



**CORVALLIS
CITY COUNCIL AGENDA**

**January 7, 2013
6:00 pm**

**Downtown Fire Station
400 NW Harrison Boulevard**

*[Note: The order of business may be revised at the Mayor's discretion.
Due to time constraints, items on the agenda not considered
will be continued to the next regularly scheduled Council meeting.]*

COUNCIL ACTION

OATHS OF OFFICE

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. PROCLAMATION / PRESENTATION / RECOGNITION

V. VISITORS' PROPOSITIONS – This is an opportunity for visitors to address the City Council on subjects not related to a public hearing before the Council. Each speaker is limited to three minutes unless otherwise granted by the Mayor. Visitors' Propositions will continue following any scheduled public hearings, if necessary.

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

A. Reading of Minutes

1. City Council Meeting – December 17, 2012
2. City Council-Elect Work session – December 18, 2012
3. For Information and Filing (Draft minutes may return if changes are made by the Board or Commission)
 - a. Arts and Culture Commission – November 28, 2012
 - b. Citizens Advisory Commission on Civic Beautification and Urban Forestry – December 13, 2012
 - c. Commission for Martin Luther King, Jr. – November 27, 2012

- B. Confirmation of Appointments to Boards, Commissions, and Committees (Bicycle and Pedestrian Advisory Commission - Bovee; Committee for Citizen Involvement - Tom)
- C. Announcement of Vacancies on Boards, Commissions, and Committees (Citizens Advisory Commission on Transit – Sorce; Housing and Community Development Commission – L'Heureux)
- D. Announcement of Appointments to Boards, Commissions, and Committees (Budget Commission – O'Brien; Economic Development Commission – Weber)
- E. Schedule a public hearing for January 22, 2013 to consider the Fiscal Year 2013-2014 to Fiscal Year 2017-2018 Community Development Block Grant/HOME Consolidated Plan
- F. Acknowledgment of receipt of 2012 updated City Council policies
- G. Acknowledgment of 2012 City Manager employment agreement
- H. Approval of a permit to occupy the public right-of-way (Comcast)

VII. ITEMS REMOVED FROM CONSENT AGENDA

VIII. UNFINISHED BUSINESS

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

- A. Human Services Committee – None.
- B. Administrative Services Committee – December 19, 2012
 - 1. da Vinci Days Loan Review-Restructuring [direction]
 - 2. Parks and Recreation Cost Recovery Update [information]
 - 3. Municipal Code review: Chapter 3.06, "City Services Billing" [direction]
ACTION: An ordinance amending Corvallis Municipal Code Chapter 3.06, "City Services Billing," as amended, to be read by the City Attorney
 - 4. First Quarter Operating Report [direction]
- C. Urban Services Committee – None.

X. MAYOR, COUNCIL, AND STAFF REPORTS

- A. Mayor's Reports
 - 1. Standing Committee Appointments and Appointments of Council Liaisons to Boards, Commissions, and Committees (to be distributed on Monday) [information]

2. Updated Boards, Commissions, and Committees directory (to be distributed on Monday) [information]
 3. Appointments to Cascades West Area Commission on Transportation [information]
 4. Election of Council President and Vice President for 2013-2014 Term of office [direction]
- B. Council Reports
- C. Staff Reports
1. 2013-2014 Ward meetings [direction]
 2. 2013 Government Comment Corner [direction]
 3. 2011-2012 Planning Work Program Review [information]

XI. NEW BUSINESS

XII. PUBLIC HEARINGS – None.

XIII. 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

JANUARY 7 - 19, 2013

MONDAY, JANUARY 7

- ▶ City Council - 6:00 pm - Downtown Fire Station, 400 NW Harrison Boulevard

TUESDAY, JANUARY 8

- ▶ Human Services Committee - 12:00 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue
- ▶ Commission for Martin Luther King, Jr. - 5:00 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue
- ▶ OSU/City Collaboration Project Parking and Traffic Work Group - 5:30 pm - Osborn Aquatic Center Activity Room, 1940 NW Highland Drive
- ▶ Historic Resources Commission - 6:00 pm - Downtown Fire Station, 400 NW Harrison Boulevard

WEDNESDAY, JANUARY 9

- ▶ No City Legislative Committee
- ▶ Citizens Advisory Commission on Transit - 8:20 am - Madison Avenue Meeting Room, 500 SW Madison Avenue
- ▶ No Administrative Services Committee
- ▶ Downtown Commission - 5:30 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue

THURSDAY, JANUARY 10

- ▶ Citizens Advisory Commission on Civic Beautification and Urban Forestry - 8:30 am - Parks and Recreation Conference Room, 1310 SW Avery Park Drive
- ▶ Urban Services Committee - 5:00 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue
- ▶ OSU/City Collaboration Project Neighborhood Planning Work Group - 5:30 pm - Osborn Aquatic Center Activity Room, 1940 NW Highland Drive

SATURDAY, JANUARY 12

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

MONDAY, JANUARY 14

- ▶ Economic Development Commission - 3:00 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue
- ▶ City Council Work Session - 5:30 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue (goal setting)

TUESDAY, JANUARY 15

- ▶ OSU/City Collaboration Project Neighborhood Livability Work Group - 5:30 pm - Library Meeting Room, 645 NW Monroe Avenue

WEDNESDAY, JANUARY 16

- ▶ Arts and Culture Commission - 5:30 pm - Parks and Recreation Conference Room, 1310 SW Avery Park Drive
- ▶ Housing and Community Development Commission - 12:00 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue
- ▶ Planning Commission - 7:00 pm - Downtown Fire Station, 400 NW Harrison Boulevard

THURSDAY, JANUARY 17

- ▶ Parks, Natural Areas, and Recreation Board - 6:30 pm - location to be determined
- ▶ Budget Commission - 7:00 pm - Downtown Fire Station, 400 NW Harrison Boulevard

SATURDAY, JANUARY 19

- ▶ No Government Comment Corner

**CITY OF CORVALLIS
COUNCIL ACTION MINUTES
DECEMBER 17, 2012**

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for Further Review	Decisions/Recommendations
Presentations 1. Gondar Sister Cities Association 2. Visit Corvallis annual report and marketing plan Pages 552-553	Yes Yes		
Visitors' Propositions 1. CRFPD contract (Conder) Page 554	Yes		
Consent Agenda Page 554			
Unfinished Business 1. HRC selection Pages 555-556			<ul style="list-style-type: none"> • Elected Robinson (June 30, 2014 expiration)
HSC Meeting of December 4, 2012 1. 2013-14 Social Service priorities and policy review Page 556			<ul style="list-style-type: none"> • Directed staff to schedule review and obtain public comment <u>passed U</u>
ASC Meeting of December 5, 2012 1. CAFR 2. Visit Corvallis first quarter report 3. NW Natural franchise renewal 4. Planning Work Program considerations Pages 556-558			<ul style="list-style-type: none"> • Accepted report <u>passed U</u> • Accepted report <u>passed U</u> • ORDINANCE 2012-23 <u>passed U</u> • Directed staff to initiate simplified existing PD removal process and project changes requiring PD modification process as immediate addition to work program <u>passed 7-2</u> • Nominated process modifications for PD, hearings officer, and OSU historic district for 2013-14 work program consideration <u>passed 7-2</u>
USC Meeting of December 6, 2012 1. Municipal Code Review: Chapter 8.13, "Mobile Food Units" 2. AIP Development Plan Page 558-559	Yes		<ul style="list-style-type: none"> • Approved plan with changes; directed staff to initiate Comprehensive Plan amendment <u>passed U</u>

Agenda Item	Information Only	Held for Further Review	Decisions/Recommendations
Mayor's Reports 1. OSU/City Collaboration Project 2. Recognition of outgoing Councilors Page 559-560	Yes Yes		
Council Reports 1. Recognition of outgoing Councilors (Beilstein, Traber, Hirsch, Raymond, O'Brien) 2. Live Web access to Council meetings (Beilstein) 3. Walk Friendly Communities recognition (Beilstein) 4. Sister Cities Association (Raymond) 5. Residential parking (Raymond) 6. MLK celebration (Raymond) Pages 560-562	Yes Yes Yes Yes Yes Yes		
Staff Reports 1. CMR – November 2012 2. CRFR – December 13, 2012 Page 562	Yes Yes		

Glossary of Terms

AIP	Airport Industrial Park
ASC	Administrative Services Committee
CAFR	Comprehensive Annual Financial Report
CMR	City Manager's Report
CRFPD	Corvallis Rural Fire Protection District
CRFR	Council Requests Follow-up Report
HRC	Historic Resources Commission
HSC	Human Resources Committee
MLK	Martin Luther King, Jr.
OSU	Oregon State University
PD	Planned Development
U	Unanimous
USC	Urban Services Committee

**CITY OF CORVALLIS
COUNCIL ACTION MINUTES**

December 17, 2012

I. CALL TO ORDER

The regular meeting of the City Council of the City of Corvallis, Oregon, was called to order at 6:00 pm on December 17, 2012 in the Downtown Fire Station, 400 NW Harrison Boulevard, Corvallis, Oregon, with Mayor Manning presiding.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

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

Mayor Manning directed Councilors' attention to items at their places, including a ballot for Historic Resources Commissioner selection, information from Visit Corvallis (Attachment A), and a progress report from the Corvallis-Gondar Sister Cities Association (Attachment B).

IV. PROCLAMATION/PRESENTATION/RECOGNITION

Mayor Manning recognized Councilor-elect Penny York in the audience.

A. Corvallis-Gondar Sister Cities Association presentation

Don Prickel thanked Mayor Manning, Councilors, and City Manager Patterson for support of both Sister Cities: Gondar, Ethiopia and Uzhgorod, Ukraine. He thanked Councilor Raymond for her support as Council liaison and for participating with many of the Sister Cities activities.

Maxine Prickel, Gondar Work Group Chair, briefed Council about the education delegation that traveled to Gondar in September (Attachment B). The delegation continued work at the Tsadiku Yohannes Elementary School (TY) to assist them in becoming a model public school. The work included designing and refurbishing a model classroom, training 28 teachers (development and computer), negotiating an agreement with the Ministry of Education to hire an information technology teacher at TY, and agreeing to fund 18 months of Internet access until funding can be permanently built into the TY budget.

Councilor Raymond thanked the Prickels for their report. She said the City participates with Sister Cities International as part of the diversity and inclusion goal. She added that it has been a pleasure working with the Sister Cities organization.

In response to Mayor Manning's comments about the clean drinking water project in Gondar, Mr. Prickel said eight wells have been dug during the last three years in outlying villages. The work group anticipates digging another 16 wells in the next few years.

Ms. Prickel confirmed that another delegation will go to Gondar next summer or fall. The Prickels announced the Ethiopian cultural dinner and auction scheduled for January 27 at 5:00 pm in the First Congregational United Church of Christ.

B. Visit Corvallis annual report and marketing plan

Mary Pat Parker, Visit Corvallis Executive Director, responded to inquiries made during the Visit Corvallis (VC) first quarter report at the December 5 Administrative Services Committee (ASC) meeting:

- Bringing conference business to Corvallis – Several years ago, VC attempted to add sales functions to the executive director position. The executive director position has not been permanently staffed for almost three years and adding the sales function is not workable. Funds have been budgeted in the current fiscal year to hire a group travel staff person.
- Zero hotel bookings – The information was lost when the vendor providing the online "book-it" feature and statistical reporting filed for bankruptcy. A new vendor has been hired.

Ms. Parker said tourism and marketing has evolved in the last five years. VC is marketing Corvallis as a destination with a strong emphasis on social media where most successful marketing is occurring. The Web site has been redesigned from strictly informational to include a portal site for members and area businesses. VC reports monthly "click-through" rates to members. Since the launch of the new Web site there has been increased brand awareness, engagement, conversation, and action. A VC social media guru posts regularly on Facebook© and Twitter©. VC will track Web site visitors and the success of social media campaigns. Three of the four seasonal marketing campaigns have been completed. The "Get out of the mall and into the spirit – visit Corvallis this season" campaign was broadcast on television and included a landing page on the VC Web site tied to an enter-to-win contest. More than 860 entries were submitted. VC is planning a robust 2013 campaign for the Year of Culture.

During last fiscal year, lodging demand and occupancy decreased while average daily rates increased. More travelers came into the visitors center and visitor guide distribution increased 15 percent. Approximately 40 percent of visitors stay over night with 60 percent visiting friends and relatives or stopping as they move from one location to another. Demographics reveal that visitors are typically 45 to 65 years old and travel from Oregon, Washington, Idaho, and Canada. The United States Travel Association is forecasting small but steady growth in domestic and international trips. Business travel and group demand have begun to rebound.

Ms. Parker said she envisions an opportunity for increased community partnerships in the coming year. Goals include increasing occupancy revenue for lodging partners, moving visitor traffic to area businesses, and identifying Corvallis as a great place to visit and do business.

V. VISITORS' PROPOSITIONS

Bob Conder, Corvallis Rural Fire Protection District (CRFPD), referred to the letter sent to the City and corresponding newspaper article related to the \$1 million CRFPD pays the City for fire district services. The intent of the letter, sent on the advice of the CRFPD attorney, was to make certain the recent full payment was not viewed as CRFPD acquiescing to the issues that closing Scott Zimbrick Memorial Fire Station 5 has brought to the fire district. CRFPD is trying to find middle ground between terminating the contract and/or requesting compensation for loss of services. Discussions will continue with Fire Chief Emery and others to reach a reasonable solution. The goal is to reopen Station 5.

Councilor Traber stated support for reopening Station 5 and urged Mr. Conder to continue discussions versus sending letters.

VI. CONSENT AGENDA

Councilors O'Brien and Hirsch, respectively, moved and seconded to adopt the Consent Agenda as follows:

- A. Reading of Minutes
 - 1. City Council Meeting – December 3, 2012
 - 2. City Council Work Sessions – December 10, 2012
 - 3. For Information and Filing (Draft minutes may return if changes are made by the Board or Commission)
 - a. Corvallis-Benton County Public Library Board – November 7, 2012
 - b. Downtown Commission – November 14, 2012
 - c. Economic Development Commission – November 19, 2012
 - d. Historic Resources Commission – November 13, 2012
 - e. Housing and Community Development Commission – November 21, 2012
 - f. Parks, Natural Areas, and Recreation Board – November 15, 2012
 - g. Planning Commission – October 17, 2012
- B. Confirmation of Appointments to Airport Commission (Woods)
- C. Announcement of Appointments to Advisory Boards, Commissions, and Committees (Bicycle and Pedestrian Advisory Commission - Bovee; Committee for Citizen Involvement - Tom)
- D. Announcement of Vacancy on Economic Development Commission (Angelos)
- E. Cancellation of an Executive Session scheduled for December 17, 2012 under ORS 192.660(2)(d)(status of labor negotiations)

The motion passed unanimously.

VII. ITEMS REMOVED FROM CONSENT AGENDA – None.

VIII. UNFINISHED BUSINESS

A. Selection of Historic Resources Commissioner

Mayor Manning announced that two candidates for one vacancy on the Historic Resources Commission were interviewed by Council during a recent work session. She directed Councilors to vote for one candidate using the ballots previously distributed.

Ms. Louie tabulated the ballots and reported the vote:

Councilor Brown	Robinson
Councilor Traber	Robinson
Councilor Brauner	Hand
Councilor O'Brien	Hand
Councilor Raymond	Hand
Councilor Hirsch	Hand
Councilor Hervey	Robinson
Councilor Beilstein	Robinson

Ms. Louie said a majority of five votes was required and both candidates received four votes.

Mayor Manning explained that not all Councilors were present during the interviews.

City Attorney Fewel suggested Council vote again. He said the Mayor typically breaks tie votes; however, she was not present during the interviews. If the second vote results in another tie, the process would start over. Although Council would determine that process, he suggested the Councilor who did not participate may want to interview the candidates along with the Mayor.

Councilor Brauner announced that he listened to the recording of the interviews since he was not able to attend. Ms. Louie confirmed that if he did not vote, the required majority would be four.

Mr. Fewel said an argument could be made that the vote would need to be a majority of the full Council even when there is an abstention. In this situation, those who were not able to participate were not considered when counting the quorum. Therefore, the majority of eight Councilors is five.

Ms. Louie tabulated a second vote by the Council:

Councilor Brown	Robinson
Councilor Traber	Robinson
Councilor Brauner	Robinson
Councilor O'Brien	Robinson
Councilor Raymond	Hand
Councilor Hirsch	Hand
Councilor Hervey	Robinson
Councilor Beilstein	Robinson

Ms. Louie announced that Mr. Robinson received a majority vote of six. Mr. Robinson's term begins immediately and expires June 30, 2014.

Mayor Manning congratulated Mr. Robinson and thanked Mr. Hand for participating.

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

A. Human Services Committee – December 4, 2012

1. 2013-2014 Social Service Priorities and Policy Review

Councilor Raymond said the United Way of Benton and Lincoln Counties (UWBLC) is a good partner and administrator of the City's social service program. Many local agencies benefit from UWBLC and City allocations and those agencies collaborate to ensure services are provided to those in need. Over the past few years, social service funds have been reduced by federal, state, and local governments. Access to grants has also declined. Last year, the City allocated \$370,000 for social services. That amount equals 0.3 percent of the City's total budget and 2.5 percent of the City's General Fund. When the levy was approved, the public supported social service funding in the amount of \$120,000 per year. Councilor Raymond opined that Council should approve allocating a minimum of \$370,000 for next fiscal year as part of the policy review.

Councilors Raymond and Beilstein, respectively, moved and seconded to direct staff to schedule the social service priorities and policy review and obtain public comment during the first Human Services Committee meeting in January 2013. The motion passed unanimously.

B. Administrative Services Committee – December 5, 2012

1. Comprehensive Annual Financial Report (CAFR)

Councilor Traber commended Finance Director Brewer and staff for positive comments made by the external auditor.

Councilor Traber said the report identified 20 percent of the City's liability as vacation and sick leave accruals. This exposure needs to be addressed.

Councilors Traber and Hirsch, respectively, moved and seconded to accept the Comprehensive Annual Financial Report for Fiscal Year 2011-2012.

Councilor Hirsch noted that the Finance Department's ability to produce this excellent document reflects well on the City. It helps the City's standings with rating bureaus and represents the City as a professional organization doing a competent job.

The motion passed unanimously.

2. Visit Corvallis First Quarter Report

Councilors Traber and Hirsch, respectively, moved and seconded to accept the Visit Corvallis first quarter report for Fiscal Year 2012-2013. The motion passed unanimously.

3. Northwest Natural Franchise Renewal

Councilor Traber reported that ASC unanimously supported renewal of the Northwest Natural Franchise agreement following a discussion about revenue.

Mr. Fewel read an ordinance granting a nonexclusive, natural gas utility system franchise to Northwest Natural Gas Company, doing business as Northwest Natural, fixing terms, conditions, and compensation, repealing Ordinance 2002-27, and stating an effective date.

Councilor Beilstein requested clarification about the relationship between Oregon State University (OSU) and Northwest Natural. He said OSU is a major natural gas user outside of the franchise agreement and he inquired whether the City could be compensated for transporting OSU natural gas through Corvallis.

Councilor Traber explained that the broker used by OSU to purchase the gas pays Northwest Natural for the use of their facilities as a transport. That payment is subject to the City's franchise tax.

Councilor Beilstein said for this to occur, OSU must have been relieved of the monopoly the City is giving Northwest Natural as the gas provider in Corvallis. He inquired whether the City can review the relationship to determine if OSU can pay as a utility, essentially selling natural gas to themselves and paying a franchise fee for the gas. He noted that the cost of using pipe is less than the cost of gas. The franchise fee from Northwest Natural customers is five percent. The franchise fee paid by OSU for natural gas is essentially zero.

Councilor Brauner clarified that the agreement with Northwest Natural is nonexclusive, not a monopoly. Mr. Fewel agreed with Councilor Brauner and said the nonexclusive agreement allows for other natural gas franchises.

Mr. Patterson noted that staff is reviewing all revenue opportunities at Council's request. Staff will determine if there are possibilities to acquire additional revenue through a review of the relationship between OSU and Northwest Natural.

ORDINANCE 2012-23 passed unanimously.

4. Planning Work Program Considerations

Councilor Traber said staff requested guidance related to adding and/or prioritizing four Planning Division Work Program items recommended by the Economic Development Commission (EDC) and ASC.

EDC recommended creating a hearings officer position to deal with variances, and simplifying existing Planned Development Overlay (PDO) removal and process to reduce the number of required project changes.

ASC previously recommended allowing OSU to process their own historic reviews and an on-the-record hearings process.

Staff requested direction on which of the above items should be recommended for immediate work and/or nominated as future projects to the Planning Division Work Program. Council will review and prioritize the list next spring.

ASC agreed that the highest priority item is to simplify the PDO process and to also nominate the hearings officer and OSU historic review activities for the Fiscal Year 2013-2014 Planning Division Work Program.

The on-the-record hearings process was not recommended for the work program since frequency was unknown and amendments to the City Charter would be required.

Councilors Traber and Hirsch, respectively, moved and seconded to direct staff to initiate work to simplify removal of existing Planned Developments and reduce project changes requiring a Planned Development modification process as an immediate addition to the Planning Division Work Program.

Councilor Beilstein said he will not support the motion. Immediate work by staff will only result in recommendations to the Planning Commission and Council. He opined that this action will remove public process from the land use process and will be heavily opposed by the Planning Commission and public.

The motion passed seven to two with Councilors Beilstein and Raymond opposing.

Councilors Traber and Hirsch, respectively, moved and seconded to nominate process modifications for Planned Development, hearings officer, and OSU historic district for Fiscal Year 2013-2014 Planning Work Program considerations, consistent with the Historic Resources Commission recommendation.

Councilor Beilstein said he will oppose this motion based on the same reasons as the first motion.

The motion passed seven to two with Councilors Beilstein and Raymond opposing.

C. Urban Services Committee – December 6, 2012

1. Municipal Code Review: Chapter 8.13, "Mobile Food Units"

Councilor Hogg reported that the Downtown Commission requested additional time to review the policy and make recommendations to the Urban Services Committee. The review will be scheduled in early 2013.

This item presented for information only.

2. Airport Industrial Park Development Plan

Councilor Hogg said the 2009-2010 Council adopted a goal to update the Airport Industrial Park (AIP) Master Plan. Council accepted the preliminary Master Plan one year ago with the understanding that Benton County would need to update zoning designations. The Benton County Board of Commissioners conducted a public hearing and approved the new, unique AIP zone. Some changes include development size limits of 10,000 square feet for commercial use, 90,000 square feet office use floor area footprint (180,000 square feet for two floors), language amendments related to compatibility of use between existing and future tenants, and a name change from "master plan" to "development plan." Councilor Hogg said the name change was suggested to remove any confusion between the AIP and the Airport Master Plan.

Councilors Hogg and Brauner, respectively, moved and seconded to approve the Airport Industrial Park Development Plan with the changes addressed in Community Development Director Gibb's November 28, 2012 memorandum to the Urban Services Committee, and direct staff to initiate a Comprehensive Plan amendment to remove the Airport Industrial Park Development Plan from the Comprehensive Plan. The motion passed unanimously.

X. MAYOR, COUNCIL, AND STAFF REPORTS

A. Mayor's Reports

Mayor Manning referred to the OSU/City Collaboration Project update presented during the December 3 Council meeting. She said three of the 30 recommendations submitted to the Steering Committee included revisions to the Corvallis Municipal Code and she inquired whether Council wanted those three recommendations referred to the appropriate standing committees. Council agreed by consensus.

In response to Councilor Traber's inquiry, Mayor Manning confirmed that the remaining items will be forwarded to the appropriate venues.

1. Recognition of outgoing City Councilors

Mayor Manning thanked retiring Councilors O'Brien and Raymond for their service. She announced that Councilor Raymond joined the Council in June 2008 and Councilor O'Brien began his tenure in January 2009. Mayor Manning showed the audience a four-page, single-spaced list of policy decisions both Councilors were involved in during their Council terms. She said the items included every aspect of City government that makes Corvallis a better and safer community.

Mayor Manning noted that Councilor Raymond served on the Human Services Committee. Her efforts are greatly appreciated and valued by the many organizations that she has been involved with as Council liaison, including

Associated Students of OSU, Commission for Martin Luther King, Jr., Corvallis Sister Cities Association, Community Alliance for Diversity, and many others. The theme of Councilor Raymond's service and commitment is compassion and passion. She cares deeply for the community and has been very generous with her time and interests in support of City government. She has always supported and cared for her constituents as a public servant representing her ward. She will be missed.

Mayor Manning said she appreciated Councilor O'Brien's leadership, especially as Council President. He was sensitive, empathetic, and provided a great sense of forward momentum for Council. Mayor Manning referred to today's *Corvallis Gazette-Times* editorial recognizing Councilor O'Brien for his leadership and identifying the progress Council has made on current term goals. Councilor O'Brien served on the Administrative Services Committee and provided excellent leadership in the area of economic development. Councilors O'Brien and Brown were involved in the economic development policy revisions that ultimately led to the economic development strategy adopted by Council and the creation of the Economic Development Commission. Councilor O'Brien showed a tremendous amount of caring for his constituents.

Mayor Manning presented plaques, certificates of appreciation, and gifts to Councilors O'Brien and Raymond.

Councilor Raymond said it has been a privilege and honor working with Council, staff, and the community. She tried hard to listen to Ward 7 residents, forward their requests, and report their concerns. She commended staff and Council for their professionalism and said everyone can be proud of the City of Corvallis.

Councilor O'Brien thanked the Mayor for the recognition. He said he has had a fun time serving on Council and has gotten more out of it than he put into it. He thanked his family, noting that not everyone understands the sacrifice families make when one of their members serves on Council. He acknowledged and thanked his wife, Tracy, who was in the audience. He thanked staff and added that he has expanded his understanding of how things are done in the City.

Mr. Patterson thanked both Councilors for their selfless service to others. He said the Mayor's comments about both of them having compassion and passion for their work is true. He admitted that he was initially afraid of Councilor O'Brien, and not sure of where he was coming from when they first met. After Councilor O'Brien and his wife, on behalf of Council, reached out to the Pattersons when they moved to Corvallis, they become good friends and the friendship will be forever valued.

B. Council Reports

Councilor Beilstein said he has enjoyed serving with Councilors O'Brien and Raymond and thanked both of them for their service to the City.

Councilor Beilstein reported that he was recently contacted by a citizen requesting live audio or video broadcasts of Council meetings. The citizen cannot attend meetings due to a disability.

Councilor Beilstein said, during the last Bicycle and Pedestrian Advisory Commission meeting, Transportation Program Specialist Wilson brought copies of a report, *Giving City Legs* from Walk Friendly Communities. One year ago, this organization gave Corvallis a gold rating for being a walking friendly community. The brochure provides examples of what communities are doing to encourage and facilitate pedestrians around the country. Every few pages, Corvallis is mentioned as an example and model. He quoted from Page 29, "In Gold-level Corvallis, OR, the Municipal Code establishes a high standard by setting a maximum block length.... Corvallis' entire Land Development Code serves as a model for any community, especially the Pedestrian Oriented Design Standards." He added that it is nice for Corvallis to be recognized for what it does for pedestrians.

Councilor Traber thanked Councilor Raymond for her emphasis on social services funding and service on Council and the Human Services Committee. He commended Councilor O'Brien for his leadership as Council President and said Councilor O'Brien was able to pull Council together in unanimous support of decisions not initially agreed to by all Councilors.

Councilor Hirsch noted that everyone loves Councilor Raymond. He read from a letter he drafted before Councilor O'Brien decided not to run for re-election:

While I am not the most liberal on the Corvallis City Council, it fascinates me that I would so respect, appreciate, and even admire our most "conservative" member. Mark has been an outstanding Councilor and Council President. He is smart as a whip and though he may vehemently disagree with a constituent's point of view, he represents that point of view with impartiality and even equality with his own. That parity is difficult. After two terms, Mark O'Brien understands our City government very well. Even if you wanted to make an argument that Mark represents opposing view points fairly, why would you not want someone who actually represents your own perspective? The answer is easy. Mark knows how, when, and which levers to pull to make things happen in City government. You could argue, perhaps, that his personal style can be intense, even aggressive maybe, which is not the Corvallis way. But if to some this may be lacking in diplomacy, he more than makes up for it in passion and smarts, and always apologizes if he steps on toes. Mark considers all criticisms and always wants to do better; is driven to do better. One of the reasons I agreed to run for City Council is because I was looking forward to working with Councilor O'Brien again.

Councilor Hirsch added that he is also looking forward to working with Councilor-elect York, but will miss Councilor O'Brien.

Councilor Raymond reported that the Corvallis-Uzhgorod Sister Cities Association is fund-raising to send two OSU veterinary students to Uzhgorod to talk about their work and humane treatment of pets.

Councilor Raymond received a phone call from a resident living near NW 33rd Street and Harrison Boulevard who received a ticket for parking more than 48 hours in front of his home. As a result of their discussion, a suggestion was made to allow homeowners to obtain a permit for one parking space in front of their home.

Councilor Raymond announced that the Martin Luther King, Jr. celebration will be held on January 16 at the Majestic Theatre. The speaker will be Dr. Larry Roper, OSU Vice Provost of Student Affairs, and entertainment will be provided by the Rainbow Dance Theatre, Fiesta Mexicana 4-H Dance Club, and Linn-Benton Community College Chamber Choir. Essay and poster contest winners will be announced and the Corvallis Boys and Girls Club artists who helped paint the mural at Dr. Martin Luther King, Jr. Park will be recognized. The event begins at 7:00 pm.

C. Staff Reports

1. City Manager's Report – November 2012
2. Council Request Follow-up Report – December 13, 2012

XI. NEW BUSINESS – None.

XII. PUBLIC HEARINGS – None.

XIII. ADJOURNMENT

The meeting adjourned at 7:16 pm.

APPROVED:

MAYOR

ATTEST:

CITY RECORDER



Corvallis-Gondar Sister Cities
Association
P.O. Box 424
Corvallis, Oregon 97339-0424

Web address: www.sistercities.corvallis.or.us
e-mail address: contact@sistercities.corvallis.or.us
Taxpayer ID# 94-3130769



Progress Report: Education Delegation
to Gondar A Success!
December 17, 2012

A delegation of five Corvallis volunteers (Els Lofgren, Karen Sundseth, Don and Maxine Prickel, and Rebeka Dorr) traveled to Gondar, Ethiopia this past fall (September 25 to October 12, 2012). During the previous two years, administrators and teaching faculty at Tsadiku Yohannes Elementary School (TY), our sister school, have continued to work together with members of C-GSCA in achieving the goal of a 3-year-plan towards becoming a model public school in their city of Gondar.

To continue with this assistance, Corvallis volunteer delegates engaged collaboratively with TY teaching faculty in the following activities, experiences, and tasks during their 3-week stay.

1) Design & Refurbishment of a "MODEL CLASSROOM"

Leadership was provided by Melesheu Tizazu, Professional Development Coordinator, Gondar College of Teacher Education and Elsa Kebede, Link Ethiopia, Ato SHEMELES BRILE, School Director, and five TY teachers who volunteered their time beyond their teaching duties.



C-GSCA's delegates ...

- assisted in renovating, repainting and designing a classroom to be used as a model for continued professional development of teachers
- built classroom bulletin and teaching boards
- created learner-centered math, science, and reading materials



2) PROFESSIONAL DEVELOPMENT TRAINING FOR 28 ADDITIONAL TEACHERS

Staff from the Gondar College of Teacher Education entered into their second year of the 3-year plan to improve the teaching practices of the faculty. The one-week training included key teaching concepts, and practices and the introduction to the Model Classroom. The classroom and its resource materials will now be made available to teachers at the school. The teachers had “hands-on” time for reviewing and using the materials.



C-GSCA's delegates ...

- assisted trainers from the Gondar College of Teacher Education in the one-week development workshop for teachers
- demonstrated teaching approaches and use of interactive materials
- initiated a series of seminars for 6th and 7th grade girls, on topics of nutrition and health.
- Presented 150 soccer shirts, donated by Don Marcum from St. Mary's School in Albany, and 2 dozen soccer balls donated by Sarah Maxwell and Rebeka Dorr, both of Corvallis.



Funding provided by C-GSCA

C-GSCA provided \$113 for refreshments and notebooks for the Professional Development activity. to support the Teacher Development Training workshop (refreshments and notebooks) and \$128 for the purchase of materials (paint, school supplies, paper, etc.) for the Model Classroom.

3) CORVALLIS SISTER SCHOOL CONTRIBUTIONS

The delegation brought gifts from three local Corvallis schools:

- a set of math games produced by Stephanie Swenson's Linus Pauling 7th grade students
- a Corvallis Alphabet Book created by Lori Tubbs' 3rd grade students from Mt. View Elementary School,
- an Oregon Wildlife set of photos with informative descriptions developed by Jill



Sisson's 5th grade students at Ashbrook Independent School.

4) COMPUTER CLASSROOM

Included in the professional development program was training in the use of computers as a teaching resource. Teachers were invited to the computer classroom for a demonstration of the materials and to have "hands-on" use of the computers.

C-GSCA's delegates

- added six computers to the school's computer classroom, making this addition a total of 17 computers in all.
- installed numerous sets of CD software for teaching math, science and reading
- demonstrated the use of CD software for classroom use
- negotiated and signed a written proposal with the Ministry of Education to hire an IT teacher and to network the computers for broadband internet service in the IT/computer classroom at TY School.

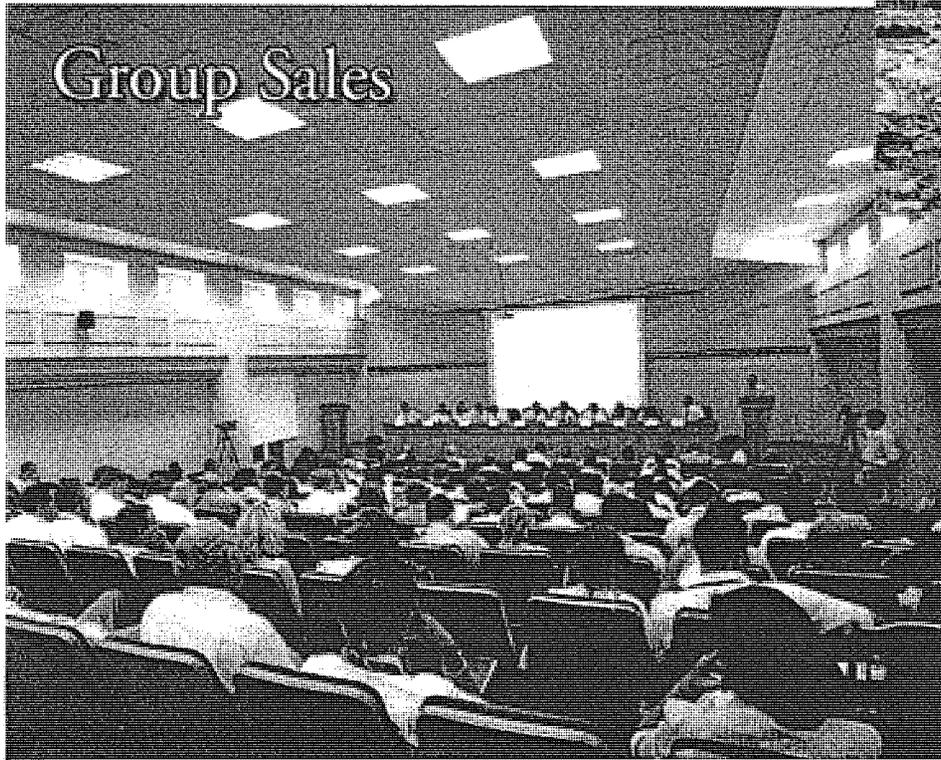
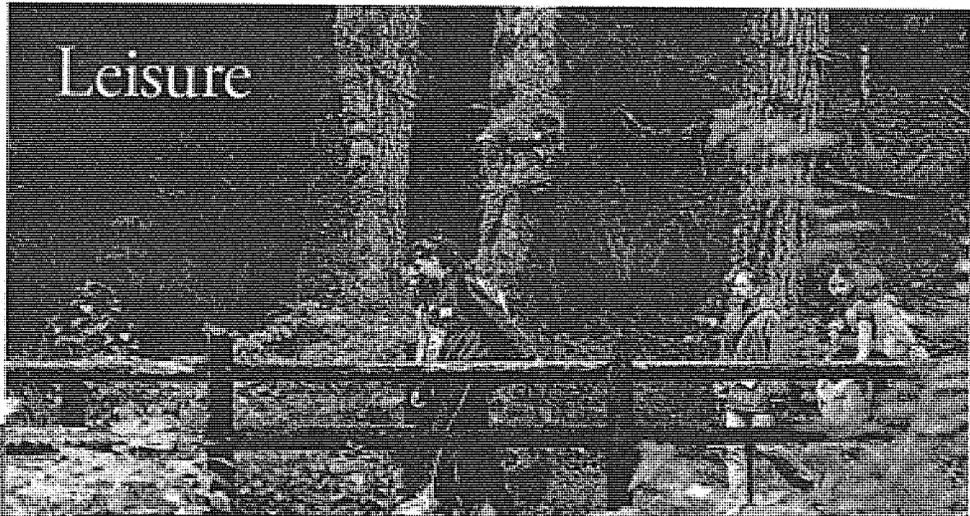


Funding provided by C-GSCA:

\$400 was deposited to the account of Tsadiku Yohannes School for broadband internet installations.

If you are interested in having an equally stimulating and rewarding experience as part of a volunteer delegation to Gondar, Summer/Fall, 2013, contact Maxine Prickel, pdmaxine@q.com.

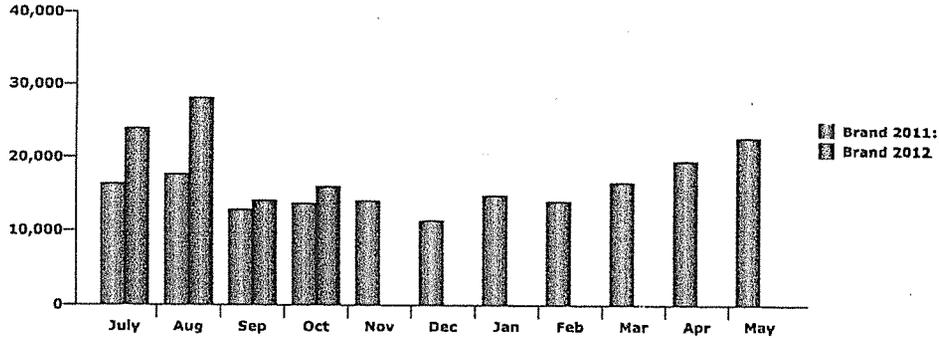
VISIT CORVALLIS



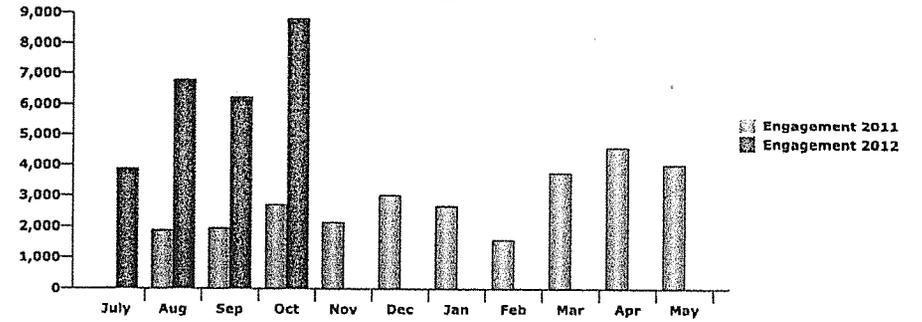
Tourism marketing has changed radically within the past five years.



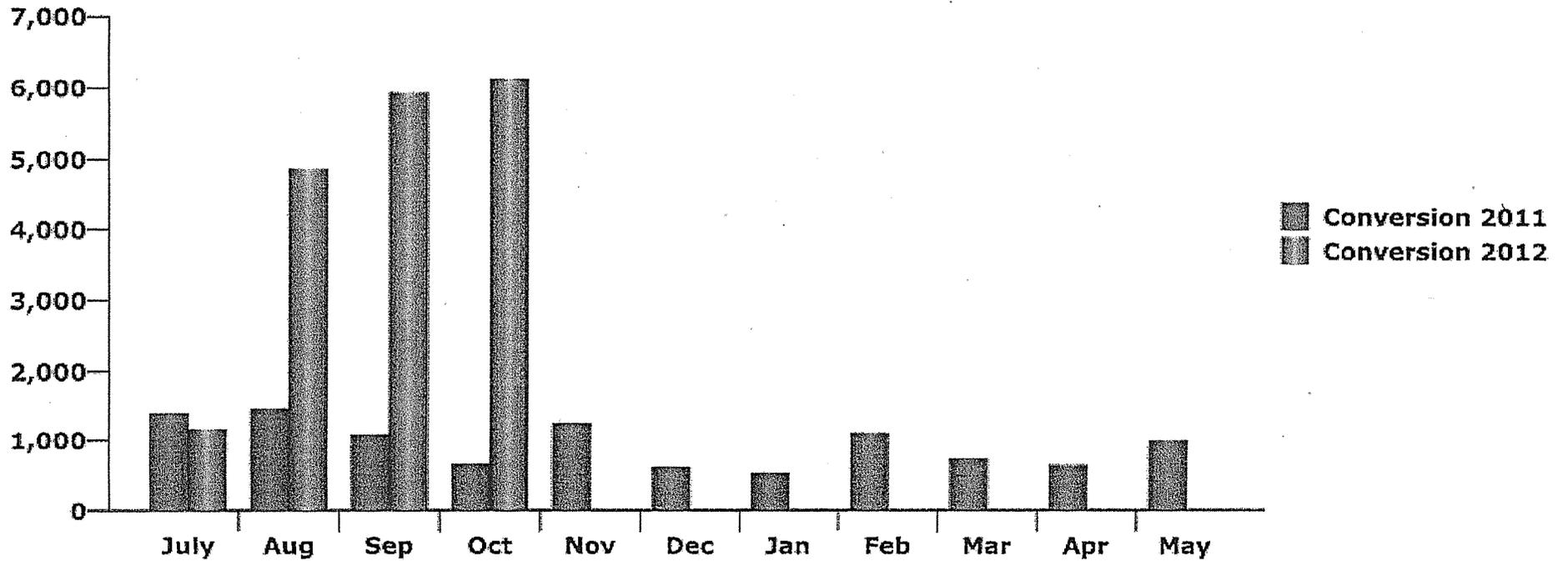
Visit Corvallis Brand Awareness Oct 2011 vs 12



Visit Corvallis Engagement Oct 2011 vs 12

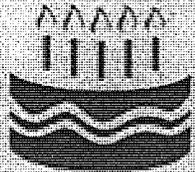


Visit Corvallis Conversion Sept 2011 vs 2012

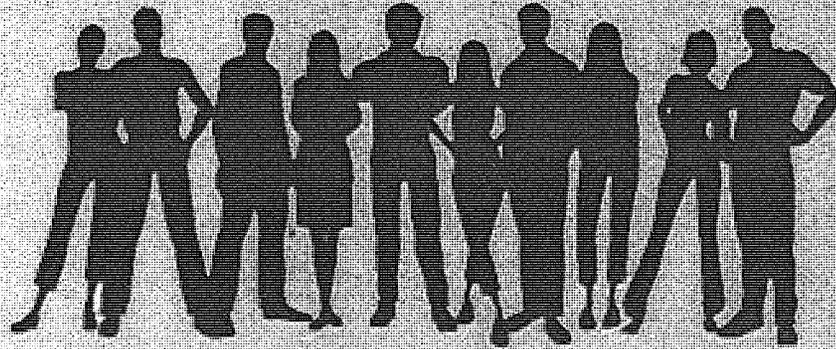




A Demographic Look at the Corvallis/Benton County Visitor



Average age of our visitors is 50.1 years old
(with 6% more women than men).



Of the 27.5 million visitors to Oregon, 5.3 million overnight visitors came to the Valley (not including Portland metro area). *(Longwoods 2010)*



In no particular order, the average Valley visitor arrives from Canada (BC/Alberta), Washington (Seattle, Tacoma), Idaho (Spokane), Northern California, or Oregon (Portland, Bend, Medford).

Economic Impact Benton County Visitor Spend

Five-point-three million visitors come to the Willamette Valley each year. They spend approximately \$89 million dollars in Benton County. *(Runyan)*

Of these visitors 38% are trips that Visit Corvallis can influence and gain market share, a number approximately 201,400 marketable trips. *(Longwoods)*

In general, 60% will research and book their trips on-line or 120,840 overnight trips. *(PhoCusWright)*

These visitors are between 45 and 65 years of age and likely to be empty nesters but may have grandchildren with them. They are more likely to have a college education. *(Longwoods)*

Corvallis is a drive market from other areas of Oregon, and neighboring states and provinces. *(Longwoods)*

Their key visiting time is July through September and their key word searches begin in March and April. *(Runyan)*

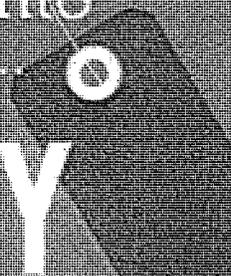


VISIT CORVALLIS

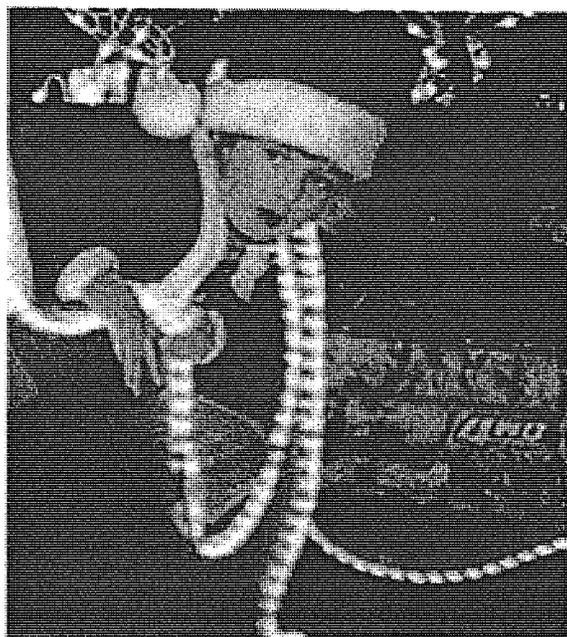
Meetings, Tours and Special Occasions | Sports Services | Visit or Contact Our Center |

- Dining
- Lodging
- Things to Do
- Calendar of Events
- Oregon State University
- Relocating
- Getting To & Around

Get out of the mall and into the spirit...



ENJOY
Corvallis this
SEASON



Enter to win a fun
Holiday Getaway

525 Certificate to Shop Downtown
Christmas Tree, Donovan's Tree Farm
Night Stay, Corvallis Common Suites
Dinner at the Green Restaurant

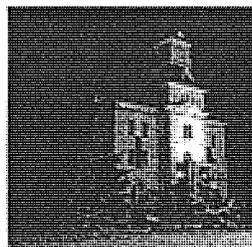
Like us on Facebook to enter!

Enter now

Page 562-J



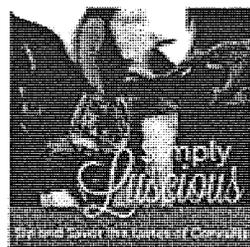
Celebrating the Arts



December in Corvallis



Raise Your Glass -



Simply Luscious -

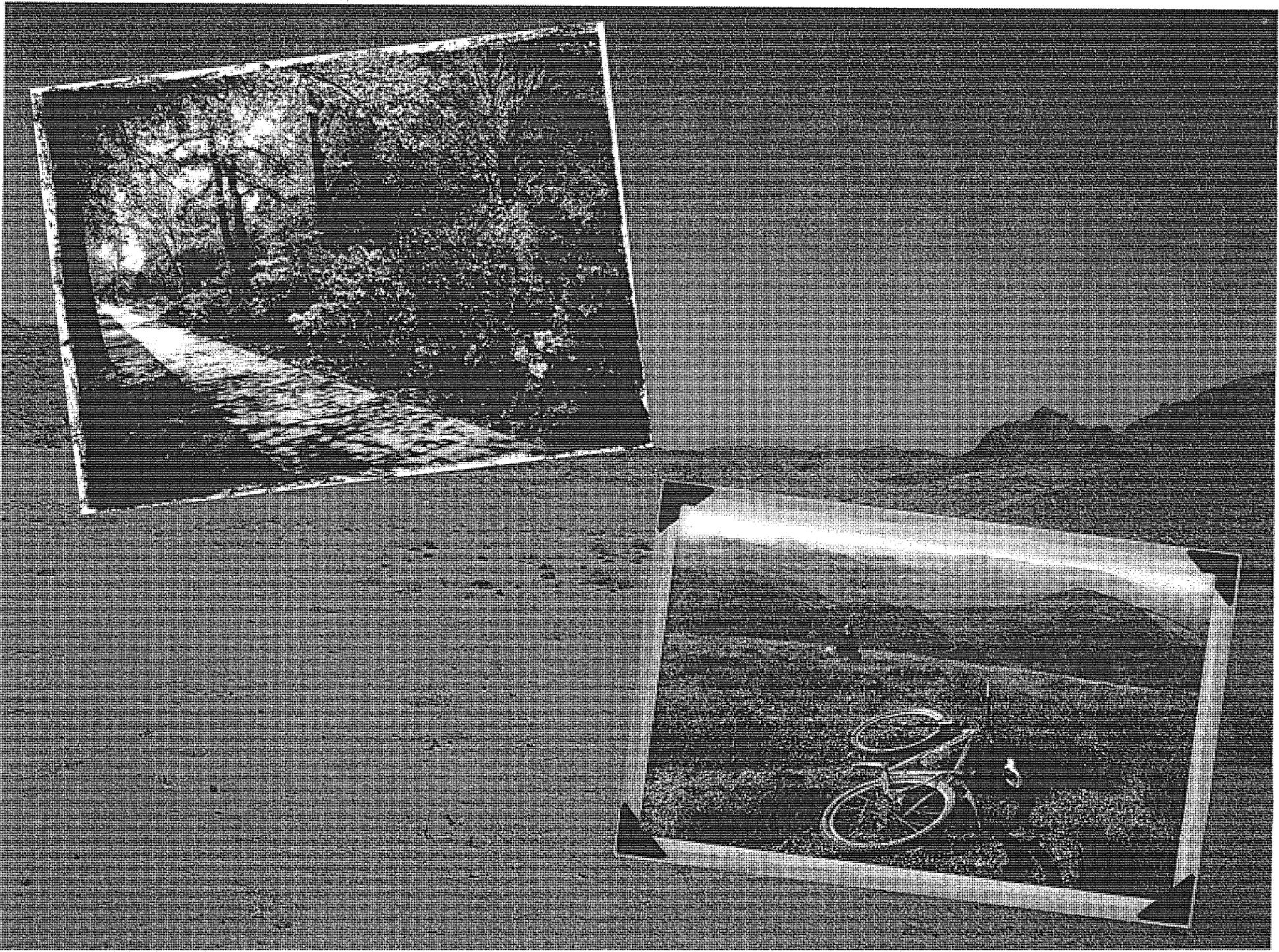
Upcoming Events

NOV 22 | Thu

5:00 PM Pepsi Bottling Co. Lights Display & Drive-Through Tour @ Pepsi Bottling Co.



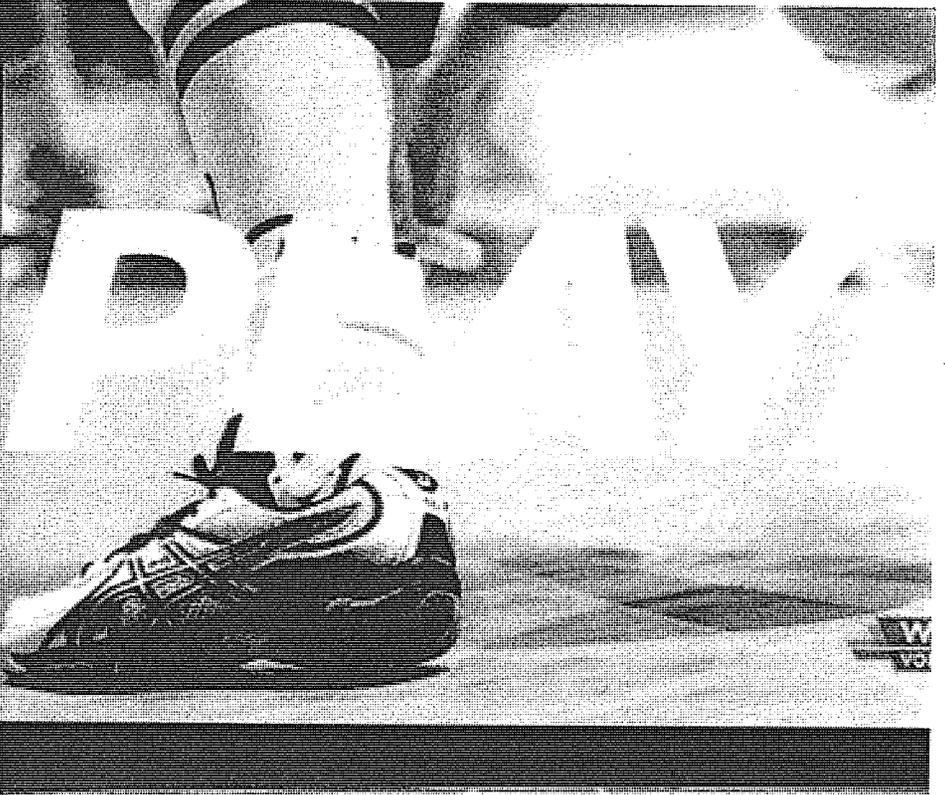
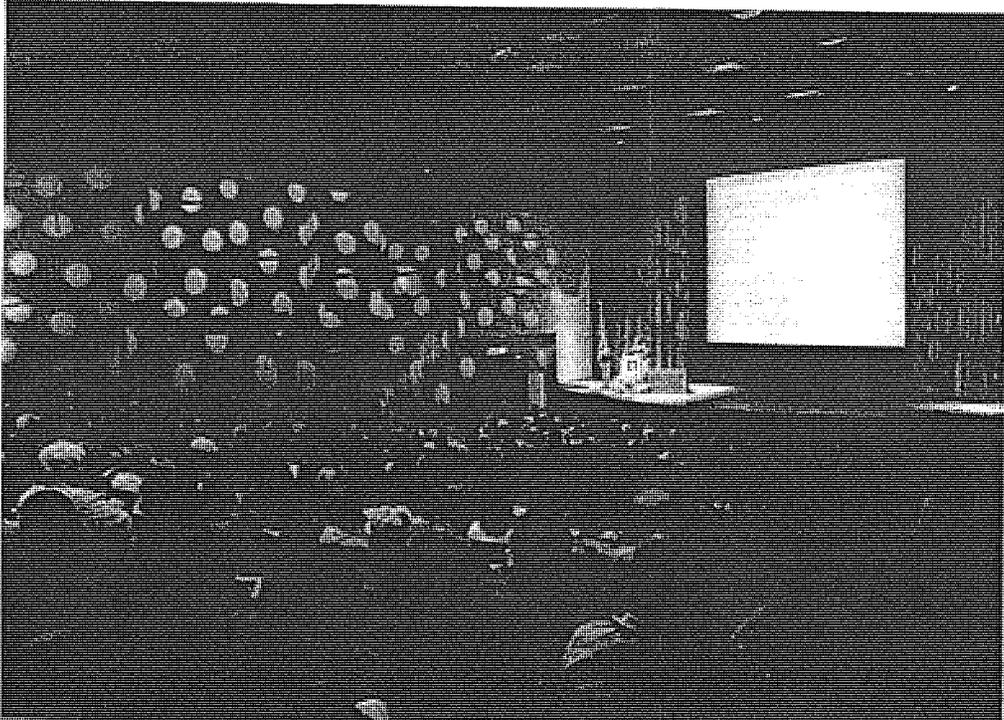
View at [Youtube.com/user/VisitCorvallis](https://www.youtube.com/user/VisitCorvallis)



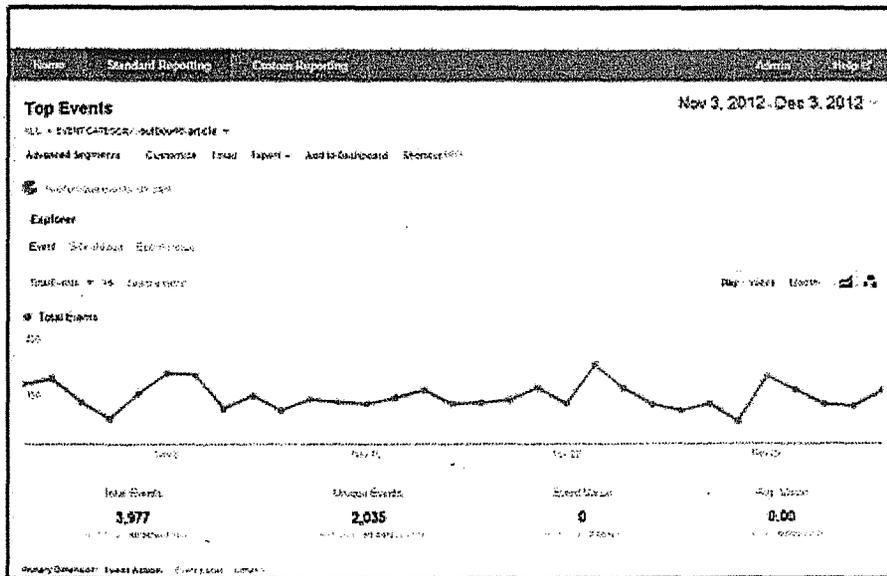
24th
da
 Oregon's Premiere Arts & Science Festival
VINCI
 JULY 20 - 22 2012
DAYS
 SCHEDULE AND TICKETS AT DAVINCIDAYS.ORG

FOOTWISE, GRACEWINDS MUSIC,
 AND THE BACK BIN
 OSU

The **Year of Culture** plans to celebrate the 100th anniversary of the Majestic Theatre, the 90th anniversary of the Whiteside Theatre, the 50th anniversary of the Arts Center and the 25th anniversary of da Vinci Days by sponsoring nationally-known artists to hold workshops in Corvallis, as well as other big events.



Event Action	Total Events	↓	Unique Events	Event Value	Avg. Value
<input type="checkbox"/> 1. http://www.downtowncorvallis.org/experience/calendar.php?eventid=23	99		94	0	0.00
<input type="checkbox"/> 2. http://www.corvallis-lodging.com/	81		66	0	0.00
<input type="checkbox"/> 3. http://corvallisnativityfestival.blogspot.com/	75		63	0	0.00
<input type="checkbox"/> 4. http://www.majestic.org/	65		60	0	0.00
<input type="checkbox"/> 5. http://www.fofm.org/	64		60	0	0.00
<input type="checkbox"/> 6. http://block15.com/	50		49	0	0.00
<input type="checkbox"/> 7. http://bestwesternoregon.com/hotels/best-western-grand-manoir-inn-corvallis	48		44	0	0.00
<input type="checkbox"/> 8. http://www.comfortsuitescorvallis.com/	47		40	0	0.00
<input type="checkbox"/> 9. http://hiltongardeninn1.hilton.com/					0.00
<input type="checkbox"/> 10. http://www.hiexpress.com/hotels/us/en/reservation					0.00
<input type="checkbox"/> 11. http://www.aldercreekcottage.com/					0.00
<input type="checkbox"/> 12. http://www.hcinn.com/					0.00
<input type="checkbox"/> 13. http://cysassoc.org/					0.00
<input type="checkbox"/> 14. http://www.corvallisdepot.com/					0.00
<input type="checkbox"/> 15. http://bit.ly/ROMuuL					0.00
<input type="checkbox"/> 16. http://www.brooklanecottage.com/					0.00
<input type="checkbox"/> 17. http://terminuscorvallis.com/					0.00
<input type="checkbox"/> 18. http://www.alcorvallis.org/wintersevecorvallis.html					0.00
<input type="checkbox"/> 19. http://www.cosusymphony.org/concerts/201212/index.htm	33		33	0	0.00



**CITY OF CORVALLIS
COUNCIL-ELECT WORK SESSION MINUTES**

December 18, 2012

The work session of the 2013-2014 City Council-Elect of the City of Corvallis, Oregon, was called to order at 6:00 pm on December 18, 2012 in the Madison Avenue Meeting Room, 500 SW Madison Avenue, Corvallis, Oregon, by Mayor Manning.

I. ROLL CALL

PRESENT: Mayor Manning, Councilors-Elect York, Hogg, Hervey, Brown, Beilstein, Hirsch (6:05 pm), Sorte, Traber, Brauner

Also present were facilitator Joseph Bailey, City Manager Patterson, Assistant to City Manager/City Recorder Louie, Human Resources Manager Altmann Hughes, Community Development Director Gibb, Finance Director Brewer, Fire Chief Emery, Library Director Rawles-Heiser, Parks and Recreation Director Emery, Police Chief Sassaman, and Public Works Director Steckel.

II. NEW BUSINESS

A. 2013-2014 City Council team building

Mr. Bailey facilitated the 2013-2014 City Council team building and will be providing notes from the session. The Council-Elect shared past experiences with each other and discussed operating guidelines (attached).

B. Goal setting session; format, date, and time

Council-Elect discussed following the SMARTS format for goals (specific, measurable, achievable/accountable, relevant, time bound, and stretch). The deadline for those Councilors-Elect who would like to submit goals for the January 14 goal setting work session packet is noon on Wednesday, January 9, 2013. Council-Elect will receive goal suggestions from the community and stakeholders for review shortly after the January 4, 2013 deadline.

III. ADJOURNMENT

The work session adjourned at 8:36 pm.

APPROVED:

ATTEST:

MAYOR

CITY RECORDER

Linn-Benton
COMMUNITY COLLEGE
**Business and Employer
Services**

Joseph Bailey
6500 Pacific Blvd SW
Albany, OR 97321
joseph.bailey@linnbenton.edu
541-917-4935

Corvallis City Council Operating Guidelines 2013-14

- Use common courtesy toward others
 - Think about others' feeling and be compassionate
 - Respect difference of opinions
 - Respect individual rights to disagree
 - Respect other people's time
 - Reliability- be prepared and show up
 - Appreciate differences
- Follow expected procedures
 - For example, no surprises on the agenda
- Use non-judgmental language
- Listen for meaning with an open mind/ Practice active listening
- Use an effective decision making process
 - Work to find common ground/ build consensus
 - If common ground is not found, compromise
 - If neither of those occur, make a decision by vote
 - Once the vote has occurred the individual councilors will respect the decision/ respect the council as a whole by not speaking out against the decision. This is balanced with the right of an individual to maintain their own stance on an issue.
- Get things done/ accomplish things
 - Stay on track
 - Focus on the goals
- Recognize the good intent of others

DRAFT

CITY OF CORVALLIS MINUTES OF THE ARTS AND CULTURE COMMISSION NOVEMBER 28, 2012

Attendance

Brenda VanDevelder, Chair
Rebecca Badger, Vice Chair
Karyle Butcher
David Huff
Elizabeth Westland
Shelley Moon
Patricia Daniels

Staff

Karen Emery, Director
Mark Lindgren, Recorder

Visitors

Tom Nelson
Ella Rhodes

Absent/Excused

Larry Rodgers
Joel Hirsch, Council Liaison

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for Further Review	Recommendations
II. Review of Minutes	X		
III. Visitor Propositions	X		
IV. Mosaic Public Art Project- Ella Rhoads	X		
V. City Economic Development Manager- Tom Nelson	X		
VI. City Council Goal Discussion	X		
VII. Budget for Arts & Culture Commission	X		
VIII. Commission Member / City Council Liaison Updates	X		
IX. New Business	X		
X. Adjournment	X		The next Arts and Culture Commission meeting is scheduled for 5:30 p.m, December 19, 2012 at the Parks and Recreation Conference Room.

CONTENT OF DISCUSSION

I. REVIEW AGENDA/CALL TO ORDER. Chair Brenda VanDevelder called the meeting to order at 5:32 p.m.

II. REVIEW OF MINUTES.

Daniels asked whether it had been determined during the discussion on the cultural coalition whether commissioners could send letters of support for the reauthorization; Emery replied that the best route was for the commission to bring it as a topic to the City Council Legislative Committee. The commission may vote to move it forward.

David Huff said that in the Year of Culture section, the statements in the last sentences of the second and third paragraphs should have been attributed to him, not VanDevelder. Patricia Daniels moved and Elizabeth Westland seconded to approve the October 17, 2012 minutes as corrected.

III. VISITORS PROPOSITIONS. None.

IV. MOSAIC PUBLIC ART PROJECT- ELLA RHODES

Ella Rhodes highlighted the project for mosaics to be applied to trashcans on 3rd and 4th Streets. They are owned by different entities. She related that the can's designer, David Livingston, has been supportive. The mosaics will be mounted on the traffic side of the cans. She said a G-T article generated support. It went through the Public Art Selection Committee (PASC) process this summer and was approved by the Council at the end of August. She displayed a completed mosaic insert that would be mounted on a trashcan.

There will be different shades of blue backgrounds, but other colors will change on each design. Butcher asked how they can be protected from theft; Rhodes replied that they are mounted on mesh, and it is glued. Each panel will be cut in thirds and adhered with Laticrete on the cans' unpainted concrete side surfaces for a very firm bond within 24 hours and then sealed. The mosaics will be within the cans' existing inset to protect them even if a can is tipped over.

Daniels asked how potential vandal damage would be reduced; Rhodes replied that their location on the street should help. They will be installed in June. She said over 90 volunteer hours have been logged with the project so far, with 750 participants. The project budget is \$4,500, with about \$4000 raised so far. Mosaics for eighteen cans are planned, with thirteen on 3rd Street and five on 4th Street. She is waiting on the contract from the City and asked Emery to facilitate that moving forward.

VanDevelder asked if there would be a formal installation dedication; Butcher suggested a ceremony after the last can is installed. VanDevelder thanked Rhodes for applying her creativity to a very visible art project in the community, and said it was great that the PASC fast-tracked the application. Rhodes suggested the PASC write out its process.

Rhodes said the initial seed money from the May 20, 2012 FEAST fundraiser to get the project going was invaluable. She said there were a wide variety of creative projects featured at the event. Huff said the event, hosted by the Arts Center, was a great success, and that all the food for the event was donated. Rhodes said the event should be rotated among different restaurants each year. VanDevelder suggested the marketing committee explore supporting this further.

V. CITY ECONOMIC DEVELOPMENT MANAGER- TOM NELSON.

VanDevelder related that Tom Nelson started work as Economic Development Manager in September. Nelson said the Economic Development Commission (EDC) was established two years ago by the Council. The Commission developed an ED strategy, listed at the City website. An account manager will be hired by January to visit businesses and collect information, including on their expansion

potential and retaining them in the community. The idea is to uncover barriers and eliminate them, a successful strategy used elsewhere. The third strategy is termed “filling space”- making use of abundant available industrial properties in the City and trying to overcome the perception that it is difficult to do business here.

Other, smaller steps are developing a website portal, listed under “Doing Business” at the City website, which provides information, including demographic information. The commission will start bringing groups together to promote ED conversations in the community. He said he has been approached by eight start-ups to connect them to market research assistance, and he was able to connect an investor to do debt financing for a business start-up for one of these. He has also provided assistance finding larger business spaces.

Butcher asked what the criteria for promoting a sector of the local economy was; Nelson said many tech companies were finding potential for agricultural businesses in the area. He said he was interested in what the arts community was doing. He is often told that the things a business looks for includes an educated work force; a location that is a good fit for the company; and livability (especially in regards to arts and education); sometimes transportation; and incentives. Corvallis already has all these things, but must continue to support economic development.

Butcher asked how to translate local arts and culture into a product he can promote. Nelson replied that people seeking to relocate their businesses can evaluate communities quickly on the internet, and arts and culture were part of a number of very attractive features of Corvallis.

VanDevelder said the ACC was formed at about the same time as the EDC, and she felt that arts and culture as an economic driver was a gaping omission on the economic development plan. Nelson replied that the arts were important to economic development. He said that some communities have established arts communities that bring in *outside* dollars, which is what economic development is about. He suggested the commission figure out a way to blend arts and culture into the ED statement.

VanDevelder noted that arts organizations could be classed as a trade sector and asked what the threshold was for the ED accounts manager to want to talk them up to businesses. Nelson replied that the city’s responsibility in this regard is to provide some sort of business assistance, including a referral and connecting to financing. He said economic development would primarily assist second stage businesses over five years old within Benton County (the county is contributing about a third of the budget).

VanDevelder said it had been demonstrated that arts and culture bring in about \$2 million to the city every year; that they support about 250 people; and that arts and culture related festivals bring in around 75,000 people to Corvallis every year. Nelson replied that he would like to see more information on that, and that that data gives him fuel. Butcher said David Huff generated that data from tax filings, and the commission compiled it in a single-pager to the Council. She asked what it would take to add arts and culture to the economic development’s portfolio; Nelson said it would help for the commission to make that case.

Nelson said existing groups should be partners in promoting the area as a destination. He said VisitCorvallis is about “putting heads on beds”, doing marketing and promoting, such as for conferences. Nelson said an increase in assessed value and jobs were of primary importance. He said if it brings in outside money to hotels and shops, it increases income for the community and people can then build houses and do other spending. Butcher said the arts could talk about job creation and how festivals bring in people. Nelson cautioned that festivals *don’t* work when vendors come from out of

town and when the festival doesn't bring in people from out of town. Daniels highlighted the evolution of the Shakespeare Festival, which is a huge local job creator; Nelson noted it had truly shaped Ashland.

Butcher said would like to run its arts and culture economic development data by Nelson. VanDevelder added that stories were also important, such as Rhodes' mosaic project. Nelson agreed that telling stories initially gets people's attention. Daniels said the ECD is largely the Economic Roundtable Club; primarily large employers. Nelson highlighted the six smaller steps and four big picture items in the ED plan. Butcher summarized that the commission must solidify its presentation and run it by Nelson.

VI. CITY COUNCIL GOAL DISCUSSION.

Director Emery explained that the Council will be contacting the commission in December to get ideas for the Council's goals for the next biennium. There will be information in the commission's packet for the next meeting on December 19. The commission may want to contact Councilors after that discussion. Butcher related that new Councilor Bruce Sorte was interested. VanDevelder related the commission forwarded a goal last year, regarding establishing the economic impact of the arts and culture in Corvallis Badger. Daniels related that the goals process is new each time.

Butcher highlighted the "1% for Art" program (for new construction); she said that Corvallis has said "yes" to the program in theory but not in practice; she asked whether this was a possibility. Daniels read out the adopted policy, aimed at new City facilities, but noted that no percentage was listed; she said that the ACC could propose a specific percentage. Butcher said we have to define what a public structure is. Daniels said the policy was on the books when Walnut Fire Station was built but it wasn't part of that budget. It could be a simple and realistic goal.

VanDevelder, Butcher, Daniels and Westland agreed to talk to City Councilors. VanDevelder suggested members jot down their own action items during meetings.

VII. BUDGET FOR ARTS AND CULTURE COMMISSION.

VanDevelder said there was discussion previously regarding getting a small budget for the commission. She said having a small budget for the fall networking event would help; Badger said the previous event may have cost \$250, and suggested a total budget of \$500. Butcher said workshops have costs and that currently, commissioners were paying for it out of their own pockets.

VIII. COMMISSION MEMBER/CITY COUNCIL LIAISON UPDATES.

Daniels related that a staffer at LaSelles Stewart talked to her about the CAFE program; and they are excited to participate. They will use the logos and put up posters. She added that Kavinda Arthenayake offered to hold next year's event in the lobby there; she suggested getting a commitment in order to pencil it in there. VanDevelder noted that catering would cost more there. Badger will follow up. Butcher advocated holding it at the Majestic Theater, as well. Badger noted the Majestic was doing its Year of Culture.

Daniels said the grant application to the Benton County Cultural Coalition was finished; it is applying for money for materials. Moon said the brochures would set up a series of presentations with organizations that haven't been connected with, and revisiting the ones that *have* been connected with. The brochures would answer participants questions on using the CAFE Program.

Daniels reported that a Friends of Corvallis Parks and Recreation has been formed. It will provide advocacy and provide support for services. It is seeking money from community members. It is

suggested that supporters join as a Friend, spread the word, volunteer to serve on the board, or help in other ways.

VanDevelder highlighted the upcoming Pink Martini concert. She added that the Majestic Theater needs to generate \$75,000 as part of its year-end campaign. She requested Emery send out an updated roster for commission members, and change the outdated leadership positions currently listed at the website. She related that the mayor was still looking for a candidate to fill the vacancy on the commission. Rhodes reminded members to donate to the Oregon Cultural Trust; VanDevelder added there will be a discussion on this at the December meeting.

IX. NEW BUSINESS. None.

X. ADJOURNMENT: Meeting adjourned at 6:53 p.m.

DRAFT

CITY OF CORVALLIS MINUTES OF THE CIVIC BEAUTIFICATION AND URBAN FORESTRY COMMISSION DECEMBER 13, 2012

Attendance

Angelica Rehkugler, Chair
Kent Daniels
Ross Parkerson
Ruby Moon
Larry Passmore
Becki Goslow
Tony Livermore
Norm Brown, OSU Liaison
Joel Hirsch, City Council Liaison

Staff

Karen Emery, Director
Becky Merja, Urban Forester
Jude Geist, Parks Supervisor
Mark Lindgren, Recorder

Visitors

Pat Breen
Josh Pucchini

Absent/Excused

Tim Brewer, Vice Chair
Ian Davidson

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for Further Review	Recommendations
II. Introductions	X		
III. Review of Minutes- November 8, 2012	X		
IV. Visitor Propositions	X		
V. Staff Reports- if questions	X		
VI. 2013-2014 City Council Goal Setting	X		
VII. City Council/ OSU Liaison Reports	X		
VIII. Report on Subcommittees	X		
IX. Break for Holiday Social	X		
X. DVD Viewing of Parks & Rec Dept. History and/or the Moving of the Avery Park Locomotive	X		
XI. Adjournment	X		The next CBUF meeting will be at 8:30 a.m. January 10, 2013, at the Parks and Rec Conference Room.

CONTENT OF DISCUSSION

- I. CALL TO ORDER:** Chair Angelica Rehkugler called the meeting to order at 8:30 a.m.
- II. INTRODUCTIONS.** Rehkugler related that new commissioner Ruby Moon owned a downtown business and helped establish the Jackson Creek Youth Shelter. Moon added that she was a master gardener, president of a garden club and established a community garden. Norm Brown said he'd worked at the OSU Landscape Dept. since the early 1980's. Kent Daniels noted that this year was his last on the commission, since he was being term-limited.
- III. REVIEW OF MINUTES.** Ross Parkerson moved and Kent Daniels seconded to approve the November 8, 2012 minutes as presented; motion passed.
- IV. VISITOR PROPOSITIONS.** None.
- V. STAFF REPORTS- IF QUESTIONS.** Emery outlined the Parks and Recreation District Feasibility study. The proposal was to set up a parks and recreation service district separate from the City. The proposal was reviewed by the Council, which asked six major questions to address to determine whether it was a viable solution. The review of the six items will be completed by February. The items under review include setting the district boundary; developing a budget pro forma; how the transfer of assets could work; tax rate options; potential Parks and Recreation Services to remain with the City; and reach out to potential partners.. She said the City is looking for options to deliver Parks and Recreation services and have a sustainable budget. The department had lost seven positions over recent years and there remain few options for cutting spending in the future.

Daniels related that a group of people met last night, composed mostly of people who have had past or current positions with PNARB or Parks in some way. He said the Council had concerns about the district boundary, providing good value, and not impacting the local tax cap. The group is open to others participating and will likely meet again in January. He summarized the group felt the Council should continue to study the idea, and that it requires performing a public survey. He said that districts around the state had proved successful in providing stable services in the face of tough economic times.

Emery added that Springfield's Willamalane District was a good size comparison to Corvallis. Districts are voter-approved by those living within the proposed boundaries. Daniels said a Parks and Recreation District would likely be run by five elected officials; Emery added that it would be similar to the school board, with a single focus. Emery said under law, when a government transfers employees to another government, they are obliged to retain employees at their current salaries for a year. She said a district would not then be competing with other departments for funding. Also, any savings would go to fund the district and help build deferred maintenance funds. Under the City structure, the department pay other departments for services, about \$650,00 a year, such as for administrative, HR, and other services. Comparable districts pay considerably less for services.

Goslow asked if other City departments would want to try the same thing; Emery replied that that was a Council concern, but it hasn't been an issue in other cities. Daniels highlighted other service districts with dedicated funding for fire, water, libraries, and soil and water conservation. Emery related that a "911 District" was also under consideration. Goslow said it seemed like an interesting idea that could provide

sustainability. Daniels said budget projections were for a \$1 million shortfall for the department next year and \$2.5 in another couple years.

Parkerson asked about the downsides of a district; he asked if perhaps citizens would have less understanding of the benefits provided. Daniels agreed it would be a big deal, and would require a citizen-driven effort to get it passed. He said there was already confusion among leaders on who does what. Moon said she'd encountered wide agreement of the value of parks for all, but less so for the pool; where, it was felt, users should pay. Rehkugler encouraged concerned commissioners to attend the Council meeting; Emery said the City Council will probably next review the proposal at their meeting on the third Monday in February.

Forester Merja reported that cherry street trees on both sides of an area of Hayes Avenue were removed yesterday. She said there were no complaints and there were several calls from neighbors who wanted their own cherry street trees removed. The replacement trees will be available for replanting around late December. She said this project would provide a good learning experience as well as a template for future neighborhood tree stewardship projects.

Merja highlighted the Heritage Tree project information in the packet, with a kickoff early January, with a stakeholder group being assembled. She is preparing for a "small tree structural pruning effort"; there was a huge increase in such pruning starting last year, along with tree removals.

Liaison Hirsch said he and other neighbors were willing to help with watering of new street tree plantings.

Moon asked how long removals were posted; Merja outlined the removal process, saying that they were generally posted at least two weeks in advance, but it depended on the situation, and there is an appeal process. In the case of Hayes Avenue removals, letters went out to all the affected neighbors; and volunteer and neighbor Tom Cook met with all of them. She explained that in this pilot project, the project was originally conceived as only cutting trees on one side on the street and so neighbors on the other side of the street were not notified. Just before the removals were scheduled to take place, they were postponed while neighbors on the other side of the street were fully notified and given a chance to weigh in and get used to the idea.

Larry Passmore highlighted trees that required protection in a construction area on Short Street.

Parks Supervisor Jude Geist highlighted the Heritage Tree program development timeline. A group of seven participants for the stakeholders group are lined up, and a couple more are being sought. Meetings will be set up for early in 2013.

Daniels read out a memo from Griffith to CBUF and the Arts and Culture Commission (ACC) on the new group "Friends of Parks and Recreation", which is intended to support programs and facilities operations, and provide financial support. Initial board members are Phil Hayes, Jenny Meisel, Betty Griffiths, Kent Daniels, and Charlie Fisher. The group's establishment had been planned by the Parks, Natural Areas and Recreation Board (PNARB) for several years. The Friends group has filed to become a 501c3, has an EIN, is setting up a website and a brochure, and is seeking additional board members and fundraising. He said that volunteers for key tasks are needed.

Hirsch asked whether the group supported the proposed district; Daniels replied that they did, with some caveats. Daniels said Friends groups like this are generally intended to provide additional funding, noting that "Friends of the Libraries" group was similar. Merja said the Friends group could apply for grants that the City may not. Daniels cautioned that Friends groups generally can only provide supplemental funding,

much less than what is needed to address projected shortfalls. It is separate from the department; Emery is a non-voting, ex officio member.

Moon asked about liability coverage; Merja replied that the department's volunteer program provided coverage, and volunteers sign a liability waiver.

VI. 2013-2014 CITY COUNCIL GOAL SETTING.

Rehkugler highlighted the information in the packet. The Council goal setting session is January 14, 2013. Council Liaison Joel Hirsch suggested putting forward the Heritage Tree Program, or a bigger picture goal. Goslow said if the Council doesn't want the district, then it needs to consider finding adequate funding. Hirsch said policing levels are about the same as they have been since 1992, before the university expanded, and some are proposing adding a dozen more officers. He said even just bringing an idea to the Council to be part of its conversation and its general awareness was positive. Goslow said it would be helpful for Councilors to look at adopting several areas to clean up within their own wards; Hirsch suggested that she present during Visitor Propositions. Rehkugler suggested presenting a goal on the Heritage Tree Program; Hirsch replied that it could perhaps be part of a larger goal, such as livability. Parkerson said the Heritage Tree Program has been planned for years and suggested Liaison Hirsch bring it to the Council's attention. Hirsch said Council meetings are general the first and third Mondays at 6 p.m.

Rehkugler asked members to attend the January 6 meeting with her to present on the Heritage Tree Program during Visitor Propositions. She said in addition, it would be great to get Councilors in a van to tour the city; Passmore agreed, saying that it would be helpful in pointing out problems. Hirsch said that in many areas, there are neighborhood associations that can help take on these things; Merja added that Planner Sarah Johnson at Community Development would have a list of them. Hirsch added that it would be helpful to have pictures.

VII. CITY COUNCIL/OSU LIAISON REPORTS.

OSU Liaison Norm Brown said there would be a lot of activity regarding trees impacted by new construction, including at 26th Street and North Jefferson (between Fairbanks and Sackett Halls). A couple dozen trees, including 16 coastal redwoods, a couple sequoias, and others, will be cut. Parkerson expressed concern about losing campus open space and cutting mature trees, and said it was happening throughout the campus. Brown said that it was important to include open space in long-term campus planning. Daniels noted OSU has a long-range plan that was approved by the Planning Commission and adopted by the Council, and the use was approved long ago. Brown noted that a new long-range campus plan will be developed in 2014 and he suggested it was a good opportunity to get involved. Brown said a leaning cedar will be removed at Gilkey Hall, as well as a declining maple at Park Terrace, at 25th Street.

Liaison Hirsch highlighted two newly elected Council members.

VIII. REPORT ON SUBCOMMITTEES.

Goslow related that she and staffer America McMillan toured 30-40 areas within the city and planted some bulbs. There will be some work near Baskin Robbins and she has developed a beautification map of clean-up areas. There are new Fall Beautification Award signs. She highlighted a G-T article on Wilson School students doing clean-up work. Tony Livermore said Goslow's work in inventorying beautification sites was critical to the effort.

IX. BREAK FOR HOLIDAY SOCIAL.

X. GROUP CAN VIEW DVD OF PARKS AND RECREATION HISTORY AND/OR LIONS CLUB MOVING A VERY LOCOMOTIVE.

XI. ADJOURNMENT: The regular meeting adjourned at 9:50 A.M.

**THE COMMISSION FOR MARTIN LUTHER KING, JR
MINUTES
November 27, 2012**

Present

Commissioner Shyam – Chair
Commissioner Reyes – Vice Chair
Commissioner Rosa
Commissioner Claywoman
Commissioner Wimbley-Gouveia

Commissioner Nguyen
Commissioner Orosco
Commissioner Smith
Councilor Raymond - Council Liaison

Staff

Suzanne Segui, HR Specialist

SUMMARY OF DISCUSSION

Agenda Item	Action Recommendation
I. Minutes from October 23, 2012	Approved
II. Introduction to New Commissioner	Introduced
III. Updates of Project Assignments	Discussed, Took Action and Continued
IV. Update on Kiosk at MLK Park	Discussed and Continued
V. Essay Contest Participants	Discussed
VI. Other	Discussed and Postponed
a. Corvallis Montessori School MLK Celebration	
VII. Adjourn to December 18, 2012	Adjourned at 6:30pm

CONTENT OF DISCUSSION

- I. Minutes from October 23, 2012 – Approved.
- II. Introduction of New Commissioner – Commissioner Smith introduced himself and was welcomed by the Commission.
- III. Updates on Project Assignments
 - a. Commissioner Nguyen confirmed Larry Roper as an Event speaker, speaking for approximately 15 minutes. Commissioner Reyes motioned to give a \$100.00 honorarium to the speaker, Commissioner Wimbley-Gouveia seconded and the motion passed.
 - b. Commissioner Shyam distributed 45 letters regarding the essay contest. Commissioner Rosa created and sent the art project poster to the local Middle Schools and Claudia Hall. Councilor Raymond requested the poster be sent to the Boys and Girls Club.
 - c. Event Advertising –

- i. Commissioner Reyes will create an original event poster, which will be photocopied for distribution.
 - ii. Commissioner Reyes noted the Footwise window display is available beginning on January 8th.
 - iii. Commissioner Wimbley-Gouveia recommended additional advertising in the Gazette Times, including the community calendar. Ideas for additional publications include OSU Today, Barometer, Corvallis Advocate and distribution of event flyers including the OSU Multicultural Centers. Commissioner Reyes motioned to allocate \$500.00 for advertising, Commissioner Wimbley-Gouveia seconded, and the motion passed.
 - d. Commissioner Shyam will send a letter to the Executive Director of the Boys and Girls Club, inviting the youth that participated in the creation of the MLK Kiosk mural.
- IV. Update of Kiosk at MLK Park – Mural artist Kathy Jederlinich will attend a Commission Meeting in the spring to discuss the possibility of another mural. Commissioner Shyam proposed purchasing 4 display cases before the end of the fiscal year. Commissioners Shyam and Reyes will determine the kiosk specifications for case size and costs.
- V. Essay Contest Participants – The Commission determined that all students that are residents of the City of Corvallis are eligible to participate in the contests. Commissioner Orosco motioned to announce the Essay and Poster Contests in the Gazette Times, Commission Nguyen seconded, after further discussion the motioned passed.
- VI. Other –
 - a. Staff Member Segui noted a request from the Corvallis Montessori School. They are looking for grants to support their upcoming MLK Celebration. The Commission did not have enough information to forward, however will continue discussion at the December meeting if more information is received.
 - b. Commissioner Claywoman noted the Kwanzaa Celebration at the OSU Alumni Center on November 29th.
- VII. Meeting adjourned at 6:30pm until December 18, 2012.

MEMORANDUM

To: City Council Members
From: Julie Jones Manning, Mayor
Date: January 2, 2013



Subject: Confirmation of Appointments to Advisory Boards, Commissions, and Committees

As you know, at our last regular meeting I appointed the following persons to the advisory board, commission, or committee indicated for the term of office stated:

Bicycle and Pedestrian Advisory Commission

Brian Bovee
Term expires June 30, 2014

Committee for Citizen Involvement

Koa Tom
Term expires June 30, 2015

I ask that you confirm these appointments at our next Council meeting, January 7, 2013.

1001

MEMORANDUM

To: City Council Members
From: Julie Jones Manning, Mayor 
Date: January 2, 2013
Subject: Vacancies on Advisory Boards, Commissions, and Committees

I am declaring a vacancy on the Citizens Advisory Commission on Transit, as Evan Sorce, representing Associated Students of Oregon State University, has been unable to attend Commission meetings. Evan's term on the Commission expires June 30, 2013.

I am also declaring a vacancy on the Housing and Community Development Commission due to the death last month of member Michael L'Heureux. Michael represented the general public on the Commission, and his term expires June 30, 2014.

I would appreciate your nominations of citizens to fill these vacancies.

MEMORANDUM

To: City Council Members
From: Julie Jones Manning, Mayor 
Date: January 2, 2013
Subject: Appointments to Advisory Boards, Commissions, and Committees

I am appointing the following persons to the advisory board, commission, or committee indicated for the term of office stated:

Budget Commission

Mark O'Brien
Term expires June 30, 2015

Mark just completed two terms of service on the City Council. He owns and manages businesses in Corvallis.

Economic Development Commission

Tim Weber
Term expires June 30, 2015

Tim is the General Manager of the Hewlett-Packard Corvallis site. He will represent the interests of emerging technology and manufacturing.

I will ask for confirmation of these appointments at our next Council meeting, January 22, 2013.

MEMORANDUM

December 21, 2012

TO: Mayor and City Council

FROM: Ken Gibb, Community Development Director



RE: Scheduling a Public Hearing to Receive Input Regarding the City of Corvallis CDBG and HOME Programs

I. Issue

It is time to begin the process of planning for the City's use of federal Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) program funds for the coming five-year and one-year periods. This process will result in a five-year Consolidated Plan for FY 13-14 through FY 17-18, as well as a one-year Action Plan for FY 13-14.

II. Background

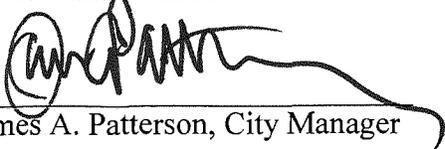
In order to carry out planning activities and meet public participation requirements related to the development of a five-year Consolidated Plan and annual Action Plan for the CDBG and HOME programs, the City must conduct two public hearings prior to submitting final Plan documents to the U.S. Department of Housing and Urban Development (HUD) for their consideration and approval. To meet HUD-stipulated review time frames, the City's new Plan must be received by HUD by May 15, 2013.

The first of the two public hearings is intended to generate input from citizens, past funding recipients, and other interested persons related to activities that the City has carried out with its CDBG and/or HOME resources in the past, as well as types of activities the City should consider funding with these federal resources in the future. A Request for Project Proposals process for FY 13-14 funding is currently underway and will conclude in early January. This RFP process presumes that funding priorities for the first year of the new five-year Consolidated Plan will not change significantly from those of the current Consolidated Plan. Housing staff and the City's Housing and Community Development Commission will review the proposals received during this process, develop a draft Consolidated Plan and Action Plan during February and March, and submit the draft Plans for City Council consideration during a second public hearing in April.

III. Requested Action

Staff request that Council schedule the first CDBG/HOME public hearing for the meeting of January 22, 2013.

Review and Concur:



James A. Patterson, City Manager

* * * MEMORANDUM * * *
January 3, 2013

TO: Mayor and City Council

FROM: Kathy Louie, Assistant to City Manager/City Recorder 

SUBJECT: City Council Policies Reviewed in 2012

A total of 15 City Council Policies were reviewed in 2012 according to an annually established schedule. Two policy reviews were moved to 2013: 96-6.03 *Economic Development Policy* review is pending and CP 6.05 *Social Service Funding Policy* review is scheduled for the January 8 Human Services Committee meeting.

Following is a summary of policies that were reviewed in 2012:

POLICY AREA 1 - GENERAL	
CP 91-1.02	Liquor License Approval Procedures
CP 08-1.11	Identity Theft Prevention and Red Flag Alerts
CP 10-1.12	Community Sustainability
POLICY AREA 2 - COUNCIL PROCEDURES	
CP 98-2.10	Use of E-Mail by Mayor and City Council
POLICY AREA 3 - PERSONNEL AND ADMINISTRATIVE MATTERS	
CP 91-3.01	Appointment of the Acting City Manager
POLICY AREA 4 - LEISURE AND CULTURAL ACTIVITIES	
CP 91-4.03	Senior Citizens' Center Operational Policies
CP 92-4.04	Park Utility Donations
CP 92-4.06	Library Displays, Exhibits, and Bulletin Boards
POLICY AREA 5 - COMMUNITY SAFETY (<i>none reviewed in 2012</i>)	
POLICY AREA 6 - COMMUNITY DEVELOPMENT (<i>none reviewed in 2012</i>)	
POLICY AREA 7 - COMMUNITY IMPROVEMENTS	
CP 91-7.04	Building Permits
CP 91-7.05	Capital Improvement Program
CP 91-7.06	Engineering and Administrative Cost for Assessment Projects
CP 91-7.12	Integrated Vegetation Pest Management (IVPM) Program
CP 91-7.16	Guidelines for Donations of Land and/or Improvements for Parks and as Offset to Systems Development Charges for Parks
POLICY AREA 8 - WATER RELATED MATTERS (<i>none reviewed in 2012</i>)	
POLICY AREA 9 - RIGHT OF WAY MATTERS	
CP 91-9.02	Dirt on Streets
POLICY AREA 10 - FINANCIAL POLICIES	
CP 97-10.01-10.08	Financial Policies

All City Council Policies are available from the Mayor and City Council Web page on the City's Web site (www.corvallisoregon.gov). Please update your manual or give me a call if you need hard copies of the above policies.

AGREEMENT

Introduction

This Agreement, made and entered into this 5th day of November, 2012, by and between the City of Corvallis, Oregon, a municipal corporation (hereinafter called "City"), and James A. Patterson (hereinafter called "Employee"), an individual who has the education, training, and experience in local government management and who, as a member of ICMA, is subject to the ICMA Code of Ethics, both of whom agree as follows:

Section 1: Term

The appointment of Employee to the position of City Manager is effective as of October 17, 2011. The term of this Agreement shall be for a period of five years from October 17, 2011, to October 16, 2016.

Section 2: Duties and Authority

- A. City agrees to employ Employee as City Manager to perform the functions and duties specified in Section 23 of the Corvallis City Charter and by the Municipal Code of the City of Corvallis and to perform other legally permissible and proper duties and functions.
- B. This Agreement is subject to negotiations for a subsequent term, and the parties may begin successor agreement negotiations as part of the annual performance review process.

Section 3: Compensation

- A. Base Salary: City agrees to pay Employee an annual base salary of \$140,000, payable in installments at the same time that the other management employees of the City are paid.
- B. This Agreement shall be automatically amended to reflect any salary adjustments that are provided or required by the City's compensation policies.
- C. Consideration shall be given on an annual basis to increase compensation.
- D. Effective every July 1st, Employee shall receive an annual cost of living adjustment equivalent, by percentage, to that offered to all other City exempt employees.

Section 4: Health, Disability, and Life Insurance Benefits

- A. City agrees to provide and to pay a cafeteria plan amount equal to that which is provided to all other exempt employees of the City of Corvallis.
- B. City shall pay the amount of premium due for term life insurance in the amount of three (3) times the Employee's annual base salary, including all increases in the base salary during the life of this Agreement up to a limit of \$450,000. The Employee shall name the beneficiary of the life insurance policy.
- C. City agrees to put into force and to make required premium payments for long-term disability coverage for the Employee, consistent with that provided to all other exempt employees.

Section 5: Vacation and Sick Leave

- A. Upon commencing employment, the Employee shall be credited with a vacation bank of 15 days (120 hours) and a sick leave bank of 96 hours. Employee will then accrue vacation leave of 18.67 hours per pay period month and sick leave of 8 hours per pay period month.
- B. Such vacation accrual shall be capped at 240 hours (30 days). Sick leave accrual shall be capped at the limit established for other exempt employees.
- C. Employee shall be entitled to annual cash out of accrued vacation time in an amount equivalent to that established for other exempt employees and as described in the City of Corvallis Employee Handbook.
- D. Other leaves and paid time off shall be consistent with that provided to other exempt employees.
- E. In the event the Employee's employment is terminated, either voluntarily or involuntarily, the Employee shall be compensated for all accrued vacation time.

Section 6: Automobile

- A. During the term of this agreement and in addition to other salary and benefits herein provided, City agrees to reimburse Employee for the use of his personal automobile, for City purposes, at the current I.R.S. Standard Mileage Rate.

Section 7: Retirement

- A. City agrees to enroll the Employee into the Oregon Public Employee Retirement System (PERS) and to make all the appropriate contributions on the Employee's behalf, both the City and Employee share.

- B. In addition to the City's payment to PERS, City agrees to contribute \$5,000 annually, payable in monthly installments, on behalf of Employee to the City's Section 457 deferred compensation plan. Employee may make voluntary contributions to the plan in addition to this benefit, consistent with plan and IRS rules.

Section 8: General Business Expenses

- A. City agrees to budget for and to pay for professional dues and subscriptions of Employee necessary for continuation and full participation in national, regional, state, and local associations and organizations necessary and desirable for the Employee's continued professional participation, growth, and advancement and for the good of the City.
- B. City agrees to pay for travel and subsistence expenses for Employee for professional and official travel, meetings, and/or short courses, institutes, and seminars to adequately continue the professional development of Employee and to pursue necessary official functions for City, including, but not limited to, the ICMA Annual Conference, the state league of municipalities, and such other national, regional, state, and local governmental groups and committees in which Employee serves as a member and consistent with City travel policies and the approved budget.
- C. City recognizes that certain expenses of a non-personal but job-related nature are incurred by Employee and agrees to reimburse or to pay said general expenses in accordance with City policies and the approved budget.
- D. City acknowledges the value of having Employee participate and be involved in local civic clubs or organizations. Accordingly, City shall pay for the costs of maintaining membership in a local service club.
- E. City shall provide a cell phone stipend to Employee, consistent with the policy in place for other exempt employees (currently \$45 per month for full data services).

Section 9: Termination

For the purpose of this Agreement, termination shall occur when any of the following takes place:

1. The majority of the governing body votes to terminate the Employee at a duly authorized public meeting.
2. City, citizens, or legislature acts to amend any provisions of the City Charter or Municipal Code pertaining to the role, powers, duties, authority, or responsibilities of the Employee's position that substantially changes the form of government.
3. City reduces the base salary, compensation, or any other financial benefit of the Employee, unless it is applied in no greater percentage than the average reduction of all department heads.

4. Employee resigns following an offer to accept resignation, whether formal or informal, by the City as representative of the majority of the governing body that the Employee resigns (as of the date of the suggestion).
5. A breach of contract is declared by either party with a 30-day cure period for either Employee or City. (Written notice of a breach of contract shall be provided in accordance with the provisions of Section 17.)

Section 10: Severance

Severance shall be paid to the Employee when employment is terminated as defined in Section 9. If the Employee is terminated, the City shall provide a severance payment equal to twelve months' salary at the current rate of pay. Severance shall be paid in a lump sum unless otherwise agreed to by the City and the Employee. Employee shall also be compensated for all accrued vacation time. For a period of six months following termination or until Employee begins full-time employment elsewhere, whichever is sooner, City shall pay the cost to continue the following benefits:

1. Employee's current health insurance for the employee and all dependents as provided in Section 4.A., as long as Employee continues to pay any current co-pays for such premiums.
2. If the Employee is terminated for cause, the City is not obligated to pay severance under this section.

Section 11: Resignation

In the event that the Employee voluntarily resigns his position with the City, the Employee shall provide a minimum of 30 days' notice, unless the parties agree otherwise.

Section 12: Performance Evaluation

City shall annually review the performance of the Employee in October, subject to a process, form, criteria, and format for the evaluation which shall be mutually agreed upon by the City and Employee. The process at a minimum shall include the opportunity for both parties to: 1) prepare a written evaluation, 2) meet and discuss the evaluation, and 3) present a written summary of the evaluation results. The final written evaluation should be completed and delivered to the Employee within 30 days of the evaluation meeting.

Section 13: Hours of Work

It is recognized that the Employee must devote a great deal of time outside the normal office hours on business for the City, and to that end, Employee shall be allowed to establish an appropriate work schedule. Time off in addition to that provided for elsewhere in this Agreement may be approved by the Mayor for special circumstances.

Section 14: Indemnification

Beyond that required under Federal, State, or local law, City shall defend, save harmless, and indemnify Employee against any tort, professional liability claim, or demand or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of Employee's duties as City Manager or resulting from the exercise of judgment or discretion in connection with the performance of program duties or responsibilities, unless the act or omission involved willful or wanton conduct. The Employee may request, and the City shall not unreasonably refuse to provide, independent legal representation at City's expense, and City may not unreasonably withhold approval. Legal representation, provided by City for Employee, shall extend until a final determination of the legal action, including any appeals brought by either party. The City shall indemnify Employee against any and all losses, damages, judgments, interest, settlements, fines, court costs, and other reasonable costs and expenses of legal proceedings, including attorneys fees, and any other liabilities incurred by, imposed upon, or suffered by such Employee in connection with or resulting from any claim, action, suit, or proceeding, actual or threatened, arising out of or in connection with the performance of his duties. Any settlement of any claim must be made with prior approval of the City in order for indemnification, as provided in this Section, to be available. Employee recognizes that City shall have the right to compromise and, unless the Employee is a party to the suit which Employee shall have a veto authority over the settlement, settle any claim or suit, unless said compromise or settlement is of a personal nature to Employee. Further, City agrees to pay all reasonable litigation expenses of Employee throughout the pendency of any litigation to which the Employee is a party, witness, or advisor to the City. Such expense payments shall continue beyond Employee's service to the City as long as litigation is pending. Further, City agrees to pay Employee reasonable consulting fees and travel expenses when Employee serves as a witness, advisor, or consultant to City regarding pending litigation.

Section 15: Bonding

City shall bear the full cost of any fidelity or other bonds required of the Employee.

Section 16: Other Terms and Conditions of Employment

- A. Employee agrees to remain in the exclusive employ of the City and not to become employed or engaged by others until a termination date is effected as hereinafter provided.
- B. The City, only upon agreement with Employee, shall fix any such other terms and conditions of employment, as it may determine from time to time, relating to the performance of the Employee, provided such terms and conditions are not inconsistent with or in conflict with the provisions of this Agreement, the City Charter, or any other law.
- C. The City and Employee agree that Employee is not in breach of the provisions of this agreement regarding the Employee's exclusive employment with the City when he performs activities as an announcer for high school or college sporting events, and that these activities should be

considered hobbies or recreational activities, and are appropriate for the Employee to perform outside of the Employee's required work time.

Section 17: Notices

Notice pursuant to this Agreement shall be given by depositing in the custody of the United States Postal Service, postage pre-paid, addressed as follows:

1. CITY: City Recorder and Mayor, City of Corvallis, PO Box 1083, Corvallis, OR 97339-1083
2. EMPLOYEE: James A. Patterson, 4420 Golf View Drive, Corvallis Oregon 97333. Employee shall notify the City of any change of mailing address.

Alternatively, notice required pursuant to this Agreement may be personally served in the same manner as is applicable to civil judicial practice. Notice shall be deemed given as of the date of personal service or as the date of deposit of such written notice in the course of transmission in the United States Postal Service.

Section 18: General Provisions

- A. Integration. This Agreement sets forth and establishes the entire understanding between the City and the Employee relating to the employment of the Employee by the City. Any prior discussions or representations by or between the parties are merged into and rendered null and void by this Agreement. The parties, by mutual written agreement, may amend any provision of this Agreement during the life of the Agreement. Such amendments shall be incorporated and made a part of this Agreement.
- B. Binding Effect. This Agreement shall be binding on the City and the Employee, as well as their heirs, assigns executors, personal representatives, and successors in interest.
- C. Effective Date. This Agreement and the appointment of Employee as City Manager shall become effective on October 17, 2011.
- D. Severability. The invalidity or partial invalidity of any portion of this Agreement will not affect the validity of any other provision. In the event that any provision of this Agreement is held to

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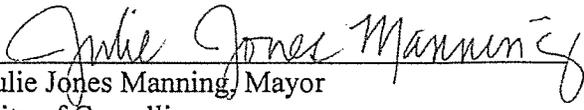
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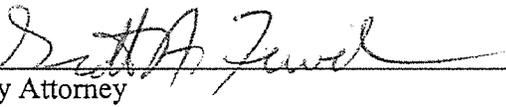
be invalid, the remaining provisions shall be deemed to be in full force and effect, as if they have been executed by both parties subsequent to the expungement or judicial modification of the invalid provision.

Signed:

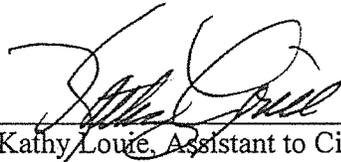

James A. Patterson


Julie Jones Manning, Mayor
City of Corvallis

Approved as to form:


City Attorney

Attest:


Kathy Louie, Assistant to City Manager/
City Recorder, City of Corvallis

MEMORANDUM

TO: Mayor and City Council

FROM: Mary Steckel, Public Works Director 

DATE: December 12, 2012

SUBJECT: Permit to Occupy the Public Right-of-Way

ISSUE

Comcast is requesting an Occupancy Permit (Attachment A) to install a conduit in the public right-of-way (ROW).

DISCUSSION

Comcast has submitted an application to install a two-inch diameter, 70 foot long conduit and two access vaults in the ROW for the provision of broadband service to facilities located on the east side of SW Hout Street. The use of the ROW for the provision of broadband services is not authorized under Comcast's cable television franchise with the City so a ROW Occupancy Permit is required. The use of the ROW for the conduit is part of a larger Comcast fiber installation project at the Corvallis Airport Industrial Park.

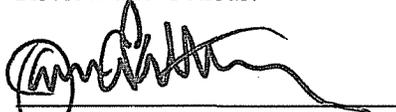
Staff reviewed the application and construction plans and approve of the design. Conflicts with City utilities have been minimized or eliminated. Construction activities will require Comcast to replace any sidewalk panels that are damaged.

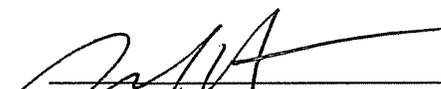
The City would annually be compensated \$3.70 per linear foot of conduit in the right-of-way equating to about \$259 per year in revenue to the General Fund. The annual per foot rate would increase yearly based on the Consumer Price Index.

RECOMMENDATION

Staff recommends the City Council authorize the City Manager to approve a Permit to Occupy the Public Right-of-Way as proposed with an effective date of February 1, 2013.

Review and Concur:


James A. Patterson, City Manager


James K. Brewer, City Attorney

Attachments:

A - Permit to Occupy the Right of Way

Permit to Occupy Public Right-of-Way

This permit is granted by the City of Corvallis, an Oregon municipal corporation, hereinafter referred to as "City", to Comcast, hereinafter referred to as "Permittee".

Section 1 Authority

1. The Permittee shall be subject to applicable Municipal Codes and Ordinances of the City including but not limited to those guidelines detailed in Corvallis Municipal Code chapter 3.02, relating to utilities, unless otherwise noted herein. Code chapter 3.02 is attached as Addendum "A".
2. Unless otherwise specified in this permit, any action authorized or required to be taken by the City may be taken by the Council or by an official or agent designated by the Council.

Section 2 Rights Granted

Subject to the provisions and restrictions of this permit and the Municipal Codes and Ordinances of the City, the City grants to Permittee the non-exclusive privilege to use the public right-of-way for:

One, 2-inch outer diameter conduit in the right-of-way crossing Hout Street as described on Exhibit "A" attached hereto for the provision of broadband service. Total length the conduit is seventy (70) feet and shall include the provision for two (2) access vaults.

This permit is granted subject to the City Manager's authority to prescribe which public right-of-ways will be used and the location within the public right-of-way. Permittee's use shall comply with the standard specifications of the City, and all other applicable Federal, State, and local laws and regulations. No work affecting the public right-of-way shall be performed by the Permittee without the express written consent of the City. Permittee shall register the private utility with the Oregon Utility Notification Center and shall keep the registration current for as long as the utility occupies the public right-of-way.

Section 3 Compensation

In consideration of the privileges and permit granted, Permittee shall pay to the City a one-time initial fee of \$100. In addition, Permittee shall pay to the City annually, \$3.70 per lineal foot of 2-inch conduit (70 lineal feet) placed within the public right-of-way. The total amount of the annual fee specified herein shall increase each year by a percentage equal to the change in the Consumer Price Index for urban wage earners and clerical workers for the Portland, Oregon metropolitan region for the prior year, published semi-annually, unadjusted for seasonal variations, as determined by the Bureau of Labor Statistics of the Department of Labor. Permittee shall make annual payments to the City on or before the last day of January for the calendar year immediately preceding. Within thirty (30) days of the termination of this permit, Permittee shall pay a pro-rata fee for the period from the end of the prior calendar year to the date of termination. With each annual fee payment, Permittee shall furnish a sworn statement setting forth the amount and calculation of the payment. The payment of the permit fee shall not

be credited toward the payment of property taxes or payments in lieu thereof, nor any sales or income tax adopted by the City, nor credited toward any permit fees exclusive of this agreement.

In the event the payment due under the provisions of this permit, that shall not be paid, or is underpaid, within thirty (30) days of due date, permittee shall pay in addition to the payment, or sum due, interest at a rate equal to 8% per annum calculated from the date the payment was originally due until the date the City receives the payment.

Section 4 Term of Permit

This permit shall continue and be in force for a period of fifteen (15) years from and after the date this permit becomes effective, provided, however, that either the City or Permittee may, upon at least thirty (30) days written notice to the other prior to the expiration of each three (3) year period from the effective date, open this agreement to negotiate provisions therein including the per lineal foot rate. Otherwise, this agreement remains in effect.

Section 5 Hold Harmless Clause

Subject to the limitations and conditions of the Oregon Tort Claims Act, and the Oregon Constitution, Article XI, Section 7, Permittee shall indemnify, protect, and hold the City of Corvallis and its officers, agents, and employees harmless against claims for injury or damage and loss, liability, cost, or expense growing out of, or resulting directly or indirectly from use by the Permittee of the public right-of-way.

Section 6 Notices

Whenever this permit calls for the providing of written notices to the parties, it shall be sufficient for notice to be sent by regular mail or delivered personally to the following locations:

For the Permittee: Comcast
Facilities Services
9605 SW Nimbus Ave.
Beaverton, OR 97008
Ph. 503-605-6209
Travis_stenhjem@cable.comcast.com

For the City: City of Corvallis
Public Works Department
Attention: Franchise Utility Specialist
PO Box 1083
Corvallis, OR 97339-1083

Section 7 Effective Date

This permit shall take effect February 1, 2013.

The signatures below indicate the full acceptance of all of the terms and conditions provided herein.

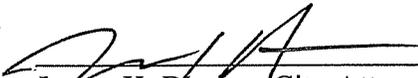
Travis Stenhiem
Fiber Construction Supervisor
Comcast Cable Corporation

Date

James A. Patterson, City Manager
City of Corvallis

Date

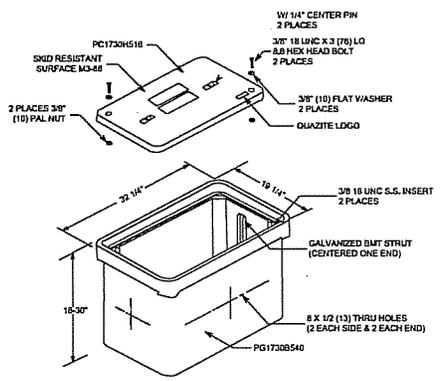
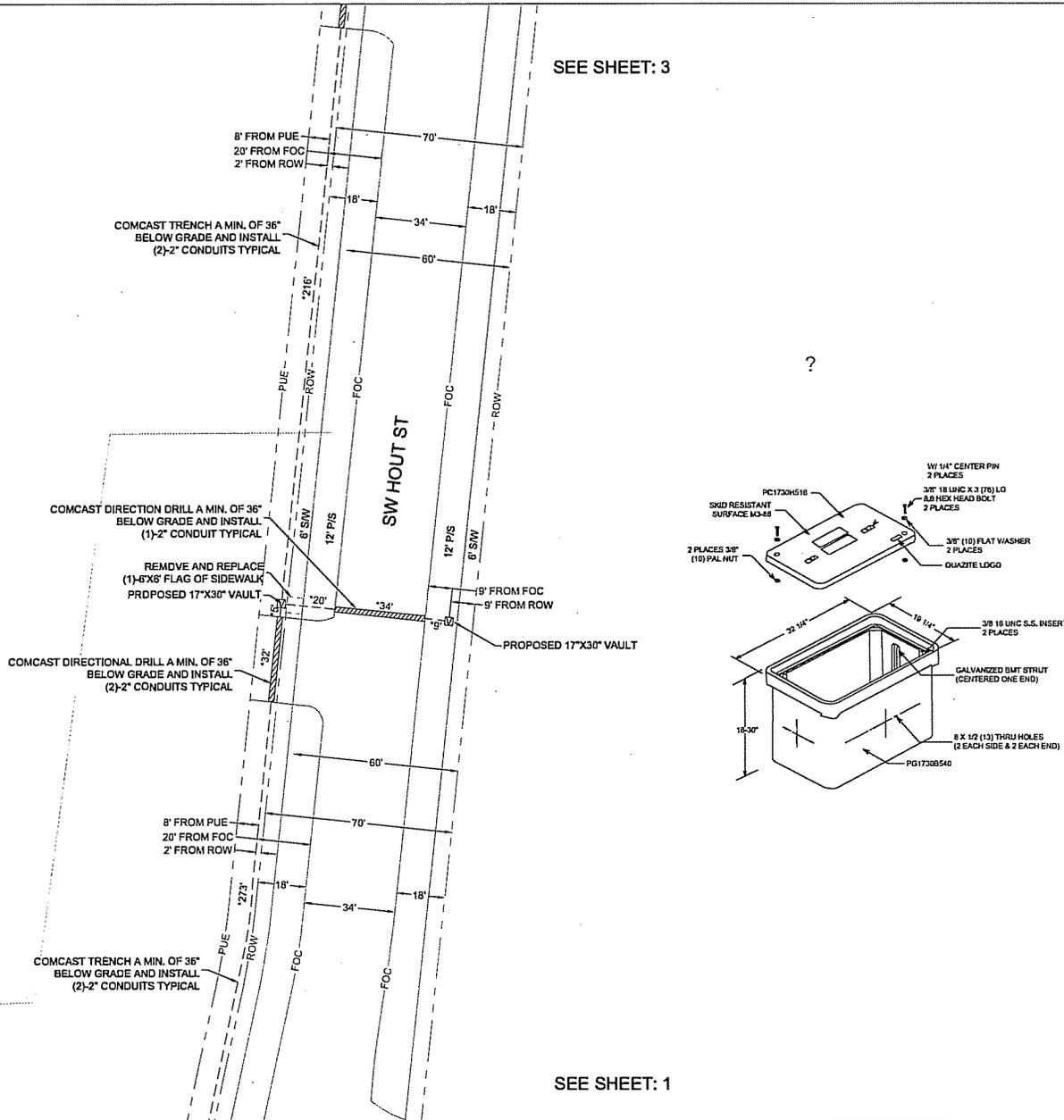
Approved As To Form:



James K. Brewer, City Attorney



SEE SHEET: 3



SEE SHEET: 1

NOTES:

1. ALL WORK AREAS TO BE RESTORED TO LIKE OR BETTER CONDITION.
2. ALL OTHER UTILITIES ARE BASED OFF EXISTING LOCATES OR UTILITY STRUCTURES.
3. IT IS THE CONSTRUCTION CONTRACTORS RESPONSIBILITY TO CALL FOR LOCATES BEFORE DIGGING.
4. BORE/DRILL SYM. -
5. TRENCH SYMBOLOGY -
6. REMOVE & REPLACE SYM. -

Contact: Frank Zabel
 Title: Fiber Construction Coordinator
 Oregon / SW Washington Market
 Mobile - (503) 519-5021
 Office - (503) 605-6045
 Email - Frank_Zabel@cable.comcast.com



9605 SW Nimbus Ave
 Beaverton, OR 97008

K & B 4120 SE INTERNATIONAL WAY
 SUITE A113
 MILWAUKIE, OR 97222
 Email: kbeng@att.net Design By: K & B (503) 650-6041

SITE ADDRESS:
 SW Hout St
 Corvallis, OR 97333
 12S05W22

REV.	DATE	DESCRIPTION	APPROVED
1	09/27/12	City of Corvallis Permit 2-4	
1	11/06/12	City of Corvallis Permit 2-4 Revision	TH

SCALE: 1" = 40'	PROJECT NUMBER: C30178
SHEET NUMBER: 2	TITLE: FIBER ENHANCEMENT PERMIT DRAWING 2-4
SHEET 2 OF 4	FILE NAME: CMME-1443-826

Chapter 3.02

Utility Regulations

Sections:

- 3.02.010 Definitions.
- 3.02.020 Use of bridges and public places.
- 3.02.030 Existing facilities.
- 3.02.040 Public works and improvements not affected by franchise.
- 3.02.050 Safety standards and work specifications.
- 3.02.060 Control of construction.
- 3.02.070 Street excavations and restorations.
- 3.02.080 Location and relocation of facilities.
- 3.02.090 Rearrangement of facilities to permit moving of buildings and other objects.
- 3.02.100 Joint use.
- 3.02.110 Pruning of trees in easements.
- 3.02.120 Use of facilities by City.
- 3.02.130 Supplying maps upon request.
- 3.02.140 Indemnification; defense of suits against the City.
- 3.02.150 Termination of utility's use.
- 3.02.160 Removal of facilities.
- 3.02.170 Permit and inspection fees.
- 3.02.180 Penalty.

Section 3.02.010 Definitions.

- 1) Bridge - A structure erected within the City to facilitate the crossing of a river, stream, ditch, ravine, or other place, but does not include a culvert.
- 2) Facilities - As used herein, all privately-owned facilities located on, over, or under any street, bridge, or public place within the city.
- 3) Municipal purposes - All municipal purposes except telephone communications service to the public; includes, but is not limited to, the use of structures and installations for:
 - a) Municipal fire, police, and water department wires and equipment;
 - b) Municipal interdepartmental telephone, telegraph, and traffic signal systems;
 - c) Municipal fire alarm and police and traffic signals, signs, and equipment.
- 4) Person - Any individual, sole proprietorship, partnership, association, cooperative, corporation or any other form of entity or organization.
- 5) Public place - Any City-owned park, place, or grounds within the City that is open to the public but does not include a street or bridge.
- 6) Public rights-of-way - Include, but are not limited to, streets, roads, highways, bridges, alleys, sidewalks, trails, paths, park strips, public utility easements on private property, and all other public ways or areas, including subsurface and air space over these areas excluding public places.
- 7) Street - As used herein, a street, alley, avenue, road, boulevard, thoroughfare, or public highway within the City, but does not include a bridge.
- 8) Utility - As used herein, every public utility operating for a period of 30 days within the City without a franchise from the City and actually using the streets, bridges, and public places of the City. (Ord. 2003-17 § 1, 05/19/2003; Ord. 87-08 § 1, 1987; Ord. 82-77 § 100.01, 1982; Ord. 70-98 § 1, 1970)

Section 3.02.020 Use of bridges and public places.

No utility may use or occupy any bridge or public place unless it has first obtained the permission of

Corvallis Municipal Code

the City for that use or occupation and unless the utility complies with any special conditions the City desires to impose on such use or occupation.

(Ord. 70-98 § 2, 1970)

Section 3.02.030 Existing facilities.

All facilities maintained by a utility within the City on September 8, 1970, shall be deemed to be permitted and consented to by the City, and the location of those facilities is approved, all subject to the rights of the City as provided herein.

(Ord. 70-98 § 3, 1970)

Section 3.02.040 Public works and improvements not affected by franchise.

The City reserves the right to:

- 1) Construct, install, maintain, and operate any public improvement, work, or facility.
- 2) Do any work that the City may find desirable on, over, or under any street, bridge, or public place.
- 3) Vacate, alter, or close any street, bridge, or public place.

(Ord. 70-98 § 4, 1970)

Section 3.02.050 Safety standards and work specifications.

1) All facilities of a utility shall at all times be maintained in a safe, substantial, and workerlike manner.

2) The location, construction, extension, installation, maintenance, removal, and relocation of the facilities of the utility shall conform to:

a) The requirements of State and Federal statutes, and regulations adopted pursuant thereto, in force at the time of such work;

b) Such reasonable specifications, in force at the time of such work, as the City may from time to time adopt to supplement State and Federal statutes and regulations and which are consistent therewith.

c) All applicable performance tests and technical standards as referenced in 47 CFR, Part 76.601 and 76.605 as amended at 65 FR 53616, Sept. 5, 2000 and at a minimum, meet or exceed the cumulative leakage index test requirements as referenced in 47 CFR, Part 76.611 as amended at 58 FR 44952, Aug. 25, 1993 if such utility provides cable television services.

3) For the purpose of carrying out Subsections 1) and 2) of this Section, the City may provide such specifications relating thereto as may be necessary or convenient for public safety or the orderly development of the City. The City may amend and add to such specifications from time to time.

(Ord. 2003-13 § 1, 04/21/2003; Ord. 70-98 § 5, 1970)

Section 3.02.060 Control of construction.

1) The City reserves the right to reasonably determine the location of any construction, extension, or relocation of any of the service facilities of the utility, and the utility shall not continue with any construction, extension, or relocation of any of its service facilities upon notification by resolution of Council that the City disapproves of the location.

2) If required by Council, the utility shall file maps with the City showing the location of any construction, extension or relocation of any of the service facilities of the utility and shall obtain approval from the City of the location and plans prior to commencement of the work. The City may require the utility to obtain the City's consent before commencing the construction, extension, or relocation of any of its service facilities.

(Ord. 70-98 § 6, 1970)

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Section 3.02.070 Street excavations and restorations.

1) Subject to the provisions herein, the utility may make necessary excavations for the purpose of installing, maintaining, and operating its facilities. Except in emergencies, prior to making an excavation in the traveled portion of any street, bridge, or public place, and when required by the City, in any untraveled portion of any street, bridge, or any public place, the utility shall obtain from the City approval of the excavation and of its location.

2) Except as provided in subsection 3) of this Section, when any excavation is made by the utility, the utility shall promptly restore the affected portion of the street, bridge, or public place to the same condition in which it was prior to the excavation. The restoration shall be done in strict compliance with City specifications, requirements, and regulations in effect at the time of such restoration. If the utility fails to restore promptly the affected portion of a street, bridge, or public place to the same condition in which it was prior to the excavation, the City may make the restoration, and the cost of making the restoration, including the cost of inspection, supervision, and administration, shall be paid by the utility.

3) The City may require that any excavation made by the utility on any street, bridge or public place be filled and the surface replaced by the City, and that the reasonable cost thereof, including the cost of inspection, supervision, and administration, shall be paid the utility.

(Ord. 70-98 § 7, 1970)

Section 3.02.080 Location and relocation of facilities.

1) All facilities of the utility shall be placed so that they do not interfere unreasonably with the use by the City and the public of the streets, bridges, and public places and in accordance with any specifications adopted by the City governing the location of facilities.

2) Council may by resolution require the utility to move or relocate any of its facilities whenever:

a) The movement or relocation is for the public convenience or necessity.

b) Council finds the movement or relocation necessary for the construction, installation, or maintenance of any public work or improvement, including works and improvements by State and other public agencies. Public work of improvement as used herein shall not include utility facilities to be owned, constructed, installed, or maintained by any public body or agency for retail distribution.

3) The utility shall bear the expense of any movement or relocation of its facilities required pursuant to this Section. If the utility fails to comply with any requirement of Council made pursuant to this Section, within a reasonable time designated by Council, the City may remove or relocate the facilities at the expense of the utility.

(Ord. 70-98 § 8, 1970)

Section 3.02.090 Rearrangement of facilities to permit moving of buildings and other objects.

1) Upon fifteen days' notice in writing from any person desiring to move a building or other object, the utility shall temporarily raise, lower, or remove its facilities upon any street, bridge, or public place within the City when necessary to permit the person to move the building or other object across or along the street, bridge, or public place. The raising, lowering, or removal of the facilities of the utility shall be in accordance with the Code and all applicable ordinances and regulations of the City.

2) The notice required by Subsection 1) above shall bear the approval of such official as Council shall designate, shall detail the route of movement of the building or other object and shall provide that the actual expense incurred by the utility in making the temporary rearrangement of its facilities, including the cost of the utility of any interruption of service to its customers caused thereby, will be borne by the person giving the notice.

3) The utility, before making the temporary rearrangement of its facilities, may require the person

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desiring the temporary rearrangement to deposit cash or adequate security, at the option of the person, to secure payment of the costs of rearrangement as estimated by the utility. If the amount of the deposit based on the estimated cost of rearrangement is disrupted, it shall be determined by such officials as Council shall designate.

(Ord. 70-98 § 9, 1970)

Section 3.02.100 Joint use.

1) If, in the judgement of Council, it is impractical or undesirable to permit erection of aerial supports or construction of underground conduit systems by any other utility which has the authority at the time to construct or maintain aerial supports to conduit systems on, over, or under the streets, bridges, or public places, Council may require the utility to afford to such other utility the right to use such facilities of the utility, in common with the utility, as Council finds reasonably available and practicable.

2) If, in the judgement of Council, it is impracticable or undesirable to permit erection of aerial supports or construction of underground conduit systems by the utility where another utility has authority at the time to construct or maintain aerial supports or conduit systems on, over, or under the streets, bridges, or public places, Council may require the utility to use such facilities of the other utility, in common with the other utility, as Council finds practicable and consistent with the legal rights of the other utility.

3) The utility and the other utility shall use such facilities in common under such terms and conditions as they may agree upon, including terms and conditions relating to the sharing of costs incident to the common use. If the utility and the other utility fail to agree upon terms and conditions within a reasonable time, the facilities shall be used in common under such terms and conditions as Council determines to be just and reasonable. In fixing such terms and conditions, Council may require each use to install and maintain standards, devices, and equipment reasonably necessary to protect the equipment of the other users from damage and the public from injury arising from such joint use.

4) In the event a pole owner vacates or abandons a pole, the owner shall provide written notification at least ten business days prior to vacation or abandonment of pole to the City and other utilities sharing the pole through a joint-use agreement. Affected utilities shall be provided a grace period of thirty (30) business days following the date of actual pole vacation or abandonment in which to remove their facilities. Failure to remove facilities within the thirty-day grace period may subject the owner of such facilities to penalties as prescribed under this chapter and the City may remove or relocate the facilities at the owner's expense.

5) Joint use shall not be required hereunder if it will result in any substantial detriment to the service to be rendered by the owner or other users, or if it can be had only under conditions that violate the safety requirements of State or Federal law, or regulations adopted pursuant thereto, or applicable safety codes which the utilities are required by law to follow.

(Ord. 2003-13 § 2, 04/21/2003; Ord. 70-98 § 10, 1970)

Section 3.02.110 Pruning of trees in easements.

1) A utility may, at its own expense, prune trees within easements, public rights-of-way, or public places in the manner and to the extent necessary to provide adequate clearance and safety for its facilities, provided such tree pruning be supervised or performed by a certified arborist. Tree pruning shall be governed by principles of modern arboriculture pursuant to the standards of ANSI A300 (1995), International Society of Arboriculture Tree Pruning Standards (1995), and Pruning Trees near Electric Utility Lines (Shigo-1990) or as amended and carried on in strict conformity with any regulations heretofore or hereafter established by the City. All pruning shall be allowed only after the utility obtains a written permit from the City

2) Utilities shall provide a written notice to the property owner and resident at least ten (10) business

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days prior to any pruning to be done on the property. The City recognizes that a ten (10) day notice may not be possible in emergency situations; however, the City does encourage utilities to provide as much advance notice to property owners and residents as is reasonably possible under such emergency circumstances.

3) Council may require that any tree pruning necessary to provide adequate clearance and safety for the facilities of the utility be performed by the City, with qualified line-clearance tree pruners, supervised by a certified arborist, and that the cost thereof, including the cost of inspection, supervision, and administration shall be paid by the utility.

(Ord. 98-38 § 1, 10/19/1998; Ord. 70-98 § 11, 1970)

(98-38, Amended, 10/19/1998)

Section 3.02.120 Use of facilities by City.

1) The City shall have the free right and privilege to install or affix and maintain wires and equipment for municipal purposes upon the structures and installations, including underground conduits, of the utility.

2) The City shall install, affix, maintain, and operate its wires and equipment at its own expense in accordance with the requirements of State and Federal law, and regulations adopted pursuant thereto, and in accordance with good engineering practice and safety standards. The wires and equipment of the City shall be subject to interference by the utility only when necessary for the maintenance, operation, or repair of the facilities of the utility.

3) The City shall install, affix, maintain, and operate its wires and equipment in such a manner as not to impose any undue additional expense upon the utility, or unduly interfere with the safe and convenient use and maintenance by the utility of its structures and installations.

(Ord. 70-98 § 12, 1970)

Section 3.02.130 Supplying maps upon request.

The utility shall maintain on file, at an office in Oregon, maps and operational data pertaining to its operations in the City. The City may inspect the maps and data at any time during business hours. If requested so to do, the utility shall furnish to the City, without charge and within a reasonable time, maps showing the location of the service facilities of the utility in specified areas of the City.

(Ord. 70-98 § 14, 1970)

Section 3.02.140 Indemnification; defense of suits against the City.

1) A utility shall indemnify, protect, and save the City, its officers, employees, and agents harmless against any claim for injury or damage and all loss, liability, cost or expense, including court costs and attorney's fees, growing out of or resulting, directly or indirectly, from the occupation or use of the streets, bridges and public places by the utility under this Chapter, regardless of any actual or claimed concurring, contributing, or joint negligence of the City or its officers, employees or agents. However, if the claim, loss, liability, cost, or expense is the result of the sole negligence of the City, the utility not being guilty of concurring, contributing, or joint negligence, this subsection shall not require the utility to indemnify, protect, and save the City or its officers, employees, and agents harmless.

2) If any action is brought against the City for any claim or loss growing out of or resulting, directly or indirectly, from the occupation and use of the streets, bridges, and public places by the utility, the City may notify the utility and require it to appear and defend the action alone or with the City. If the utility is required to appear and defend the action and fails so to do, the City may permit judgment to be entered by default or confess judgment against the City without trial, and the utility shall fully indemnify the City or satisfy the judgment promptly. The liability of the City and the amount of the damages shall not be

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questioned by the utility when called upon to indemnify the City or satisfy the judgment.

3) Subsection 1) above does not apply where the utility has been required to surrender control over an excavation in a street, bridge, or public place, and the City has assumed the responsibility of restoring the excavation and has taken over control thereof, unless the utility is guilty of concurring, contributing, or joint negligence.

(Ord. 70-98 § 15, 1970)

Section 3.02.150 Termination of utility's use.

Upon the willful failure of a utility, after 30 days' notice and demand in writing to perform promptly and completely each and every term, condition, or obligation imposed upon the utility hereunder, Council may, at its option and in its sole discretion, by ordinance or resolution, terminate the utility's use of part or all of the streets, bridges, and public places of the City.

(Ord. 70-98 § 16, 1970)

Section 3.02.160 Removal of facilities.

Within 90 days of an order, by ordinance or resolution, that a utility shall remove part or all of its facilities, or such further time as may be allowed by Council, a utility shall remove from the specified streets, bridges, and public places all of its property and equipment and forthwith shall replace and restore the streets, bridges, and public places to their former condition. If a utility removes its property and equipment but fails to replace and restore the streets, bridges, and public places to their former condition, the City may do so at the expense of the utility. If a utility fails to remove all of its property and equipment within the required time:

1) The City may remove the property and equipment and replace and restore the streets, bridges, and public places to their former condition, all at the expense of the utility; or

2) Council may elect by ordinance to take title to or interest in the property and equipment or portions thereof and title thereto shall thenceforth be vested in the City and thereafter the utility shall not remove the property or equipment or exercise domain over it, except that the portion, if any, of the property and equipment to which the City has not elected to take title may be removed by the City, and the streets, bridges, and public places replaced and restored to their former condition, all at the expense of the utility. The costs of any suit, action, or proceeding instituted or required by action of the utility to test the title of the City to such property shall be borne by the utility if the City is the prevailing party in the suit, action, or proceeding and such costs shall include court costs, statutory attorney fee allowances, and all the actual costs incurred by the City including a reasonable allowance for attorney's fees in addition to the statutory allowance.

(Ord. 70-98 § 17, 1970)

Section 3.02.170 Permit and inspection fees.

1) No work affecting the public rights-of-way shall take place without first obtaining a permit from the City.

2) All work performed under permit obtained as required by this chapter shall be done in conformity with:

- a) The provisions of this chapter;
- b) Existing franchise agreements or occupancy permits if applicable;
- c) The City of Corvallis Standard Construction Specifications;
- d) The terms and conditions of the permit as determined by the City.

3) The City Council shall by resolution adopt a permit fee schedule for work performed in the public rights-of-way.

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4) Nothing herein shall be construed to limit the right of the City to require any person or utility to pay charges imposed by the City in connection with the issuing of a permit, making of an inspection, or performing any other service for or in connection with work affecting the public rights-of-way, whether pursuant to this chapter or any other ordinance or resolution now in effect or hereafter adopted by the City.

(Ord. 2003-17 § 2, 05/19/2003; Ord. 70-98 § 18, 1970)

Section 3.02.180 Penalty.

Wilful violation of any provision of this chapter by a utility shall be punished, upon conviction, by a fine not to exceed \$500.00.

(Ord. 70-98 § 19, 1970)

**ADMINISTRATIVE SERVICES COMMITTEE
DRAFT MINUTES
DECEMBER 19, 2012**

Present

Councilor Biff Traber, Chair
Councilor Joel Hirsch
Councilor Mark O'Brien

Staff

Nancy Brewer, Finance Director
Karen Emery, Parks and Recreation Director
James Mellein, Aquatic Center Supervisor
Sharon Bogdonovich, Sr Center Supervisor
Steve Deghetto, Assistant Parks & Rec Director
Tony Krieg, Customer Services Manager

Visitors

Nicole Beachboard-Dodson, daVinci Days
Michael Dalton, daVinci Days

Agenda Item	Information Only	Held for Further Review	Recommendations
I. da Vinci Days Loan Review/Restructuring			Accept daVinci Days loan restructure option of annual payments of \$1,000 for ten years, interest free.
II. Parks and Recreation Cost Recovery Update	*		
III. Municipal Code Review: Chapter 3.06 "City Services Billing"			Approve staff's recommended revisions to the Corvallis Municipal Code, Chapter 3.06, "City Services" to ensure the City recovers its cost of services and places the cost of providing these additional services and responsibilities on the appropriate customers by means of an Ordinance to be read by the City Attorney.
IV. First Quarter Operating Report			Accept the First Quarter Operating Report for Fiscal Year 2012-13.
V. Other Business			

Chair Traber called the meeting to order at 4:02 pm.

CONTENT OF DISCUSSION

I. da Vinci Days Loan Review/Restructuring (Attachment)

Ms. Beachboard-Dodson distributed copies of daVinci Days' profit and loss statement (Attachment 1) and balance sheet (Attachment 2).

Mr. Deghetto reviewed the staff report, noting staff recommends restructuring the balance of daVinci Days' loan for ten annual \$1,000 interest free payments.

Mr. Dalton said 2013 will be daVinci Days' 25th Anniversary. The organization has

nearly completed its strategic planning process which will provide a formal five-year written plan as a guide for the future.

Ms. Beachboard-Dodson referred to Attachments 1 and 2, noting expenses are outpacing revenues. The organization is looking at ways to bring in more money. She said she agrees with staff's recommendation, but she asked if there was any possibility of forgiving the loan, as the festival is not coming into the year in a strong financial position. Ms. Beachboard-Dodson noted daVinci Days is Corvallis' signature event which brings in a lot of tourism dollars.

Councilor Hirsch said in the past, he has advocated for forgiving the loan. However, given the City's budget situation and considering what may need to be cut in the coming year, he believes giving an interest-free ten year loan plus in-kind City services is acceptable. He expressed support for daVinci Days, but he cannot advocate forgiving the loan.

Councilor O'Brien said his understanding is the City already gave a substantial amount of money to daVinci Days through the transient room tax allocation process, so that is another source of financial support the festival has received from the City. He agreed with Councilor Hirsch's comments and staff's recommendation.

Chair Traber said he requested Attachments 1 and 2 due to the discussion about loan forgiveness that occurred last spring. He observed the festival is losing money each year and is eating into its reserves. In response to his inquiry about why corporate sponsorship has declined, Ms. Beachboard-Dodson opined it is due to the poor economy. Businesses have told her they do not have the funds to give.

Chair Traber commented that daVinci Days is also Corvallis businesses' signature event. He said the need for funding is driven by the decline in corporate sponsorship, not citizen participation. While admissions are down slightly, festival events and concessions are up. Chair Traber said he supports modifying the loan terms to help the festival and he believes corporate sponsorship should help fill the gap instead of the City forgiving the loan.

The Committee unanimously recommends Council accept the daVinci Days loan restructure option of annual payments of \$1,000 for ten years, interest free.

Councilor Hirsch reiterated his support for the festival and said he hopes the Board understands his reasoning for not advocating loan forgiveness.

II. Parks and Recreation Cost Recovery Update (Attachment)

Ms. Emery reviewed the staff report and said the results of implementing the new cost recovery model have been positive. She noted Corvallis Parks and Recreation was recognized by the nationwide consulting firm they worked with as being the only organization in the nation thus far to develop the methodology in such depth. As a

result, staff was invited to speak at the National Recreation and Parks Association Conference. Unfortunately, Ms. Emery declined the invitation due to budget constraints. Councilors congratulated staff for their work on the initiative. Ms. Emery commented that Corvallis' success is due to solid support from staff at all levels. She said other cities did not experience similar success due to the top down nature of their implementation.

In response to Chair Traber's inquiry, Ms. Emery confirmed the greatest amount of revenue is generated in the first and fourth quarters, as summer program participants begin signing up in March.

In response to Chair Traber's inquiry about utilization of the family assistance program as outlined in Table 4 of the staff report, Ms. Emery said all of the assistance has been distributed, but only 49% has been expended. In March, staff will meet with the Parks, Natural Areas and Recreation Board (PNARB) to review the utilization rate and discuss year-end projections. If it appears the program will ultimately not be affordable, staff may propose parameter changes to PNARB and Council, such as making the program more restrictive.

Mr. Deghetto noted the awards were shifted from calendar to fiscal year, so the transition is another factor. Chair Traber said the strategy seems to be producing results.

Councilor Hirsch expressed appreciation that all Parks and Recreation supervisors attended today's meeting with an enthusiastic "fist pump."

The item is for information only.

III. Municipal Code Review: Chapter 3.06, "City Services Billing" (Attachment)

Mr. Krieg reviewed the staff report and said staff recommends approval of the proposed changes to Municipal Code Chapter 3.06, "City Services Billing."

In response to Councilor O'Brien's inquiry, Mr. Krieg said payment plans are available for those with delinquent accounts up until the point where service is turned off. Ms. Brewer added that staff also works with those who have very large delinquent balances by spreading out costs over 12 months. She emphasized the problems outlined in the staff report come from less than 2% of customers, which drive about 80% of the workload. The same landlords consistently delay payments, which has been driving up costs for everyone.

In response to Chair Traber's inquiry about transferring delinquent balances from a customer's wastewater account to his/her water account, Mr. Krieg said staff matches accounts by using the personal identifying information that was provided by the customer when the account was opened.

In response to Chair Traber's inquiry, Mr. Krieg said when performing a service shut off, staff does not take payment in the field. If the person is home or the business is open, instead of disconnecting service on the spot, staff gives the customer an opportunity to bring their account to current by 5:00 pm that day.

The Committee unanimously recommends Council approve an ordinance implementing staff's recommended revisions to the Corvallis Municipal Code, Chapter 3.06, "City Services" to ensure the City recovers its cost of services and places the cost of providing these additional services and responsibilities on the appropriate customers.

Chair Traber observed the Municipal Code Chapter 3.06 included with the staff report does not reflect new water rates. Upon review of the Chapter following the meeting, staff notes the section of the Code that applies to City Services Billing is correct. The water rates Chair Traber was referring to, which are in a different section of the Code, do not take effect until February 1.

IV. First Quarter Operating Report (Attachment)

Ms. Brewer reviewed the staff report. Expenses are trending close to budget, but growth in assessed value for property tax revenue did not materialize as expected. The Police Department's expenses are on budget, but staff is watching overtime spending. Ms. Brewer noted higher overtime expenditure is to be expected in the first quarter when students return and football season is in full swing. Library temporary hire wages are being watched as well, as much of the casual employee budget has been cut over the years. Ms. Brewer said staff is monitoring the Federal fiscal cliff discussions, as the outcome may affect Community Development Block Grant funds the City receives.

In response to Chair Traber's inquiry, Ms. Brewer said the City Manager's Office budget has higher expenses in the first quarter due to payment of annual insurance premiums in July and August.

The Committee unanimously recommends Council accept the First Quarter Operating Report for Fiscal Year 2012-13.

V. Other Business

The next Administrative Services Committee meeting is scheduled for 4:00 pm, Wednesday, January 9, 2012 in the Madison Avenue Meeting Room.

The meeting adjourned at 4:46 pm.

Respectfully submitted,

Biff Traber, Chair

MEMORANDUM



To: Administrative Services Committee
From: Karen Emery, Director *KE*
Stephen DeGhetto, Assistant Director *SD*
Date: December 19, 2012
Subject: da Vinci Days Loan Restructure

Issue:

In April of 2012 da Vinci Days requested the City to forgive the \$12,000 balance of the 2005 Bridge Loan. Administrative Services Committee (ASC) recommended to City Council to have da Vinci Days continue with the current loan payment schedule and to propose restructuring the loan in year five of the contract. Restructuring is an option in the original funding agreement and this memorandum provides options to be considered by ASC for recommendation to City Council.

Background:

da Vinci days currently has a \$10,000 loan balance with the City. A \$2,000 payment was received by the City in August of 2012. The current repayment schedule will take five years to recover the loan balance in the existing structure. The loan funding was provided to support da Vinci Days cash flow needs, pay on deferred expenditures, and provide beginning fund balances for da Vinci Days Summer Festival and the da Vinci Film Festival.

In addition to the loan, the Administrative Services Committee requested at the April 7, 2012 meeting to value the in-kind support da Vinci Days receives from Corvallis Parks and Recreation. These in-kind contributions are listed below to illustrate the services and equipment provided annually by the Parks and Recreation Department.

Parks Services:

1. Mobile stage set up/takedown (2 people - 5 hours @ \$20/hr. = \$200)
2. 6 bleachers delivered and picked up. (2 people - 3hours @20/hr. = \$120)
3. Delivery and pickup of maze panels (2 people -2 hours @\$20/hr. = \$80)
4. Paint parking lot for MUD BOG events (2 people - 2hours @\$20/hr. = \$80)
5. Mowing mud bog event area (1person - 2hours @\$20/hr. = \$40)

Parks Equipment:

1. Mobil Stage Value = \$450.00
2. Bleacher Rental, 13 @ \$25 = \$325
3. Fence or Maze panels, 40 @ \$5 = \$200

TOTAL = \$1,495

Discussion:

As a result of the loan restructure request, Parks and Recreation staff has consulted with the City Finance Department for loan structure options to facilitate repayment which is mutually agreeable to the City and da Vinci Days. Three options come to forefront:

- A. Continue with the current structure of \$2,000 a year for five years; interest free.
- B. Annual payments of \$1,000 for 10 years; interest free.
- C. Annual payment of \$1,000 for 5 years; interest free; \$5,000 balloon payment at the end of the 5 years, with the option to restructure.

Recommendation: Staff recommends the Administration Services Committee recommend to City Council to accept the da Vinci Loan Restructure Option B.

Review and Concur:



James A. Patterson, City Manager



Nancy Brewer, Finance Director

MEMORANDUM



To: Administrative Services Committee
From: Karen Emery, Director Parks and Recreation *KE*
Date: December 19, 2012
Subject: Parks and Recreation Cost Recovery Update

Issue:

Corvallis Parks and Recreation Department (CPRD) has implemented the Cost Recovery Methodology reviewed by the Parks, Natural Areas and Recreation Board (PNARB) and adopted by City Council in January 2013. The following is an update regarding the progress and observed outcomes for review.

Background:

In September 2011, the Parks and Recreation Department engaged the services of GreenPlay, a national parks and recreation management consulting firm to assist in developing a Cost Recovery Model and Resource Allocation Philosophy which includes a model, philosophy and policy based on the community's values for parks and recreation services, and the Department's mission and vision for the future. This model, based on *The Pyramid Methodology*, assists the City as staff plans for a sustainable future. It is a critical component for the development of both current and future Parks and Recreation facilities, programs, and services.

Discussion:

Parks and Recreation implemented Cost Recovery Model and Resource Allocation Philosophy utilizing *The Pyramid Methodology* to restructure programming to meet or exceed the cost recovery goals. This methodology helps the Parks and Recreation Department adjust to the current economic climate and budget restraints, while continuing to serve all incomes. The primary goal is to establish organizational sustainability through a logical and thoughtful philosophy that supports the core values, vision, and mission of the Corvallis Parks and Recreation Department as developed through community process.

Cost Recovery Methodology is utilized to establish the degree to which the operational and maintenance costs of service are recovered. Financial targets for all services were established through community process in the Fall of 2011. Staff uses a variety of approaches to meet that target which includes user fees, grants, partnerships, donations, sponsorships, volunteers, increased marketing and increased participation, to name a few. When the combination of these strategies does not meet the cost recovery target, the program is canceled. On all levels of the Pyramid, the goal is to meet or exceed the target. Staff builds on successful programs that generate revenue beyond the cost recovery goal as the market allows. This strategy is a way to help fund services on Tier 1 and Tier 2 that rely on property taxes, such as the park system.

In contrast, subsidy includes designated sources such as property taxes, or other taxing mechanisms such as the Sustainable Initiative Fee (SIF) that financially support operations and maintenance of services. Subsidy dollars provide for service costs that are not recovered by either user fees or other forms of alternative funding. Essentially, subsidy is the community's investment in parks and recreation services.

Table 1 illustrates the fourth quarter cost recovery figures for FY 2010-11 and first quarter in FY 2012-13. FY 2010-11 figures reflect the former adopted cost recovery methodology which met the goals at that time and was the starting point for the transition to the new model. The FY 2012-13 figures illustrate the current cost recovery methodology and progress as of September 30, 2012. The tiers are the five tiers of the Cost Recovery Pyramid (see attachment). Although Tier 3 did not meet its target during first quarter, Tiers 4 and 5 have exceeded. Staff continues to modify all programs to increase recovery.

Table 1

TIER	GOAL	FY 10-11	FY12-13
1	0%	4.61%	13.02%
2	45%	38.04%	51.57%
3	90%	77.26%	84.74%
4	100%	77.78%	122.82%
5	200%	167.52%	301.83%

Table 2 illustrates the trend in revenues, expenditures and participation rates to date for implementation of the cost recovery methodology. First quarter FY 12-13 has increased revenue by \$33,573 and reduced expenses by \$78,677.

Table 2

Fiscal Year	FY 10-11	FY 11-12	FY 12-13	Trend
Total First Quarter Revenue	\$457,036	\$452,010	\$485,583	Increase
Total First Quarter Expenditures	\$1,687,471	\$1,688,365	\$1,609,688	Decrease
First Quarter Participation	5,384	46,429	46,159	Decrease
Note: This data reflects Parks and Recreation's First Quarter performance for the given fiscal year.	No Osborn Aquatic Center participation numbers in the performance measure.	First Year for Osborn Aquatic Center participation numbers in the performance		

Table 3 illustrates Parks and Recreation programs without Osborn Aquatic Center program or participation in the first quarter of the given fiscal year. Although staff has cut 35 programs, participation has increased overall.

Table 3

	FY 10-11	FY11-12	FY 12-13
First Quarter Programs	313	320	285
First Quarter Participation	5,384 Participants	5,235 Participants	6,425 Participants

Family Assistance Scholarship Policy

The scholarship is intended to provide recreation and leisure opportunities at a reduced rate to participants who have demonstrated economic need. Eligibility is based on percentages in relation to Federal Poverty Guidelines (FPG). Examples; 0-150% FPG no fee required, up to \$150 per individual per fiscal year. From 151-200% FPG, 50% of the activity fee required, up to \$150 per individual per fiscal year.

The Department works directly with 509J School District and Benton County Health Department to provide verification services for residents meeting eligibility requirements. Depending upon income criteria, customers may be assisted between 50% and 100% of program costs. Fees for Parks and Recreation programs have increased significantly in the past two fiscal years.

Table 4 illustrates the Parks and Recreation Departments Family Assistance Program utilization and participation rates. The FY 2012-13 column represents the first quarter performance.

Table 4

Fiscal Year	FY 10-11	FY 11-12	FY 12-13
Family Assistance Utilization	15% Annually or \$2,557	22% Annually or \$8,612	49% First Quarter \$37,287
Number of Participants	125	316	741

Table 5 - Family Assistance Age distribution by participants for FY 12-13

Youth	Adult	Senior
Ages 0-17	18-49	Age 50+
56%	37%	7%

Conclusion:

The implementation of cost recovery has structured the planning process to improve the financial sustainability of Parks and Recreation programs and services. In addition to providing a budgeting tool for staff to accurately forecast the direct costs of programs, it also establishes minimum participation levels needed to meet or exceed cost recovery.

The financial planning process recognizes the following goals:

- Fund and leverage the formal family assistance program, adjust eligibility requirements as needed
- Clearly define the role and responsibilities of "Affiliates"
- Make fee adjustments
- Review, seek, and implement alternative funding sources
- Reduce expenditures
- Adjust program management strategies
- Improve marketing efforts
- Consider capital investments to increase participation in off peak times of Supervised Park/Facility
- Formally adopt revised departmental policies
- Consider additional potential future opportunities

These goals are dynamic and will be adjusted to reflect the needs of our community over time. Repurposing facilities, altering program designs, discontinuing programs and effective marketing all contribute to attaining financial sustainability while retaining the customer base. Staff will continue to implement and refine the cost recovery methodology.

Recommendation: This report is informational only.

Review and Concur:



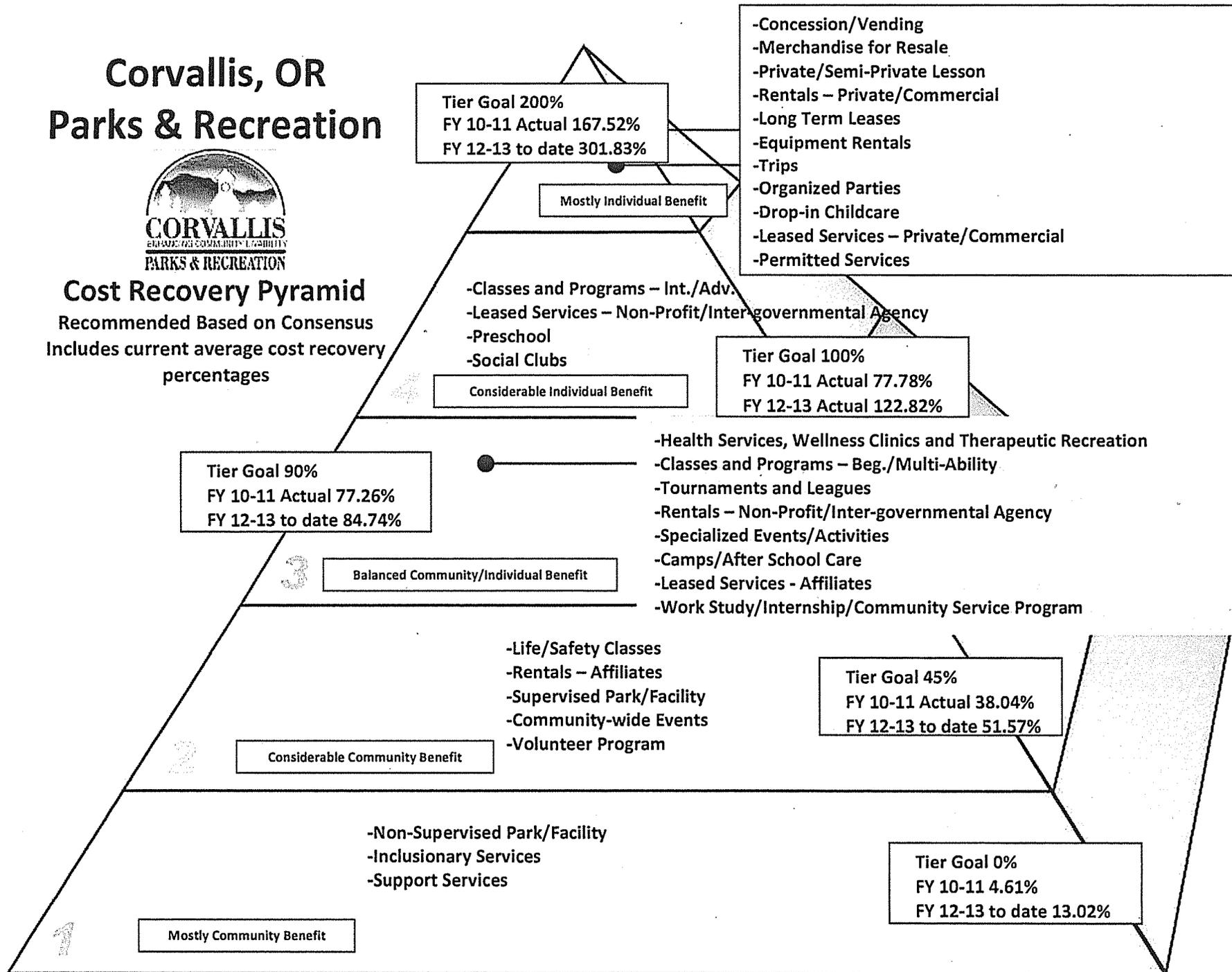
James A. Patterson, City Manager

Attachments: Pyramid Model
Financial Assistance Application Form

Corvallis, OR Parks & Recreation



Cost Recovery Pyramid
Recommended Based on Consensus
Includes current average cost recovery percentages



Family Assistance Program Application

Corvallis Parks and Recreation Department
 1310 SW Avery Park Drive, Corvallis, OR 97333
 (541) 766-6918; Fax (541) 754-1701; www.ci.corvallis.or.us



Corvallis Parks and Recreation Department strives to reduce fees as a barrier to participation in Parks & Recreation programs. The scholarship can be used to pay for most recreation programs, including those at Parks and Recreation, Osborn Aquatic Center, and the Chintimini Senior Center.

Families who receive free/reduced lunch in the Corvallis School District, Oregon Health Plan, Oregon Trail benefits, or WIC qualify to receive assistance. Some families may be asked to pay an activity fee, if their household income meets certain levels of the Federal Poverty Guidelines. Please see income guidelines printed on the back of this form.

- 0-150% No fee required (up to \$150 per individual per fiscal year)
- 151-200% 50% of the activity fee required (up to the \$150 per individual per fiscal year)

Please provide the following information:

How do you think you will use your scholarship if awarded:

- Family membership at Osborn
- Swim Lessons at Osborn
- Recreation Programs in general
- Senior Center Programs

Responsible Adult: _____ E-mail _____

Address: _____ City: _____ State: _____ Zip: _____

Daytime Phone: _____ Evening Phone: _____

List ALL people living at the above address, INCLUDING YOURSELF:

Name	Grade	Age	Male or Female	Date of Birth	Relationship to Applicant	Family member plans to use scholarship <input checked="" type="checkbox"/>
1) _____	_____	_____	_____	_____	SELF	<input type="checkbox"/>
2) _____	_____	_____	_____	_____	_____	<input type="checkbox"/>
3) _____	_____	_____	_____	_____	_____	<input type="checkbox"/>
4) _____	_____	_____	_____	_____	_____	<input type="checkbox"/>
5) _____	_____	_____	_____	_____	_____	<input type="checkbox"/>
6) _____	_____	_____	_____	_____	_____	<input type="checkbox"/>
7) _____	_____	_____	_____	_____	_____	<input type="checkbox"/>

Please check and supply documentation for at least one of the following options to verify your eligibility:

- Does your child participate in Free/Reduced Lunch in the Corvallis School District?
 (Please provide student name and school)
 - o Free Lunches: Child _____ School _____
 - o Reduced Lunches: Child _____ School _____
- Do you receive any of the following? (Please provide a copy of your benefit card/statement)
 - o TANF, WIC, OHP, SNAP, SSI or unemployment benefit statements
- Do you have a copy of a most recent paycheck for **all** currently employed in the household? (submit copy)
- Do you have a copy of the front page of most recent tax return? (submit copy)
- Are there other circumstances that limit your ability to pay for P&R activities?
 - o Please explain: _____

Department Use Only:
 Date Received: _____
 Date Reviewed: _____

Documentation Received:
 Pending
 Attached
 BCHD
 509J

Family Assistance Approved:
 Yes: _____ No: _____
 Staff: _____
 Family Number: _____
 Comments: _____

**Note that we are unable to accept Bank Statements or unofficial documentation for eligibility verification.

Solicitud para el Programa de Asistencia Familiar

Corvallis Parks and Recreation Department
1310 SW Avery Park Drive, Corvallis, OR 97333
(541) 766-6918; Fax (541) 754-1701; www.ci.corvallis.or.us



El Departamento de Parques y Recreos se esfuerza en reducir sus precios para que participen en programas de Parques y Recreos. La beca puede ser usada para la mayoría de programas, incluyendo aquellos ofrecidos por Parques y Recreos, el Centro Acuático Osborn y el Centro Chintimini para la Tercera Edad.

Familias califican para esta ayuda si participan en: comida escolar gratis o a precio reducido en el Distrito Escolar de Corvallis, el Plan de Salud de Oregon (el medical), beneficios de estampillas de comida "Oregon Trail" o beneficios del WIC. Posiblemente se les pedirá a algunas familias pagar algún costo, si es que su ingreso familiar está a cierto nivel de la Guía Federal de Pobreza. Por favor vea la guía al reverso de este formulario.

- 0-150% No se requiere pagar (hasta \$150 por individuo por año fiscal – 1^{ro} de jul a 30 de jun)
- 151-200% Se requiere pagar el 50% de la clase (hasta \$150 por individuo por año fiscal – 1^{ro} de jul a 30 de jun)

Por favor dé la siguiente información:

Si se la otorga la beca, ¿de qué manera cree que la va a usar?:

- | | |
|---|---|
| <input type="checkbox"/> Membresía Familiar en las albercas de Osborn | <input type="checkbox"/> Clases de natación en las albercas de Osborn |
| <input type="checkbox"/> Clases o programas en general | <input type="checkbox"/> Programas para personas de la Tercera Edad |

Adulto responsable: _____ E-mail _____

Dirección: _____ Ciudad: _____ Estado: _____ Código Postal: _____

Teléfono de día: _____ Teléfono de noche: _____

Apunte TODOS los adultos y jóvenes/niños en la dirección escrita arriba, INCLUYENDOSE A USTED:

Nombre	Grado escolar	Edad	Masculino o Femenina	Fecha de nacimiento	Relación al solicitante	El miembro de la familia planea usar la beca <input checked="" type="checkbox"/>
1) _____	_____	_____	_____	_____	<u>Yo mismo/a</u>	<input type="checkbox"/>
2) _____	_____	_____	_____	_____	_____	<input type="checkbox"/>
3) _____	_____	_____	_____	_____	_____	<input type="checkbox"/>
4) _____	_____	_____	_____	_____	_____	<input type="checkbox"/>
5) _____	_____	_____	_____	_____	_____	<input type="checkbox"/>
6) _____	_____	_____	_____	_____	_____	<input type="checkbox"/>
7) _____	_____	_____	_____	_____	_____	<input type="checkbox"/>

Por favor ponga una palomita en por lo menos una de las opciones siguientes para verificar si califica:

- ¿Su hijo/a participa en el programa de Comida Escolar gratis o a precio reducido? (Por favor dé el nombre del estudiante y de la escuela)
 - o Comida Gratis: Hijo/a _____ Escuela _____
 - o Precio Reducido: Hijo/a _____ Escuela _____
- ¿Usted recibe algunos de los siguientes? (Por favor dé una copia de su tarjeta o estado de beneficio)
 - o TANF, WIC, SSI, OHP (medical), estampillas de comida, beneficios de desempleo
- ¿Tiene una copia de sus talones de cheques más recientes para **todos** actualmente empleados en el hogar? (Entregue copias)
- ¿Tiene la primera página de sus impuestos más recientes? (Entregue una copia)
- ¿Hay otras circunstancias que limite su habilidad de pagar por actividades?
 - o Por favor explique: _____

Sólo para uso del departamento:
Date Received: _____
Date Reviewed: _____

Documentation Received:
Yes: _____ No: _____
 Pending
 Attached
 BCHD
 509J

Family Assistance Approved:
Yes: _____ No: _____
Staff: _____
Family Number: _____
Comments: _____

**Note que no aceptamos estado de cuenta de banco ni documentos no oficiales para verificar si califica o no.

POR FAVOR LLENE EL REVERSO.

Tabla 2012 de la Guía Federal de Pobreza

Los beneficios de varios programas de asistencia a familias son basados en la Guía Federal de Pobreza. Encuentre el número de personas en su familia y sus ingresos mensuales para determinar la categoría de su porcentaje. Note: Mujeres embarazadas cuentan como dos personas para el propósito de esta tabla.

% de Ingresos en Bruto

Personas en la familia	100%		150%		200%	
	Mensual	Anual	Mensual	Anual	Mensual	Anual
1	\$931	\$11,170	\$1,397	\$16,755	\$1,862	\$22,340
2	\$1,261	\$15,130	\$1,892	\$22,695	\$2,522	\$30,260
3	\$1,591	\$19,090	\$2,387	\$28,635	\$3,182	\$38,180
4	\$1,921	\$23,050	\$2,882	\$34,575	\$3,842	\$46,100
5	\$2,251	\$27,010	\$3,377	\$40,515	\$4,502	\$54,020
6	\$2,581	\$30,970	\$3,872	\$46,455	\$5,162	\$61,940
7	\$2,911	\$34,930	\$4,367	\$52,395	\$5,822	\$69,860
8	\$3,241	\$38,890	\$4,862	\$58,335	\$6,482	\$77,780

Source: Calculations by Families USA based on data from the U.S. Department of Health and Human Services. Monthly percentage data calculated by FHCE and rounded to the nearest dollar.

Acuerdo del Programa de Asistencia Familiar

Iniciales _____ 1. El Departamento de Parques y Recreos de Corvallis establece límites de ingresos basados en la Guía Federal de Pobreza. Los límites de ingresos son revisados y actualizados todos los años. Cada solicitud es revisada individualmente y es aprobada o rechazada basada en la información proporcionada.

Iniciales _____ 2. Esta solicitud debe estar completa para ser considerada. Todas las verificaciones de ingresos requeridas y líneas de información deben ser llenadas completamente y correctamente.

Iniciales _____ 3. Verificación de ingresos es requerida basada en el año fiscal (de 1^{ro} de julio - 30 de junio). Una nueva solicitud con información más reciente de ingresos debe ser presentada en ese momento para calificar para otra beca.

Iniciales _____ 4. **La beca no puede ser usada hasta que reciba su carta.**

Iniciales _____ 5. Entiendo seré notificado/a de mi beca de Asistencia Familiar por escrito dentro de **10 días laborales** del día de entregar la solicitud. La respuesta sobre la aceptación o la negación de la solicitud no será proporcionada en persona o por teléfono.

Yo afirmo que la información antes mencionada es verdadera y completa. Estoy de acuerdo en proporcionar comprobante de ingresos. El Programa de Asistencia Familiar es ofrecido por el Departamento de Parques y Recreos de Corvallis con un **máximo de \$150, por cada persona en la familia por cada año fiscal (1^{ro} de julio - 30 de junio)**. Entiendo que posiblemente tenga que pagar el 50% del precio de las clases cuando me registre. Entiendo que la beca será aprobada basada en el año fiscal (julio – junio) y se necesita verificar ingresos anualmente. Entiendo que los funcionarios de la Ciudad de Corvallis pueden verificar la información sobre la solicitud y que mala representación de información deliberada resultará en la negación de asistencia y se le podrá prohibir solicitar para el futuro.

Por favor reporte el ingreso total en bruto (antes de impuestos) incluyendo todas las fuentes de ingresos (ej. salarios/sueldos, ingresos de seguro social, desempleo, manutención de hijos, pensión/jubilación u otros). Ingresos en bruto es la cantidad total antes de quitar impuestos.

Total de ingreso en bruto: Mensual _____ Anual _____

Firma del adulto responsable

Fecha

Revised 8/17/12 RM

DRAFT

CITY OF CORVALLIS
MINUTES OF THE PARKS, NATURAL AREAS AND RECREATION BOARD
NOVEMBER 15, 2012

Attendance

Betty Griffiths, Chair
Lynda Wolfenbarger, Vice-Chair
Marc Vomocil
Ed MacMullan
Deb Rose
Tatiana Dierwechter
Jon Soule
Nick Castellano
Joshua Baur
Joel Hirsch, City Council Liaison

Staff

Karen Emery, Director
Steve DeGhetto, Assistant Director
Jackie Rochefort, Park Planner
James Mellein, Aquatic Center Supervisor
Jude Geist, Park Operations Supervisor
Mark Lindgren, Recorder

Visitors

Absent/Excused

Phil Hays
Carolyn Ashton
Kevin Bogatin, 509-J District Liaison

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for Further Review	Recommendations
II. Introductions	X		
III. Approval of Minutes- October 18, 2012	X		
IV. Visitor Propositions	X		
V. Cost Recovery Review	X		
VI. Herbert Natural Area Update	X		
VII. Mary's River Natural Area Boardwalk	X		
VIII. December Meeting	X		
IX. Staff Reports	X		
X. Board & Liaison Reports	X		
XI. Adjournment	X		The next Parks, Natural Areas and Recreation Board meeting is scheduled for 6:30 p.m., January 17, 2013 at the Downtown Fire Station, 400 NW Harrison Blvd.

CONTENT OF DISCUSSION

- I. **CALL TO ORDER:** Vice-Chair Lynda Wolfenbarger called the meeting to order at 6:30 p.m.
- II. **INTRODUCTIONS.**
Director Karen Emery introduced new Park Operations Specialist Jude Geist, who started on November 1, 2012; and new board member Joshua Baur.
- III. **APPROVAL OF MINUTES- October 18, 2012.**
Wolfenbarger noted that Randy Willard, mistakenly listed as attending, was no longer on the board; MacMullan added that he too was not present. Vomocil noted that the first sentence in the second paragraph on page 4 should be changed to “..the conversation hasn’t gone that *far*”. Marc Vomocil moved and Jon Soule seconded to approve the October 18, 2012 minutes as corrected; motion passed.
- IV. **VISITOR PROPOSITIONS.** None.
- V. **COST RECOVERY REVIEW.**
Assistant Director Steve DeGhetto highlighted the memo on an update on the cost recovery methodology. He said the memo’s table shows the starting point of figures collected before the methodology was implemented, with the figures covering the period from FY10-11 to FY12-13. He pointed out the five cost recovery pyramid tiers, noting the lowest tier, Tier 1, showed cost recovery of 0% so far in FY12-13, since that was the goal that had been established. He estimated that the final figure would be 4.5-5%, cautioning that it was not tracked.

He highlighted the table showing trending for revenues, expenditures, and participation. He reported there was no cost recovery figure for FY 2011-2012, since the ActiveNet computer registration system, which collects revenue-side data, was being transitioned. He said the significant increase in participation reflects inclusion of data from the Osborn Aquatic Center.

DeGhetto reported that family assistance utilization was 15% in FY10-11. He said that previous policy required participants pay about half the cost; however, some families couldn’t afford that. Because of that concern, the threshold for lowest-income participants changed to 200% of the Federal Poverty Level (FPL) and the requirement to pay 50% was dropped, and then the utilization figure climbed to 22% in FY11-12 (with 42% in this quarter so far).

James Mellein explained that previously, the 50% portion that Parks and Rec paid was treated as lost revenue. However, the new ActiveNet software allowed real dollars to be put into those programs. The new cost recovery model requires recovering the true costs from the programs. Real dollars are set aside in an account, where, if a family assistance client was awarded at the 50% level, they pay 50% and the other 50% of the program comes out of an expense line item, and so 100% of the revenue goes to the program that it was designed for. If the client is awarded at the 100% level, then the expense for the entire program would go into the revenue for that program, so you can see the true cost recovery for that. This allows fundraising for that family assistance expense item, such as with the upcoming Turkey Trot event.

Vomocil asked about the 42% utilization figure listed for FY12-13; Mellein replied that that was the utilization rate of existing dollars to date. DeGhetto said that not all the dollars may be spent; staff are monitoring it. There is a limit for how much each family assistance recipient can get; typically, about two programs per person. He noted the funds won’t get rolled over to the next year; remaining funds go

back to the General Fund. Tatiana Dierwechter noted that as the program becomes better known, there would likely be more utilization. DeGhetto said the department seeks to create a sense that the participant becomes a client and program user.

Castellano asked if the program tracked individual's utilization; DeGhetto replied that that was part of the registration process. He said the program sought to be as simple as possible; the department works with the school district and the County Health Department to verify eligibility. In the past, there have been language and documentation issues. Deb Rose said that transportation could be an issue; DeGhetto agreed, saying that the department recognizes that, and that some programming occurs in schools, which helps address that. The program is good for one year. DeGhetto said the department encourages participants to use their scholarships; Director Emery added that eligibility income levels and funding amounts are under ongoing review and staff may bring proposed changes to the board based on what they find.

Joshua Baur asked whether people have to fill out their information every year, discouraging them by having to repeatedly fill out paperwork; DeGhetto replied that the information is kept on file. Vomocil asked how many families participated in the family assistance scholarship program; DeGhetto replied that he would come back with that information. The Senior Citizen Foundation of Benton County provides assistance for seniors. He said some people that are awarded scholarships don't utilize them; some incentives need to be developed. The numbers will be analyzed at the end of the year; they may poll participants. Mellein said the rate reflects the numbers that registered for some Parks and Rec program. DeGhetto noted that family assistance only covers activities, not any hard products. Vomocil noted that some users may only want to sign up for one program worth \$50, and not want to tap the remainder of available programming.

DeGhetto said a Benton County Foundation grant funded some day camp lunches outside the Title I schools. He said the program process was dynamic in terms of how best to serve those who cannot afford programs. Mellein said the initial numbers show that the program, adopted in January 2012, was meeting objectives through cost recovery, increasing revenue, and decreasing expenditures. Mellein explained that the first line was only a first quarter comparison for all three years; the second line is total expenditures for first quarters; while the third line is the actual annual.

Vomocil asked about the pyramid goals; Mellein replied that the goal is to keep programs with high cost recovery high; the goal is a *minimum* target to meet. DeGhetto said pricing for tiers 3 to 5 is eventually going up to what the market will bear. The intent was not to scare people away, but rather to ramp prices up over time, not too fast. There is research on what people pay for similar services and department will price services to that level. He cautioned that there are minimum participation levels; when there weren't enough people participating, programs are cancelled to lower overhead. There is a fine line in establishing participation minimums.

Baur asked how participants were counted; Emery replied that it is counted by registration; it is not by each swim lesson, for example. Drop-ins are included. DeGhetto said the goal at the Senior Center was to assign some fee for drop-ins. Osborn has a huge drop-in component, whereas there were fewer drop-ins at the Senior Center.

Griffiths asked about a Level 2 Senior Center fee that some were complaining about in a recent G-T article; Mellein replied that the "supervised park facility" expenses include utilities, direct costs of admin, custodial services, and anything else that is a cost to the center, on the expense side of the sheet. The revenue for the facility is difficult to get, since there is no drop-in experience there, so the Gold Pass system was designed to offset those expenses.

Emery added the cost recovery process looked at possible membership-type approaches for the Senior Center. DeGhetto said the Gold Pass coupon could be used for any program for the *first* year. Wolfenbarger said it gets people used to doing that. DeGhetto said people may discover other benefits to the Gold Pass over time. Wolfenbarger said scholarships numbers for seniors this year have been high; the Foundation has almost exhausted its available scholarship funds for this year.

Vomocil highlighted cost recovery figures for camps and after-school programs at 37%, asking whether there would be an increase of cost to clientele over time to get to the 90% cost recovery rate. Emery replied that the figures were for FY10-11; Mellein added that the figures were a starting point and were not cost recovery strategies. Emery said staff will bring back a revised pyramid to the board that illustrates the change from FY10-11 to now. She said FY10-11 figures were the beginning benchmark.

Dierwechter said she appreciated the effort to face revenue challenges as well as to ensure that the most vulnerable families still had access to services; many communities have not been able to do that.

VI. HERBERT NATURAL AREA UPDATE.

Director Emery distributed a map of Herbert Natural Area. The site's 221 acres are currently managed as a farm lease in South Corvallis, near the Airport. Two years ago the board adopted the master plan. Currently the first five-year goals are being implemented with the easement with ODFW and working with the Institute for Applied Ecology on stewardship. The Institute is doing a management restoration plan for the riparian zone; during the second year, about 60 acres of leased farmland will be taken out of production for upland prairie restoration. The department is partnering with a number of community groups and the school district to apply for an EPA grant for a two-year outdoor education program there, showing middle-schoolers how to do restoration work on site.

VII. MARY'S RIVER NATURAL AREA BOARDWALK UPDATE.

Park Planner Jackie Rochefort related that the boardwalk, off Brooklane Drive, had been fully ADA accessible and provided controlled access in order to protect resources. It collapsed during last winter's flood and FEMA funds were received to replace the boardwalk to roughly its original condition. Part of the condition is to reuse about 60% of the salvageable materials; the department has to match 25% of funds FEMA provides.

The department would like to do an enhancement to what was originally there, using a different design, and using lower-maintenance and longer-lasting materials. It will pursue an Oregon State Parks Recreational Trails Program (RPT) grant (the same grant used to complete the Shooting Star trail). In this case, unusually, federal funds will be used to match federal funds, with 5% of the funds to come from the community. She said she was conservative in her estimate, and there will be outreach to the community for donations. The FEMA funds may only be spent within an 18-month window, starting from last March. She noted that there was a lot of permitting required in the work; regulatory agencies have been contacted.

The design will work with an engineer to develop a better design. Debris will be removed from flooding areas and stored in order to prevent a violation, following FEMA guidelines. Rochefort said it was constructed of a type of treated wood allowable in wetlands. The understructure will be overbuilt and the top materials will be composite decking. She said FEMA estimated a cost of \$257,000, while she estimated a cost of \$280,000. Rochefort said the G-T will send a photographer soon and include the department's request for funds in the accompanying article. Rochefort stated that part of the match can be in-kind donations. Staff time does not count as in-kind contribution with the State, though it does with FEMA.

VIII. DECEMBER MEETING.

Emery queried whether the board wanted to have some social time at her home instead of a regular meeting in December. She noted that there were many new members. There will be goal setting at the January meeting. Griffiths suggested review of previous board goals if there was a December meeting.

IX. STAFF REPORTS.

Emery reported that the February meeting would be scheduled for board goal setting; Joseph Bailey will facilitate.

Regarding the Leadership Corvallis' possible statue of Hans Neukomm in Central Park, she said that she'd relayed the board's concern about it being the first statue in the park system. She said the group felt a sculpture may be more appropriate, and would consider putting out a call for designs, and perhaps just a installing bust of Neukomm; she said the group was open to PNARB feedback. Vomocil related that there were several handsome statues in the Spokane park system.

X. BOARD & LIAISON REPORTS.

Griffiths reported that papers were filed for Friends of Corvallis Parks and Rec to become a 501c3 nonprofit corporation; donations are now tax-deductible. Donations may be mailed care of Corvallis Parks and Rec Department, Attention: Karen Emery, at 1310 SW Avery Park Drive, Corvallis, OR 97333. The group's board currently is composed of Jennifer Michael; Kent Daniels; Phil Hays; Charlie Fisher, and herself, and will expand in January. She related that Michael agreed to create a flier encouraging people to become ongoing supporters, with non-targeted donations to fill in needs. In January, there will be a website and a brochure, but money is needed for them. She said creation of the group has been a long-term board goal and thanked Phil Hays for his help in the application process.

Griffiths related the City Council voted 5-4 to have staff move ahead with the next step for exploring the feasibility of a parks and rec district, with boundaries the same as the 509J school district, though there was no allocation of more funds for the project. She said that speaking personally, she encouraged members to speak to their councilors. One councilor said the request came from citizens; she countered that the idea actually came from a Council potential strategy for financial stability for the City. It is a way to shift the burden of Parks and Rec funding to another government entity. The program must still remain within the \$10 tax cap for local government, but funds that the City now uses for Parks and Rec could be freed up for other things. She related that the City/OSU Collaborative Livability Group is proposing adding 12 more police officers to the City.

Emery said that there were several boundary alternatives; however, the Council directed only looking at school district boundaries. The County has services within those boundaries. Staff will talk with the County regarding their interest in participating. Hirsch said the Council reasoning for choosing those boundaries was that the Council felt that using staff time cost the City more. Councilors didn't understand that looking at other boundaries wouldn't actually require any more staff time, and felt that if other boundaries were looked at, the Council would not be upset. He said that Councilors Hogg O'Brien, Brown, and Brauner voted against it; Griffiths noted that Penny York was replacing Councilor O'Brien. Liaison Hirsch said much work was being invested in the parks and recreation district proposal to fix funding problems; he expressed concern that many hearts would be broken if it doesn't pass.

Griffiths said she chaired a PNARB subcommittee dealing with dogs. One of its recommendations was for a sign stating "Dogs on Leash Required" at the Oak Creek entrance of Bald Hill Park, where one crosses the Andrew Martin easement. Emery said there was already such a sign there. She related the

County board concurred with erecting a sign there and other places. Also, as the trail goes up, getting steeper and narrower about a mile in on the Mulkey trail, the subcommittee recommended prohibiting dogs entirely in order to eliminate conflicts between dogs and people. County staff said they needed to consult the ordinance before they ruled; most County board members favored prohibiting dogs on that section of trail in more natural area; Hirsch disagreed. Emery said there is currently a sign requiring users dogs to be within voice command. Griffiths concluded that that was the last item on the subcommittee's work plan.

Mellein highlighted the previous Saturday G-T article on National Collegiate Water Polo championships, in which 16 elite teams from all over the country competed at Osborn. Next week, there will be the 9th Annual Turkey Trot, running and walking various lengths to benefit the Family Assistance Program. Over 400 participants are already registered (200 were registered at this time last year).

Rocheft reported there was an anonymous donation to repair the so-called "Dinosaur Bones" in Avery Park; any leftover funds will be used to fix the boardwalk, as per donor request. There was a public hearing by the Historic Resources Commission (HRC) on Tuesday regarding installing light posts at Central Park Plaza; the request was approved by the HRC. The transaction for acquisition was completed at Coronado Park; staff will work with the seller on park improvements.

Shooting Star trail is now open; a sign will acknowledge granting agencies. Griffiths said three times the usual number of users are using the trail now; Rocheft agreed that the increase was remarkable. She has almost completed design of Tunison Park; it will be a mix between manufactured play equipment and logs and rocks, and should be completed in spring.

Emery said Rotary club was fundraising for the Willamette Park Picnic shelter and has already raised \$57,000 of the \$150,000 needed. Rocheft added that the shelter naming recommendation of the board was going to the Council on Monday.

Vomocil praised the new artwork at the Martin Luther King Jr. Park kiosk; he said more was needed. Rocheft said the kiosk was designed to provide a lot of area. DeGhetto said the Public Art Selection Commission (PASC) reviewed the art there. Emery said the MLK Commission plans to post sayings by Martin Luther King Jr. there in the future.

XI. ADJOURNMENT: Meeting adjourned at 7:59 p.m.

MEMORANDUM

TO: Administrative Services Committee
FROM: Nancy Brewer, Finance Director NB
DATE: December 3, 2012
SUBJECT: Revision to Municipal Code, City Services Billing, Chapter 3.06

I. Issue:

Staff is proposing to revise Municipal Code, City Services Billing, Chapter 3.06.

II. Discussion:

Each year, Utility Billing staff review internal practices and procedures to identify and address customer service issues. This year's review has identified four areas of concern: delinquent multi-family accounts, in-care-of accounts, delinquent wastewater/stormwater only accounts and implementation of a \$25 fee for certain hand delivered delinquent/disconnect notices. These customers encompass a small portion of our existing customer base but staff spends considerable time dealing with the issues these customers create. As a result, staff is proposing to revise our administrative rules to ensure the cost of providing additional services to these customers is not a shared expense with the rest of the customer base.

Delinquent Multi-Family Accounts: Multi-family accounts are those accounts where one meter serves more than one living unit. This could also be a single family residence that was converted into a multi-family unit to house more tenants. Prior to disconnection of water service for any City Services multi-family account, the City provides two monthly billing statements and up to three courtesy telephone calls through an automated telephone system. For delinquent multi-family accounts with a single payer for the account, the City must take additional steps prior to disconnecting water service. Each tenant associated with the service address must be notified that the account is subject to disconnect. Tenants are notified with a door hanger. The water service must remain on for a period of six additional days before water service can be disconnected. Typically, after the door hangers have been placed, landlords provide payment before the disconnect date. Unfortunately, this process becomes routine for some landlords who often times wait to pay the delinquent bill until after the City places the door hangers. Since this required notification takes additional staff time and multiple trips to the service address, staff proposes to charge \$5 per door hanger to recover the additional cost of providing notice for the landlord to pay their City Services bill on time.

In-Care-of Accounts: In-care-of accounts are typically those accounts where the owner of a multi-family property places the account in his/her name as required by ordinance then has another party (such as a property manager) sign as the in-care-of party to receive the monthly City Services billing statements. For these accounts, the in-care-of arrangement works very well and the property managers take care of the bills. Although Corvallis Municipal Code

requires the landlord to be responsible for all charges generated by the account, ordinance does not limit the ability of the landlord to force a tenant to be the in-care-of recipient of the monthly bill. This creates problems when the in-care-of tenant moves and monthly bills get returned as undeliverable even though other tenants occupy the property or the in-care-of tenant calls to stop service to ensure they are no longer responsible for the monthly bill. Staff also hear from in-care-of tenants that they are forced by their landlords to recover charges from other tenants associated with the property without help from the landlord. Staff is proposing to require Multi-Family accounts to remain in the name of the landlord as with current ordinance but limit the ability of the landlord to only select a property manager as an in-care-of party. Under no condition can a tenant of the property be listed as an in-care-of party on the account.

Delinquent Wastewater/Stormwater Accounts: Wastewater/stormwater accounts are set up for customers who are connected to the City's utility system that need wastewater service but do not need water service. The City has about 360 wastewater/stormwater accounts. These customers are charged a monthly fee for this connection. These accounts are reviewed annually to monitor delinquency status. In cases where the account has not been paid, the property owner or tenant is notified of the delinquent status. Since these accounts do not include water service, they are not subject to disconnection. Recovery of delinquent amounts on these accounts is more difficult but can be accomplished through an action brought by law, the delinquent amount certified and presented to the County Assessor (both incur additional costs to the City) or through collections. Recovery for all other City Services accounts goes through collections or if the customer has an active account elsewhere in the city, the delinquent amount owed is transferred to the active account.

Staff is proposing the City also be allowed to transfer a delinquent amount owed by a customer on any property that does not have water service but has connection to the City's wastewater/stormwater system to any active account of the same customer. As a result, if a customer has a water/wastewater account in the city, an unpaid and delinquent wastewater/stormwater account balance could be transferred to the active water/wastewater account. The ability to transfer the delinquent amount to an active account with water service, gives the City some leverage to successfully collect the delinquent amount owed without incurring additional fees.

\$25 service fee for a hand delivered delinquent/disconnect notice:

The City currently charges \$35 to reconnect a City Services account once it is turned off for non-payment. The \$35 charge is in part to recover the cost of utility billing staff time trying to collect payment on the bill and making two separate trips to the service address to turn the water off and back on once payment is received. Customers receive two monthly bills and up to three courtesy telephone calls prior to delinquent disconnect. Often times when field specialists go to turn the water off they meet the customer at their doorstep. With local businesses, staff will go inside first to speak with the customer (or their staff) to let them know their water service is about to be disconnected. In most cases, to avoid disruption to the home or business (and to their customers), the water is left on with a commitment from the customer to pay the delinquent balance within a few hours. As a result, these customers do not have to pay a reconnect fee and in some cases, this becomes a standard practice before payment is made. As a penalty for this additional notification service, staff proposes to charge a \$25 fee (one trip) and require the customer to bring their account to a \$0 balance in

the same business day as the scheduled disconnect similar to all other delinquent accounts subject to disconnect.

III. Recommendation:

Although these customers make up a small contingent of our customer base they consume a large portion of staff time and resources. Staff recommends approval of the revisions to Corvallis Municipal Code, Chapter 3.06, City Services to ensure the City recovers its cost of services and places the cost of providing these additional services and responsibilities on the appropriate customers.

Review and Concur:



James A. Patterson, City Manager

ORDINANCE 2012-___

AN ORDINANCE RELATING TO CITY SERVICES BILLING, AMENDING MUNICIPAL CODE CHAPTER 3.06, "CITY SERVICES BILLING" AS AMENDED

THE CITY OF CORVALLIS ORDAINS AS FOLLOWS:

Section 1. Municipal Code Section 3.06 is hereby amended as follows:

Section 3.06.020 Definitions.

- 1) Applicant - A person applying for water and/or wastewater and/or storm water service.
- 2) Base Rate - The monthly charge for access to the water and wastewater system services whether or not there is water consumption. The base rate covers the costs associated with having water available, providing adequate water flow for fire protection, and capacity for wastewater removal.
- 3) BOD - Biochemical Oxygen Demand.
- 4) City services - As used herein, the services supported by fees on the monthly City Services Bill for utility services, transportation system maintenance, transit operations, sidewalk maintenance, and urban forest management.
- 5) Commercial service - Provision of water to premises which include mercantile establishments, stores, offices, public buildings, governmental agencies, public and private hospitals, schools, churches, other commercial enterprises, and mercantile establishments combined with residences.
- 6) Consumption rate - As used herein, a charge placed on every hundred cubic feet (HCF) of water as measured by the meter.
- 7) Customer - As used herein, a person who has applied for and who has agreed to be responsible for the water, wastewater, and/or storm water account. The customer who signs up for utility service is deemed to be responsible for all services billed on the City services bill.
- 8) Day(s) - is calendar day(s).
- 9) Domestic service - Provision of water for household residential purposes, including water for lawns, gardens, and shrubbery; watering livestock; washing vehicles; and other similar and customary purposes.
- 10) Domestic waste - Water-carried waste from the noncommercial preparation, cooking, and handling of food or containing human excrement and similar matter from the sanitary conveniences of dwellings, commercial buildings, industrial facilities, and institutions.
- 11) Dwelling unit - One or more rooms, with access limited by a locking door, including at least one sanitary facility and one kitchen facility designed for occupancy by one or more individuals.
- 12) Equivalent dwelling unit (EDU) - A residential or nonresidential living configuration estimated to place approximately equal demand on the City's wastewater treatment system as a single-family dwelling unit.
- 13) Equivalent service unit (ESU) - Improved premises estimated to place approximately the same demand on the City's storm water system as a single-family dwelling unit. One ESU shall be equal to 2,750 square feet of impervious surface.
- 14) Fire protection service - Provision of water to premises for automatic fire protection.
- 15) Group residential - A dormitory, fraternity, sorority, cooperative or other similar structure primarily used for personal, domestic accommodation providing common sanitary and kitchen facilities. Does not include hotels, motels, assisted living facilities or other similar structures.
- 16) High level service - Areas served by the utility that, in the opinion of the utility, require secondary pumping to provide adequate service.

17) Hundred Cubic Feet (hcf) – the units used to measure water consumption. One hundred cubic feet equals one unit of water measured by the water meter and also equals 748 gallons of water.

18) Impervious surface - Hard-surface areas located upon real property which either prevent or retard saturation of water into the land surface and/or cause water to run off the land surface in greater quantities or at an increased rate of flow than under natural conditions prior to development. Common impervious surfaces include, but are not limited to, rooftops, concrete or asphalt sidewalks, walkways, patio areas, driveways, parking lots or storage areas and graveled, oiled, macadam or other surfaces which similarly impact the natural saturation or runoff patterns which existed prior to development.

19) Improved premises - Any area which has been altered such that the runoff from the site is greater than that which could historically have been expected. Such a condition shall be determined by the City Engineer.

20) Industrial service - Provision of water to a customer for use in manufacturing or processing activities.

21) Irrigation service - Provision of water to a customer only for outside watering of landscaping, plants, or lawns and where no water passing through the meter enters the wastewater system.

22) Landlord – owner of a house, apartment, condominium, land or real estate which is rented or leased to an individual or business.

232) Monthly - A term referring to frequency of billing indicating a period of 26 to 34 days.

243) Multi-Family Unit - For utility services billing purposes, a multi-family unit shall include:

a) Any dormitory, boarding house, fraternity, sorority, "quad" or similar structure providing common sanitary and kitchen facilities;

b) Any structure served by one water meter constructed as, or used as, two or more dwelling units, regardless of building code classification; provided that the temporary vacancy of one or more of the dwelling units shall not alter the classification of such structure unless the owner shall have filed an affidavit attesting that such dwelling units have been removed from the rental market.

254) New account - The initial process of application for service, setting up billing, reading the meter, and turning on the water or any part thereof and at a single location for a given customer.

265) Person - As used herein, any individual, firm, partnership, agency, company, institution, unincorporated association, public or private corporation, government or government instrumentality.

276) Premises - As used herein, the integral property or area, including improvements thereon to which water service is or will be provided.

287) Rate schedules - The entire body of effective rates, rentals, charges, and regulations as set forth herein. All rate schedules are made available to the public.

298) Service connection - The pipe, valves, and other facilities by means of which the utility conducts water from its distribution mains to and through the meter but does not include the piping from the meter to the property served.

3029) Service renewal - The process for renewing service on delinquent accounts, and turning on the water or any part thereof and at a single location for a given customer.

310) Sidewalk Maintenance Fee - the fee levied in accordance with Chapter 3.07 and billed on the monthly City Services bill.

324) Single-family unit (SFU) - One or more rooms with bathroom and kitchen facilities designed for occupancy by one family such as detached townhouses, condominiums, zero lot-line, etc., where the units are sold and deeded as single-family units and have individual water meters.

332) Special user unit - Any improved premises which discharges its storm runoff water directly to the Willamette River via a system consisting entirely of non-public facilities and approved by the City Engineer pursuant to Section 4.03.020.010 6). Discharge from a special user unit shall comply with all applicable federal, State, and local laws, ordinances, and regulations. No premises shall be considered a special user unit for purposes of determining the applicable storm water charges until a special user unit permit is issued as provided in Section 3.06.120.

343) Summer Wastewater Average – the practice of using the prior winter's average water

usage to calculate the summer wastewater bills for customers, recognizing water used in excess of winter averages are likely used for irrigation purposes and are not going through the wastewater system.

~~35)~~ Tenant – one who rents or leases from a Landlord.

~~364)~~ Transit Operations Fee - the fee levied in accordance with Chapter 3.08 and billed on the monthly City Services bill.

~~357)~~ Transportation Maintenance Fee – the fee levied in accordance with Chapter 3.05 and billed on the monthly City Services bill.

~~368)~~ TSS - Total Suspended Solids.

~~379)~~ Urban Forest Management Fee - the fee levied in accordance with Chapter 3.09 and billed on the monthly City Services bill.

~~4038)~~ User charge - The fee levied on users of the water, wastewater, storm water, and transportation collection, distribution, and treatment systems for their proportionate share of the costs of operation, maintenance, replacement, and capital facilities of the respective systems.

~~4139)~~ Utility - As used herein, the City of Corvallis, a municipal corporation of the State of Oregon (Public Works).

~~420)~~ Utility service - Water, wastewater and/or storm water services provided by the City of Corvallis.

(Ord. 2012-11 §1, 07/02/2012; Ord. 2011-04 §1, 02/07/2011; Ord. 2006-07 §1, 04/03/2006)

Section 3.06.030 Application for utility.

1) Application. Each applicant for utility service shall be required to provide the following information:

- a) Date of application.
- b) Location of premises to be served.
- c) Date on which applicant will be ready for service.
- d) Address to which bills are to be mailed or delivered.
- e) Whether the applicant is an owner, tenant of, or agent for, the premises.
- f) Social Security number or valid driver's license number.
- g) Agreement to abide by all rules, regulations and ordinances of the utility, as now existing or as hereafter changed or amended.
- h) Such other information as the utility may reasonably request including a valid landlord-tenant agreement to establish proof of occupancy.

(Ord. 2011-04 §1, 02/07/2011; Ord. 2007-13 §1, 06/18/2007)

2) Individual liability for joint service. Two or more parties who join to make application for service shall be jointly and individually liable and shall be sent a single periodic bill.

3) Multi-family utility service accounts must remain in the name of the Landlord (per Title 3, Utilities/Public Rights of Way, Section 3.01.100 Multiple Units) and may be placed "in care of" the Landlord's property manager. Under no condition shall the "in care of" party be the tenant.

~~34)~~ Changes in customer's equipment. Customers making any material change in the size, character or extent of the equipment or operation utilizing water service, or whose change in operation results in a large increase in the use of water, shall immediately give the utility written notice of the nature of the change and, if requested by the utility, amend their application.

~~45)~~ Special contracts. Contracts, other than application, may be required prior to service where, in the opinion of the utility, special circumstances warrant special consideration.

~~56)~~ A new account fee of \$25.00 will be collected for each new account application if the turn-on is during regular working hours. A new account fee of \$60.00 will be collected for each new account requiring a turn-on other than during regular working hours. Working hours are defined as 8:00 am to 5:00 pm Monday through Friday excluding holidays.

~~67)~~ Landlords and their agents may forego the \$25 new account fee if the landlord or landlord's agent agrees in writing to have service put into the landlord's or landlord's agent's name when

service for a tenant is discontinued by either the tenant, landlord, or landlord's agent. The landlord or landlord's agent will be billed for all services received until service for the landlord is stopped by the landlord or landlord's agent or service is started by a tenant in the tenant's name.

78) When the service has not previously been provided at the address, service shall be initiated as follows:

a) For water, storm water, and other City services, service shall be initiated and billings commence when the water meter is connected to the City's water main;

b) For wastewater service, service shall be initiated and billings commence when the wastewater connection passes inspection.

(Ord. 2006-07 §1, 04/03/2006)

Section 3.06.080 Delinquent accounts.

1) Policy. To keep costs of operations as low as possible, the City's policy is to pursue collection of all accounts. Prompt payment is expected.

2) Procedure.

a) A City services account shall be deemed a delinquent account if it is not paid on or before the 25th day following the account's billing date. For purposes of this section, "paid" means received in the City Finance Department. Payments placed in the drop boxes provided by the City shall be deemed as received as of the next business day.

b) The subsequent month's bill will serve as the first notice of delinquency and the second notice of when payment must be received in order to avoid turn-off for non-payment.

c) The City shall serve notice of delinquency to both the tenant and the landlord when the person responsible for paying the bill is not the resident of the service address. Notice to the tenant shall consist of a door-hanger affixed to the primary entry door of each dwelling unit associated with the service address. A fee of \$5 per door-hanger will be charged to the owner of the account at the service address where notification occurs. Service to a tenant when the tenant is not responsible for payment will not be terminated for a period of six days after notice to discontinue service was served to the tenant and person responsible for payment.

d) The City will transfer any delinquent amount owed on a final account by a customer at a previous location to that customer's new address when payment is not received within 26 days of the final bill. Payments of the delinquent amount shall apply as set forth in subsections 2) a) and b) of this section. The City may also transfer to any active account of a customer, a delinquent amount owed by that customer on any property owned by that customer who does not have utility provided water service but has connection to the utility's wastewater service.

e) Subject to the appeal procedure provided in section 3.06.090, the City Manager is authorized to turn off water service at any location for which there exists a delinquent City services account no earlier than the 46th day after the date of billing on that account. Discontinuance of water service shall be in addition to any other remedies or penalties provided herein or any other ordinance of the City or by any other applicable law.

f) For services subject to disconnection, the City may charge a \$25 penalty fee to the owner of the account if the City incurs a trip for a delinquency turn-off but leaves the service active as a courtesy to the customer. If the service remains active, the customer is required to pay the additional \$25 fee and bring the account to a \$0 balance the same business day.

3) Application for service renewal due to delinquency turn-off.

a) A service that has been disconnected for non-payment will be required to bring the account to a \$0 balance including service fees prior to service reconnection.

b) Service renewal

1] To renew service that has been disconnected due to non-payment, where the request is made during regular office hours of 8:00 AM to 5:00 PM, a service fee of \$35 will be charged.

2] To renew service that has been disconnected due to non-payment, where the request is made after regular working hours, a service fee of \$100 will be charged.

3] Water or wastewater service shall not be restored until all charges, including the expense of removal, closing, and restoration if incurred have been paid.

4) Recovery of unpaid charges. Any charge due hereunder which shall not be paid when due may be recovered in an action at law by the City.

5) The City Manager of the City is hereby empowered and directed to enforce this provision as to all delinquent accounts, using the procedures provided in this Section. The employees of the City shall at all reasonable times have access to any premises served by the City for inspection, repair or the enforcement of the provisions herein.

(Ord. 2011-04 §1, 02/07/2011; Ord. 2006-07 §1, 04/03/2006)

PASSED by the City Council this _____ day of _____, 2012.

APPROVED by the Mayor this _____ day of _____, 2012.

EFFECTIVE this _____ day of _____, 2012.

Chapter 3.06

City Services Billing

Sections:

- 3.06.010 Policy.
- 3.06.020 Definitions.
- 3.06.030 Application for utility.
- 3.06.040 Discontinuation of service.
- 3.06.050 Billing and payments.
- 3.06.060 Meter test.
- 3.06.070 Adjustments.
- 3.06.080 Delinquent accounts.
- 3.06.090 Appeals.
- 3.06.100 Notices.
- 3.06.110 Utility service outside the City.
- 3.06.120 Special storm water rates and fees.
- 3.06.130 Utility services rate setting.
- 3.06.140 Utility services rates.

Section 3.06.010 Policy.

It is the policy of the City to operate the water, wastewater, and storm water utilities as business enterprises that benefit the community by providing clean water and sanitary wastewater service, and by providing storm water run-off management. User charges for service are set to cover the full costs of operating and maintaining the utilities; as such, accuracy and timeliness in billing and collecting user charges is important. The City bills for all three utilities, other services requested by the customer, and other fees required by ordinance (transportation maintenance fee, transit operations fee, sidewalk maintenance fee, and urban forest management fee) on a single monthly bill. Rates for each service area are separately calculated but are combined and printed on a single bill to facilitate billing and payment processing. The City maintains separate funds to account for specific revenues and expenditures. Monies paid for water service are accounted for in the Water Fund; monies paid for wastewater service are accounted for in the Wastewater Fund; monies paid for storm water service are accounted for in the Storm Water Fund; monies paid for the other fees required by ordinance are accounted for as described in their respective Municipal Code chapters.

(Ord. 2011-04, §13, 02/07/2011; Ord. 2006-07 §1, 04/03/2006)

Section 3.06.020 Definitions.

- 1) Applicant - A person applying for water and/or wastewater and/or storm water service.
- 2) Base Rate - The monthly charge for access to the water and wastewater system services whether or not there is water consumption. The base rate covers the costs associated with having water available, providing adequate water flow for fire protection, and capacity for wastewater removal.
- 3) BOD - Biochemical Oxygen Demand.
- 4) City services - As used herein, the services supported by fees on the monthly City Services Bill for utility services, transportation system maintenance, transit operations, sidewalk maintenance, and urban forest management.
- 5) Commercial service - Provision of water to premises which include mercantile establishments, stores, offices, public buildings, governmental agencies, public and private hospitals, schools, churches, other commercial enterprises, and mercantile establishments combined with

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residences.

6) Consumption rate - As used herein, a charge placed on every hundred cubic feet (HCF) of water as measured by the meter.

7) Customer - As used herein, a person who has applied for and who has agreed to be responsible for the water, wastewater, and/or storm water account. The customer who signs up for utility service is deemed to be responsible for all services billed on the City services bill.

8) Day(s) - is calendar day(s).

9) Domestic service - Provision of water for household residential purposes, including water for lawns, gardens, and shrubbery; watering livestock; washing vehicles; and other similar and customary purposes.

10) Domestic waste - Water-carried waste from the noncommercial preparation, cooking, and handling of food or containing human excrement and similar matter from the sanitary conveniences of dwellings, commercial buildings, industrial facilities, and institutions.

11) Dwelling unit - One or more rooms, with access limited by a locking door, including at least one sanitary facility and one kitchen facility designed for occupancy by one or more individuals.

12) Equivalent dwelling unit (EDU) - A residential or nonresidential living configuration estimated to place approximately equal demand on the City's wastewater treatment system as a single-family dwelling unit.

13) Equivalent service unit (ESU) - Improved premises estimated to place approximately the same demand on the City's storm water system as a single-family dwelling unit. One ESU shall be equal to 2,750 square feet of impervious surface.

14) Fire protection service - Provision of water to premises for automatic fire protection.

15) Group residential - A dormitory, fraternity, sorority, cooperative or other similar structure primarily used for personal, domestic accommodation providing common sanitary and kitchen facilities. Does not include hotels, motels, assisted living facilities or other similar structures.

16) High level service - Areas served by the utility that, in the opinion of the utility, require secondary pumping to provide adequate service.

17) Hundred Cubic Feet (hcf) - the units used to measure water consumption. One hundred cubic feet equals one unit of water measured by the water meter and also equals 748 gallons of water.

18) Impervious surface - Hard-surface areas located upon real property which either prevent or retard saturation of water into the land surface and/or cause water to run off the land surface in greater quantities or at an increased rate of flow than under natural conditions prior to development. Common impervious surfaces include, but are not limited to, rooftops, concrete or asphalt sidewalks, walkways, patio areas, driveways, parking lots or storage areas and graveled, oiled, macadam or other surfaces which similarly impact the natural saturation or runoff patterns which existed prior to development.

19) Improved premises - Any area which has been altered such that the runoff from the site is greater than that which could historically have been expected. Such a condition shall be determined by the City Engineer.

20) Industrial service - Provision of water to a customer for use in manufacturing or processing activities.

21) Irrigation service - Provision of water to a customer only for outside watering of landscaping, plants, or lawns and where no water passing through the meter enters the wastewater system.

22) Landlord - owner of a house, apartment, condominium, land or real estate which is rented or leased to an individual or business.

23) Monthly - A term referring to frequency of billing indicating a period of 26 to 34 days.

24) Multi-Family Unit - For utility services billing purposes, a multi-family unit shall include:

a) Any dormitory, boarding house, fraternity, sorority, "quad" or similar structure providing common sanitary and kitchen facilities;

b) Any structure served by one water meter constructed as, or used as, two or more dwelling units, regardless of building code classification; provided that the temporary vacancy of one or

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more of the dwelling units shall not alter the classification of such structure unless the owner shall have filed an affidavit attesting that such dwelling units have been removed from the rental market.

25) New account - The initial process of application for service, setting up billing, reading the meter, and turning on the water or any part thereof and at a single location for a given customer.

26) Person - As used herein, any individual, firm, partnership, agency, company, institution, unincorporated association, public or private corporation, government or government instrumentality.

27) Premises - As used herein, the integral property or area, including improvements thereon to which water service is or will be provided.

28) Rate schedules - The entire body of effective rates, rentals, charges, and regulations as set forth herein. All rate schedules are made available to the public.

29) Service connection - The pipe, valves, and other facilities by means of which the utility conducts water from its distribution mains to and through the meter but does not include the piping from the meter to the property served.

30) Service renewal - The process for renewing service on delinquent accounts, and turning on the water or any part thereof and at a single location for a given customer.

31) Sidewalk Maintenance Fee - the fee levied in accordance with Chapter 3.07 and billed on the monthly City Services bill.

32) Single-family unit (SFU) - One or more rooms with bathroom and kitchen facilities designed for occupancy by one family such as detached townhouses, condominiums, zero lot-line, etc., where the units are sold and deeded as single-family units and have individual water meters.

33) Special user unit - Any improved premises which discharges its storm runoff water directly to the Willamette River via a system consisting entirely of non-public facilities and approved by the City Engineer pursuant to Section 4.03.020.010 6). Discharge from a special user unit shall comply with all applicable federal, State, and local laws, ordinances, and regulations. No premises shall be considered a special user unit for purposes of determining the applicable storm water charges until a special user unit permit is issued as provided in Section 3.06.120.

34) Summer Wastewater Average - the practice of using the prior winter's average water usage to calculate the summer wastewater bills for customers, recognizing water used in excess of winter averages are likely used for irrigation purposes and are not going through the wastewater system.

35) Tenant - one who rents or leases from a Landlord.

36) Transit Operations Fee - the fee levied in accordance with Chapter 3.08 and billed on the monthly City Services bill.

37) Transportation Maintenance Fee - the fee levied in accordance with Chapter 3.05 and billed on the monthly City Services bill.

38) TSS - Total Suspended Solids.

39) Urban Forest Management Fee - the fee levied in accordance with Chapter 3.09 and billed on the monthly City Services bill.

40) User charge - The fee levied on users of the water, wastewater, storm water, and transportation collection, distribution, and treatment systems for their proportionate share of the costs of operation, maintenance, replacement, and capital facilities of the respective systems.

41) Utility - As used herein, the City of Corvallis, a municipal corporation of the State of Oregon (Public Works).

42) Utility service - Water, wastewater and/or storm water services provided by the City of Corvallis.

(Ord. 2012-11 §1, 07/02/2012; Ord. 2011-04 §1, 02/07/2011; Ord. 2006-07 §1, 04/03/2006)

Section 3.06.030 Application for utility.

1) Application. Each applicant for utility service shall be required to provide the following information:

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- a) Date of application.
- b) Location of premises to be served.
- c) Date on which applicant will be ready for service.
- d) Address to which bills are to be mailed or delivered.
- e) Whether the applicant is an owner, tenant of, or agent for, the premises.
- f) Social Security number or valid driver's license number.
- g) Agreement to abide by all rules, regulations and ordinances of the utility, as now existing or as hereafter changed or amended.
- h) Such other information as the utility may reasonably request including a valid landlord-tenant agreement to establish proof of occupancy.

(Ord. 2011-04 §1, 02/07/2011; Ord. 2007-13 §1, 06/18/2007)

2) Individual liability for joint service. Two or more parties who join to make application for service shall be jointly and individually liable and shall be sent a single periodic bill.

3) Multi-family utility service accounts must remain in the name of the Landlord (per Title 3, Utilities/Public Rights of Way, Section 3.01.100 Multiple Units) and may be placed "in care of" the Landlord's property manager. Under no condition shall the "in care of" party be the tenant.

4) Changes in customer's equipment. Customers making any material change in the size, character or extent of the equipment or operation utilizing water service, or whose change in operation results in a large increase in the use of water, shall immediately give the utility written notice of the nature of the change and, if requested by the utility, amend their application.

5) Special contracts. Contracts, other than application, may be required prior to service where, in the opinion of the utility, special circumstances warrant special consideration.

6) A new account fee of \$25.00 will be collected for each new account application if the turn-on is during regular working hours. A new account fee of \$60.00 will be collected for each new account requiring a turn-on other than during regular working hours. Working hours are defined as 8:00 am to 5:00 pm Monday through Friday excluding holidays.

7) Landlords and their agents may forego the \$25 new account fee if the landlord or landlord's agent agrees in writing to have service put into the landlord's or landlord's agent's name when service for a tenant is discontinued by either the tenant, landlord, or landlord's agent. The landlord or landlord's agent will be billed for all services received until service for the landlord is stopped by the landlord or landlord's agent or service is started by a tenant in the tenant's name.

8) When the service has not previously been provided at the address, service shall be initiated as follows:

a) For water, storm water, and other City services, service shall be initiated and billings commence when the water meter is connected to the City's water main;

b) For wastewater service, service shall be initiated and billings commence when the wastewater connection passes inspection.

(Ord. 2006-07 §1, 04/03/2006)

Section 3.06.040 Discontinuation of service.

1) Customer request for service discontinuance.

a) A customer may have City services discontinued during normal business hours by notifying the City in advance of the desired date of discontinuance. The customer will be required to pay all City services charges until the date of such discontinuance.

b) If notice is not given, the customer will be required to pay for the service until the date the City has learned that the customer has vacated the premises or otherwise has discontinued service.

2) Nonpayment of bills. A customer's water service may be discontinued if the bill is not paid in accordance with the procedures as listed in Section 3.06.080 herein.

(Ord. 2011-04 §1, 02/07/2011; Ord. 2006-07 §1, 04/03/2006)

Section 3.06.050 Billing and payments.

1) Bills.

a) Bills for City services will be rendered monthly. Customers may be billed for any combination of the four services on each month's bill depending on which services are used.

1] Water service is considered to be used if the customer's property is connected to the water system, and the customer has not notified the utility that the property is vacant and water service is no longer required. Consumption of water is based on the meter reading on the utility's meters.

2] Wastewater service is considered to be used if the customer's property is connected to the water and wastewater system, and the customer has not notified the utility that the property is vacant and wastewater service is no longer required. Consumption for wastewater service is generally based on the water used as measured on the utility's water meter. If the customer does not have utility provided water service, and the wastewater system is connected to the property, the wastewater service is considered to be used.

3] Storm water service is considered to be used if the customer's property has any kind of development or impervious surface on it, and the property is being used, regardless of whether water or wastewater service is being used.

4] Other City services are considered to be used if a utility services account is active.

b) Water consumption via meter readings is the best available measure of wastewater usage. Therefore, the amount of water used each month will be used to determine the wastewater consumption and associated charges.

c) Meter readings.

1] Meters will be read at regular intervals for the preparation of bills and as required for the preparation of opening, closing, and special bills.

2] It may not always be possible to read meters on the same day of each period. Should a monthly billing period contain less than 26 days or more than 34 days, a pro rata correction will be made.

3] Where all water used is derived from the Corvallis water system, the metered amount of water delivered to the unit from the Corvallis water system for each month shall be the amount of water used for determining the water and wastewater bill, except for summer wastewater averaging (Section 3.06.050 (2)).

4] Where part of the water used is derived from the Corvallis water system and part of the water used is derived from other sources, the amount of water used to determine the wastewater bill shall be the combination of the amounts determined under subsections 3 and 5 of this Section.

5] Where all water used is derived from sources other than Corvallis' water system and the unit is other than a single family or multi-family served by the Corvallis wastewater treatment system, the amount of water used shall be determined by the City Manager using records and data furnished to her or him by the wastewater user or gathered from the City Manager's own investigation, or both, at the discretion of the City Manager. In lieu of such determination by the City Manager of the amount of water used, a wastewater user may be required to provide, install, and maintain a meter to measure the amount of water used at the wastewater user's expense; and the City Manager may accept the measurement of water used as determined by such meter if the City Manager is reasonably satisfied as to the accuracy of such measurement.

6] Where all water used is derived from sources other than Corvallis' water system and the unit is a single family or multi-family unit served by the Corvallis wastewater system, the

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wastewater charge shall be a flat rate based on single family residential rates (Section 3.06.140 (6)).

7] Exceptions.

a) In those cases where commercial or industrial customers can demonstrate that water used is not directly returned to the wastewater treatment system, an adjustment shall be made on the wastewater consumption charge proportionate to the non-returned usage. In order to qualify for this exemption, the customer shall install a wastewater exemption meter per Section 4.03.020.010, Use of Public Sewers Required, to measure water not returned to the wastewater treatment system.

8] Estimations. In rare circumstances the City is unable to read a water meter due to inaccessibility of the meter, and must estimate the read to calculate a bill. Estimate calculations are based on the amount of water used in the same month in the prior year. If there was no usage data for the customer for the prior year, then the prior month's data is used. Bills that are rendered based on an estimated read will indicate that information.

d) City Services billings will be prorated for partial month billings. Prorated billings shall be computed by the following formula:

1] For Water and wastewater:

A] Consumption x the current consumption rate = Consumption Charge.

B] Consumption x the current applicable high-level surcharge, if any = High Level Surcharge.

C] Base Rate ÷ 30 x number of days service = Prorated Base Rate Charge.

D] Consumption Charge + High-Level Surcharge + Prorated Base Rate Charge = Total Charge.

2] For Storm Water and other City services:

A] Base Rate ÷ 30 x number of days service = Prorated Base Rate Charge.

2) Summer Wastewater Average. The utility recognizes that some water is used in the summer for irrigation that is not measured through a meter designated for irrigation purposes. Since this water does not go through the utility's wastewater system, summer wastewater bills are calculated in the following method:

a) Single-family units will be charged the base rate and the consumptive rate for any consumption on bills rendered the prior December through April. For bills rendered May through November, the monthly billing will be computed upon the average metered water consumption for the preceding months of December through April or computed upon the actual consumption whichever is less.

b) Multi-family units and 509J classroom facilities will be billed the basic minimum and the consumptive rate for any consumption rendered December through April. For bills rendered May through November, billing will be computed upon the average metered water consumption for the preceding months of December through April or computed upon the actual consumption, whichever is less.

c) Where by reason of new construction, a single-family unit was not connected to water and wastewater service on February 1 of a year, such unit shall be billed for the period May through November following construction, for an amount not to exceed eight units per month.

d) Where by reason of new construction, a multi-family unit was not connected to water and wastewater service on February 1 of a year, such unit shall be billed for the period May through November following construction, on the basis of actual consumption.

e) Commercial customers (all other customers not described in the above categories) will be billed the basic minimum and the appropriate consumptive rate for all consumption based on their wastewater strength designation. There will be no seasonal exceptions made except for measured amounts proven not to be discharged to the sanitary or storm water systems.

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- 3) Bill payment.
 - a) All bills are generated for services already rendered. Balances are due upon receipt and must be paid on or before the 25th day following the billing date, or the payment will be considered delinquent. Payment may be made at the City's Utility Billing office.
 - b) Final bills will be processed at the time of discontinuance of service.
 - c) When bills are delinquent, the utility will follow the procedures as outlined in

Section 3.06.080.

4) Billings of separate meters not combined. Each meter on customer's premises will be considered separately, and the readings of two or more meters will not be combined unless specifically provided for in the rate schedule, or unless the utility's operating convenience required the use of more than one meter or of a battery of meters. The minimum monthly charge for such combined meters will be based on the diameter of the total combined discharge areas of the meters.

5) All payments for services rendered may be remitted on a single check or on separate checks. The utility shall deposit monies equal to the billings for each service into the respective fund for the service rendered. Payment shall be applied first to the urban forest management fee, then to the sidewalk maintenance fee, then to the transit operations fee, then to the transportation maintenance fee, then to storm water charges, then to wastewater charges, and finally to the water charges.

(Ord. 2011-04 §1, 02/07/2011; Ord. 2008-03 §1, 01/22/2008; Ord. 2006-07 §1, 04/03/2006)

Section 3.06.060 Meter test.

- 1) Meter test.
 - a) Prior to installation, each meter will be tested and no meter found to register more than three percent fast or slow under conditions of normal operation will be placed in service.
 - b) On customer request.
 - 1] A customer may, giving not less than one week's notice, request the utility to test the meter serving her or his premises.
 - 2] For each additional test after the first performed in a calendar year, the utility may charge the customer an amount to cover the reasonable cost of test, as follows:
 - a] For 3/4" meters: \$25.00
 - b] For 1" - 1.5" meters: \$50.00
 - c] For larger than 1.5" meters: Estimated cost.
 - 3] The charge will be refunded if the meter is found to register more than three percent fast. The customer will be notified not less than five days in advance of the time and place of the test.
 - 4] A customer or representative shall have the right to be present when the test is made.
 - 5] A written report giving the results of the test shall be available to the customer within 10 days after completion of the test.

2) Leak Test. The City will assist customers who have higher than expected usage to test for leaks. If an underground leak is discovered, the City will adjust the customer's bill as identified in section 3.06.070 Adjustments.

(Ord. 2011-04 §1, 02/07/2011; Ord. 2006-07 §1, 04/03/2006)

Section 3.06.070 Adjustments.

- 1) Adjustment of bills for meter error.
 - a) Fast meters. When, upon test, a meter is found to be registering more than three percent fast, under conditions of normal operation, the utility will refund to the customer the full amount of the overcharge based on corrected meter readings for a period not exceeding three months that the

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meter was in use.

b) Slow meters.

1] When, upon test, a meter used for domestic or residential service is found to be registering more than 25 percent slow, the utility may bill the customer for the amount of the undercharge, based upon corrected meter readings for a period not exceeding three months that the meter was in use.

2] When, upon test, a meter used for other than domestic or residential service is found to be registering more than five percent slow, the utility may bill the customer for the amount of the undercharge, based upon correct meter readings for a period not exceeding six months that the meter was in use.

c) Non-registering meters. The utility may bill the customer for water consumed while the meter was not registering. The bill will be at the minimum monthly meter rate, or will be computed upon an estimate of consumption based either upon the customer's prior use during the same season of the year or upon a reasonable comparison with the use of other customers receiving the same class of service during the same period and under similar circumstances and conditions. The bill will be for the period of time that the meter was not registering.

2) Adjustments due to underground leaks. Where a leak exists underground between the meter and the building or where the leak is otherwise undetectable and the same is repaired within a reasonable time after the owner, agent or occupant of the premises has been notified of such leakage, the utility may allow an adjustment of 50 percent of the estimated excess water consumption for a period not exceeding two months that the meter was in use. When the nature of the leak is such that the leak drained into the wastewater system, then the wastewater charges may be adjusted for 50 percent of the estimated excess wastewater consumption for a period not exceeding two months that the meter was in use. When the leak does not drain into the wastewater system, then 100 percent of the estimated excess wastewater consumption may be adjusted for a period not exceeding two months. The adjustment will be computed upon an estimate of consumption based either upon the customer's use during the same season of the year prior or upon a reasonable comparison with the use of other customers receiving the same class of service during the same period and under similar circumstances and conditions.

3) Adjustment for other causes. From time-to-time an over- or under- billing error is discovered by the utility or the customer. For these errors, corrections will be calculated for a period of no more than one year.

a) For amounts owed by the utility to the customer, the customer shall have the option of taking the amount as a credit or as a refund of monies.

b) For amounts owed by the customer to the utility, if the amount owed is less than the customer's average monthly bill, the amount shall be due and payable no later than the next regular payment due date. If the amount owed is more than the average monthly bill, the customer may arrange a time-payment agreement to re-pay the amounts owed. The customer must maintain all current bills and pay the amounts owed on the time-payment agreement each month. The City shall not charge a penalty or interest on the past-due amount as long as the payment terms are met. In no case may the customer take more than one year to re-pay the amounts owed.

(Ord. 2006-07 §1, 04/03/2006)

Section 3.06.080 Delinquent accounts.

1) Policy. To keep costs of operations as low as possible, the City's policy is to pursue collection of all accounts. Prompt payment is expected.

2) Procedure.

a) A City services account shall be deemed a delinquent account if it is not paid on or before the 25th day following the account's billing date. For purposes of this section, "paid" means received in the City Finance Department. Payments placed in the drop boxes provided by the City shall

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be deemed as received as of the next business day.

b) The subsequent month's bill will serve as the first notice of delinquency and the second notice of when payment must be received in order to avoid turn-off for non-payment.

c) The City shall serve notice of delinquency to both the tenant and the landlord when the person responsible for paying the bill is not the resident of the service address. Notice to the tenant shall consist of a door-hanger affixed to the primary entry door of each dwelling unit associated with the service address. A fee of \$5.00 per door-hanger will be charged to the owner of the account at the service address where notification occurs. Service to a tenant, when the tenant is not responsible for payment, will not be terminated for a period of six days after notice to discontinue service was served to the tenant and person responsible for payment.

d) The City will transfer any delinquent amount owed on a final account by a customer at a previous location to that customer's new address when payment is not received within 26 days of the final bill. Payments of the delinquent amount shall apply as set forth in subsections 2) a) and b) of this section. The City may also transfer to any active account of a customer, a delinquent amount owed by that customer on any property owned by that customer who does not have utility provided water service but has connection to the utility's wastewater service.

e) Subject to the appeal procedure provided in section 3.06.090, the City Manager is authorized to turn off water service at any location for which there exists a delinquent City services account no earlier than the 46th day after the date of billing on that account. Discontinuance of water service shall be in addition to any other remedies or penalties provided herein or any other ordinance of the City or by any other applicable law.

f) For services subject to disconnection, the City may charge a \$25 penalty fee to the owner of the account if the City incurs a trip for a delinquency turn-off but leaves the service active as a courtesy to the customer. If the service remains active, the customer is required to pay the additional \$25 fee and bring the account current the same business day.

3) Application for service renewal due to delinquency turn-off.

a) A service that has been disconnected for non-payment will be required to bring the account to a \$0 balance including service fees prior to service reconnection.

b) Service renewal

1] To renew service that has been disconnected due to non-payment, where the request is made during regular office hours of 8:00 AM to 5:00 PM, a service fee of \$35 will be charged.

2] To renew service that has been disconnected due to non-payment, where the request is made after regular working hours, a service fee of \$100 will be charged.

3] Water or wastewater service shall not be restored until all charges, including the expense of removal, closing, and restoration if incurred have been paid.

4) Recovery of unpaid charges. Any charge due hereunder which shall not be paid when due may be recovered in an action at law by the City.

5) The City Manager of the City is hereby empowered and directed to enforce this provision as to all delinquent accounts, using the procedures provided in this Section. The employees of the City shall at all reasonable times have access to any premises served by the City for inspection, repair or the enforcement of the provisions herein.

(Ord. 2011-04 §1, 02/07/2011; Ord. 2006-07 §1, 04/03/2006)

Section 3.06.090 Appeals.

a) Upon written request by the customer, a hearing concerning computation of the amount owed and/or whether the service should be terminated shall be held before a hearings officer appointed by the City Manager. Service shall not be discontinued before the hearing has been conducted, unless service was disconnected before the hearing was requested. If the Hearings Officer finds that the

computation was in error, the Hearings Officer shall adjust the amount of the service charge. If the Hearings Officer finds that the computation was correct, the Hearings Officer shall determine the service charges to be correct and shall set a date for payment. If the Hearings Officer determines that the amount owed on the account has not been paid by the time set after the hearing, then the Hearings Officer shall determine when services shall be terminated. The decision of the Hearings Officer is final.

If the person requesting the hearing does not appear at the scheduled hearing, the Hearings Officer shall enter an order declaring the service charges to be correct and when the service will be terminated if unpaid.

b) The City Manager or authorized representative, in cases where the customer is unable to pay the bill because of short term problems or an emergency circumstance, shall have the discretion of renewing or continuing service to a delinquent account upon acceptance of an acceptable plan for the payment of past-due amounts in installments.

c) The City Manager is hereby empowered and directed to enforce these procedures as to any and all delinquent accounts and to establish appropriate procedures for provision of reasonable notice and the opportunity for a hearing. Council shall set and review cost recovery fees or charges for delinquent City services accounts and for restoring water service after it has been turned off.

(Ord. 2011-04 §1, 02/07/2011; Ord. 2006-07 §1, 04/03/2006)

Section 3.06.100 Notices.

1) Notices to customers. The following notices are required to be given to customers:

a) a first monthly billing stating current charges due upon receipt ;

b) the second notice will include the current charges due upon receipt plus the date

payment for the previous month's billing must be received to avoid turn-off.

2) Notice from customers. Notice from the customer other than request for hearing (3.06.090 subsection a)) to the utility shall be given by the customer or the customer's authorized representative orally or in writing to the Finance Department or the City Manager.

(Ord. 2006-07 §1, 04/03/2006)

Section 3.06.110 Utility service outside the City.

1) Outside City. The City does not extend services outside the City limits. However, some properties that abut or are in reasonable proximity to the City's water line from the Marys Peak watershed may connect to the City's water line, with approval by the City Council. Rates for water service rendered outside the City shall be double the rates provided herein for service inside the City. The high-level surcharge shall be applied uniformly inside and outside the City.

(Ord. 2011-04 §1, 02/07/2011; Ord. 2006-07 §1, 04/03/2006)

Section 3.06.120 Special storm water rates and fees.

1) Any person responsible for storm water charges may apply for a permit designating their property as a special user unit. In order to obtain a permit, the applicant must demonstrate that the storm water runoff from the property is discharged directly into the Willamette River via an approved system consisting entirely of non-public facilities. As a condition of granting a special user unit permit, the City shall require that the applicant comply with all applicable federal, State or local laws, ordinances, regulations or orders. The fee for a special user unit permit shall be as prescribed in Section 8.03.270 of this Code.

2) Storm water rates may be reduced for improved premises where approved runoff control measures have been taken unless those measures have been required as part of a development permit. Analysis shall be on a case by case basis. No such rate-reduction shall apply to improved premises where

Corvallis Municipal Code

other financial incentives for runoff control have been given.
(Ord. 2011-04 §1, 02/07/2011; Ord. 2010-24 §1, 11/15/2010; Ord. 2006-07 §1, 04/03/2006)

Section 3.06.130 Utility services rate setting.

1) Annual rate review. Just and equitable charges for water, wastewater, and storm water services will be reviewed annually and revised periodically to reflect actual operation and maintenance costs, including replacement and extension of the various collection, distribution, and treatment systems.

2) Water rates consist of a base rate plus a consumption rate for each hundred cubic feet of water used. Rates vary based on the classification of user, the size of the water meter, and the level (altitude) for service. Surcharges shall be determined by reference to the official water map on file at the offices of the Department of Public Works.

3) Wastewater service rates are based on a base rate, plus a consumptive rate for each hundred cubic feet of water used. Consumptive rates vary based on the strength of discharge.

a) The discharge of non-domestic wastewater shall be subject to additional charges. Wastewater of higher strength than domestic requires more treatment, which results in higher costs to the City. These additional charges will be based on the average treatment cost related to treating biochemical oxygen demand (BOD) and total suspended solids (TSS). These costs will be recovered from customers who are designated as having either Medium, High, or Very High strength wastewater. Refer to Section 3.06.140 for rates.

1] Strength Categories. Four strength categories were created with the adoption of an equity rate structure in June 1998 and are based on the levels of BOD and TSS in the wastewater.

Strength Category	Strength Range of BOD and/or TSS
Domestic	<200 mg/l
Medium	201 - 500 mg/l
High	501 - 1000 mg/l
Very High	>1000 mg/l

2] Assignment of Strength Category. To be assigned to a strength category, the commercial or industrial wastewater discharger must indicate their North American Industry Classification System (NAICS) code. This code identifies the type of business to be conducted at the site. The NAICS code is then applied to the national survey data to determine the industry-standard wastewater effluent strength for this business type.

3] Appeal of Assignment. If a commercial or industrial wastewater customer disputes the assignment made, they can pursue an appeal process described by a Public Works Department administrative procedure.

4] New Business or Change in Business Type. New businesses will be assigned a strength category during the permit process or when they establish a new utility services account. Businesses operating within the City that change the type of business conducted at a site will be assigned a strength category during the "Change of Occupancy" process.

4) Storm water service rates are based on impervious surface area. A user of storm water services is any person who discharges, or who causes or permits the discharge of, storm water runoff into the City's storm water system or who benefits from the City's storm water system as a special user. Any person occupying or having a right to occupy premises which are improved with impervious surfaces shall be presumed to be a user of storm water services. A person responsible for storm water charges under this Chapter may avoid incurring those charges by removing all impervious surfaces from any

Corvallis Municipal Code

improved premises. The basis for calculating fees is the Equivalent Service Unit (ESU). Single family homes are all assumed to be one ESU and are billed as such; all other classes of customer have the property measured for the number of ESUs and are billed according to the number of ESUs, rounded to the nearest 0.10 ESU.

5) Fire Service Detector Meters. Fire Service Detector Meters are used to detect water flow. There are no consumption charges associated with fire service meters; however, the meters shall be read monthly, and when there is repeated flow through the meter the City shall investigate to determine the cause of the flow, and will charge the base and consumptive rates for the class of customer for usage for other than fire service purposes.

(Ord. 2011-04 §1, 02/07/2011; Ord. 2007-13 §2, 06/18/2007; Ord. 2006-07 §1, 04/03/2006)

Section 3.06.140 Utility services rates.

Effective for all utility bills rendered on or after February 1, 2012, service rates shall be as follows:

1) Rates for single family customers:

Wastewater			Storm Water		Water			
Consumption Rate -					Consumption Rates -			
per hcf	Base		1 st		2 nd		3 rd	
Meter	Rate	hcf	Level	Level	Level		Rate	Usage
Base All								
Size								
Per ESU								
5/8" - 3/4"	\$13.14	0-7	\$1.41	\$1.71	\$1.76			
	\$5.48		8-13	1.85	2.15	2.20	\$10.39	\$3.09
			≥ 14	2.34	2.64	2.69		
1.0"	18.91	0-7	\$1.41	1.71	\$1.76			
	\$5.48		8-13	1.85	2.15	2.20	\$10.39	\$3.09
			≥ 14	2.34	2.64	2.69		
1.5"	28.54	0-7	\$1.41	\$1.71	\$1.76			
	\$5.48		8-13	1.85	2.15	2.20	\$10.39	\$3.09
			≥ 14	2.34	2.64	2.69		
2.0"	40.10	0-7	\$1.41	\$1.71	\$1.76			
	\$5.48		8-13	1.85	2.15	2.20	\$10.39	\$3.09
			≥ 14	2.34	2.64	2.69		
3.0"	70.91	0-7	\$1.41	\$1.71	\$1.76			

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			8-13	1.85	2.15	2.20		\$10.39	\$3.09
	\$5.48		≥ 14	2.34	2.64	2.69			
4.0"	105.54	0-7	\$1.41	\$1.71	\$1.76				
	\$5.48		8-13	1.85	2.15	2.20		\$10.39	\$3.09
			≥ 14	2.34	2.64	2.69			
6.0"	201.81	0-7	\$1.41	\$1.71	\$1.76				
	\$5.48		8-13	1.85	2.15	2.20		\$10.39	\$3.09
			≥ 14	2.34	2.64	2.69			

2) Rates for irrigation meters:

Rates -								Water Consumption	
		Meter	Base	1 st		per hcf			
3 rd		Size	Rate	Level	Level	2 nd			
		5/8" - 3/4"	\$12.69 0-7	\$1.34	\$1.64	\$1.69			
				8-13	1.75	2.05	2.10		
				≥ 14	2.34	2.64	2.69		
		1.0"	18.93 0-7	\$1.34	\$1.64	\$1.69			
				8-13	1.75	2.05	2.10		
				≥ 14	2.34	2.64	2.69		
		1.5"	29.29 0-7	\$1.34	\$1.64	\$1.69			
				8-13	1.75	2.05	2.10		
				≥ 14	2.34	2.64	2.69		
		2.0"	41.72 0-7	\$1.34	\$1.64	\$1.69			
				8-13	1.75	2.05	2.10		
				≥ 14	2.34	2.64	2.69		
		3.0"	74.91 0-7	\$1.34	\$1.64	\$1.69			
				8-13	1.75	2.05	2.10		
				≥ 14	2.34	2.64	2.69		
		4.0"	112.20 0-7	\$1.34	\$1.64	\$1.69			
				8-13	1.75	2.05	2.10		
				≥ 14	2.34	2.64	2.69		
		6.0"	215.88 0-7	\$1.34	\$1.64	\$1.69			
				8-13	1.75	2.05	2.10		
				≥ 14	2.34	2.64	2.69		
		8.0"	340.28 0-7	\$1.34	\$1.64	\$1.69			

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8-13	1.75	2.05	2.10
≥ 14	2.34	2.64	2.69
10.0"	485.41	0-7	\$1.34 \$1.64 \$1.69
8-13	1.75	2.05	2.10
≥ 14	2.34	2.64	2.69

3) Rates for Multi-Family:

Meter Base Size	Wastewater		Storm Water		Water Consumption Rates - per hcf			Rate	Usage
	per hcf	Base	1 st	2 nd	3 rd				
	All Per ESU	Rate	hcf	Level	Level	Level			
5/8" - 3/4"	\$20.32	0-7	\$1.69	\$1.99	\$2.04				
\$3.09		\$5.48	8-13	1.75	2.05	2.10		\$10.39	
			≥ 14	1.99	2.29	2.34			
1.0"	25.49	0-18	\$1.69	\$1.99	\$2.04				
\$3.09		\$5.48	19-33	1.75	2.05	2.10		\$10.39	
			≥ 34	1.99	2.29	2.34			
1.5"	34.13	0-35	\$1.69	\$1.99	\$2.04				
\$3.09		\$5.48	36-65	1.75	2.05	2.10		\$10.39	
			≥ 66	1.99	2.29	2.34			
2.0"	44.45	0-56	\$1.69	\$1.99	\$2.04				
\$3.09		\$5.48	57-104	1.75	2.05	2.10		\$10.39	
			≥ 105	1.99	2.29	2.34			
3.0"	72.07	0-112	\$1.69	\$1.99	\$2.04				
\$3.09		\$5.48	113-208	1.75	2.05	2.10		\$10.39	
			≥ 209	1.99	2.29	2.34			
4.0"	103.11	0-175	\$1.69	\$1.99	\$2.04				
\$3.09		\$5.48	176-325	1.75	2.05	2.10		\$10.39	
			≥ 326	1.99	2.29	2.34			
6.0"	189.38	0-350	\$1.69	\$1.99	\$2.04				

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\$3.09		\$5.48		351-650	1.75	2.05	2.10	\$10.39
				≥ 651	1.99	2.29	2.34	
8.0"	292.87	0-560	\$1.60	\$1.99	\$2.04			
\$3.09		\$5.48		561-1040	1.75	2.05	2.10	\$10.39
				≥ 1041	1.99	2.29	2.34	
10.0"	413.63	0-805	\$1.69	\$1.99	\$2.04			
\$3.09		\$5.48		06-1495	1.75	2.05	2.10	\$10.39
				≥ 1496	1.99	2.29	2.34	

4) Rates for Group Residential/Fraternity/Sorority (D = Domestic; M = Medium; H = High; VH = Very High)

Wastewater			Storm Water		Water			
Consumption Rate -					Consumption Rates -			
Meter	per hcf	Base	1 st	2 nd	3 rd			
Base	All	Rate	Level	Level	Level	Rate	Usage	
Size	Per ESU	hcf						
5/8" - 3/4"	\$20.32	0-7	\$1.69	\$1.99	\$2.04			
D - \$3.09			8-13	1.75	2.05	2.10	\$10.39	
M - 3.60		\$5.48	≥ 14	1.99	2.29	2.34		
H - 4.93								
			VH - 6.67					
1.0"	25.49	0-18	\$1.69	\$1.99	\$2.04			D -
\$3.09			19-33	1.75	2.05	2.10	\$10.39	
M - 3.60		\$5.48	≥ 34	1.99	2.29	2.34		
H - 4.93								
			VH - 6.67					
1.5"	34.13	0-35	\$1.69	\$1.99	\$2.04			D -
\$3.09			36-65	1.75	2.05	2.10	\$10.39	
M - 3.60		\$5.48	≥ 66	1.99	2.29	2.34		

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	H - 4.93								
				VH - 6.67					
\$3.09	2.0"	44.45	0-56	\$1.69	\$1.99	\$2.04			D -
					57-104	1.75	2.05	2.10	\$10.39
	M - 3.60		\$5.48		≥ 105	1.99	2.29	2.34	
	H - 4.93								
				VH - 6.67					
\$3.09	3.0"	72.07	0-112	\$1.69	\$1.99	\$2.04			D -
					113-208	1.75	2.05	2.10	\$10.39
	M - 3.60		\$5.48		≥ 209	1.99	2.29	2.34	
	H - 4.93								
				VH - 6.67					
\$3.09	4.0"	103.11	0-175	\$1.69	\$1.99	\$2.04			D -
					176-325	1.75	2.05	2.10	\$10.39
	M - 3.60		\$5.48		≥ 326	1.99	2.29	2.34	
	H - 4.93								
				VH - 6.67					
\$3.09	6.0"	189.38	0-350	\$1.69	\$1.99	\$2.04			D -
					351-650	1.75	2.05	2.10	\$10.39
	M - 3.60		\$5.48		≥ 651	1.99	2.29	2.34	
	H - 4.93								
				VH - 6.67					
\$3.09	8.0"	292.87	0-560	\$1.69	\$1.99	\$2.04			D -
					561-1040	1.75	2.05	2.10	\$10.39
	M - 3.60		\$5.48		≥ 1041	1.99	2.29	2.34	
	H - 4.93								
				VH - 6.67					
\$3.09	10.0"	413.63	0-805	\$1.69	\$1.99	\$2.04			D -

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M - 3.60	\$5.48	06-1495	1.75	2.05	2.10	\$10.39
H - 4.93		≥ 1496	1.99	2.29	2.34	

VH - 6.67

5) Rates for Commercial and all other customers (D = Domestic; M = Medium; H = High; VH = Very High)

Wastewater		Storm Water		Water			Consumption Rates -	
Consumption Rate -				per hcf				
Meter	per hcf	Base	1 st	2 nd	3 rd			
Base	All		Level	Level	Level	Rate	Usage	
Size	Rate	hcf						
	Per ESU							
\$3.09		\$20.32	0-14	\$1.69	\$1.99	\$2.04		D -
3.60	\$5.48		≥ 15	2.09	2.39	2.44	\$10.39	M -
								H - 4.93
								VH - 6.67
\$3.09		25.49	0-43	\$1.69	\$1.99	\$2.04		D -
				≥ 44	2.09	2.39	2.44	\$10.39
								M - 3.60
								\$5.48
								H - 4.93
								VH - 6.67
\$3.09		34.13	0-67	\$1.69	\$1.99	\$2.04		D -
				≥ 68	2.09	2.39	2.44	\$10.39
								M - 3.60
								\$5.48
								H - 4.93
								VH - 6.67
\$3.09		44.45	0-179	\$1.69	\$1.99	\$2.04		D -
				≥ 180	2.09	2.39	2.44	\$10.39

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	M - 3.60	\$5.48							
			H - 4.93						
			VH - 6.67						
\$3.09	3.0"	72.07	0-208	\$1.69	\$1.99	\$2.04			D -
				≥ 209	2.09	2.39	2.44		\$10.39
	M - 3.60	\$5.48							
			H - 4.93						
			VH - 6.67						
\$3.09	4.0"	103.11	0-341	\$1.69	\$1.99	\$2.04			D -
				≥ 342	2.09	2.39	2.44		\$10.39
	M - 3.60	\$5.48							
			H - 4.93						
			VH - 6.67						
\$3.09	6.0"	189.38	0-1,000	\$1.69	\$1.99	\$2.04			D -
				≥ 1,001	2.09	2.39	2.44		\$10.39
	M - 3.60	\$5.48							
			H - 4.93						
			VH - 6.67						
\$3.09	8.0"	292.87	0-1,040	\$1.69	\$1.99	\$2.04			D -
				≥ 1,041	2.09	2.39	2.44		\$10.39
	M - 3.60	\$5.48							
			H - 4.93						
			VH - 6.67						
\$3.09	10.0"	413.63	0-23,207	\$1.69	\$1.99	\$2.04			D -
				≥ 23,208	2.09	2.39	2.44		\$10.39
	M - 3.60	\$5.48							
			H - 4.93						
			VH - 6.67						

MEMORANDUM

November 21, 2012

TO: Administrative Services Committee

FROM: Nancy Brewer, Finance Director 

SUBJECT First Quarterly Operating Report

I. Issue

To review and accept the First Quarterly Operating Report for FY 12-13.

II. Discussion

The First Quarterly Operating Report (QOR) has been published on the City's web site and is available for review. Total revenues at the end of the first quarter of the fiscal year are about 15% of budgeted total revenues. Operating revenue received is roughly proportional to prior years, but higher in total dollars than prior year results primarily due to higher charges for service and grant revenues.

Operating expenditures across departments were roughly as expected and comparable to the prior year at about 23% of the amended budget. While vacancies persist across departments, personnel service savings are not as significant as they have been in prior years due to higher than budgeted healthcare costs being incurred as anticipated, and somewhat higher overtime than planned due to continuing to try meeting service needs with fewer employees. As of the end of the first quarter, the City had 24.5 unfilled/budgeted FTE (this vacancy rate does not include Seasonal positions or authorized but unfunded positions); many of these are still on hold for recruitment as each position must be justified in this fiscally constrained time, and some hiring has been delayed in order to achieve offsetting savings for the known higher health costs being incurred this fiscal year.

In summary, financial performance in all funds is generally at expected levels, with the following noteworthy situations:

- General Fund – Police Department overtime is being carefully monitored as it has been trending higher the past six months, after significant improvement since the 12-hour scheduling was implemented.
- Library Fund – Temporary wages are continuing to overrun budget as they have in previous years, but with less capacity to absorb these overages available from regular wages with reduced staffing and turnover.
- Utility Funds are also seeing substantial overtime in the Public Works Department, which when combined with higher health costs, raises a concern about the rate at which appropriations will be used throughout the rest of the fiscal year. These costs will be monitored, and it is assumed that there will be capacity in special project and capital project transfer budgets to absorb overages if needed.
- The Community Development Revolving Fund achieved a small positive fund balance at fiscal year-end thanks to careful spending and grant reimbursement drawdown timing; however staff continues to watch the fund closely. The nature of HOME grant funding, which this Fund has used for a long time, is such that administrative expenditures are not being covered as adequately as they have been previously, due to limitations related to program income spending. At this point, it is almost certain that the Fund will need to establish an interfund loan to ensure a positive year-end balance, and implement other changes to attain long-term fiscal sustainability. More information will come to the City Council as a plan is developed.

Attached to this memo is the executive summary for the First QOR (Attachment A) and the Property Tax Funds Combined income statement (Attachment B). The executive summary includes some basic economic information, an analysis of any significant variances from expected financial performance, an income statement for all funds combined, and a summary of operating expenditures by fund and by department. The summary also includes a table showing all the budget amendments approved so far this fiscal year by the City Council. These amendments all have the effect of increasing total appropriations for the City above what was in the adopted budget.

The Capital Project budget is just over 5% expended at the end of the first quarter. Capital project work and the related spending tend to fluctuate each year, with delays causing carry overs to future years or savings on conservative budgeting

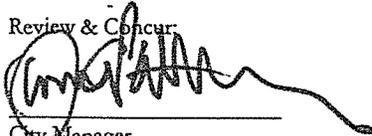
typically resulting in much less than 100% of budget being accomplished. The following projects were completed by the end of the first quarter: the Library shake shingle roof replacement, 9th St. Pedestrian Crossings, and reservoir exterior coating for North Hills 1st Level Reservoir Improvements project.

The Quarterly Operating Report also includes an update on the status of City Council Goals as of September 30, 2012.

III. Requested Action

Review the First Quarterly Operating Report, and recommend the City Council accept the report.

Review & Concur:



City Manager

FIRST QUARTERLY OPERATING REPORT FISCAL YEAR 2012-2013

EXECUTIVE SUMMARY

November 14, 2012

The Quarterly Operating Report is produced and published on the City's web site within 45 days of the close of each fiscal quarter based on Financial Policy 10.04.050, then shared with the City Council's Administrative Services Committee to provide citizens, the Budget Commission, and City Council with information about the City's financial performance for the quarter.

This Executive Summary provides highlights of the City's financials. The remainder of the report covers:

- The revenue and expenditure performance for each of the operating funds in an income statement format that includes operating and non-operating revenues, expenditures and total fund activities. The first income statement presented in that section shows results year-to-date for all property tax funds combined.
- Departmental information including updated performance measures for the quarter as well as accomplishments and pending work plan items. This section also includes a report on vacancies;
- Capital Improvement Program (CIP) status report on the various projects underway year-to-date; and
- An update on City Council Values and Goals.

The FY 12-13 budget was prepared and adopted during challenging economic times and in a highly fiscally constrained environment for the City. A recessionary economy including high unemployment and stagnant property values, plus slowed development, as well as lower than historical revenues in both FY 10-11 and FY 11-12, were all taken into account when developing the budget. Despite these factors, demand for many City services continues to be strong, which in the face of the relatively flat or declining revenue stream continues to have a negative impact on fund balances across the organization.

In October, a Federal Open Market Committee (FOMC) press release suggested that economic activity has continued to increase at a moderate pace in recent months. Although employment has risen slowly, the unemployment rate is still high. At 6.5% unemployment in August, on a seasonally adjusted basis, (a 0.2% increase from the previous month), Corvallis nevertheless continues to fare better than the State and the Nation. Following a couple of months when national household spending remained roughly flat, spending increased in July and August. Housing market conditions continued to improve slightly, but construction activity was still at a low level, reflecting tight credit standards for mortgage loans and a large inventory of foreclosed properties. Inflation has been subdued in recent months, mainly reflecting lower prices of crude oil and gasoline, and longer-term inflation expectations have generally stabilized. The FOMC expects to continue its highly accommodative stance for monetary policy and to keep the federal funds rate exceptionally low through mid-2015 (i.e., in the 0 to quarter percent range).

Overall, the City's financial performance through the first quarter of the fiscal year generally has been as expected. Revenue and expenditure timing is close to historical patterns (i.e., Parks & Recreation usually spends more than 25% of its budget in the busy summer months, and that was true this quarter as well; the majority of Property Tax revenue will be received in the second quarter). However, charges for services total dollars received is significantly greater when compared to last year, attributed primarily to a combination of the 2% water rate increase implemented last fiscal year, and increased metered water usage due to the extended dry weather moving into Fall. Although still not at the levels seen prior to the economic downturn, there was a slight improvement achieved for residential building, with primary development being for off-campus student housing.

As of the end of the first quarter for the fiscal year, total expenditures are less than 25% of budgeted expenditures, and are approximately \$2.6M lower than last year's spending levels, driven primarily by less capital outlay and special projects in the first quarter, as well as other department budget reductions achieved as part of the FY 12-13 adopted sustainable budget. The Fire and Public Works Departments spent much less on capital outlay and special projects (i.e., several capital improvement projects have yet to commence and fewer vehicle replacements have been made year-to-date) when compared to first quarter of FY 11-12. Community Development grant-related expenditures were significantly lower in the first quarter, with only \$11,000 in payouts made. These grants include funding for eight non-profit agency activities, including CARDV, Corvallis Homeless Shelter Coalition/Partners Place, the ARC of Benton County, and Willamette Neighborhood Housing Services (WNHS). Three loans and ten grants have closed through the first quarter, so related payouts are expected to pick up throughout the remainder of the year.

The following table compares year-to-date actuals with budget for all funds in both FY 12-13 and FY 11-12:

REVENUE	AMENDED BUDGET	1st Quarter FY 12-13	UNAUDITED FY 12-13	FY 12-13 % REC/EXPEND	Y-T-D FY 11-12	FY 11-12 % REC/EXPEND
Budgeted Fund Balance	\$28,532,414					
Property Taxes	\$23,904,680	\$142,684	\$142,684	0.60%	\$165,317	0.68%
Other Tax	1,270,650	254,069	254,069	20.00%	230,607	20.03%
Licenses/Permits	8,740,150	1,719,065	1,719,065	19.67%	1,581,759	19.71%
System Development Charges	1,989,780	462,171	462,171	23.23%	422,118	31.15%
Charges for Service	37,738,370	9,806,265	9,806,265	25.98%	9,576,187	25.88%
Intergovernmental	16,957,880	883,615	883,615	5.21%	468,186	2.61%
Fines/Forfeitures	1,283,410	257,565	257,565	20.07%	286,517	20.68%
Miscellaneous	2,617,670	334,292	334,292	12.77%	335,810	10.47%
Other Financing Sources/Transfers in	11,734,273	2,119,632	2,119,632	18.06%	2,472,025	17.60%
TOTAL CURRENT REVENUE	\$106,236,863	\$15,979,358	\$15,979,358	15.04%	\$15,538,526	14.35%
EXPENDITURE BY DEPARTMENT						
City Manager's Office	\$3,302,670	\$1,151,285	\$1,151,285	34.86%	\$1,117,304	36.51%
Community Development	7,626,640	1,229,304	1,229,304	16.12%	2,035,035	23.36%
Finance	4,790,210	1,172,418	1,172,418	24.48%	1,207,710	24.07%
Fire	10,454,220	2,493,179	2,493,179	23.85%	2,849,989	25.03%
Library	6,054,010	1,382,668	1,382,668	22.84%	1,501,226	22.88%
Park & Recreation	5,928,130	1,609,688	1,609,688	27.15%	1,650,435	27.07%
Police	12,889,760	3,379,441	3,379,441	26.22%	3,192,707	24.32%
Public Works	29,706,290	6,240,641	6,240,641	21.01%	6,500,349	21.40%
Non-Departmental	1,363,450	351,395	351,395	25.77%	319,576	23.37%
TOTAL OPERATING EXPENDITURES	\$82,115,380	\$19,010,019	\$19,010,019	23.15%	\$20,374,331	23.77%
Debt Service	\$7,119,140	\$845,843	\$845,843	11.88%	\$843,581	10.31%
Capital Projects	9,493,868	493,016	493,016	5.19%	1,305,772	10.67%
Transfers Out / Other Financing Uses	11,704,273	1,981,855	1,981,855	16.93%	2,472,025	17.60%
Contingencies/Reserves	1,611,260	0	0	0.00%	0	0.00%
TOTAL ALL EXPENDITURES	\$112,043,921	\$22,330,733	\$22,330,733	19.93%	\$24,995,709	20.56%
CURRENT REVENUES LESS						
TOTAL EXPENDITURES	(\$5,807,058)	(\$6,351,375)	(\$6,351,375)		(\$9,457,183)	

In general, the status of the City's finances was in line with expectations at the end of the first quarter. Year-to-date revenues of \$15,979,357, are at 15.04% of the Amended Total Revenue Budget of \$106,236,863. The Amended Budget reflects the adopted budget, plus any amendments approved by the City Council via resolution during the course of the fiscal year. In the first three months of FY 12-13, the following amendments to the budget were approved:

Date	Amendment Type	Resource	Fund	Department	Net Expenditure Impact
7/2/2012	Res - Grant	EPA Grant	Storm Water	Public Works	\$ 45,620
7/16/2012	Res - Grant	ODOT Grant	Transit	Public Works	\$ 8,964
8/6/2012	Res - Grant	State of Oregon EUDL Grant	General	Police	\$ 4,760
9/4/2012	Res - Grant	FEMA Homeland Security	Fire & Rescue	Fire	\$ 4,504
Total Increase					\$ 63,848

Significant revenue highlights include:

- **Property taxes** totaled \$142,684 through the first quarter, which equals 0.60% of the budgeted property tax revenue. The majority of property taxes for the fiscal year are typically collected in the second quarter. FY 12-13 year-to-date property tax revenues are comparable with last fiscal year's results and relate to prior year delinquent collections.
- **Other Taxes** are collected from hotels in the form of room taxes and totaled \$254,069 or 20.00% of budget as of first quarter-end. Transient room taxes are typically below budget in the first quarter of the year due to a one-month lag on revenue turnover, with the first month's receipts having been accrued back to the prior year. Nevertheless, summer seasonality has led to slightly better results thus far in FY 12-13 compared to last year at this time.

- **Licenses, Fees and Permits** totaled \$1,719,065 which represents 19.67% of the amended budget and is aligned with revenue as a percentage of budget received during the same time last year. While franchise fees are under-performing year-to-date, Allied Waste implemented a 6% residential rate increase in October, which could offset projected shortfalls brought on by utility conservation efforts. The transportation maintenance and sustainability initiative fees are on target and Development Service permit fees are trending higher than expected due to ongoing student housing projects.
- **System Development Charges** were \$462,171 which represents 23.23% of the amended budget and is aligned with projections. In FY 11-12, the higher percentage of actual in the first quarter compared to budget was due to un-forecasted increased development for off-campus student housing. SDC income, being of restricted use, has been isolated here and in the income statements from "other charges for service" so as to ensure the understanding that this significant incremental dedicated funding source is not available for operational spending.
- **Charges for Services** (not including SDC's) were \$9,806,265, which represents 25.98% of the amended budget. These revenues are largely on target with budget and last year. However, given the seasonal influence on most of these receipts, the summer months would normally have higher percentage results; a cooler summer, slow-to-recover economy, and virtually no residential development are considered to have dampened the levels attained.
- **Intergovernmental** revenues are below target, but are a bit higher in dollars than last year's actuals at \$883,615. At 5.21% of budget however, receipts are very comparable to the same time last year. The receipt of grant monies tends to be volatile and highly dependent on timing of related expenditures. It should be noted that there are several intergovernmental payments that have not yet been received, but are typically expected in the second quarter (Benton County Library District payment, Transit Operating Grant, Home Grants, etc.).
- **Fines & Forfeiture** receipts related to Municipal Court remain under budget and lower than last year due primarily to fewer traffic and parking fines issued, partly as a result of patrol staffing vacancies. With parking enforcement now fully staffed, as well as a significant fine increase for violations in the residential parking districts that went into effect September 24th combined with additional home football games, revenues should rebound quickly. While some improvement continues to be noted from concentrated efforts related to collections in the past several years, unfortunately, court clientele are apparently not as motivated by a poor credit rating as other city customers might be. So, after nearly two full years of turning over about \$2 million in traffic and half a million dollars in parking delinquencies, both accounts have over 65% still outstanding.
- **Interest earnings** totaled \$65,996 at the end of the first quarter, which represents 29.10% of the budgeted interest and is about 146% of last year's earnings at this same point in time. The City's investment advisory firm has helped bolster what earnings there are in this category, however the market continues to hover at historic lows, and this situation is expected to prevail through at least mid-2015 according to the Federal Open Market Committee.

Operating expenditures for all funds totaled \$19,010,019 or 23.15% of the Amended Operating Expenditure Budget which is lower than last year in total dollars expended but virtually the same as a percentage of budget. These results are primarily due to less spending early in the year on special projects and capital outlay. Also, while Community Development typically under-expends its grant appropriations due to the length of time to fruition of housing loan projects, the department is also experiencing lower grant allocation availability in recent years, particularly for administrative cost coverage, so is being even more cost-conscious than usual early in the year. Non-operating expenditures, which include capital projects, transfers, debt service, and contingency, totaled \$3,320,715 or 11.10% of the \$29,928,541 Amended Non-Operating Budget. In total, expenditures through the first quarter were \$22,330,734 or 19.93% of the \$112,043,921 budgeted, compared to 20.56% for the first quarter of last fiscal year. A breakdown of departmental expenditures by category is provided below:

OPERATING EXPENDITURES BY DEPARTMENT

DEPARTMENT	AMENDED BUDGET	PERSONNEL SERVICES	SUPPLIES & SERVICES	CAPITAL OUTLAY	TOTAL EXPENDITURES	% OF AMENDED BUDGET
<i>Total Budget by Category</i>		\$46,224,880	\$33,266,460	\$2,624,040	\$82,115,380	
City Manager's Office	\$3,302,670	\$318,680	\$832,605	\$0	\$1,151,285	34.86%
Community Development	7,626,640	883,139	346,165	0	1,229,304	16.12%
Finance	4,790,210	798,572	373,846	0	1,172,418	24.48%
Fire	10,454,220	2,105,501	387,678	0	2,493,179	23.85%
Library	6,054,010	982,973	399,695	0	1,382,668	22.84%
Parks & Recreation	5,928,130	1,113,704	495,984	0	1,609,688	27.15%
Police	12,889,760	2,516,305	732,853	130,283	3,379,441	26.22%
Public Works	29,706,290	2,906,548	3,334,093	0	6,240,641	21.01%
Non Department	1,363,450	0	351,395	0	351,395	25.77%
TOTAL	\$82,115,380	\$11,625,423	\$7,254,313	\$130,283	\$19,010,019	23.15%
Percent of Budget		25.15%	21.81%	4.96%	23.15%	

Significant expenditure highlights include:

- **Personnel Services** totaled \$11,625,423 or 25.15% of the amended budget of \$46,224,880 and was in line with the percent of budget spent in FY 11-12, though nearly \$165,000 higher due to contractual step increases and associated payroll tax increases. Payroll expenditures are expected to stay relatively close to the FY 11-12 actuals through FY 12-13 based on Exempt, IAFF, and AFSCME agreeing to no COLA increases and flat to declining health benefit premiums. CPOA and CRCCA agreements were still pending at the end of the quarter.
- **Supplies and Services** totaled \$7,254,313 or 21.81% of the amended budget of \$33,266,460. The dollars spent in FY 12-13 are approximately 13% lower than the amount spent in FY 11-12 due to less special projects budget and an eye towards maintaining a sustainable budget.
- **Capital Outlay** totaled \$130,283 or 4.96% of the amended budget of \$2,624,040. The dollars spent in FY 12-13 are approximately \$430,000 less than in FY 11-12 due in part to less vehicle replacement purchases as compared to the same time last year when ambulance and gurney replacements occurred. Capital purchases do not tend to follow a regular pattern other than to typically weight toward the end of the fiscal year to ensure that sufficient budget remains for the acquisition.

NON OPERATING EXPENDITURES

- **Capital projects** totaled \$493,016 or 5.19% of the amended budget of \$9,493,868. Capital project expenditures tend to fluctuate year-over-year, and there are always projects that are either carried forward into following years or simply do not come to fruition. For FY 12-13, several projects have yet to begin.
- **Debt service** payments totaled \$845,843 or 11.88% of the total budget of \$7,119,140, which is aligned with payments at the same time last fiscal year.
- **Transfers and Other Financial Uses** totaled \$1,981,855 or 16.93% of the amended budget of \$11,704,273. The majority of the transfers are related to capital projects. See the Capital Improvement Program section for information on the status of capital projects.

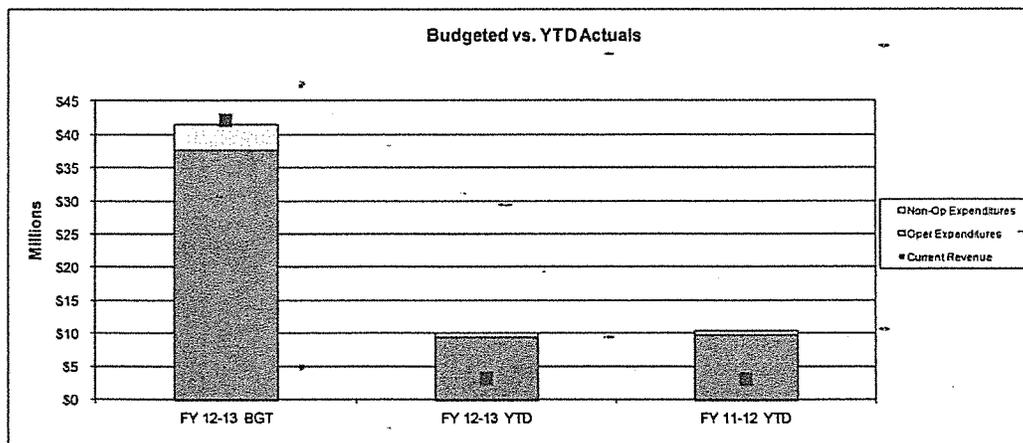
Please note that a [reader's guide](#) to some of the terminology used throughout the report is available through the hyperlink provided. As always, if you have questions or concerns about the information in this report, please do not hesitate to contact me at (541) 766-6990 or via e-mail at nancy.brewer@ci.corvallis.or.us.

Nancy Brewer
Finance Director

PROPERTY TAX FUNDS COMBINED*

REVENUE	AMENDED BUDGET	1st Quarter FY 12-13	UNAUDITED FY 12-13	FY 12-13 % REC/EXPEND	1st Quarter FY 11-12	Y-T-D FY 11-12	FY 11-12 % REC/EXPEND
Budgeted Fund Balance	\$5,271,580						
Property Taxes	\$21,002,640	\$142,684	\$142,684	0.68%	\$165,317	\$165,317	0.82%
Other Tax	1,270,650	254,069	254,069	20.00%	230,607	230,607	20.03%
Licenses/Permits	5,708,610	849,412	849,412	14.88%	862,705	862,705	15.34%
Charges for Service	5,856,500	1,289,095	1,289,095	22.01%	1,279,877	1,279,877	23.40%
Intergovernmental	4,164,360	195,492	195,492	4.69%	234,177	234,177	4.73%
Fines/Forfeitures	830,110	170,916	170,916	20.59%	192,893	192,893	19.75%
Miscellaneous	423,850	116,677	116,677	27.53%	100,168	100,168	26.44%
Other Financing Sources	2,845,350	166,502	166,502	5.85%	10,000	10,000	0.52%
TOTAL CURRENT REVENUE	\$42,102,070	\$3,184,846	\$3,184,846	7.56%	\$3,075,744	\$3,075,744	7.54%
EXPENDITURE BY DEPARTMENT							
City Manager's Office	\$380,000	\$16,283	\$16,283	4.28%	\$0	\$0	0.00%
Community Development	1,311,410	306,784	306,784	23.39%	327,904	327,904	24.17%
Finance	629,740	153,936	153,936	24.44%	166,335	166,335	24.54%
Fire	10,454,220	2,493,179	2,493,179	23.85%	2,849,989	2,849,989	25.03%
Library	6,023,510	1,382,668	1,382,668	22.95%	1,501,226	1,501,226	22.98%
Parks and Recreation	5,928,130	1,609,688	1,609,688	27.15%	1,650,435	1,650,435	27.07%
Police	10,356,980	2,756,969	2,756,969	26.62%	2,602,422	2,602,422	24.56%
Public Works	1,218,900	267,250	267,250	21.93%	284,111	284,111	17.29%
Non-Departmental	1,362,100	351,395	351,395	25.80%	319,576	319,576	23.40%
TOTAL OPERATING EXPENDITURES	\$37,664,990	\$9,338,151	\$9,338,151	24.79%	\$9,701,997	\$9,701,997	24.47%
Debt Service	\$243,880	\$218,342	\$218,342	89.53%	\$216,080	\$216,080	88.40%
Transfers	3,005,900	530,525	530,525	17.65%	504,400	504,400	21.58%
Contingencies/Reserves	512,850	0	0	0.00%	0	0	0.00%
TOTAL ALL EXPENDITURES	\$41,427,620	\$10,087,019	\$10,087,019	24.35%	\$10,422,477	\$10,422,477	24.49%
CURRENT REVENUE LESS							
TOTAL EXPENDITURES	\$674,450	(\$6,902,173)	(\$6,902,173)		(\$7,346,733)	(\$7,346,733)	

* Includes General, Parks & Recreation, Fire & Rescue, and Library Funds



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12/19/12

Accrual Basis

da Vinci Days, Inc.
Profit & Loss Prev Year Comparison
 September 2011 through August 2012

Attachment 1

	Sep '11 - Aug 12	Sep '10 - Aug 11	\$ Change	% Change
Ordinary Income/Expense				
Income				
4000 · *Contributions*	39,152.04	58,252.97	-19,100.93	-32.8%
4300 · * Program Revenue*	129,904.36	131,696.93	-1,792.57	-1.4%
4400 · Fundraising Events	1,844.06	0.00	1,844.06	100.0%
4500 · Festival Merchandise Sales	1,192.81	1,478.20	-285.39	-19.3%
4998 · Interest Income	13.35	40.86	-27.51	-67.3%
4999 · Miscellaneous Income	55.00	0.00	55.00	100.0%
Total Income	172,161.62	191,468.96	-19,307.34	-10.1%
Cost of Goods Sold				
5600 · *Concessions*	4,691.46	3,930.50	760.96	19.4%
5500 · *Festival Merchandise*	0.00	1,898.00	-1,898.00	-100.0%
Total COGS	4,691.46	5,828.50	-1,137.04	-19.5%
Gross Profit	167,470.16	185,640.46	-18,170.30	-9.8%
Expense				
7800 · Fundraising	22.65	0.00	22.65	100.0%
6100 · *Payroll Expenses	54,110.84	60,446.77	-6,335.93	-10.5%
6200 · Awards & Prizes	2,465.00	3,034.50	-569.50	-18.8%
6250 · Bank Fees	2,549.63	1,885.57	664.06	35.2%
6300 · Contracted Services	55,900.43	61,777.43	-5,877.00	-9.5%
6400 · Depreciation expense	0.00	2,750.00	-2,750.00	-100.0%
6450 · Dues & Subscriptions	175.00	125.00	50.00	40.0%
6500 · Equipment Rentals	33,055.83	25,829.60	7,226.23	28.0%
6650 · Facility Rentals	1,528.50	1,371.50	157.00	11.5%
6700 · *Hospitality	4,809.77	3,706.88	1,102.89	29.8%
6800 · Insurance	3,333.25	3,514.00	-180.75	-5.1%
6900 · Interest Expense	2,788.54	2,785.79	2.75	0.1%
6950 · IT Expenses	0.00	0.00	0.00	0.0%
7000 · Marketing & Publicity	12,793.01	17,683.78	-4,890.77	-27.7%
7100 · Occupancy-Rent	6,945.07	6,885.31	59.76	0.9%
7150 · Postage	838.70	517.59	321.11	62.0%
7200 · Printing & Publications	794.89	192.85	602.04	312.2%
7250 · Permits & Licenses	375.00	810.00	-435.00	-53.7%
7300 · *Professional Services*	2,359.00	2,155.50	203.50	9.4%
7500 · Supplies	3,200.43	3,036.48	163.95	5.4%
7600 · Telephone & Web Communications	2,530.95	2,622.57	-91.62	-3.5%
7650 · Training & Development	0.00	522.00	-522.00	-100.0%
7700 · Travel & Mileage Reimburse	0.00	243.98	-243.98	-100.0%
Total Expense	190,576.49	201,897.10	-11,320.61	-5.6%
Net Ordinary Income	-23,106.33	-16,256.64	-6,849.69	-42.1%
Other Income/Expense				
Other Income				
8000 · In-Kind Donations	14,459.51	75,714.92	-61,255.41	-80.9%
Total Other Income	14,459.51	75,714.92	-61,255.41	-80.9%
Other Expense				
8050 · In-Kind Marketing	8,928.00	15,999.80	-7,071.80	-44.2%
8055 · In-Kind Services	578.00	51,049.20	-50,471.20	-98.9%
8060 · In-Kind Supplies & Equip	4,953.51	8,665.92	-3,712.41	-42.8%
Total Other Expense	14,459.51	75,714.92	-61,255.41	-80.9%
Net Other Income	0.00	0.00	0.00	0.0%
Net Income	-23,106.33	-16,256.64	-6,849.69	-42.1%

da Vinci Days, Inc.
Profit & Loss Prev Year Comparison
 September 2011 through August 2012

Attachment 1 Continued

	Sep '11 - Aug 12	Sep '10 - Aug 11	\$ Change	% Change
Ordinary Income/Expense				
Income				
4000 · *Contributions*				
4100 · *Direct Public Support*				
4101 · Corporate Sponsorship	17,694.00	25,350.00	-7,656.00	-30.2%
4102 · Individual Donors	14,958.04	16,371.99	-1,413.94	-8.6%
4103 · Grants	6,500.00	1,500.00	5,000.00	333.3%
4104 · Non-cash donations	0.00	609.99	-609.99	-100.0%
Total 4100 · *Direct Public Support*	39,152.04	43,831.97	-4,679.93	-10.7%
4200 · Gov't Contributions	0.00	14,421.00	-14,421.00	-100.0%
Total 4000 · *Contributions*	39,152.04	58,252.97	-19,100.93	-32.8%
4300 · * Program Revenue*				
4301 · Admissions	90,990.04	95,278.48	-4,288.44	-4.5%
4302 · Concession Fees/Commission	29,270.31	26,820.45	2,449.86	9.1%
4303 · Festival Events	10,743.50	8,939.00	1,804.50	20.2%
4309 · Shipping/Handling-Online sales	0.00	659.00	-659.00	-100.0%
4300 · * Program Revenue* - Other	-1,099.49	0.00	-1,099.49	-100.0%
Total 4300 · * Program Revenue*	129,904.36	131,696.93	-1,792.57	-1.4%
4400 · Fundraising Events	1,844.06	0.00	1,844.06	100.0%
4600 · Festival Merchandise Sales	1,192.81	1,478.20	-285.39	-19.3%
4998 · Interest Income	13.35	40.86	-27.51	-67.3%
4999 · Miscellaneous Income	55.00	0.00	55.00	100.0%
Total Income	172,161.62	191,468.96	-19,307.34	-10.1%
Cost of Goods Sold				
5600 · *Concessions*				
5610 · Food/Beverage inventory	4,691.46	3,930.50	760.96	19.4%
Total 5600 · *Concessions*	4,691.46	3,930.50	760.96	19.4%
5500 · *Festival Merchandise*				
5610 · Store inventory	0.00	1,898.00	-1,898.00	-100.0%
Total 5500 · *Festival Merchandise*	0.00	1,898.00	-1,898.00	-100.0%
Total COGS	4,691.46	5,828.50	-1,137.04	-19.5%
Gross Profit	167,470.16	185,640.46	-18,170.30	-9.8%
Expense				
7800 · Fundraising				
7801 · PayPal Expenses	22.65	0.00	22.65	100.0%
Total 7800 · Fundraising	22.65	0.00	22.65	100.0%
6100 · *Payroll Expenses				
6140 · Interim Director	5,885.00	0.00	5,885.00	100.0%
6110 · Wages & Salaries	37,843.72	47,362.54	-9,518.82	-20.1%
6120 · Payroll Taxes	4,735.12	5,320.23	-585.11	-11.0%
6130 · Employee Benefits	5,647.00	7,764.00	-2,117.00	-27.3%
Total 6100 · *Payroll Expenses	54,110.84	60,446.77	-6,335.93	-10.5%
6200 · Awards & Prizes	2,465.00	3,034.50	-569.50	-18.8%
6250 · Bank Fees	2,549.63	1,885.57	664.06	35.2%
6300 · Contracted Services				
6310 · Performers	37,145.00	43,450.00	-6,305.00	-14.5%
6320 · Shuttle/Parking	1,321.00	795.00	526.00	66.2%
6330 · Sanitation	750.00	750.00	0.00	0.0%
6340 · Security	9,090.00	7,470.00	1,620.00	21.7%
6390 · Other Contracted Services	7,594.43	9,312.43	-1,718.00	-18.5%
Total 6300 · Contracted Services	55,900.43	61,777.43	-5,877.00	-9.5%
6400 · Depreciation expense	0.00	2,750.00	-2,750.00	-100.0%
6450 · Dues & Subscriptions	175.00	125.00	50.00	40.0%
6600 · Equipment Rentals				
6510 · Copier Lease	288.78	246.00	42.78	17.4%
6520 · Sanitation	3,680.45	3,349.75	330.70	9.9%
6530 · Tables/Tents	15,526.60	11,479.85	4,046.75	35.3%
6590 · Other Equip.Rental	13,560.00	10,754.00	2,806.00	26.1%
Total 6600 · Equipment Rentals	33,055.83	25,829.60	7,226.23	28.0%
6650 · Facility Rentals	1,528.50	1,371.50	157.00	11.5%
6700 · *Hospitality				
6710 · Hospitality- meetings/vol recog	555.87	861.78	-305.91	-35.5%
6720 · Hospitality-performers	4,103.93	2,845.10	1,258.83	44.3%
6700 · *Hospitality - Other	149.97	0.00	149.97	100.0%
Total 6700 · *Hospitality	4,809.77	3,706.88	1,102.89	29.8%
6800 · Insurance				
6810 · Worker's Comp Insurance	0.00	190.00	-190.00	-100.0%
6820 · Liability Insurance	3,333.25	3,324.00	9.25	0.3%
Total 6800 · Insurance	3,333.25	3,514.00	-180.75	-5.1%

da Vinci Days, Inc.
Profit & Loss Prev Year Comparison
 September 2011 through August 2012

Attachment 1 continued

	Sep '11 - Aug 12	Sep '10 - Aug 11	\$ Change	% Change
6900 · Interest Expense	2,788.54	2,785.79	2.75	0.1%
6950 · IT Expenses	0.00	0.00	0.00	0.0%
7000 · Marketing & Publicity	12,793.01	17,683.78	-4,890.77	-27.7%
7100 · Occupancy-Rent	6,945.07	6,885.31	59.76	0.9%
7150 · Postage	838.70	517.59	321.11	62.0%
7200 · Printing & Publications	794.89	192.85	602.04	312.2%
7250 · Permits & Licenses	375.00	810.00	-435.00	-53.7%
7300 · *Professional Services*				
7310 · Accounting Services	2,015.25	2,155.50	-140.25	-6.5%
7320 · Legal Services	343.75	0.00	343.75	100.0%
Total 7300 · *Professional Services*	2,359.00	2,155.50	203.50	9.4%
7500 · Supplies				
7650 · Traveling Kinetic Machine	118.38	0.00	118.38	100.0%
7610 · Office Supplies	1,194.86	1,185.50	9.36	0.8%
7620 · Computer Supplies	335.48	335.94	-0.46	-0.1%
7630 · Fund Raising Supplies	767.97	210.76	557.21	264.4%
7640 · Festival Supplies	783.74	1,304.28	-520.54	-39.9%
Total 7500 · Supplies	3,200.43	3,036.48	163.95	5.4%
7600 · Telephone & Web Communioations	2,530.95	2,622.57	-91.62	-3.5%
7650 · Training & Development	0.00	522.00	-522.00	-100.0%
7700 · Travel & Mileage Reimburse	0.00	243.98	-243.98	-100.0%
Total Expense	190,576.49	201,897.10	-11,320.61	-5.6%
Net Ordinary Income	-23,106.33	-16,256.64	-6,849.69	-42.1%
Other Income/Expense				
Other Income				
8000 · In-Kind Donations	14,459.51	75,714.92	-61,255.41	-80.9%
Total Other Income	14,459.51	75,714.92	-61,255.41	-80.9%
Other Expense				
8050 · In-Kind Marketing	8,928.00	15,999.80	-7,071.80	-44.2%
8055 · In-Kind Services	578.00	51,049.20	-50,471.20	-98.9%
8060 · In-Kind Supplies & Equip	4,953.51	8,665.92	-3,712.41	-42.8%
Total Other Expense	14,459.51	75,714.92	-61,255.41	-80.9%
Net Other Income	0.00	0.00	0.00	0.0%
Net Income	-23,106.33	-16,256.64	-6,849.69	-42.1%

da Vinci Days, Inc.
Balance Sheet Prev Year Comparison
 As of August 31, 2012

Attachment 2

	<u>Aug 31, 12</u>	<u>Aug 31, 11</u>	<u>\$ Change</u>	<u>% Change</u>
ASSETS				
Current Assets				
Checking/Savings				
1001 · Petty Cash	138.13	27.72	110.41	398.3%
1003 · OSU Fed checking	53,858.85	74,215.80	-20,356.95	-27.4%
1005 · OSU Fed savings	4,839.61	4,838.18	1.43	0.0%
Total Checking/Savings	<u>58,836.59</u>	<u>79,081.70</u>	<u>-20,245.11</u>	<u>-25.6%</u>
Accounts Receivable				
1200 · Accounts Receivable	1,390.00	1,294.24	95.76	7.4%
Total Accounts Receivable	<u>1,390.00</u>	<u>1,294.24</u>	<u>95.76</u>	<u>7.4%</u>
Other Current Assets				
1400 · Prepaid expenses	0.00	328.80	-328.80	-100.0%
Total Other Current Assets	<u>0.00</u>	<u>328.80</u>	<u>-328.80</u>	<u>-100.0%</u>
Total Current Assets	<u>60,226.59</u>	<u>80,704.74</u>	<u>-20,478.15</u>	<u>-25.4%</u>
Fixed Assets				
1501 · Donated Equipment	10,612.99	10,612.99	0.00	0.0%
1500 · Equipment	9,079.57	9,079.57	0.00	0.0%
1590 · Accumulated Depreciation	-12,250.57	-12,250.57	0.00	0.0%
Total Fixed Assets	<u>7,441.99</u>	<u>7,441.99</u>	<u>0.00</u>	<u>0.0%</u>
TOTAL ASSETS	<u>67,668.58</u>	<u>88,146.73</u>	<u>-20,478.15</u>	<u>-23.2%</u>
LIABILITIES & EQUITY				
Liabilities				
Current Liabilities				
Accounts Payable				
2000 · Accounts Payable	4,633.64	0.00	4,633.64	100.0%
Total Accounts Payable	<u>4,633.64</u>	<u>0.00</u>	<u>4,633.64</u>	<u>100.0%</u>
Other Current Liabilities				
2310 · Wells Fargo LOC	30,957.66	30,963.12	-5.46	0.0%
Total Other Current Liabilities	<u>30,957.66</u>	<u>30,963.12</u>	<u>-5.46</u>	<u>0.0%</u>
Total Current Liabilities	<u>35,591.30</u>	<u>30,963.12</u>	<u>4,628.18</u>	<u>15.0%</u>
Long Term Liabilities				
2330 · City of Corvallis- Loan	10,000.00	12,000.00	-2,000.00	-16.7%
Total Long Term Liabilities	<u>10,000.00</u>	<u>12,000.00</u>	<u>-2,000.00</u>	<u>-16.7%</u>
Total Liabilities	<u>45,591.30</u>	<u>42,963.12</u>	<u>2,628.18</u>	<u>6.1%</u>
Equity				
3100 · Unrestricted Net Assets	61,440.25	61,440.25	0.00	0.0%
3300 · Retained Earnings	-16,256.64	0.00	-16,256.64	-100.0%
Net Income	-23,106.33	-16,256.64	-6,849.69	-42.1%
Total Equity	<u>22,077.28</u>	<u>45,183.61</u>	<u>-23,106.33</u>	<u>-51.1%</u>
TOTAL LIABILITIES & EQUITY	<u>67,668.58</u>	<u>88,146.73</u>	<u>-20,478.15</u>	<u>-23.2%</u>

ORDINANCE 2013-___

AN ORDINANCE RELATING TO CITY SERVICES BILLING, AMENDING MUNICIPAL CODE CHAPTER 3.06, "CITY SERVICES BILLING" AS AMENDED

THE CITY OF CORVALLIS ORDAINS AS FOLLOWS:

Section 1. Municipal Code Section 3.06 is hereby amended as follows:

Section 3.06.020 Definitions.

- 1) Applicant - A person applying for water and/or wastewater and/or storm water service.
- 2) Base Rate - The monthly charge for access to the water and wastewater system services whether or not there is water consumption. The base rate covers the costs associated with having water available, providing adequate water flow for fire protection, and capacity for wastewater removal.
- 3) BOD - Biochemical Oxygen Demand.
- 4) City services - As used herein, the services supported by fees on the monthly City Services Bill for utility services, transportation system maintenance, transit operations, sidewalk maintenance, and urban forest management.
- 5) Commercial service - Provision of water to premises which include mercantile establishments, stores, offices, public buildings, governmental agencies, public and private hospitals, schools, churches, other commercial enterprises, and mercantile establishments combined with residences.
- 6) Consumption rate - As used herein, a charge placed on every hundred cubic feet (HCF) of water as measured by the meter.
- 7) Customer - As used herein, a person who has applied for and who has agreed to be responsible for the water, wastewater, and/or storm water account. The customer who signs up for utility service is deemed to be responsible for all services billed on the City services bill.
- 8) Day(s) - is calendar day(s).
- 9) Domestic service - Provision of water for household residential purposes, including water for lawns, gardens, and shrubbery; watering livestock; washing vehicles; and other similar and customary purposes.
- 10) Domestic waste - Water-carried waste from the noncommercial preparation, cooking, and handling of food or containing human excrement and similar matter from the sanitary conveniences of dwellings, commercial buildings, industrial facilities, and institutions.
- 11) Dwelling unit - One or more rooms, with access limited by a locking door, including at least one sanitary facility and one kitchen facility designed for occupancy by one or more individuals.
- 12) Equivalent dwelling unit (EDU) - A residential or nonresidential living configuration estimated to place approximately equal demand on the City's wastewater treatment system as a single-family dwelling unit.
- 13) Equivalent service unit (ESU) - Improved premises estimated to place approximately the same demand on the City's storm water system as a single-family dwelling unit. One ESU shall be equal to 2,750 square feet of impervious surface.
- 14) Fire protection service - Provision of water to premises for automatic fire protection.
- 15) Group residential - A dormitory, fraternity, sorority, cooperative or other similar structure primarily used for personal, domestic accommodation providing common sanitary and kitchen facilities. Does not include hotels, motels, assisted living facilities or other similar structures.
- 16) High level service - Areas served by the utility that, in the opinion of the utility, require secondary pumping to provide adequate service.
- 17) Hundred Cubic Feet (hcf) – the units used to measure water consumption. One hundred

cubic feet equals one unit of water measured by the water meter and also equals 748 gallons of water.

18) Impervious surface - Hard-surface areas located upon real property which either prevent or retard saturation of water into the land surface and/or cause water to run off the land surface in greater quantities or at an increased rate of flow than under natural conditions prior to development. Common impervious surfaces include, but are not limited to, rooftops, concrete or asphalt sidewalks, walkways, patio areas, driveways, parking lots or storage areas and graveled, oiled, macadam or other surfaces which similarly impact the natural saturation or runoff patterns which existed prior to development.

19) Improved premises - Any area which has been altered such that the runoff from the site is greater than that which could historically have been expected. Such a condition shall be determined by the City Engineer.

20) Industrial service - Provision of water to a customer for use in manufacturing or processing activities.

21) Irrigation service - Provision of water to a customer only for outside watering of landscaping, plants, or lawns and where no water passing through the meter enters the wastewater system.

22) Landlord – owner of a house, apartment, condominium, land or real estate which is rented or leased to an individual or business.

23) Monthly - A term referring to frequency of billing indicating a period of 26 to 34 days.

24) Multi-Family Unit - For utility services billing purposes, a multi-family unit shall include:

a) Any dormitory, boarding house, fraternity, sorority, "quad" or similar structure providing common sanitary and kitchen facilities;

b) Any structure served by one water meter constructed as, or used as, two or more dwelling units, regardless of building code classification; provided that the temporary vacancy of one or more of the dwelling units shall not alter the classification of such structure unless the owner shall have filed an affidavit attesting that such dwelling units have been removed from the rental market.

25) New account - The initial process of application for service, setting up billing, reading the meter, and turning on the water or any part thereof and at a single location for a given customer.

26) Person - As used herein, any individual, firm, partnership, agency, company, institution, unincorporated association, public or private corporation, government or government instrumentality.

27) Premises - As used herein, the integral property or area, including improvements thereon to which water service is or will be provided.

28) Rate schedules - The entire body of effective rates, rentals, charges, and regulations as set forth herein. All rate schedules are made available to the public.

29) Service connection - The pipe, valves, and other facilities by means of which the utility conducts water from its distribution mains to and through the meter but does not include the piping from the meter to the property served.

30) Service renewal - The process for renewing service on delinquent accounts, and turning on the water or any part thereof and at a single location for a given customer.

31) Sidewalk Maintenance Fee - the fee levied in accordance with Chapter 3.07 and billed on the monthly City Services bill.

32) Single-family unit (SFU) - One or more rooms with bathroom and kitchen facilities designed for occupancy by one family such as detached townhouses, condominiums, zero lot-line, etc., where the units are sold and deeded as single-family units and have individual water meters.

33) Special user unit - Any improved premises which discharges its storm runoff water directly to the Willamette River via a system consisting entirely of non-public facilities and approved by the City Engineer pursuant to Section 4.03.020.010 6). Discharge from a special user unit shall comply with all applicable federal, State, and local laws, ordinances, and regulations. No premises shall be considered a special user unit for purposes of determining the applicable storm water charges until a special user unit permit is issued as provided in Section 3.06.120.

34) Summer Wastewater Average – the practice of using the prior winter’s average water usage to calculate the summer wastewater bills for customers, recognizing water used in excess of winter

averages are likely used for irrigation purposes and are not going through the wastewater system.

- 35) Tenant – one who rents or leases from a Landlord.
- 36) Transit Operations Fee - the fee levied in accordance with Chapter 3.08 and billed on the monthly City Services bill.
- 37) Transportation Maintenance Fee – the fee levied in accordance with Chapter 3.05 and billed on the monthly City Services bill.
- 38) TSS - Total Suspended Solids.
- 39) Urban Forest Management Fee - the fee levied in accordance with Chapter 3.09 and billed on the monthly City Services bill.
- 40) User charge - The fee levied on users of the water, wastewater, storm water, and transportation collection, distribution, and treatment systems for their proportionate share of the costs of operation, maintenance, replacement, and capital facilities of the respective systems.
- 41) Utility - As used herein, the City of Corvallis, a municipal corporation of the State of Oregon (Public Works).
- 42) Utility service - Water, wastewater and/or storm water services provided by the City of Corvallis.
(Ord. 2012-11 §1, 07/02/2012; Ord. 2011-04 §1, 02/07/2011; Ord. 2006-07 §1, 04/03/2006)

Section 3.06.030 Application for utility.

- 1) Application. Each applicant for utility service shall be required to provide the following information:
 - a) Date of application.
 - b) Location of premises to be served.
 - c) Date on which applicant will be ready for service.
 - d) Address to which bills are to be mailed or delivered.
 - e) Whether the applicant is an owner, tenant of, or agent for, the premises.
 - f) Social Security number or valid driver's license number.
 - g) Agreement to abide by all rules, regulations and ordinances of the utility, as now existing or as hereafter changed or amended.

h) Such other information as the utility may reasonably request including a valid landlord-tenant agreement to establish proof of occupancy.

(Ord. 2011-04 §1, 02/07/2011; Ord. 2007-13 §1, 06/18/2007)

2) Individual liability for joint service. Two or more parties who join to make application for service shall be jointly and individually liable and shall be sent a single periodic bill.

3) Multi-family utility service accounts must remain in the name of the Landlord (per Title 3, Utilities/Public Rights of Way, Section 3.01.100 Multiple Units) and may be placed “in care of” the Landlord’s property manager. Under no condition shall the “in care of” party be the tenant.

4) Changes in customer's equipment. Customers making any material change in the size, character or extent of the equipment or operation utilizing water service, or whose change in operation results in a large increase in the use of water, shall immediately give the utility written notice of the nature of the change and, if requested by the utility, amend their application.

5) Special contracts. Contracts, other than application, may be required prior to service where, in the opinion of the utility, special circumstances warrant special consideration.

6) A new account fee of \$25.00 will be collected for each new account application if the turn-on is during regular working hours. A new account fee of \$60.00 will be collected for each new account requiring a turn-on other than during regular working hours. Working hours are defined as 8:00 am to 5:00 pm Monday through Friday excluding holidays.

7) Landlords and their agents may forego the \$25 new account fee if the landlord or landlord's agent agrees in writing to have service put into the landlord's or landlord's agent's name when service for a tenant is discontinued by either the tenant, landlord, or landlord's agent. The landlord or

landlord's agent will be billed for all services received until service for the landlord is stopped by the landlord or landlord's agent or service is started by a tenant in the tenant's name.

8) When the service has not previously been provided at the address, service shall be initiated as follows:

a) For water, storm water, and other City services, service shall be initiated and billings commence when the water meter is connected to the City's water main;

b) For wastewater service, service shall be initiated and billings commence when the wastewater connection passes inspection.

(Ord. 2006-07 §1, 04/03/2006)

Section 3.06.080 Delinquent accounts.

1) Policy. To keep costs of operations as low as possible, the City's policy is to pursue collection of all accounts. Prompt payment is expected.

2) Procedure.

a) A City services account shall be deemed a delinquent account if it is not paid on or before the 25th day following the account's billing date. For purposes of this section, "paid" means received in the City Finance Department. Payments placed in the drop boxes provided by the City shall be deemed as received as of the next business day.

b) The subsequent month's bill will serve as the first notice of delinquency and the second notice of when payment must be received in order to avoid turn-off for non-payment.

c) The City shall serve notice of delinquency to both the tenant and the landlord when the person responsible for paying the bill is not the resident of the service address. Notice to the tenant shall consist of a door-hanger affixed to the primary entry door of each dwelling unit associated with the service address. A fee of \$5 per door-hanger will be charged to the owner of the account at the service address where notification occurs. Service to a tenant when the tenant is not responsible for payment will not be terminated for a period of six days after notice to discontinue service was served to the tenant and person responsible for payment.

d) The City will transfer any delinquent amount owed on a final account by a customer at a previous location to that customer's new address when payment is not received within 26 days of the final bill. Payments of the delinquent amount shall apply as set forth in subsections 2) a) and b) of this section. The City may also transfer to any active account of a customer, a delinquent amount owed by that customer on any property owned by that customer who does not have utility provided water service but has connection to the utility's wastewater service.

e) Subject to the appeal procedure provided in section 3.06.090, the City Manager is authorized to turn off water service at any location for which there exists a delinquent City services account no earlier than the 46th day after the date of billing on that account. Discontinuance of water service shall be in addition to any other remedies or penalties provided herein or any other ordinance of the City or by any other applicable law.

f) For services subject to disconnection, the City may charge a \$25 penalty fee to the owner of the account if the City incurs a trip for a delinquency turn-off but leaves the service active as a courtesy to the customer. If the service remains active, the customer is required to pay the additional \$25 fee and bring the account to a \$0 balance the same business day.

3) Application for service renewal due to delinquency turn-off.

a) A service that has been disconnected for non-payment will be required to bring the account to a \$0 balance including service fees prior to service reconnection.

b) Service renewal

1] To renew service that has been disconnected due to non-payment, where the request is made during regular office hours of 8:00 AM to 5:00 PM, a service fee of \$35 will be charged.

2] To renew service that has been disconnected due to non-payment, where

the request is made after regular working hours, a service fee of \$100 will be charged.

3) Water or wastewater service shall not be restored until all charges, including the expense of removal, closing, and restoration if incurred have been paid.

4) Recovery of unpaid charges. Any charge due hereunder which shall not be paid when due may be recovered in an action at law by the City.

5) The City Manager of the City is hereby empowered and directed to enforce this provision as to all delinquent accounts, using the procedures provided in this Section. The employees of the City shall at all reasonable times have access to any premises served by the City for inspection, repair or the enforcement of the provisions herein.

(Ord. 2011-04 §1, 02/07/2011; Ord. 2006-07 §1, 04/03/2006)

PASSED by the City Council this _____ day of _____, 2013.

APPROVED by the Mayor this _____ day of _____, 2013.

EFFECTIVE this _____ day of _____, 2013.

**MAYOR'S APPOINTMENTS
JANUARY 2013**

Standing Council Committees – Rotating Chairs

Administrative Services Committee	Hal Brauner, Joel Hirsch, Biff Traber
Human Services Committee	Mike Beilstein, Bruce Sorte, Penny York
Urban Services Committee	Dan Brown, Richard Hervey, Roen Hogg

<u>Chairs</u>	<u>ASC</u>	<u>HSC</u>	<u>USC</u>
Jan - Apr 2013/2014	Biff Traber	Mike Beilstein	Roen Hogg
May - Aug 2013/2014	Joel Hirsch	Penny York	Richard Hervey
Sep - Dec 2013/2014	Hal Brauner	Bruce Sorte	Dan Brown

COUNCIL LIAISON APPOINTMENTS

Standing Advisory Boards, Commissions, and Committees

<u>Committee</u>	<u>Meeting Schedule</u>	<u>Liaison</u>
Airport Commission	1st Tuesday, 7:00 am	Biff Traber
Arts and Culture Commission	3rd Wednesday, 5:30 pm	Joel Hirsch
Bicycle and Pedestrian Advisory Commission	1st Friday, 7:00 am	Mike Beilstein
Board of Appeals	on call	Penny York
Capital Improvement Program (CIP) Commission	on call	Hal Brauner
Citizens Advisory Commission on Civic Beautification and Urban Forestry	2nd Thursday, 8:30 am	Joel Hirsch
Citizens Advisory Commission on Transit	2nd Wednesday, 8:20 am	Bruce Sorte

<u>Committee</u>	<u>Meeting Schedule</u>	
City Legislative Committee	on call	Hal Brauner Richard Hervey Penny York
Commission for Martin Luther King, Jr.	4th Tuesday, 5:00 pm	Bruce Sorte
Committee for Citizen Involvement	quarterly, schedule to be determined	Richard Hervey
Community Police Review Board	on call, but at least quarterly	Mike Beilstein
Corvallis-Benton County Public Library Board	1st Wednesday, 7:30 pm	Penny York
Downtown Commission	2nd Wednesday, 5:30 pm	Dan Brown
Downtown Parking Committee	1st Tuesday, 4:00 pm	Dan Brown
Economic Development Commission	2nd Monday, 3:00 pm	Biff Traber
Historic Resources Commission	2nd Tuesday, 6:00 pm	Roan Hogg
Housing and Community Development Commission	3rd Wednesday, 12:00 pm	Biff Traber
Parks, Natural Areas, and Recreation Board	3rd Thursday, 6:30 pm	Roan Hogg
Planning Commission	1st and 3rd Wednesday, 7:00 pm	Bruce Sorte (2013) Penny York (2014)
Public Art Selection Commission	on call	Joel Hirsch
Watershed Management Advisory Commission	4th Wednesday, 5:00 pm	Richard Hervey

Other Advisory Bodies

<u>Committee</u>	<u>Meeting Schedule</u>	<u>Liaison</u>
Arts Center	2nd Wednesday, 5:30 pm	Joel Hirsch
Associated Students of Oregon State University	various days/times for each task force	Dan Brown
Business Enterprise Center	4th Monday, 5:30 pm	Dan Brown
Cascades West Area Commission on Transportation	4th Tuesday of odd-numbered months, 5:00 pm	Bruce Sorte
Cascades West Council of Governments Board of Directors	3rd Thursday of odd-numbered months, 2:00 pm	Julie Manning
Channel 29 Oversight Committee	on call	Penny York
Community Alliance for Diversity	2nd Monday, 4:00 pm	Bruce Sorte
Community Policing Forum	varies	Mike Beilstein
Corvallis Area Metropolitan Planning Organization	2nd Wednesday, 5:00 pm	Hal Brauner
Corvallis Chamber of Commerce	4th Thursday, 3:30 pm	Dan Brown
Corvallis Sister Cities Association	Gondar: 3rd Monday, 6:00 pm Uzhgorod: varies	Joel Hirsch
Corvallis Sustainability Coalition	2nd Tuesday, 12:00 pm	Biff Traber
daVinci Days	3rd Monday, 5:30 pm	Joel Hirsch
Downtown Corvallis Association	Board - 2nd Wednesday, 8:15 am Membership - 3rd Wednesday, 8:00 am	Dan Brown
Economic Vitality Partnership	last Monday of third month of calendar quarter, 5:30 pm	Biff Traber

Committee**Meeting Schedule**

Enterprise Zone Committee	varies	Biff Traber
Linn-Benton Loop Commission	2nd Friday of even-numbered months, 1:30 pm	Hal Brauner
Madison Avenue Task Force	1st Tuesday, 4:00 pm	Dan Brown
OSU/City Collaboration Project Steering Committee	varies	Hal Brauner Roen Hogg
Visit Corvallis	3rd Thursday, 8:00 am	Dan Brown
United Way Granting Committee	varies	Penny York
Willamette Criminal Justice Council	3rd Wednesday 2:00 pm (lay) 3:00 pm (Council)	Mike Beilstein
Willamette Neighborhood Housing Services	4th Tuesday, 6:00 pm	Penny York

**Information
regarding the
Boards,
Commissions, and
Committees
Directory may be
obtained by calling
the City Manager's
Office
(541-766-6901).**

2013 Nomination Form
Cascades West Area Commission on Transportation

The following individuals have been nominated to represent
(City/County/Port/Tribe) City of Corvallis on the Cascades West Area
Commission on Transportation. The nominations were made during a legally convened public
meeting of the (City Council/Commission/Tribal Council)
1-7-13 on (date) _____.

The nomination for the **primary** representative (must be elected official) to the CWACT is
(name and title) Bruce Sorte, City Councilor.

The nomination for **alternate** representative to the CWACT is (name and title)
Mary Steckel.

Signed: Julie Manning

Date: 1-2-13

Title: Mayor

Please include the following information:

Primary Representative

Name: Bruce Sorte

Address: PO Box 1083
Corvallis, OR 97339

Phone: 541-757-2466 FAX: 541-766-6780

E-mail: bruce.sorte@ council.corvallisoregon.gov

Alternate Representative

Name: Mary Steckel

Address: PO Box 1083
Corvallis, OR 97339

Phone: 541-~~757-2466~~ 754-1753 FAX: 541-766-6920

E-mail: Mary.steckel@corvallisoregon.gov

Please return this form by early
January 2013 to:

Mark Volmert
Cascades West COG
1400 Queen Ave. SE, Suite 205A
Albany, OR 97322
Fax 541-967-4651
mvoltmert@ocwcog.org



Adam Grzybicki
President, OR/AK
External Affairs

AT&T Services, Inc.
1600 SW 4th Avenue
Suite 200
Portland, OR 97201

T: 503-306-6565
adam.grzybicki@att.com
www.att.com

December 20, 2012

City of Corvallis
Community Development Department
Ken Gibb, Director
P.O. Box 1083
Corvallis, OR 97339-1083

VIA EMAIL AND FIRST CLASS MAIL

RE: AT&T Broadband Data Network Launch (4G LTE)

Dear Ken:

On November 16, 2012, AT&T launched a major upgrade to its wireless network, known as 4G Long Term Evolution ("LTE"), in the City of Corvallis. We wanted to take a moment to thank you – the City's leadership, professional and administrative staff – for your important contribution towards a successful launch.

Over the past year, AT&T has worked closely with the Community Development Department to obtain permits and approvals to upgrade all of its cell sites spread throughout the City. This was quite an effort – the volume and complexity of the permitting program could not have been accomplished without the efforts of your staff, particularly Brian Latta, and each member of the review team.

AT&T's investment in the 4G LTE network will provide substantial economic benefits to the City for years to come. Millions of dollars have been invested throughout the region in permitting fees, staff, design, construction and equipment, directly benefitting the City's economy. AT&T's 4G LTE network provides data speeds to customers up to ten times faster than 3G, allowing the city to be more competitive across the nation and the world.

Again, we appreciate your efforts and support. Please extend our thanks and congratulations to your entire staff.

Sincerely yours,

Adam Grzybicki
President, Oregon
External Affairs

cc: Hon. Julie Manning, Mayor
Jim Patterson, City Manager
Tom Nelson, Economic Development Manager

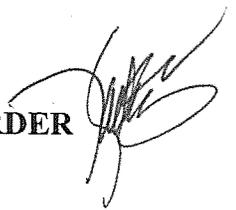
**CITY OF CORVALLIS – COUNCIL REQUESTS – TRACKING REPORT
PENDING REQUESTS**

Council Request Item	Requested By	Date of Request	CM Report Due Date	Assigned to	Response in CM Rpt No.	Comments
Business operating from private residence – Ward 8	Traber	12-03-12	01-15-13	Gibb		
Live video streaming of City Council meetings	Beilstein	12-17-12	01-15-13	Brewer		

*** MEMORANDUM ***

JANUARY 3, 2013

TO: MAYOR AND CITY COUNCIL
FROM: KATHY LOUIE, ASSISTANT TO CITY MANAGER/CITY RECORDER
SUBJECT: 2013-2014 WARD MEETINGS



City-sponsored ward meetings provide opportunities for residents within each Ward to discuss ward-specific and citywide issues with City Councilors and City staff. Within each two-year Council term, every City Councilor strives to host one City-sponsored ward meeting. All departments, including the City Manager's Office, are represented at each meeting. In the past, Councilors have also hosted their own "non-City sponsored" ward meetings as often as they feel appropriate.

Ward meetings have typically been scheduled for the second Tuesday of the month at 7 pm. The dates and times were developed keeping in mind other meetings and summer vacations and holidays. Staff attempts to find a City-owned facility or other no-cost location within the particular ward or from a nearby ward to hold these meetings.

Staff requests Council direction whether to reconvene the Ward meetings beginning April 2013. If approved, the 2013-2014 ward meeting dates are below. Please review the schedule and call Management Assistant Carla Holzworth at 541-766-6901 to reserve your ward meeting date. Carla will also assist you with flyers, finding another meeting location, and other meeting details.

2013-2014 WARD MEETING SCHEDULE

WARD	DATE	TIME	LOCATION	COUNCILOR NAME
Ward #__	April 9, 2013	7 pm		
Ward #	May 14, 2013	7 pm		
Ward #	September 10, 2013	7 pm		
Ward #	October 8, 2013	7 pm		
Ward #	January 14, 2014	7 pm		
Ward #	February 11, 2014	7 pm		
Ward #__	March 11, 2014	7 pm		
Ward #__	April 8, 2014	7 pm		
Ward #	May 13, 2014	7 pm		

c: City Manager Jim Patterson and Department Directors
Management Assistant Carla Holzworth

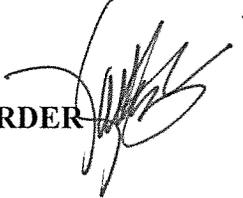
*** * * M E M O R A N D U M * * ***

JANUARY 2, 2013

TO: MAYOR AND CITY COUNCIL

FROM: KATHY LOUIE, ASSISTANT TO CITY MANAGER/CITY RECORDER

SUBJECT: 2013 GOVERNMENT COMMENT CORNER



The Mayor and Councilors have hosted two-hour Government Comment Corner sessions Saturday mornings in the Corvallis-Benton County Public Library lobby for many years. These sessions provide opportunities for community residents to speak with elected officials about local concerns and issues. The sessions have been held from 10:00 am until 12:00 pm.

Staff requests Council direction whether to continue the Government Comment Corner program. If so, would the Council like to continue the weekly schedule or change to bi-weekly, monthly, quarterly, or another schedule.

If Council would like to continue with the current weekly Government Comment Corner schedule, the 2013 schedule is attached; and Councilors may sign up to host Government Comment Corner sessions.

If you have any questions, please call me (541-766-6901).



**GOVERNMENT COMMENT CORNER
2013 SATURDAY ROSTER
10:00 am to 12 noon**

Date	Host	Telephone
January 5	No Government Comment Corner	
January 12		
January 19	No Government Comment Corner	
January 26		
February 2		
February 9		
February 16	No Government Comment Corner	
February 23		
March 2		
March 9		
March 16		
March 23		
March 30		
April 6		
April 13		
April 20		
April 27		
May 4		
May 11		
May 18		
May 25	No Government Comment Corner	
June 1		
June 8		
June 15		
June 22		
June 29		
July 6		
July 13		
July 20		
July 27		
August 3		
August 10		
August 17		
August 24		
August 31	No Government Comment Corner	
September 7		
September 14		
September 21		
September 28		
October 5		
October 12		
October 19		
October 26		
November 2		
November 9	No Government Comment Corner	
November 16		
November 23	No Government Comment Corner	
November 30		
December 7		
December 14		
December 21		
December 28		
December 29		

MEMORANDUM

DATE: December 31, 2012

TO: Mayor and City Council
Planning Commission

FROM: Ken Gibb, Community Development Director 

RE: 2011-12 Planning Work Program Review

Background:

The Community Development Department develops a prioritized bi-annual planning work program after receiving public input and in consultation with the Planning Commission. The Planning Commission then makes a recommendation to the City Council which approves the priorities for the two year time horizon.

The City Council endorsed the most recent work program priorities in April 2011. At that point, the Council goals were not finalized but it was acknowledged that there were several goals that would result in a major staff role for Community Development and therefore would effect the planning work program priorities. In addition, there was discussion of several other efforts such as the FEMA required update of the City's floodplain management regulations that needed to be completed in 2011 prior to addressing the 2011-12 work program priorities.

Three of the four 2011-12 City Council goals ultimately impacted the Community Development/Planning Work program significantly. These included:

- By December 2011, the Council will provide direction on recommendations to strengthen access to and availability of locally produced food and community gardens via policy, ordinance and Land Development Code changes.* By December 2012, the Council will enact code and policy changes corresponding with that direction.
- By December 2011, the Council will consider action on recommendations by the Economic Development Commission concerning strategic priorities and funding sources for Economic Development initiatives.
- Working with the OSU President and his staff, by December 2011, the Council will create a plan to seize opportunities on parking, code enforcement, infill design, rental code, traffic design and other important issues.

In addition, the 2009-10 Council goal of updating the Airport Industrial Park Master Plan was carried over and required significant staff resources from Community Development during the past two years.

Discussion:

Attached is a matrix that provides a status report on planning related projects. It is important to note that this list does not include the review of land use applications and other current planning work as well as general staff support for the work programs of the Historic Resources Commission, Downtown Commission, Committee for Citizen Involvement and the Planning Commission.

The matrix categorizes activities into City Council goals, planning work program priorities and other assignments and then provides a status report on each activity.

We are pleased to report that twelve of the thirteen identified items have been completed with the remaining item showing substantial progress. This is significant in light of the following factors:

- A 29% reduction in Planning Division staffing and a 93% reduction in planning project funds compared to the recent 10 year average.
- Resignation of the Senior Planner (the sole position dedicated to long range planning) in November 2011. This position was not been filled during the remainder of FY11-12 due to budget concerns and the position was eliminated in the FY 12-13 budget year.
- The number and complexity of land use applications that are received. Processing of these applications is the #1 priority in order to meet State mandated 120 day time lines and customer service goals.
- Because there is no longer a planning position that can be dedicated to long range planning, planning work program items are being assigned to staff who have current planning and other on-going responsibilities. Therefore, staff have "fit in" these additional assignments as best possible.
- Community Development provided the lead staff support to the new Economic Development Commission over the first eighteen months of the Commission's work. Accomplishments over that time included organizational work, development of an economic development strategy and associated staffing and budget plan that received City Council approval.
- The City/OSU Collaboration project is well underway with the Community Development Department providing the lead staff support in the development of the project scope of work and intergovernmental agreement between the University and City. Community Development continues to provide ongoing project management support and technical assistance to the project work groups.

While the work program success reflects an excellent effort by Community Development staff, it is important to recognize the key contributions of other city departments, citizen volunteers such as the Collaboration Project work groups, infill development task force, and the Planning, Historic Resources and Economic Development Commissions and the City Council among others.

Looking to the Future:

Staff will soon initiate the process of developing the 2013-14 Planning Work Program. This will involve a public comment opportunity, Planning Commission review and recommendation to the City Council. City Council goals that will be finalized over the next few months and will likely impact work priorities for Community Development. As a preview, Staff prepared the attached list of potential 2013-14 work program items.

Requested Action:

Feedback is welcome but no other action is requested at this time.

Review and Concur:



Jim Patterson, City Manager

Planning Work Program FY 11-12 Review

Activity	Completed	Significant Progress	Initiated	Comments
City Council Goals				
AIP Master Plan Update (2009-10 Council Goal)	✓			County AIP Zone in place. Final AIP document approved by CC.
ED Strategies	✓			Strategy approved with staffing/implementation program in place.
Create Collaboration Plan with OSU	✓			Multi-year work plan is underway. Major project management and technical role for CD staff.
Local Food Goal – LDC Related Actions	✓			Food related LDC changes approved by CC in December 2012
Planning Work Program Highest Priorities				
List A: Housekeeping Items	✓			Approved by CC in December 2012
List B: Incorporating Infill Task Force Recommendations into LDC	✓			Approved by CC in December 2012
List C: Substantive Issues Related to Streamlining LDC	✓			Approved by CC in December 2012
Other Assignments				
Complete FEMA required LDC Changes	✓			Completed in Mid-2011
Package of Downtown Related LDC Changes	✓			Completed in Fall-2011
Food Cart Ordinance	✓			Completed in Fall-2011 – One year review underway.
Consider OSU Managing Historic District		✓		Report to HRC/CC completed with additional work in early 2013.
Consider On the Record Hearing	✓			Report back to CC
Technical Assistance on Downtown EID	✓			EID approved in July 2012

Potential 2013-14 Planning Work Program Items 12/31/12

- 1. Collaboration Project**
 - LDC related e.g.
 - neighborhood design standards
 - density review
 - Code enforcement
 - Parking / transportation

- 2. City Council Goals (TBD)**

- 3. Buildable Lands Inventory**

- 4. Initiate Vision Update**

- 5. Next Round of LDC Updates**

- 6. EDC Recommendations**
 - PD process changes
 - Hearings Officer process

- 7. Council Requested:**
 - OSU Historic District process changes

- 8. Working with OSU on Campus Master Plan Update**

- 9. Other items identified on the Unresolved Planning Issues List**

ADMINISTRATIVE SERVICES COMMITTEE SCHEDULED ITEMS

January 2, 2013

MEETING DATE	AGENDA ITEM
January 9	No meeting
January 23	<ul style="list-style-type: none"> • Majestic Theatre Management Loan Extension • Public Safety Tax/Possible Fund Closures
February 6	<ul style="list-style-type: none"> • Council Policy Review and Recommendation: <ul style="list-style-type: none"> • CP 97-10.01-10.08, "Financial Policies"
February 20	<ul style="list-style-type: none"> • Utility Rate Structure Study Review
March 6	<ul style="list-style-type: none"> • Second Quarter Operating Report • Visit Corvallis Second Quarter Report
March 20	<ul style="list-style-type: none"> • Ambulance Rate Review • Council Policy Review and Recommendation: <ul style="list-style-type: none"> • CP 07-1.10, "Advertising on Corvallis Transit System Buses"
April 3	
April 17	
May 8	
May 22	<ul style="list-style-type: none"> • Visit Corvallis Third Quarter Report
June 5	<ul style="list-style-type: none"> • Third Quarter Operating Report
June 19	<ul style="list-style-type: none"> • Allied Waste Services Annual Report
July 3	
July 17	
August 7	<ul style="list-style-type: none"> • Council Policy Review and Recommendation: <ul style="list-style-type: none"> • CP 91-3.02, "City Compensation Policy"
August 21	
September 4	<ul style="list-style-type: none"> • Visit Corvallis Fourth Quarter Report
September 18	
October 9	<ul style="list-style-type: none"> • Fourth Quarter Operating Report • Council Policy Reviews and Recommendations: <ul style="list-style-type: none"> • CP 92-1.05, "Miscellaneous Property Ownership" • CP 94-2.09, "Council Orientation"
October 23	<ul style="list-style-type: none"> • Utility Rate Annual Review • Council Policy Reviews and Recommendations: <ul style="list-style-type: none"> • CP 04-1.09, "Public Access Television" • CP 91-3.04, "Separation Policy"
November 6	
November 20	
December 4	<ul style="list-style-type: none"> • Visit Corvallis First Quarter Report • Comprehensive Annual Financial Report • First Quarter Operating Report
December 18	

ASC PENDING ITEMS

- | | |
|--|---|
| <ul style="list-style-type: none"> • Comcast Franchise Renewal Update • Council Policy Review and Recommendation: <ul style="list-style-type: none"> • CP 96-6.03, "Economic Development Policies" • Economic Development Policy on Tourism • Municipal Code Review: Chapter 4.01, "Solid Waste Regulations" | <p>Public Works</p> <p style="text-align: right;">CMO</p> <p>Community Development</p> <p style="text-align: right;">Public Works</p> |
|--|---|

Regular Meeting Date and Location:

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

HUMAN SERVICES COMMITTEE SCHEDULED ITEMS

January 2, 2013

MEETING DATE	AGENDA ITEM
January 8	<ul style="list-style-type: none"> • 2013-2014 Social Services Policy Review, Funding Priorities, and Allocation Calendar
January 22	
February 5	
February 19	<ul style="list-style-type: none"> • Social Services Semi-Annual Report
March 5	<ul style="list-style-type: none"> • The Arts Center Annual Report • Public Art Selection Commission Annual Report
March 19	
April 2	
April 16	
May 7	<ul style="list-style-type: none"> • Liquor License Annual Renewals • Majestic Theatre Annual Report
May 21	
June 4	<ul style="list-style-type: none"> • Social Services Allocations – Fiscal Year 2013-2014 • Boards and Commissions Sunset Reviews: <ul style="list-style-type: none"> • Corvallis-Benton County Public Library Board • Commission for Martin Luther King, Jr.
June 18	
July 2	<ul style="list-style-type: none"> • Corvallis Farmers' Market Annual Report
July 16	<ul style="list-style-type: none"> • Council Policy Reviews and Recommendations: <ul style="list-style-type: none"> • CP 98-4.12, "Guidelines for Public Art Selection" • CP 07-4.15, "Use of Computer Lab Equipment and Public Internet Access at Senior Center"
August 6	<ul style="list-style-type: none"> • Parks and Recreation Annual Fee Review
August 20	<ul style="list-style-type: none"> • Social Services Semi-Annual Report
September 3	
September 17	<ul style="list-style-type: none"> • Rental Housing Program Annual Report
October 8	<ul style="list-style-type: none"> • Council Policy Reviews and Recommendations: <ul style="list-style-type: none"> • CP 92-4.05, "Library Meeting Rooms Policy"
October 22	
November 5	
November 19	
December 3	<ul style="list-style-type: none"> • 2013-2014 Social Services Allocation Process and Calendar • Council Policy Reviews and Recommendations: <ul style="list-style-type: none"> • CP 07-4.16, "Code of Conduct for Patrons at Parks and Recreation Facilities, Events, and Programs" • CP 92-5.04, "Hate/Bias Violence"
December 17	

HSC PENDING ITEMS

- Heritage Tree Program Parks & Recreation
- Municipal Code Review: Chapter 5.01, "City Park Regulations" (Alcoholic Beverages in Parks) Parks & Recreation
- Municipal Code Review: Chapter 5.03, "Offenses" (Alcohol Minimum Fines/Social Host/Special Response Notices) Police
- Municipal Code Review: Chapter 5.03, "Offenses" (Smoking Enforcement Hiatus); Chapter 8.10, "Tobacco Retail Licenses" Police/City Attorney's Office
- Municipal Code Review: Chapter 9.02, "Rental Housing Code" Community Development

Regular Meeting Date and Location:

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

**URBAN SERVICES COMMITTEE
SCHEDULED ITEMS**

January 2, 2013

MEETING DATE	AGENDA ITEM
January 10	<ul style="list-style-type: none"> • Occupy Public Right-of-Way Request (NW First Street and NW Jackson Avenue -- Water Street Market Apartments)
January 24	No meeting
February 7	<ul style="list-style-type: none"> • Council Policy Review and Recommendation: <ul style="list-style-type: none"> • CP 91-9.05, "Street Naming and Addressing Policies and Procedures" • Total Maximum Daily Load (TMDL) Requirement Compliance
February 21	<ul style="list-style-type: none"> • Systems Development Charge Annual Review
March 7	<ul style="list-style-type: none"> • Council Policy Reviews and Recommendations: <ul style="list-style-type: none"> • CP 97-7.13, "Municipal Airport and Industrial Park Leases" • 49th Street Annexation Explanatory Statement and Display Advertisement
March 21	•
April 4	•
April 18	•
May 9	•
May 23	•
June 6	<ul style="list-style-type: none"> • Board and Commission Sunset Review: <ul style="list-style-type: none"> • Capital Improvement Program Commission
June 20	•
July 4	No meeting
July 18	•
August 8	•
August 22	•
September 5	•
September 19	•
October 10	<ul style="list-style-type: none"> • Council Policy Reviews and Recommendations: <ul style="list-style-type: none"> • CP 04-1.08, "Organizational Sustainability" • CP 91-7.07, "Sanitary Sewers; Responsibility for" • CP 05-7.17, "Utility/Transportation Facility Extensions Through Public Areas" • CP 91-9.03, "Parking Permit Fees"
October 24	•
November 7	•
November 21	No meeting
December 5	•
December 19	•

USC PENDING ITEMS

- | | |
|---|-----------------------|
| • Corvallis Forest Stewardship Plan Review and Recommendation | Public Works |
| • Municipal Code Review: Chapter 8.13, "Mobile Food Units" | Community Development |
| • NW Cleveland Avenue Traffic Update (February 2014) | Public Works |

Regular Meeting Date and Location:

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



UPCOMING MEETINGS OF INTEREST

City of Corvallis

JANUARY - MARCH 2013

(Updated January 3, 2013)

JANUARY 2013

Date	Time	Group	Location	Subject/Note
4	7:00 am	Bicycle and Pedestrian Adv Cmsn	Madison Avenue Mtg Rm	
5		No Government Comment Corner		
7	6:00 pm	City Council	Downtown Fire Station	
8	7:00 am	Airport Commission	Madison Avenue Mtg Rm	
8	12:00 pm	Human Services Committee	Madison Avenue Mtg Rm	
8	4:00 pm	Downtown Parking Committee	Madison Avenue Mtg Rm	
8	5:00 pm	Cmsn for Martin Luther King, Jr.	Madison Avenue Mtg Rm	
8	5:30 pm	OSU/City Collaboration Project Parking and Traffic Work Group	Osborn Aquatic Center Activity Room	
8	6:00 pm	Historic Resources Commission	Downtown Fire Station	
9		No City Legislative Committee		
9	8:20 am	Citizens Advisory Cmsn on Transit	Madison Avenue Mtg Rm	
9		No Administrative Services Cmte		
9	5:30 pm	Downtown Commission	Madison Avenue Mtg Rm	
10	8:30 am	Citizens Advisory Cmsn on Civic Beautification and Urban Forestry	Parks and Rec Conf Rm	
10	5:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	
10	5:30 pm	OSU/City Collaboration Project Neighborhood Planning Work Grp	Osborn Aquatic Center Activity Room	
12	10:00 am	Government Comment Corner	Library Lobby - TBD	
14	3:00 pm	Economic Development Cmsn	Madison Avenue Mtg Rm	
14	5:30 pm	City Council Work Session	Madison Avenue Mtg Rm	goal setting
15	5:30 pm	OSU/City Collaboration Project Neighborhood Livability Work Grp	Library Meeting Room	
16	5:30 pm	Arts and Culture Commission	Parks and Rec Conf Rm	
16	12:00 pm	Housing and Comm Dev Cmsn	Madison Avenue Mtg Rm	
16	7:00 pm	Planning Commission	Downtown Fire Station	
17	6:30 pm	Parks, Natural Areas, and Rec Brd	TBD	
17	7:00 pm	Budget Commission	Downtown Fire Station	
19		No Government Comment Corner		
21		City Holiday – all offices closed		
22	12:00 pm	Human Services Committee	Madison Avenue Mtg Rm	
22	5:00 pm	Cmsn for Martin Luther King, Jr.	Madison Avenue Mtg Rm	
22	5:30 pm	OSU/City Collaboration Project Parking and Traffic Work Group	Osborn Activity Room	
22	6:00 pm	City Council	Downtown Fire Station	
22	7:00 pm	Historic Resources Commission	Madison Avenue Mtg Rm	
23	4:00 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
23	5:00 pm	Watershed Mgmt Advisory Cmsn	TBD	
23	5:30 pm	OSU/City Collaboration Project Neighborhood Planning Work Grp	Osborn Activity Room	
24	5:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	
26	10:00 am	Government Comment Corner	Library Lobby - TBD	
29	5:30 pm	OSU/City Collaboration Project Neighborhood Livability Work Grp	TBD	

FEBRUARY 2013

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	6:00 pm	City Council	Downtown Fire Station	
5	7:00 am	Airport Commission	Madison Avenue Mtg Rm	
5	12:00 pm	Human Services Committee	Madison Avenue Mtg Rm	
5	4:00 pm	Downtown Parking Committee	Madison Avenue Mtg Rm	
5	5:30 pm	OSU/City Collaboration Project Neighborhood Planning Work Grp	Osborn Activity Room	
5	7:00 pm	City Council Work Session	Downtown Fire Station	department budget presentations
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	5:30 pm	OSU/City Collaboration Project Parking and Traffic Work Group	TBD	
9	10:00 am	Government Comment Corner	Library Lobby - TBD	
11	3:00 pm	Economic Development Cmsn	Madison Avenue Mtg Rm	
11	7:00 pm	Joint City Council/Planning Commission Work Session	Downtown Fire Station	Airport Master Plan
12	3:00 pm - 6:00 pm	City Council Orientation	Madison Avenue Mtg Rm	media, advisory boards and commissions
12	5:30 pm	OSU/City Collaboration Project Neighborhood Livability Work Grp	Osborn Activity Room	
12	6:00 pm	Historic Resources Commission	Downtown Fire Station	
12	7:00 pm	City Council Work Session	Madison Avenue Mtg Rm	department budget presentations
13	7:30 am	City Legislative Committee	City Hall Meeting Room A	
13	8:20 am	Citizens Advisory Cmsn on Transit	Madison Avenue Mtg Rm	
13	5:30 pm	Downtown Commission	Madison Avenue Mtg Rm	
14	8:30 am	Citizens Advisory Cmsn on Civic Beautification and Urban Forestry	Parks and Rec Conf Rm	
16		No Government Comment Corner		
18		City Holiday – all offices closed		
19	12:00 pm	Human Services Committee	Madison Avenue Mtg Rm	
19	5:30 pm	OSU/City Collaboration Project Neighborhood Planning Work Grp	Osborn Activity Room	
19	6:00 pm	City Council	Downtown Fire Station	
20	12:00 pm	Housing and Comm Dev Cmsn	Madison Avenue Mtg Rm	
20	4:00 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
20	5:30 pm	Arts and Culture Commission	Parks and Rec Conf 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	
23	10:00 am	Government Comment Corner	Library Lobby - TBD	
26	5:00 pm	Cmsn for Martin Luther King, Jr.	Madison Avenue Mtg Rm	
26	5:30 pm	OSU/City Collaboration Project Neighborhood Livability Work Grp	Osborn Activity Room	
27	5:00 pm	Watershed Mgmt Advisory Cmsn	TBD	
27	5:30 pm	City Council Work Session	Madison Avenue Mtg Rm	goals refinement

MARCH 2013

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	6:00 pm	City Council	Downtown Fire Station	
5	7:00 am	Airport Commission	Madison Avenue Mtg Rm	
5	12:00 pm	Human Services Committee	Madison Avenue Mtg Rm	
5	4:00 pm	Downtown Parking Committee	Madison Avenue Mtg Rm	
6	4:00 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
6	7:00 pm	<i>Planning Commission</i>	<i>Downtown Fire Station</i>	
6	7:30 pm	Library Board	Library Board Room	
7	5:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	
9	10:00 am	Government Comment Corner	Library Lobby - TBD	
11	3:00 pm	<i>Economic Development Cmsn</i>	<i>Madison Avenue Mtg Rm</i>	
12	6:00 pm	<i>Historic Resources Commission</i>	<i>Downtown Fire Station</i>	
13	7:30 am	<i>City Legislative Committee</i>	<i>City Hall Meeting Room A</i>	
13	8:20 am	Citizens Advisory Cmsn on Transit	Madison Avenue Mtg Rm	
13	5:30 pm	<i>Downtown Commission</i>	<i>Madison Avenue Mtg Rm</i>	
14	8:30 am	Citizens Advisory Cmsn on Civic Beautification and Urban Forestry	Parks and Rec Conf Rm	
16	10:00 am	Government Comment Corner	Library Lobby - TBD	
18	6:00 pm	City Council	Downtown Fire Station	
19	12:00 pm	Human Services Committee	Madison Avenue Mtg Rm	
20	12:00 pm	<i>Housing and Comm Dev Cmsn</i>	<i>Madison Avenue Mtg Rm</i>	
20	4:00 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
20	5:30 pm	Arts and Culture Commission	Parks and Rec Conf Rm	
20	7:00 pm	<i>Planning Commission</i>	<i>Downtown Fire Station</i>	
21	5:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	
21	6:30 pm	Parks, Natural Areas, and Rec Brd	Downtown Fire Station	
23	10:00 am	Government Comment Corner	Library Lobby - TBD	
26	5:00 pm	Cmsn for Martin Luther King, Jr.	Madison Avenue Mtg Rm	
27	5:00 pm	Watershed Management Adv Cmsn	Madison Avenue Mtg Rm	
30	10:00 am	Government Comment Corner	Library Lobby - TBD	

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

TBD - To be Determined PC - Planning Commission HRC - Historic Resources Commission