| 10   | 7:00 pm  | Historic Resources Commission                                     | Madison Avenue Mtg Rm          |                |
| 11   | 5:30 pm  | Downtown Commission                                               | Madison Avenue Mtg Rm          |                |
| 12   | 8:00 am  | Citizens Advisory Cmsn on Civic Beautification and Urban Forestry | Parks and Rec Conf Rm          |                |
| 14   | 10:00 am | Government Comment Corner                                         | Library Lobby - Linda Modrell  |                |
| 16   | 12:00 pm | <b>City Council</b>                                               | <b>Downtown Fire Station</b>   |                |
| 16   | 7:00 pm  | <b>City Council</b>                                               | <b>Downtown Fire Station</b>   |                |
| 17   | 12:00 pm | Human Services Committee                                          | Madison Avenue Mtg Rm          |                |
| 17   | 7:00 pm  | Ward 6 Meeting (Hirsch)                                           | Osborn Aquatic Center          | City sponsored |
| 18   | 7:30 am  | <i>City Legislative Committee</i>                                 | <i>Cornell Meeting Room</i>    |                |
| 18   | 4:00 pm  | Administrative Services Committee                                 | Madison Avenue Mtg Rm          |                |
| 18   | 7:00 pm  | Planning Commission                                               | Downtown Fire Station          |                |
| 19   | 5:00 pm  | Urban Services Committee                                          | Madison Avenue Mtg Rm          |                |
| 19   | 6:30 pm  | Parks, Natural Areas, and Rec Brd                                 | Parks and Rec Conf Rm          |                |
| 21   | 10:00 am | Government Comment Corner                                         | Library Lobby - Biff Traber    |                |
| 23   | 4:30 pm  | Airport Industrial Park Plng Cmte                                 | Downtown Fire Station          |                |
| 24   | 12:00 pm | Cmsn for Martin Luther King, Jr.                                  | Madison Avenue Mtg Rm          |                |
| 26   | 5:30 pm  | Arts and Culture Commission                                       | Parks and Rec Conf Rm          |                |
| 28   |          | No Government Comment Corner                                      |                                |                |
| 30   |          | City Holiday - all offices closed                                 |                                |                |

### JUNE 2011

| Date | Time    | Group                             | Location                  | Subject/Note |
|------|---------|-----------------------------------|---------------------------|--------------|
| 1    | 7:00 pm | Planning Commission               | Downtown Fire Station     |              |
| 1    | 7:30 pm | <i>Library Board</i>              | <i>Library Board Room</i> |              |
| 2    | 7:00 pm | Committee for Citizen Involvement | Madison Avenue Mtg Rm     |              |

| <b>Date</b> | <b>Time</b>     | <b>Group</b>                                                         | <b>Location</b>                   | <b>Subject/Note</b> |
|-------------|-----------------|----------------------------------------------------------------------|-----------------------------------|---------------------|
| 4           | 10:00 am        | Government Comment Corner                                            | Library Lobby - TBD               |                     |
| <b>6</b>    | <b>12:00 pm</b> | <b>City Council</b>                                                  | <b>Downtown Fire Station</b>      |                     |
| <b>6</b>    | <b>7:00 pm</b>  | <b>City Council</b>                                                  | <b>Downtown Fire Station</b>      |                     |
| 7           | 12:00 pm        | Human Services Committee                                             | Madison Avenue Mtg Rm             |                     |
| 8           | 7:30 am         | <i>City Legislative Committee</i>                                    | <i>Cornell Meeting Room</i>       |                     |
| 8           | 4:00 pm         | Administrative Services Committee                                    | Madison Avenue Mtg Rm             |                     |
| 8           | 5:30 pm         | Downtown Commission                                                  | Downtown Fire Station             |                     |
| 9           | 8:00 am         | Citizens Advisory Cmsn on Civic<br>Beautification and Urban Forestry | Parks and Rec Conf Rm             |                     |
| 9           | 5:00 pm         | Urban Services Committee                                             | Madison Avenue Mtg Rm             |                     |
| 11          | 10:00 am        | Government Comment Corner                                            | Library Lobby - TBD               |                     |
| 13          | 3:00 pm         | <i>Economic Development Cmsn</i>                                     | <i>Downtown Fire Station</i>      |                     |
| 14          | 7:00 pm         | Historic Resources Commission                                        | Downtown Fire Station             |                     |
| 15          | 12:00 pm        | Housing and Community Dev Cmsn                                       | Madison Avenue Mtg Rm             |                     |
| 15          | 7:00 pm         | Planning Commission                                                  | Downtown Fire Station             |                     |
| 16          | 6:30 pm         | Parks, Natural Areas, and Rec Brd                                    | Parks and Rec Conf Rm             |                     |
| 18          | 10:00 am        | Government Comment Corner                                            | Library Lobby - Mike<br>Beilstein |                     |
| <b>20</b>   | <b>12:00 pm</b> | <b>City Council</b>                                                  | <b>Downtown Fire Station</b>      |                     |
| <b>20</b>   | <b>7:00 pm</b>  | <b>City Council</b>                                                  | <b>Downtown Fire Station</b>      |                     |
| 21          | 12:00 pm        | Human Services Committee                                             | Madison Avenue Mtg Rm             |                     |
| 22          | 7:30 am         | <i>City Legislative Committee</i>                                    | <i>Cornell Meeting Room</i>       |                     |
| 22          | 4:00 pm         | Administrative Services Committee                                    | Madison Avenue Mtg Rm             |                     |
| 23          | 5:00 pm         | Urban Services Committee                                             | Madison Avenue Mtg Rm             |                     |
| 23          | 5:30 pm         | Arts and Culture Commission                                          | Parks and Rec Conf Rm             |                     |
| 25          | 10:00 am        | Government Comment Corner                                            | Library Lobby - TBD               |                     |
| 27          | 4:30 pm         | Airport Industrial Park Plng Cmte                                    | Downtown Fire Station             |                     |
| 28          | 12:00 pm        | Cmsn for Martin Luther King, Jr.                                     | Madison Avenue Mtg Rm             |                     |

**Bold** type – involves the Council      ~~Strikeout~~ type – meeting canceled      *Italics* type – new meeting

TBD To be Determined

## **Minutes of January 20, 2011**

### **Access Benton County**

**Present: Pat Shermer, Tony Albert, Ronald Naasko, Judy Heath, Mike Mullett, Todd Allen, Dana Marie, Edith Yang, Hugh White, Marlene Massey, Jim Smith. Special Guest, Benton County Undersheriff Scott Jackson.**

**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.**

#### **A. Special Guest presentation:**

**Mr. Jackson gave ABC a terrific overview of Benton County Sheriff's Department (BCSD) responsibilities and many specifics of this agency's contributions to our welfare each day of the year. Some of the things we learned are:**

- Benton County has the smallest jail per capita of any county in Oregon. Our jail has 40 beds and another 40 beds are "rented" from other facilities! 1500 inmates were released last year due to crowding.**
- The Department provides Court House security and almost 4,000 restricted items (potential weapons) were denied access to the building last year.**
- The Department wants to educate the public about its duties and budget needs. The Citizen Academy is one way BCSD can do this. 20 persons did the Academy in 2009 and 29 participated in 2010!**
- BCSD is required by the State to serve eviction notices and subpoenas. and issues concealed handgun permits (275 new permits and 299 renewed in 2010!**
- The K-9 unit (police dogs) is a valuable resource for our safety. BCSD has a dog that is dual certified for narcotic detection and patrol. Cost of a certified dog ranges from 15 to 20 thousand dollars to purchase.**
- BCSD provides marine patrol with 80 percent of funding coming from the Oregon Marine Board.**
- One hundred volunteers are involved in Emergency Management/Search Rescue. This provides services that the county budget could not cover!**
- Our Parole and Probation department has a lower recidivism rate (4% lower) than the State average! This division also manages the work crews that began in 1984. Last year there were 1,442 shifts of participants that had a value of saving the County \$216,300 for this work!**
- Other programs that are managed by BCSD include Transitional Housing for offenders, Drug-take back (disposal of old medications), Mental Health Transitional Program.**

- What improvements are priorities for BCSD in the future? They are:**
- Improved Radio Communications**
  - Sheriff's Foundation contributions**
  - Organizational Structure Review**
  - School Resource Deputy**
  - New Jail**

**We thank Officer Jackson for his time and we value the information he gave us! Our question and answer sharing during the presentation was especially appreciated! ABCers are assured that the ADA requirements for law enforcement are well understood and followed by BCSD. The primary access concerns appear to be caused by aging buildings that were designed before access codes became the law. It appears that BCSD has made ADA accommodations and structural improvements as needed.**

**To contact Undersheriff Jackson: Phone (541.766.6055)**

**[scott.jackson@co.benton.or.us](mailto:scott.jackson@co.benton.or.us)**

**B. Minutes of November 18, 2010 approved as submitted.**

**C. Treasurer: Holiday Luncheon cost was \$130.00. Donations received for luncheon was \$110.00. Feedback from ABCers is that the quality of the catered food was excellent and the cost was very, very reasonable! We thank the China Delight Restaurant for their wonderful service! We thank Todd and Esmeralda Allen for making these arrangements. We thank the twenty guests who participated in our special luncheon!**

**The annual Post Office Box fee of \$44.00 was paid. Cash Balance is \$264.00.**

**D. Correspondence: Membership Renewal Invoice from Corvallis Downtown Association.**

**E. Continuing Business: A volunteer committee was formed to do the research on Keith's Award Nominations.**

**F. New Business:**

**1. Judy Heath informed ABC about the United Nations Convention on the Rights of Persons with Disabilities. This "convention" really parallels our Americans With Disabilities Act! The UN partner nations a few years ago started the ball rolling for disabilities rights on a global scale. To learn more, visit this link:**

**<http://www.un.org/disabilities/default.asp?id=212>**

**2. We have scheduled Corvallis Mayor, Julie Manning, as special guest for our June 16, 2011 ABC meeting! We hope to arrange guests in future meetings from Corvallis Downtown Association, Corvallis Parks and Recreation Department, and Dial-a-Bus.**

**3. Annual Review of ABC Goals and Objectives.  
Reviewed our Goals and Objectives. Only change is to delete Goal One, Objective Three. ABC had not worked on this objective for several years.**

**Adjourn 1 p.m.. Next ABC Meeting, Thursday, February 17, 2011,  
Noon to 1 p.m., Benton Plaza, Commissioner's Meeting Room.**

RECEIVED

FEB 09 2011

CITY MANAGERS  
OFFICE

John C Griesmeyer

Corvallis, Oregon 97330  
541.

February 5, 2011

City of Corvallis  
Utility Billing  
PO BOX 3015  
Corvallis, OR 97339-3015

RE: Utility Billing - Three New Fees

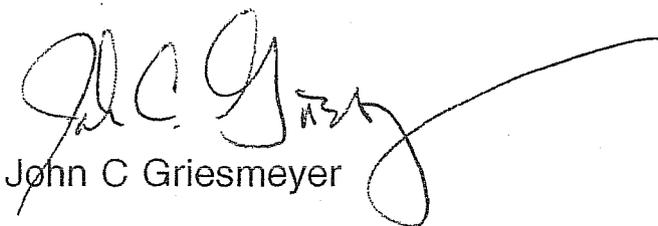
After reading the article in the paper again concerning the three new fees, and the fact that the Budget Commission consisting of Nine City Counselors and Nine Citizen Appointees overwhelming voted against these fees, I have decided that I am not willing to participate in these "so-called" sustainability initiative "fees".

I did not agree with the first fee (transportation maintenance fee) that was added some time ago. However I just went along with the program. But now you have added "three" more, and when does this ever stop?

You call it a fee, but it is really a tax, that some on the council are proposing because of their personal agenda. I have not talked to one person who feels this is fair or authorized by the people.

Bring it to a vote of the people, if a vote of the people approves, then I have no problem paying these "taxes".

I will continue to pay my Utility Bill, however i will not pay for the additional "fees/taxes".



John C Griesmeyer

**HUMAN SERVICES COMMITTEE  
MINUTES  
February 8, 2011**

Present

Councilor Mike Beilstein, Chair  
Councilor Jeanne Raymond  
Councilor Dan Brown

Staff

Jon Nelson, City Manager  
David Phillips, Parks Maintenance Supervisor  
Carrie Mullens, City Manager's Office

Visitors

Dan Schultz, Citizen

**SUMMARY OF DISCUSSION**

| <u>Agenda Item</u>                                                              | <u>Information Only</u> | <u>Held for Further Review</u> | <u>Recommendations</u>                                                                    |
|---------------------------------------------------------------------------------|-------------------------|--------------------------------|-------------------------------------------------------------------------------------------|
| I. 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 |
| II. Other Business                                                              | ***                     |                                |                                                                                           |

Chair Beilstein called the meeting to order at 12:00 pm.

**CONTENT OF DISCUSSION**

I. Council Policy Review: 97-4.09, "Guidelines for Free Use of Park Facilities" (Attachment)

Mr. Phillips said the policy provides staff with a process to allow free use of parks or park facilities, when appropriate, and guidelines for administering exemptions of fee requirements. City sponsored or co-sponsored events are exempt from paying fees, such as the Red, White, and Blue Festival, daVinci Days, and the Fall Festival. Facilities can include the gazebo, mobile stages, and portable electrical boxes, among others. Occasionally, the Department has granted free use of the Crystal Lake graveled parking lot to Benton County for their events needing parking, but not utilizing City property. Staff recommends a review of this policy triennially instead of the current biennial review.

Chair Beilstein said the Benton County free parking use is an example of an event occurring outside of any relation to Corvallis other than desiring the use of parking in a City park. Since parking does not include the use of a park facility, those vehicles could be ticketed.

Mr. Phillips said waived fees for the three festivals mentioned above total approximately \$4,000, with the Red, White, and Blue Festival accounting for half.

Councilor Raymond noted that the Downtown Corvallis Association (DCA) announced at yesterday's Council meeting a suspension of the Red, White, and Blue Festival due to the lack of City funding. Council also voted yesterday to have the Economic Development Commission review fees. She inquired how these decisions relate to this policy.

Mr. Phillips said the Parks and Recreation Department will take a close look at their fee schedule. Department staff were surprised to hear about the Red, White, and Blue Festival suspension.

Mr. Nelson said this policy has no relationship to the allocations process. The policy provides Council direction to the Department for waiving park and park facilities use fees for specific groups. Visit Corvallis has been asked to review their budget for marketing opportunities with the three festivals. The \$10,000 the DCA referenced during the Council meeting was for operational support. This policy review will not impact festival scheduling.

Councilor Raymond opined that the City should continue the free use policy for specific events. It is reasonable to review the policy every three years. Councilor Brown and Chair Beilstein concurred.

Chair Beilstein noted that Councilor Hervey expressed concern about the use of park property to conduct a produce exchange in South Corvallis. Initially, the group organizing the event was told by City staff that this activity was allowed without a fee. When the same group asked about selling the produce, they were informed they needed to pay a commercial use fee.

Mr. Phillips recalled the issue and confirmed that the group would need to pay for a concession permit, approximately \$120, if the exchange of cash is involved. The concession permit fee is part of the Parks and Recreation Department annual fee review.

Chair Beilstein stated agreement for a concession permit fee as long as the fee is an amount that encourages use.

Councilor Raymond noted that the food cart issue is coming forward again. Mr. Phillips agreed and confirmed that a concession permit would be needed for food carts if they provide a service for more than 44 consecutive days.

The Committee unanimously recommends Council amend Council Policy 97-4.09, "Guidelines for Free Use of Park Facilities" as recommended by staff.

## II. Other Business

The next Human Services Committee meeting is scheduled for 12:00 pm on Wednesday, February 23, 2010 in the Madison Avenue Meeting Room.

Respectfully submitted,

Mike Beilstein, Chair



# MEMORANDUM

**To:** Human Services Committee  
**From:** Karen Emery, Director *KE*  
David L. Phillips, Park Operations Supervisor *DLP*  
**Date:** January 11, 2011  
**Subject:** Biennial review of City Council Policy 97-4.09 "Guidelines for Free Use of Parks and Recreation Facilities"

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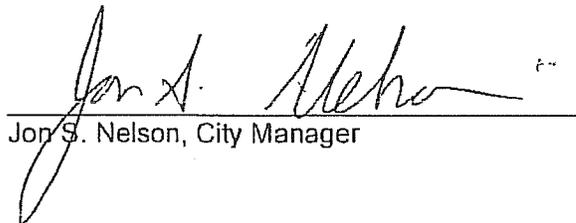
**Issue:**

CP 97-4.09 requires biennial review by the Parks and Recreation Director.

**Background:**

Parks and Recreation recommends changing the review period from biennial to triennial.

**Review and Concur:**

  
\_\_\_\_\_  
Jon S. Nelson, City Manager

**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  
Amended January 22, 2002  
Amended December 2, 2002  
Amended December 20, 2004  
Amended March 19, 2007  
Amended April 6, 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.

## **Council Policy 97-4.09**

### 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.                                         |
| 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 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.

## **Council Policy 97-4.09**

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.
- 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.

## Council Policy 97-4.09

- 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.
- 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~~ **triennially**, beginning in October 1998, or when needed, and will make recommendations to the City Manager.

MEMORANDUM

February 9, 2011

**TO:** Mayor and City Council

**FROM:** Gary D. Boldizar, Chief of Police



**SUBJECT:** Criminal Asset Forfeiture

**ISSUE:**

The Oregon Revised Statutes provides for proceeds and instrumentalities of criminal conduct be subject to criminal asset forfeiture proceedings, of which 40% must be for official law enforcement use. Forty percent of the Thomas Habelt case is \$5,052.83; forty percent of the Conner Blaustein case is \$5,614.34, and forty percent of the Cody Hufeld case is \$4,700.10. Council action is required to appropriate these funds.

**BACKGROUND:**

The Corvallis Police Department resolved the Thomas Habelt, Conner Blaustein and Cody Hufeld cases in 2010 with arrests and seizures of cash and property. Each of these cases progressed through the criminal asset forfeiture proceeding in Benton County Circuit Court and all were resolved through a court ordered "Judgement of Criminal Forfeiture" declaring the seized property that of the Plaintiff or the Corvallis Police Department. The City is required under Oregon Revised Statutes to disperse percentages of the whole to varying State and local agencies. Once completed, 40% of the total must be for official law enforcement use and subsequent annual reports to the Oregon Criminal Justice Commission follow depicting the expenditure of the funds.

**DISCUSSION:**

The Corvallis Police Department has met the Oregon Revised Statute requirements for criminal asset forfeiture, and through court orders are in receipt of the "Judgement of Criminal forfeiture" from the Benton County Circuit Court declaring the seized property that of the Plaintiff (Corvallis Police Department). Forty percent of the Thomas Habelt case is \$5,052.83; forty percent of the Conner Blaustein case is \$5,614.34, and forty percent of the Cody Hufeld case is \$4,700.10. combined total of \$15,367.27. The Department intends to utilize the funds for the services of a death investigator via intergovernmental agreement with the Benton County District Attorney's Office, as has been the case with asset forfeiture funds in the past two years. Use of these funds will be reported to Oregon's Criminal Justice Commission annually. To appropriate these funds, the City Council must approve a resolution to include these funds in the Police Department FY 2010/11 budget.

**RECOMMENDATION:**

Staff recommends that the City Council adopt the attached budget resolution.

Review and concur:

  
Nancy Brewer, Finance Director  
Jon S. Nelson, City Manager

Attachments: 1) Budget Resolution

**RESOLUTION 2011-**

Minutes of the Meeting of \_\_\_\_\_, continued.

A resolution submitted by Councilor \_\_\_\_\_.

WHEREAS, ORS 294.480(a) allows the City Council to make a supplemental budget for the current fiscal year when a condition occurs which has not been ascertained at the time of the preparation;

WHEREAS, the Corvallis Police Department has progressed three criminal cases through the criminal asset forfeiture proceeding in Benton County Circuit Court and all are resolved through a court ordered "Judgement of Criminal Forfeiture" declaring the seized property that of the Corvallis Police Department. After appropriate dispersals required under ORS to varying State and local agencies, the remaining 40% must be for official law enforcement use.

WHEREAS, receipt of the forfeited funds was unanticipated at the time the fiscal year 2010-2011 budget was adopted;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CORVALLIS RESOLVES that the Finance Director be authorized to make the proper adjustments in the budget appropriations for the forfeited funds in the amount of \$5,052 from the "Habelt" case, \$5,614 from the "Blaustein" case, and \$4,700 from the "Hufeld" case.

| <u>GENERAL FUND</u> | <u>AMOUNT</u> |
|---------------------|---------------|
| Police Department   | \$15,367      |

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Upon motion duly made and seconded, the foregoing resolution was adopted and the Mayor thereupon declared said resolution to be adopted.

**Nelson, Jon**

---

**From:** ward3 [ward3@council.ci.corvallis.or.us]  
**Sent:** Tuesday, February 22, 2011 10:27 AM  
**To:** Mayor; Ward 8; cc; Ward 4; Ward 9; Ward 7; Ward 6; Ward 1; Ward 5; Ward 2  
**Cc:** Nelson, Jon  
**Subject:** [SPAM] Minor rewording for Legislative Committee  
**Importance:** Low

Julie,

I plan to propose a couple of minor rewordings to the City Legislative Committee Guidelines today. This heads up is to give you time to consider whether you think these would best be considered as amendments or as part of a general consensus discussion.

I have highlighted the added text inside arrowheads. They also show up in color on my email screen. I see these changes to be in line with today's agenda topic on SB 242.

From "Focus"

<<For the most part, p>>ast City Councils have discussed and forwarded City positions on those bills directly impacting City government. In the past, citizens and organizations have asked Council for support of their non-City related issues and Council, by and large, has declined.

From "Outcomes"

We rely on LOC expertise for lobbying and legislative representation, since that is a part of our LOC dues. The Committee's role includes review of the LOC Bulletin, <<review of bills called to it's attention by citizens>>, recommendations to Council, and communication with legislators and LOC staff, <<and other bodies as fits the need>>. Traditionally, this communication has been through the Mayor's Office speaking on behalf of the City Council. The department directors are prepared to support you in this endeavor through their impact analysis of legislation and their service through their professional associations.

Louie, Kathy

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**From:** Bill York [  
**Sent:** Monday, February 21, 2011 1:16 PM  
**To:** Louie, Kathy  
**Subject:** Council Goal Setting

Hi Kathy,

Please forward my comments on the Council's Draft Operating Agreements to the Mayor and Council.

Be prepared for the meetings  
Written motions

This might make for efficient meetings, but suggesting Councilors make up their minds before hearing from the public and their fellow councilors just doesn't feel right to me.

Communicate with other councilors before the meeting to get clarification to minimize surprises

Sounds like you're setting yourselves up for "serial meeting" opportunities

Regards,

Bill York

2/22/2011



CORVALLIS CITY ATTORNEY  
456 SW Monroe, #101  
Corvallis, OR 97333  
Telephone: (541) 766-6906  
Fax: (541) 752-7532

MEMORANDUM

To: Mayor and City Council, City of Corvallis  
Chair and Planning Commission,  
Chair and Budget Commission

From: Jim Brewer, Deputy City Attorney 

Date: February 17, 2011

Subject: Public Meeting Requirements, Email and recent Lane County Circuit Court case

Issue:

City Council members, staff and advisory board and commission members have asked for advice related to the use of email and other electronic forums in order to comply with the requirements of the Oregon Public Meetings law (ORS 192.610 et seq). A recent (January 14, 2011) Lane County Circuit Court case, Dumdi et al v. Handy, Sorenson, Fleenor and Lane County Board of Commissioners, provides some useful insight.

Background:

Oregon Public Meetings law is set out in ORS 192.610 et seq.

No, but historically, the Mayor has voted.

Section 4.5 of the Philomath City Charter states that "the Mayor shall preside over Council deliberations and shall have a vote on all questions before the Council". This language obviously is subject to interpretation, and could be seen as permitting, but not obligating, the Mayor to vote. Historically (at least dating to the 1980's), the Council has interpreted the language to mean the Mayor is obligated to vote, and the Mayor has done so. This practice is based in part on Section 4.5 and in part on Section 3.3 of the Charter, which states that "the council shall be composed of a mayor and six councilors elected from the City at large." Consequently, the Mayor is a member of the Council, and the Mayor is included as a member of the Council for purposes of determining whether there is a quorum. In some cities in Oregon, the mayor is specifically prohibited from voting except to break a tie (Albany and Corvallis), and is not considered a member of the council for purposes of determining whether a quorum exists. Other cities' charters specifically state that the mayor in those cities is a voting member of the council (Salem). Philomath's Charter leaves some ambiguity.

That said, if Charter language comes into question, the City Council is the body charged with interpreting the language. The City Council has adopted an ordinance (Philomath Municipal

Code 2.10.070.G), that adopts Robert's Rules of Order, Newly Revised as its parliamentary procedure. Robert's distinguishes between presiding officers who are members of the assembly (and therefore can vote) and those that are not members of the assembly (and therefore cannot vote). Under Robert's a presiding officer that is a member of the assembly should vote only when the vote affects the result – either breaking a tie to pass a motion or creating a tie to kill a motion. But the same ordinance makes it clear that if there is a conflict between Robert's and the Charter, the Charter should prevail.

The City Council could have an official consideration of the issue and adopt a modified interpretation; that interpretation would be binding until such time it is reviewed by either a future Council or a Court of local jurisdiction.