



## ADMINISTRATIVE SERVICES COMMITTEE

### Agenda

Wednesday, May 23, 2012

4:00 pm

Madison Avenue Meeting Room  
500 SW Madison

- |                                    |   |
|------------------------------------|---|
| Discussion/ <b>Possible Action</b> | I. Visit Corvallis Third Quarter Report (Attachment)                      |
| Discussion/ <b>Possible Action</b> | II. House Bill 2865 (Limits Private Claims or Rights of Action) Follow-up |
| Information                        | III. Other Business   |

### **Next Scheduled Meeting**

Wednesday, June 6, 2012 at 4:00 pm

Madison Avenue Meeting Room, 500 SW Madison Ave

### **Agenda**

Third Quarter Operating Report

Allied Waste Services Annual Report

Comcast Franchise Renewal Update

Single-Use Plastic Bag Reduction Recommendation

MEMORANDUM

DATE: February 6, 2012  
TO: Administrative Services Committee  
FROM: Ken Gibb, Community Development Director   
SUBJECT: Third Quarter FY 11-12 Visit Corvallis Program Review

I. Issue

Review and acceptance of Visit Corvallis' Third quarter report for FY 11-12.

II. Background

In FY 11-12, Visit Corvallis received \$335,450 in dedicated funding. This represents 30% of the Transient Occupancy Tax (TOT) received by the City in calendar year 2010. The agency has received \$251,586 through the third quarter. The City's contract with Visit Corvallis requires the agency to submit quarterly reports on its activities.

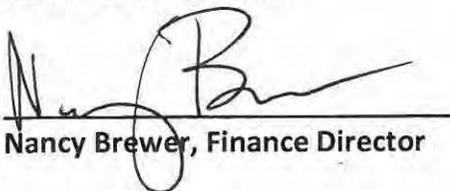
Attached is the third quarter report submitted by Visit Corvallis (Attachments A and B). Financial statements submitted by Visit Corvallis were reviewed by Finance Department staff who found that, while Visit Corvallis maintains a fairly strong cash position, their report did not represent the accrual method of accounting, which all previous reports have. Visit Corvallis has agreed to correct this in future. A copy of the Finance staff review is attached (Attachment C). The Smith Travel Report showing visitor trends for the month of February is attached for additional information (Attachment D).

Visit Corvallis has been provided with a copy of this report and invited to attend and address the Committee.

III. Action Requested

That the Administrative Services Committee consider this report and recommend City Council approve acceptance of the Third quarter report.

REVIEW AND CONCUR:

  
Nancy Brewer, Finance Director

REVIEW AND CONCUR:

  
James A. Patterson, City Manager

## Director's Report

Although lodging properties experienced a dip in revenues in the second quarter of fiscal year 2011-12, January and February 2012 of the third quarter have both shown an increase, with no statistics yet available for March. According to revenue numbers compiled by Smith Travel Research, revenue for the twelve month period ending February 2012, a 2.1% increase over the comparative period ending February 2011.

# VISIT CORVALLIS

2012 Community Report  
January | February | March

### Third Quarter Highlights:

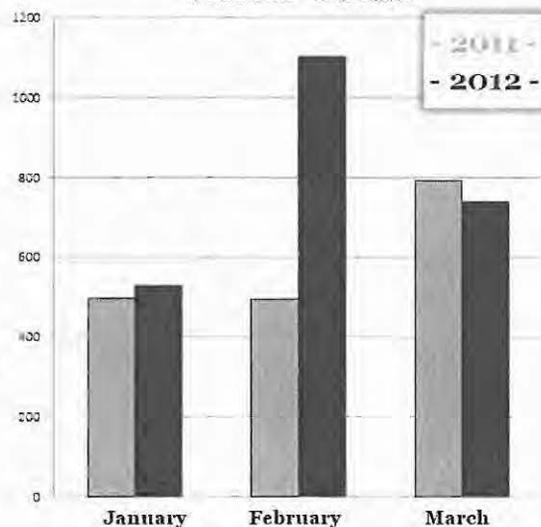
- ▲ The 4th Annual Corvallis Culinary week in January was well attended again this year. The investment in promoting the event generated more dining activity in the community at a time of year when a number of restaurants struggle.
- ▲ In January we provided a Welcome table for the attendees of the Financial Stewardship conference held at LaSells Stewart Center.
- ▲ We continue work with OSU Conference Services.
- ▲ Progress continues on the Ride Corvallis event.
- ▲ We printed and distributed Welcome signs for the Wilson Volleyball tournament.
- ▲ We have met with the Boys & Girls Club Director, Corvallis High School and the Crescent Valley High School Softball Coaches to discuss hosting a softball tournament during Memorial Day Weekend.
- ▲ We continue to partner with the Willamette Valley Visitors Association to insure market share at the regional level.
- ▲ Our advertising for the Leisure Travel market has been placed to kick off the summer season.
- ▲ The 2012 Corvallis Visitor Guide is complete and is available in our Visitor Center as well as lodging properties and various businesses throughout the community. The guide will also be distributed to the Chambers of Commerce, Visitor Centers and Welcome Centers throughout the entire State.
- ▲ I am pleased to announce that we are on track with the 2011-2012 Marketing Plan and are now in the development stages of the 2012-2013 Marketing Plan and Budget.

### Visitor's Information

During the 3rd quarter of fiscal year 2011-2012 we assisted 2,371 walk-in visitors compared to 1,784 visitors in 2011. We distributed 1,530 guides to businesses throughout Corvallis and 900 guides and 1,100 maps to the Corvallis lodging properties. We also fulfilled 2,847 requests for our visitor guide that was generated from the internet, advertisements and the Willamette Valley Visitors Association marketing efforts. A total of 808 table tents promoting local events, were distributed to 41 sites.

We served 529 guests in January 2012 (497 in 2011), 1,104 in February 2012 (494 in 2011), and 738 in March 2012 (793 in 2011).

Visitor Count



## Digital and Social Media Statistics

According to Google Analytics, between January and March of 2012 we had 45,837 visitors to [www.VisitCorvallis.com](http://www.VisitCorvallis.com), of which 36,244 were unique. About 72% were first-time visitors to our site, and the average visit lasted two minutes, four seconds.

Top Five Keywords	Top 5 Referral Sites	Top 5 Traffic Sources	Top 5 Pages Visited
Not provided (7,378)*	OregonState.edu (1,088)	Google (29,755)	Home Page (15,486)
Corvallis Oregon (2,626)	ci.Corvallis.or.us (801)	Bing (1,423)	Events (9,411)
Corvallis Restaurants (603)	Facebook.com (669)	Yahoo (1,081)	Places to Eat (7,357)
Corvallis (553)	VisitCorvallis.tumblr.com (422)	Ask (188)	Things to Do (6,974)
Corvallis events (543)	Google.com (408)	Search (174)	Places to Stay (3,898)

\* Google's new SSL search method is obscuring search keywords on a large percentage of everyone's traffic. There's currently no way to correct this.

### Facebook Page Insights

The way Facebook does its analytics has changed drastically over the last year. Our current metric is "Total Reach," which is the total number of unique people who have seen any content from our page. For January, February, and March, our average monthly Total Reach was 208,157 people. Our Fan page, Corvallis Oregon, currently has 7,762 fans. The Corvallis Maven personal profile has 46 subscribers and 2,602 friends.

### VisitCorvallis.Tumblr.com

According to Google Analytics, between January and March 2012, 3,775 people visited our Tumblr blog, of which 2,577 were unique visitors. About 63% of our traffic came from new visitors, and visitors stayed on the site an average of about 45 seconds. Our top two search keywords are "not provided" (22) and "corvallis maven" (17). The vast majority of our traffic is direct traffic from Facebook, Facebook's mobile site, and Reddit.com.



### Twitter, Google+, Pinterest, FourSquare

@VisitCorvallis has 993 followers on Twitter, and @CorvallisScene has 629. The Corvallis Maven on Google+ has 59 followers. The Corvallis Maven on Pinterest has 494 followers. On FourSquare, we have 49 followers.

### Email Newsletters

Our newsletters continue to best the tourism industry average in click rates and opens. January through March, the rate of recipients opening our newsletter was about 26%, 8% above average, and our click rate, or the rate of recipients clicking on links in the newsletter, was about 17%, 6% above average. Our newsletters currently reach 4,439 active contacts.

# **VISIT CORVALLIS**

## **Third Quarter Report**

**(January - March 2012)**

Visit Corvallis  
**Balance Sheet**  
 As of March 31, 2012

Mar 31, 12

<b>ASSETS</b>	
Current Assets	
Checking/Savings	
Checking - OSUFCU	88,035.78
Money Market-OSUFCU	20,413.73
Paypal Checking	463.45
Savings - OSUFCU	5.00
Total Checking/Savings	108,917.96
Accounts Receivable	
Accounts Receivable	3,726.35
Total Accounts Receivable	3,726.35
Other Current Assets	
Petty Cash	40.00
Total Other Current Assets	40.00
<b>Total Current Assets</b>	<b>112,684.31</b>
Fixed Assets	
Accumulated Depreciation	-28,511.99
Office Equipment & Furniture	36,060.30
<b>Total Fixed Assets</b>	<b>7,548.31</b>
<b>TOTAL ASSETS</b>	<b>120,232.62</b>
<b>LIABILITIES &amp; EQUITY</b>	
Liabilities	
Current Liabilities	
Other Current Liabilities	
Bounty of Benton Co Ticket Sale	-150.00
Payroll Liabilities	-149.13
Payroll liabilities - Other	
Accrued Vacation	3,074.00
SIMPLE payable	-459.90
Total Payroll liabilities - Other	2,614.10
Payroll tax liabilities	
FUTA Payable	74.90
FWT/FICA FWT payable	3,888.41
OR Witholding Payable	650.00
OR Workmen's Comp payable	43.74
OR State Unemployment Payable	838.00
Total Payroll tax liabilities	5,495.05
<b>Total Other Current Liabilities</b>	<b>7,810.02</b>
<b>Total Current Liabilities</b>	<b>7,810.02</b>
<b>Total Liabilities</b>	<b>7,810.02</b>
Equity	
Net Assets	54,937.72
Net Income	57,484.88
<b>Total Equity</b>	<b>112,422.60</b>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>120,232.62</b>

Visit Corvallis  
**Profit & Loss**  
 January through March 2012  
Jan - Mar 12

**Income**

City of Corvallis	83,862.00
Interest Income	10.18
Relocation Packets	18.00
Souvenir Income	73.00
<b>Total Income</b>	<u>83,963.18</u>

**Expense**

**Administration**

**Accounting**

Stover Neyhart & Company	762.00
<b>Total Accounting</b>	<u>762.00</u>

**Auto Mileage**

Staff Mileage	105.00
<b>Total Auto Mileage</b>	<u>105.00</u>

**Bank Charges**

Service Charge	41.94
Bank Charges - Other	281.00
<b>Total Bank Charges</b>	<u>322.94</u>

Chamber Expenses	30.00
Janitorial Services	829.26
Office Supplies	819.24
Office/Copier Lease	903.66
Office/Copies	66.00
Office/Misc Services	235.00
Personnel-Misc	323.32

**Postage**

Meter Lease	197.02
Postage - Other	8.36
<b>Total Postage</b>	<u>205.38</u>

Rent	5,301.00
Storage	225.00

**Telephone/Office**

Employee cell phone(s)	774.81
Integra	842.87
<b>Total Telephone/Office</b>	<u>1,617.68</u>

**Utilities**

Disposal	52.35
Electricity	215.10
Gas	459.70

Visit Corvallis  
**Profit & Loss**  
 January through March 2012  
 Jan - Mar 12

Water	98.44
<b>Total Utilities</b>	<u>825.59</u>
<b>Total Administration</b>	12,571.07
<b>Conferences/Education</b>	
ODMO	164.83
<b>Total Conferences/Education</b>	<u>164.83</u>
<b>Marketing/Advertising</b>	
Culinary Week	1,865.00
Google Adwords Campaigns	245.74
Misc	1,000.00
US West Dex	69.20
<b>Total Marketing/Advertising</b>	<u>3,179.94</u>
<b>Marketing/Community Relations</b>	
Rotary	230.00
<b>Total Marketing/Community Relations</b>	<u>230.00</u>
<b>Marketing/Entertainment</b>	
Entertainment	22.00
<b>Total Marketing/Entertainment</b>	<u>22.00</u>
<b>Marketing/Internet</b>	
Constant Contact	150.00
ISP Monthly Charges	213.90
Provide Support LLC	45.00
<b>Website</b>	
Changes	440.00
Domain Registration	12.00
Hosting	214.85
Redesign	100.00
<b>Total Website</b>	<u>766.85</u>
<b>Total Marketing/Internet</b>	1,175.75
<b>Marketing/Postage-Shipping</b>	
Destination Guide - Postage	733.00
Postage - Marketing response	1,077.30
<b>Total Marketing/Postage-Shipping</b>	<u>1,810.30</u>
<b>Marketing/Printing</b>	
Tent Cards	225.00
<b>Total Marketing/Printing</b>	<u>225.00</u>

Visit Corvallis  
**Profit & Loss**  
January through March 2012  
Jan - Mar 12

<b>Marketing/Promotions</b>	
Site Inspections	223.96
WVVA Promotions	49.95
<b>Total Marketing/Promotions</b>	<u>273.91</u>
<b>Marketing/Public Relations</b>	550.00
<b>Marketing/Visitor Services</b>	
Contract Services	90.90
Distribution Services	420.00
<b>Total Marketing/Visitor Services</b>	<u>510.90</u>
<b>Payroll Expenses</b>	
Intuit direct deposit fees	21.00
<b>Total Payroll Expenses</b>	<u>21.00</u>
<b>Personnel</b>	
<b>Benefits</b>	
Health/Dental Insurance premium	
Regence - Health	5,716.50
United Healthcare - Dental	588.06
<b>Total Health/Dental Insurance premium</b>	<u>6,304.56</u>
Simple Plan	412.50
<b>Total Benefits</b>	<u>6,717.06</u>
<b>Payroll taxes</b>	
Employer Taxes & Contribution	3,622.32
<b>Total Payroll taxes</b>	<u>3,622.32</u>
<b>Salaries</b>	
Executive Director	13,337.49
Social Media Coordinator	7,500.00
Visitor Manager	8,700.33
Staff	0.00
<b>Total Salaries</b>	<u>29,537.82</u>
<b>Total Personnel</b>	<u>39,877.20</u>
<b>Total Expense</b>	<u>60,611.90</u>
<b>Net Income</b>	<u><u>23,351.28</u></u>

Visit Corvallis  
**Profit & Loss Budget vs. Actual**  
January through March 2012

	Jan - Mar 12	Budget	\$ Over Budget	% of Budget
<b>Income</b>				
City of Corvallis	83,862.00	83,862.00	0.00	100.0%
Interest Income	10.18	0.00	10.18	100.0%
Relocation Packets	18.00	81.00	-63.00	22.22%
Souvenir Income	73.00	450.00	-377.00	16.22%
<b>Total Income</b>	<b>83,963.18</b>	<b>84,393.00</b>	<b>-429.82</b>	<b>99.49%</b>
<b>Expense</b>				
<b>Administration</b>				
<b>Accounting</b>				
Stover Neyhart & Company	762.00	750.00	12.00	101.6%
<b>Total Accounting</b>	<b>762.00</b>	<b>750.00</b>	<b>12.00</b>	<b>101.6%</b>
<b>Auto Mileage</b>				
Staff Mileage	105.00	165.00	-60.00	63.64%
Executive Director Mileage	0.00	375.00	-375.00	0.0%
<b>Total Auto Mileage</b>	<b>105.00</b>	<b>540.00</b>	<b>-435.00</b>	<b>19.44%</b>
<b>Bank Charges</b>				
Service Charge	41.94	135.00	-93.06	31.07%
Bank Charges - Other	281.00			
<b>Total Bank Charges</b>	<b>322.94</b>	<b>135.00</b>	<b>187.94</b>	<b>239.22%</b>
<b>Board Expense</b>	0.00	195.00	-195.00	0.0%
<b>Cash discounts</b>	0.00	0.00	0.00	0.0%
<b>Chamber Expenses</b>	30.00	90.00	-60.00	33.33%
<b>Equipment Maintenance</b>	0.00	247.75	-247.75	0.0%
<b>Equipment Purchase</b>	0.00	0.00	0.00	0.0%
<b>Insurance/Bonds</b>	0.00	0.00	0.00	0.0%
<b>Janitorial Services</b>	829.26	210.00	619.26	394.89%
<b>Legal Fees</b>	0.00	125.00	-125.00	0.0%
<b>Newspaper</b>	0.00	90.00	-90.00	0.0%
<b>Office Supplies</b>	819.24	450.00	369.24	182.05%
<b>Office/Copier Lease</b>	903.66	900.00	3.66	100.41%
<b>Office/Copies</b>	66.00			
<b>Office/Misc Services</b>	235.00	300.00	-65.00	78.33%
<b>Personnel-Misc</b>	323.32			
<b>Postage</b>				
Administration	0.00	150.00	-150.00	0.0%
Meter Lease	197.02	197.50	-0.48	99.76%
Postage - Other	8.36			
<b>Total Postage</b>	<b>205.38</b>	<b>347.50</b>	<b>-142.12</b>	<b>59.1%</b>

Visit Corvallis  
**Profit & Loss Budget vs. Actual**  
January through March 2012

	<u>Jan - Mar 12</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Rent	5,301.00	5,301.00	0.00	100.0%
Storage	225.00	150.00	75.00	150.0%
Technology Upgrades	0.00	0.00	0.00	0.0%
Telephone/Office				
Employee cell phone(s)	774.81	420.00	354.81	184.48%
Integra	842.87	1,125.00	-282.13	74.92%
<b>Total Telephone/Office</b>	<b>1,617.68</b>	<b>1,545.00</b>	<b>72.68</b>	<b>104.7%</b>
Utilities				
Disposal	52.35	90.00	-37.65	58.17%
Electricity	215.10	330.00	-114.90	65.18%
Gas	459.70	300.00	159.70	153.23%
Water	98.44	150.00	-51.56	65.63%
<b>Total Utilities</b>	<b>825.59</b>	<b>870.00</b>	<b>-44.41</b>	<b>94.9%</b>
<b>Total Administration</b>	<b>12,571.07</b>	<b>12,246.25</b>	<b>324.82</b>	<b>102.65%</b>
Conferences/Education				
Gov Conf	0.00	1,500.00	-1,500.00	0.0%
ODMO	164.83			
<b>Total Conferences/Education</b>	<b>164.83</b>	<b>1,500.00</b>	<b>-1,335.17</b>	<b>10.99%</b>
Marketing/Advertising				
Better Homes & Garden	0.00	6,000.00	-6,000.00	0.0%
Culinary Week	1,865.00	1,500.00	365.00	124.33%
Facebook	0.00	3,000.00	-3,000.00	0.0%
Good Housekeeping	0.00	2,667.00	-2,667.00	0.0%
Google Adwords Campaigns	245.74	6,000.00	-5,754.26	4.1%
Misc	1,000.00			
Travel Oregon				
Book	0.00	2,100.00	-2,100.00	0.0%
<b>Total Travel Oregon</b>	<b>0.00</b>	<b>2,100.00</b>	<b>-2,100.00</b>	<b>0.0%</b>
US West Dex	69.20	102.15	-32.95	67.74%
WVVA-Sunset	0.00	2,500.00	-2,500.00	0.0%
<b>Total Marketing/Advertising</b>	<b>3,179.94</b>	<b>23,869.15</b>	<b>-20,689.21</b>	<b>13.32%</b>
Marketing/Community Relations				
Kiwanis	0.00	0.00	0.00	0.0%
Rotary	230.00	235.00	-5.00	97.87%
<b>Total Marketing/Community Relations</b>	<b>230.00</b>	<b>235.00</b>	<b>-5.00</b>	<b>97.87%</b>

Visit Corvallis  
**Profit & Loss Budget vs. Actual**  
January through March 2012

	<u>Jan - Mar 12</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
<b>Marketing/Dues</b>				
Oregon Sports Authority	0.00	250.00	-250.00	0.0%
<b>Total Marketing/Dues</b>	<u>0.00</u>	<u>250.00</u>	<u>-250.00</u>	<u>0.0%</u>
<b>Marketing/Entertainment</b>				
Entertainment	22.00			
<b>Total Marketing/Entertainment</b>	<u>22.00</u>			
<b>Marketing/Fees</b>				
IACVB	0.00	0.00	0.00	0.0%
<b>Total Marketing/Fees</b>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.0%</u>
<b>Marketing/Internet</b>				
Constant Contact	150.00			
ISP Monthly Charges	213.90	300.00	-86.10	71.3%
Provide Support LLC	45.00			
<b>Website</b>				
Changes	440.00	180.00	260.00	244.44%
Domain Registration	12.00			
Hosting	214.85	150.00	64.85	143.23%
Redesign	100.00			
<b>Total Website</b>	<u>766.85</u>	<u>330.00</u>	<u>436.85</u>	<u>232.38%</u>
<b>Total Marketing/Internet</b>	1,175.75	630.00	545.75	186.63%
<b>Marketing/Postage-Shipping</b>				
Destination Guide - Postage	733.00	3,750.00	-3,017.00	19.55%
Postage - Marketing response	1,077.30			
<b>Total Marketing/Postage-Shipping</b>	<u>1,810.30</u>	<u>3,750.00</u>	<u>-1,939.70</u>	<u>48.28%</u>
<b>Marketing/Printing</b>				
Tent Cards	225.00	460.00	-235.00	48.91%
<b>Total Marketing/Printing</b>	<u>225.00</u>	<u>460.00</u>	<u>-235.00</u>	<u>48.91%</u>
<b>Marketing/Promotions</b>				
Site Inspections	223.96			
WVVA Promotions	49.95			
<b>Total Marketing/Promotions</b>	<u>273.91</u>			
<b>Marketing/Public Relations</b>	550.00			
<b>Marketing/Telephone</b>				
1-800	0.00	600.00	-600.00	0.0%
<b>Total Marketing/Telephone</b>	<u>0.00</u>	<u>600.00</u>	<u>-600.00</u>	<u>0.0%</u>

Visit Corvallis  
**Profit & Loss Budget vs. Actual**  
January through March 2012

	<u>Jan - Mar 12</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
<b>Marketing/Visitor Services</b>				
Contract Services	90.90			
Distribution Services	420.00	1,050.00	-630.00	40.0%
Kiosk	0.00	25.00	-25.00	0.0%
Souvenirs	0.00	100.00	-100.00	0.0%
<b>Total Marketing/Visitor Services</b>	<u>510.90</u>	<u>1,175.00</u>	<u>-664.10</u>	<u>43.48%</u>
<b>Payroll Expenses</b>				
Intuit direct deposit fees	21.00	21.75	-0.75	96.55%
<b>Total Payroll Expenses</b>	<u>21.00</u>	<u>21.75</u>	<u>-0.75</u>	<u>96.55%</u>
<b>Personnel</b>				
<b>Benefits</b>				
<b>Health/Dental Insurance premium</b>				
Regence - Health	5,716.50	5,716.50	0.00	100.0%
United Healthcare - Dental	588.06	525.00	63.06	112.01%
<b>Total Health/Dental Insurance premiur</b>	<u>6,304.56</u>	<u>6,241.50</u>	<u>63.06</u>	<u>101.01%</u>
Simple Plan	412.50	375.00	37.50	110.0%
<b>Total Benefits</b>	<u>6,717.06</u>	<u>6,616.50</u>	<u>100.56</u>	<u>101.52%</u>
<b>Payroll taxes</b>				
Employer Taxes & Contribution	3,622.32	3,000.00	622.32	120.74%
<b>Total Payroll taxes</b>	<u>3,622.32</u>	<u>3,000.00</u>	<u>622.32</u>	<u>120.74%</u>
<b>Salaries</b>				
Executive Director	13,337.49	14,089.66	-752.17	94.66%
Social Media Coordinator	7,500.00	7,350.00	150.00	102.04%
Visitor Manager	8,700.33	8,640.00	60.33	100.7%
Staff	0.00			
<b>Total Salaries</b>	<u>29,537.82</u>	<u>30,079.66</u>	<u>-541.84</u>	<u>98.2%</u>
<b>Total Personnel</b>	<u>39,877.20</u>	<u>39,696.16</u>	<u>181.04</u>	<u>100.46%</u>
<b>Total Expense</b>	<u>60,611.90</u>	<u>84,433.31</u>	<u>-23,821.41</u>	<u>71.79%</u>
<b>Net Income</b>	<u>23,351.28</u>	<u>-40.31</u>	<u>23,391.59</u>	<u>-57,929.25%</u>

Visit Corvallis  
**Profit & Loss Prev Year Comparison**  
January through March 2012

	Jan - Mar 12	Jan - Mar 11	\$ Change	% Change
<b>Income</b>				
City of Corvallis	83,862.00	77,106.24	6,755.76	8.76%
Interest Income	10.18	22.56	-12.38	-54.88%
Membership	0.00	150.00	-150.00	-100.0%
Relocation Packets	18.00	0.00	18.00	100.0%
Souvenir Income	73.00	0.00	73.00	100.0%
<b>Total Income</b>	<b>83,963.18</b>	<b>77,278.80</b>	<b>6,684.38</b>	<b>8.65%</b>
<b>Expense</b>				
<b>Administration</b>				
<b>Accounting</b>				
Bookeeping	0.00	690.00	-690.00	-100.0%
Form 990	0.00	850.00	-850.00	-100.0%
Stover Neyhart & Company	762.00	850.00	-88.00	-10.35%
<b>Total Accounting</b>	<b>762.00</b>	<b>2,390.00</b>	<b>-1,628.00</b>	<b>-68.12%</b>
<b>Auto Mileage</b>				
Staff Mileage	105.00	0.00	105.00	100.0%
<b>Total Auto Mileage</b>	<b>105.00</b>	<b>0.00</b>	<b>105.00</b>	<b>100.0%</b>
<b>Bank Charges</b>				
Service Charge	41.94	171.27	-129.33	-75.51%
Bank Charges - Other	281.00	0.00	281.00	100.0%
<b>Total Bank Charges</b>	<b>322.94</b>	<b>171.27</b>	<b>151.67</b>	<b>88.56%</b>
Board Expense	0.00	100.00	-100.00	-100.0%
Cash discounts	0.00	-13.22	13.22	100.0%
Chamber Expenses	30.00	30.00	0.00	0.0%
Equipment Maintenance	0.00	30.00	-30.00	-100.0%
Insurance/Bonds	0.00	1,216.00	-1,216.00	-100.0%
Janitorial Services	829.26	578.00	251.26	43.47%
Legal Fees	0.00	-6,024.86	6,024.86	100.0%
Office Supplies	819.24	1,151.65	-332.41	-28.86%
Office/Copier Lease	903.66	952.66	-49.00	-5.14%
Office/Copies	66.00	257.90	-191.90	-74.41%
Office/Misc Services	235.00	1,273.09	-1,038.09	-81.54%
Personnel-Misc	323.32	0.00	323.32	100.0%
Personnel Search	0.00	620.09	-620.09	-100.0%
<b>Postage</b>				
Meter Lease	197.02	0.00	197.02	100.0%
Postage - Other	8.36	197.02	-188.66	-95.76%
<b>Total Postage</b>	<b>205.38</b>	<b>197.02</b>	<b>8.36</b>	<b>4.24%</b>
Rent	5,301.00	5,301.00	0.00	0.0%

Visit Corvallis  
**Profit & Loss Prev Year Comparison**  
January through March 2012

	<u>Jan - Mar 12</u>	<u>Jan - Mar 11</u>	<u>\$ Change</u>	<u>% Change</u>
<b>Storage</b>	225.00	147.00	78.00	53.06%
<b>Telephone/Office</b>				
Employee cell phone(s)	774.81	0.00	774.81	100.0%
Integra	842.87	834.72	8.15	0.98%
<b>Total Telephone/Office</b>	<u>1,617.68</u>	<u>834.72</u>	<u>782.96</u>	<u>93.8%</u>
<b>Utilities</b>				
Disposal	52.35	52.35	0.00	0.0%
Electricity	215.10	421.57	-206.47	-48.98%
Gas	459.70	571.64	-111.94	-19.58%
Water	98.44	138.26	-39.82	-28.8%
<b>Total Utilities</b>	<u>825.59</u>	<u>1,183.82</u>	<u>-358.23</u>	<u>-30.26%</u>
<b>Total Administration</b>	12,571.07	10,396.14	2,174.93	20.92%
<b>Conferences/Education</b>				
ODMO	164.83	0.00	164.83	100.0%
<b>Total Conferences/Education</b>	<u>164.83</u>	<u>0.00</u>	<u>164.83</u>	<u>100.0%</u>
<b>Marketing/Advertising</b>				
Culinary Week	1,865.00	1,250.00	615.00	49.2%
Google Adwords Campaigns	245.74	82.51	163.23	197.83%
Misc	1,000.00	527.49	472.51	89.58%
MPI Directory	0.00	345.00	-345.00	-100.0%
Preprint Publishing	0.00	4,936.03	-4,936.03	-100.0%
US West Dex	69.20	99.15	-29.95	-30.21%
WVVA-Sunset	0.00	4,683.80	-4,683.80	-100.0%
<b>Total Marketing/Advertising</b>	<u>3,179.94</u>	<u>11,923.98</u>	<u>-8,744.04</u>	<u>-73.33%</u>
<b>Marketing/Community Relations</b>				
Misc	0.00	120.00	-120.00	-100.0%
Rotary	230.00	0.00	230.00	100.0%
<b>Total Marketing/Community Relations</b>	<u>230.00</u>	<u>120.00</u>	<u>110.00</u>	<u>91.67%</u>
<b>Marketing/Dues</b>				
Oregon Sports Authority	0.00	250.00	-250.00	-100.0%
WVVA	0.00	3,000.00	-3,000.00	-100.0%
<b>Total Marketing/Dues</b>	<u>0.00</u>	<u>3,250.00</u>	<u>-3,250.00</u>	<u>-100.0%</u>
<b>Marketing/Entertainment</b>				
Entertainment	22.00	0.00	22.00	100.0%
<b>Total Marketing/Entertainment</b>	<u>22.00</u>	<u>0.00</u>	<u>22.00</u>	<u>100.0%</u>
<b>Marketing/Internet</b>				

Visit Corvallis  
**Profit & Loss Prev Year Comparison**  
January through March 2012

	Jan - Mar 12	Jan - Mar 11	\$ Change	% Change
Directory Placements	0.00	1,435.00	-1,435.00	-100.0%
Constant Contact	150.00	119.85	30.15	25.16%
ISP Monthly Charges	213.90	299.85	-85.95	-28.66%
Provide Support LLC	45.00	45.00	0.00	0.0%
Video Productions	0.00	300.00	-300.00	-100.0%
<b>Website</b>				
Changes	440.00	192.00	248.00	129.17%
Domain Registration	12.00	0.00	12.00	100.0%
Hosting	214.85	0.00	214.85	100.0%
Redesign	100.00	421.25	-321.25	-76.26%
<b>Total Website</b>	<b>766.85</b>	<b>613.25</b>	<b>153.60</b>	<b>25.05%</b>
<b>Total Marketing/Internet</b>	<b>1,175.75</b>	<b>2,812.95</b>	<b>-1,637.20</b>	<b>-58.2%</b>
<b>Marketing/Postage-Shipping</b>				
Destination Guide - Postage	733.00	786.00	-53.00	-6.74%
Postage - Marketing response	1,077.30	902.46	174.84	19.37%
<b>Total Marketing/Postage-Shipping</b>	<b>1,810.30</b>	<b>1,688.46</b>	<b>121.84</b>	<b>7.22%</b>
<b>Marketing/Printing</b>				
Other	0.00	0.00	0.00	0.0%
Tent Cards	225.00	225.00	0.00	0.0%
<b>Total Marketing/Printing</b>	<b>225.00</b>	<b>225.00</b>	<b>0.00</b>	<b>0.0%</b>
<b>Marketing/Promotions</b>				
Site Inspections	223.96	0.00	223.96	100.0%
WVVA Promotions	49.95	0.00	49.95	100.0%
<b>Total Marketing/Promotions</b>	<b>273.91</b>	<b>0.00</b>	<b>273.91</b>	<b>100.0%</b>
<b>Marketing/Public Relations</b>	<b>550.00</b>	<b>0.00</b>	<b>550.00</b>	<b>100.0%</b>
<b>Marketing/Research</b>				
Smith Travel Research	0.00	375.00	-375.00	-100.0%
<b>Total Marketing/Research</b>	<b>0.00</b>	<b>375.00</b>	<b>-375.00</b>	<b>-100.0%</b>
<b>Marketing/Sales Trips</b>				
Misc Sales Trips	0.00	122.30	-122.30	-100.0%
Sales Cell Phone	0.00	140.00	-140.00	-100.0%
Sales Trip Mileage	0.00	219.50	-219.50	-100.0%
<b>Total Marketing/Sales Trips</b>	<b>0.00</b>	<b>481.80</b>	<b>-481.80</b>	<b>-100.0%</b>
<b>Marketing/Telephone</b>				
1-800	0.00	609.89	-609.89	-100.0%
<b>Total Marketing/Telephone</b>	<b>0.00</b>	<b>609.89</b>	<b>-609.89</b>	<b>-100.0%</b>

Visit Corvallis  
**Profit & Loss Prev Year Comparison**  
January through March 2012

	<u>Jan - Mar 12</u>	<u>Jan - Mar 11</u>	<u>\$ Change</u>	<u>% Change</u>
<b>Marketing/Visitor Services</b>				
Contract Services	90.90	0.00	90.90	100.0%
Distribution Services	420.00	310.00	110.00	35.48%
Souvenirs	0.00	160.80	-160.80	-100.0%
Temporary Office Help	0.00	109.00	-109.00	-100.0%
<b>Total Marketing/Visitor Services</b>	<b>510.90</b>	<b>579.80</b>	<b>-68.90</b>	<b>-11.88%</b>
<b>Payroll Expenses</b>				
Intuit direct deposit fees	21.00	0.00	21.00	100.0%
<b>Total Payroll Expenses</b>	<b>21.00</b>	<b>0.00</b>	<b>21.00</b>	<b>100.0%</b>
<b>Personnel</b>				
<b>Benefits</b>				
<b>Health/Dental Insurance premium</b>				
Regence - Health	5,716.50	2,804.80	2,911.70	103.81%
United Healthcare - Dental	588.06	403.92	184.14	45.59%
<b>Total Health/Dental Insurance premium</b>	<b>6,304.56</b>	<b>3,208.72</b>	<b>3,095.84</b>	<b>96.48%</b>
Simple Plan	412.50	0.00	412.50	100.0%
Workmans Comp	0.00	253.20	-253.20	-100.0%
<b>Total Benefits</b>	<b>6,717.06</b>	<b>3,461.92</b>	<b>3,255.14</b>	<b>94.03%</b>
<b>Payroll taxes</b>				
Employer Taxes & Contribution	3,622.32	2,894.61	727.71	25.14%
<b>Total Payroll taxes</b>	<b>3,622.32</b>	<b>2,894.61</b>	<b>727.71</b>	<b>25.14%</b>
<b>Salaries</b>				
Executive Director	13,337.49	0.00	13,337.49	100.0%
Social Media Coordinator	7,500.00	0.00	7,500.00	100.0%
Visitor Manager	8,700.33	0.00	8,700.33	100.0%
Staff	0.00	0.00	0.00	0.0%
Salaries - Other	0.00	27,413.55	-27,413.55	-100.0%
<b>Total Salaries</b>	<b>29,537.82</b>	<b>27,413.55</b>	<b>2,124.27</b>	<b>7.75%</b>
<b>Total Personnel</b>	<b>39,877.20</b>	<b>33,770.08</b>	<b>6,107.12</b>	<b>18.08%</b>
<b>Total Expense</b>	<b>60,611.90</b>	<b>66,233.10</b>	<b>-5,621.20</b>	<b>-8.49%</b>
<b>Net Income</b>	<b>23,351.28</b>	<b>11,045.70</b>	<b>12,305.58</b>	<b>111.41%</b>

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04/20/12

Visit Corvallis  
**Statement of Cash Flows**  
January through March 2012

	Jan - Mar 12
<b>OPERATING ACTIVITIES</b>	
Net Income	23,351.28
Adjustments to reconcile Net Income to net cash provided by operations:	
Accounts Receivable	5,113.40
Payroll Liabilities	-28.74
Payroll liabilities - Other:SIMPLE payable	-275.00
Payroll tax liabilities:FUTA Payable	-194.46
Payroll tax liabilities:FWT/FICA FWT payable	511.02
Payroll tax liabilities:OR Withholding Payable	4.00
Payroll tax liabilities:OR State Unemployment Payable	426.34
Net cash provided by Operating Activities	28,907.84
Net cash increase for period	28,907.84
Cash at beginning of period	80,010.12
Cash at end of period	<u>108,917.96</u>



**Finance Department**  
500 SW Madison Avenue  
Corvallis, OR 97333  
541-766-6990  
541-754-1729

## MEMORANDUM

April 23, 2012

**TO:** Ken Gibb, Community Development  
**FROM:** Jeanna Yeager, Accountant  
**SUBJECT:** Visit Corvallis Financial Report – Third Quarter, FY 11/12

This review consists of inquiries and analytical procedures and is very limited in its nature. The financial statements have not been reviewed by a Certified Public Accountant and are the representation of the management of Visit Corvallis. Visit Corvallis uses the accrual method of accounting.

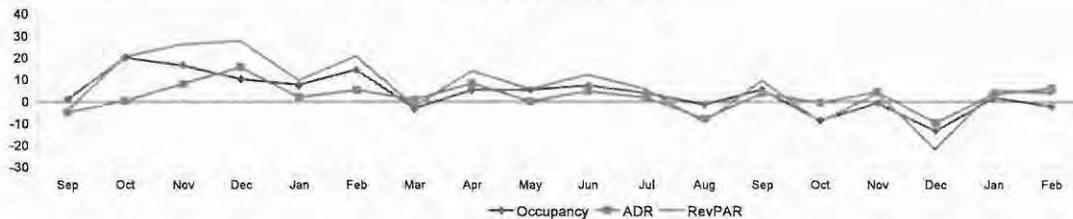
During the third quarter of fiscal year 2011/2012, Visit Corvallis reported revenues of \$83,953 and expenditures of \$60,612 resulting in net income of \$23,351. Visit Corvallis was above expectations for the quarter by \$23,391 with a budgeted net loss of \$40. However, this is pending payment of marketing/advertising expenses that were incurred this quarter. In the future, Visit Corvallis will recognize expense when incurred, which is appropriate when using the accrual method of accounting. Visit Corvallis maintains a fairly strong cash position, with current assets totaling \$112,684 and current liabilities of only \$7,810.

The City of Corvallis has budgeted \$335,450 for Visit Corvallis for fiscal year 2011/2012 in monthly payments of \$27,954. The City has funded a total of \$83,862 for the third quarter, which has been accurately accounted for on the Visit Corvallis report. This represents virtually all revenues for the quarter.

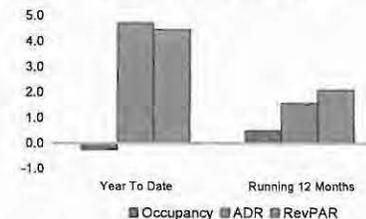
Acceptance of the Visit Corvallis quarterly report is recommended.

Visit Corvallis  
For the Month of February 2012

Monthly Percent Change



Overall Percent Change



Occupancy (%)	2010				2011				2012				Year To Date			Running 12 Months								
	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	2010	2011	2012	2010	2011	2012
This Year	62.1	58.7	51.4	38.2	42.0	54.2	56.4	60.7	56.4	70.8	68.7	62.7	65.5	53.7	51.1	33.0	42.8	53.1	42.9	47.8	47.6	51.0	55.9	56.2
Last Year	61.4	48.8	44.0	34.6	38.9	47.3	58.2	57.5	53.5	65.9	66.2	63.5	62.1	58.7	51.4	38.2	42.0	54.2	38.9	42.9	47.8	53.8	51.0	55.8
Percent Change	1.0	20.2	16.7	10.3	7.7	14.7	-3.0	5.5	5.4	7.5	3.8	-1.3	5.5	-8.5	-0.6	-13.4	1.9	-2.1	7.6	11.4	-0.3	-4.8	9.7	0.5

ADR	2010				2011				2012				Year To Date			Running 12 Months								
	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	2010	2011	2012	2010	2011	2012
This Year	90.33	93.08	95.88	89.09	81.91	85.92	84.12	95.78	92.28	95.54	92.61	84.25	93.81	92.89	100.06	80.55	84.69	91.01	80.91	84.07	88.03	88.05	89.69	91.11
Last Year	84.96	92.76	88.86	76.67	80.29	81.48	83.37	88.55	82.02	91.39	90.92	91.41	90.33	93.06	95.88	89.09	81.91	85.92	81.37	80.91	84.07	85.08	88.05	89.69
Percent Change	-4.9	0.3	8.1	15.9	2.0	5.4	0.9	8.2	0.3	4.7	1.9	-7.8	3.9	-0.4	4.4	-8.6	3.4	5.9	-0.6	3.9	4.7	0.0	1.9	1.6

RevPAR	2010				2011				2012				Year To Date			Running 12 Months								
	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	2010	2011	2012	2010	2011	2012
This Year	56.06	54.63	49.25	34.01	34.36	46.58	47.45	58.12	52.01	67.73	63.62	52.79	61.45	49.77	51.10	26.62	36.22	46.29	34.71	40.16	41.94	44.88	50.15	51.20
Last Year	58.33	45.29	39.02	26.59	31.27	38.52	48.50	50.93	49.19	60.23	60.16	58.04	56.06	54.63	49.25	34.01	34.36	46.58	32.44	34.71	40.16	47.18	44.88	50.15
Percent Change	-3.9	20.6	26.2	27.9	9.9	20.9	-2.2	14.1	5.7	12.5	5.8	-9.1	8.6	-8.9	3.8	-21.7	5.4	3.7	7.0	15.7	4.4	-4.9	11.7	2.1

Supply	2010				2011				2012				Year To Date			Running 12 Months								
	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	2010	2011	2012	2010	2011	2012
This Year	24,030	24,831	24,030	24,831	24,831	22,428	24,831	24,030	24,831	24,030	24,831	24,831	24,030	24,831	24,030	24,831	24,831	22,400	47,259	47,259	47,231	292,365	292,365	292,337
Last Year	24,030	24,831	24,030	24,831	24,831	22,428	24,831	24,030	24,831	24,030	24,831	24,831	24,030	24,831	24,030	24,831	24,831	22,428	47,258	47,259	47,259	292,365	292,365	292,365
Percent Change	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	

Demand	2010				2011				2012				Year To Date			Running 12 Months								
	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	2010	2011	2012	2010	2011	2012
This Year	14,915	14,574	12,343	9,478	10,417	12,159	14,006	14,582	13,995	17,018	17,060	15,558	15,741	13,334	12,271	8,206	10,620	11,885	20,273	22,576	22,505	149,023	163,458	164,274
Last Year	14,761	12,125	10,578	8,590	9,669	10,904	14,444	13,823	13,274	15,838	16,429	15,766	14,915	14,574	12,343	9,478	10,417	12,159	18,839	20,273	22,576	156,599	149,023	163,458
Percent Change	1.0	20.2	16.7	10.3	7.7	14.7	-3.0	5.5	5.4	7.5	3.8	-1.3	5.5	-8.5	-0.6	-13.4	1.9	-2.3	7.6	11.4	-0.3	-4.8	9.7	0.5

Revenue	2010				2011				2012				Year To Date			Running 12 Months								
	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	2010	2011	2012	2010	2011	2012
This Year	1,347,230	1,356,554	1,183,387	844,404	853,217	1,044,853	1,178,212	1,396,599	1,281,445	1,627,462	1,579,862	1,310,738	1,476,656	1,235,871	1,227,873	660,996	899,399	1,081,690	1,640,353	1,897,870	1,981,089	13,121,385	14,661,280	14,966,802
Last Year	1,401,725	1,124,716	837,712	660,303	776,367	963,966	1,204,225	1,223,940	1,221,440	1,447,264	1,493,758	1,441,208	1,347,230	1,356,554	1,183,387	844,404	853,217	1,044,853	1,532,958	1,640,353	1,897,870	13,793,499	13,121,385	14,661,280
Percent Change	-3.9	20.6	28.2	27.9	9.9	20.9	-2.2	14.1	5.7	12.5	5.8	-9.1	8.6	-8.9	3.8	-21.7	5.4	3.5	7.0	15.7	4.4	-4.9	11.7	2.1

Census %	2010				2011				2012				Year To Date			Running 12 Months								
	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	2010	2011	2012	2010	2011	2012
Census Props	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10
Census Rooms	801	801	801	801	801	801	801	801	801	801	801	801	801	801	801	801	801	800	13,121,385	14,661,280	14,966,802	13,793,499	13,121,385	14,661,280
% Rooms Participants	74.9	74.9	74.9	74.9	74.9	74.9	74.9	74.9	74.9	74.9	74.9	74.9	74.9	74.9	74.9	74.9	74.9	74.9	74.9	74.9	74.9	74.9	74.9	74.9

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Source 2012 SMITH TRAVEL RESEARCH, Inc.

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\*\*\*MEMORANDUM\*\*\*

TO: Administrative Services Committee

FROM: Nancy Brewer, Finance Director *NB*

DATE: April 23, 2012

SUBJECT: Follow-up to March 21<sup>st</sup>, ASC Meeting - Resolution to “opt in” to the additional immunity provided for under House Bill 2865

**I. ISSUE**

ASC requested additional information regarding staff’s proposal for City Council to adopt a resolution to “opt in” to immunity provided for in House Bill 2865 to limit personal liability.

**II. BACKGROUND**

In 2011, the Oregon Legislature enacted House Bill 2865 to extend the statutory recreational immunity laws provided to landowners by ORS 105.682. HB 2865 limits private claims or rights of action for personal injury or property damage resulting from use of a trail that is in a public easement or in an unimproved right of way, or from use of structures in the public easement or unimproved right of way, by a user on foot, horse, bicycle, or other non-motorized vehicle or conveyance. HB 2865 was specifically designed to provide additional immunity for cities with a population greater than 500,000. However, the Legislature provided a clause that allows smaller cities such as Corvallis, the opportunity to “opt in” by resolution.

HB 2865 provides that a person who is personally injured or whose property is damaged as a result of using a trail that is in a public easement or unimproved right of way and who is on foot, on a horse, on a bicycle or other non-motorized vehicle does not have a negligence claim against the City including the officers, employees or agents of the City or owners of land abutting the public easement or unimproved right of way. HB 2865 does not grant immunity if injuries were a result of gross negligence or from reckless, wanton or intentional misconduct, or for an activity for which the person is strictly liable.

The City’s insurance company, City County Insurance Services (CIS) reviewed HB 2865 and concluded that if trails in unimproved right of ways or easements owned by the City might be used for transportation other than for recreational purposes, the “recreational use” immunity might not be sufficient. Although CIS is uncertain if this additional immunity would be upheld against a legal challenge, they see no disadvantage to “opting in.” CIS considers the decision to “opt in” good risk management.

As part of the discussion at the March 21<sup>st</sup> ASC meeting, Councilors Traber and O’Brien identified a number of issues concerning the “opt-in” resolution as it relates to trails in easements and unimproved public right of ways including maintenance, transportation services, vegetation, legal remedies and a need for more information.

**III. DISCUSSION**

Since most of these concerns are related to management of the public rights of ways, Public Works staff, primarily, Jim Mitchell, Transportation and Building Division Manager, provided information to address the issues outlined in the ASC meeting of March 21<sup>st</sup>. Issues and answers are as follows:

- *Public use of unimproved public right of ways and dysfunctional paths to reach their destination.*

Residents who live in areas served by roadways that are not constructed to City standards (unimproved streets) are limited to those facilities until they get to an area that has been developed to City standards. Streets are constructed to City standards through a couple of processes. New development is required to construct adjacent streets to current standards. Sidewalks along collectors and arterials are constructed when the development is built. Sidewalks on local streets are required when the adjacent lot is developed or within three years of the date of the recording of the plat. Redevelopment generally has the same requirements, but in some in-fill developments, the City may consider payments in lieu of for infill development. In the absence of development, Local Improvement Districts (LID) can be formed when a neighborhood wishes to have the street/sidewalk improvements constructed in an area where there is currently an unimproved street. In this case, the adjacent property owners are assessed for their share of the improvements. If there are neighborhoods in Ward 1 with unimproved streets that wish to form an LID to bring their streets up to current standards, the City would be happy to facilitate this process.

- *City obligations to maintain facilities within the right of way that are known to be substandard or dangerous*

The City is obligated to eliminate safety hazards within the right of way. The City is not "obligated" to maintain a substandard facility other than to ensure that its condition has not deteriorated to a point that it is unsafe. The City has a number of methods to ensure safe facilities including notifying the adjacent property owner of their obligations under the Corvallis Municipal Code (CMC), mitigating a hazard by closing access to the facility and making repairs to eliminate hazards caused by structural failures. There are no funds specifically identified for maintenance and repair of unimproved streets.

- *Maintenance of a trail alongside Whiteside Drive (S curves)*

This trail along Whiteside Drive is not constructed to City standards. Much like the maintenance level provided for an unimproved street, the City provides minimal maintenance and will address specific safety hazards. Recently the City spent a number of days improving access to this trail by cleaning it of debris coming from the adjacent properties, addressing vegetation obstructions, and making some pavement patches to eliminate the safety hazards. Several years ago, the Public Works Department agreed to complete a one-time asphalt overlay to fix trip hazards with the acknowledgment that a sidewalk improvement district would be required to bring the existing trail up to City standards in order to qualify for continued City maintenance.

- *Effects of vegetation overgrowth preventing access to unimproved trails or paths in right of ways next to roads*

Adjacent property owners are required by the Corvallis Municipal Code to keep landscaping and vegetation maintained to avoid causing obstructions in the right of way. When the City becomes aware of a problem with a vegetation obstruction, either by direct observation or through the receipt of a complaint, staff works with the adjacent property owner to address the issue.

- *Citizen protections in situations in which the City failed to enforce municipal codes related to overgrown vegetation*

The protections to a citizen for the City's failure to act are the same as under any other findings of acts of negligence by the City.

- *Low level of public transportation services in the Ward 1 area*

Ward 1 is served by four transit routes: Routes 3, 8, C3 and the Philomath Connection (PC). Routes 3 and 8 provide service every 1/2 hour to the majority of Ward 1 and especially to the areas with the highest population density and to the primary trip destinations. The PC and C3 are considered connector and commuter routes, respectively, and provide service to the lower density residential areas, OSU and to Grand Oaks Summit on the fringe of the city. Transit service to this Ward is equal to or higher than the service provided to all other Wards with the exception of Wards 2 (downtown) and 4 (OSU). The FTA considers transit service to be available if the route is within 1/2 mile.

- *Safe accessibility to transit service in Ward 1*

Access to the transit service is "safe" to the vast majority of riders. Obviously, in the areas of Ward 1 with unimproved streets, the facilities are not built to the same standards as a fully improved street with sidewalks. For those individuals who are not able to access the fixed-route service due to disability or other restrictions, the City provides federally mandated complimentary paratransit service through an agreement with Benton County who contracts with Dial-A-Bus. The City provides the certification required to access this service and individuals are encouraged to contact the City for assistance with that service. The fare for a paratransit ride can be no more than twice the regular fare, these rides are fare-free within the CTS service area during CTS service times.

- *Provide more examples of where HB 2865 might be applicable*

Any trail in an unimproved right of way or public easement would be subject to the resolution. The public would continue to have access to these trails but the City nor the adjacent property owner would be subject to private claims or rights of action for such use. The "S" curve trail on Whiteside Drive offers an excellent example of public access to an unimproved trail within a public right of way with all of the liability for such use falling to the adjacent property owner and City. In this example, "opting-in" allows continued public access to the trail with the reduced liability to the City and adjacent property owner for such use. Other examples include any trails or paths in unimproved right of ways or public easements, used by the public but not maintained by the City.

- *HB 2865 denies citizens their rights for protection from negligence by the City*

HB 2865 does not protect the City or the adjacent property owner against negligence.

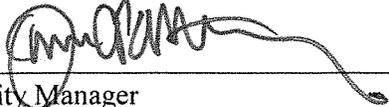
#### **IV. CONCLUSION**

Opting in to HB 2865 offers the City and adjacent property owners additional liability protection by continuing to allow non-motorized public access to trails in unimproved public right of ways and easements. City County Insurance Services believes HB 2865 offers cities additional liability protection and is encouraging member organizations to "opt in." If local residents want unimproved trails improved to City standards, they can pursue a Local Improvement District to pay for such improvements.

#### **III. REQUESTED ACTION**

Staff requests ASC to support a resolution (attached) to "opt in" as provided for under HB 2865 to provide additional liability protection of the City and adjacent property owners from claims resulting from use of a trail that is in a public easement or in an unimproved right of way.

Review and Concur:

  
\_\_\_\_\_  
City Manager

  
\_\_\_\_\_  
Public Works Director

**RESOLUTION 2012 - \_\_\_\_\_**

Minutes of the June 4, 2012, Corvallis City Council meeting, continued.

A resolution submitted by Councilor \_\_\_\_\_.

WHEREAS, City Council finds that the Oregon Legislature enacted House Bill 2865 in its 2011, Regular Session to limit private claims or rights of action based on negligence for personal injury or property damage resulting from use of a trail that is in a public easement or in an unimproved right of way, or from use of structures in the public easement or unimproved right of way, by a user on foot, horse, bicycle, or other nonmotorized vehicle or conveyance ; and

WHEREAS, City Council finds that House Bill 2865 applies automatically to cities with a population of 500,000 or more and allows cities with a lesser population to opt in to limit liability in the manner established by law; and

WHEREAS, City Council finds that the City of Corvallis will limit its liability from certain claims by opting into the immunity provided for in House Bill 2865.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CORVALLIS RESOLVES to limit its liability with respect to personal injury or property damage resulting from use of a trail that is in a public easement or in an unimproved right of way, or from use of structures in the public easement or unimproved right of way, with respect to claimants who may be a user on foot, horse, bicycle or other non-motorized vehicle or conveyance.

BE IT FURTHER RESOLVED, THE CITY COUNCIL OF THE CITY OF CORVALLIS hereby opts into the immunity provided for in House Bill 2865 to limit such liability.

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Councilor

Upon motion duly made and seconded, the foregoing resolution was adopted, and the Mayor thereupon declared said resolution to be adopted.

### Visit Corvallis 2011-2012 Response Report

Internet Response:			Jul-11	Aug-11	Sep-11	Oct-11	Nov-11	Dec-11	Jan-12	Feb-12	Mar-12	YTD	Total Obj
www.visitcorvallis.com			14,125	12,735	12,031	12,675	12,123	10,304	12,226	12,087	13,763	112,069	137,689
Corvallis Maven Blog			0	0	147	682	459	619	1,307	646	910	4,770	6,397
WVVA Wine Trails E-Brochure			0	0	0	0	529	31	728	255	469	2,012	1,935
Madden Digital Guide			0	3,174	0	0	0	0	0	0	0	3,174	5,000
Total Web site:			14,125	15,909	12,178	13,357	13,111	10,954	14,261	12,988	15,142	122,025	151,021
Social Media Response:													
Facebook PTAT			0	0	0	0	1,578	1,578	698	515	1,578	5,947	4,291
YouTube Views			0	0	5	10	15	8	25	30	14	107	180
<b>Total Social Media Engagement</b>			0	0	5	10	1,593	1,586	723	545	1,592	6,054	4,471
Other Responses:												0	
Total Advertising Direct Orders			1,566	131	63	362	33	33	761	33	33	3,015	4,500
Total 1-800			10	11	0	18	18	8	0	8	8	81	150
Total Web Orders for Brochure			272	919	219	217	62	116	159	1,416	1,431	4,811	6,000
Visitor Center Arrivals			1,390	1,466	1,079	650	1,236	607	529	1,104	738	8,799	7,800
Satellite Distribution			2,200	2,500	1,700	1,200	380	200	1,300	1,650	1,812	12,942	20,000
Local Distribution			640	1,245	640	1,110	750	410	640	640	640	6,715	9,000
<b>Total Leads</b>			6,078	6,272	3,701	3,557	2,479	1,374	3,389	4,851	4,662	36,363	47,450
<b>Total Engagement:</b>			<b>20,203</b>	<b>22,181</b>	<b>15,884</b>	<b>16,924</b>	<b>17,183</b>	<b>13,914</b>	<b>18,373</b>	<b>18,384</b>	<b>21,396</b>	<b>164,442</b>	<b>202,942</b>

Attachment A

Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
20,203	22,181	15,884	16,924	17,183	13,914	18,373	18,384	21,396

